

7:00 p.m. Call to Order.

Invocation: Rabbi Harvey Spivak of Congregation of Moses.

Pledge of Allegiance.

Roll Call.

Proclamations:

A. Consent Agenda:

1. Approval of City Council Meeting Minutes:
 - a. June 12, 2018 Regular Meeting.
 - b. June 25, 2018, Pre-Council Meeting Minutes.
2. Approval of the Accounts Payable Register of June 26, 2018 as presented.
3. Accept the proposed "Social Host Ordinance" which modifies Section 50-112, Disorderly Places, of Article 4, Chapter 50 of the City of Portage Code of Ordinances for first reading and set a second reading with final adoption on July 10, 2018.
4. Adopt the Resolution granting the request from Black Rock Bar and Grill at 603 Trade Centre Way for a Class C Liquor License.
5. Re-approve the Final Plan for the Selinon Park Planned Development at 1521, 1603 and 1615 East Centre Avenue.
6. Award a contract to perform engineering services for Angling Road and Meredith Street to AR Engineering, LLC, in the amount not to exceed \$87,750 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
7. May 2018 Environmental Report - Information Only.
8. Minutes of Boards & Commissions:
 - a. Park Board of May 2, 2018.
 - b. Environmental Board of May 8, 2018.
 - c. Zoning Board of Appeals of May 14, 2018.
 - d. Planning Commission of June 7, 2018.
9. Materials Transmitted of June 12, 2018.

B. Petitions and Statements of Citizens:

C. Communications:

1. Communication from the Mayor recommending that City Council confirm the appointment of citizen Steve Phillips to the unfulfilled term of Councilmember Chris Burns on the City Council Investment Committee.

2. Calendar of Meetings:

1. Thursday, June 28 at 4:30 p.m., Public Media Network Board of Directors, 359 S. Kalamazoo Mall - 3rd floor.
2. Thursday, July 5 at 6:30 p.m., Human Services Board, City Hall Room #1.
3. Thursday, July 5 at 7:00 p.m., Planning Commission, Council Chambers.
4. Monday, July 9 at 7:00 p.m., Zoning Board of Appeals - CANCELLED.

D. Public Hearings:

1. Subsequent to the public hearing, consider approving Rezoning Application #17/18-3 for Pennridge Trail Planned Development (1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive) changing the zoning from I-1, light industry to PD, planned development.
2. Public hearing on the expansion of Industrial Development District No. 82 and an Industrial Facilities Exemption Certificate involving the property located at 3800 East Centre Avenue, and subsequently
 1. adopt Resolution No. 2-18, expanding Industrial Development District No. 82 for the Stryker Corporation, 3800 East Centre Avenue;
 2. adopt Resolution No. 3-18, approving the industrial facilities exemption certificate application for the Stryker Corporation, 3800 East Centre Avenue; and
 3. approve the tax abatement agreement and affidavit between the City of Portage and the Stryker Corporation.

E. Regular Business Agenda:

1. Approve contract amendments with the following:
 1. Hurley & Stewart, LLC in the amount not to exceed \$67,988 for design and construction engineering services for the Lovers Lane improvements;
 2. Wightman & Associates, Incorporated in the amount not to exceed \$69,875 to perform design engineering services for Idaho Avenue reconstruction and water main replacement;
 3. Abonmarche Consultants, Incorporated, in the amount not to exceed \$117,500 to perform design engineering services for the Zylman Avenue reconstruction, and

authorize the City Manager to execute all documents related to the contracts on behalf of the city.

F. Unfinished Business:

1. Communication from Glas & Associates requesting reconsideration of sidewalks in Whispering Meadows Phase IV.
 - a. 1. Review a decision to require sidewalks along both sides of all public streets within the Plat of Whispering Meadows IV;
 2. In lieu of sidewalks on both sides of all streets, consider an alternative proposed by the developer.

G. Council Committee Reports:

H. New Business:

I. Statements of Citizens:

J. Statements of City Council and City Manager.

Adjournment.

CITY COUNCIL MEETING MINUTES FROM JUNE 12, 2018

The Regular Meeting was called to order by Mayor Randall at 7:00 p.m. At the request of Mayor Randall, the City Clerk called the roll with the following members present: Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid, Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Patricia Randall. Also in attendance were City Manager Larry Shaffer, City Attorney Randy Brown and City Clerk Adam Herringa.

At the request of Mayor Randall, Pastor Phillip Kok of Prairie Edge Christian Reformed Church provided the invocation and, following the invocation, representatives of Boy Scout Troop 287 of Portage led City Council and audience in reciting the Pledge of Allegiance.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Mr. Fernando Costas, 7639 Harvest Lane, asked that Item A.10 (Special License for Beer and Wine) be removed from the Consent Agenda.

