

APPENDIX A:

Financial and Market Analysis

The City of Swartz Creek, Michigan

Financial and Market Analysis

April 5, 2020

Prepared by:

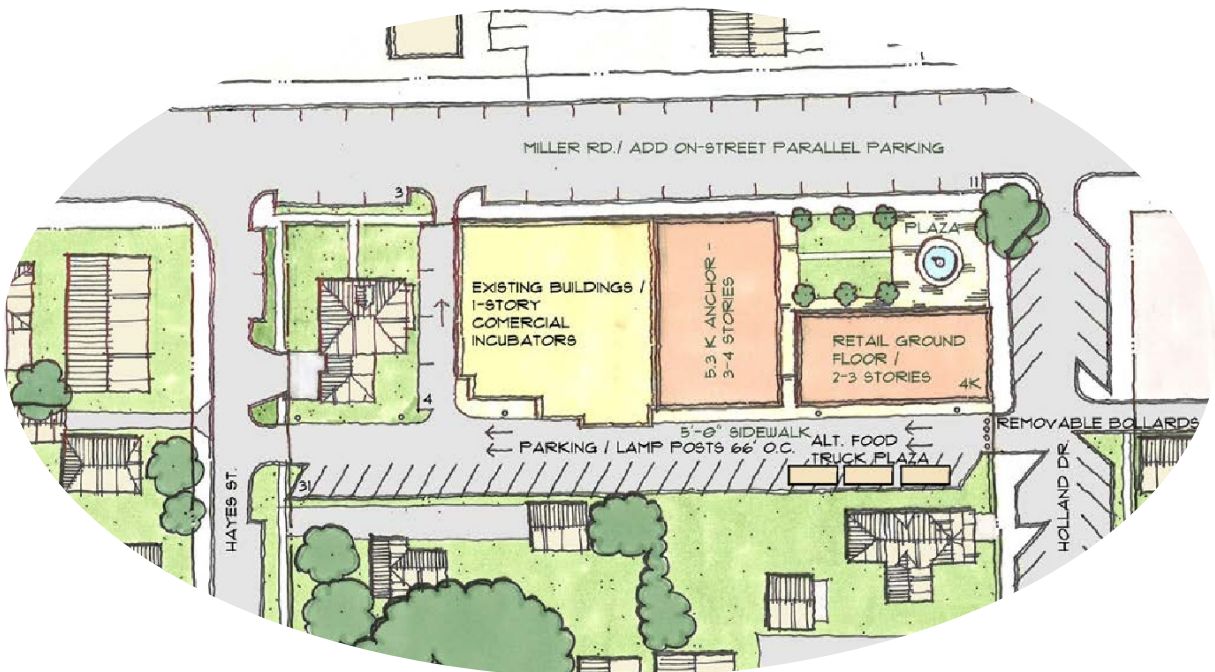


LandUseUSA
UrbanStrategies

In Collaboration with:



seamless collaborative
urbanism + design + economics



Preferred Development Scenario
Prepared by Michael Campbell
and McKenna Associates

Market Conditions and Opportunities

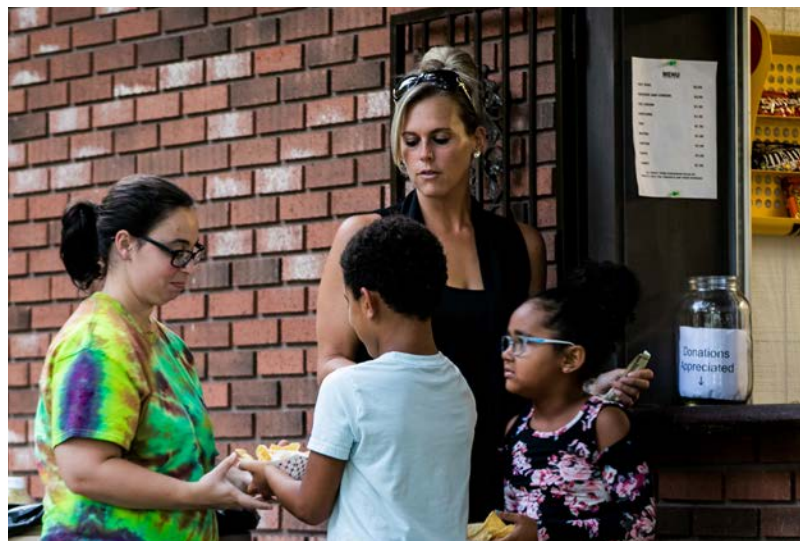
A Financial and Market Analysis pertaining to the subject site was prepared by LandUseUSA of Laingsburg, MI in February 2020, and is presented as an Appendix to this document (Appendix A). This analysis and the conclusions drawn therefrom are summarized below:



- The subject site is highly visible, with the opportunity to benefit from buildings that provide views of the downtown district. The site is ideal for revenue-generating activities including housing, retail, and restaurant.
- The subject site is easily walkable to existing downtown businesses and adjacent neighborhoods, and can leverage cross-marketing synergies between these to attract additional visitors.
- The subject site could attract businesses that leverage synergies with the cluster of local restaurants on Miller Road, or fill needed gaps in the local retail market. There is significant export in those retail and restaurant categories that are conducive to traditional downtowns; this business is overwhelmingly being conducted three miles to the northeast in neighboring Flint Charter Township, where a large cluster of auto-oriented retail businesses and restaurants exists.
- The Genesee County region lacks a variety of retail, restaurant, and housing options located in a traditional, "Main Street" context. Small clusters of these options, or their subsets, exist in neighboring communities including Flushing, Linden, and Grand Blanc, as well as in downtown Flint. There is ample room for these options to be added to Swartz Creek, given changing consumer demand preferences, and a shift in the retail landscape away from suburban, auto-oriented store models.

Source: The Developer Request for Qualifications (RFQ) prepared by Seamless Collaborative, supported the the Market Analysis prepared by LandUseUSA; March 2020.

- The development site provides an opportunity to create new attached housing choices that are currently underserved in the local market. The ideal format for revenue maximization would consist of 2-3 stories of for-lease lofts, at or above market rates.
- Estimated monthly per-square foot rents for commercial and office space are uniform throughout the Genesee County region. If the site's existing buildings are renovated and sublet to merchants or restaurants with less than 2,000 square feet each, then the rents could be as high as \$1.50 per square foot.
- If, however, the commercial space is located within a new mixed-use building with high quality design, then it might be reasonable to pursue rents that approach \$2.00 per square foot.
- A total of 20 new renters are moving into the City of Swartz Creek each year, and seeking choices among buildings with at least five units (such as townhouses or lofts). In addition, at least 80 existing renters are moving within the city each year, searching for choices among buildings with at least five units. Therefore, the total movership and maximum market potential is 100 units per year.
- 280 households across five moderate-income Lifestyle Clusters were identified as residing within Swartz Creek, which belong to Target Market groups with a propensity to seek housing in buildings with four or more units. For example, there are 125 households in the 'Family Troopers' cluster (O55) residing in Swartz Creek. In a given year, 32 of these households would be inclined to move within Swartz Creek to a building with four or more units—assuming housing in their preferred format were available.
- New lofts in this market should be small and compact, including some studios, with sizes of 450 to 650 square feet. Units should be marketed as "For-Lease Lofts" rather than "For-Rent Apartments." The smallest units can have the highest rents per square foot, and the largest units will command the lowest rents per square foot.



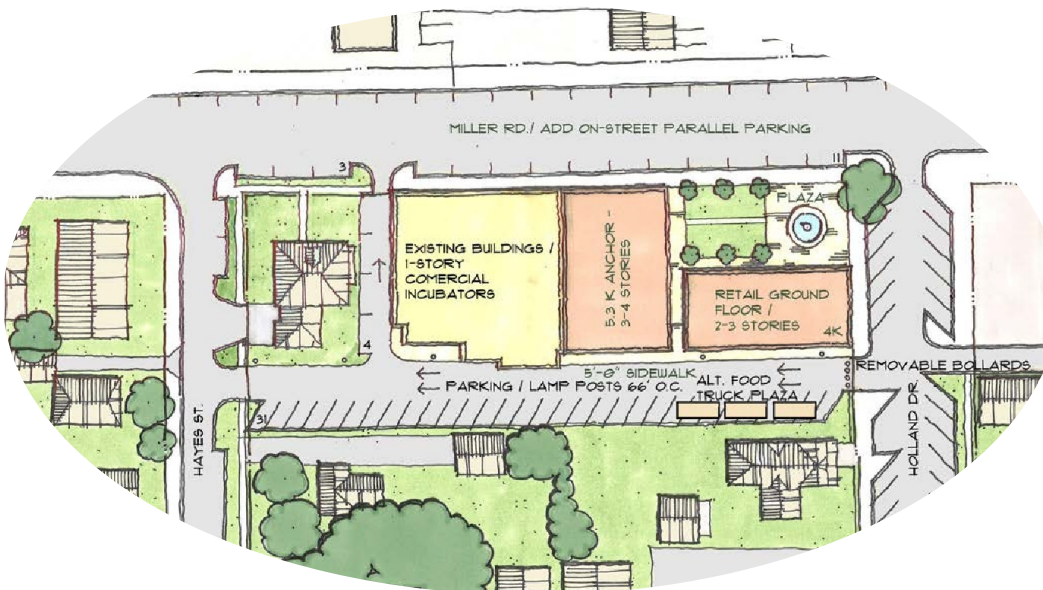
Source: The Developer Request for Qualifications (RFQ) prepared by Seamless Collaborative, supported the the Market Analysis prepared by LandUseUSA; March 2020.

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Section A Retail Market Analysis



Preferred Development Scenario
Prepared by Michael Campbell
and McKenna Associates

Retail Leakage Analysis | Year 2020

The City of Swartz Creek with Comparisons

Page 1 of 2

	Restaurants Food Service	Total Retail Trade
NAICS Code =	72	44-45

of Existing Establishments

Genesee County	683	1,506
The City of Swartz Creek	14	20
The City of Flint	167	377
Flint Township	96	258

Total Transacted Sales (\$000)

Genesee County	\$685,078.2	\$6,836,616.4
The City of Swartz Creek	\$13,285.7	\$100,784.7
The City of Flint	\$95,443.0	\$740,210.0
Flint Township	\$101,737.0	\$1,065,349.0

Average Sales per Estab. (\$Mil.)

Genesee County	\$1.0	\$4.5
The City of Swartz Creek	\$0.9	\$5.1
The City of Flint	\$0.6	\$2.0
Flint Township	\$1.1	\$4.1

Forecast Population

Genesee County	417,000	417,000
The City of Swartz Creek	8,000	8,000
The City of Flint	100,000	100,000
Flint Township	35,000	35,000

Transacted Sales per Capita (\$)

Genesee County	\$1,643	\$16,395
The City of Swartz Creek	\$1,661	\$12,598
The City of Flint	\$954	\$7,402
Flint Township	\$2,907	\$30,439

Source: Underlying data provided by the United States Economic Census with all forecasts and estimates by LandUseUSA | Urban Strategies in collaboration with Seamless Collaboration and for the City of Swartz Creek; February 2020.

Retail Leakage Analysis | Year 2020 The City of Swartz Creek with Comparisons

Page 2 of 2

	Restaurants Food Service	Total Retail Trade
NAICS Code =	72	44-45
Forecast Per Capita Income		
Genesee County	\$25,000	\$25,000
The City of Swartz Creek	\$28,000	\$28,000
The City of Flint	\$17,000	\$17,000
Flint Township	\$25,000	\$25,000
Total Personal Income (\$Mil.)		
Genesee County	\$10,425.0	\$10,425.0
The City of Swartz Creek	\$224.0	\$224.0
The City of Flint	\$1,700.0	\$1,700.0
Flint Township	\$875.0	\$875.0
Implied Market Share (%)		
Genesee County	6.6%	65.6%
The City of Swartz Creek	5.9%	45.0%
The City of Flint	5.6%	43.5%
Flint Township	11.6%	121.8%
Implied Net Leakage (%)		
The City of Swartz Creek	-10%	-31%
The City of Flint	-15%	-34%
Implied Net Import (%)		
Flint Township	43%	46%

Source: Underlying data provided by the United States Economic Census with all forecasts and estimates by LandUseUSA | Urban Strategies in collaboration with Seamless Collaboration and for the City of Swartz Creek; February 2020.

Revenue Potential and Job Creation
The City of Swartz Creek, Michigan | 2020

NAICS Code	Category Description	Sales per Establishment (\$Mil.)	Jobs per Establishment (#)
44-45	Retail trade (Industry Average)	\$4.7	15
4451	Grocery stores	\$6.1	24
4452	Specialty food stores	\$0.6	5
4453	Beer, wine, and liquor stores	\$0.9	4
44711	Convenience stores with gasoline	\$3.9	7
44611	Pharmacies and drug stores	\$6.9	14
44612	Cosmetics, beauty supply stores	\$1.0	11
44613	Optical goods stores	\$1.0	7
452111	Department stores (excl. discount)	\$13.0	123
452112	Discount department stores	\$9.9	64
4481	Clothing stores	\$1.4	14
4482	Shoe stores	\$1.1	8
44111	New car dealers	\$59.1	71
44112	Used car dealers	\$3.3	5
44121	Recreational vehicle dealers	\$3.9	17
44122	Motorcycle, boat, dealers	\$3.3	8
44131	Auto parts, accessories stores	\$1.5	11
44132	Tire dealers	\$1.7	8
4421	Furniture stores	\$3.6	13
44221	Floor covering stores	\$2.5	7
44229	Home Furnishings, Other	\$2.2	11
443141	Household appliance stores	\$3.0	11
443142	Electronics stores	\$1.9	8
4441	Building material, supplies dealers	\$7.2	26
4442	Lawn, garden equip., supply stores	\$1.4	6
45111	Sporting goods stores	\$2.3	11
45112	Hobby, toy, and game stores	\$2.3	22
4512	Book stores and news dealers	\$1.4	9
4531	Florists	\$0.6	7
45321	Office supplies, stationery stores	\$1.7	11
45322	Gift, novelty, and souvenir stores	\$0.6	8
4533	Used merchandise stores	\$0.5	7
45391	Pet and pet supplies stores	\$1.6	11
722	Restaurants, Food Service	\$1.2	23

Source: Underlying data is based on the United States Economic Census of Retail Trade and the American Community Survey with estimates, forecasts, and calculations by LandUseUSA | Urban Strategies. Prepared in collaboration with Seamless Collaborative and for the City of Swartz Creek; 2020. Jobs per establishment include both full-time and part-time positions.

Retail Market Parameters

The City of Swartz Creek, Michigan

	2000		2010		2019		2024	
Population and Income	Census	Share	Census	Share	Estimates	Share	Projections	Share
Total Population	80,266	.	81,061	.	79,099	.	77,903	.
Per Capita Income	\$22,742	.	\$24,835	.	\$26,286	.	\$29,694	.
Total Personal Inc. (\$Mil.)	\$1,825.4	.	\$2,013.1	.	\$2,079.2	.	\$2,313.3	.

	2000		2010		2019		2024	
Population by Age	Census	Share	Census	Share	Estimates	Share	Projections	Share
0 to 4	308	6%	340	6%	294	5%	277	5%
5 to 14	627	12%	733	13%	682	12%	664	12%
15 to 19	314	6%	359	6%	339	6%	325	6%
20 to 24	335	7%	294	5%	288	5%	301	5%
25 to 34	656	13%	665	12%	632	11%	636	11%
35 to 44	750	15%	737	13%	667	12%	665	12%
45 to 54	734	14%	749	13%	663	12%	635	11%
55 to 64	538	11%	723	13%	809	14%	743	13%
65 to 74	454	9%	590	10%	696	12%	744	13%
75 to 84	296	6%	410	7%	423	7%	485	9%
85+	95	2%	157	3%	195	3%	205	4%
Median Age:	40.1	.	41.0	.	44.1	.	44.6	.

	2000		2010		2019		2024	
Marital Status	Census	Share	Census	Share	Estimates	Share	Projections	Share
Married, Spouse Present	2,195	53%	2,421	52%	2,272	48%	2,273	48%
Married, Spouse Absent	88	2%	129	3%	99	2%	101	2%
Divorced	535	13%	594	13%	731	16%	741	16%
Widowed	330	8%	405	9%	388	8%	392	8%
Never Married	1,031	25%	1,134	24%	1,221	26%	1,231	26%
Age 15+ Population	4,171	.	4,684	.	4,712	.	4,738	.

Source: Underlying data provided by the Decennial Census, plus estimates by eSite Analytics.

Analysis and exhibit prepared by LandUseUSA in collaboration with Seamless Collaborative; 2020.

Retail Market Parameters

7-Mile Radius for Downtown Swartz Creek

	2000		2010		2019		2024	
Population and Income	Census	Share	Census	Share	Estimates	Share	Projections	Share
Total Population	5,106	.	5,756	.	5,687	.	5,679	.
Per Capita Income	\$22,213	.	\$23,690	.	\$27,060	.	\$30,628	.
Total Personal Inc. (\$Mil.)	\$113.4	.	\$136.4	.	\$153.9	.	\$173.9	.

	2000		2010		2019		2024	
Population by Age	Census	Share	Census	Share	Estimates	Share	Projections	Share
0 to 4	5,007	6%	4,701	6%	4,254	5%	4,132	5%
5 to 14	11,044	14%	10,589	13%	9,335	12%	9,064	12%
15 to 19	5,386	7%	5,780	7%	4,878	6%	4,609	6%
20 to 24	4,714	6%	4,473	6%	4,682	6%	4,565	6%
25 to 34	10,120	13%	9,188	11%	8,914	11%	9,017	12%
35 to 44	13,318	17%	9,993	12%	8,872	11%	8,685	11%
45 to 54	11,522	14%	12,580	16%	10,787	14%	9,801	13%
55 to 64	7,851	10%	10,739	13%	12,018	15%	11,355	15%
65 to 74	6,212	8%	6,628	8%	8,511	11%	9,216	12%
75 to 84	3,710	5%	4,560	6%	4,627	6%	5,216	7%
85+	1,384	2%	1,830	2%	2,221	3%	2,242	3%
Median Age:	38.1	.	40.9	.	43.5	.	43.8	.

	2000		2010		2019		2024	
Marital Status	Census	Share	Census	Share	Estimates	Share	Projections	Share
Married, Spouse Present	34,530	54%	30,108	46%	29,425	45%	28,786	44%
Married, Spouse Absent	1,782	3%	2,438	4%	1,915	3%	1,916	3%
Divorced	7,562	12%	7,988	12%	8,753	13%	8,696	13%
Widowed	4,602	7%	5,197	8%	4,601	7%	4,563	7%
Never Married	15,653	24%	20,041	30%	20,817	32%	20,745	32%
Age 15+ Population	64,216	.	65,772	.	65,510	.	64,706	.

Source: Underlying data provided by the Decennial Census, plus estimates by eSite Analytics.

Analysis and exhibit prepared by LandUseUSA in collaboration with Seamless Collaborative; 2020.

Retail Market Parameters Genesee County, Michigan

	2000		2010		2019		2024	
Population and Income	Census	Share	Census	Share	Estimates	Share	Projections	Share
Total Population	436,135	.	425,789	.	416,378	.	410,513	.
Per Capita Income	\$20,688	.	\$23,236	.	\$24,805	.	\$28,187	.
Total Personal Inc. (\$Mil.)	\$9,022.8	.	\$9,893.6	.	\$10,328.3	.	\$11,571.1	.

	2000		2010		2019		2024	
Population by Age	Census	Share	Census	Share	Estimates	Share	Projections	Share
0 to 4	31,539	7%	27,319	6%	24,676	6%	23,983	6%
5 to 14	68,892	16%	59,622	14%	52,799	13%	50,884	12%
15 to 19	30,646	7%	32,030	8%	27,177	7%	25,427	6%
20 to 24	27,293	6%	25,689	6%	26,373	6%	25,627	6%
25 to 34	59,035	14%	50,224	12%	49,973	12%	50,632	12%
35 to 44	70,693	16%	55,060	13%	48,772	12%	47,672	12%
45 to 54	59,485	14%	64,981	15%	56,375	14%	51,252	12%
55 to 64	37,940	9%	52,676	12%	59,502	14%	56,297	14%
65 to 74	29,074	7%	30,938	7%	41,116	10%	45,302	11%
75 to 84	16,206	4%	19,792	5%	20,718	5%	24,312	6%
85+	5,333	1%	7,459	2%	8,898	2%	9,126	2%
Median Age:	35.1	.	38.4	.	40.6	.	41.1	.

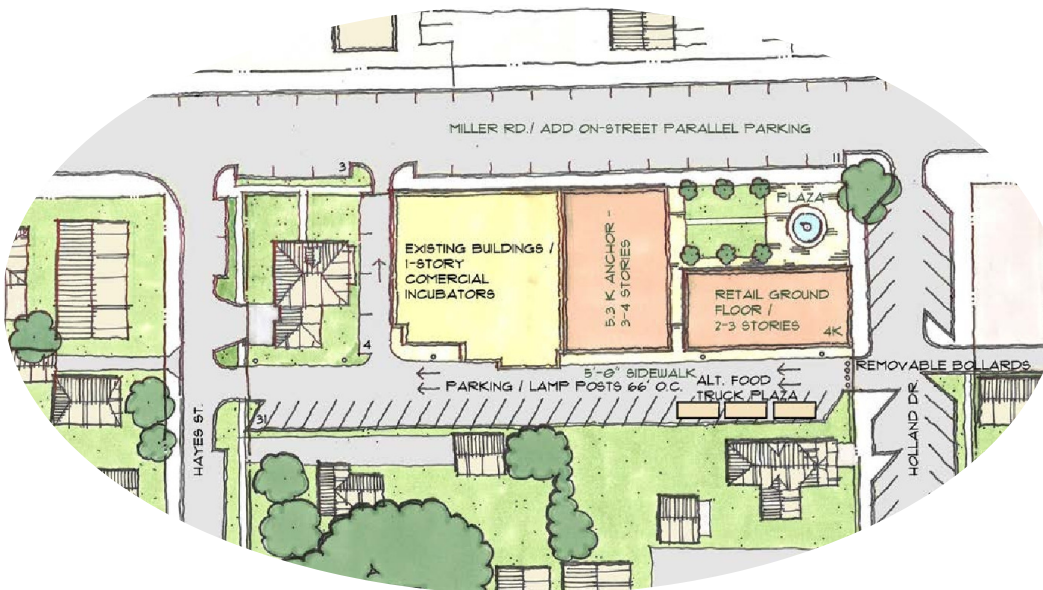
	2000		2010		2019		2024	
Marital Status	Census	Share	Census	Share	Estimates	Share	Projections	Share
Married, Spouse Present	166,138	49%	146,328	43%	142,952	42%	140,999	42%
Married, Spouse Absent	12,347	4%	14,652	4%	11,240	3%	11,209	3%
Divorced	40,746	12%	42,125	12%	46,875	14%	46,609	14%
Widowed	21,791	6%	25,210	7%	22,096	7%	22,002	7%
Never Married	94,610	28%	110,534	33%	115,740	34%	114,827	34%
Age 15+ Population	335,704	.	338,848	.	338,903	.	335,646	.

Source: Underlying data provided by the Decennial Census, plus estimates by eSite Analytics.

Analysis and exhibit prepared by LandUseUSA in collaboration with Seamless Collaborative; 2020.

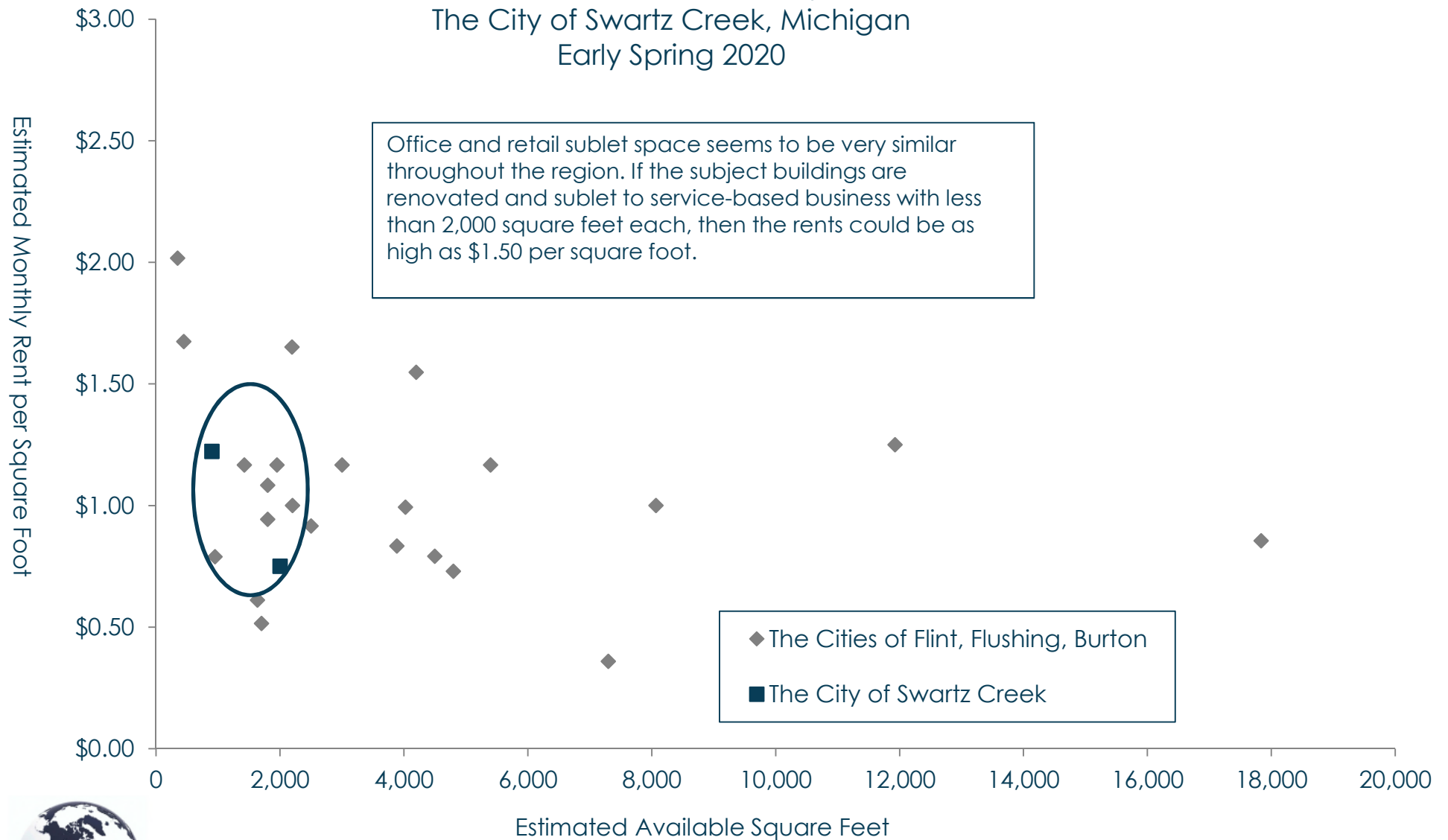
Section B

Commercial Real Estate Analysis



Preferred Development Scenario
Prepared by Michael Campbell
and McKenna Associates

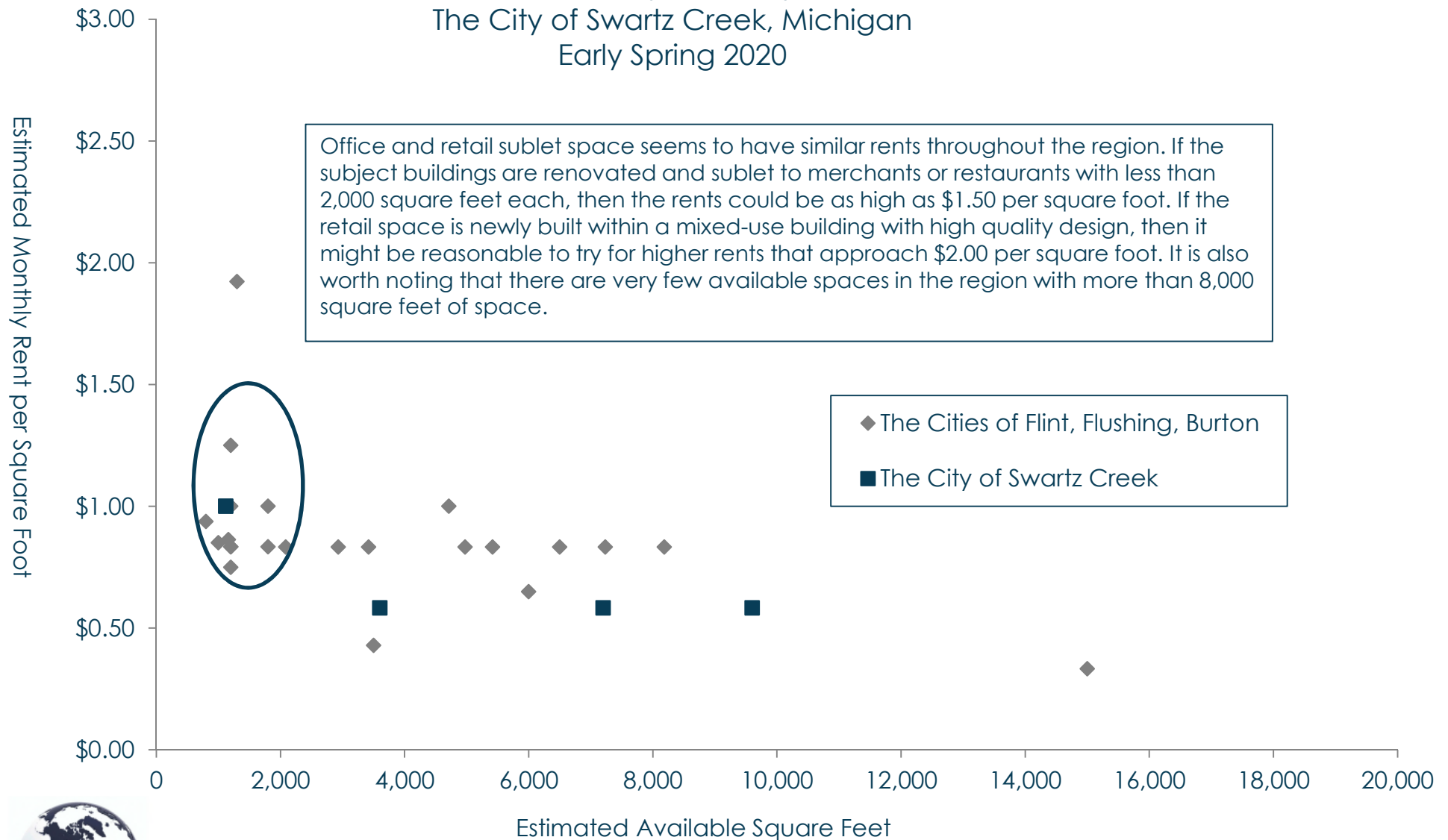
Estimated Monthly Rent Per Square Foot
Commercial and Office Space
The City of Swartz Creek, Michigan
Early Spring 2020



LandUseUSA
UrbanStrategies

Source: Underlying data gathered from field inventories, assessor's records, and phone interviews; and verified through online and internet research. Analysis and exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative; February 2020.

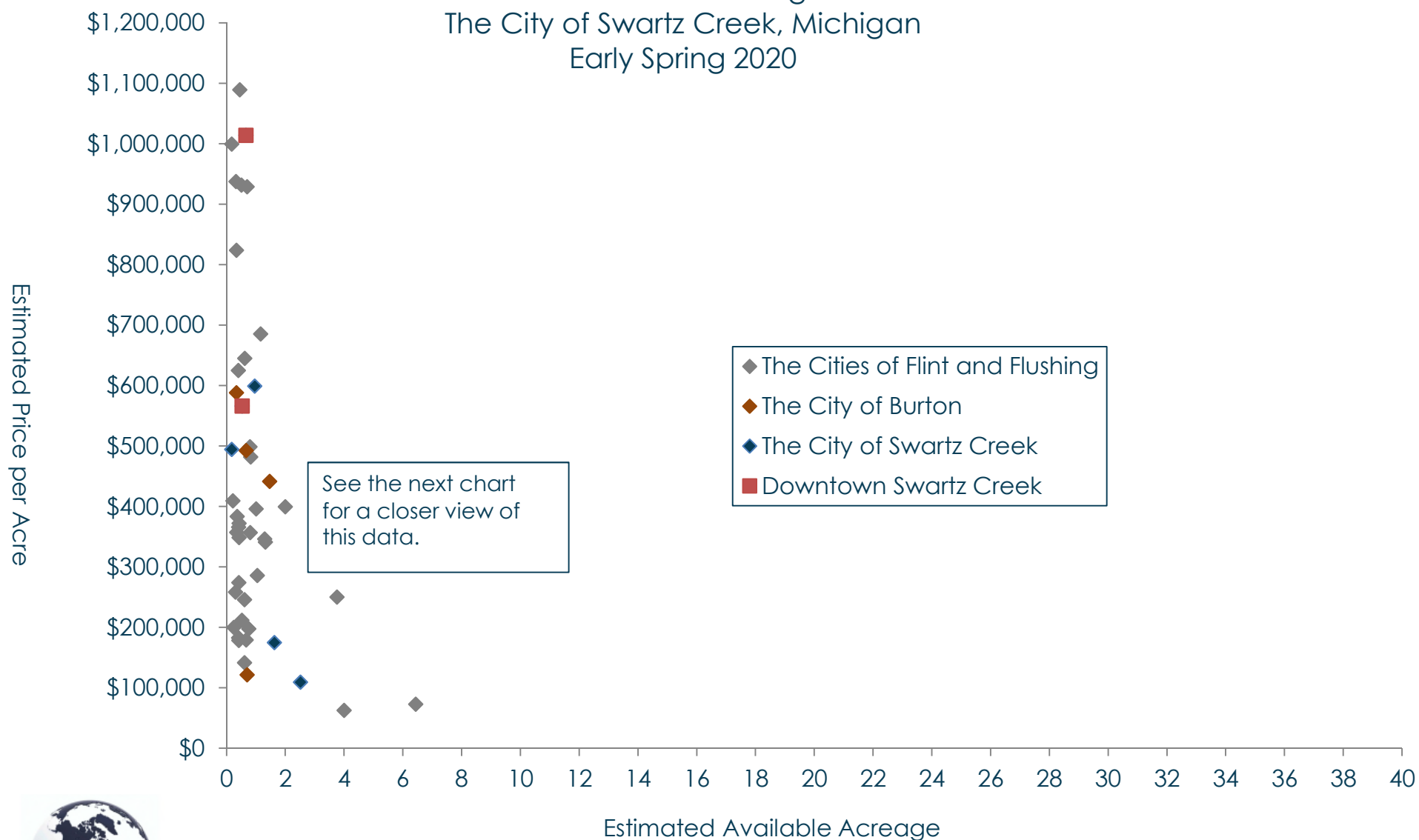
Estimated Monthly Rent Per Square Foot
Retail Space Only
The City of Swartz Creek, Michigan
Early Spring 2020



LandUseUSA
UrbanStrategies

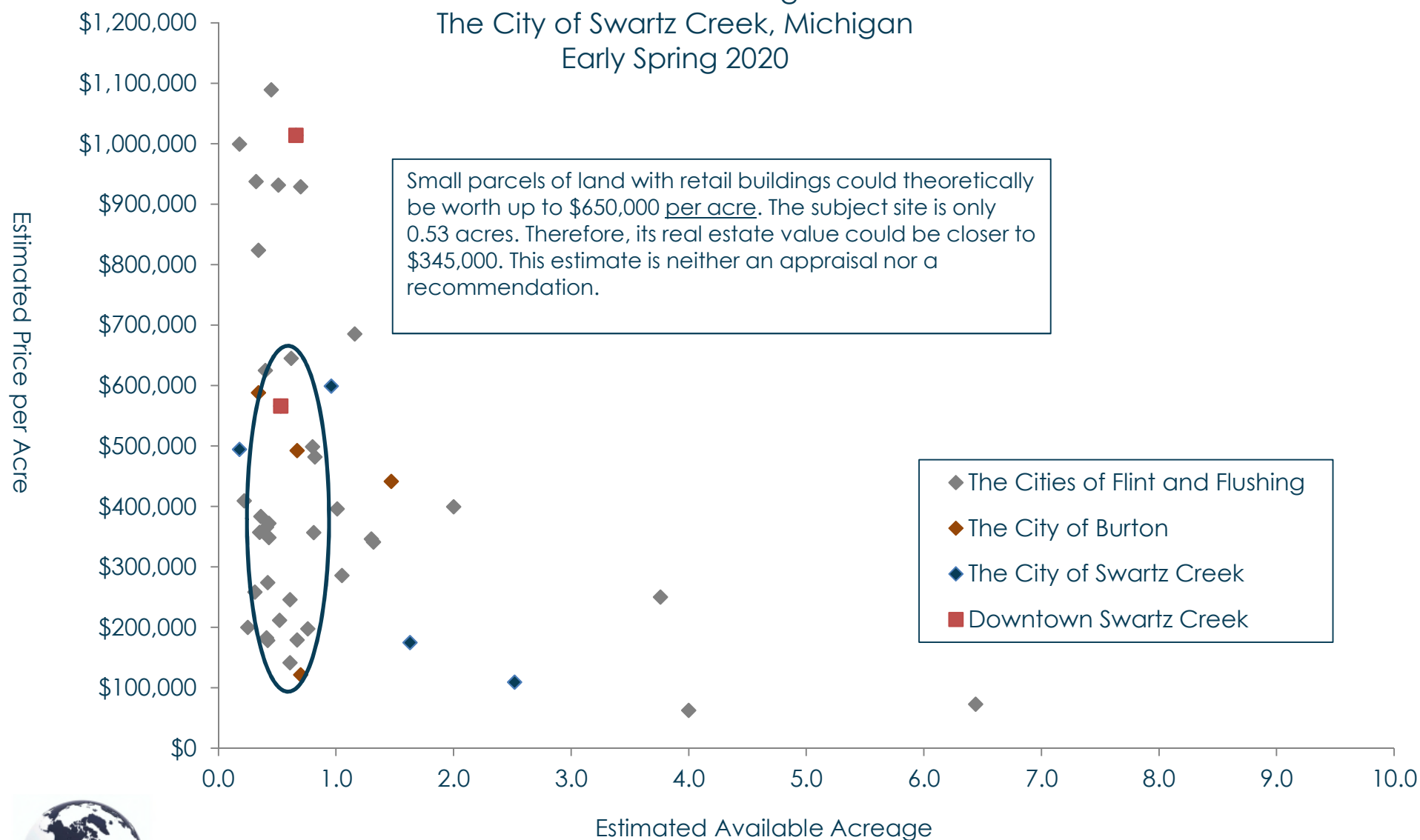
Source: Underlying data gathered from field inventories, assessor's records, and phone interviews; and verified through online and internet research. Analysis and exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative; February 2020.