Motion by Reid, seconded by Knapp, to approve the Consent Agenda items as presented. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Knapp, to approve the minutes of the Committee of the Whole and Regular Meeting Minutes of May 22 and Pre-Council Meeting Notes of June 11, 2018. Upon a roll call vote, motion carried 7 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 12, 2018: Motion by Reid, seconded by Knapp, to approve the Accounts Payable Register of June 12, 2018. Upon a roll call vote, motion carried 7 to 0.

RECONSTRUCTION OF ROCKFORD STREET: Motion by Reid, seconded by Knapp, to award a construction contract to Michigan Paving & Materials Company of Kalamazoo, Michigan, for the reconstruction of Rockford Street from Schuring Road to Romence Road in an amount not to exceed \$325,000 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

TEMPORARY AND SEASONAL EMPLOYMENT SERVICES: Motion by Reid, seconded by Knapp, to award a contract to Onstaff USA, Inc. of Portage, Michigan, to provide temporary and seasonal employment services through fiscal year 2018-2019 in an estimated amount of \$252,087, with the option of four, one-year renewals and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

SOUTH WESTNEDGE AVENUE SIDEWALK IMPROVEMENTS: Motion by Reid, seconded by Knapp, to award a construction contract to Milbocker & Sons, Incorporated, of Allegan, Michigan, in the not to exceed amount of \$91,588.03 for South Westnedge Avenue Sidewalk Improvements and authorize the City Manager to sign all other documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

UNPAID WATER AND SEWER CHARGES: Motion by Reid, seconded by Knapp, to order notice to applicable property owners that all water and/or sewer charges remaining unpaid as of June 30, 2018 will be transferred to the 2018 city tax roll and assessed against the property for which the services were furnished. Upon a roll call vote, motion carried 7 to 0.

STRYKER CORPORATION TAX ABATEMENT APPLICATION: Motion by Reid, seconded by Knapp, to accept the application for an industrial tax abatement for the Stryker Corporation at 3800 East Centre Avenue and adopt Resolution No. 1-18 establishing a public hearing on the expansion of Industrial Development District No. 82 and set a hearing for an Industrial Facilities Exemption Certificate involving the property located at 3800 East Centre Avenue on June 26, 2018. Upon a roll call vote, motion carried 7 to 0.

RESOLUTION AND PETITION ENDORSEMENT TO REPLACE TWO CULVERTS AND REMOVE DEBRIS AND SEDIMENT FROM THE DAVIS-OLMSTEAD DRAIN: Motion by Reid, seconded by Knapp, to adopt a resolution and endorse a petition to the Kalamazoo County Office of the Drain Commissioner to replace two culverts and remove debris and sediment from the Davis-Olmstead Drain located within the Colonial Acres Mobile Home Park in the City of Portage and authorize the City Manager to execute the documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

REZONING APPLICATION #17/18-4: Motion by Reid, seconded by Knapp, to accept Rezoning Application #17/18-4, 6533, 6547, 6603 and 6609 Oakland Drive, for first reading and set a public hearing for July 10, 2018; and subsequent to the public hearing, consider approving Rezoning Application #17/18-4, changing the zoning designation from R-1B, one family residential to R-1T, attached residential. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Knapp, to receive minutes of the Senior Citizens Advisory Board of May 16 and Historic District Commission of May 2, 2018. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

ANNUAL UPDATE OF THE HISTORIC DISTRICT COMMISSION: At the request of Mayor Randall, Jessie Duniphin, Historic District Commission (HDC) Chairperson, provided an update on the activities of the HDC. Ms. Duniphin highlighted recent community events and engagement activities and efforts to partner with outside organizations. Ms. Duniphin shared that the recent event at the historic VanRiper property owned by Mr. Mick Lynch was very successful. She also highlighted efforts of the HDC related to preserving a historic property located at 2663 Mandigo Avenue. Mayor Randall inquired if Mr. Lynch had disclosed any plans for the VanRiper property. Ms. Duniphin indicated that nothing has been announced but that Mr. Lynch is considering turning the home into a bed & breakfast that could serve families visiting loved ones residing at the nearby StoryPoint senior living facility.

Motion by Reid, seconded by Ford, to receive the annual update of the Historic District Commission. Upon a roll call vote, motion carried 7 to 0.