Estimated Price Per Acre With Retail Buildings The City of Swartz Creek, Michigan Early Spring 2020

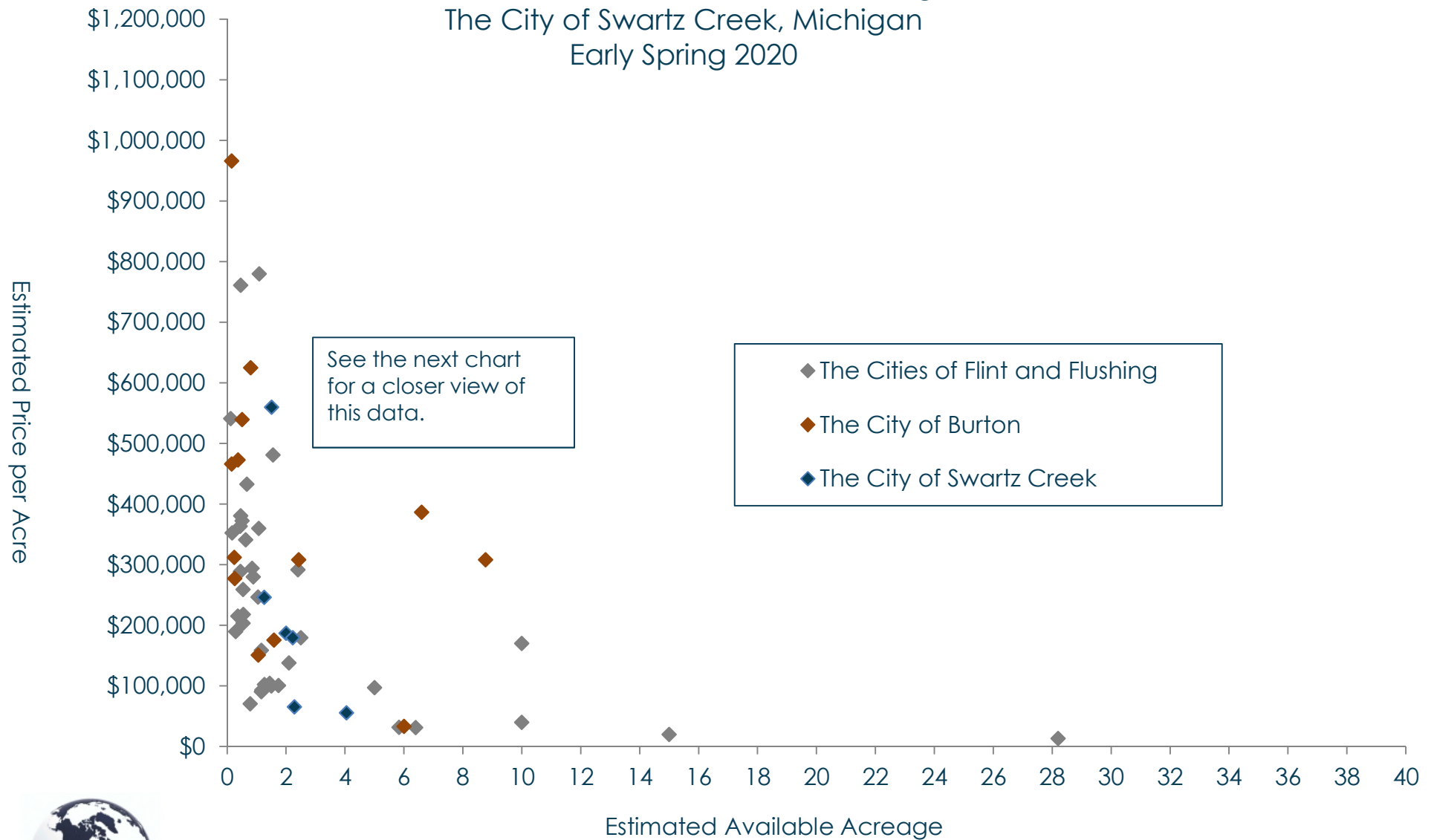


Source: Underlying data gathered from field inventories, assessor's records, and phone interviews; and verified through online and internet research. Analysis and exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative; February 2020.

Estimated Price Per Acre With Retail Buildings The City of Swartz Creek, Michigan Early Spring 2020



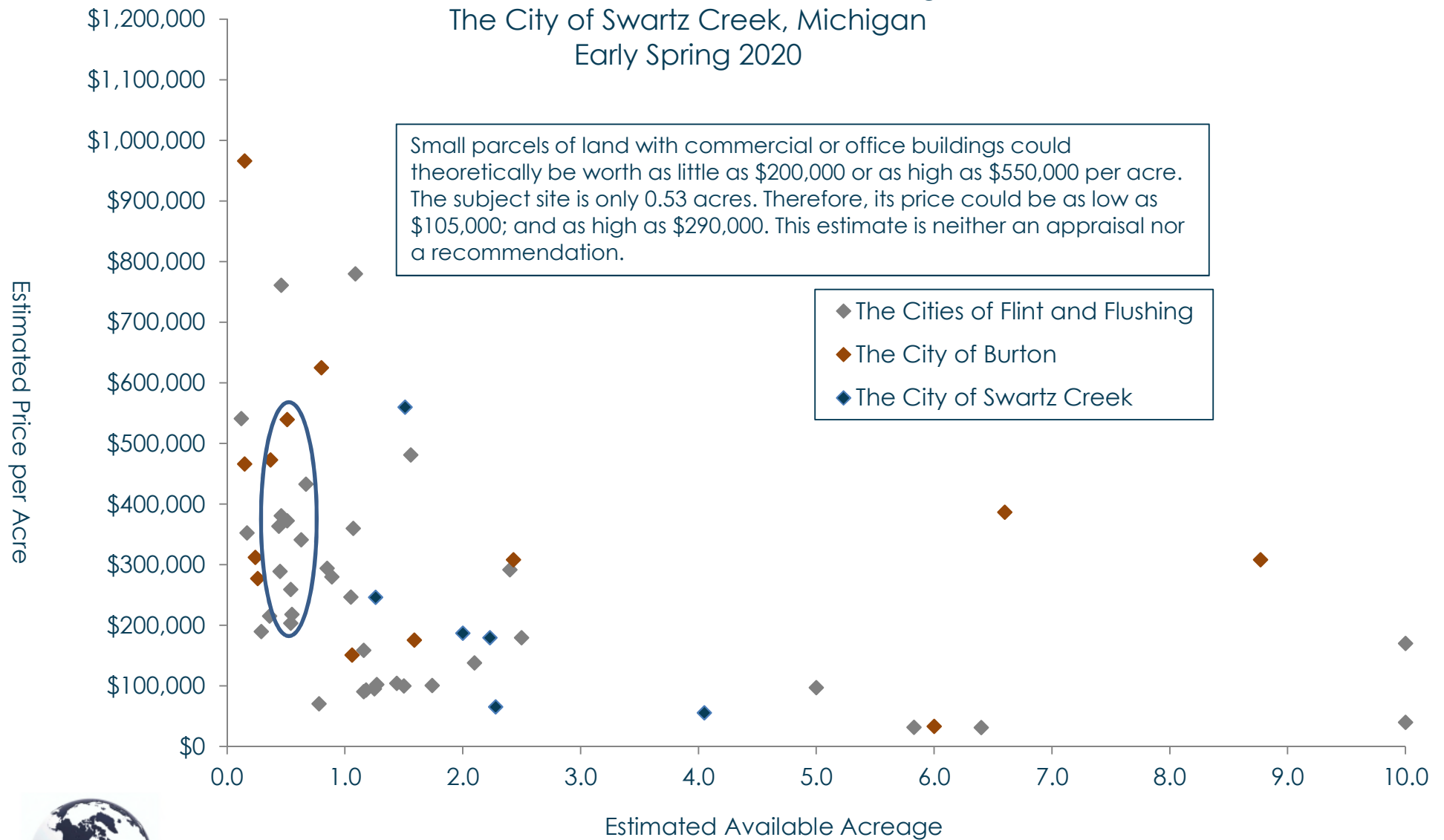
Estimated Price Per Acre
With Commerical and Office Buildings
The City of Swartz Creek, Michigan
Early Spring 2020



LandUseUSA
UrbanStrategies

Source: Underlying data gathered from field inventories, assessor's records, and phone interviews; and verified through online and internet research. Analysis and exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative; February 2020.

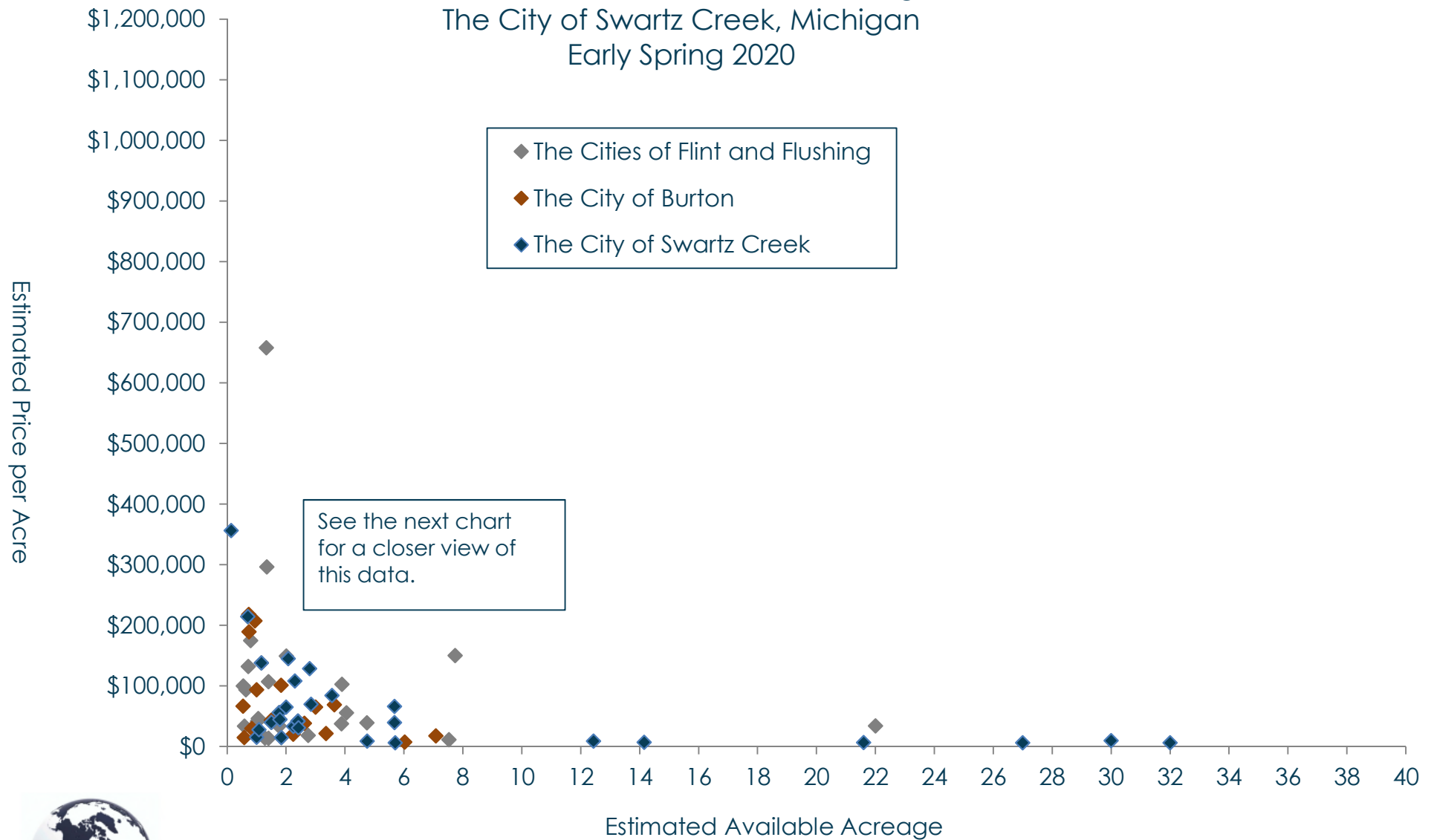
Estimated Price Per Acre With Commerical and Office Buildings The City of Swartz Creek, Michigan Early Spring 2020



LandUseUSA
UrbanStrategies

Source: Underlying data gathered from field inventories, assessor's records, and phone interviews; and verified through online and internet research. Analysis and exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative; February 2020.

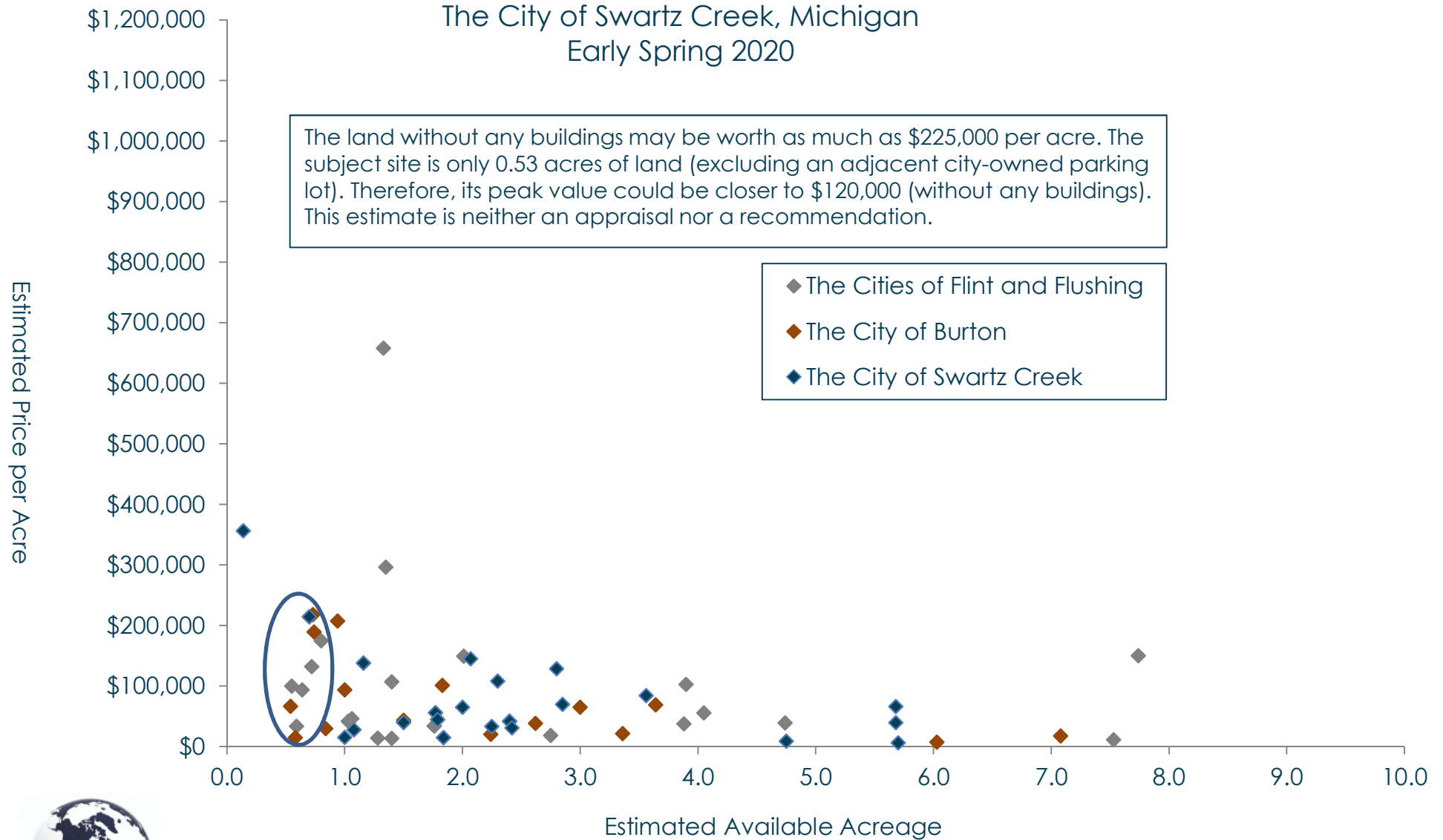
Estimated Price Per Acre
Commerical LAND without Buildings
The City of Swartz Creek, Michigan
Early Spring 2020



LandUseUSA
UrbanStrategies

Source: Underlying data gathered from field inventories, assessor's records, and phone interviews; and verified through online and internet research. Analysis and exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative; February 2020.

Estimated Price Per Acre Commerical Land only, without Buildings The City of Swartz Creek, Michigan Early Spring 2020



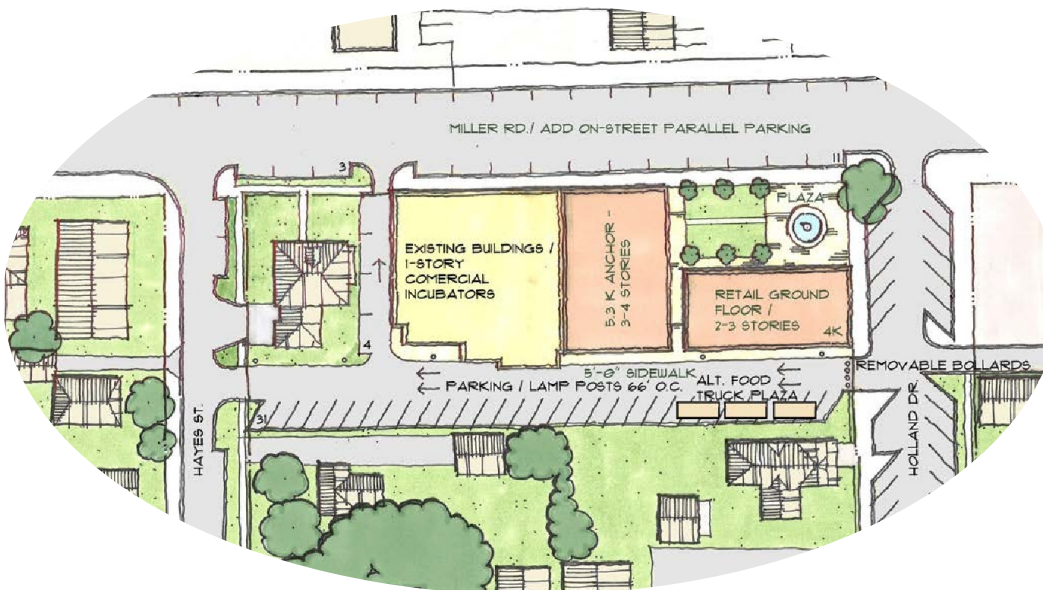
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Section C

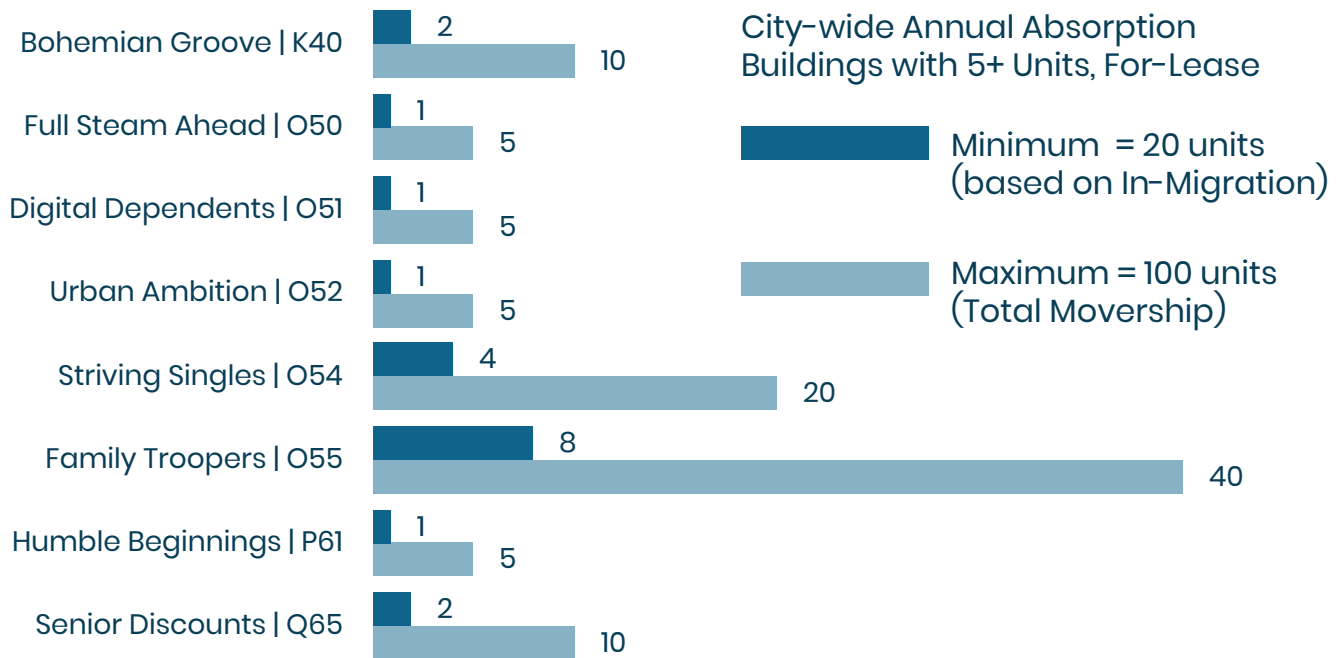
Urban Lofts

Residential Market Analysis



Preferred Development Scenario
Prepared by Michael Campbell
and McKenna Associates

Annual Absorption | Swartz Creek Renter Target Markets | Year 2020

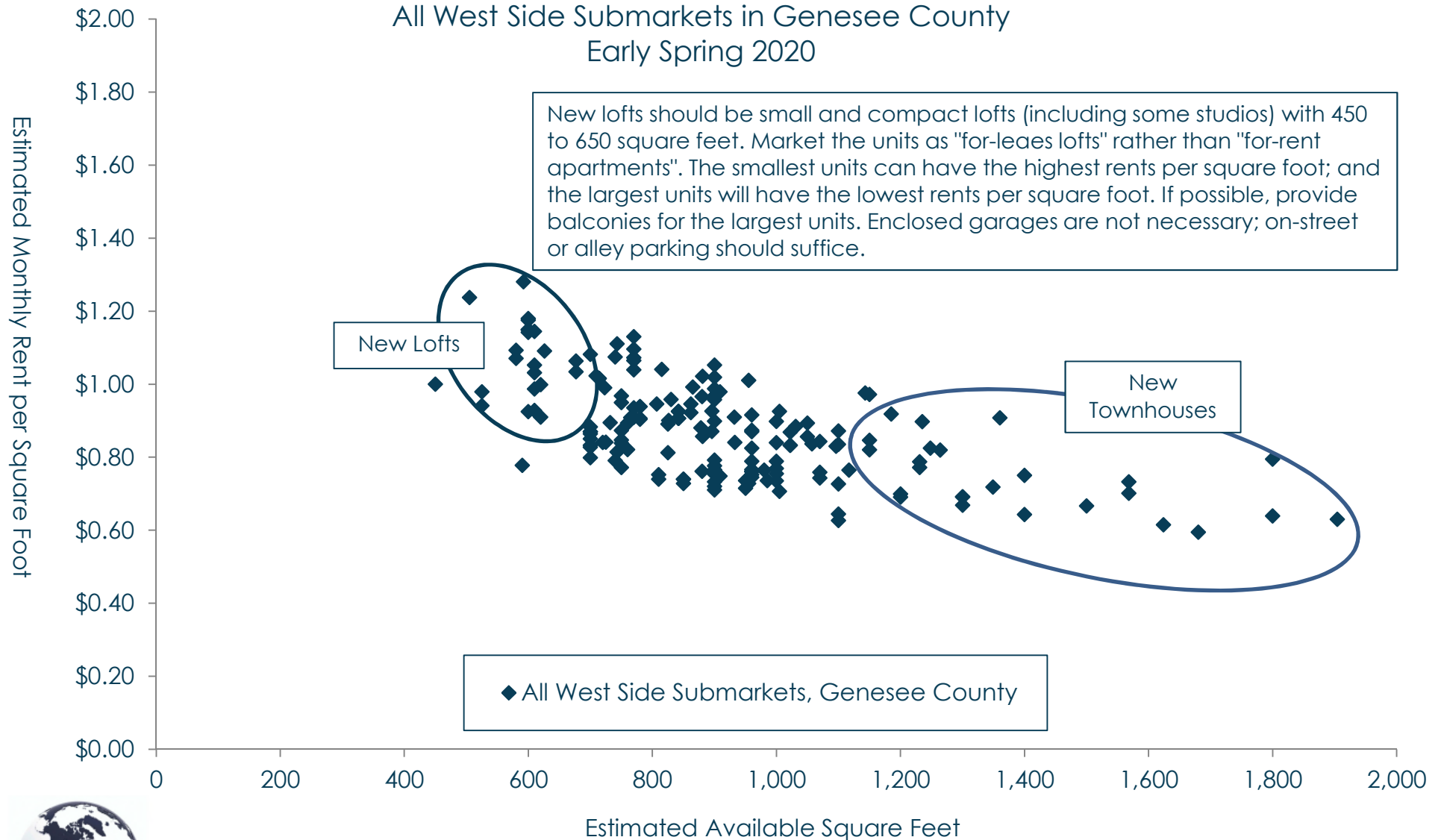


A total of 20 new renters are moving into the City of Swartz Creek each year and looking for choices among buildings with at least 5 units (such as townhouses and lofts, for example). In addition, at least 80 existing renters are moving within the city each year searching for choices among buildings with at least 5 units. Therefore, the total movership and maximum market potential is 100 units.

In other words, there is an exceptional high rate of internal movership among existing renters; but relatively low in-migration among new renters. The high rates of internal movership suggest that there may be some dissatisfaction among the city's existing renters with the quality of available choices - so they move as soon as they can. Meanwhile, low rates of in-migration also suggests that prospective new renters are not finding what they would want - so they are going elsewhere.

In this type of a rental market, new units like small compact lofts should be well-received by the city's existing renters, as well as a few new renters. For the subject site, nearly all of the units should be one or two bedrooms. The unit sizes should be kept small to ensure that the prices are attainable for households with moderate incomes.

Estimated Monthly Rent Per Square Foot For-Lease Attached Residential Units All West Side Submarkets in Genesee County Early Spring 2020

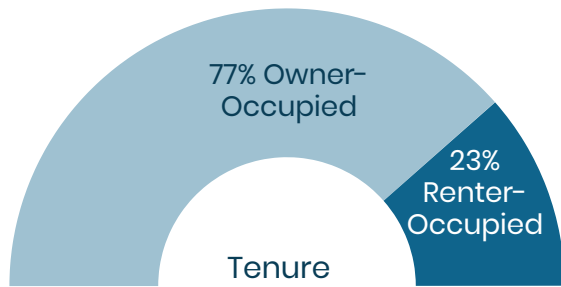


LandUseUSA
UrbanStrategies

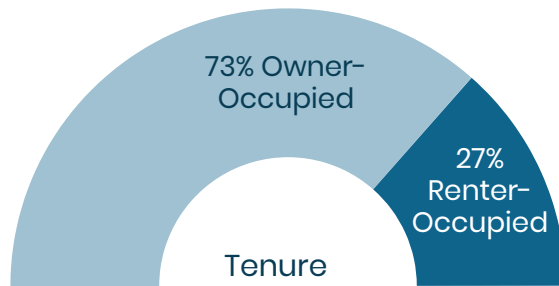
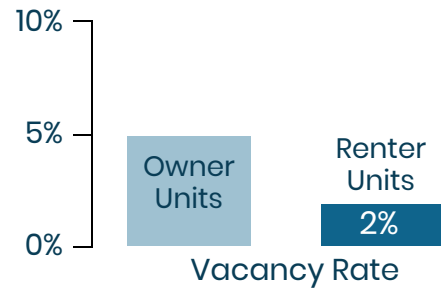
Source: Underlying data gathered from field inventories, assessor's records, and phone interviews; and verified through online and internet research. Analysis and exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative; February 2020.

Residential Tenure and Vacancies

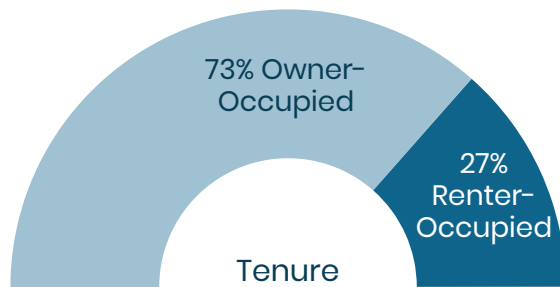
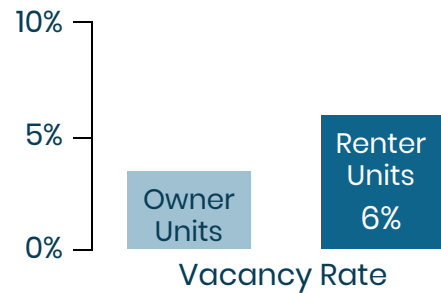
The City of Swartz Creek, Michigan



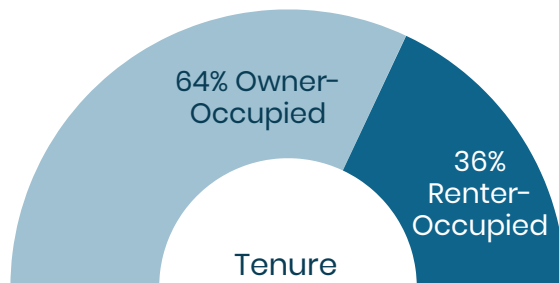
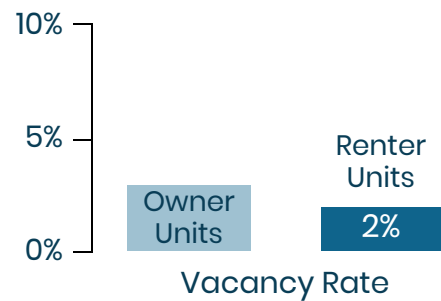
The City of Flushing



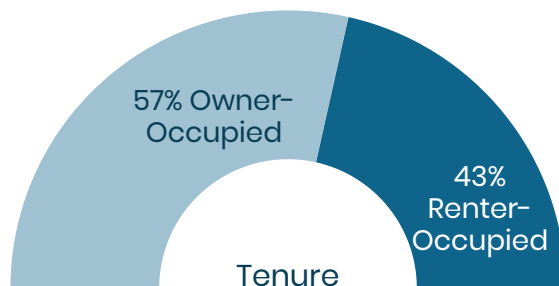
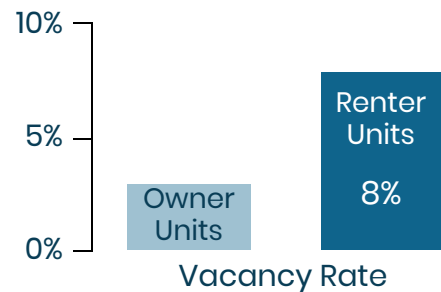
The City of Swartz Creek



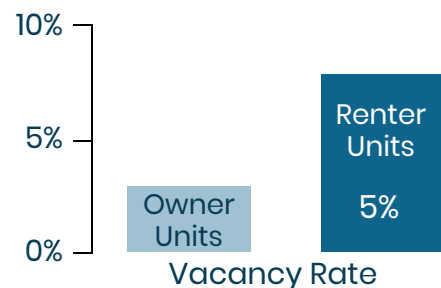
The City of Burton



Flint Township



The City of Flint



Housing Market Parameters

The City of Swartz Creek, Michigan

	2000		2010		2019		2024	
Households by Income	Census	Share	Census	Share	Estimates	Share	Projections	Share
\$0 - \$15,000	232	10%	373	15%	292	12%	236	9%
\$15,000 - \$24,999	341	15%	381	15%	332	13%	293	12%
\$25,000 - \$34,999	316	14%	364	14%	310	12%	279	11%
\$35,000 - \$49,999	384	17%	441	17%	395	16%	358	14%
\$50,000 - \$74,999	459	21%	445	17%	502	20%	530	21%
\$75,000 - \$99,999	273	12%	256	10%	302	12%	336	13%
\$100,000 - \$149,999	174	8%	216	8%	235	9%	302	12%
\$150,000 +	35	2%	79	3%	129	5%	167	7%
Average Hhld Income	\$50,755	.	\$53,300	.	\$61,567	.	\$69,485	.
Median Hhld Income	\$42,976	.	\$38,989	.	\$46,549	.	\$53,511	.
Total Households	2,234	.	2,554	.	2,496	.	2,500	.
	2000		2010		2019		2024	
Households Tenure	Census	Share	Census	Share	Estimates	Share	Projections	Share
Total Housing Units	2,356	.	2,749	.	2,775	.	2,795	.
Total Occupied Units	.	.	2,554	93%	2,496	90%	2,500	89%
Owner, w/Mortgage	.	.	1,182	46%	1,027	41%	1,016	41%
Owner, Free & Clear	.	.	630	25%	733	29%	746	30%
Renter Occupied	.	.	743	29%	737	30%	739	30%
	2000		2010		2019		2024	
Vehicles Available	Census	Share	Census	Share	Estimates	Share	Projections	Share
0 Vehicles Available	152	7%	210	8%	180	7%	179	7%
1 Vehicle Available	755	34%	977	38%	903	36%	900	36%
2+ Vehicles Available	1,328	59%	1,368	54%	1,414	57%	1,422	57%
Vehicles per Households	1.70		1.76		1.84		1.84	

Source: Underlying data provided by the Decennial Census, plus estimates by eSite Analytics.
 Analysis and exhibit prepared by LandUseUSA in collaboration with Seamless Collaborative; 2020.

Housing Market Parameters

7-Mile Radius for Downtown Swartz Creek

	2000		2010		2019		2024	
Households by Income	Census	Share	Census	Share	Estimates	Share	Projections	Share
\$0 - \$15,000	3,930	12%	4,310	13%	3,936	12%	3,243	10%
\$15,000 - \$24,999	4,267	13%	4,061	12%	3,741	12%	3,276	10%
\$25,000 - \$34,999	4,162	13%	4,591	14%	3,682	11%	3,234	10%
\$35,000 - \$49,999	5,393	17%	5,294	16%	5,045	16%	4,507	14%
\$50,000 - \$74,999	7,267	22%	6,067	18%	6,492	20%	6,712	21%
\$75,000 - \$99,999	4,047	12%	4,078	12%	3,973	12%	4,354	14%
\$100,000 - \$149,999	2,607	8%	3,501	11%	3,543	11%	4,335	14%
\$150,000 +	993	3%	1,336	4%	1,688	5%	2,135	7%
Average Hhld Income	\$55,895	.	\$60,156	.	\$64,352	.	\$72,330	.
Median Hhld Income	\$45,189	.	\$44,663	.	\$48,900	.	\$55,501	.
Total Households	32,658	.	33,238	.	32,100	.	31,795	.

	2000		2010		2019		2024	
Households Tenure	Census	Share	Census	Share	Estimates	Share	Projections	Share
Total Housing Units	35,179	.	37,039	.	36,879	.	36,774	.
Total Occupied Units	.	.	33,238	90%	32,100	87%	31,795	86%
Owner, w/Mortgage	.	.	16,283	49%	13,498	42%	13,188	41%
Owner, Free & Clear	.	.	7,857	24%	9,361	29%	9,444	30%
Renter Occupied	.	.	9,098	27%	9,240	29%	9,163	29%

	2000		2010		2019		2024	
Vehicles Available	Census	Share	Census	Share	Estimates	Share	Projections	Share
0 Vehicles Available	1,754	5%	2,605	8%	2,468	8%	2,433	8%
1 Vehicle Available	11,331	35%	12,897	39%	12,167	38%	12,003	38%
2+ Vehicles Available	19,573	60%	17,737	53%	17,465	54%	17,360	55%

Vehicles per Households	1.70		1.82		1.86		1.87	
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Source: Underlying data provided by the Decennial Census, plus estimates by eSite Analytics.
 Analysis and exhibit prepared by LandUseUSA in collaboration with Seamless Collaborative; 2020.

Housing Market Parameters Genesee County, Michigan

	2000		2010		2019		2024	
Households by Income	Census	Share	Census	Share	Estimates	Share	Projections	Share
\$0 - \$15,000	27,152	16%	26,255	16%	24,439	15%	20,393	13%
\$15,000 - \$24,999	22,696	13%	21,794	13%	19,705	12%	17,411	11%
\$25,000 - \$34,999	21,571	13%	22,296	13%	18,488	11%	16,484	10%
\$35,000 - \$49,999	26,843	16%	26,212	15%	25,653	16%	23,044	14%
\$50,000 - \$74,999	34,260	20%	29,643	18%	31,056	19%	32,555	20%
\$75,000 - \$99,999	19,336	11%	19,211	11%	18,210	11%	20,176	12%
\$100,000 - \$149,999	13,313	8%	17,024	10%	17,237	11%	21,100	13%
\$150,000 +	4,860	3%	6,767	4%	9,083	6%	11,432	7%
Average Hhld Income	\$53,130	.	\$58,000	.	\$62,544	.	\$70,679	.
Median Hhld Income	\$42,243	.	\$42,335	.	\$46,220	.	\$52,682	.
Total Households	169,824	.	169,203	.	163,872	.	162,596	.
	2000		2010		2019		2024	
Households Tenure	Census	Share	Census	Share	Estimates	Share	Projections	Share
Total Housing Units	183,629	.	192,181	.	191,985	.	191,937	.
Total Occupied Units	.	.	169,203	88%	163,872	85%	162,596	85%
Owner, w/Mortgage	.	.	80,872	48%	67,718	41%	66,585	41%
Owner, Free & Clear	.	.	38,073	23%	46,119	28%	46,534	29%
Renter Occupied	.	.	50,257	30%	50,034	31%	49,476	30%
	2000		2010		2019		2024	
Vehicles Available	Census	Share	Census	Share	Estimates	Share	Projections	Share
0 Vehicles Available	13,254	8%	16,096	10%	15,071	9%	14,713	9%
1 Vehicle Available	60,390	36%	65,471	39%	61,931	38%	61,081	38%
2+ Vehicles Available	96,180	57%	87,635	52%	86,869	53%	86,801	53%
Vehicles per Households	1.60		1.79		1.83		1.84	

Source: Underlying data provided by the Decennial Census, plus estimates by eSite Analytics.
Analysis and exhibit prepared by LandUseUSA in collaboration with Seamless Collaborative; 2020.

Section D

Target Market Profiles

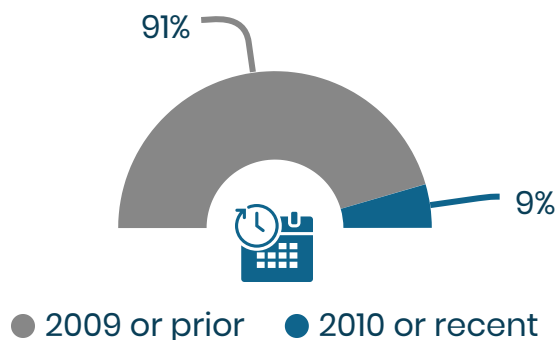


Preferred Development Scenario
Prepared by Michael Campbell
and McKenna Associates

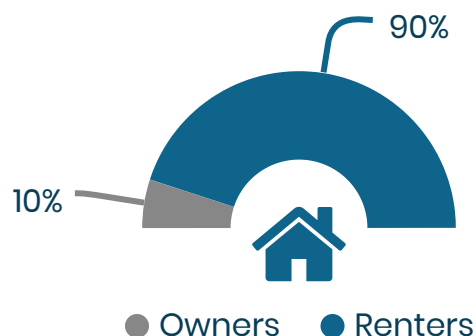
Bohemian Groove | K40

Lifestyles and Housing Preferences | National Averages

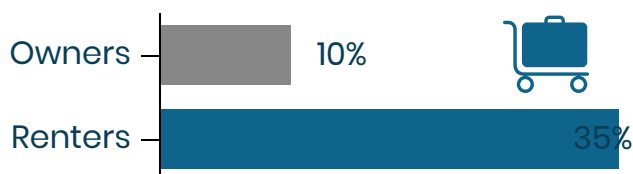
Units by Decade Built



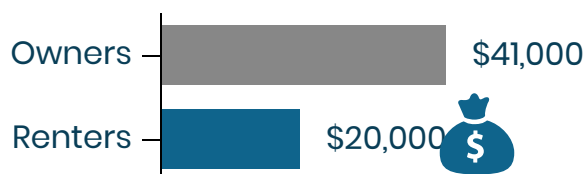
Households by Tenure



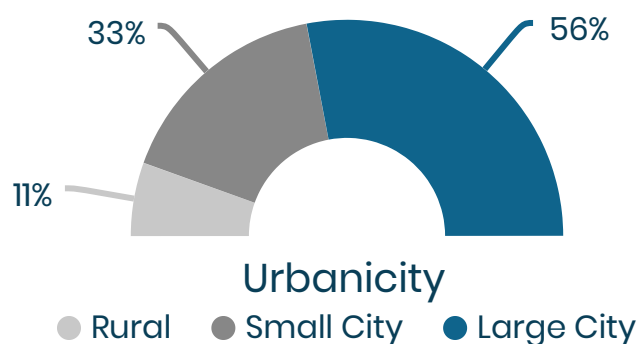
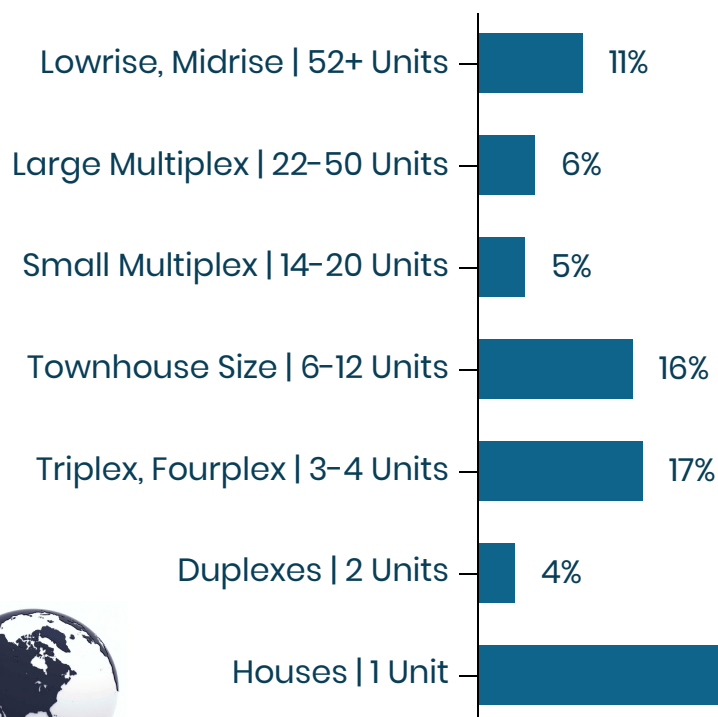
Share that Moves each Year



Median Household Income



Inclination for Units by Building Size and Urbanicity



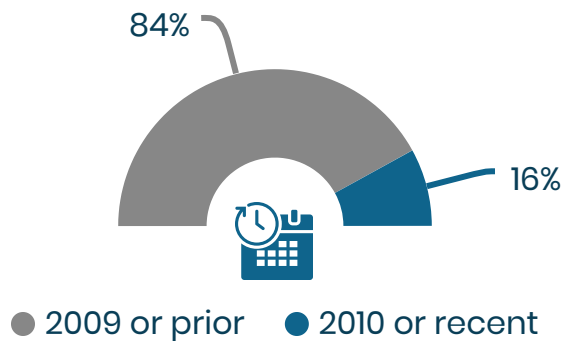
LandUseUSA
UrbanStrategies

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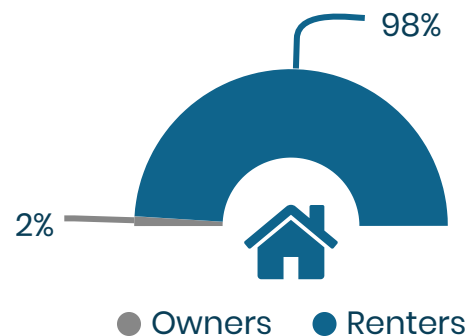
Full Steam Ahead | O50

Lifestyles and Housing Preferences | National Averages

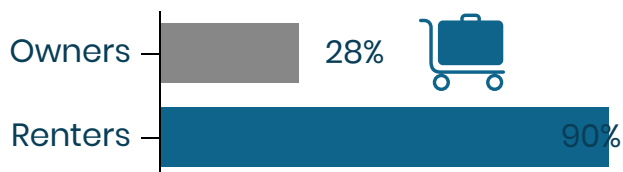
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Households by Tenure



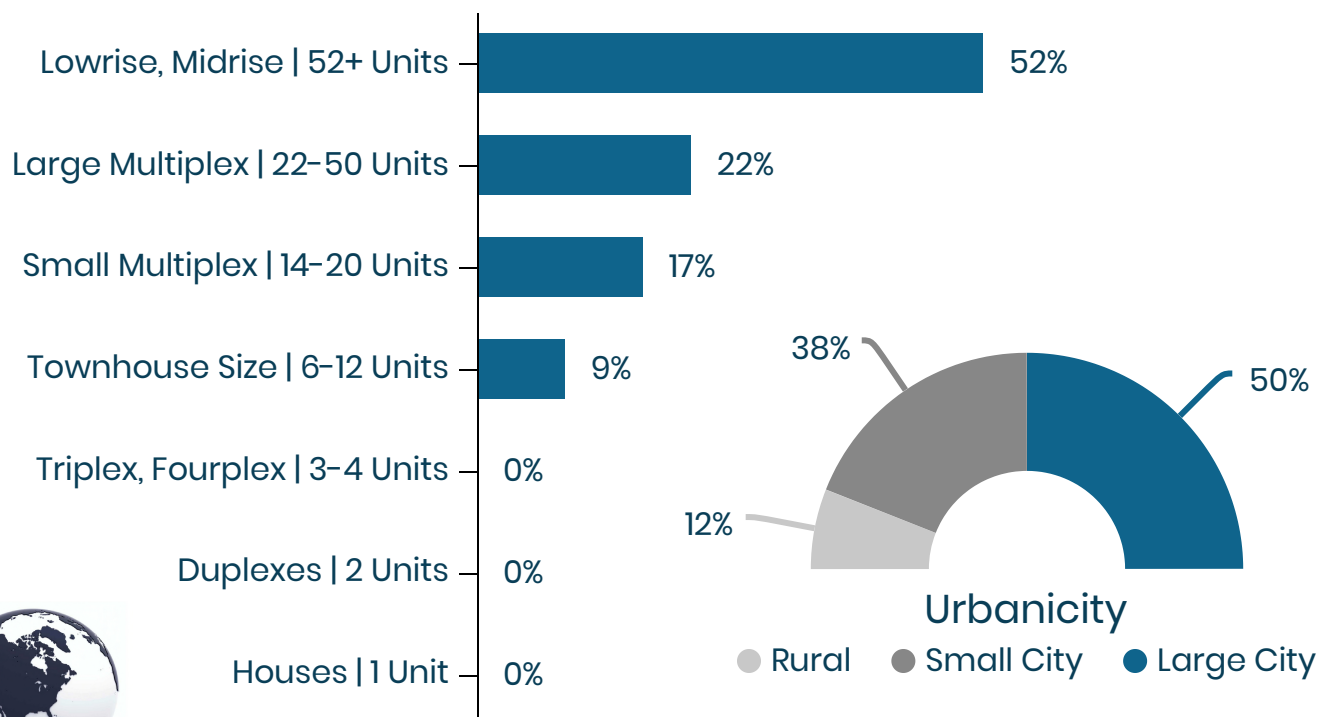
Share that Moves each Year



Median Household Income



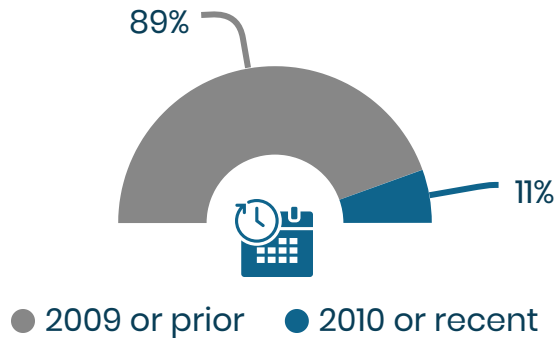
Inclination for Units by Building Size and Urbanicity



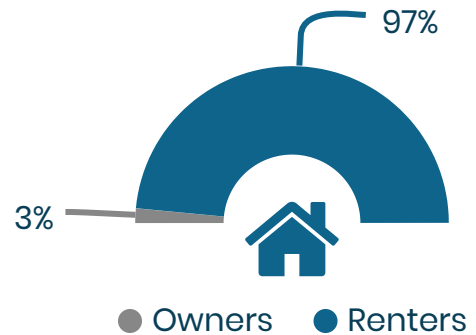
Urban Ambitions | O52

Lifestyles and Housing Preferences | National Averages

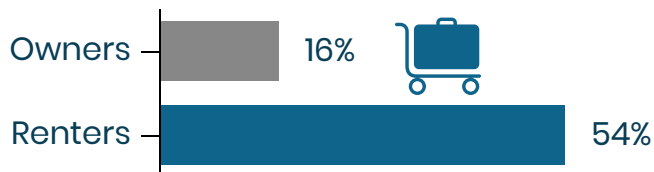
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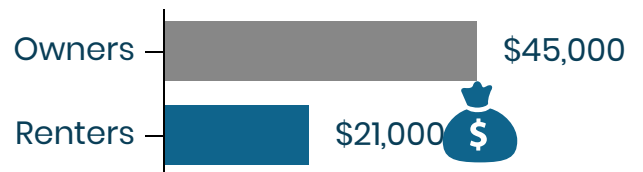
Households by Tenure



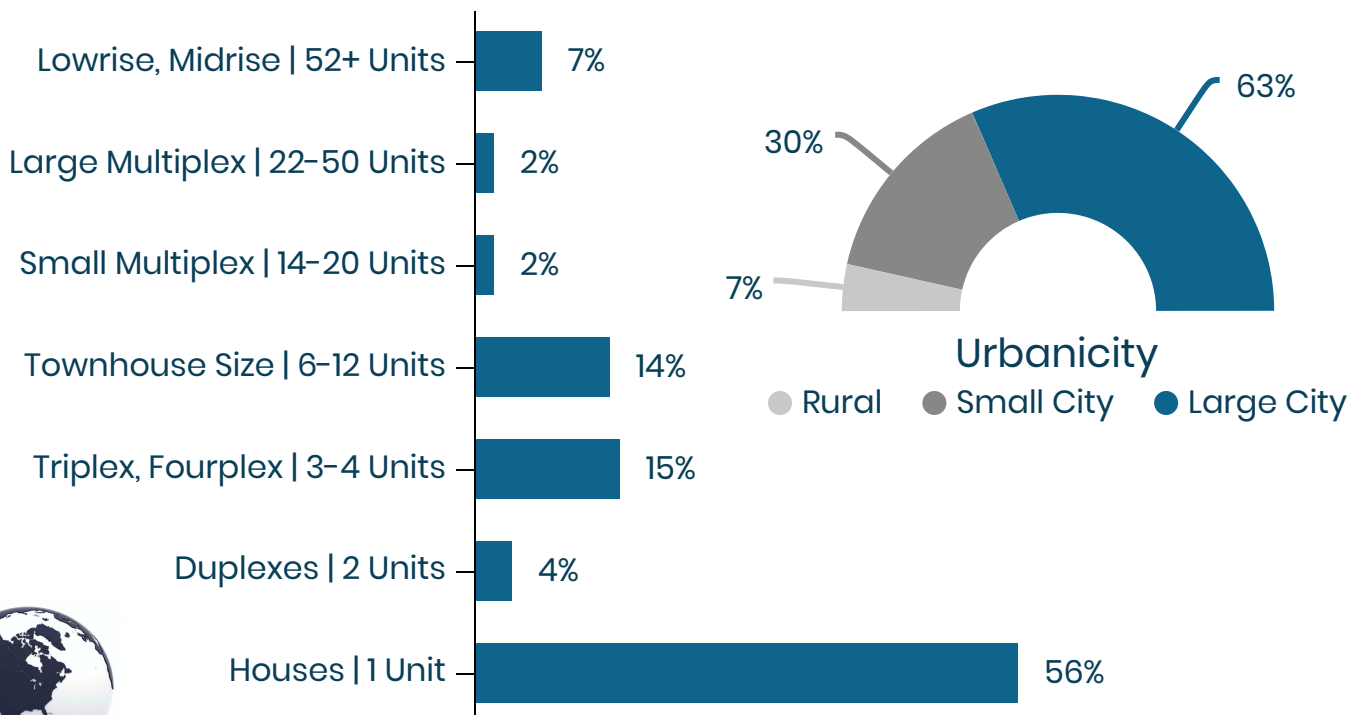
Share that Moves each Year



Median Household Income



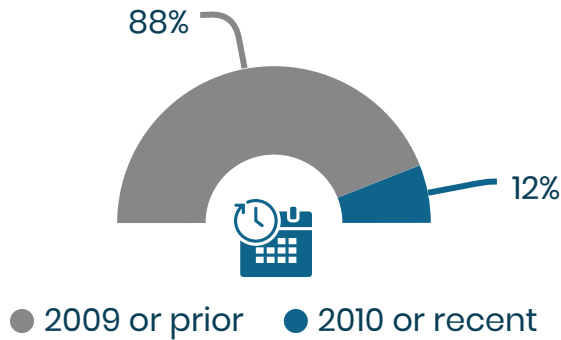
Inclination for Units by Building Size and Urbanicity



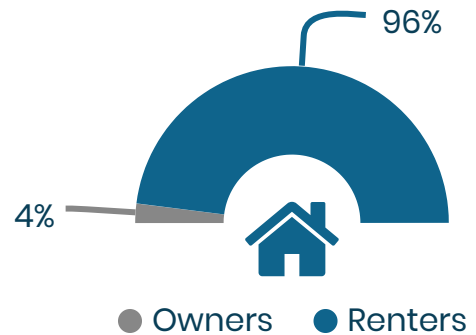
Striving Single Scene | O54

Lifestyles and Housing Preferences | National Averages

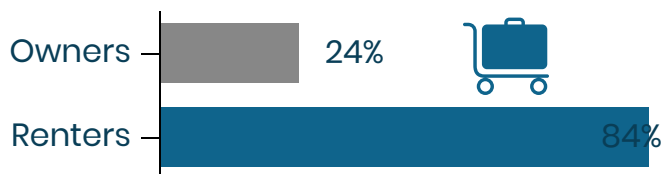
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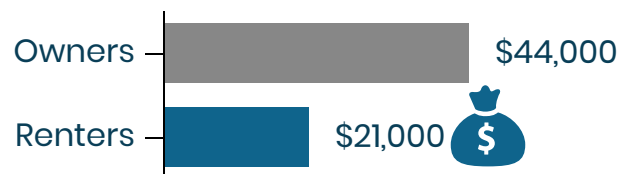
Households by Tenure



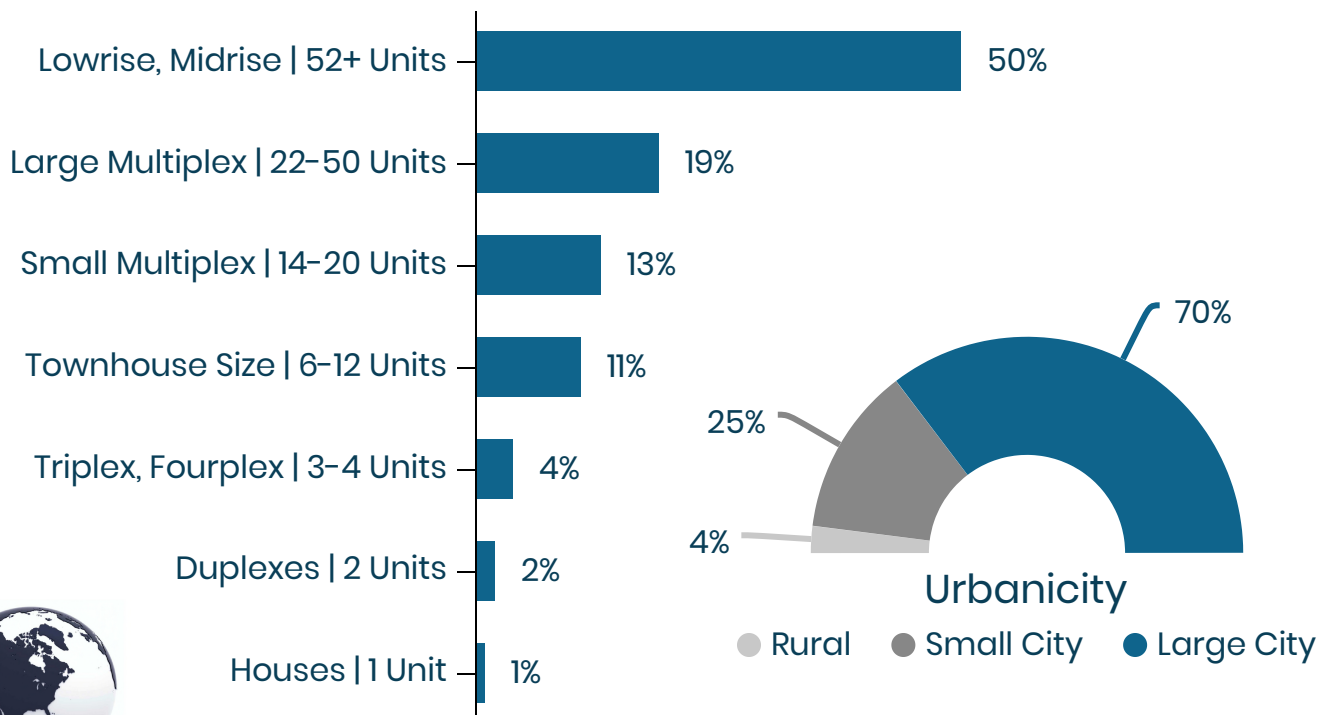
Share that Moves each Year



Median Household Income



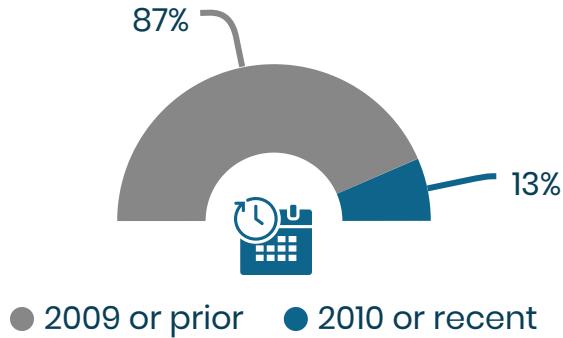
Inclination for Units by Building Size and Urbanicity



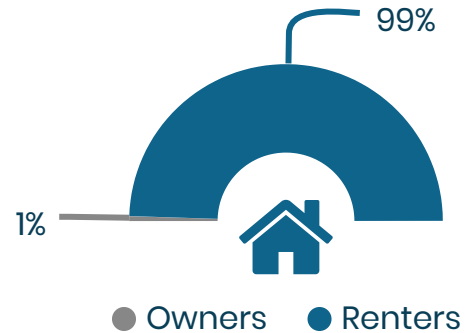
Family Troopers | O55

Lifestyles and Housing Preferences | National Averages

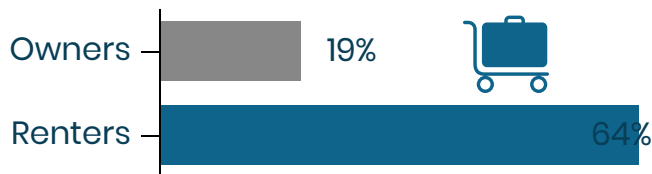
Units by Decade Built



Households by Tenure



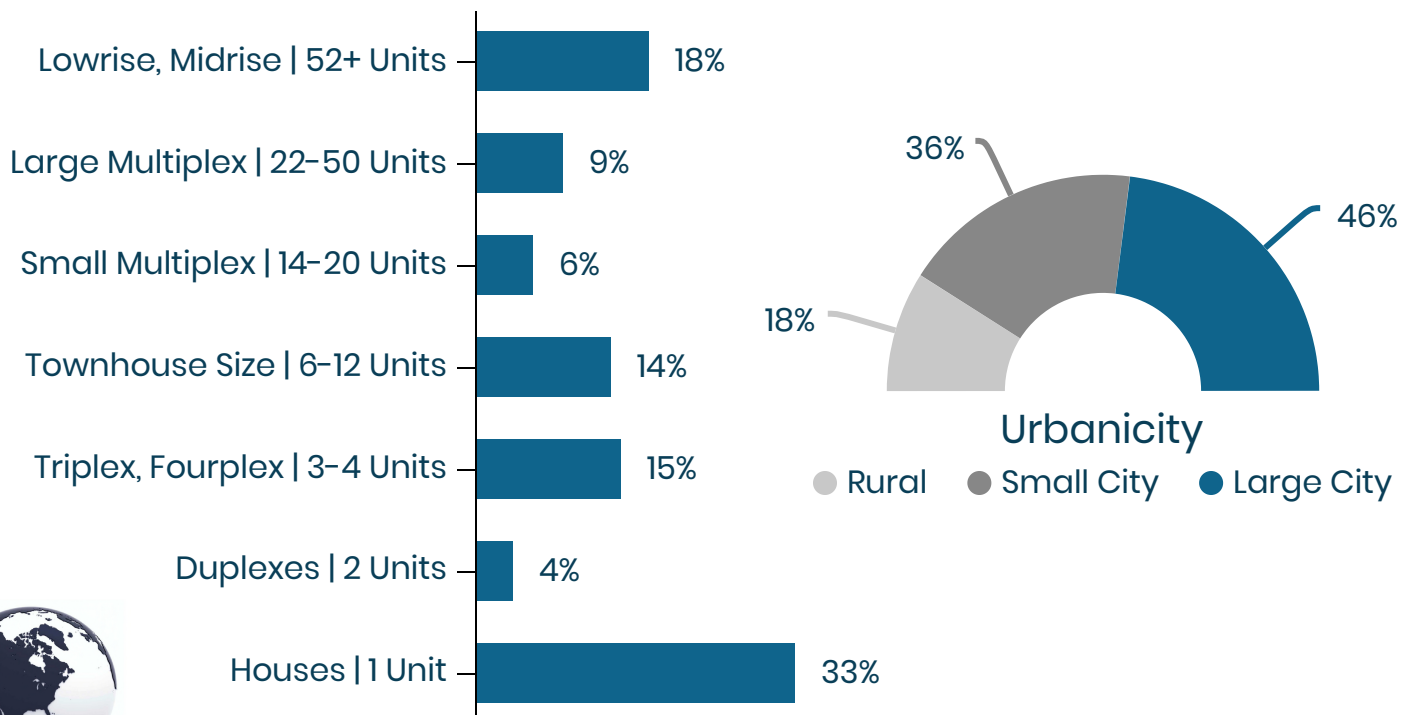
Share that Moves each Year



Median Household Income



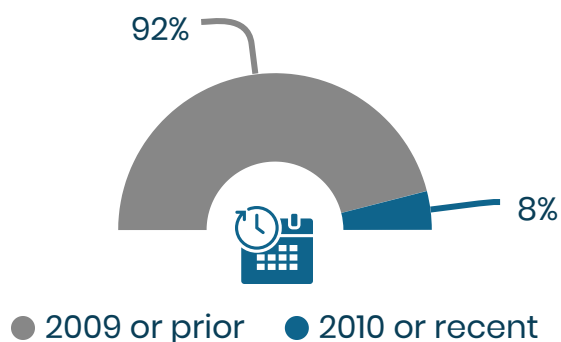
Inclination for Units by Building Size and Urbanicity



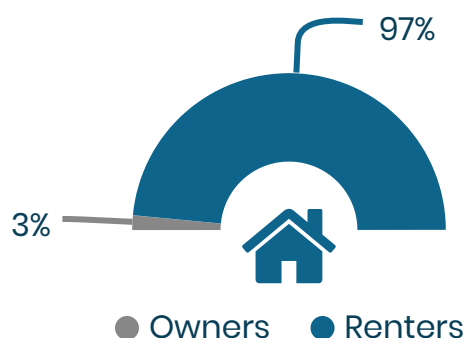
Humble Beginnings | P61

Lifestyles and Housing Preferences | National Averages

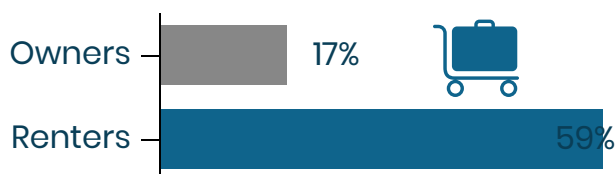
Units by Decade Built



Households by Tenure



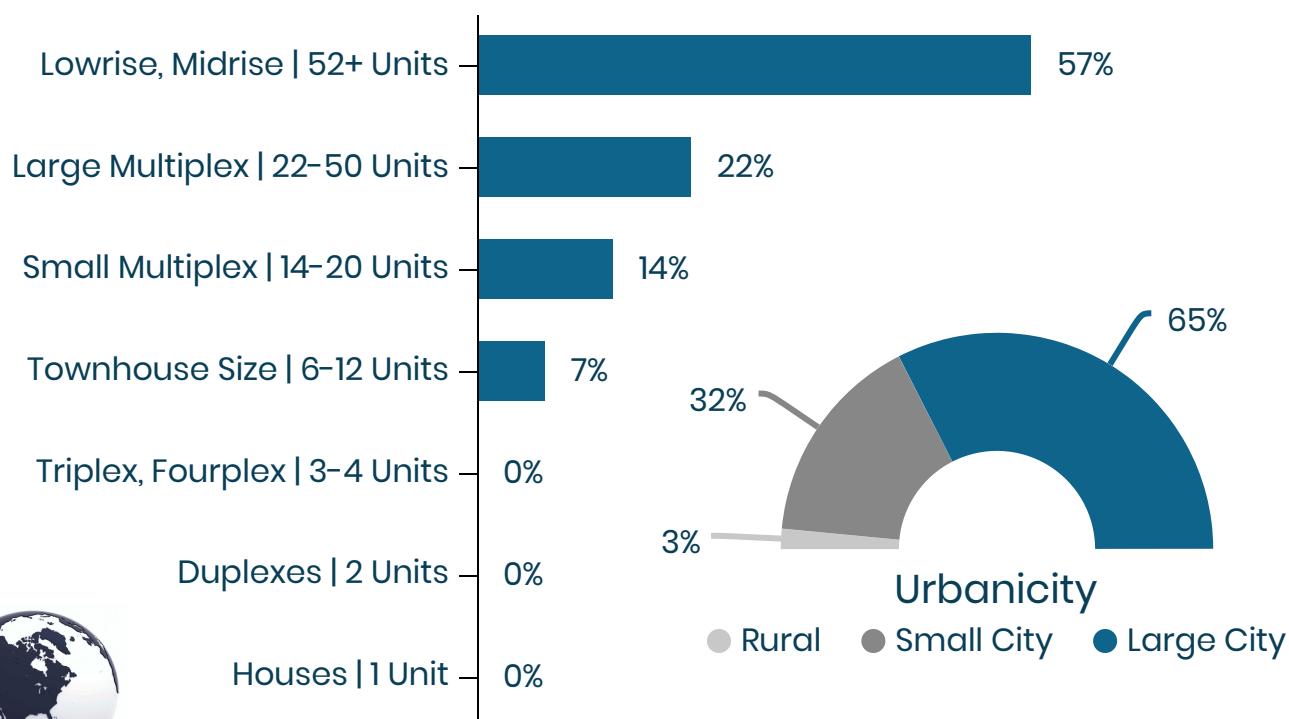
Share that Moves each Year



Median Household Income



Inclination for Units by Building Size and Urbanicity



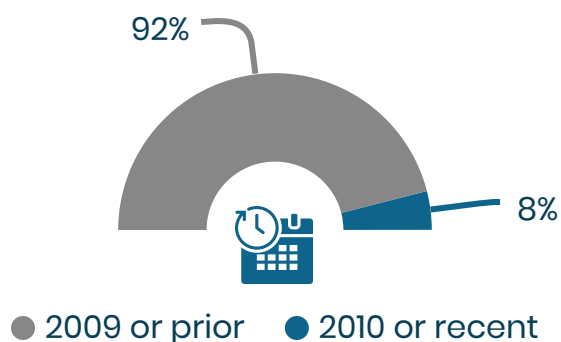
LandUseUSA
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Senior Discounts in Towers | Q65

Lifestyles and Housing Preferences | National Averages

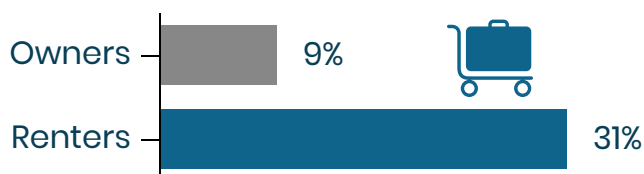
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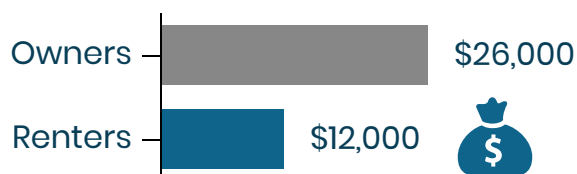
Households by Tenure



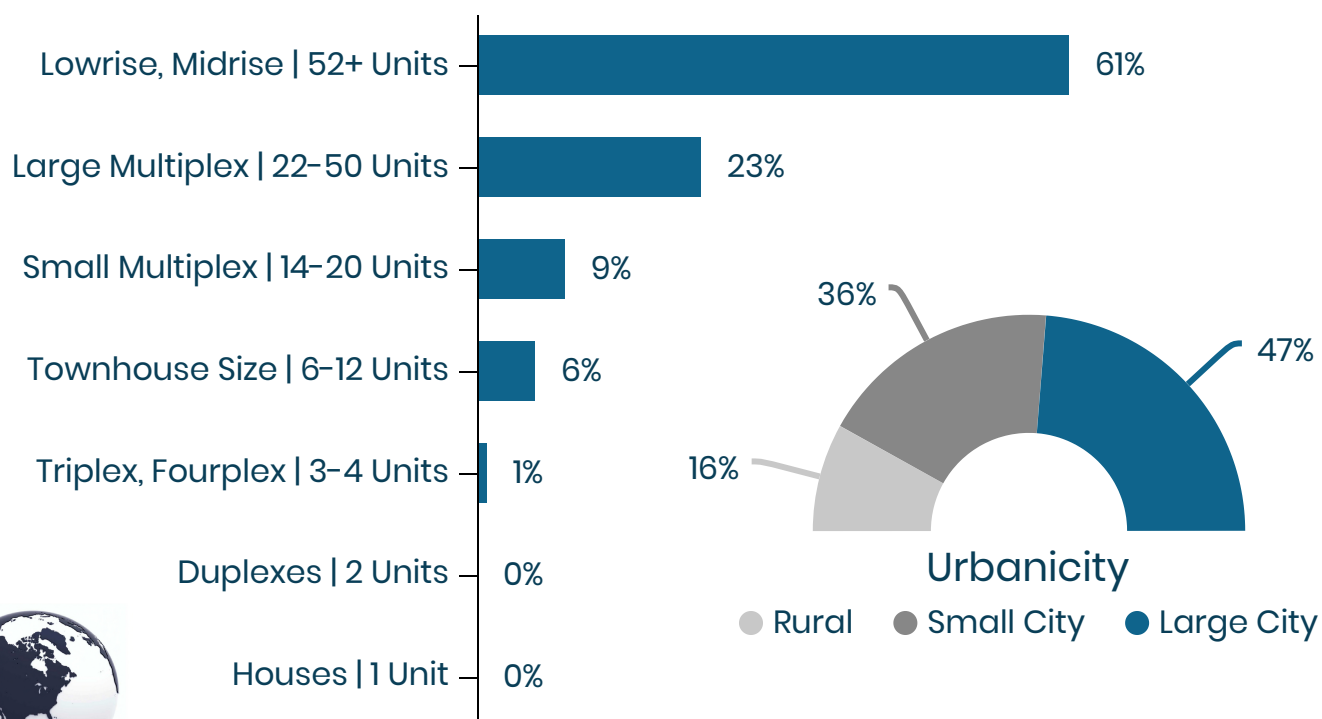
Share that Moves each Year



Median Household Income



Inclination for Units by Building Size and Urbanicity



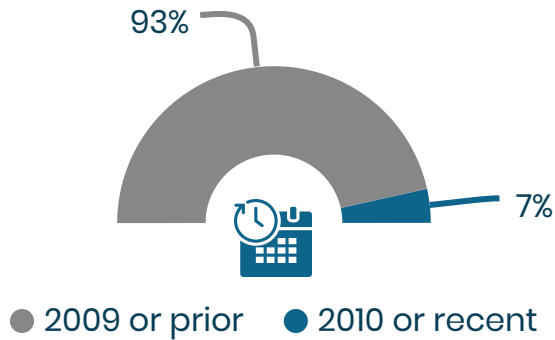
LandUseUSA
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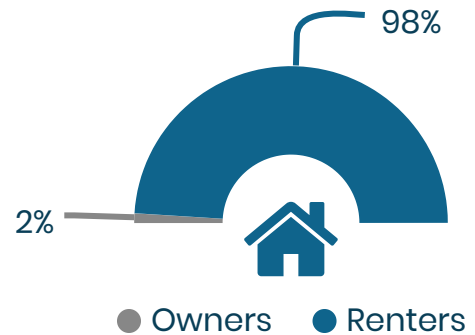
Dare to Dream | R66

Lifestyles and Housing Preferences | National Averages

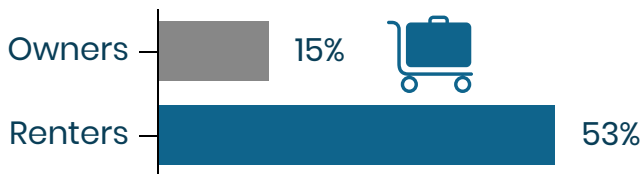
Units by Decade Built



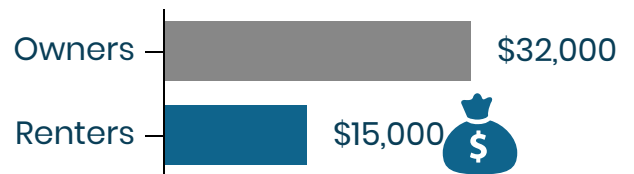
Households by Tenure



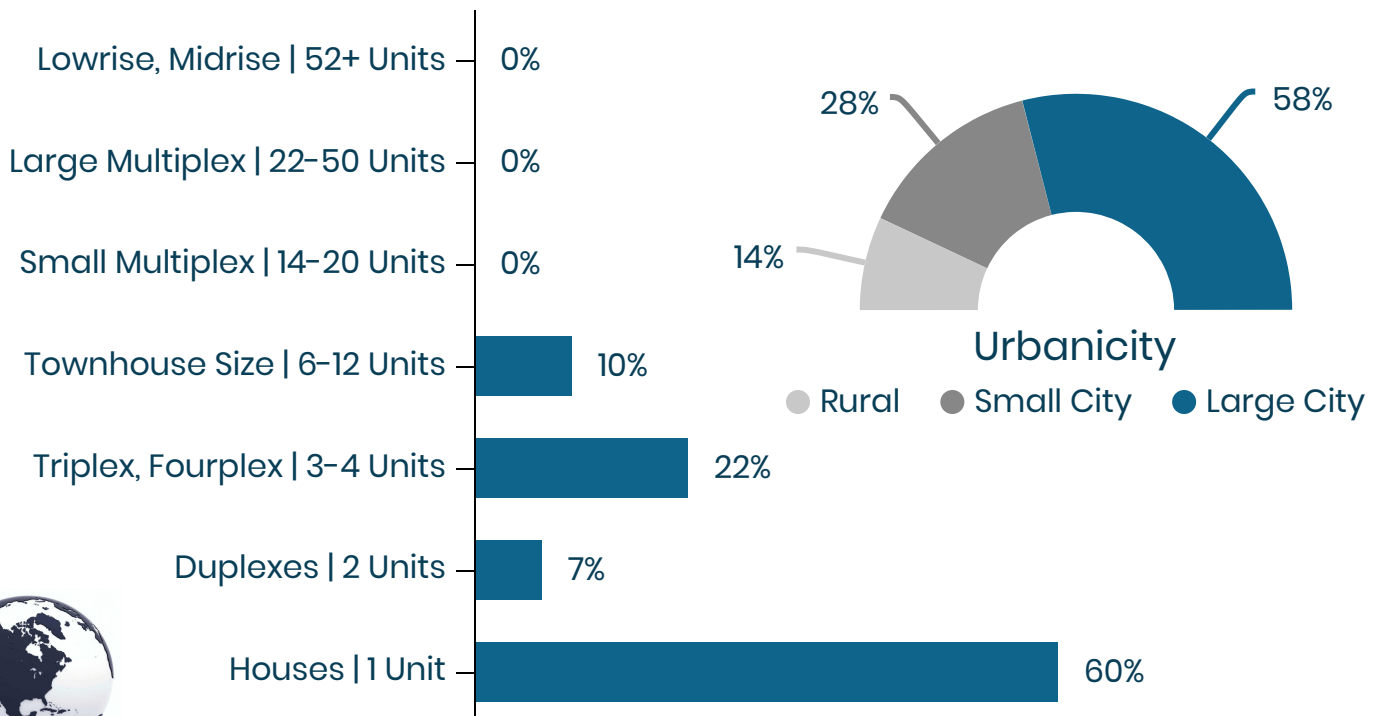
Share that Moves each Year



Median Household Income



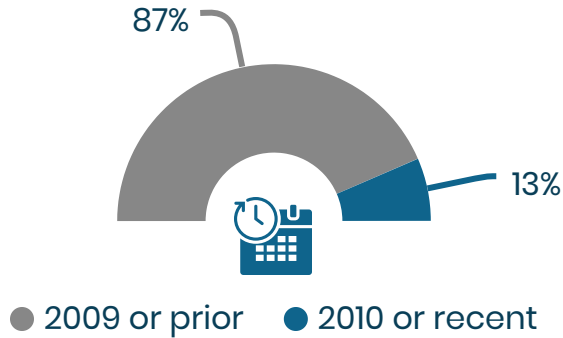
Inclination for Units by Building Size and Urbanicity