RECONSIDERATION OF SIDEWALKS IN WHISPERING MEADOWS PHASE IV: Mayor Randall stated that since she lives in the Whispering Meadows development she would recuse herself from voting on the matter and turned the meeting over to Mayor Pro Tem Pearson who presided over this agenda item. Mayor Pro Tem Pearson invited the project developer, Charlie Glas of Glas & Associates, to explain why he was requesting that City Council reconsider their decision to require sidewalks on both sides of the street in Phase IV of the Whispering Meadows development. Mr. Glas, 7217 North Douglas, Kalamazoo, provided his rationale and highlighted the fact that sidewalks were not required in Phases 1, 2 and 3 of the development. Councilmember Urban inquired if any circumstances had changed with the development since City Council voted to require sidewalks in 2016. Mr. Glas stated that no major changes had occurred but that some interconnecting sidewalks had been installed. Mr. Urban next inquired if Whispering Meadows received school bus service and Mr. Glas explained that he

did not know the answer to this question. Councilmember Ford inquired if any lots in Phase IV had been sold and Mr. Glas stated that one has been sold but interest has been expressed in other lots. Mr. Glas commented that when speaking with prospective buyers there is a negative reaction when the matter of sidewalks is brought up. At the request of Mayor Pro Tem Pearson, City Clerk Herringa read aloud two letters received in opposition to the prospect of sidewalks in Phase IV of the development. One letter was from Mr. Prabhash Tatineni, 6527 Bunchberry, and the other from Mr. Richard Dirrenberger, President of the Whispering Meadows Homeowners Association.

There being no other questions, Councilmember Knapp made the following statement: "I give notice that at the next regular Council Meeting I will move to amend a motion made by Councilperson Urban adopted May 24, 2016, with regard to the approval of the Preliminary Plat of Whispering Meadows No. 4 by deleting the phrase "...and installation of sidewalks along both sides of all streets (Sec. 42 – 804)..." My motion may also add other requirements for installation of sidewalks. This Notice also applies to the Final Preliminary Plat approval (Engineering Plans) adopted September 6, 2016 and the Final Plat approval adopted February 27, 2018. The Motion to Amend Something Previously Adopted, if adopted by Council at the next meeting, would reinstate the waiver requested by the developer not to install sidewalks on both sides of the street in Whispering Meadows No. 4."

CALENDAR OF MEETINGS: At the request of Mayor Randall, City Clerk Herringa read the Calendar of Meetings.

REGULAR BUSINESS AGENDA:

SPECIAL LICENSE FOR SALE OF BEER AND WINE: At the invitation of Mayor Randall, Mr. Fernando Costas spoke and stated that the agenda item indicated that the City would be working with one distributor who would provide beer and wine at an upcoming concert and special event. He shared that he is a small winemaker and distiller with a focus on making sangria. He stated that he would like to be given the opportunity to participate in these upcoming events. City Manager Shaffer stated that the item before City Council simply makes application to the Liquor Control Commission for a permit. Mr. Shaffer stated that he would be happy to speak with Mr. Costas further about incorporating his business into these upcoming events. Director of Parks, Recreation and Senior Citizen Services Kathleen Hoyle shared that her department was looking at working with a single supplier and that members of the Parks Board would be serving the alcohol. City Manager Shaffer stated that he enjoys supporting local businesses and would speak with Mr. Costas. Councilmember Reid noted that Mr. Costas was the first to come to City Council with a request for a Small Winemaker License and the first to request a Small Distiller License. She stated that he operates a small entrepreneurial business and has a record of working positively with the city. She expressed hope that his business, The Sangria Shop, would be able to be included in upcoming events. In addition to the comments by Councilmember Reid, Mayor Pro Tem Pearson shared that Mr. Costas was instrumental in the ordinance permitting backyard chickens and thanked him for coming to the meeting and being engaged in the community. Motion by Reid, seconded by Ford, to approve submission of applications to the Michigan Liquor Control Commission (MLCC) for a Special License for the sale of beer and wine for consumption on the premises at Overlander Bandshell (7800 Shaver Road) and Celery Flats (7335 Garden Lane), for the Damien Escobar Concert held on Thursday, July 12, 2018, and the Portage Art Hop planned for Friday, October 5, 2018, and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns reported that both he and Mayor Pro Tem Pearson attended a retreat of the Kalamazoo County Transportation Authority and the Central County Transportation Authority (CCTA). At the retreat, Mr. Burns stated, participants discussed improving service, expanding routes and how to keep services relevant in the age of ride

sharing. Mayor Pro Tem Pearson commented that participants also engaged in a SWOT Analysis designed to identify key strengths, weaknesses, opportunities and threats associated with public transit in the community.

Motion by Pearson, seconded by Ford, to receive the Council Committee Reports as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid shared that, as part of the Consent Agenda, City Council set a public hearing on a tax abatement for the Stryker Corporation. She asked that City Administration review the form and calculations used to determine value to the city when it comes to tax abatements. She continued by stating that the forms and formulas were created many years ago and likely do not accurately reflect the actual impact a new job has in the current environment.

Councilmember Knapp encouraged residents to get tickets for the upcoming concert featuring Damien Escobar.

Councilmember Burns thanked City Council for having 100% participation in the recent Memorial Day Parade. He also thanked organizers of the parade for their efforts. Mr. Burns concluded by thanking the Department of Parks, Recreation and Senior Citizen Services for making an effort to bring in an artist such as Damien Escobar who appeals to younger generations.

Councilmember Ford stated that he enjoyed the Memorial Day parade and encouraged residents to attend the Escobar concert. Mr. Ford confirmed with the City Manager that people would not be permitted to bring their own chairs to this event and that chairs would be provided.

City Manager Shaffer provided an update on the status of development of medical marijuana rules and regulations and shared that applications for medical marijuana permits would be available beginning next Monday. He continued by stating that the administrative rules are in line with the ordinances and informed City Council that the State of Michigan Medical Marijuana Licensing Board is moving slowly meaning it will take longer for applicants to become fully licensed.

Mayor Pro Tem Pearson recognized the Department of Parks, Recreation and Senior Citizen Services on their summer events and concerts. He shared that the Portage Rotary Club would assist with an upcoming event featuring an Elvis impersonator and that Mayor Randall would introduce the event. He concluded by sharing that the event would feature a special guest and Mayor Randall stated that the guest would be "Edwin the Epic Rider" who is a Rotarian riding his bicycle to raise funds to help fight diabetes.

Mayor Randall shared that she recently attended an event celebrating Ramadan with her father at the Islamic Center on Osterhout. She stated that attendees were pleased to have members of the community attend their event and learn more about their religion. She stated that she heard from many participants who stated that they feel welcome in the community. Mayor Randall shared that she recently spoke to and learned more about the local Kiwanis Club which is composed of a mix of Portage and Kalamazoo residents. She also shared that she recently attended a groundbreaking ceremony with Councilmember Burns for the new Portage Central Middle School and that she attended the graduation ceremony of Portage Northern High School. Mayor Randall congratulated graduates of Portage Northern, Portage Central, Hackett Catholic and Kalamazoo Christian High Schools. Mayor Randall concluded by reminding residents that school is about to break for summer and caution should be taken on the roads as more children are out and about.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:46 p.m.

Adam Herringa, City Clerk

**MINUTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF JUNE 25, 2018**

Mayor Randall called the meeting to order at 8:00 a.m. Councilmembers Chris Burns, Richard Ford, Lori Knapp, Claudette Reid and Mayor Pro Tem Jim Pearson joined via the conference phone line. Councilmember Terry Urban was absent with excuse. Also in attendance were City Manager Laurence Shaffer, Deputy City Manager Rob Boulis and City Clerk Adam Herringa.

Mayor Randall opened the meeting and inquired if there were any questions or concerns regarding items on the proposed June 26th Agenda. With regard to Item A.4, Liquor License for Black Rock Bar and Grill, Councilmember Reid inquired as to when Black Rock Bar and Grill realized the need for a Class C License which would allow for the sale of spirits in addition to beer and wine. City Clerk Herringa explained that the company responsible for Black Rock had transferred over a Tavern license from another establishment which permitted the sale of beer and wine. Black Rock Bar and Grill did not realize until a little over a week ago that their license did not permit the sale of spirits. Councilmember Reid inquired if there was a cap on the number of licenses permitted by county and City Clerk Herringa confirmed that there is a quota established per county based on population.

With regard to Item C.1, Investment Committee Appointment, Councilmember Reid shared that her husband is on the Investment Committee and inquired if the recommended appointment, Mr. Steve Phillips, would be replacing Councilmember Burns on the Committee. Councilmember Burns clarified that he would be transitioning to become Chairperson of the Investment Committee serving as the representative of City Council. The new appointee would fill his former role as a citizen on the committee. There was a question as to the appointment of Aimee Kornowicz to the Investment Committee. Her term is set to expire on October 31, 2018.

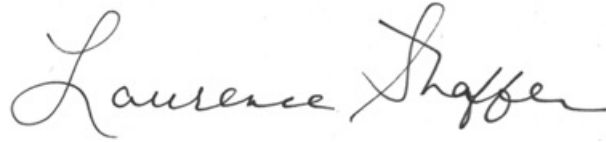
With regard to Item E.1, Contract Amendments, Mayor Pro Tem Pearson inquired if the Zylman reconstruction project involved an expansion to 4 lanes of traffic. City Manager Shaffer responded that the new roadway would be a boulevard with two travel lanes in each direction (4 total lanes). Councilmember Knapp inquired if the Idaho Avenue reconstruction project would be timed so as to avoid interfering with school traffic. Mr. Shaffer stated that this is the goal and one of the reasons design and engineering is happening now for a reconstruction project that will take place in summer 2019.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:08 a.m.

Adam Herringa, City Clerk

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Director of Finance

ACTION RECOMMENDED: Approval of the Accounts Payable Register of June 26, 2018 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks and auto-pay payments. The attached Accounts Payable Register covers the period May 20, 2018 through June 3, 2018 and notes \$857,463.41 in automated clearing house payments, \$326,493.02 in paper checks and \$9,915.36 in auto-pay payments for a grand total of \$1,193,871.79.