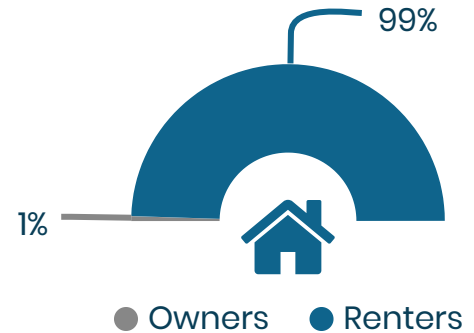
Tight Money | S70

Lifestyles and Housing Preferences | National Averages

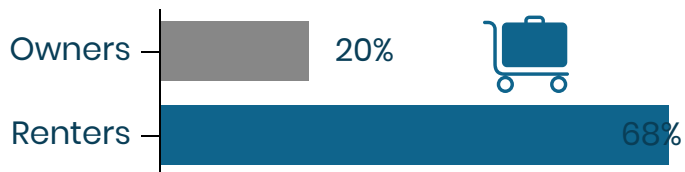
Units by Decade Built



Households by Tenure



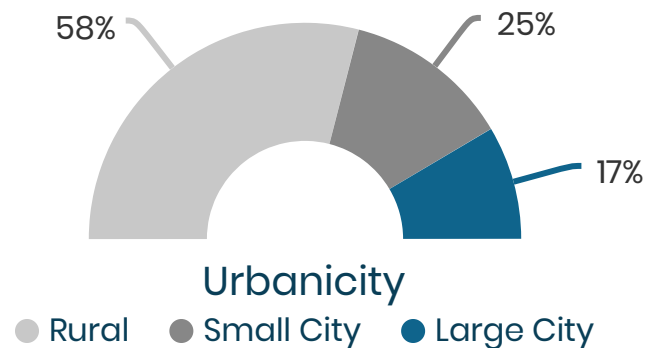
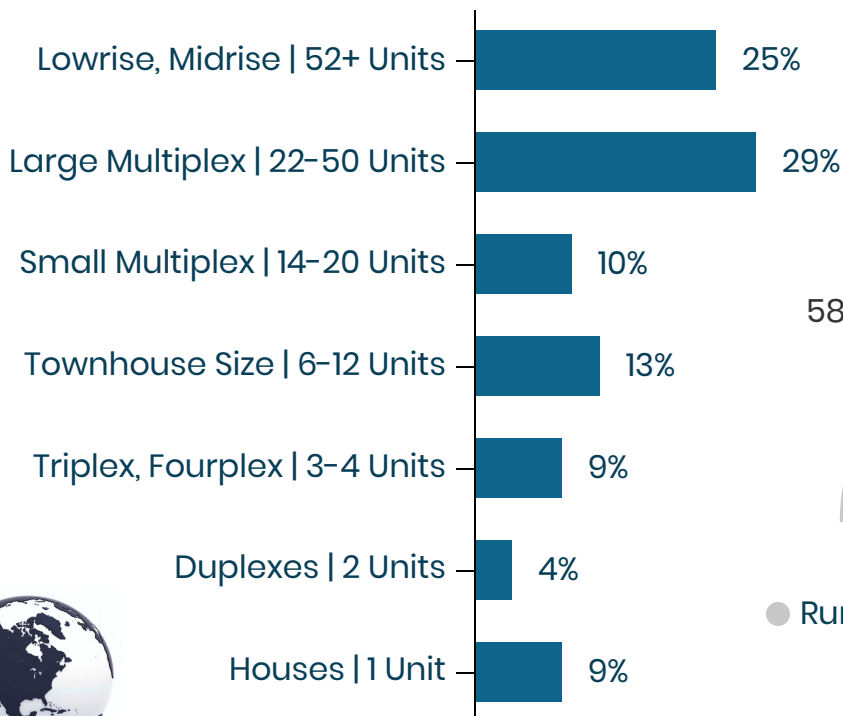
Share that Moves each Year



Median Household Income



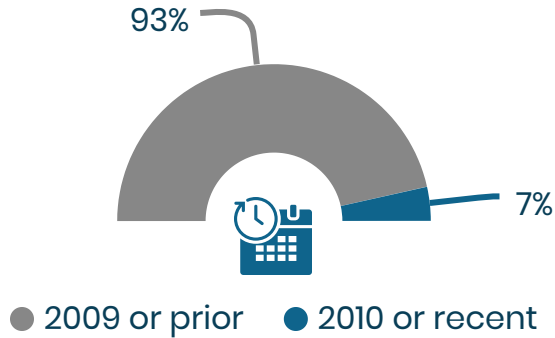
Inclination for Units by Building Size and Urbanicity



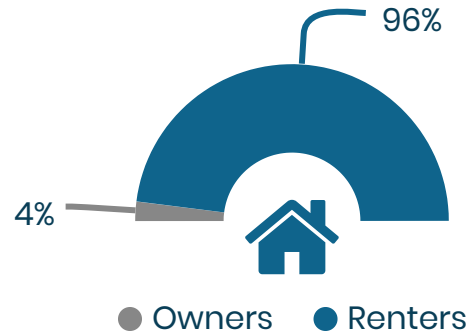
Tough Times | S71

Lifestyles and Housing Preferences | National Averages

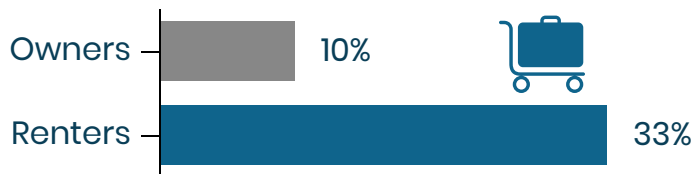
Units by Decade Built



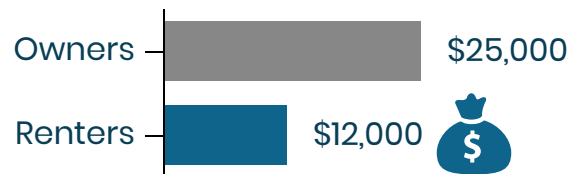
Households by Tenure



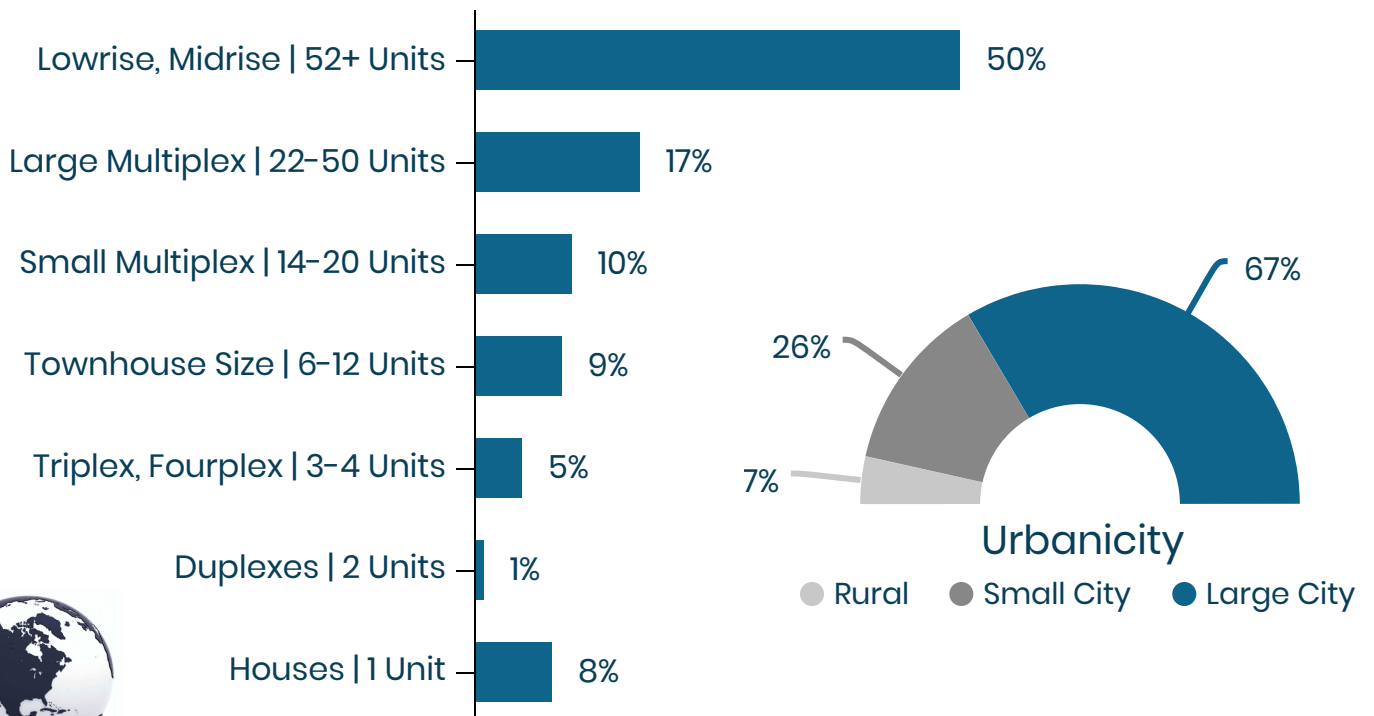
Share that Moves each Year



Median Household Income

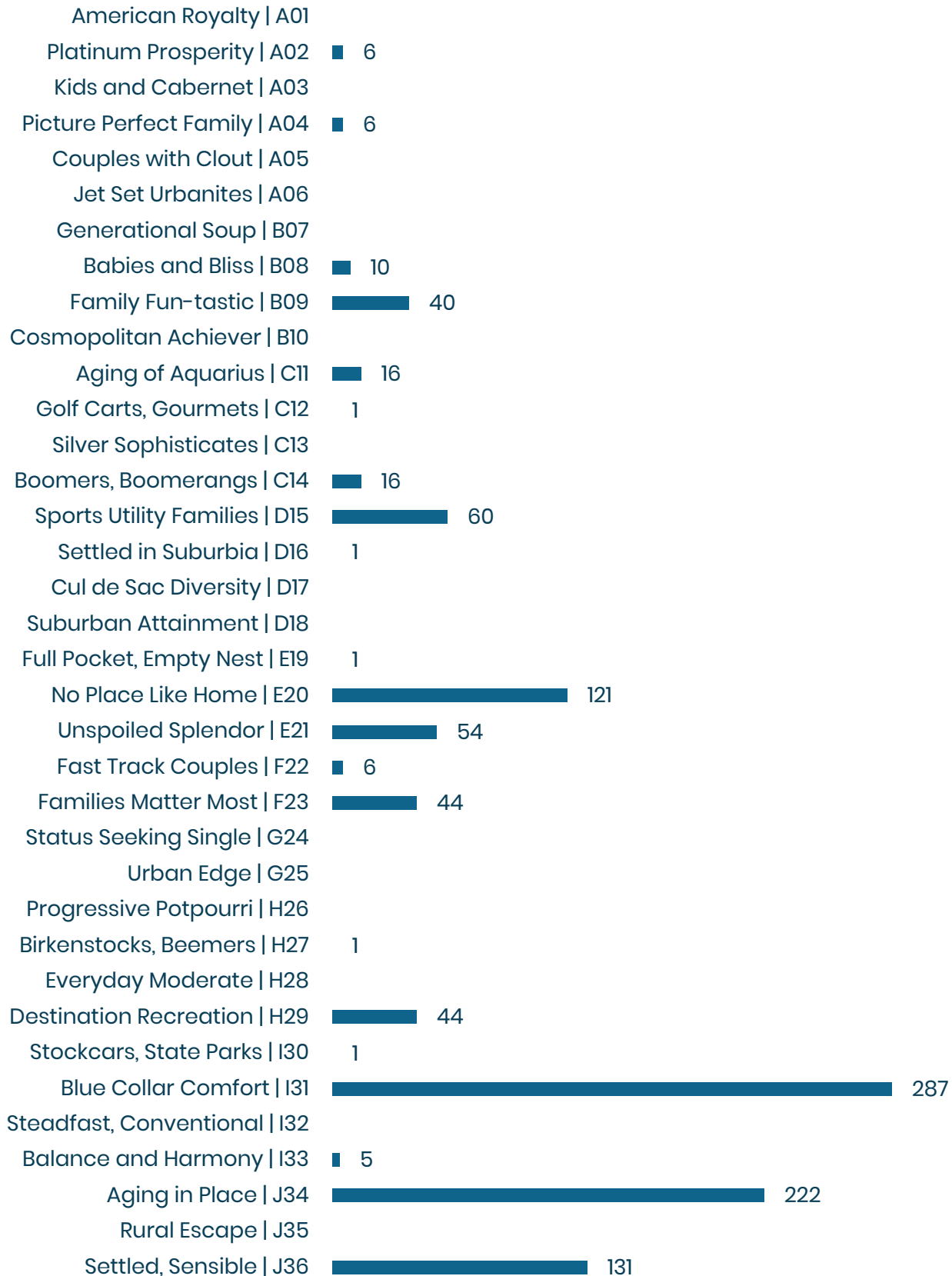


Inclination for Units by Building Size and Urbanicity



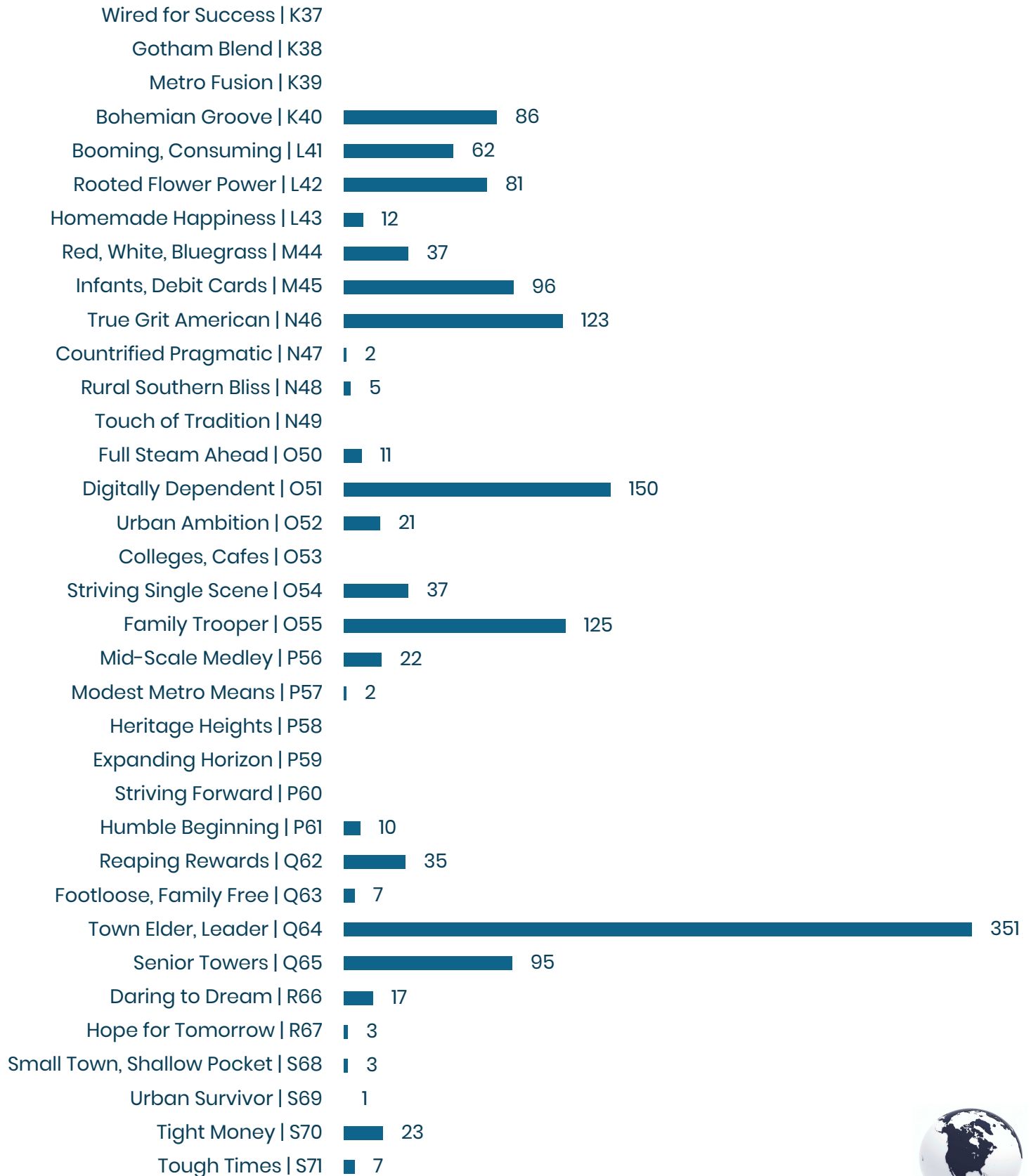
1-36 Lifestyle Clusters | Swartz Creek

The number of existing households living in the City of Swartz Creek by lifestyle cluster.



37-71 Lifestyle Clusters | Swartz Creek

The number of existing households living in the City of Swartz Creek by lifestyle cluster.



Underlying Mosaic Lifestyle Clusters provided by Experian Decision Analytics through year-end 2019. Analysis & exhibit prepared by LandUseUSA © on behalf of the City of Swartz Creek, 2020.



Half of all Lifestyle Clusters | Nationwide

A01 – J36 | Better-to-Upper Incomes

- A01 | American Royalty - Wealthy influential couples and families in prestigious communities - Suburbs.
A02 | Platinum Prosperity - Wealthy and established empty-nesting couples - Suburbs.
A03 | Children & Cabernet - Prosperous, middle-aged married couples focused on their children's lives - Suburbs.
A04 | Picture Perfect Families - Established families of child-raising households in wealthy communities - Suburbs.
A05 | Couples with Clout - Middle-aged childless couples living in affluent areas - Metros.
A06 | Jet Set Urbanites - Mix of affluent singles and couples enjoying diverse neighborhoods - Urban.
- B07 | Generational Soup - Affluent couples and multi-generational families, wide range of lifestyles - Suburbs.
B08 | Babies & Bliss - Middle-aged couples with large families and active lives - Suburbs.
B09 | Family Funtastic - Upscale, middle-aged families with busy lives focused on older children - Satellite Cities.
B10 | Cosmopolitan Achievers - Affluent middle-aged, established couples & families, dynamic lifestyles - Metros.
- C11 | Aging of Aquarius, Settled - Upscale boomer couples settled in detached houses - Cities, Nearby Suburbs.
C12 | Golf Carts & Gourmets - Upscale retirees & empty-nesters in comfortable golf communities - Urban Edges.
C13 | Silver Sophisticates - Mature, upscale couples & singles in larger detached houses - Suburbs.
C14 | Boomers & Boomerangs - Baby boomer adults with young adult children sharing their house - Suburbs.
- D15 | Sports Utility Families - Upscale, multi-generational, middle-aged families, active lifestyles - Outer Suburbs.
D16 | Settled in Suburbia - Upper-middle-income diverse families & empty nesters - Established Suburbs.
D17 | Cul de Sac Diversity - Culturally diverse, middle-aged families settling into emerging communities - Suburbs.
D18 | Suburban Attainment - Upper middle-class couples and families moving to newer communities - Suburbs.
- E19 | Full Pockets & Empty Nests - Empty-nesters, discretionary income and sophisticated lifestyles - Most Cities.
E20 | No Place Like Home - Middle-to-upper income, multi-generational households, detached houses - Urban Edges.
E21 | Unspoiled Splendor - Comfortably established baby boomer couples, detached houses - Small Cities, Rural.
F22 | Fast Track Couples - Young, upwardly-mobile couples with active lifestyles - Inner Suburbs.
F23 | Families Matter Most - Young, middle-to-upper income families with active, family-focused lives - Suburbs.
- G24 | Status Seeking Singles - Young, upwardly-mobile singles balancing work and leisure - Metros, Urban.
G25 | Urban Edge - Younger, up-and-coming singles living big-city lifestyles - Largest Metros.
- H26 | Progressive Potpourri - Mature couples with comfortable and active lives - Suburbs.
H27 | Birkenstocks & Beemers - Middle-to-upper income couples living leisurely lifestyles - Small Cities.
H28 | Everyday Moderates - Multi-cultural couples & families choosing modest lifestyles - Suburbs to Mid-sized Cities.
H29 | Destination Recreation - Middle-aged couples working hard to support active lifestyles - Small Cities, Suburbs.
- I30 | Stockcars & State Parks - Middle-income couples & families seeking affordable entertainment - Small Cities.
I31 | Blue Collar Comfort - Middle-income families working solid, blue-collar jobs - Small Cities.
I32 | Steadfast Conventionalists - Conventional Gen-X families in conventional detached houses - Coastal Cities.
I33 | Balance & Harmony - Middle-income families with lively lifestyles - City-Centric Neighborhoods.
- J34 | Aging in Place Already - Middle-income seniors established in their homes, preferring to stay - Suburban.
J35 | Rural Escape - Older, middle-income couples & singles, living modestly, comfortably - Small Cities, Rural Edges.
J36 | Settled & Sensible - Older, middle-income, empty nest couples & singles living sensibly - City Neighborhoods.

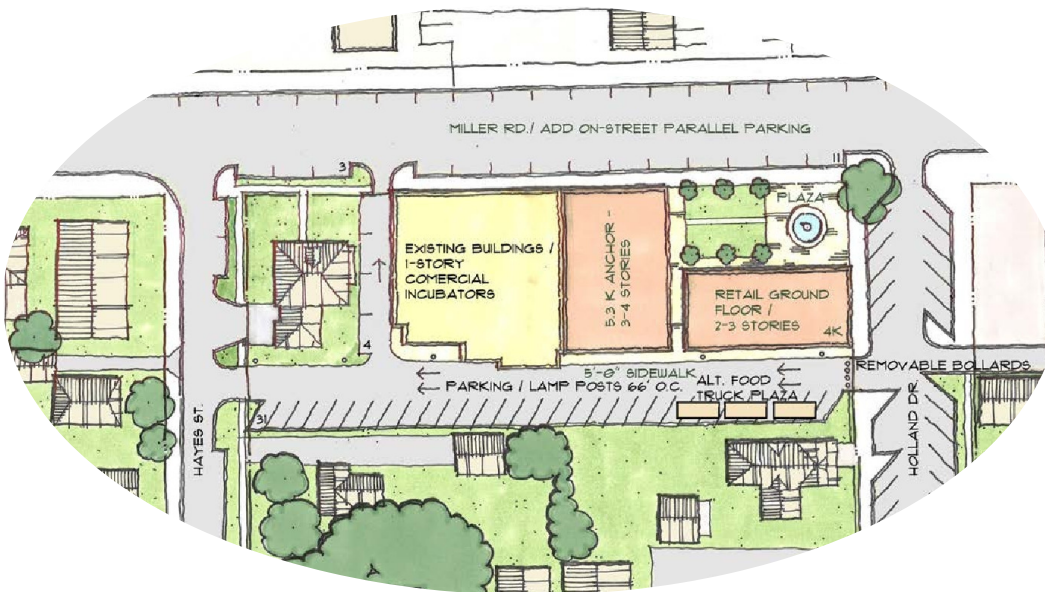
Half of all Lifestyle Clusters | Nationwide

K37 – S71 | Lower-to-Moderate Incomes

- K37 | Wired for Success - Young, middle-income singles and couples living socially-active lives - Cities.
- K38 | Gotham Blend - Middle-aged, middle-income singles & couples with big city lifestyles - Urban, Large Cities.
- K39 | Metro Fusion - Middle-aged singles living active lifestyles with a wide range of backgrounds - Urban.
- K40 | Bohemian Groove - Older, unattached singles enjoying settled lives in detached houses - Urban Neighborhoods.
- L41 | Booming & Consuming - Older empty nester couples and singles enjoying relaxed lifestyles - Small Cities.
- L42 | Rooted Flower Power - Middle-income baby boomer singles & couples, rooted & nearing retirement - Suburban.
- L43 | Homemade Happiness - Middle-income baby boomers in detached houses - Small Cities, Rural.
- M44 | Red, White, Bluegrass - Middle-income families with diverse household dynamics - Rural.
- M45 | Infants and Debit Cards - Young, working families & single parents in small houses - Urban Neighborhoods.
- N46 | True Grit Americans - Older, middle-income households located in nation's mid-section - Small Cities, Rural.
- N47 | Countrified Pragmatics - Middle-income couples and singles with casual lifestyles - Rural.
- N48 | Rural Country Bliss - Middle-income, multi-generational families in the nation's south - Small Cities, Rural.
- N49 | Touch of Tradition - Working, middle-aged couples and singles in detached houses - Rural.
- O50 | Full Steam Ahead - Young and middle-aged singles on the move forward and upward - Mid-Sized Cities.
- O51 | Digital Dependents - Gen-X and Gen-Y singles living digitally-driven lifestyles - Urban.
- O52 | Urban Ambition - Gen-Y singles, some with children, moving into urban places - Mid-Sized Cities, Urban.
- O53 | Colleges & University Affiliates - Young singles, alumni, recent grads, staff connected to colleges - College Towns.
- O54 | Striving Single Scene - Young singles, upwardly mobile, aspiring in early careers - City Centers, Urban.
- O55 | Family Troopers - Families & single parents, with current or recent connections to the military - Nationwide.
- P56 | Mid-Scale Medley - Middle-aged, moderate-income singles, many starting over - Mid-Sized Cities.
- P57 | Modest Metro Means - Moderate-income singles settled in moderate communities - Inner-City Neighborhoods.
- P58 | Heritage Heights - Moderate-income singles & families settled in apartments - Urban, Compact Neighborhoods.
- P59 | Expanding Horizons - Middle-aged, middle-income families - Border Towns.
- P60 | Striving Forward - Moderate-income families & single parents in newer communities - Urban Edges.
- P61 | Humble Beginnings - Multi-cultural singles, some with children, starting in apartments - Inner-Cities, Urban.
- Q62 | Reaping Rewards - Retired couples and widowed singles living relaxed, quiet lives in detached houses - Suburban.
- Q63 | Footloose and Family Free - Older couples and widowed singles living active, comfortable lives - Urban Edges.
- Q64 | Town Elders & Leaders - Elders and community leaders settled into small houses and living frugally - Small Cities.
- Q65 | Senior Discounts & Towers - Low-income seniors in apartments with some rent assistance - Metros, City Edges.
- R66 | Daring to Dream - Aspiring young couples & singles, some with children, just starting out - Inner-City, Urban.
- R67 | Hoping Tomorrow - Hopeful, young, single parents with low-incomes, living in apartments - Mid-Sized Cities.
- S68 | Small Towns & Shallow Pockets - Older, low-income empty nesters & singles, tight budgets. - Small Satellite Cities.
- S69 | Urban Survivors - Older, low-income singles, some with children, settled & living modestly - Urban Neighborhoods.
- S70 | Tight Money - Middle-aged, low-income, unattached singles seeking to move upward - Small Cities, Urban Edges.
- S71 | Tough Times - Older, low-income singles, struggling to get by, apartments - Inner-Cities, Compact Neighborhoods.

Section E

Michigan's Missing Middle



Preferred Development Scenario
Prepared by Michael Campbell
and McKenna Associates

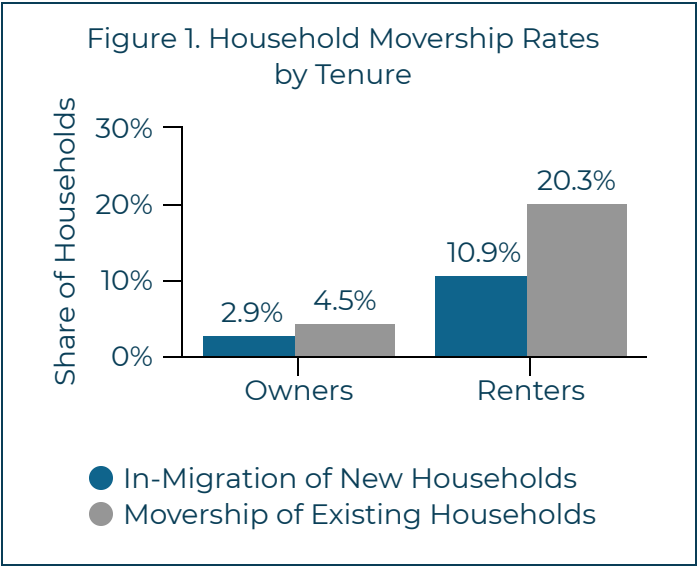
Michigan's Missing Housing - Here's the Scoop

Across the state, cities and developers are beginning to respond to the market gaps and missing housing formats – particularly in urban places and waterfront settings. Analytic results from countless studies across the state support what most developers know instinctively – the demand for new housing is being driven by singles of all ages who are on the move and seeking for-lease, attached formats located in downtowns and urban neighborhoods.

The following information is provided for state-wide averages and generally applies to individual cities, villages, and townships. However, each place has a unique profile, including geographic setting, household composition, tenure, migration, lifestyle clusters (target markets), and existing housing formats. Therefore, the magnitude of market gaps by will vary place to place.

Movership by Tenure – Renters are four times more likely to move than home owners. Home owners are more inclined to choose detached houses in rural settings, and they tend to be quite settled. Migrating renters across Michigan have high movership rates and are turning-over the existing supply of rental units about every three years. In comparison, it can take 10 to 15 years for migrating home owners to turn-over the stock among detached houses.

See Figure 1 shown below.



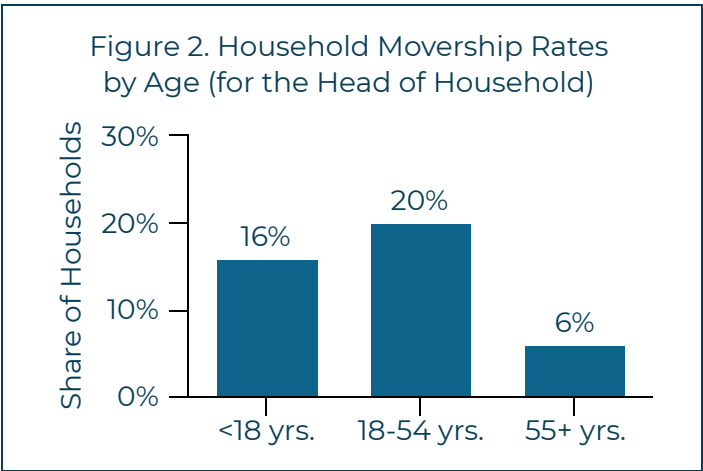
Compared to home owners, renters are more likely to choose attached units in urban places. And, because they have high movership rates, they are generating most of the demand for lofts, townhouses, and other formats in traditional downtowns.

Caution is advised against over-planning and over-building attached formats (like new townhouses and lofts) for owner-occupied households unless they are clearly supported by market demand and offer vista views of waterfronts and/or vibrant downtown districts.

Movership by Origin – About half of all households moving into Michigan are actually new residents for the state; and the other half are moving from one address to another within the state. Among all renters, almost 11% are in-migrating from beyond Michigan; and over 20% are moving within (unadjusted for out-migration). Within each unique place, in-migration is used to estimate the minimum annual market potential (the “conservative scenario”). In comparison, total migration should be used more cautiously and as an estimate of the maximum market potential (“aggressive scenario”).

Movership by Age – Stakeholder discussions on housing often gravitate toward the topic of Michigan’s aging residents. The theory is that senior households are gaining as a share of total, and they are seeking low-maintenance “age in place” formats like patio homes, courtyard cottages, and townhouses. In reality, seniors still represent a relatively small group; and they tend to be very settled into detached houses.

See Figure 2 shown below.



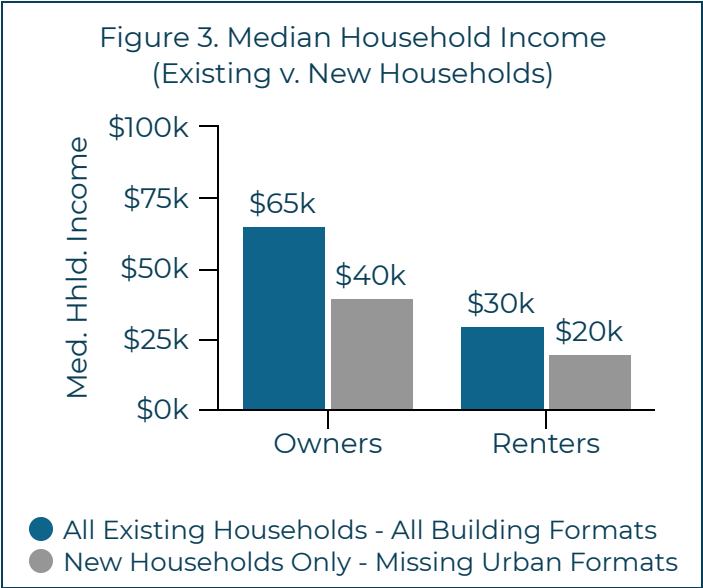
Michigan's Missing Housing – Here's the Scoop

Movership by Age – Only 6% of all senior-headed households move each year, compared to 20% among younger households. Used as a basis for calculating market gaps, the data consistently shows that the need for new “age in place” choices is small. Rather than building senior apartments, there is a much greater need to improve and modify existing houses to be barrier-free; deliver new services to seniors in their existing homes; and build new formats for single renters of all ages.

Affordability v. Tolerance – Housing affordability, attainability and tolerance are important topics that must be addressed within each unique place. Measures of affordability are usually aligned with HUD’s Low-Moderate-Income (LMI) limits, with parameters for 80% or less of Area Median Income (AMI). Attainability softens the rules to include units that are priced in alignment with market rates. Tolerance recognizes that shifts in supply and demand can result in price jumps that residents will tolerate – even if they are over-burdened by HUD’s standards.

Income of Migrating Households – Regardless of these qualifiers, migrating renters generally have half the income of owners. Furthermore, new households migrating into Michigan have lower incomes than established households. Statewide, there is a need for more income-integrated choices across all building formats, including townhouses or high-rise lofts targeted too often at the “luxury” market.

See Figure 3 shown below.



Mismatch by Building Format – With remarkable consistency between places and across the state, there is a mismatch between the preferences of migrating households and the formats of available housing choices. Renters in particular are seeking new housing formats in urban places, and particularly attached units that offer spectacular views of a downtown, river, and/or lake. When they are unable to find choices, then they compromise by renting detached houses.

See Figure 4 on the next page.

Statewide, only 65% of migrating households are seeking detached houses, and 35% are seeking attached units. However, attached choices represent only 15% of the housing supply. This reinforces the need for more attached renter-occupied housing formats in urban places. This does not mean that there is a need for more “apartments” at the fringe of the community. Rather, there is a need for ongoing reinvestment into downtowns with the rehab of lofts above street-front retail, and the addition of townhouses and other transitional formats nearby.

Experian Decision Analytics – 71 lifestyle clusters have been defined within Experian's Mosaic of all households across the nation. Households are aggregated by block groups, and then the block groups are assigned to lifestyle clusters. The clusters are based on demographics and socio-economic data; financial, debt, and property characteristics; and geographic location – including metro places by urbanicity.

Urban Target Markets – The Striving Singles target market represents an amazing 28% of all migrating households seeking buildings with four or more units in urban places. The second largest group is Family Troopers, followed by Full Steam Ahead and Senior Towers (low-income seniors living in high-rise towers).

See Figure 5 on the next page.

The Striving Singles group has a code of O54, which generally means that it is 54th in income among 71 lifestyle clusters living across the nation. The most affluent urban target market migrating within Michigan is the Wired for Success group, with the 37th highest income among the group. The lowest income urban target market is Tough Times with a code of S71.

Michigan's Missing Housing - Here's the Scoop

Figure 4. Michigan's Housing Mismatch (Demand v. Supply)

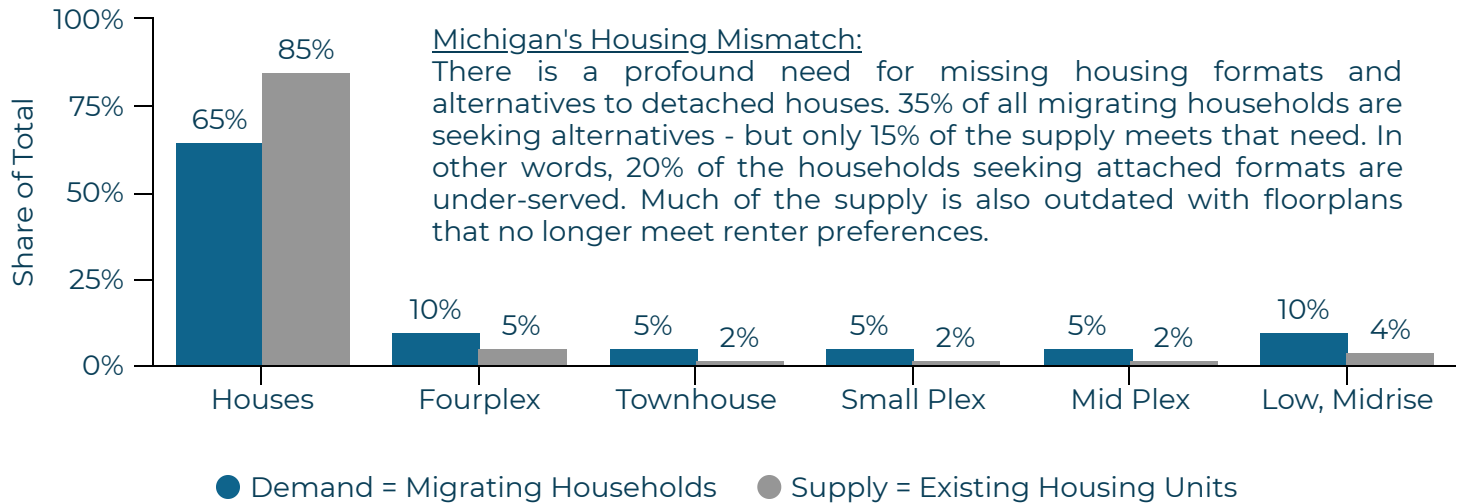
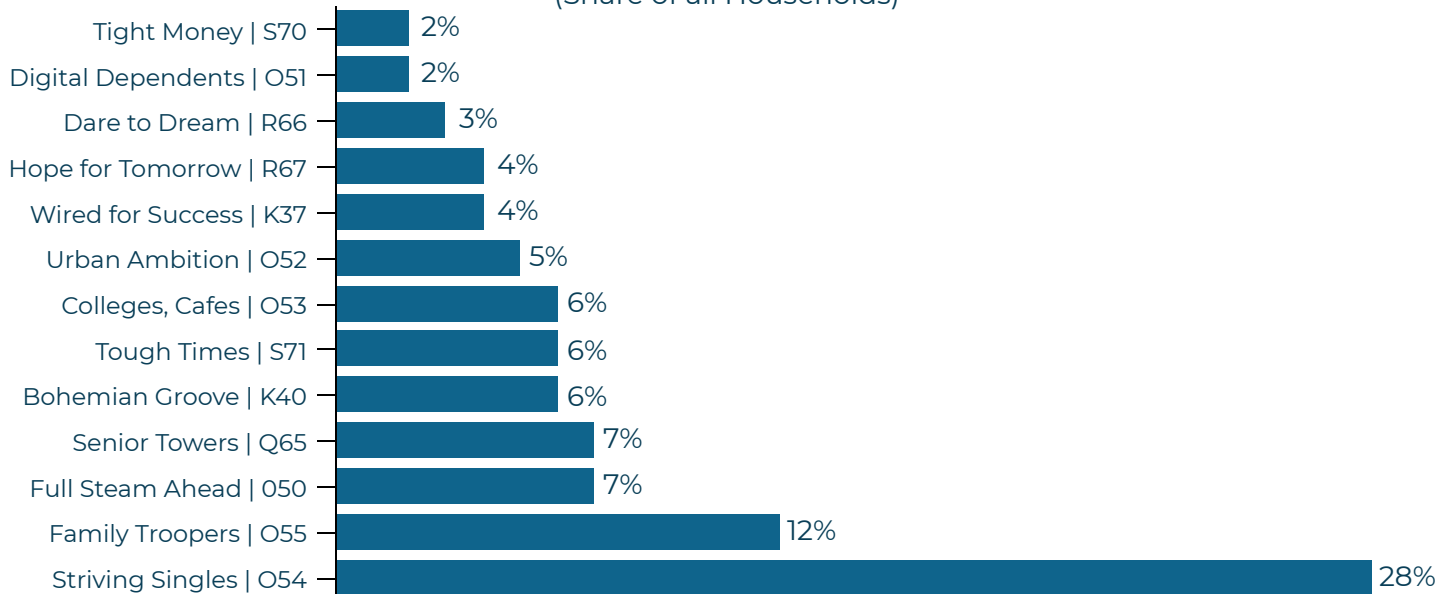


Figure 5. Urban Target Markets for Michigan
(Share of all Households)



Target Markets – The lifestyle clusters shown in **Figure 5 (above)** represent good targets for new housing formats in urban places. However, new developments should not be targeted exclusively at any single target market. Rather, income-mixed buildings are needed for migrating singles of all ages. New developments can achieve the highest possible absorption rates and bring demographic diversity by avoiding exclusive formats and brands like “affordable housing”, “worker housing”, “senior housing”, “student housing”, and “luxury living”.