FUNDING: N/A

Attachments: 1. Accounts Payable Report of 6-26-2018

ACCOUNTS PAYABLE REGISTER
Check Dates From: 5/20/2018 To: 6/3/2018

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Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
05/25/2018	8781(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMPORARY EMPLOYEES	7,665.22
05/25/2018	8782(A)	ALL CITY MANAGEMENT SERVICES, INC.	SCHOOL CROSSING GUARDS	3,250.80
05/25/2018	8783(A)	C M P DISTRIBUTORS, INC.	NEW OFC ARMOR VESTS	1,490.00
05/25/2018	8784(A)	CLEANIT CORP	CAR WASHES	373.96
05/25/2018	8785(A)	E J USA, INC.	SIDEWALK ADA PLATES	2,265.84
05/25/2018	8786(A)	ETNA SUPPLY, INC.	CELERY FLATS SUPPLIES	1,685.32
05/25/2018	8787(A)	GAIL ANDRUS TRAVEL	TRIP VENDOR PAYMENT	3,579.75
05/25/2018	8788(A)	GREATER KALAMAZOO UNITED WAY	UNITED WAY CONTRIBUTIONS	580.00
05/25/2018	8789(A)	KLOSTERMAN DISTRIBUTING	CONCESSIONS	1,094.93
05/25/2018	8790(A)	KYLE JOSEPH OBERHILL	RAMONA LIFEGUARD CERT	1,128.00
05/25/2018	8791(A)	MEJEUR ELECTRIC LLC	LIGHTING FOR ELIASON	3,780.00
05/25/2018	8792(A)	MICHIGAN OFFICE ENVIRONMENTS	DEPUTY ASSESSOR DESK	1,465.00
05/25/2018	8793(A)	MICHIGAN PAVING & MATERIALS CO.	PARKING LOT OVERLAYS	115,679.30
05/25/2018	8794(A)	NYE UNIFORMS	NEW OFC UNIF/EQUIP	1,337.69
05/25/2018	8795(A)	PCM SALES, INC.	PODCAST LAPTOP	2,591.45
05/25/2018	8796(A)	PORTAGE FIREFIGHTERS	IAFF DUES	1,726.08
05/25/2018	8797(A)	PORTAGE ON-CALL FIREFIGHTERS	ON CALL UNION DUES	80.00
05/25/2018	8798(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA UNION DUES	756.00
05/25/2018	8799(A)	RIETH-RILEY CONSTRUCTION CO., INC	2018 MILL & FILL	295,124.61
05/25/2018	8800(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL MAINT	118,785.76
05/25/2018	8801(A)	THE POSTMAN INC.	FENCE REPAIRS	325.00
05/25/2018	8802(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UAW DUES	437.16
06/01/2018	8803(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SERVICES	18,474.55
06/01/2018	8804(A)	ACCESS EMPLOYER STAFFING SERVICES	TEMPORARY EMPLOYEES	6,221.72
06/01/2018	8805(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL	170.00
06/01/2018	8806(A)	AUTOMATIC MICROFILM CO.	RECORDS FILMING	658.35
06/01/2018	8807(A)	BATTERIES PLUS	UPS BATTERY	106.05
06/01/2018	8808(A)	CLEANIT CORP	CAR WASHES	43.99
06/01/2018	8809(A)	DATA CONSTRUCTS LLC	WEBSITE HOSTING	97.95
06/01/2018	8810(A)	DEER CONTRACTING & LANDSCAPE	SIDEWALK REPAIRS	6,370.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 5/20/2018 To: 6/3/2018

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Check Date	Check	Vendor Name	Description	Amount
06/01/2018	8811(A)	EKLOV, ERICA	EMPLOYEE REIMBURSEMENT	161.17
06/01/2018	8812(A)	EXTREME POWER EQUIPMENT, INC.	MAINTENANCE SUPPLIES	77.45
06/01/2018	8813(A)	FIDELITY SECURITY LIFE INSURANCE CO	FEB-JUNE 2018 VISION	1,134.18
06/01/2018	8814(A)	GORDON WATER SYSTEMS	BOTTLED WATER	162.70
06/01/2018	8815(A)	GRIFFIN PEST SOLUTIONS, INC.	FIRE FACILITY MAINT	105.00
06/01/2018	8816(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	8,691.92
06/01/2018	8817(A)	HURLEY & STEWART, LLC	2018 STORM DRAINAGE	13,137.88
06/01/2018	8818(A)	INDUSCO SUPPLY CO., INC.	FIRE MAINT. SUPPLIES	443.28
06/01/2018	8819(A)	J-AD GRAPHICS, INC	NEWSLETTER PRINTING	2,231.00
06/01/2018	8820(A)	KEHOE, EDWARD J	PROGRAM PAYMENT	550.00
06/01/2018	8821(A)	KENDALL ELECTRIC, INC.	REPAIR SUPPLIES	243.20
06/01/2018	8822(A)	LAND MATTERS LLC	LAND ACQUISITION	560.25
06/01/2018	8823(A)	MARSHALL & SWIFT	2018-2019 SUBSCRIPTION	644.20
06/01/2018	8824(A)	MATERIALS RESOURCES	FIRE MAINT. SUPPLIES	1,586.13
06/01/2018	8825(A)	MEJEUR ELECTRIC LLC	ELECTRICAL SERVICES	2,152.00
06/01/2018	8826(A)	NYE UNIFORMS	NEW OFC UNIF/EQUIP	267.45
06/01/2018	8827(A)	ONE WAY PRODUCTS	CAN LINERS	343.92
06/01/2018	8828(A)	PREIN & NEWHOF	PROFESSIONAL SERVICE	678.50
06/01/2018	8829(A)	R W LAPINE INC.	HVAC MAINTENANCE	428.75
06/01/2018	8830(A)	RIDDERMAN & SONS OIL CO. INC.	FUEL	23,943.46
06/01/2018	8831(A)	ROE-COMM, INC.	RADIO REPAIRS	280.00
06/01/2018	8832(A)	S B F ENTERPRISES, INC.	PRINTING & MAILING	604.00
06/01/2018	8833(A)	SUEZ WATER ENVIRONMENTAL SERVICES	OPERATIONAL COSTS	171,130.91
06/01/2018	8834(A)	WIGHTMAN & ASSOCIATES, INC.	ENGINEERING SERVICES	27,187.48
06/01/2018	8835(A)	ENTENMANN-ROVIN CO.	REFURBISH BADGES	511.90
06/01/2018	8836(A)	MATERIALS RESOURCES	FIRE MAINT. SUPPLIES	107.52
06/01/2018	8837(A)	YVONNE HACKENBERG	REIMBURSEMENT	589.68
06/01/2018	8838(A)	AUMACK, MICHAEL	UMPIRE PAYROLL 5/28/18	300.00
06/01/2018	8839(A)	BEEBE, RONALD E.	UMPIRE PAYROLL 5/28/18	168.00
06/01/2018	8840(A)	EDWARDS, HENRY	UMPIRE PAYROLL 5/28/18	230.00
06/01/2018	8841(A)	FORSHEE, MARK	UMPIRE PAYROLL 5/28/18	376.00
06/01/2018	8842(A)	HARTMAN, CHARLES	UMPIRE PAYROLL 5/28/18	48.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 5/20/2018 To: 6/3/2018

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Check Date	Check	Vendor Name	Description	Amount
06/01/2018	8843(A)	HOJNACKI, DAVID	UMPIRE PAYROLL 5/28/18	138.00
06/01/2018	8844(A)	KIEL, MICHAEL	UMPIRE PAYROLL 5/28/18	288.00
06/01/2018	8845(A)	LOUTHAN, WILLIAM F	UMPIRE PAYROLL 5/28/18	48.00
06/01/2018	8846(A)	MCCULLIN, LARRY W.	UMPIRE PAYROLL 5/28/18	299.00
06/01/2018	8847(A)	NUYEN, ERIC	UMPIRE PAYROLL 5/28/18	126.00
06/01/2018	8848(A)	RHODES, KEVIN	UMPIRE PAYROLL 5/28/18	144.00
Total ACH Transaction:				857,463.41