Michigan's Missing Housing - Here's the Scoop

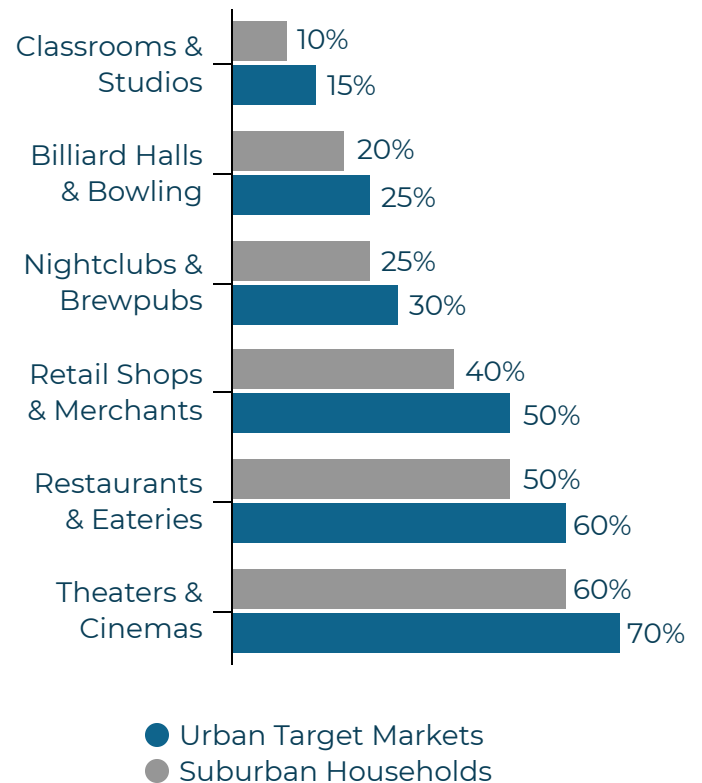
Downtown Amenities – The target markets are also more inclined to seek the same lifestyle amenities that make downtowns and urban places great. For example, compared to national averages, the target markets are more inclined to visit theaters, restaurants, nightclubs, and billiard halls, as well as studios and merchants.

See Figure 6 to the right.

Urban target markets are also more likely to shop among downtown merchants; and they have higher participation rates in educational classes and studio demonstrations. Similarly, they also have higher participation rates in waterfront attractions (beaches, marinas, and boating), trails, fitness centers, and other recreational venues.

Together with a smart placemaking process, all of these amenities can be integrated into each downtown to help intercept urban target market who are on the move.

Figure 6. Share of Households Inclined to Visit Retail and Entertainment Venues



Prepared on behalf of
The Incremental Development Alliance



About the Author – Sharon Woods is a certified Counselor of Real Estate advising communities, professional planners, and developers on market-wide opportunities and the highest and best use of land. She develops residential and retail market strategies for urban places; serves as a faculty member with the Incremental Development Alliance; and also serves on the board of directors for the Michigan chapter of the Congress for the New Urbanism.

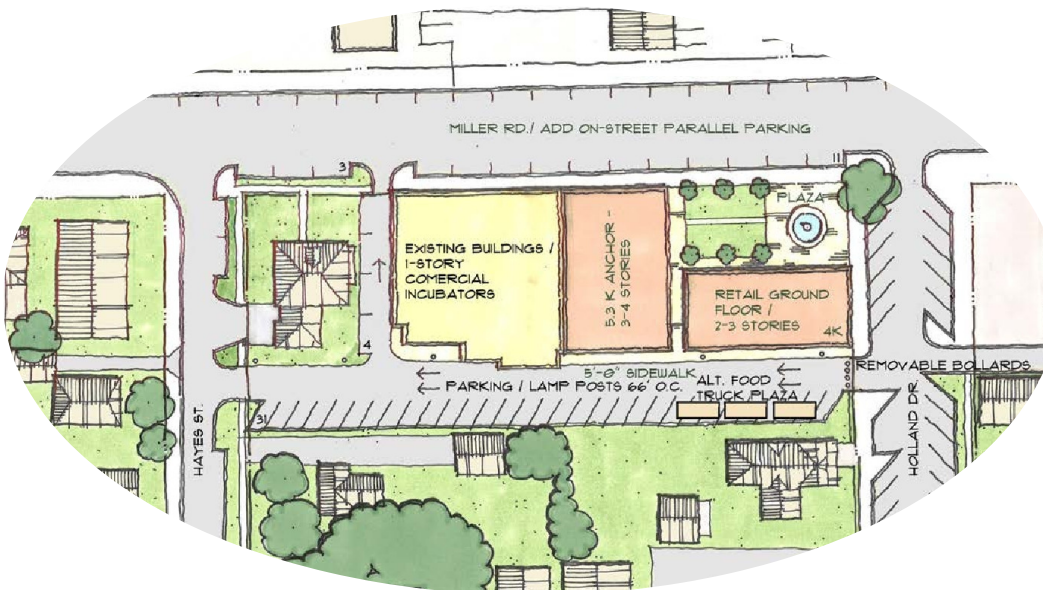
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sharonwoods@landuseusa.com
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Section

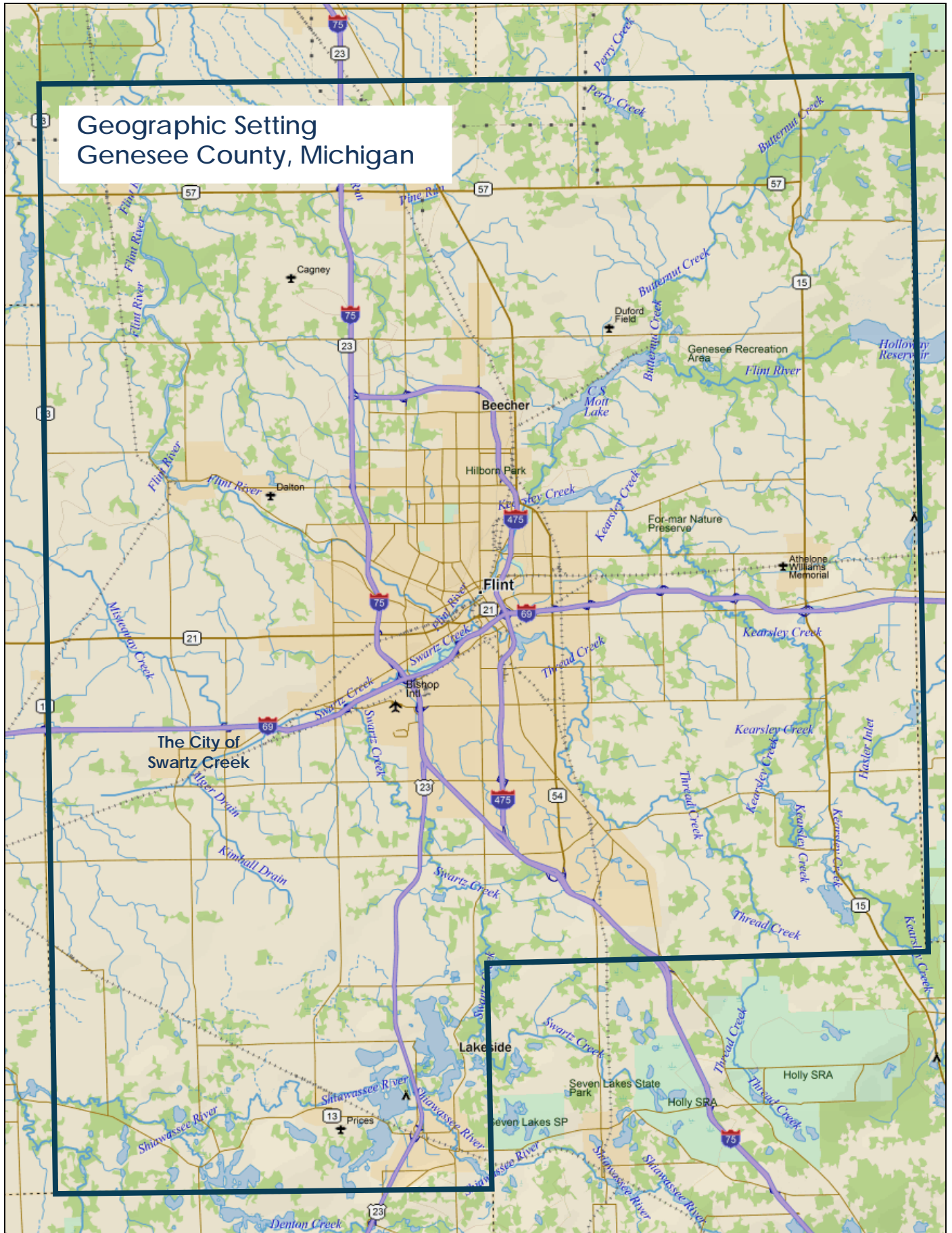
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Maps, Conceptual Plan Economic Parameters

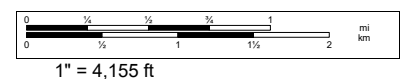


Preferred Development Scenario
Prepared by Michael Campbell
and McKenna Associates

Geographic Setting Genesee County, Michigan



Underlying map provided by Delorme. Exhibit prepared by
LandUseUSA | Urban Strategies in collaboration with Seamless
Collaborative and for the City of Swartz Creek; 2020.



Economic Indicators

Genesee County, Michigan

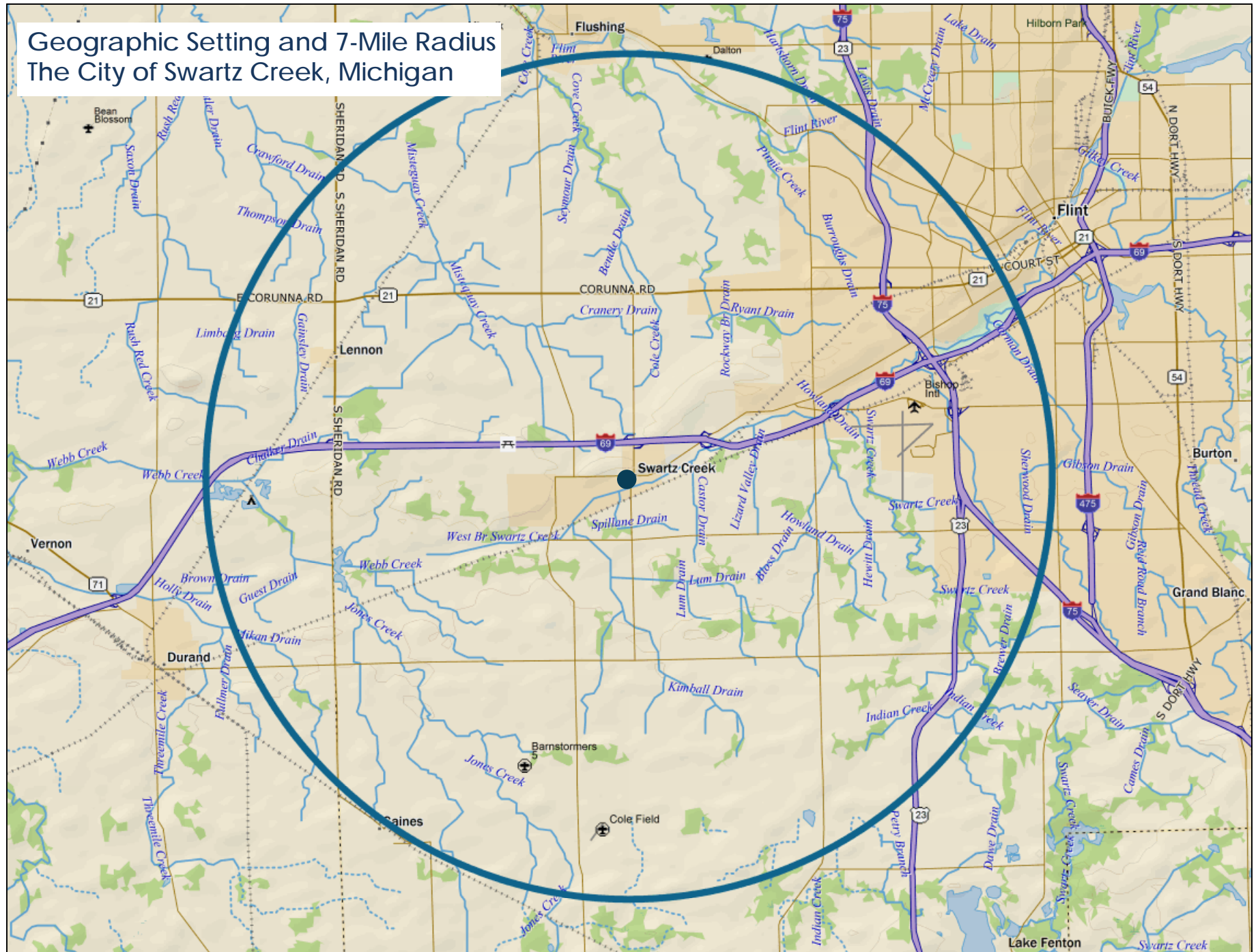
	2000		2010		2019		2024	
Educational Attainment	Census	Share	Census	Share	Estimates	Share	Projections	Share
Grade K - 8	8,831	3%	5,197	2%	4,146	1%	4,056	1%
Grade 9 - 11	35,896	13%	24,408	9%	22,075	8%	21,702	8%
High School Graduate	92,659	33%	94,955	34%	92,778	33%	91,908	32%
Some College, No Degree	71,021	26%	75,845	27%	77,751	27%	77,534	27%
Associates Degree	22,109	8%	25,571	9%	29,296	10%	29,602	10%
Bachelor's Degree	29,271	11%	33,303	12%	35,816	13%	36,101	13%
Graduate Degree	15,787	6%	19,850	7%	20,860	7%	21,048	7%
No Schooling Completed	2,086	1%	2,001	1%	2,632	1%	2,642	1%
Age 25+ Population	277,659	.	281,129	.	285,353	.	284,592	.

	2000		2010		2019		2024	
Employment	Census	Share	Census	Share	Estimates	Share	Projections	Share
Total Population 16+	329,402	.	332,524	.	333,353	.	330,328	.
Total Labor Force	207,846	63%	193,355	58%	191,787	58%	192,924	58%
Civilian, Employed	193,027	93%	166,078	86%	182,093	95%	182,439	95%
Civilian, Unemployed	14,770	7%	27,032	14%	9,443	5%	10,233	5%
In Armed Forces	49	0%	245	0%	251	0%	252	0%
Not In Labor Force	121,556	37%	139,169	42%	141,566	42%	137,404	42%
% Blue Collar	89,199	46%	69,359	42%	80,370	44%	80,418	44%
% White Collar	103,783	54%	96,720	58%	101,724	56%	102,022	56%

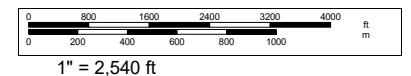
Source: Underlying data provided by the Decennial Census, plus estimates by eSite Analytics.

Analysis and exhibit prepared by LandUseUSA in collaboration with Seamless Collaborative; 2020.

Geographic Setting and 7-Mile Radius The City of Swartz Creek, Michigan



Underlying map provided by Delorme. Exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative and for the City of Swartz Creek; 2020.



Economic Indicators

7-Mile Radius for Downtown Swartz Creek

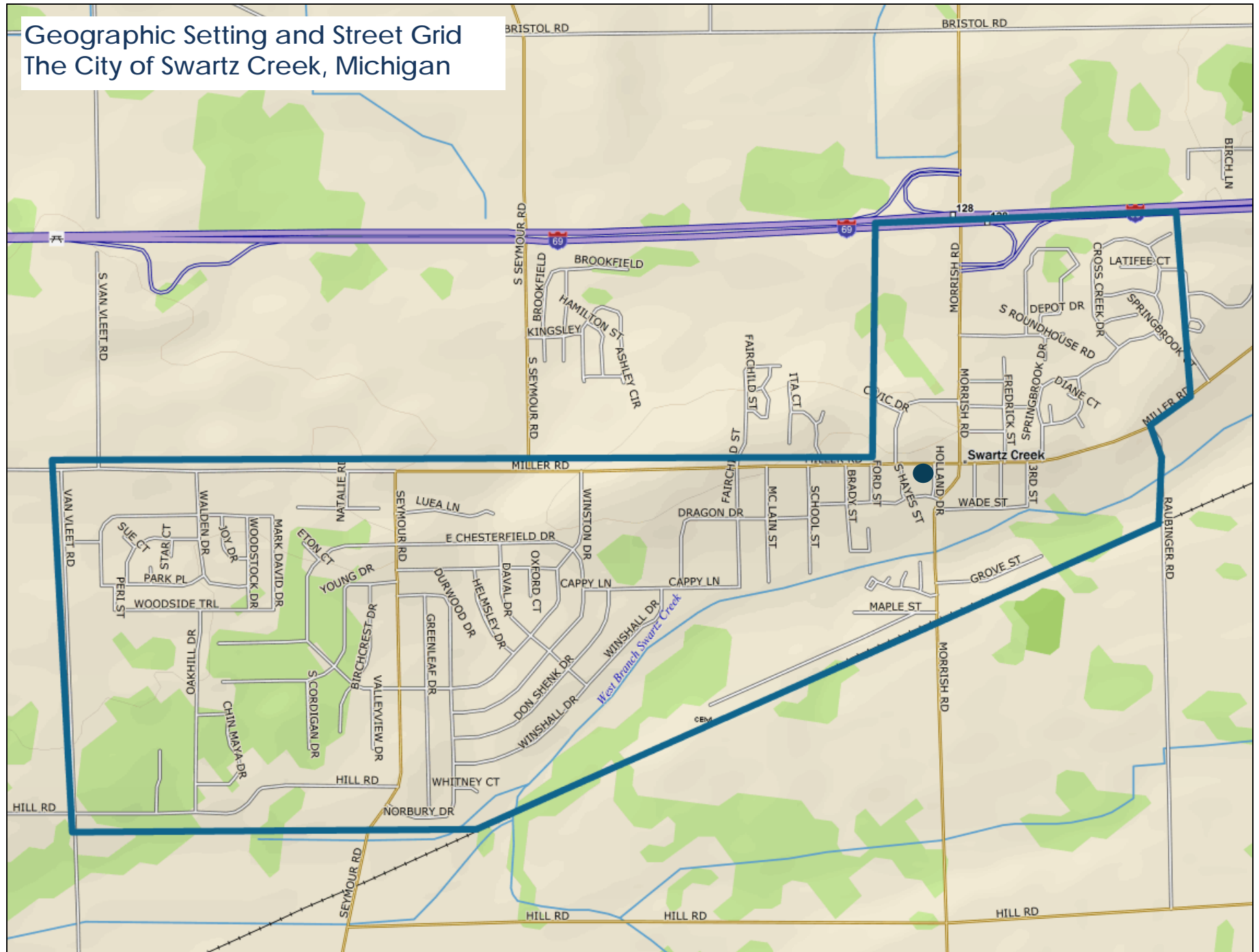
	2000		2010		2019		2024	
Educational Attainment	Census	Share	Census	Share	Estimates	Share	Projections	Share
Grade K - 8	1,458	3%	946	2%	729	1%	720	1%
Grade 9 - 11	5,383	10%	4,102	7%	3,648	7%	3,595	6%
High School Graduate	17,590	33%	17,793	32%	17,709	32%	17,527	32%
Some College, No Degree	14,487	27%	15,207	27%	15,623	28%	15,516	28%
Associates Degree	4,935	9%	5,701	10%	6,147	11%	6,142	11%
Bachelor's Degree	6,155	11%	7,259	13%	7,356	13%	7,309	13%
Graduate Degree	3,776	7%	4,165	8%	4,253	8%	4,230	8%
No Schooling Completed	249	0%	346	1%	486	1%	492	1%
Age 25+ Population	54,032	.	55,518	.	55,950	.	55,532	.

	2000		2010		2019		2024	
Employment	Census	Share	Census	Share	Estimates	Share	Projections	Share
Total Population 16+	63,248	.	64,646	.	64,502	.	63,744	.
Total Labor Force	39,982	63%	36,986	57%	36,812	57%	36,865	58%
Civilian, Employed	38,128	95%	32,810	89%	35,297	96%	35,223	96%
Civilian, Unemployed	1,845	5%	4,094	11%	1,428	4%	1,555	4%
In Armed Forces	9	0%	82	0%	87	0%	87	0%
Not In Labor Force	23,267	37%	27,660	43%	27,690	43%	26,879	42%
% Blue Collar	16,154	42%	13,348	41%	15,191	43%	15,212	43%
% White Collar	21,918	58%	19,462	59%	20,106	57%	20,010	57%

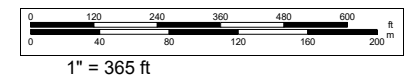
Source: Underlying data provided by the Decennial Census, plus estimates by eSite Analytics.

Analysis and exhibit prepared by LandUseUSA in collaboration with Seamless Collaborative; 2020.

Geographic Setting and Street Grid The City of Swartz Creek, Michigan



Underlying map provided by Delorme. Exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative and for the City of Swartz Creek; 2020.



Economic Indicators

The City of Swartz Creek, Michigan

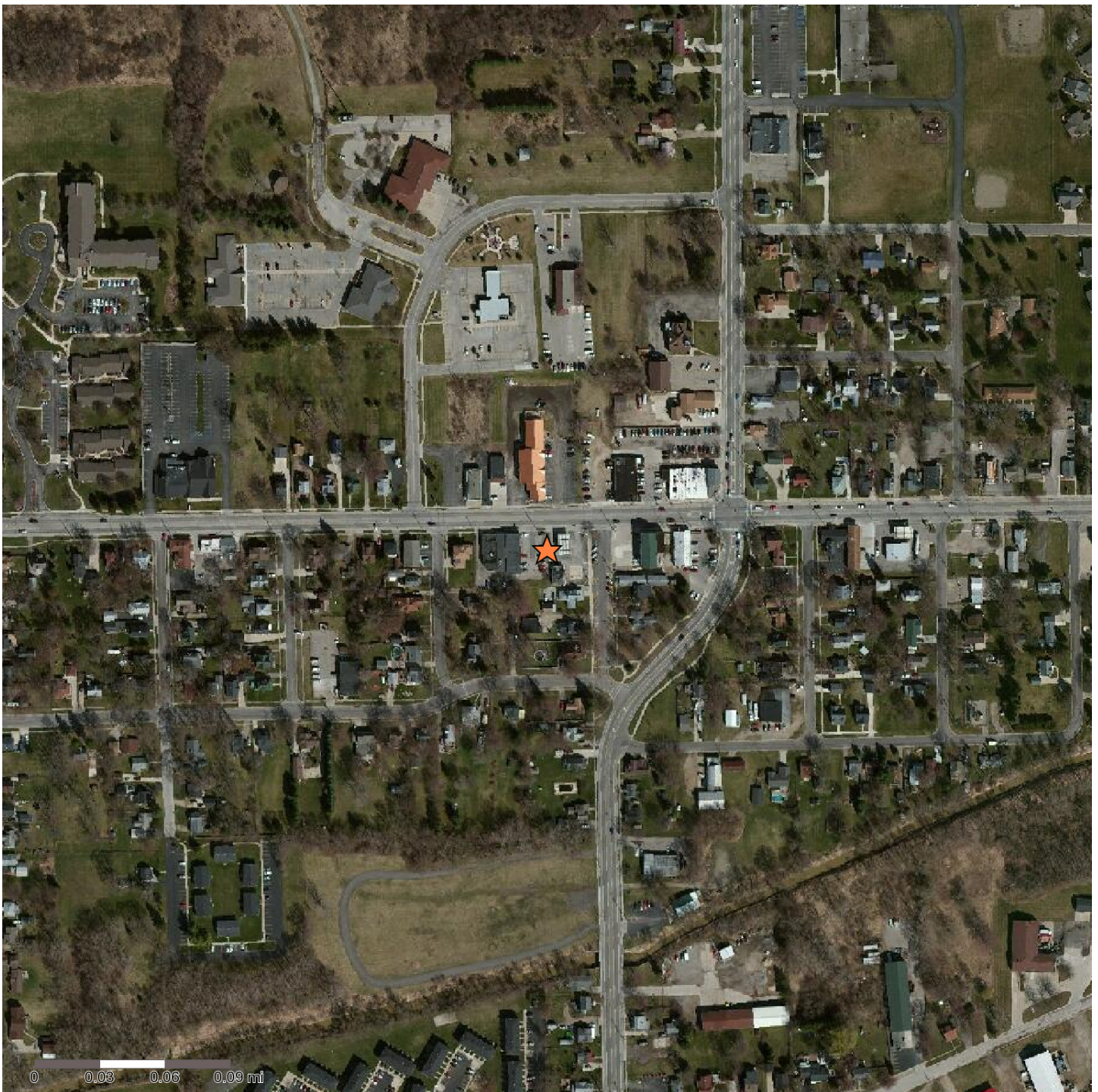
	2000		2010		2019		2024	
Educational Attainment	Census	Share	Census	Share	Estimates	Share	Projections	Share
Grade K - 8	76	2%	22	1%	23	1%	23	1%
Grade 9 - 11	274	8%	258	6%	255	6%	257	6%
High School Graduate	1,189	34%	1,644	41%	1,543	38%	1,540	37%
Some College, No Degree	1,020	29%	1,000	25%	1,026	25%	1,035	25%
Associates Degree	404	11%	400	10%	451	11%	459	11%
Bachelor's Degree	356	10%	409	10%	477	12%	485	12%
Graduate Degree	201	6%	288	7%	287	7%	290	7%
No Schooling Completed	12	0%	11	0%	24	1%	25	1%
Age 25+ Population	3,531	.	4,031	.	4,085	.	4,113	.

	2000		2010		2019		2024	
Employment	Census	Share	Census	Share	Estimates	Share	Projections	Share
Total Population 16+	4,100	.	4,609	.	4,641	.	4,672	.
Total Labor Force	2,642	64%	2,694	58%	2,742	59%	2,792	60%
Civilian, Employed	2,577	98%	2,521	94%	2,679	98%	2,720	97%
Civilian, Unemployed	65	2%	173	6%	63	2%	72	3%
In Armed Forces	0	0%	0	0%	0	0%	0	0%
Not In Labor Force	1,458	36%	1,914	42%	1,898	41%	1,879	40%
% Blue Collar	1,142	44%	1,240	49%	1,331	50%	1,349	50%
% White Collar	1,431	56%	1,281	51%	1,348	50%	1,371	51%

Source: Underlying data provided by the Decennial Census, plus estimates by eSite Analytics.

Analysis and exhibit prepared by LandUseUSA in collaboration with Seamless Collaborative; 2020.

Aerial Photo and Geographic Setting The Subject Site in Swartz Creek, Michigan

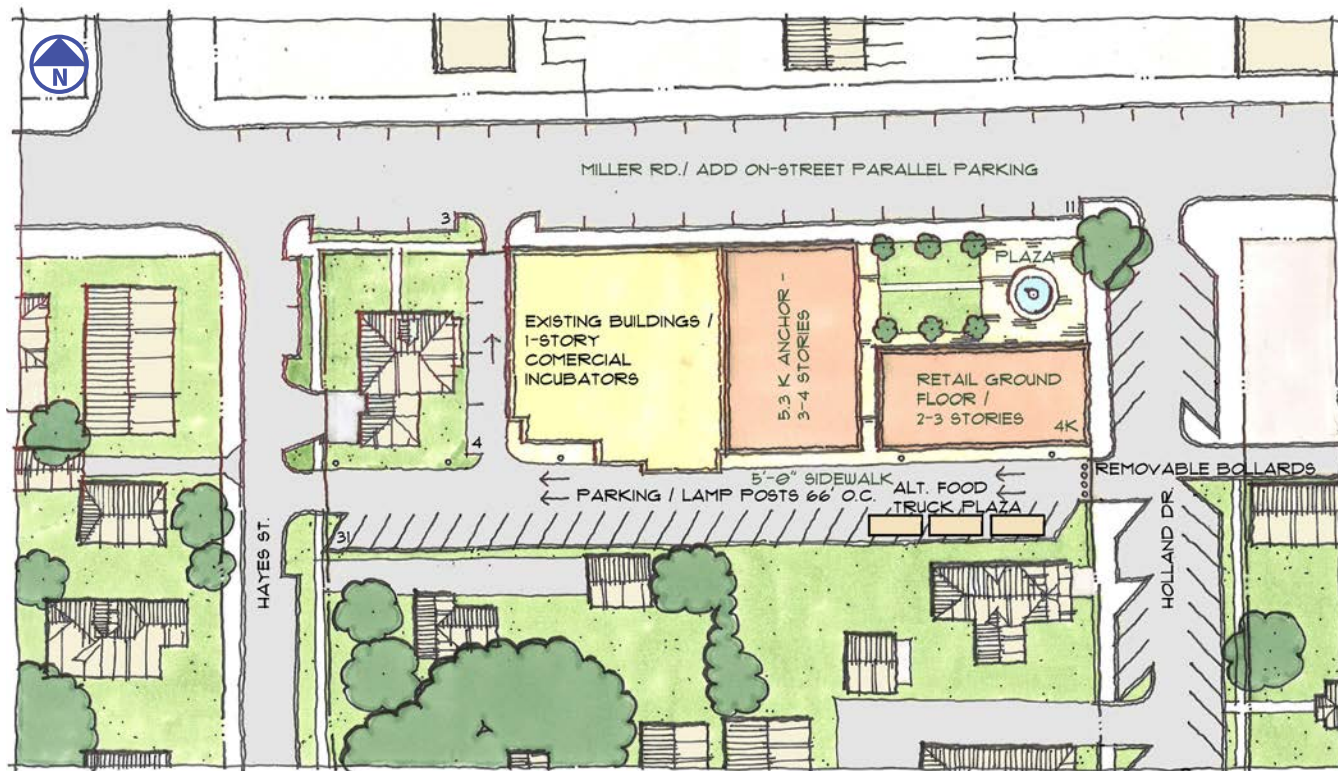


Source: Exhibit prepared by LandUseUSA | Urban Strategies in collaboration with Seamless Collaborative and for the City of Swartz Creek; 2020. Underlying aerial is licensed to LandUseUSA through eSite Analytics.

The Subject Site is 0.53 Acres*
The City of Swartz Creek, Michigan



Aerial imagery provided by Quantify in collaboration with Seamless Collaborative and for the City of Swartz Creek; 2020. Note* The 0.53 acres do not include the city-owned parking lot, which is also available. The boundary is only an approximation.



Preferred Development Scenario The Subject Site in Swartz Creek, Michigan

The property owner, City staff, and municipal stakeholders have worked collaboratively to develop a Preferred Development Scenario for this site. This design concept is rooted in stakeholder workshops that were carried out in January and February of 2020. It is intended to be an illustrative example of the desired level of creativity in design, and range of functional elements, included on the subject site. The property owner, in concert with City staff and municipal stakeholders, are nevertheless open to receiving alternative design approaches that fit the site and community context, in keeping with the parameters expressed in the illustrations.

In addition, several site precedent images are provided. These are images of recently completed projects located in Michigan that embody various aspects of the Preferred Development Scenario.

Again, renderings of the Preferred Development Scenario are intended to be illustrative, and the stakeholders are eager to consider any alternative approach that advances equally the goals for the site and fits the community context.

Source: The Developer Request for Qualifications (RFQ) prepared by Seamless Collaborative, supported the the Market Analysis prepared by LandUseUSA; March 2020.



Design Concept Rendering The Subject Site in Swartz Creek, Michigan

The design concept renderings illustrate a scenario that includes the following:

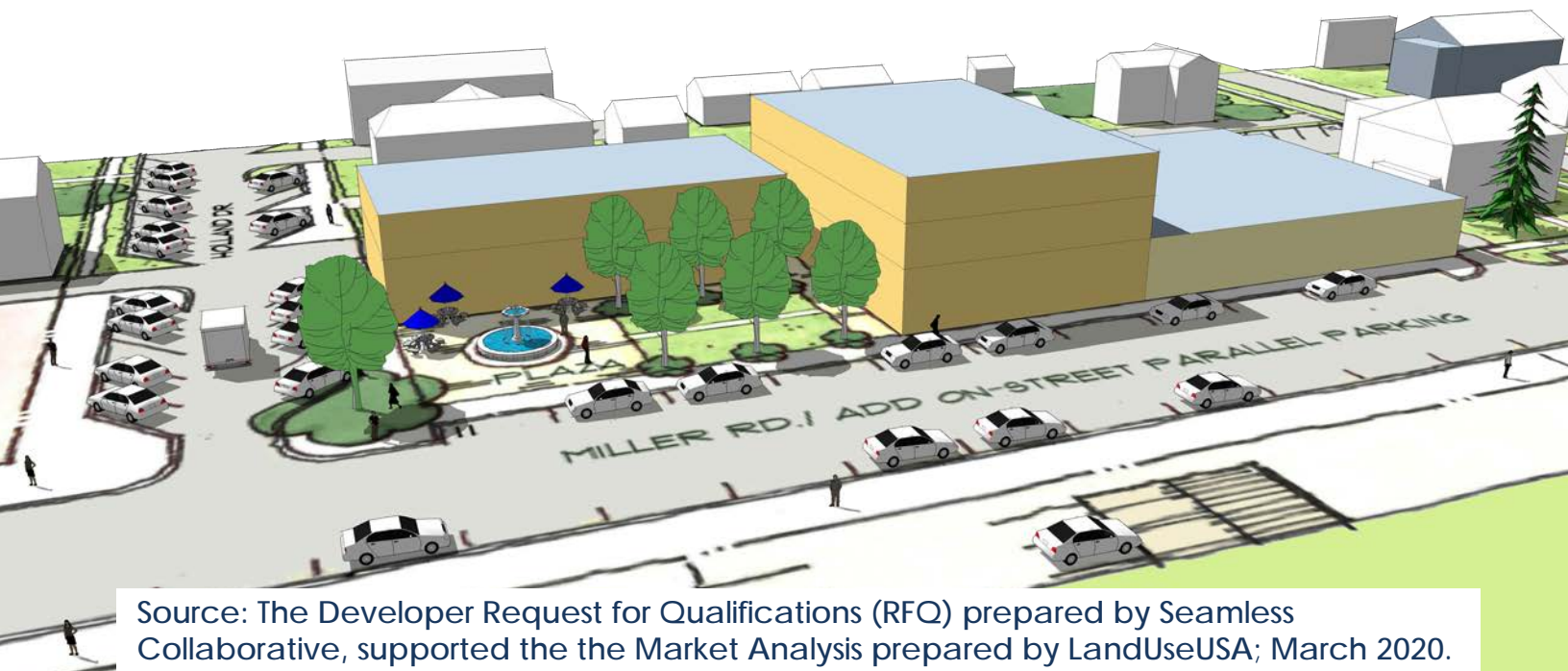
- The existing group of three buildings (A) has been retained and renovated to include micro-format retail and office spaces, such as in an open-plan incubator or co-working space format. While the Lovegrove name has a legacy in Swartz Creek, and invokes positive sentiments among long-time residents, stakeholders recognize that retention of these buildings may not be feasible under every proposed development scenario. In the case that these existing buildings are removed, however, recognition of the Lovegrove legacy should be incorporated into the new development—such as through a building name, educational plaque, or similar feature.
- Two new buildings are added to the easternmost parcel of the subject site, and to the City-owned parcel on the northwest corner of Miller Road and Holland Drive. As noted above, if a proposed concept sufficiently meets the parameters of this Preferred Development Scenario, the City is willing to offer this parcel for a nominal price as part of a predevelopment agreement.
- The westernmost of the new buildings (B) is a 3- to 4-story mixed-use building with a 5,300-square foot floorplate. It contains ground floor space suitable for an anchor tenant, and one to three smaller retail spaces, with market-rate residential lofts above.

Source: The Developer Request for Qualifications (RFO) prepared by Seamless Collaborative, supported the the Market Analysis prepared by LandUseUSA; March 2020.

Design Concept Rendering

The Subject Site in Swartz Creek, Michigan

- The easternmost of the new buildings (C) is a 2- to 3-story mixed-use building with a 4,000-square foot floorplate. It contains ground floor space suitable for retail and/or restaurant use, with market-rate commercial office space above.
- A public amenity is incorporated into the northeastern corner of the development, on the City-owned parcel (D). It consists of a plaza with a fountain and a small green space. This amenity should be designed to serve both the general public, as well as patrons of ground-floor businesses in the adjacent buildings, such as through incorporating outdoor restaurant seating.
- The two new buildings and plaza are sited to work as components of a unitary whole; the building façades “frame” the plaza, creating two sides of an “outdoor room”. Thoughtfully framing public spaces is a key element of urban design that creates places both memorable and functional. Though beyond the scope of this RFQ, and not illustrated here, it is assumed that future development opposite the subject site would reinforce this design gesture by completing the third and fourth sides of this “room”.
- Miller Road is illustrated with on-street parking (E). As depicted in the accompanying site photos in this document, Miller Road currently has a three-lane configuration with striped bicycle lanes. Miller Road is owned by the City; furthermore, it is understood by municipal stakeholders that the presence of on-street parking is critical for successful mixed-use development. Therefore, City staff is willing to discuss the reconfiguration of Miller Road to include on-street parking as a predevelopment agreement is negotiated.
- The existing service lane at the rear of the subject site has been retained and configured as a one-way westbound service lane incorporating 31 angled parking spaces (F), providing rear access to the buildings for residents and patrons. It is illustrated here with removable bollards installed at the eastern entryway from Holland Drive; these could be placed in the entryway to close off the lane during civic events (such as for staging of temporary food trucks, as shown).
- The service lane does not currently extend west to Hayes Street, as shown in the illustration. The City will acquire an easement to provide full cross-access at the rear of this block (G), which should be finalized by June 2020. The existing driveway along the western boundary of the subject site (H) is shown as an alternate means of egress to Miller Road; it is intended for one-way northbound operation to eliminate potential turning conflicts.



Source: The Developer Request for Qualifications (RFQ) prepared by Seamless Collaborative, supported the the Market Analysis prepared by LandUseUSA; March 2020.



APPENDIX B:

ALTA Site Survey



APPENDIX C:

2017 Limited Site License Agreement

LIMITED SITE LICENSE AGREEMENT

This Limited Site License Agreement ("Agreement") is entered into by the **City of Swartz Creek** (hereinafter referred to as "City"), **ExxonMobil Oil Corporation** (hereinafter "ExxonMobil") and **Groundwater & Environmental Services, Inc.**, (hereinafter referred to as "Consultant"), for the purpose of granting a limited license to enter upon certain described property upon the following terms and conditions specified herein.

With respect to a parcel of real estate, located at 5012 Holland Drive, in the City of Swartz Creek, State of Michigan (the "Property"), ExxonMobil and the Consultant hereby request, and the City, as the title owner of the Property, hereby grants to ExxonMobil and Consultant, subject to the terms and conditions herein set forth, a LIMITED LICENSE to enter upon the Property for the purposes set forth below as part of the performance of corrective action to address a release of petroleum products on the Property ("Work").

1. Within sixty (60) days after the effective date of this Agreement, ExxonMobil agrees to pay the City **One Hundred Fifteen Thousand Dollars (\$115,000)** ("Payment") as consideration for access to the Property, as consideration for the restrictive covenant, highway authority agreement (HAA), and groundwater ordinance, as consideration for legal fees and other expenses incurred by the City, and to compensate the City for restoration of the surface of the Property and any damage to the adjacent roads caused by the Work. Payment shall be addressed to the City of Swartz Creek with a Federal Tax ID of 38-6034855 and mailed to 8083 Civic Drive, Swartz, Creek, Michigan 48473.

2. This grant of a limited license is subject to, and shall be effective only upon compliance by ExxonMobil and the Consultant with the provisions of this Agreement in the manner described below.

3. Scope of Work. The Work that is the subject of this Agreement is described as follows:

ExxonMobil will:

- Excavate soil on the Property as set forth in the Excavation Plan attached herein as **Exhibit A** (disregarding the Timeline dates) and previously approved by the City (the "Excavation"), dispose of soil off-site in accordance with applicable law, and backfill the excavated area per Paragraph 17 of this Agreement. ExxonMobil will consider the following mitigation steps during the Excavation with regards to contaminated soil;
 - Placing contaminated soil on top of poly sheeting followed by covering and securing the stockpile
 - Placing stockpiles away from drainage systems
 - Covering stockpile with water-repellant material if weather conditions indicate the chance of precipitation

- After completion of the Excavation, periodically gauge, monitor, survey or sample the groundwater monitoring wells; on the Property as required by the Michigan Department of Environmental Quality;
 - Dispose of all investigation-derived waste off-site in accordance with applicable law;
 - Conduct any and all other activities required by the Michigan Department of Environmental Quality and applicable law; and
 - After the completion of the Work as determined by governmental authorities, plug and abandon well(s) in compliance with all applicable laws and remove any equipment brought onto the Property in connection with the Work.
4. ExxonMobil and/or the Consultant agree to notify the City at least three (3) days before entering upon the Property under this Agreement. Performance of the Excavation shall occur on mutually agreed upon dates and times.
5. ExxonMobil and/or the Consultant are permitted to keep the equipment identified in **Exhibit B** on the Property during the Excavation phase of the Work only.
6. ExxonMobil and/or Consultant agree to deliver to the City a copy of all data generated in connection with the Excavation within five (5) business days after receipt thereof by ExxonMobil or the Consultant from an analytical testing laboratory. ExxonMobil and/or Consultant also agree to deliver to the City a copy of all reports within five (5) business days after such report shall be prepared in any final written form by the Consultant.
7. Once this Agreement is properly executed by the parties, it shall continue in force until the Work is completed, as determined by the Michigan Department of Environmental Quality, unless terminated earlier by mutual written agreement of the parties.
8. ExxonMobil and the Consultant covenant and agree to indemnify, save free and hold harmless the City, its employees, contractors, representatives and assignees, from any and all liability, costs or expenses of whatever nature, incurred by the City with respect to any assertion made against it of liability arising out of an activity under, or the utilization of this Agreement by ExxonMobil, the Consultant, their employees, agents, contractors, sub-contractors or representatives. The indemnification obligations set forth in this paragraph, however, do not apply to costs relating to repaving the Property or repairing the adjacent roads, which costs already have been included in the Payment.
9. On behalf of itself, its agents, representatives, and insurers, the City fully and finally and forever releases, acquits and discharges ExxonMobil and its related entities, both parent company and affiliates, predecessors, successors, assigns, officers, directors, stockholders, shareholders, attorneys, representatives, agents and employees, past, present and future, and all other persons and entities for whose acts or omissions ExxonMobil could be held legally responsible ("Released Parties"), from any and all claims, suits, damages and causes of action of whatever nature and kind, including without limitation, all claims for personal injury, emotional distress, property damages, trespass, nuisance, negligence, response or investigation costs, and/or economic loss, including lost interest, lost opportunities, diminution in real property value, stigma damages, any claims for attorneys' or consultants' fees and any other claims, demands, damages,

losses or causes of action of whatever kind or nature which claimant ever had, now has or may have on account of or arising from the alleged petroleum hydrocarbon contamination of the Property, including but not limited to environmental, property damage and personal injury, whether at law or in equity, whether under state or federal law or regulation, whether known or unknown, whether suspected or unsuspected without any limitation or restriction whatsoever, except actions or claims to enforce the terms of this Agreement.

10. Within sixty (60) days after the execution of this Agreement, the City agrees that it will execute a Restrictive Covenant in a form materially similar to that attached as **Exhibit C** and execute a Highway Authority Agreement (“HAA”) in a form materially similar to that attached as **Exhibit D**. The parties understand that ultimately, the Michigan Department of Environmental Quality (“MDEQ”) must approve the HAA that is offered to the City to execute.

11. Within sixty (60) days after completion of the Excavation, the City agrees that it will pass an ordinance in a form materially similar to **Exhibit E** prohibiting the installation of water wells (except for monitoring wells) and use of affected groundwater around the Property. Before the ordinance goes before the City for consideration, ExxonMobil will send a water well questionnaire and notice of public hearing to discuss the ordinance in forms materially similar to **Exhibit F** to the property owners included in the ordinance.

12. Nothing in this Agreement is intended to waive any compliance with any federal, state or local law, statute, ordinance, rule or regulation. Further, ExxonMobil and the Consultant hereby expressly covenant that all their activities undertaken pursuant to this Agreement shall be in compliance with all federal, state or local laws, statutes, ordinances, rules and regulations, including, but not limited to, local “frost laws”. ExxonMobil and Consultant shall indemnify the City from any losses, damages, claims or demands of whatever nature which arise as a result of their agents, employees, contractors or sub-contractor’s failure to observe any applicable safety, health or environmental laws or regulations.

13. While the City reserves to itself the exclusive control and operation of all its roadways, it acknowledges that the Work will require use of City roads and streets. ExxonMobil and Consultant shall use their best efforts to minimize disruptions to Holland Drive and Miller Road in the exercise of implementing the Work. While using the City’s road and streets, ExxonMobil, its employees, agents, contractors or subcontractors shall observe all speed limits, road bans, closures, and other restrictions on use imposed by the City.

14. ExxonMobil, the Consultant, their representatives, agents, employees, contractors or sub-contractors shall conduct their activity on the City’s Property in a manner to minimize damage to the Property. ExxonMobil and Consultant shall be fully responsible for marking all utilities at the Property prior to conducting the Work.

15. Any samples, waste materials, pollutants, contaminants, or groundwater that is generated or collected during activities conducted under this Agreement shall become the property of ExxonMobil, and shall be handled, stored, treated, transported and disposed of in strict accordance with all applicable federal, state or local laws, statutes, ordinances, rules or regulations.

16. The Excavation does not require a Soil Erosion Sedimentation Control Permit issued by the Genesee County Drain Commissioner's Office. However, the Genesee County Drain Commissioner's Office has requested that geotextile fabric be placed at certain locations around the Excavation. ExxonMobil agrees to accept responsibility for compliance with that request and any other provisions and conditions the Genesee County Drain Commissioner's Office may require in the future. ExxonMobil's failure to comply with these requests shall constitute a violation of this Agreement, and the City reserves the right to pursue any relief including the right to suspend or revoke ExxonMobil's access to the Property until such violations are cured. It shall be the responsibility of ExxonMobil to secure all other permits required to perform any of the actions contemplated by this Agreement.

17. The Excavation shall be backfilled consistent with the following provisions:

a. Placement of a geotextile liner along the sidewalls and bottom of the excavation to prevent the migration of peastone into the clay layer.

b. Material used for backfill shall be either peastone or 1-inch x 3-inch crushed limestone to a depth of five (5) feet below the planned finished surface. These materials are self-compacting.

c. From five (5) feet to four (4) feet below the planned finished grade, a 12-inch layer of 21AA crushed limestone shall be placed. The layer will be compacted to at least 95 percent of its maximum unit weight.

d. Class II Granular Material shall be placed up to 15 inches below the planned finished surface. Placement of class II granular material shall be done according to Section 301 of the Michigan Department of Transportation 2012 Standard Specifications for Construction.

e. Base course material under the proposed pavement surface shall consist of 15 inches of 21AA crushed limestone as described in the Michigan Department of Transportation 2012 Standard Specifications for Construction. Placement of the aggregate shall be done according to Section 302 of the Michigan Department of Transportation 2012 Standard Specifications for Construction.

f. The City will assume the responsibility for removing the crushed limestone and installing a paved surface at a later date. Wells present after the Excavation is completed shall be maintained throughout the paving process to be in useable condition after the paving is completed.

18. The laws of the State of Michigan shall apply to the interpretation of this Agreement and to the resolution of any dispute or conflict arising out of any matter set forth herein.

19. This Agreement is not assignable except with the prior written approval of the City.

20. This Agreement contains the entire agreement of the parties relating to the Work. The parties acknowledge that there have been no representations or understandings other than those expressly set forth in this Agreement. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original.

21. The undersigned specifically represent that they are authorized to execute this Agreement and that the parties have the right and capacity to perform the acts contemplated by this Agreement.

Executed by the respected parties on the dates as below stated:

CITY OF SWARTZ CREEK

Dated: April 11, 2017

David A. Krueger

By: David A. Krueger

Its Mayer

[Signatures continue on following page.]

GROUNDWATER & ENVIRONMENTAL
SERVICES, INC.

Dated: _____

By: _____

Its: _____

EXXONMOBIL OIL CORPORATION

Dated: _____

By: _____

Its: _____

Exhibit A
Excavation Plan

Excavation Plan

Former Mobil 03-C0T
5012 Holland Drive
Swartz Creek, Genesee County, Michigan

Prepared for:

ExxonMobil Oil Corporation
5224 West State Road 46 (#339)
Sanford, Florida 32771

Prepared by:



GROUNDWATER & ENVIRONMENTAL SERVICES, INC.

10381 Citation Drive, Suite 500
Brighton, Michigan 48116

August 2016



Excavation Plan

ExxonMobil Oil Corporation
Former Mobil 03-C0T
5012 Holland Drive
Swartz Creek, Genesee County, Michigan
Facility ID: 0-0003188

Prepared for:

Mike Meola
ExxonMobil Oil Corporation
5224 West State Road 46 (#339)
Sanford, Florida 32771

August 2016

Prepared by:

A handwritten signature in black ink, appearing to read "Robert J. Butler, Jr.", written over a horizontal line.

Robert J. Butler, Jr., PE
Project Engineer

Reviewed by:

A handwritten signature in blue ink, appearing to read "Bridget Klueger", written over a horizontal line.

Bridget Klueger
Senior Project Manager

Groundwater & Environmental Services, Inc.
10381 Citation Drive, Suite 500
Brighton, Michigan 48116
800-368-0337 Phone
810-227-0008 Fax



Project Objective

The Work will be conducted at the former ExxonMobil Service Station #03-C0T located at 5012 Holland Drive, Swartz Creek, Michigan. The work site, a former retail gasoline station, is currently vacant. The site building, canopy, dispensers, and underground storage tanks have been removed from the site.

The objective of this project is to remediate the safely accessible on-site subsurface impacts exceeding Michigan Department of Environmental Quality Part 213 Direct Contact soil concentrations. This objective shall be accomplished by excavation and off-site disposal of contaminated soils.

Project Scope

The following Project Scope covers the Work necessary to complete the planned Soil Removal Activities. In general, the major tasks of the soil removal activities include the following:

- Implementation of a site-specific health and safety program (HASP);
- Project management and site supervision including, but not limited to, effective communications, quality control and quality assurance, cost control, and project scheduling;
- Non-hazardous soil excavation, handling, and off-site transport and disposal;
- Storm or accumulated water control, management, transportation, and disposal; and
- Site restoration to include engineered backfill, compaction, and asphalt paving.

An estimated area of approximately 7,000 square feet will be excavated to a depth of approximately 15 below ground surface (estimated 3,500 tons) and transported off-site to the Arbor Hill Landfill in Northville, Michigan for proper disposal (the Work). The final excavation extent may be smaller or larger than estimated and will depend upon site borings to be completed prior to the excavation and on observations made during completion of the Work. The sides of the excavation will be sloped or benched to maintain stability. The maximum areal extent will be limited to approximately 10,000 square feet due to the locations of natural gas service lines that border the site.

Based on historical groundwater elevations, some dewatering will likely be required during excavation of the impacted sand, once the clay overburden is removed. The groundwater will be pumped from the excavation area into a fractionation (frac) tank. Recovered groundwater shall be trucked off site, as needed, and disposed at a licensed disposal facility.

Natural gas service lines are located in the southern right-of-way (ROW) of Miller Road, the western ROW of Holland Drive, and along the western property line of the site. The edges of the excavation will remain at least 10 feet away from each of these gas lines. Overhead utilities are located in the southern ROW of Miller Road and the western ROW of Holland Drive. The excavator arm, when fully extended, must be at least 10 feet from the overhead utilities. A spotter will be used to direct excavator movement whenever work will be completed within 23 feet of overhead utilities. Refer to Figure 1 for the proposed excavation location.



Work Timeline

Pending access and authorizations, the Work is expected to begin in mid-October and end in early November, as follows:

- Weeks of 8/15 and 8/22: County soil erosion permit application** / Coordinate contractor for soil borings & schedule / Draft excavation work plans (traffic, hours, etc.) / Public utility markout for soil borings
**Requires City of Swartz Creek participation/agreement
- Week of 8/22: Negotiate and finalize access agreement with City of Swartz Creek
**Requires City of Swartz Creek agreement/participation
- Week of 8/29: On-site private utility markout for soil borings / Preparation and approval of subsurface clearance plan for soil borings
- Week of 9/5: Perform soil borings / Draft subsurface clearance plan for excavation
- Weeks of 9/12 and 9/19: Public utility markout for excavation / Mailing of 30-day notice to residents / Coordination with fire department and police
- Week of 9/26: Incorporate new soil data to finalize excavation work plan
- Week of 10/10: On-site private utility markout for excavation
- Weeks of 10/17, 10/24, and 10/31, (+/-11/7 depending on additional soil volume): place frac tank / preconstruction meeting / complete excavation & backfill / paving

Notifications

The following notifications will be completed:

- A Miss Dig and private contractor utility markout will be completed for the soil borings, which will be completed approximately two months prior to the Work;
- Residents and businesses located in the immediate vicinity will receive a 30-day notice from ExxonMobil regarding the Work;
- The Michigan Department of Environmental Quality will be informed 2 weeks prior to the Work, per their existing notification requirements;
- The City of Swartz Creek Police Department and Fire Department will be notified 2 weeks prior to the Work so that they are aware of the activities; and
- Miss Dig will be contacted 2 weeks prior to the Work for an updated public utility markout.

Working Hours

Working hours will be from 7:00 AM to 3:00 PM, Monday through Friday. These hours would be necessary due to the travel time to the approved landfill combined with the working hours of the landfill, and due to the sunrise time of 7:00 AM in mid-October.

Work Zones

Temporary chain-link fence will be installed around the perimeter of the site prior to commencing the Work. Access to the site will be via gates located along Miller Road, near the northwest corner of the site, and along Holland Drive, near the southeast corner of the site. Refer to Figure 1 for the general site layout.

Three work zones, a "green" zone, "orange" zone, and a "red" zone will be established at the work site. No work is permitted in the green zone, which will consist of the public sidewalks adjacent to the Work site on the southern ROW of Miller Road and the western ROW of Holland Drive. The red zone will consist of the area within the swing radius of the excavator or overhead loads. The "red" zone will be adjusted throughout the work day based on current activities. The "orange" zone is comprised of the remainder of the Work site inside the temporary chain-link fence, but outside of the "red" zone.



The following apply to the red zone:

- The red zone is an exclusion zone; only personnel essential to completion of the Work will be permitted in the red zone;
- A designated person will be assigned to control access into the red zone;
- A spotter will be assigned who will monitor movement/operation of equipment to assure the safety of site personnel, utilities, and/or other structures;
- The spotter will have utilize hand signals to stay in communication with the equipment operator. Use of cell phones for this purpose will not be allowed;
- Personnel in the red zone will not be permitted to cross under suspended loads; and
- Personnel in the red zone will not be permitted to step over or straddle equipment.

A typical Work Zone is depicted on Figure 2. The “red” zone will vary in location throughout each day.

Noise

To minimize noise disruption to surrounding properties, site Work will only be completed during the work hours described above.

Hearing protection will be used by site personnel whenever noise levels exceed 85 dB.

Vehicular Traffic

Vehicular traffic will be limited to only the traffic necessary to complete the Work. The Work site is a vacant parcel and will be surrounded by a temporary chain-link fence throughout the duration of the Work. Access to the Work site will be via gates located near the northwest and southeast corners of the Work site. Site personnel will control access into the Work site.

Trucks that will transport excavated soil to the landfill will enter the site through the Miller Road access gate and will exit the site via the Holland Drive access gate. Pending confirmation of City approval, trucks will stage at the City of Swartz Creek’s Department of Public Works lot while waiting to be loaded (8083 Civic Drive). Trucks will not be allowed to park on Miller Road or Holland Drive while waiting to be loaded. Refer to Figure 3 for the vehicular traffic plan.

ExxonMobil will provide bonding to the City of Swartz Creek to ensure against the potential for undue impact to roadways during the completion of the Work.

Foot Traffic

No foot traffic, except for that required to complete the Work, will be allowed in the red zone. A spotter must be present when foot traffic is required while equipment is in operation. Generally, pedestrian traffic will be allowed through the green zone in the southern ROW sidewalk on Miller Road and the Western ROW sidewalk on Holland Drive; however, site personnel must assess pedestrian safety during morning and afternoon tailgate meetings, at minimum. If at any time, the safety of pedestrians would be compromised Work activities, pedestrian traffic shall be rerouted to the northern ROW sidewalk on Miller Road and the eastern ROW sidewalk on Holland Drive in the vicinity of the Work site.

Dust and Odors

The site will be maintained in a manner that will prevent the creation and dispersion of dust and odors (i.e., volatile organic compounds) throughout the course of the Work.



Dust and odor control can be achieved through application of (a minimum) water to Work site soils, as needed. Site personnel will monitor the roads adjacent to the site during Work activities. Any soil or dust tracked off site will be immediately swept up.

Air Monitoring

The breathing zone in the Work zone will be monitored for VOC concentrations with a photo-ionization detector (PID). Odor control, via the application of a minimum amount of water, will be implemented if VOC concentrations exceed 5 ppm. Site personnel will upgrade to Level C personal protective equipment (half-face respirator) if VOC concentrations exceed levels defined in the Health and Safety Plan.

Housekeeping

The Work site will be maintained in a clean and orderly fashion to minimize risk to site personnel, as well as to maintain a clean and orderly appearance. Any debris generated during the Work will be cleaned up and placed in a roll-off box/dumpster for proper disposal or neatly stored, out of the way of site activities, for later re-use. Sidewalk and driveway areas will be swept as needed, to keep the areas clear of debris.

Backfill and Repaving

The excavation will be backfilled with pea gravel to a level four (4) feet below grade. A filter fabric will be placed on top of the pea gravel. Class II sand compacted in 12-inch lifts will be placed from four (4) feet to seven (7) inches below grade. Surface grade will be prepped with 4-inches of compacted 21AA crushed limestone prior to paving.

The areas of the site beyond the excavated portions will have the pavement removed to prepare for paving of the entire lot.

The entire lot will be finished with 3" asphalt paving.

Soil Erosion and Sediment Control

Soil Erosion and Sedimentation Control (SESC) plans are required for all earth changing activities greater than 1 acre in size and for earth changing activities less than 1 acre in size when work will be completed within 500 feet of surface water (lake, stream, river, etc.). The Work describe in this plan is less than 1 acre in size and is located greater than 500 feet from the nearest surface water. As such, an SESC will likely not be required. However, Genesee County requires that all project proposing earth changing activities submit an SESC application for review. An SESC has been drafted, and upon obtaining permit signatures, the SESC application will be submitted to Genesee County prior to commencement of the Work. If the County determines that an SESC permit is required, all Work will be completed in accordance with the SESC Plan submitted with the application.



APPENDIX A

Figures

CATCH BASIN
UTILITY MANHOLE
UTILITY POLE
LIGHT POLE
HYDRANT
WATER VALVE
RECOVERY WELL
MONITORING WELL
ABANDONED/DESTROYED
OVERHEAD UTILITY
UNDERGROUND SURVEY
UNDERGROUND STORAGE TANK
UNDERGROUND GAS LINE
UNDERGROUND WATER
UNDERGROUND ELECTRICAL
UNDERGROUND EMBANKMENT
PRODUCT PIPING
FORMER CITIES SERVICE
FORMER SPILL TANK
SOIL BORING (ENVIRONMENTAL)
SOIL BORING (THERMAL)



SOURCES:
QTI & ASSOCIATES, INC.,
4146 PINE CIRCLE ROAD,
FORT CRATCHEY, MI 48059
NOVEMBER 20, 2006



Exhibit B

On-Property Equipment List

- Excavators
- Backhoes
- Bobcats
- Frac tank
- Water pumps
- Water hoses
- Peastone
- Gravel
- Concrete
- Asphalt
- Sand
- Chain link fencing
- Folding barricades
- Safety barrels
- Safety cones
- Snow fence
- Caution tape
- Signage such as "men working" signs, and
- Portable toilet

Exhibit C

Restrictive Covenants

DECLARATION OF RESTRICTIVE COVENANT FOR A RESTRICTED NONRESIDENTIAL CORRECTIVE ACTION

MDEQ Reference No: **RC-RRD-213-17-013**

This Declaration of Restrictive Covenant for a Restricted Nonresidential Corrective Action ("Restrictive Covenant") has been recorded with the **Genesee** County Register of Deeds to protect public health, safety, and welfare, and the environment by prohibiting or restricting activities that could result in unacceptable exposure to regulated substances present at the Property (defined below) located at **5012 Holland Drive, Swartz Creek, Genesee County, MI** and legally described in the attached Exhibit 1 (Legal Description of the Property) that are inconsistent with the environmental conditions at the Property. Exhibit 2 (Survey of Property) provides a survey of the Property that is subject to the land and/or resource use restrictions specified in this Restrictive Covenant.

The Property is associated with **Former Mobil #03-C0T, Facility ID 0-0003188** for which a **Final Assessment Report ("FAR")** was completed under Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("NREPA"), MCL 324.21301 *et seq.* Corrective actions that were implemented to address environmental contamination are fully described in the **FAR** dated **November 22, 2010**. A copy of the **FAR** is available from the Michigan Department of Environmental Quality ("MDEQ"), Remediation and Redevelopment Division ("RRD") District Office.

The Property described contains regulated substances in excess of the concentrations developed as the unrestricted residential cleanup criteria under Section 21304a(2) of the NREPA. The MDEQ recommends that prospective purchasers or users of this Property undertake appropriate due diligence prior to acquiring or using this Property, and undertake appropriate actions to comply with the requirements of Section 21304c of the NREPA.

Part 213 requires the recording of this Restrictive Covenant with the **Genesee** County Register of Deeds based upon the corrective action measures for the site to: 1) restrict unacceptable exposures to regulated substances located on the Property; 2) assure that the use of the Property is consistent with the exposure assumptions used to develop cleanup criteria under Section 21304a(2) of the

NREPA; 3) assure the exposure control measures relied upon in the **FAR** are effective; and 4) **to prevent damage or disturbance of any element of the corrective action constructed on the Property.**

The restrictions contained in this Restrictive Covenant are based upon information available at the time the corrective action was implemented by **City of Swartz Creek**. Failure of the corrective action to achieve and maintain the cleanup criteria, exposure controls, and requirements specified in the **FAR**; future changes in the environmental condition of the Property; changes in the cleanup criteria developed under Section 21304a(2) of the NREPA; the discovery of environmental conditions at the Property that were not accounted for in the **FAR**; or use of the Property in a manner inconsistent with the restrictions described herein may result in this Restrictive Covenant not being protective of public health, safety, and welfare, and the environment. The adequacy of the corrective action undertaken pursuant to the **FAR** may not have been reviewed by the MDEQ.

Definitions.

For the purposes of this Restrictive Covenant, the following definitions shall apply:

“MDEQ” means the Michigan Department of Environmental Quality, its successor entities, and those persons or entities acting on its behalf.

“Owner” means at any given time the then-current title holder of all or any portion of the Property.

“Property” means the real property as described in Exhibit 1 (Legal Description of the Property) of this Restrictive Covenant that is subject to the restrictions, terms and conditions described herein.

All other terms used in this document which are defined in Part 3, Definitions, of the NREPA and Part 213 of the NREPA, shall have the same meaning in this document as in Part 3 and Part 213 of the NREPA, as of the date this Restrictive Covenant is filed.

Summary of Environmental Conditions and Corrective Action.

Hazardous substances including **benzene, toluene, ethylbenzene, xylenes, methyl-tertiary-butyl ether, naphthalene, 2-methylnaphthalene, 1,2,4- and 1,3,5-trimethylbenzene** have been **released from an underground storage tank system** resulting in contamination of the Property. Soil and groundwater contamination remain present at levels that do not allow unrestricted use of the Property. Specifically, concentrations of regulated substances remain present in the groundwater in excess of the nonresidential drinking water cleanup criteria. This potential exposure risk has been addressed by preventing the use of the groundwater for ingestion. Prior to the recording of this Restrictive Covenant, response activities have been undertaken to remove some of the hazardous substances.

Residual Light Nonaqueous-Phase Liquid ("LNAPL"), including **petroleum hydrocarbons** were properly characterized using a Conceptual Site Model in accordance with American Society for Testing and Materials ("ASTM") designation E 2531-06 E1, and will remain in place. The LNAPL exists below the ground surface at a depth of **approximately eight (8) to 20 feet**. The location of the LNAPL in the attached Exhibit 2 (Survey of the Property) describes and provides the location of the institutional control and the horizontal and vertical extent of the LNAPL is described in **Exhibit 4**. The restrictions provided for in this Restrictive Covenant serve to prevent unacceptable exposure to hazardous substances as a result of the conditions created by the presence of the LNAPL soil and/or groundwater contaminant concentrations that exceed the unrestricted residential criteria under Section 21304a(2) of the NREPA.

The construction of new structures, unless such construction incorporates engineering controls designed to eliminate the potential for subsurface vapor phase hazardous substances to migrate into the new structure at concentrations greater than applicable criteria; or, unless prior to construction of any structure, an evaluation of the potential for any hazardous substances to volatilize into indoor air assures the protection of persons who may be present in the buildings and is in compliance with Section 21304c of the NREPA.

NOW THEREFORE,

1. Declaration of Land or Resource Use Restrictions.

City of Swartz Creek, as Owner of the Property, hereby declares and covenants that the Property shall be subject to the following restrictions and conditions:

- A. **Prohibited Land Uses:** The Owner shall prohibit all uses of the Property that are not compatible with or are inconsistent with the assumptions and basis for the nonresidential cleanup criteria established pursuant to Section 21304a(2) of the NREPA. Uses that are compatible with nonresidential cleanup criteria are generally described in **Exhibit 3** (Description of Allowable Uses). At the time of recording of this Restrictive Covenant, the City of Swartz Creek Zoning Ordinance, Article 13, CBD – Central Business District zoning code designation allowed for the following residential uses that are not compatible with the nonresidential cleanup criteria and are therefore prohibited by this Restrictive Covenant: single family and two-family dwellings, business schools and colleges, hotels, adult and child residential care facilities, live/work unit, school-private, school-public, child care, independent hospice facility, independent senior living, and skilled nursing facility. Cleanup criteria for land-use based response activities are located in the Government Documents Section of the State of Michigan Library.
- B. Prohibited Activities to Eliminate Unacceptable Exposures to Regulated Substances. The Owner shall prohibit activities **on the Property** that may result in exposures above levels established in the **FAR**. These prohibited activities include:

- (i) The construction and use of wells or other devices on the Property to extract groundwater for consumption, irrigation, or any other purpose, except as provided below:
 - (a) Wells and other devices constructed for the purpose of evaluating groundwater quality or to remediate subsurface contamination associated with a release of regulated substances into the environment are permitted provided the construction of the wells or devices complies with all applicable local, state, and federal laws and regulations and does not cause or result in a new release, exacerbation of existing contamination, or any other violation of local, state, or federal laws or regulations.
 - (b) Short-term dewatering for construction purposes is permitted provided the dewatering, including management and disposal of the groundwater, is conducted in accordance with all applicable local, state, and federal laws and regulations and does not cause or result in a new release, exacerbation of existing contamination, or any other violation of local, state, and federal environmental laws and regulations.
- (ii) Any excavation or other intrusive activity that could affect the integrity of the *3 to 9-inch thick asphalt or concrete* that serves to prevent direct contact exposure to contaminated soils at the Property. The *3 to 9-inch asphalt or concrete* barrier has a base elevation of 800 feet above mean sea level and covers the entire parcel within the Property boundaries as shown on **Exhibit 2** (Survey of Property and Limits of Land or Resource Use Restrictions) as former Mobil #03-C0T. Disturbance of the barrier may be allowed during short-term construction or repair projects, or for purposes of further treating or remediating the subject contamination. Any excavation or other intrusive activity, including removing, altering, or disturbing the *3 to 9-inch asphalt or concrete* that could affect the integrity of the barrier, must be replaced with a cover that provides at least an equivalent degree of protection as the original barrier within 14 days of completion of the work. Repair and/or replacement of the barrier must be completed unless additional sampling is conducted that demonstrates that a barrier in the area is no longer necessary in accordance with the applicable provisions and requirements of Part 213.
- (iii) The construction of new structures, unless such construction incorporates engineering controls designed to eliminate the potential for subsurface vapor phase hazardous substances to migrate into the new structure at concentrations greater than applicable criteria; or, unless prior to construction of any structure, an evaluation of the potential for any hazardous substances to volatilize into indoor air assures the protection of persons who may be present in the buildings and is in compliance with Section 21304c of the NREPA.

- C. Prohibited Activities to Ensure Effectiveness and Integrity of the Corrective Action. The Owner shall prohibit activities on the Property that may interfere with any element of the **FAR**, including the performance of operation and maintenance activities, monitoring, or other measures necessary to ensure the effectiveness and integrity of the **FAR**.
2. Contaminated Soil Management. The Owner shall manage all soils, media, and/or debris located **on Property** in accordance with the applicable requirements of Sections 21304b of the NREPA; Part 111, Hazardous Waste Management, of the NREPA; Subtitle C of the Resource Conservation and Recovery Act, 42 USC Section 6901 *et seq.*; the administrative rules promulgated thereunder; and all other relevant state and federal laws.
3. Access. The Owner grants to the MDEQ and **City of Swartz Creek**, and their designated representatives, the right to enter the Property at reasonable times for the purpose of determining and monitoring compliance with the **FAR**, including the right to take samples, inspect the operation and maintenance of the corrective action measures and inspect any records relating to them, and to perform any actions necessary to maintain compliance with Part 213 and the **FAR**. The right of access provided to **City of Swartz Creek** above is not required under Part 213 for the corrective action to be considered approved. This provision was agreed to by the Owner at the time the Restrictive Covenant was recorded. Accordingly, the MDEQ will not enforce the Owner's obligation to provide access to **City of Swartz Creek**.
4. Conveyance of Property Interest. A conveyance of title, easement, or other interest in the Property shall not be consummated by the Owner without adequate and complete provision for compliance with the terms of the **FAR**, and this Restrictive Covenant. A copy of this Restrictive Covenant shall be provided to all future owners, heirs, successors, lessees, easement holders, assigns, and transferees by the person transferring the interest in accordance with Section 21310a(2)(c) of the NREPA.
5. Audits Pursuant to Section 21315 of the NREPA. This Restrictive Covenant is subject to audits in accordance with the provisions of Section 21315 of the NREPA, and such an audit may result in a finding by the MDEQ that this Restrictive Covenant is not protective of the public health, safety, and welfare, and the environment.
6. Term of Restrictive Covenant. This Restrictive Covenant shall run with the Property and is binding on the Owner; future owners; and their successors and assigns, lessees, easement holders, and any authorized agents, employees, or persons acting under their direction and control. This Restrictive Covenant shall continue in effect until it is determined that the regulated substances no longer present an unacceptable risk to the public health, safety, or welfare, or the environment. Improper modification or rescission of any restriction necessary to prevent unacceptable exposure to regulated substances may result in the need to perform additional corrective actions by those parties responsible for performing corrective action at the Property or to comply with Section 21304c of the NREPA.

7. Enforcement of Restrictive Covenant. The State of Michigan, through the MDEQ, and **City of Swartz Creek** may individually enforce the restrictions set forth in this Restrictive Covenant by legal action in a court of competent jurisdiction.
8. Severability. If any provision of this Restrictive Covenant is held to be invalid by any court of competent jurisdiction, the invalidity of that provision shall not affect the validity of any other provision of this Restrictive Covenant, which shall continue unimpaired and in full force and effect.
9. Authority to Execute Restrictive Covenant. The undersigned person executing this Restrictive Covenant is the Owner, or has the express written permission of the Owner, and represents and certifies that he or she is duly authorized and has been empowered to execute and record this Restrictive Covenant.

[Signature page follows.]

IN WITNESS WHEREOF, City of Swartz Creek has caused this Restrictive Covenant, RC-RRD-213-17-013 to be executed on this eleventh day of April, 2017.
(day of month) (month)

City of Swartz Creek

By: David A. Krueger
Signature

Name: David A. Krueger
Print or Type Name

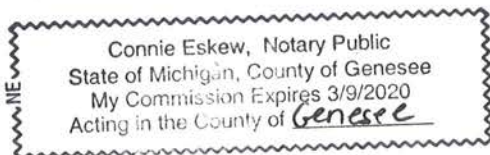
Its: Mayer
Title

STATE OF Michigan
COUNTY OF Genesee

The foregoing instrument was acknowledged before me this April 11, 2017 by David A. Krueger
(full date) (full name)
of City of Swartz Creek a Michigan Municipal corporation, on behalf of the corporation.
(state of incorporation)

Connie Eskew
Notary Public Signature

Connie Eskew
(print name of notary public)



Notary Public, State of Michigan
County of Genesee
My Commission Expires: 3/9/2020
Acting in the County of Genesee

Prepared by:
Keith Christofferson

When recorded return to:
Bridget Klueger
Groundwater & Environmental Services, Inc.
10381 Citation Drive, Suite 500
Brighton, Michigan 48116

EXHIBIT 1

LEGAL DESCRIPTION OF PROPERTY

Parcel Number: 58-02-529-017

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 6, RANGE 5 EAST, CITY OF SWARTZ CREEK, GENESEE COUNTY, MICHIGAN DESCRIBED AS: THE EAST 17.50 FEET OF LOT 1, BLOCK 1 AND THE EAST 100.00 FEET OF LOT 3, BLOCK 1 AND ALL OF SCHOOL LOT, "MAP OF THE VILLAGE OF SWARTZ CREEK" RECORDED GENESEE COUNTY RECORDS AND NOW BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 2; THENCE S 88°30'00" W 33.00 FEET ALONG THE NORTH LINE OF SAID SECTION 2; THENCE S 01°54'25" E 33.00 FEET TO THE POINT OF BEGINNING; THENCE S 01°54'25" E 132.00 FEET ALONG THE WEST RIGHT OF WAY LINE OF HOLLAND ROAD; THENCE S 88°30'00" W 100.00 FEET; THENCE N 01°54'25" W 132.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF MILLER ROAD; THENCE N 88°30'00" E 100.00 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF MILLER ROAD TO THE POINT OF BEGINNING.

EXHIBIT 2
SURVEY OF PROPERTY

[See next page.]

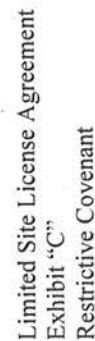


EXHIBIT 3

DESCRIPTION OF ALLOWABLE USES

Nonresidential Land Use: This land use is characterized by any use which is not residential in nature and is primarily characterized by industrial and commercial uses. Industrial uses typically involve manufacturing operations engaged in processing and manufacturing of materials or products. Other examples of industrial uses are utility companies, industrial research and development, and petroleum bulk storage. Commercial uses include any business or income-producing use such as commercial warehouses, lumber yards, retail gas stations, auto dealerships and service stations, as well as office buildings, banks, and medical/dental offices (not including hospitals). Commercial uses also include retail businesses whose principal activity is the sale of food or merchandise within an enclosed building and personal service establishments which perform services indoors such as health clubs, barber/beauty salons, photographic studios, etc.

Any residential use is specifically prohibited from the nonresidential land use category. This would include the primary use of the property for human habitation and includes structures such as single family dwellings, multiple family structures, mobile homes, condominiums, and apartment buildings. Residential use is also characterized by any use which is intended to house, educate, or provide care for children, the elderly, the infirm, or other sensitive populations, and therefore could include day care centers, educational facilities, hospitals, elder care facilities, and nursing homes. The use of any accessory building or portion of an existing building as a dwelling unit permitted for a proprietor or storekeeper and their families, located in the same building as their place of occupation, or for a watchman or caretaker is also prohibited. Any authority that allows for residential use of the Property as a legal non-conforming use is also restricted per the prohibitions contained in this Restrictive Covenant.

EXHIBIT 4

EXTENT OF RESIDUAL LNAPL

[See next page.]

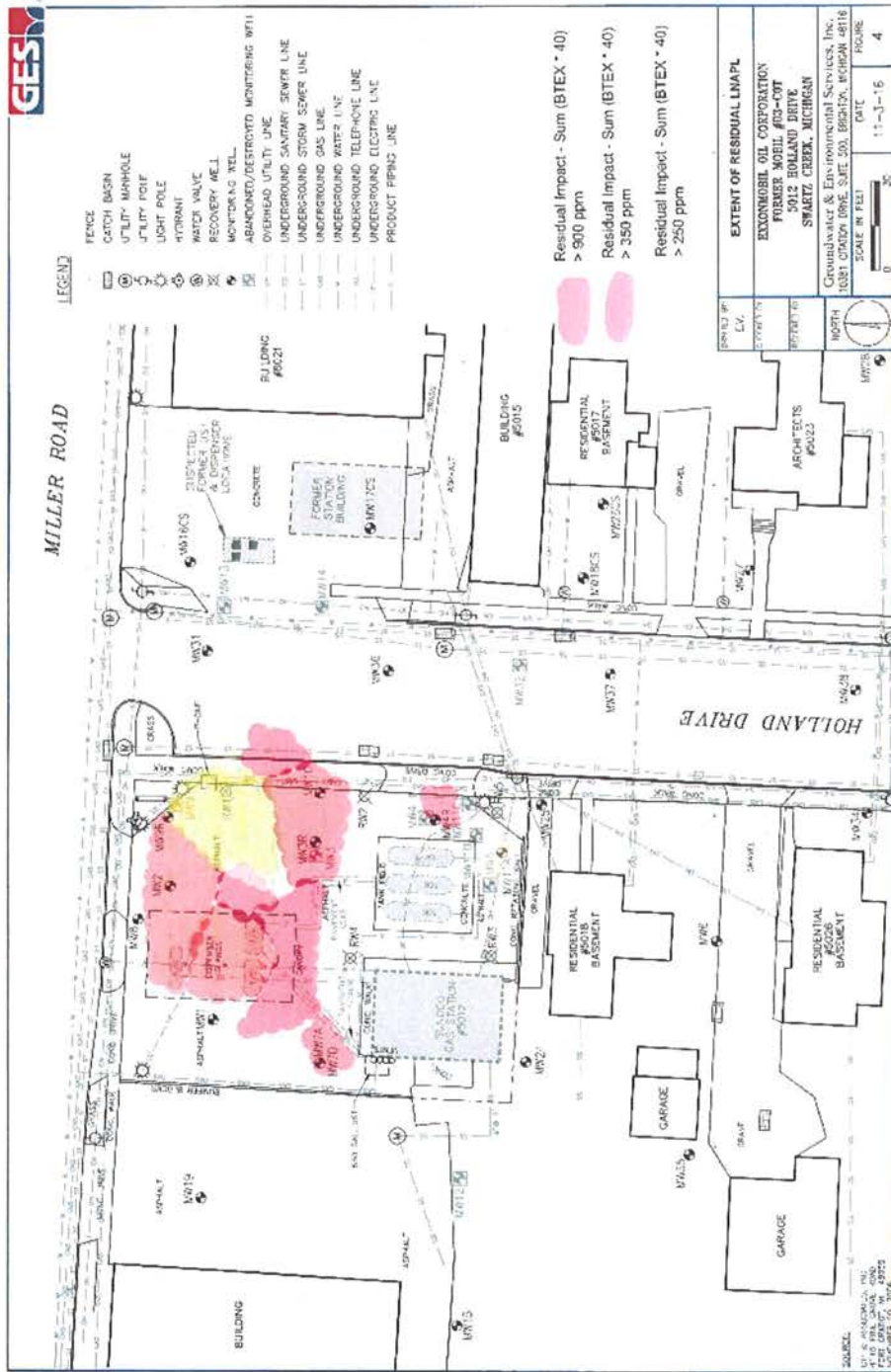


Exhibit D

Highway Authority Agreement (HAA)



Groundwater & Environmental Services, Inc.