Check Type: Paper Check

05/24/2018	10180	PETTY CASH-ALYSSA MILBECK	REPLENISHMENT CHECK	359.79
05/25/2018	10181	PETTY CASH-CHRIS MCCOMB	REPLENISHMENT CHECK	483.96
06/01/2018	10182	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	734.32
05/25/2018	306173	A T & T LONG DISTANCE	LONG DISTANCE	6.19
05/25/2018	306174	ARIF, MUHAMMAD	EMPLOYEE REIMBURSEMENT	100.00
05/25/2018	306175	ARTWEAR APPAREL GRAPHICS, INC.	RAMONA STAFF UNIFORM	1,076.00
05/25/2018	306176	ASPHALT SOLUTIONS PLUS LLC	REFUND OF BID BOND	2,072.28
05/25/2018	306177	ATA NATIONAL TITLE GROUP, LLC	OVERPAYMENT FINAL UT	70.44
05/25/2018	306178	BIDDLE CONSULTING GROUP, INC.	TESTGENIUS TESTING	1,495.00
05/25/2018	306179	CBT NUGGETS, LLC	CBT NUGGETS TRAINING	3,345.92
05/25/2018	306180	CORNERSTONE CONSTRUCTION	HYDRANT REFUND	73.36
05/25/2018	306181	COX, DENNIS	FIRE COMMUNICATION	218.42
05/25/2018	306182	CT ELECTRICAL SERVICES	BOND REFUND	1,021.00
05/25/2018	306183	CURE SEARCH FOR CHILDREN'S CANCER	DEPOSIT REFUND	100.00
05/25/2018	306184	DAVIS, CHRISTOPHER	SHOE ALLOWANCE	150.00
05/25/2018	306185	DEVON TITLE AGENCY	OVERPAYMENT REFUND	35.11
05/25/2018	306186	DOSTER, KYLE	EMPLOYEE TRAINING	365.80
05/25/2018	306187	EDMONSON, EDGAR	SHOE ALLOWANCE	52.82
05/25/2018	306188	EDWARD HARTMAN	CEMETARY REFUND	125.00
05/25/2018	306189	EMERGENCY VEHICLE PRODUCTS	VEH 158 CHANGE OVER	16,888.89
05/25/2018	306190	EMP TECHNICAL GROUP	VEHICLE PRINTERS	1,962.00
05/25/2018	306191	ENDERICH, RYAN	APCO INTL MEMBERSHIP	92.00
05/25/2018	306192	GIPSON, GAYDENE	TRIP REFUND	200.00

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Check Date	Check	Vendor Name	Description	Amount
05/25/2018	306193	GREATER KALAMAZOO FOP LODGE 98	PPCOA UNION DUES	3,514.88
05/25/2018	306194	HAFFENDEN, JOAN	TRIP REFUND	200.00
05/25/2018	306195	HOORN, DENNIS & KATHERINE	TRIP REFUND	400.00
05/25/2018	306196	HOYT CUSTOM WOODWORKING LLC	FIRE ST 3 KITCHEN	3,500.00
05/25/2018	306197	JOHNS, STEVEN	SHOE ALLOWANCE	148.39
05/25/2018	306198	KLINE, MICHAEL	EMPLOYEE TRAINING	77.61
05/25/2018	306199	KNOWLEDGE CITY, LLC	ONLINE TRNG LIBRARY, 1 YR	2,394.15
05/25/2018	306200	LATITUDE 42 BREWING COMPANY	HDC ANNUAL PRESERVAT	880.23
05/25/2018	306201	LILEK, MICHAEL	SHOE ALLOWANCE	146.46
05/25/2018	306202	MARCH OF DIMES FOUNDATION	DEPOSIT REFUND	100.00
05/25/2018	306203	MARKUS, MICHAEL	SHOE ALLOWANCE	130.60
05/25/2018	306204	MICPA	MICPA MEMBERSHIP	305.00
05/25/2018	306205	MINER, WILLIAM	SHOE ALLOWANCE	119.99
05/25/2018	306206	MIZERIK, DONNA	RENTAL REFUND	100.00
05/25/2018	306207	MPPOA	MPPOA MEMBERSHIP	75.00
05/25/2018	306208	N I G P	NIGP MEMBERSHIP	190.00
05/25/2018	306209	NOVAK, ROBERT	SHOE ALLOWANCE	150.00
05/25/2018	306210	OAKLAND COMMUNITY COLLEGE	FIRE COMMUNICATION	289.00
05/25/2018	306211	PORTAGE GLASS & MIRROR	WINDOW FILM	2,150.00
05/25/2018	306212	PRAETORIAN DIGITAL	FIRE TRAINING	2,800.00
05/25/2018	306213	PUBLIC MEDIA NETWORK	3RD QTR PAYMENT	93,167.19
05/25/2018	306214	RENEWED EARTH, INC.	LEAF AND BRUSH REMOV	9,083.33
05/25/2018	306215	SCHMITT, TRACY	EMPLOYEE REIMBURSEMENT	186.39
05/25/2018	306216	SHILTS, DAWN	TRIP EXPENSE	1,943.19
05/25/2018	306217	SOCIETY FOR HUMAN RESOURCE MGMT	MEMBERSHIP	209.00
05/25/2018	306218	SOFTBALL FANS, INC.	SOFTBALLS	3,978.00
05/25/2018	306219	SPARTAN DISTRIBUTORS INC.	GROUNDMASTER SERVICE	2,656.20
05/25/2018	306220	TIMBER RIDGE SKI AREA	SKI LESSONS	2,100.00
05/25/2018	306221	UNITED PARCEL SERVICE	WEEKLY DELIVERY	12.00
05/25/2018	306222	URFER, WILLIAM & JANET	TRIP REFUND	400.00
05/25/2018	306223	VANDAM, COREY	SHOE ALLOWANCE	150.00
05/25/2018	306224	VERIZON WIRELESS SERVICES, LLC	WIRELESS CARD	1,779.22