MICHIGAN OFFICE

March 30, 2017

Mr. Tom Svrcsek
Public Services Director
City of Swartz Creek - Department of Public Services
8083 Civic Drive
Swartz Creek, Michigan 48473

RE: Public Highway Institutional Control
Former Mobil 03-C0T
5012 Holland Drive
Swartz Creek, Michigan 48473

Dear Mr. Svrcsek,

Groundwater & Environmental Services, Inc. (GES) on behalf of ExxonMobil Oil Corporation (ExxonMobil) has prepared the enclosed Michigan Department of Environmental Quality (MDEQ) Public Highway Institutional Control form (EQP 4506) for the former Mobil 03-C0T property located at 5012 Holland Drive in Swartz Creek, Michigan. In order to advance the former Mobil 03-C0T confirmed release number C-0736-89 to closure, this EQP 4506 form is required per the MDEQ.

Based on the activities completed to date, residual impact is present under Holland Drive and may be present under Miller Road and associated right-of-ways (ROWs). However, contact with the residual impact is highly unlikely due to the depth (greater than 10 feet below ground surface (bgs) and notice is provided via this public highway institutional control mechanism.

In order to complete the form, a confirmation from the local unit of government is needed, indicating that there are no plans to relocate, vacate, or abandon the public highway. Your agreement can be acknowledged by signing the enclosed form and returning it to me at the address listed below.

If you do not wish to sign the MDEQ EQP 4506 form, an email or letter acknowledging receipt of this form, and confirming that there are no plans to relocate, vacate, or abandon the public highway, would be a sufficient alternative to signing the MDEQ EQP 4506 form.

Should you have any questions or require additional information, please contact me at (800) 368-0337, extension 3369, or by email at bklueger@gesonline.com.

Respectfully submitted,

GROUNDWATER & ENVIRONMENTAL SERVICES, INC.

Bridget Klueger
Senior Project Manager

Enclosure: MDEQ Form EQP 4506

cc: Joe Ogren (ExxonMobil Oil Corporation)

PUBLIC HIGHWAY INSTITUTIONAL CONTROL

When environmental contamination is proposed to remain in place within a public highway owned or controlled by a county road commission or local unit of government, the "Public Highway Institutional Control" may be used to satisfy all of the requirements under Section 21310a(3)(c) of Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). In addition, the "Public Highway Institutional Control" may serve as an alternative instrument, with department approval, pursuant to Section 20121(9) of Part 201, Environmental Remediation, of the NREPA. The party proposing this Institutional Control (IC) shall submit the completed form and all attachments with a Closure Report pursuant to Part 213 or a No Further Action Report pursuant to Part 201 to the appropriate District Office. Multiple signature pages may be necessary if there is more than one authority that owns or controls the public highway. The MDEQ Reference Number can be obtained by contacting the Remediation and Redevelopment Division at deq-rrd@michigan.gov, or by calling 517-284-5153.

SECTION 1. FACILITY INFORMATION:

MDEQ REF. NUMBER.: LROW-RRD-213-17-006

SITE OR FACILITY NAME: Former Mobil 03-C0T

SITE OR FACILITY ID NUMBER: 0-0003188

STREET ADDRESS: 5012 Holland Drive

CITY: Swartz Creek

ZIP: 48473

COUNTY: Genesee

NAME OF PARTY PROPOSING PUBLIC HIGHWAY IC:
ExxonMobil Oil CorporationEMAIL ADDRESS:
joseph.j.ogren@exxonmobil.com

STREET ADDRESS: 38 Varick Street

CITY: Brooklyn

STATE:
NYZIP:
11222

CONTACT PERSON: Joe Ogren

PHONE: (832) 625-5587

FAX:

MDEQ District Office: ☐ Cadillac ☐ Gaylord ☐ Grand Rapids ☐ Jackson ☐ Kalamazoo ☒ Lansing
☐ Saginaw Bay ☐ SE Michigan ☐ Upper Peninsula**SECTION 2. AFFECTED PUBLIC HIGHWAY INFORMATION:**

1. Name of affected public highway(s) and nearest intersection: Holland Road & Miller Road

2. Known or suspected contaminant(s) type (Check all that apply):

☒ Petroleum ☐ Volatile organic compounds ☐ Metals ☐ Other3. Is residual/mobile non-aqueous-phase liquid present in the affected public highway: ☒ YES ☐ NO

4. Media contaminated:

a. ☒ Soil Depth to contaminated soil: 10-17 feet below ground surface (bgs)b. ☒ Groundwater Depth to contaminated groundwater: 10-17 feet bgs Predominant groundwater flow direction:
SSE to SSW (South-Southeast to South-Southwest)

5. Provide a scaled drawing of the portion of the public highway subject to the institutional control that depicts the area impacted by regulated substances and the location of utilities in the impacted area, including storm water systems and municipal separate storm water systems. At a minimum, the scaled drawing should include:

- A north arrow.
- A graphical scale bar and scale statement (e.g. 1"=50').
- The limits of the source property plotted, to scale, showing the relationship to the county road commission or local unit of government and other affected parcels.
- The public highway(s) name identified.
- A statement identifying the Township, Range, Section, and Quarter Section where the parcel is located.
- The limits of the affected public highway plotted to scale. This area should be hatched and labeled appropriately.
- The location of significant site features such as buildings, drives, parking lots, and road surface.
- Cross section illustrating affected public highway, media, utilities, and location and depth of contaminated media.
- Most recent analytical data illustrating contaminant compounds and concentrations within the contaminated media.

6. Provide a complete list that identifies all parties with ownership and possessory or use property interests related to the public highway (including owners of real property, easement holders, utility franchise holders, and owners or operators of public utilities):

City of Swartz Creek, Consumers Energy

- a. Are any of the parties listed above affected by the contamination: ☐ YES ☒ NO
b. Have all of the parties above affected by the contamination received notification of the existing conditions as part of a corrective action plan or pursuant to the due care requirements: ☒ YES ☐ NO

7. Exposure risks:

- a. Due to groundwater contamination (Check all that apply):

☒ Drinking water ☒ Indoor air inhalation ☐ Surface water

- b. Due to soil contamination (Check all that apply):

☒ Direct contact ☐ Ambient air Inhalation ☒ Indoor air inhalation ☒ Leaching from soil to groundwater
☐ Direct transport to surface water ☒ Soil excavation/relocation

The soil and groundwater beneath the roadways are impacted by gasoline hydrocarbon impact exceeding MDEQ Tier 1 Risk Based Screening Levels. Actions have been taken to reduce the impacts, such as removing the leaking underground storage tank equipment, and assessing the impacts, and additional actions will be taken, including excavation, deed restrictions, and enacting a groundwater use ordinance. Despite these actions, residual impact remains beneath the roadways of Holland Road and Miller Road.

An exposure pathway evaluation has been completed to evaluate the risk to human health and the environment. While hydrocarbon impact is present at the roadways, it is at depths ranging between 10-17 feet below ground surface (bgs), leaving a separation distance of at least 10 feet from the surface. Currently, there is no exposure to these impacts, however, potential exposures could occur to groundwater if it were used for irrigation or drinking, or to soil if there were utility or construction work at depths 10-17 feet bgs.

The groundwater should not be used except for temporary dewatering during construction. Proper personal protective equipment (PPE) should be used during utility or construction work to prevent exposure to the soil. Proper management and disposal of both groundwater and soil is required and neither should be placed at the ground surface in a manner that would exacerbate the impact.

Temporary construction in the vicinity of storm sewer lines or near surface water will not result in exposure, since the groundwater elevation is below the elevation of the storm sewers, and because impact does not reach surface water.

Vapors from groundwater or soil are not anticipated to be an exposure route at the roadways due to the presence of the roadway itself, and the resulting lack of buildings or basements in the roadway. There are no plans to move, relocate, or abandon the roadways.

This public highway institutional control mechanism is being provided to communicate these conditions and to prevent potential exposures.

SECTION 3. STORM SEWER SYSTEM CERTIFICATION:

Is contamination present in or does the contamination have the potential to enter the storm sewer system (including separate storm sewer systems and combined sewers) as a result of the release from the underground storage tank system:
☐ YES ☒ NO

The storm sewers are located above the historical high water table, so affected groundwater does not intercept the storm sewers.

SECTION 4. SUBMITTER INFORMATION:

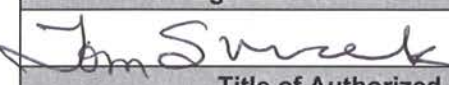
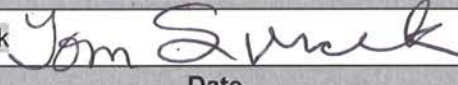
I, as the submitter identified in Section 1, or the qualified consultant authorized to complete this document on the submitter's behalf, hereby attest to the accuracy of the statements in this document and all attachments, and have provided this document to the local unit of government.

Signature	Print	Date
 , on behalf of ExxonMobil Oil Corporation	Bridget Klueger, on behalf of ExxonMobil Oil Corporation	3/30/2017
Name of Company (if applicable)	Address, City, State, Zip	
Groundwater & Environmental Services, Inc.	10381 Citation Drive, Suite 500, Brighton, MI 48116	
Phone Number	Fax Number	Email Address
(800) 368-0337	(810) 227-0008	bklueger@gesonline.com

SECTION 5. COUNTY ROAD COMMISSION OR LOCAL UNIT OF GOVERNMENT CONFIRMATION:

Name of county road commission or local unit of government: City of Swartz Creek – Department of Public Works

The aforementioned local unit of government hereby confirms that there are no current plans to relocate, vacate, or abandon the public highway. With my signature below, I certify that I am legally authorized to sign on behalf of the local unit of government.

Signature of Authorized Official	Print Authorized Official	
	Tom Svrcek	
Title of Authorized Official	Date	
Public Services Director	4-13-17	
Name of county road commission or local unit of government	Address, City, State, Zip	
City of Swartz Creek – Department of Public Services	8083 Civic Drive, Swartz Creek, MI 48473	
Phone Number	Fax Number	Email Address
810-635-4464	810-635-2887	tsvrcek@cityofswartzcreek.org



Google Earth

feet
meters 100 500



Public Highway Institutional Control Location

Township: 6N
Range: 5E
Section 2
Genesee County

Public Highway Institutional Control
Location Map
Former ExxonMobil 03-C0T
5012 Holland Drive
Swartz Creek, MI



LEGEND

- FENCE
- CATCH BASIN
- UTILITY MANHOLE
- UTILITY POLE
- HYDRANT
- WATER VALVE
- RECOVERY WELL
- MONITORING WELL
- ABANDONED/DESTROYED MONITORING WELL
- OVERHEAD UTILITY LINE
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM SEWER LINE
- UNDERGROUND GAS LINE
- UNDERGROUND WATER LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND ELECTRIC LINE
- PRODUCT PIPING LINE
- SOIL BORING (GES, 2016)
- SOIL BORING (TOLTEST, 1996)
- SOIL BORING (ENECOTECH, 1993)

Residual Impact - Sum (BTEX * 40)
> 900 ppm

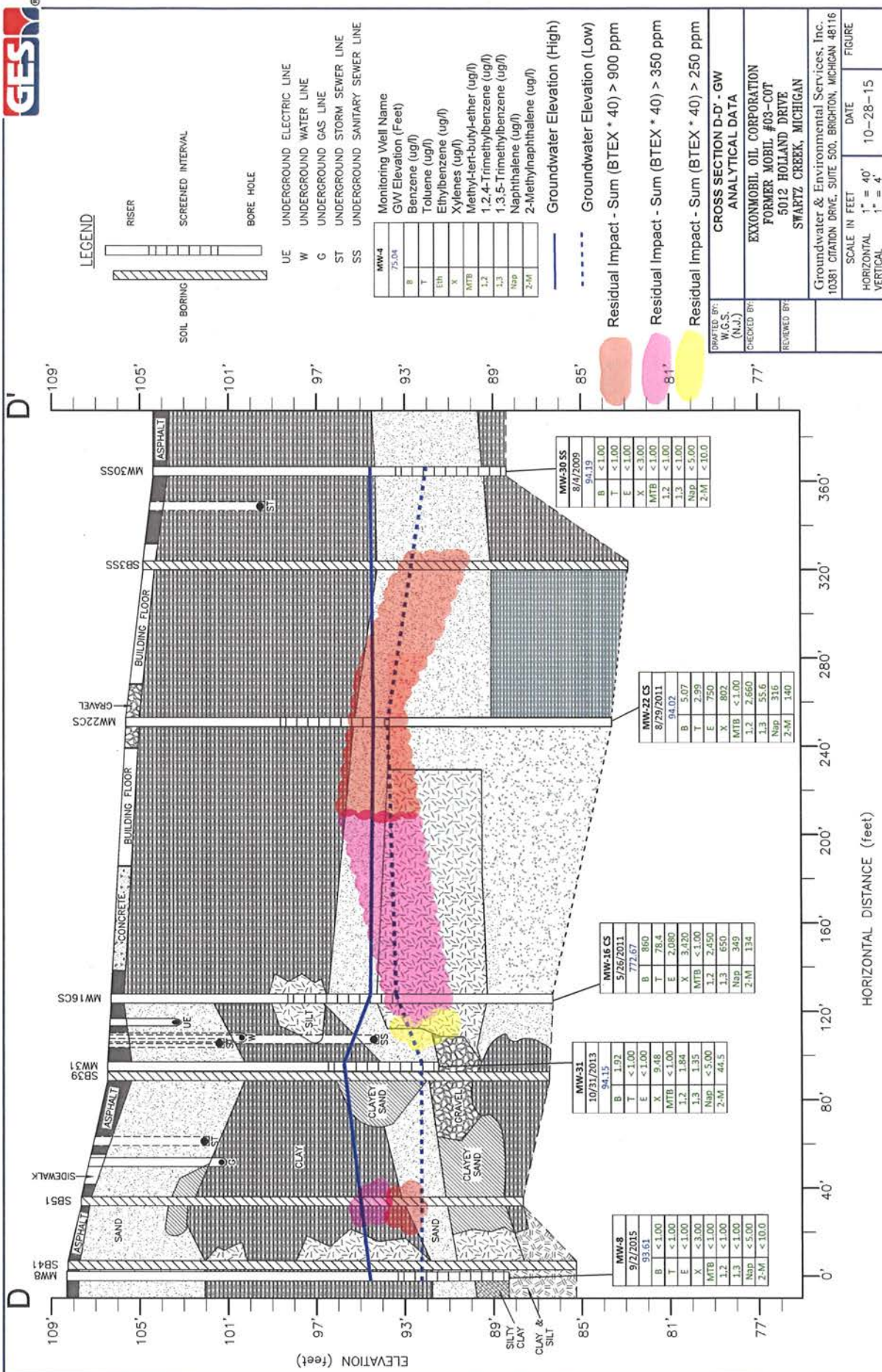
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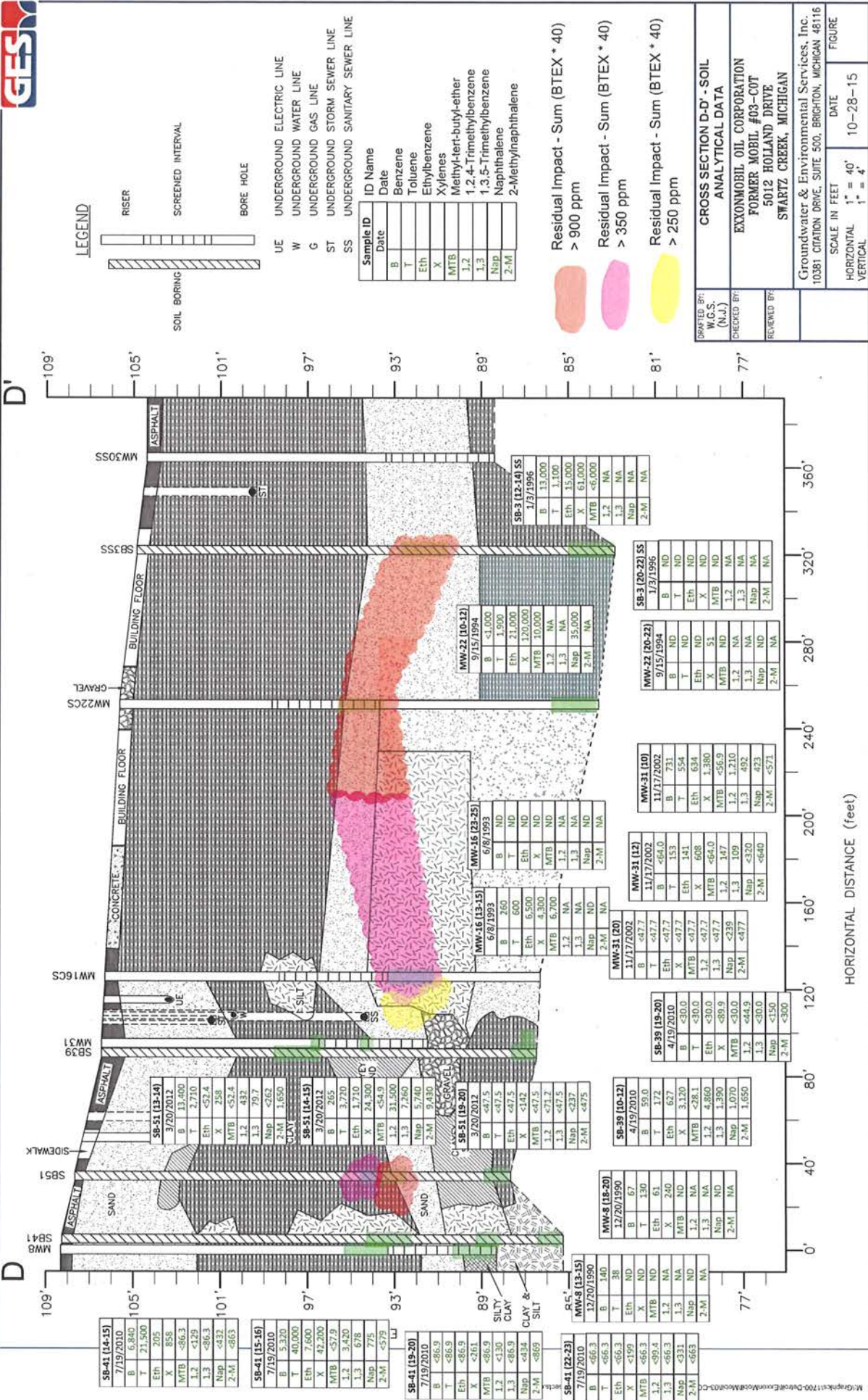
Residual Impact - Sum (BTEX * 40)
> 250 ppm

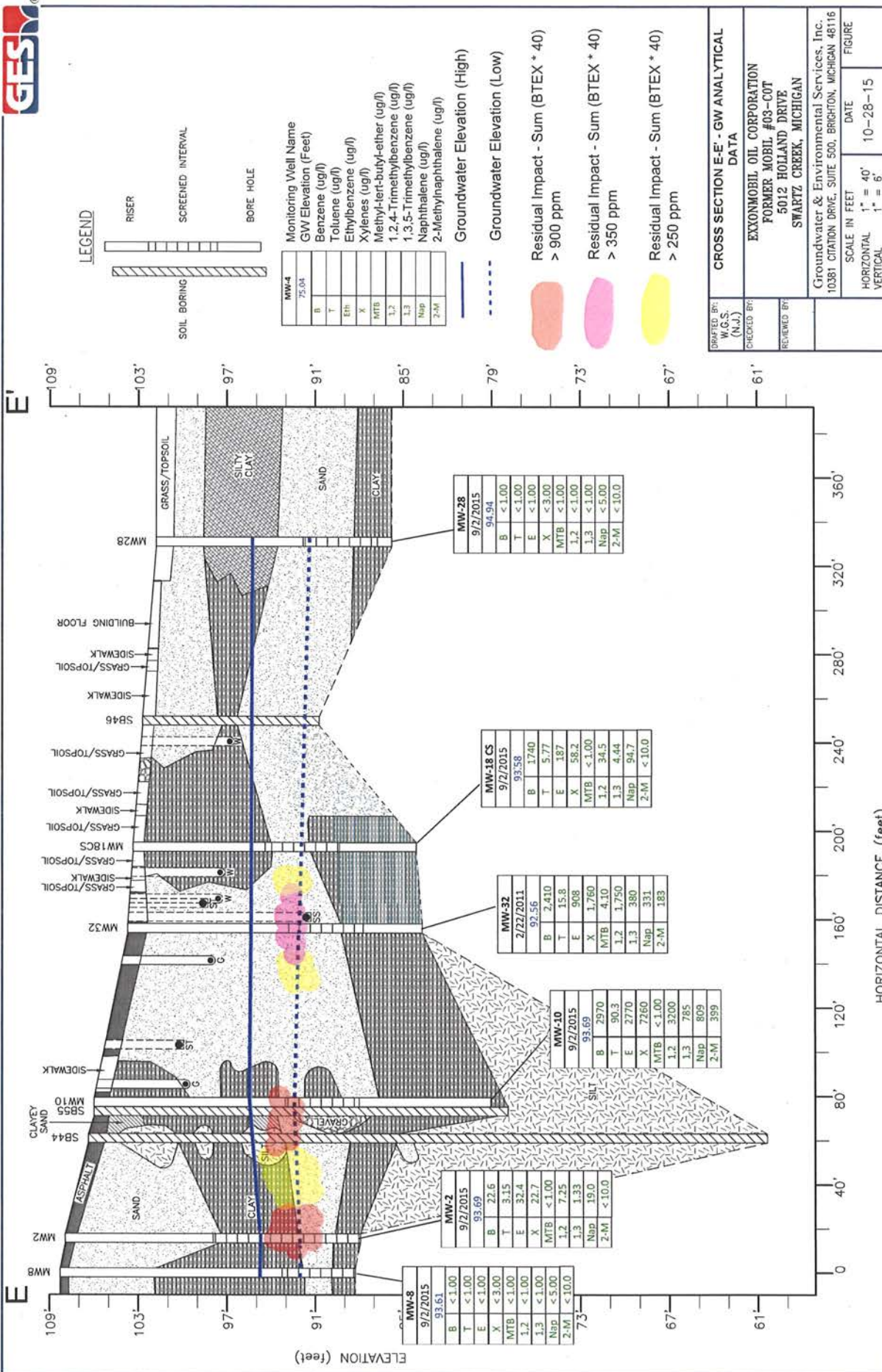
Concentrations below applicable MDEQ criteria

DRAWN BY: W.G.S.	Residual Extent of LNAPL
CHECKED BY:	EXXONMOBIL OIL CORPORATION FORMER MOBIL #03-COT
REVIEWED BY:	5012 HOLLAND DRIVE SWARTZ CREEK, MICHIGAN
NORTH	Groundwater & Environmental Services, Inc. 10381 CITATION DRIVE, SUITE 500, BRIGHTON, MICHIGAN 48116
SCALE IN FEET	DATE
0 50	3-27-17
	FIGURE

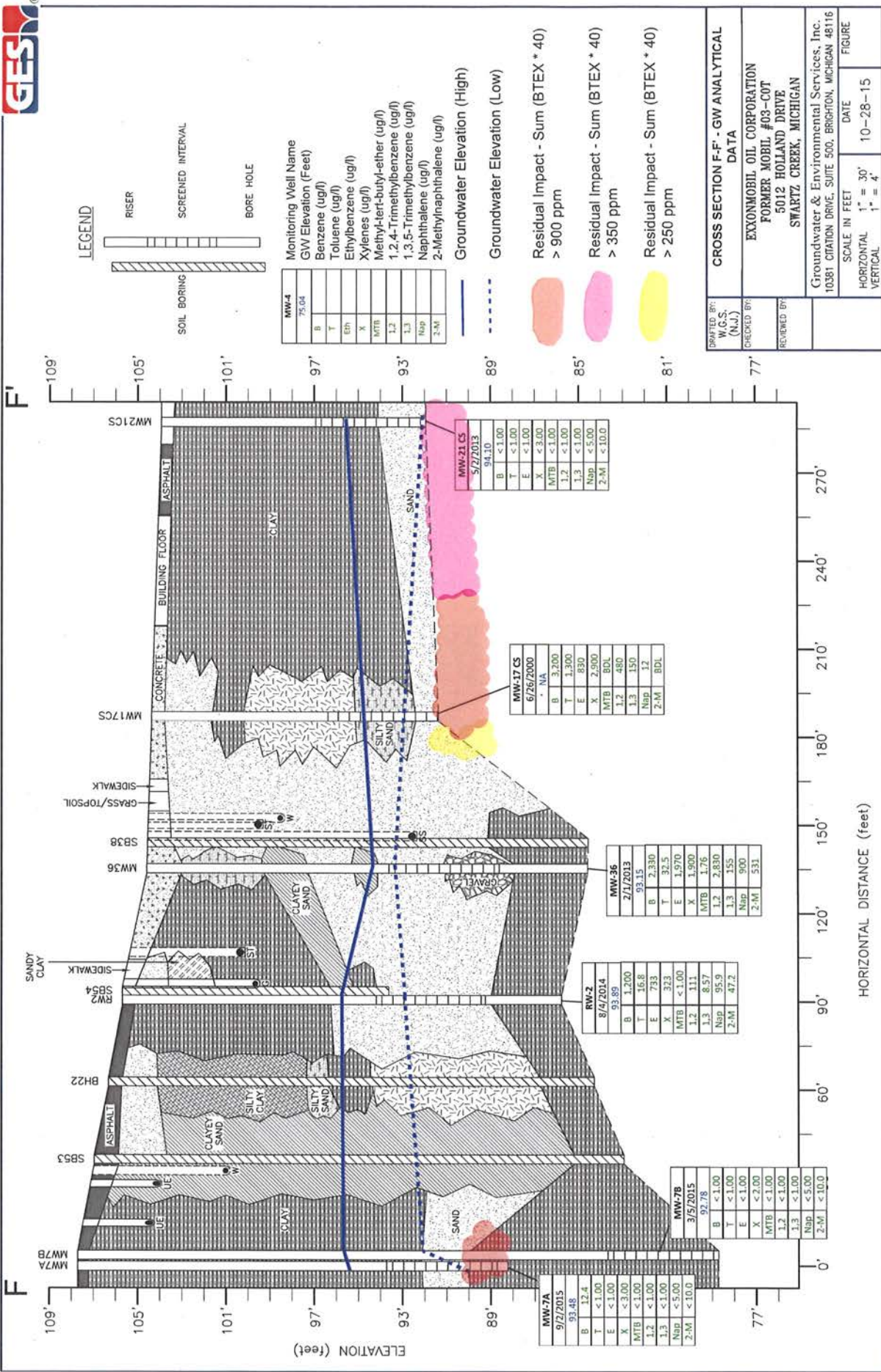


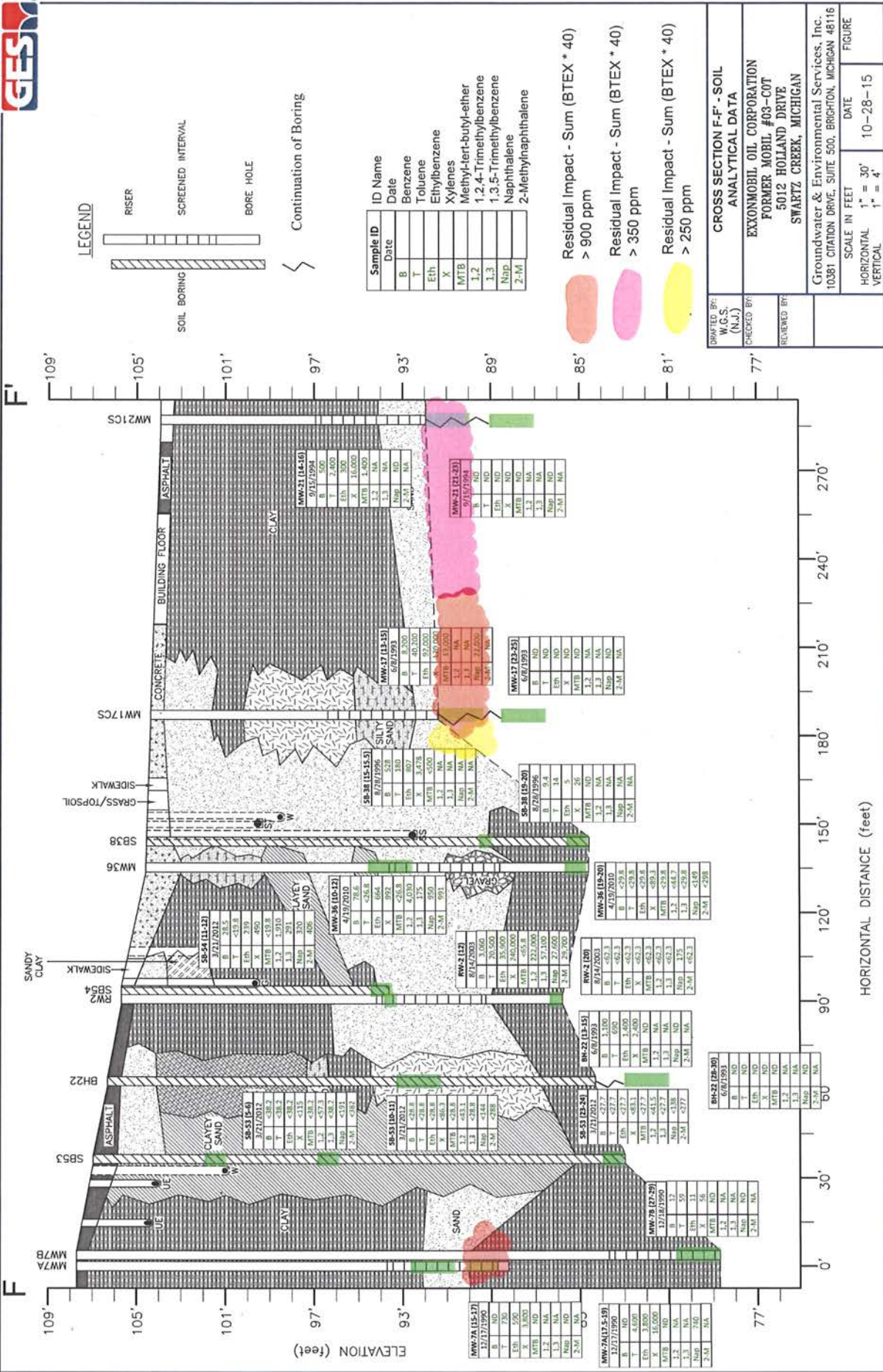


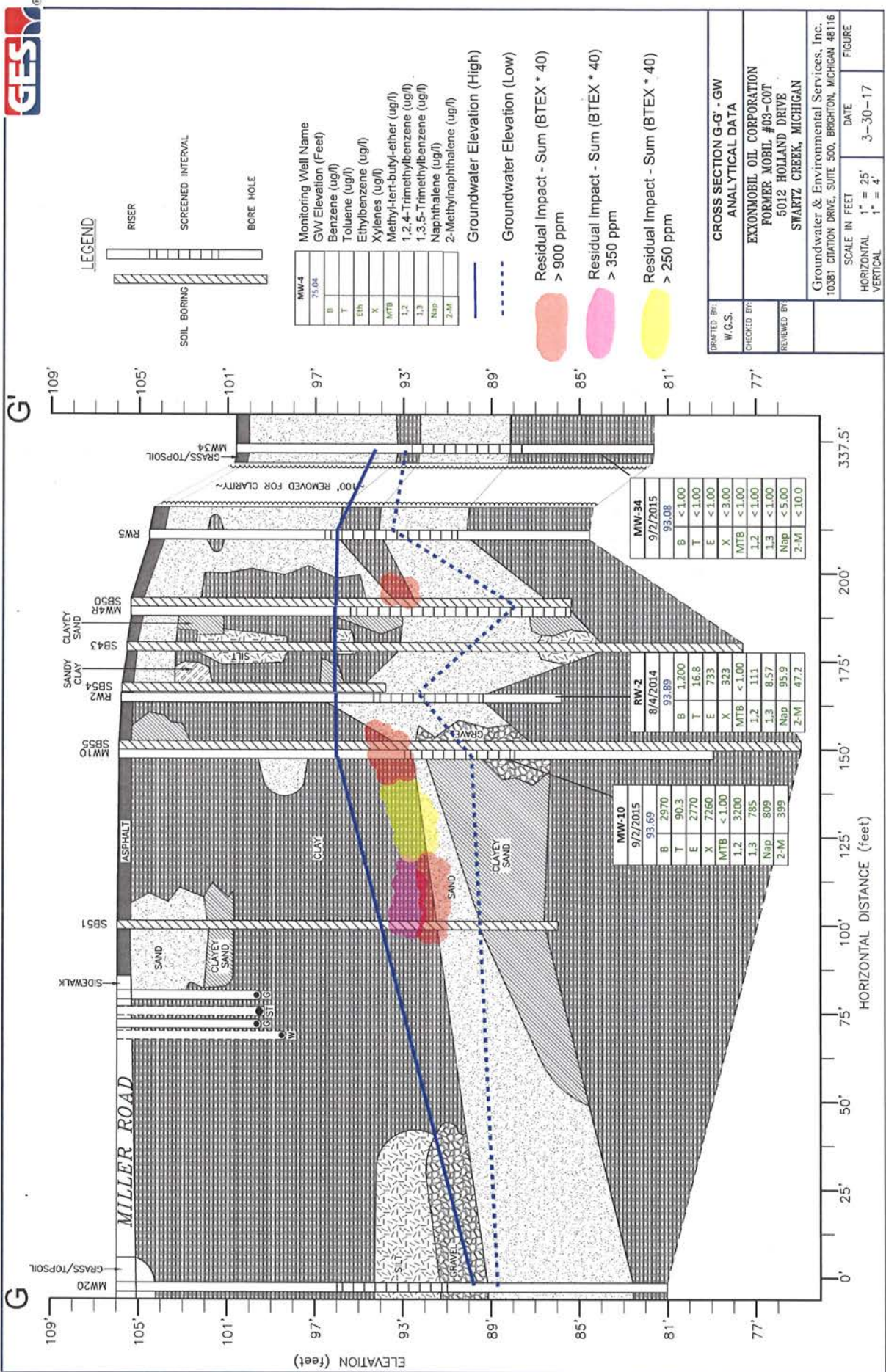


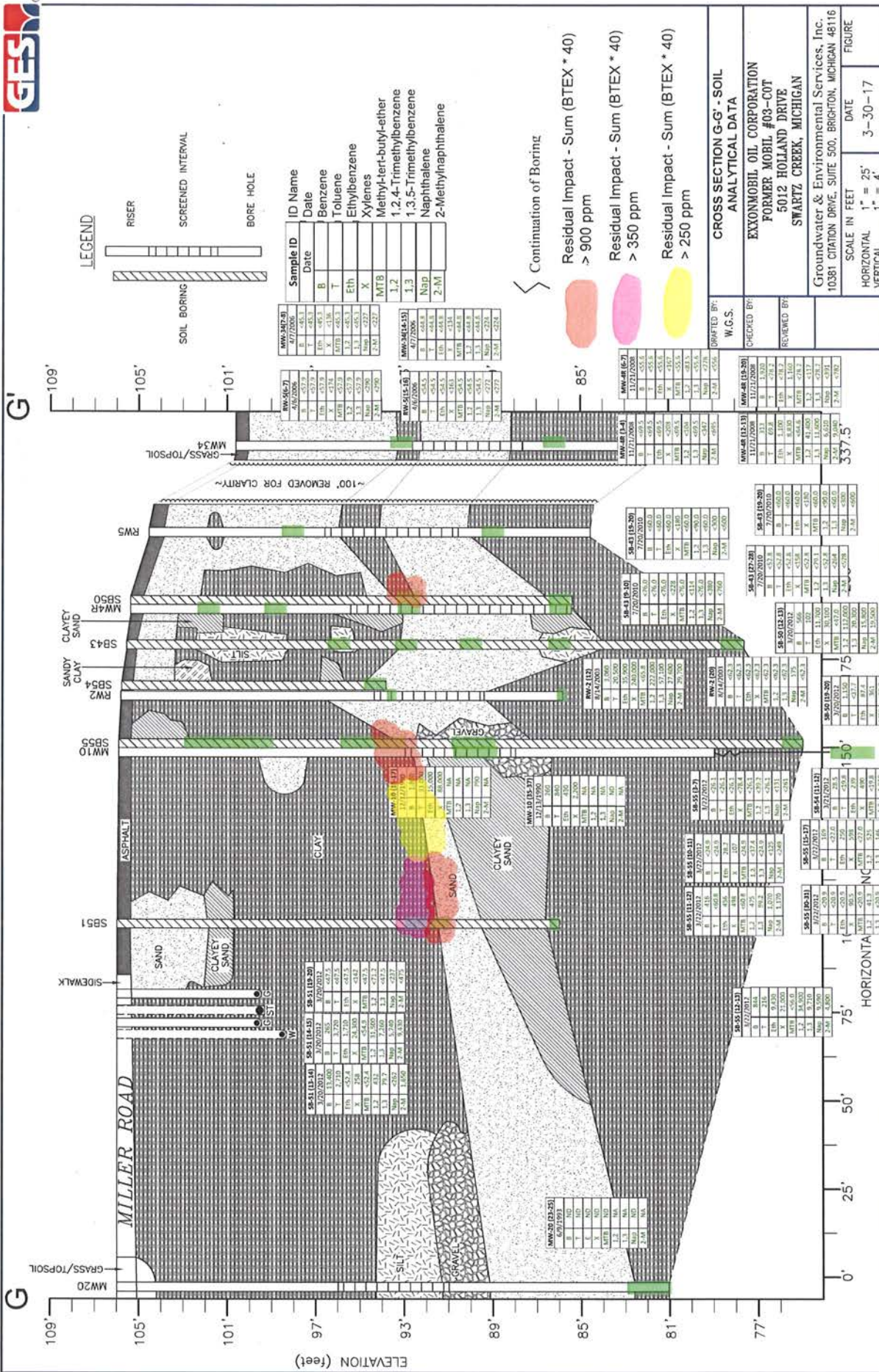












**Exhibit E
City Ordinance**

**CITY COUNCIL
CITY OF SWARTZ CREEK**

Genesee County, Michigan

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF SWARTZ CREEK BY ADDING SECTIONS _____ THROUGH _____ TO CHAPTER __, ARTICLE __ OF THE CODE OF ORDINANCES OF THE CITY OF SWARTZ CREEK TO REGULATE AND RESTRICT THE USE OF GROUNDWATER IN CERTAIN AREAS OF THE CITY OF SWARTZ CREEK DUE TO THE PRESENCE OF GROUNDWATER CONTAMINATION RESULTING FROM A RELEASE PURSUANT TO PART 213, LEAKING UNDERGROUND STORAGE TANKS, OF THE NATURAL RESOURCE AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451 AS AMENDED.

THE CITY OF SWARTZ CREEK ORDAINS:

SECTION 1. AMENDMENT. The Code of Ordinances of the City of Swartz Creek (City), Michigan is amended by adding Sections _____ through _____ in Chapter __, Article __, to read as follows:

SECTION 2. FINDINGS. The City Council finds that the use of certain groundwater wells and water supplies from such wells for human consumption or other purposes may constitute a public health risk and endanger the safety of the residents of the City. The identified public health risk affects premises that are located on or in the vicinity of sites that are the source or location of contaminated groundwater, or where there is a known and identified threat of contaminated groundwater from a release. The City Council has determined that it is in the best interests of the public health, safety and welfare to prohibit certain uses of groundwater from wells at properties located in the vicinity of such contaminated sites in order to minimize the public health and welfare risk and protect the City's residents.

SECTION 3. DEFINITIONS. For the purposes of this Ordinance, the words and phrases listed below shall have the following meanings:

- A. *Affected Premises* means a parcel of property any part of which is located within a restricted zone.
- B. *Applicant* means a person who applies for the establishment of a restricted zone and accompanying regulations pursuant to this Chapter.
- C. *Contaminated Groundwater* means groundwater in which there is present concentrations of materials that exceed the residential drinking water criteria established by the MDEQ in operational memoranda or rules promulgated pursuant to Part 213, Leaking Underground Storage Tanks (MCL 324.21301a, *et seq.*), of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended, MCL 324.101, *et seq.*
- D. *Groundwater* means underground water within the zone of saturation.
- E. *MDEQ* means the Michigan Department of Environmental Quality or its successor agency.
- F. *Person* means any individual, co-partnership, corporation, association, club, joint venture, estate, trust, and any other group or combination acting as a unit, and the individuals constituting such group or unit.
- G. *Release* means a "release" as defined in Part 213, Leaking Underground Storage Tanks (MCL 324.21301a, *et seq.*) of the Natural Resources and Environmental Protection Act, as amended (MCL 324.101, *et seq.*) involving an underground storage tank system.
- H. *Water Well Restricted Zone or Restricted Zone* means an area or areas described within this chapter within which the prohibition of groundwater wells and the use of groundwater applies. A map of each Water Well Restricted Zone shall be included in the section of this Ordinance adopted for that Water Well Restricted Zone pursuant to Sections 4 and 5, below.
- I. *Well* means an opening in the surface of the earth for the purpose of removing fresh water through non-mechanical or mechanical means for any purpose other than a public emergency or conducting response actions that are consistent with the Michigan Natural Resources and Environmental Protection Act, the Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act, or any other applicable statute.

SECTION 4. WATER WELL RESTRICTED ZONES.

- A. The following described areas in the City shall be Water Well Restricted Zones as defined under this Ordinance. The Water Well Restricted Zones may be referred to by reference to the names provided in the caption preceding their descriptions:

1. General Name and Description

An area described as commencing from the southeast corner of the Miller Road and Hayes Street intersection, then south along the east right of way line for Hayes Street to Ingalls Street, then easterly along the north right of way line for Ingalls Street to Morrish Road, then northerly along the west right of way line for Morrish Road until Miller Road; and then west along the south right of way line for Miller Road to the point of commencement at Hayes Street.

2. A scaled map illustrating the restricted zone is attached as "Exhibit 1A." The legal description of the water well restricted zone is contained within the attached "Exhibit 1B." For sites regulated under Part 213, the exhibit must include the property tax identification number and legal description for each Affected Premises within the Water Well Restricted Zone.

3. The application and all supporting documentation shall be maintained by the City Clerk.

- B. Except as provided in Section 8 of this Ordinance and after the effective date of this Ordinance, no person or legal entity shall install or allow or permit or provide for the installation or utilization of a well on any Affected Premises on which the person or legal entity has an ownership interest, or lessee or tenant interest, or control within the Water Well Restricted Zone. Affected Premises within the water well restricted zone shall be serviced only by public water supply as described in Chapter 19, Article II of the Code of Ordinances.

SECTION 5. ADDING NEW RESTRICTIVE ZONES. The City Council may amend this ordinance to add new Restricted Zones in accordance with the following procedure.

- A. An Applicant shall first file a request with the City Manager advising the City of the Applicant's interest in establishing a Restricted Zone pursuant to this Ordinance. The notice shall describe the proposed boundaries of the proposed Restricted Zone, the reason for the proposed Restricted Zone, a preliminary map of the proposed Restricted Zone, the proposed time schedule for implementing the proposed Restricted Zone, and the proposed groundwater use restrictions to be applicable within the Restricted Zone. The City Manager will, after notifying

the City Council of the notice of intent, respond to the Applicant with a preliminary and non-binding indication of the City's willingness to consider the proposed Restricted Zone. The City Manager or other designated City officer may also be an Applicant for purposes of initiating this procedure.

- B. The Applicant shall seek and obtain the MDEQ's approval of the proposed Restricted Zone and proposed groundwater use restrictions to be applicable therein prior to filing an application with the City. In order to be considered by the City, the Restricted Zone must minimize or eliminate the need for restrictive covenants on property that is not owned or operated by and is not subject to remediation by a party responsible for the contaminated groundwater. The creation of a Restricted Zone should have the effect of eliminating the need for non-responsible parties to impose environmental restrictive covenants on their properties or otherwise be beneficial to the owners or occupants of property that was not the site of a release.
- C. If any Affected Premises which will be subject to the new Restricted Zone is not already served by City water service, the Applicant shall ensure such service is, if it is possible from an engineering perspective to do so, served with City water service at no cost to the property owners or occupant. The Applicant shall also provide for the abandonment and plugging of conforming, nonconforming or irrigation wells on any Affected Premises without cost to the owners or occupants of the premises and in compliance with Section 7. In the event an existing irrigation well is abandoned and plugged, at the owner's request, the Applicant shall also bear the cost of connecting the irrigation system to the City water utility and installing a separate meter and all associated plumbing. Proof of the provision of such service and plugging/abandonment of such wells shall be required or an escrow account shall be established therefor in an amount and form acceptable to the City Council.
- D. After the MDEQ approves the proposed Restricted Zone as an alternative to restrictive covenants on property on which no release has occurred, an Applicant shall file with the City Manager a formal request to the City including, at a minimum, the following information. The information can be in the form of a proposed remedial action plan, response activity plan, or corrective action plan or other similar document if appropriate cross-references are made for ease of reference.
 - 1. The name, address, telephone number, and e-mail address (Applicant only) of the Applicant, as well as each person having an interest as owner, tenant, easement holder or mortgagee in the real property which is the source or site of the contaminated groundwater, if known.
 - 2. The street address and legal description of the real property which is a

source or site of the contaminated groundwater, if known, and the nature of the Applicant's relationship to that property and involvement concerning the contaminated groundwater.

3. The nature and extent of the contaminated groundwater and the contamination causing it, both in summary form in plain English and in detail in technical terms, stating that the release is regulated under Part 213; the types and concentrations of contaminants; a map or survey showing their current location; a statement of their likely or anticipated impact on groundwater and the nature of the risks presented by the use of the groundwater, as well as the likely or anticipated path of migration if not remediated or corrected and a detailed statement of any plan to remediate, correct, and/or contain the contamination.
4. A detailed map and legal description of the proposed Restricted Zone.
5. The street addresses and general description of all Affected Premises.
6. The names, addresses (mailing and street), and telephone numbers (if already available) of the Owners of all Affected Premises.
7. The location, status, and usage characteristics of all existing Groundwater Wells within the proposed Restricted Zone.
8. A detailed statement or description of the proposed regulation or prohibition of the use of existing and future Wells within the Restricted Zone needed to adequately protect the public from the potential health hazards associated with the contaminated Groundwater, including a description of permissible uses of such Wells, together with the written consent of the MDEQ to such uses of Groundwater.
9. A description and time schedule for any actions the Applicant will take to implement any remediation plan, mitigate the adverse impact of the Restricted Zone (e.g., providing substitute water service), and to properly close and abandon any existing Wells subject to the use prohibition within the proposed Restricted Zone.
10. A copy of the information submitted to the MDEQ concerning the proposed Restricted Zone, along with a written statement from an MDEQ representative with approval authority stating that the proposed Restricted Zone and use regulations have received MDEQ approval as part of the response actions for the Groundwater contamination. The MDEQ's approval may be contingent upon the City's establishment of the proposed Restricted Zone pursuant to this section.

11. Copies of the notice provided to the County Health Department concerning the Restricted Zone and accompanying regulations, and the County Health Department's written acknowledgment that it will not issue permits for prohibited Wells within the Restricted Zone.
 12. The Applicant also agrees to pay any additional costs beyond the established application fee necessary to properly evaluate the application. These may include, but are not limited to: the fees of environmental consultants and legal counsel, and any per diem or other amounts paid to public officials for attending any special meetings, etc. The Applicant shall also consent to the placement of a lien on the Applicant's premises if the amounts due under this section are not paid within 30 days of the issuance of an invoice by the City.
- E. Along with the application, the Applicant shall pay an application fee and any related costs per the City's fee schedule as adopted by the City Council. Any failure by the Applicant to pay fees and costs as required by this provision may result in the City's discontinuance of its processing of the request to establish a Restricted Zone and can result in the filing of a lien against the premises of the Applicant.
 - F. Once the City Manager or his or her designee is satisfied that the application is complete, the City Manager shall place the matter on the City Council agenda to set a time, date, and place for a public hearing on the application.
 - G. Along with the application, the Applicant shall submit to the City Manager a list of the Affected Premises including the Parcel ID, site address, and the mailing address for the owner, tenant, easement holder, or mortgagee of any Affected Premises, if known. The City shall cause a written notice of the hearing to be sent by first class mail to all persons having an interest as owner, tenant, easement holder, or mortgagee in any of the Affected Premises. The notice shall include a brief statement regarding the application fairly designed to inform the recipients of its main features and potential impact on the recipients in general. The notice shall be mailed at least fifteen (15) days prior to the hearing. The notice of hearing shall also be published in a newspaper of general circulation in the City at least fifteen (15) days before the hearing. Affidavit of Publication shall be obtained by the City. The notice shall also be mailed to the MDEQ representative who gave the approval of the proposed restricted zone and use regulations and the MDEQ District Supervisor for the MDEQ regulatory program with jurisdiction over the contaminated site.
 - H. Upon the establishment of a new Restricted Zone (i.e., after the second reading and approval of the ordinance amendment), the City Clerk shall publish notice

of the amendment to this Chapter in the manner required by law for ordinance amendments. The Applicant shall give notice to the owners and occupants of all property on which wells are known to be located of the need to close and abandon Wells under this Chapter as amended.

SECTION 6. WELLS AFFECTING CONTAMINATED GROUNDWATER.

No Well may be used or installed at any place in the City if the use of the Well will have the effect of causing the migration of contaminated Groundwater or a contaminated Groundwater plume to previously unimpacted Groundwater or adversely impacting any Groundwater treatment system, unless the Well is part of a MDEQ or United States Environmental Protection Agency approved Groundwater monitoring or remediation system.

SECTION 7. NON-CONFORMING WELLS.

Any existing Well, the use of which is prohibited by this Ordinance, shall be plugged or abandoned in conformance with all applicable laws, rules, regulations, permit and license requirements, orders and directives of any governmental entity or agency of competent jurisdiction, or in the absence of an applicable law, rule, regulation, requirement, order, or directive, in conformance with the protocol developed consistent with the American Standards for Testing and Materials Standard No. D5299-92.

SECTION 8. EXCEPTIONS.

- A. *Water service unavailable.* If the City of Swartz Creek water service is unavailable to an Affected Premises in the Restricted Zone, any Well on that Affected Premises shall be annually tested by a laboratory that is acceptable to and for chemical parameters specified by the MDEQ. The results of that test shall be submitted to the MDEQ or the County Health Department for review. If the MDEQ or the County Health Department determines that the Well is safe and suitable for use, and proof of that determination is delivered annually to the City of Swartz Creek, that the Well may be used. No split or conveyance of Affected Premises shall be effective to render the City of Swartz Creek water services unavailable.
- B. *Construction of de-watering wells.* Wells in the Restricted Zone used for construction de-watering are not prohibited by this Ordinance, provided that the water generated by that activity is properly handled and disposed in compliance with all applicable laws and regulations. Any exacerbation caused by the use of Wells under this exception shall be the responsibility of the Person operating the de-watering Well, as provided in Part 201 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

- C. *Groundwater monitoring and remediation Wells.* Wells used for Groundwater monitoring and/or remediation as part of response activity or corrective action approved by the MDEQ are not prohibited by this Ordinance.
- D. *Processing activities.* If the MDEQ determines that the use of a Well for non-contact heating, cooling or processing activities will not cause the future migration of contaminated Groundwater, and proof of that determination is delivered to the City, the City Manager may execute a waiver allowing the use of the Well for the permitted purposes upon such terms and conditions that the MDEQ identifies.
- E. *Public emergencies.* A Well may be used in the event of a public emergency.
- F. *Surface Irrigation.* Upon review and approval by the MDEQ, existing Wells may be used for surface irrigation.
- G. *Heat Exchange (Geothermal).* Upon review and approval by the MDEQ, geothermal Wells may be used if no impact by plume or influence on plume will occur with use of Well; or an unauthorized discharge may occur.
- H. *Cathodic Protection.* Wells used to house devices that alleviate electrolytic corrosion of pipelines, underground tanks and other installations situated in a corrosive environment may be used upon review and approval by the MDEQ, if no impact by plume or influence on plume will occur with use of Well.

SECTION 9. PENALTY

- A. Any Person or legal entity who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor offense punishable by imprisonment for not more than 90 days or by fine of not more than \$500 or both such fine and imprisonment.
- B. Each act of violation and each day upon which such violation occurs or continues shall constitute a separate offense.
- C. In addition, the City may seek an order from a court of appropriate jurisdiction to restrain any person from violating this Ordinance, including the collection of costs and attorney fees associated with such enforcement action. Any Well in violation of this Ordinance shall also be declared and deemed a nuisance, subject to abatement, and shall be immediately taken out of service and lawfully abandoned consistent with all applicable state and local regulations. Any person found to be in violation is subject to being ordered by a court of appropriate jurisdiction to properly and lawfully remove or abandon the Well.

SECTION 10. BUILDING OR IMPROVEMENT PERMIT.

No permit for building, alteration or other required permit for a premises or improvement thereon shall be issued by the City for any Affected Premises found in violation of this Ordinance or where it is proposed to install or use a Well in violation of this Ordinance.

SECTION 11. NOTIFICATION OF INTENT TO AMEND OR REPEAL.

At least thirty (30) days prior to any amendment or repeal in whole or in part of this Ordinance, the City of Swartz Creek shall notify the Michigan Department of Environmental Quality, or its successor agency, of its intent to so act.

SECTION 12. PUBLISHING AND RECORDING.

This Ordinance or an amendment to this Ordinance shall be published or recorded as follows:

- A. Pursuant to Part 213, this Ordinance or an amendment to this Ordinance adding a Restricted Zone shall be filed with the Swartz Creek County Register of Deeds as an Ordinance affecting multiple properties.

SECTION 13. SEVERABILITY.

If any article, section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the Ordinance, it being the intent of the City of Swartz Creek that this Ordinance shall be fully severable. The City of Swartz Creek shall promptly notify the Michigan Department of Environmental Quality upon the occurrence of any event described in this section.

SECTION 14. CONFLICT WITH OTHER ORDINANCES

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 15. EFFECTIVE DATE.

This Ordinance shall be in full force and effect ten (10) days after its publication as provided by law.

Adopted and signed this ____ day of _____, 2017.

Exhibit 1A - Figure Indicating Water Well Restriction Zone



Google Earth

feet
meters



Exhibit 1B - List of Properties Included in the Well Restricted Zone

Exhibit 1B

List of Properties Included in the Groundwater Ordinance

Steven Moore
8067 Miller Road
Swartz Creek, MI 48473
Parcel Number 58-02-529-021
W 55 FT of LOT 2 BLK 1 AND W 55 FT OF LOT 4 BLK 1 VILLAGE OF SWARTZ CREEK
SEC 2 T6N R5E

Marie Lovegrove Revocable Trust / (Goin' Postal and H&R Block)
8057 Miller Road
Swartz Creek, MI 48473
Parcel Number 58-02-529-020
LOT 2 BLK 1 EXCEPT W 55 FT ALSO EXCEPT E 35 FT & LOT 4 BLK 1 EXCEPT W 55 FT
ALSO EXCEPT E 35 FT VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Marie Lovegrove Revocable Trust / (Lovegrove's Cake & Candy Center)
8055 Miller Road
Swartz Creek, MI 48473
same Parcel number as above 58-02-529-020
LOT 2 BLK 1 EXCEPT W 55 FT ALSO EXCEPT E 35 FT & LOT 4 BLK 1 EXCEPT W 55 FT
ALSO EXCEPT E 35 FT VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Marie Lovegrove Revocable Trust / (Assenmachers Cycling Center)
8053 Miller Road
Swartz Creek, MI 48473
Parcel Number 58-02-529-019
E 35 FT OF LOT 2 BLK 1 & E 35 FT OF LOT 4 BLK 1 VILLAGE OF SWARTZ CREEK SEC
2 T6N R5E

Marie Lovegrove Revocable Trust
8047 Miller Road
Swartz Creek, MI 48473
Parcel number 58-02-529-018
W 65 FT OF LOT 1 BLK 1 & W 65 FT OF LOT 3 BLK 1 VILLAGE OF SWARTZ CREEK SEC
2 T6N R5E

Luca's Properties Plus, LLC / Luca's Pharmacy

8021 Miller Road

Swartz Creek, MI 48473

Parcel Number 58-01-100-047

A PARCEL OF LAND BEG AT NW COR OF SEC TH E 150 FT TH S 130 FT TH S 130 FT TH W 20.88 FT TH N 10 FT TH W to SEC LINE TH N TO PL OF BEG SEC 1 T6N R5E (08) .42A FR 58-01-100-036/037/038/039

Peitro Montini, Sr. / Dave's Pizzeria & Family

8013 Miller Road

Swartz Creek, MI 48473

Parcel Number 58-01-100-040

A PARCEL OF LAND BEG 150 FT E OF NW COR OF SEC TH S 125 FT TH E 50 FT TH N 125 FT TH W 50 FT TO PLACE OF BEG SEC 01 T6N R5E .14 A

Nemecek and Sweeney, LLC / Stallings Stained Glass

8011 Miller Road

Swartz Creek, MI 48473

Parcel Number 58-01-100-041

A PARCEL OF LAND BEG 200 FT E OF NW COR OF SEC TH S 120 FT TH E 16 FT TH N 120 FT TH W 16 FT TO PL OF BEG SEC 01 T6N R5E .04 A

City of Swartz Creek

5012 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-02-529-017

E 17.5 FT OF LOT 1 BLK 1 & E 100 FT OF LOT 3 BLK 1 & SCHOOL LOT VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Margaret Trecha et al / Zenith TV

5015 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-01-100-035

A PARCEL OF LAND BEG S 0° 44 MIN W 140.92 FROM NW COR OF SEC TH S 88° 38 MIN E 219 FT TH S 0° 44 MIN W 23.78 FT TH N 89° 17 MIN 20 SEC W 218.98 FT TH N 0° 44 MIN E 26.29 FT TO PLACE OF BEG SEC 1 T6N R5E (76)

Curtis May & Terry Lancaster-May

5017 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-01-100-034

A PARCEL OF LAND BEG S 0° 44 MIN W 167.21 FT FROM NW COR OF SEC TH S 89° 17 MIN 20 SEC E 218.98 FT TH S 38° 25 MIN 37 SEC W 73.58 FT TH S 88° 38 MIN E 90 FT TH S 14.50 FT TH W 16 RDS TH N 0° 44 MIN E 56.21 FT TO PLACE OF BEG SEC 1 T6N R5E (76)

5023 Holland House LLC / Hull Stephens & Associates Architects

5023 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-01-100-032

A PARCEL OF LAND BEG S 0 DEG 44 MIN W 223.42 FT FROM NW COR OF SEC TH S 0 DEG 44 MIN W 58 FT TH S 88 DEG 38 MIN E 129.55 FT TH N 38 DEG 25 MIN 57 SEC E 72.68 FT TH N 88 DEG 38 MIN W 174 FT TO PL OF BEG SEC 1 T6N R5E (85) FR 5800003212

Marla & Carla Martin

5018 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-02-529-005

LOT 5 BLK 1 VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Jason Keene

5026 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-02-529-007

LOT 7 BLK 1 VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Maureen Andrakowicz / Maureen Hunt

5032 Holland Drive

Swartz Creek, MI 48473

Parcel Number 58-02-529-009

LOT 9 BLK 1 VILLAGE OF SWARTZ CREEK SEC 2 T6N R5E

Terry Coy

5019 Hayes

Swartz Creek, MI 48473

Parcel Number 58-02-529-006

LOT 6 BLK 1 VILLAGE OF SWARTZ CREEK SECT 2 T6N R5E

Thomas & Kassandra Doty

8032 Ingalls Street

Swartz Creek, MI 48473

Parcel Number 58-02-529-008

LOTS 8 & 10 BLK 1 VILLAGE OF SWARTZ CREEK (77)

Exhibit F
Sample Water Well Questionnaire and Public Notice

EXAMPLE QUESTIONNAIRE CORRESPONDENCE

Date

Business or Resident

Address

Swartz Creek, MI 48473

RE: Groundwater Well Survey Questionnaire at Address

Dear Current Resident/Owner,

Groundwater & Environmental Services, Inc., (GES) is working on behalf of ExxonMobil Oil Corporation, to support ongoing environmental assessment work at the Former ExxonMobil property, located at 5012 Holland Drive, Swartz Creek. We are requesting your assistance to complete the attached questionnaire regarding the presence of groundwater wells at your property.

Groundwater in the survey area may include compounds that are above levels appropriate for drinking water as recommended by the Michigan Department of Environmental Quality (MDEQ). Responses from the questionnaire will be used to assist with the proposal of a groundwater use ordinance, which would prevent the use of groundwater. The ordinance would be achieved through the combined efforts of GES, ExxonMobil, MDEQ, and the City of Swartz Creek.

Since the City of Swartz Creek homes and businesses are served by municipal water, we do not believe that the contaminants in the groundwater pose a risk to you or your family. However, to be sure that the groundwater is not being used, we are conducting a survey to double check that there are no wells present in the area. These are wells that are/have been used for drinking, watering the lawn or just to supply an additional water source for your family or business. This does not include monitoring wells where occasional groundwater samples are collected that are not used for consumption or irrigation.

Please complete the brief questionnaire attached to this letter to the best of your ability, and return it in the enclosed postage-paid envelope within 7 days. If a well is present on your property, ExxonMobil Oil Corporation will properly plug it at no cost to you, in order to prevent groundwater use.

If you have any questions about this notice or the well survey questionnaire, please contact me at (800) 368-0337, ext. 3369; or Dwight Cummings of the MDEQ (616) 284-5082. We apologize for any inconvenience and thank you for your anticipated assistance in this matter.

Sincerely,

GROUNDWATER & ENVIRONMENTAL SERVICES, INC.

Bridget Klueger
Senior Project Manager

Water Well Survey Questionnaire

Thank you for your help with this survey. Please complete this form to the best of your knowledge about the property. If a water well is present on your property, it will be properly abandoned and plugged at no cost to you.

What is the property address? _____

Signs of a water well include:

- Pipes sticking above ground.
- Pipes sticking through the wall or floor in the basement.
- Electrical switch boxes in the yard.
- Cement pits in or under sheds or porches.
- Windmills.
- Old crock, brick or stone structures.
- Old hand pumps.

Do you know of a water well on the property? *(circle one)* **YES** **NO**

Would you like an inspector to look for a well on the property? *(circle one)* **YES** **NO**

If you answered YES to either of these questions, a representative of Groundwater & Environmental Services, Inc., on behalf of ExxonMobil Oil Corporation, will contact you to schedule an inspection or abandonment of the well. Again, thank you for completing this survey.

Form completed by:

Name: _____ Date: _____

Phone: _____

Please return a copy of this survey in the self-addressed stamped envelope.

PUBLIC MEETING NOTIFICATION EXAMPLE

Property owners within the proposed Groundwater Ordinance Area will be notified of the date and time of the regularly scheduled city council meeting when the Groundwater Ordinance will be scheduled for consideration on the meeting agenda.

The wording below is an example of the meeting notification that would be provided to the property owners within the proposed Groundwater Ordinance Area. The notification would be provided via postcards, and final wording is subject to approval/agreement by ExxonMobil, MDEQ, and City of Swartz Creek.

Wording on front side of postcard

Property owner name and address

Wording on back side of postcard

Notice of Public Hearing / Meeting for the City of Swartz Creek to amend Section __, Article __ of the Swartz Creek City Ordinance

This amendment would allow for a restriction to be placed on “affected parcels” (one of which is your property) which would prohibit the use or installation of groundwater wells. This amendment is being proposed because of known or suspected groundwater contamination in your area, which poses no potential threat to residents unless the contaminated groundwater is removed from the ground through wells. The groundwater beneath your property may or may not have contamination, but your property is an “affected parcel” because it is within the area subject to the groundwater ordinance. This does not affect your municipal drinking water supply since that is provided by the City of Swartz Creek.

When: _____, 2017 at _____am/pm

Where: City of Swartz Creek City Hall - 8083 Civic Center Drive, Swartz Creek, MI 48473

For further information, contact Mr. Dwight Cummings, Michigan Department of Environmental Quality at 517-284-5082 or at cummings@michigan.gov



APPENDIX D:

City of Swartz Creek Tax Abatement and Incentive Policy

CITY OF SWARTZ CREEK

Tax Abatement & Incentive Policy

Policy Statement: The City of Swartz Creek is committed to enhancing the quality of life for its residents. To do so, the community recognizes the need for robust and diverse businesses to add cultural, entertainment, economic, and related value to the community. The community further recognizes a need to create high-quality places (including walkable areas, diverse housing, higher densities, and public amenities) for such activities, especially in the traditional downtown. Lastly, the community recognizes that some barriers exist to fulfilling these aspirations. Such barriers include obsolescence of property, a struggling regional economy, and limited market strength of certain sectors.

Tax abatements (as provided by state statute) and local incentives (in the form of fee waivers and Tax Increment Financing assistance) can encourage private development projects that produce the results desired. Accordingly, consideration for tax abatements and/or incentives is viewed as a privilege, not as a property right. This policy establishes minimum requirements and a uniform set of standards and procedures to be used when considering a request for a tax abatement/exemption or incentives.

The focused purpose of tax abatements and local incentives is to provide for private investment that would not otherwise occur, provided such investment is aligned with the city's stated intentions. See the City Master Plan and Downtown Development Plan. Abatements and incentives, if awarded, are expected to be awarded to varying degrees that are in proportion with the degree of public benefit that results. The impetus for a formal program is based upon the Michigan Redevelopment Ready Communities best practices.

Abatements include:

1. Michigan Public Act 255 of 1978: Commercial Redevelopment Act
2. Michigan Public Act 210 of 2005: Commercial Rehabilitation Act
3. Michigan Public Act 198 of 1974: Plant Rehabilitation and Industrial Development Act

Incentives Include:

1. Water and Sewer Connection Fee Waivers
2. Tax Increment Financing Assistance (Per DDA policy & City Council Budget Oversight)

I. MINIMUM REQUIREMENTS FOR TAX ABATEMENTS & INCENTIVES

- A. Abatements & incentives shall be subject to duration and amount limits.
- B. Such duration and amount limits shall be for the minimum amount necessary to meet the goals of the project.
- C. Benefits to the city of the proposed abatement or incentive shall be:
 1. at least equal to or greater than the cost of the abatement; and
 2. accomplish at least one of the following purposes:
 - a. provide significant economic and/or employment opportunities;
 - b. provide or help acquire or construct public facilities;

- c. significantly redevelop or renew blighted areas;
 - d. help provide access to services for residents; or
 - e. preserve or restore a feature of historical significance.
- D. The taxable value of any proposed abatement, considered together with the aggregate taxable value of property exempt under certificates previously granted and in force shall not exceed five-percent of taxable value of the City of Swartz Creek.

Example: 2020 City of Swartz Creek potential taxable value - \$150,000,000
Five-percent of City of Swartz Creek - \$7,500,000

- E. The city will not issue or be a signatory on bonds in connection with abatements.
- F. Commencement of any new construction or improvements shall be within the limits set forth within the applicable act related to the abatement being applied for.
- G. The city council will not take action on any abatement or incentive unless the applicant or legal representative is present at the public hearing to make a presentation and/or answer questions.
- H. The City reserves the right to waive, modify, or amend any of these policies when it is in the best interest of the city residents.
- I. Abatements shall be granted for RRC sites only.
- J. Incentives shall be granted for DDA sites only.

II. EVALUATION CRITERIA

- A. *Private Development Objectives.* The City of Swartz Creek will consider using tax abatement and local incentives to help private development projects that strive to achieve three or more of the following objectives:
- 1. Include investment in formally recognized RRC sites (required for abatements)
 - 2. Provide for hospitality, cultural, entertainment, and recreational uses
 - 3. Include historic preservation or restoration
 - 4. Provide or retrain build-to lines for development (little or no setbacks)
 - 5. Provide outdoor uses such as dining, seating, recreation, etc.
 - 6. Include strong pedestrian features and design
 - 7. Include residential uses
 - 8. Provide multiple stories
 - 9. Provide total investment of over \$10,000,000 or 50 FTE
 - 10. Satisfy specific plan goal
- B. *Additional Objectives.* Some investments and their consequences are difficult to foresee, requiring flexibility in the decision making process. The City of Swartz Creek will therefore consider the following factors when evaluating tax abatement and incentive requests to help private development projects:
- 1. Additional consideration will be given to existing businesses seeking to expand and grow within the city.

2. Whether or not the proposed project provides services not already provided in the city or services which are needed.
3. Whether or not the proposed business would be in direct competition with existing businesses in the city. Abatements should not be given to businesses which would receive a competitive advantage over similarly situated businesses in the city.
4. Whether or not the project will significantly impact environmental/natural resources.
5. Public and other stakeholder input.
9. The extent to which the project satisfies or requires improvements in city infrastructure, traffic control, or services such as law enforcement.
10. Consistency of the proposed project with city land use regulations, zoning and planning policies.
11. How the proposed project furthers the goals and objectives of the city and/or community.
12. The level of private financial investment into the project.

III. APPLICATION

- A. The applicant shall submit an application (available from the city) for all projects for which a tax abatement is sought from the City of Swartz Creek.
- B. Applications shall include:
 1. A letter formally requesting tax abatement or incentive from City of Swartz Creek;
 2. Completed application for tax abatement with all support materials attached (if applicable);
 3. The applicant will pay for any contracted legal, financial, consultant or other third party costs not to exceed statutory limits of the applicable act.
 4. Official forms developed by the state of Michigan, if applicable, shall also be submitted in a timely manner per procedures set forth within the applicable abatement/exemption act under which the application is made.
- C. The applicant shall submit completed applications to the city clerk.

IV. APPROVAL PROCESS

- A. The city clerk shall notify, by certified mail, each taxing jurisdiction of a request to establish an abatement district or an application for the abatement. Said taxing jurisdiction shall have 15 days from the date of receipt of said notification to respond in writing of their thoughts and considerations. These taxing jurisdictions shall have no voting or veto authority.
- B. The city clerk shall notify applicant by certified mail if the application is found consistent with this policy. Procedures set forth within the abatement/exemption act shall be followed.
- C. The length of the exemption shall be determined by the attached abatement schedule.
- D. The approval for the abatement district and approval of an application for abatement shall not be addressed at the same meeting.

V. DEVELOPMENT AGREEMENT AND ANNUAL REPORTING REQUIREMENTS

- A. *Development Agreement.* All projects granted tax abatement will be required to enter a development agreement. The development agreement will be recorded against the property, will clearly define the responsibilities of the property owner(s) receiving the abatement, and will require annual reporting.

- B. *Annual Reporting Requirements.* All projects granted tax abatement shall submit an annual status report on the form developed and provided by the City of Swartz Creek. The requirement makes all abatements granted consistent with State Tax Commission Administrative Rules, as they pertain to relevant Public Acts, as amended. The report content will meet reporting expectations set in the Development Agreement.

VI. RESCISSION OF ABATEMENT/EXEMPTION

- A. Imposition of any rescission is at the sole discretion of the City of Swartz Creek and shall be considered on a case-by-case basis in compliance within the applicable act under review.
- B. Rescission shall not violate the statutory requirements of the applicable act in any way. Consideration may include but are not limited to the:
1. sale or closure of the facility and departure of the company from the jurisdiction unless abatement/exemption is transferable.
 2. significant change in the use of the facility and /or the business activities of the company not consistent with the requirement of the applicable act for which approved.
 3. significant employment reductions not reflective of the company's (normal) business cycle and/or local and national economic condition.
 4. failure to achieve the minimum number of net new jobs and wage level as specified in the abatement/exemption application.
 5. failure to complete the project in a timely manner as specified in the approval resolution.
 6. failure to comply with annual reporting requirements.
 7. failure to pay annual property taxes on real and personal property not exempt under the approved abatement/exemption.
 8. failure to cooperate with the City of Swartz Creek ordinances and policies.

Abatement Schedule

This schedule applies to Industrial or Commercial Property as defined in 211.34c of the General Property Tax Act

1. Capital investment \$Up to \$100,000 \$100,001 to \$250,000 \$250,001 to \$500,000 \$500,001 to \$1,000,000 \$1,000,001 to \$2,500,000 \$2,500,001 to \$5,000,000 \$5,000,001 and up	Years of tax abatement 1 2 3 4 5 6 7	Rehabilitated/restored additional two years in any capital investment
2. Job creation <u>as Full Time Equivalent</u> 1-10 11-25 26-50 51 and up	Years of tax abatement 2 3 4 5	
3. Job wages Average wage > 1.5x minimum wage Average wage > 2x minimum wage Average wage > 3x minimum wage	Years of tax abatement 2 4 6	
4. Number of years located in the City 2-10 11-15 16 and up	Years of tax abatement 1 2 3	
5. Private Development Objectives (II.A) 4-5 6-7 8+	Years of tax abatement 2 3 4	

Note: Total number of tax abatement years shall not exceed statutory limits. This schedule applies to years of TIF assistance.

Incentive Schedule

Incentives provided as a percentage of fee waivers (water and sewer REU's) or TIF funds returned to project (if available)

1. Capital investment \$Up to \$100,000 \$100,001 to \$250,000 \$250,001 to \$500,000 \$500,001 to \$1,000,000 \$1,000,001 to \$2,500,000 \$2,500,001 to \$5,000,000 \$5,000,001 and up	Percent of Fee 5% 10% 15% 20% 25% 30% 40%	Rehabilitated/restored additional 10% South of I-69 additional 20%
2. Job creation <u>as Full Time Equivalent</u> 1-10 11-25 26-50 51 and up	Percent of Fee 10% 15% 20% 25%	
3. Job wages Average wage > 1.5x minimum wage Average wage > 2x minimum wage Average wage > 3x minimum wage	Percent of Fee 10% 20% 30%	
4. Number of years located in the City 2-10 11-15 16 and up	Percent of Fee 10% 15% 20%	
5. Private Development Objectives (II.A) 4-5 6-7 8+	Percent of Fee 30% 40% 50%	

Note: Total incentive cannot exceed 100%. This schedule applies to annual TIF assistance as a ratio to the project-specific capture.

Current abatements available

PA 198 – 1974 – Industrial Facilities Tax

Eligible industries: manufacturing, research and development, high-tech, and communications centers.

Maximum eligible award – 50% abatement for up to 12 years on new real and personal property investments.

PA 255 – 1978 Reinstated 2009 – Commercial Redevelopment Tax

Eligible industries: obsolete and declining property, zoned for commercial/industrial prior to June 21, 1975

Maximum eligible award – 50% abatement for up to 12 years on replacement or new real property. Zero taxes levied on value of restored real property investment for up to 12 years.

PA 210 – 2005 – Commercial Rehabilitation Tax

Eligible industries: multifamily housing or group of contiguous commercial property 15 years old or older covering at least three acres or located in a downtown district.

Maximum eligible award – Zero taxes levied on value of restored real property investment for up to 10 years.

Swartz Creek Tax Abatement and Incentive Policy Procedures

1. Contact made from perspective applicant of tax abatement or incentive.
 - a. City of Swartz Creek Abatement & Incentive Policy and Application given to applicant. **(All applications are to go through City Clerk per policy and/or public act.)**
 - b. Give notice to city manager & city assessor.
 - c. Review of application and set meeting with applicant if determined they qualify.
2. Meeting with applicant after application is received.
 - a. Applicant presents possible project. Require applicant to have a cost of project analysis prepared by contractor or architect.
 - b. If applicant is unsure of abatement/exemptions available, review of each is presented.
 - c. If a qualified district for abatement is not in place, applicant is required to request, in writing, a district be established. (In some cases, notification must be given to assessor of request for a district because determining obsolescence is charged to assessor.)
 - d. If qualified district exists, skip to 4.
3. Establishing a district after receipt of request (STC abatements only).
 - a. Prepare memo to council explaining the project and if the applicant qualifies for an abatement/exemption per the city's policy. (Council has already proven to ignore interpretation and recommendation from staff).
 - b. Prepare resolution to set public hearing for establishing a qualified district.
 - c. Prepare maps and any other data that will assist council in making a decision.
 - d. All documents given to clerk by deadline set for being placed on council agenda.
4. After receipt of Incentive Application or State Exemption Application. (See tax link on Michigan.gov).
 - a. Prepare report to council, again explaining project.
 - b. Prepare resolution to set public hearing for abatement/exemption (hearing not required for local incentives).
 - c. Prepare Abatement Schedule for council that determines years for the abatement/exemption, not to exceed statutory limits. The applicant is to present cost estimate prepared by contractor or architect.
 - d. Prepare other supporting documents for council, such as maps, drawings, copy of city's abatement application.
 - e. All documents given to clerk (city manager) by deadline set for being placed on council agenda.
5. Assist clerk in preparing final approved and required documents to send to State Tax Commission for their approval. Many of the statutes give the STC 60 days to make their final approval and may also require documents be sent to them by October to place the abatement/exemption in place for the following year.

TAX ABATEMENT & INCENTIVE CRITERIA CHECKLIST

I. INITIAL CONSIDERATION

- A. Are the benefits to the city of the proposed abatement at least equal to or greater than the cost of the abatement? Y N
- B. In the public interest, will the abatement accomplish any of the following purposes?
- a. provide significant economic and/or employment opportunities; Y N
 - b. provide or help acquire or construct public facilities; Y N
 - c. significantly redevelop or renew blighted areas; Y N
 - d. help redevelop or renew blighted areas; Y N
 - e. help provide access to services for residents; or Y N
 - f. preserve or restore a feature of historical significance. Y N
- C. Does the abatement apply to a RRC site? Y N NA
- D. Does the incentive apply to a DDA site? Y N NA

II. EVALUATION CRITERIA

- A. *Private Development Objectives.* Will using tax abatement help the development project strive to achieve three or more of the following objectives?
- 1. Include investment in formally recognized RRC sites Y N
 - 2. Provide for hospitality, cultural, entertainment, and recreational uses Y N
 - 3. Include historic preservation or restoration Y N
 - 4. Provide or retrain build-to lines for development (little or no setbacks) Y N
 - 5. Provide outdoor uses such as dining, seating, recreation, etc. Y N
 - 6. Include strong pedestrian features and design Y N
 - 7. Include residential uses Y N
 - 8. Provide multiple stories Y N
 - 9. Provide total investment of over \$10,000,000 or 50 Full Time Equivalent jobs Y N
 - 10. Satisfy specific plan goal Y N



APPLICATION FOR TAX ABATEMENT

Applicant (Official Company Name) _____

Business Name (If Different) _____

Address of Proposed Project _____

Mailing Address (If Different) _____

Do you own the property? _____ If no, what is your relationship? _____

Type of Abatement/Incentive Requested (if known) _____

Description of proposed project: type of business, product to be manufactured (if applicable), size of proposed structure and proposed activity and/or product. Provide narrative and described materials to support evaluation criteria findings. Attach materials and plans as necessary.

Give the estimated cost of the following components applicable for the proposed project:

Land improvements (excluding land): _____

Building improvements: Size _____ sf \$ _____

Machinery & Equipment: _____

Furniture & Fixtures: _____

Time schedule for start and completion of construction and equipment installation (if applicable):

Building:

Equipment installation (if applicable):

Start Date _____

Start Date _____

Completion Date _____

Completion Date _____

Will project be owned or leased by applicant? _____

Will machinery be owned or leased by applicant? _____

How many employees do you currently employ? Full Time _____ Part Time _____

How many new employees do you estimate after project complete? Full Time _____

Part Time _____

When project is complete, how many will be:

Management/Professional _____ Wage level \$ _____

Skilled _____ Wage level \$ _____

Semi-Skilled _____ Wage level \$ _____

Un-Skilled _____ Wage level \$ _____

Name of Company Officer (contact person) _____

Title _____

Signature _____ Date _____

Phone Number _____

Email Address _____