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Check Date	Check	Vendor Name	Description	Amount
05/25/2018	306225	W. S. DARLEY & CO.	FIRE HOSE RACK	2,411.00
05/25/2018	306226	WATKINS, JOAN	TRIP REFUND	60.00
05/25/2018	306227	WELLS, BETTY	TRIP REFUND	108.00
05/25/2018	306228	WESTCOMB, WADE	SHOE ALLOWANCE	147.08
05/25/2018	306229	WILHELME, JOE	RAMONA RADIOS/RANGER	408.65
05/25/2018	306230	WILSON, PAUL	CITY PROMOTIONAL VIDEO	2,500.00
05/25/2018	306231	WINKWORTH, SARAH	RENTAL DEPOSIT REFUND	100.00
05/25/2018	306232	TRACTOR SUPPLY CORP.	MAINTENANCE SUPPLIES	267.53
06/01/2018	306233	A T & T	TELEPHONE SERVICE	262.67
06/01/2018	306234	ADP, INC.	PAYROLL EXPENSE	825.12
06/01/2018	306235	ALLEGRA PRINT & IMAGING	CITY COUNCIL BANNER	428.00
06/01/2018	306236	BAIRD, ANNE	TRIP REFUND	15.00
06/01/2018	306237	BEGEMAN, CRAIG	EMPLOYEE TRAINING	44.96
06/01/2018	306238	BEST WAY DISPOSAL, INC.	SEDIMENT HAULING	2,284.80
06/01/2018	306239	CAMPBELL AUTO SUPPLY	FIRE APPARATUS MAINT	30.09
06/01/2018	306240	CINTAS CORP.	PANT RENTAL	6.46
06/01/2018	306241	DAVE'S CONCRETE PRODUCTS, INC.	CELERY FLATS PROJECT	4,804.00
06/01/2018	306242	DEBORAH MORRIS	REVENUE SHARING-PARKS	409.60
06/01/2018	306243	DEVON TITLE AGENCY	TITLE INSURANCE	688.00
06/01/2018	306244	EMERGENCY VEHICLE PRODUCTS	FIRE APPARATUS MAINT	3,073.15
06/01/2018	306245	EMP TECHNICAL GROUP	PRINTEK FACEPLATES	115.00
06/01/2018	306246	EVERETT, RICHARD	FIRE OPS TRAINING	302.04
06/01/2018	306247	FADER EQUIPMENT, INC.	ELIASON PROJECT SUPP	526.96
06/01/2018	306248	FIRE DEPARTMENT TRAINING NETWORK	FIRE OPS TRAINING	1,175.00
06/01/2018	306249	FLETCHER ENTERPRISES	PAINTING SERVICES	1,800.00
06/01/2018	306250	FOSTER, MARY	TRIP REFUND	1,689.00
06/01/2018	306251	FOSTER, ROBERT	TRIP REFUND	1,689.00
06/01/2018	306252	FRAZIER, CARLOTTA	TENT FEE REFUND	150.00
06/01/2018	306253	GEOTECH ENVIRONMENTAL EQUIPMENT	GAS MONITORING EQUIP	12,077.90
06/01/2018	306254	GHERARDI, PATRICIA	TRIP REFUND	113.00
06/01/2018	306255	GIBSON, ROBERT	LOUKAL BASIC BICYCLE TRNG	55.56
06/01/2018	306256	GORDON FOOD SERVICE	RAMONA CONCESSIONS	161.41

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Check Date	Check	Vendor Name	Description	Amount
06/01/2018	306257	GRANDSTAFF, ANNE	TRIP REFUND	297.00
06/01/2018	306258	HCG PORTAGE	DUPLICATE PMT	28,959.14
06/01/2018	306259	HENDRICKS, MARY	DAMAGE DEPOSIT REFUND	50.00
06/01/2018	306260	HENSON, DEREK	EMPLOYEE REIMBURSEMENT	123.95
06/01/2018	306261	HOME DEPOT	FIRE FACILITY MAINT	1,122.39
06/01/2018	306262	HOOVER, GAIL	TRIP REFUND	118.00
06/01/2018	306263	HOPKINS FUNDRAISING CONSULTING	SENIOR CENTER FUNDRAISER	6,000.00
06/01/2018	306264	HUNAUT, ASHLEY	DAMAGE DEPOSIT REFUND	150.00
06/01/2018	306265	JAC'S CEKOLA'S PIZZA	PROGRAM PAYMENT	343.44
06/01/2018	306266	JAGER, ASHLEY	PICKLEBALL REFUND	30.00
06/01/2018	306267	KAL COUNTY FIRE CHIEFS ASSOC.	FIRE OPS TRAINING	200.00
06/01/2018	306268	KALAMAZOO COUNTY HEALTH & COMMUNITY	2017-18 HHW PROGRAM	4,051.53
06/01/2018	306269	KALAMAZOO FLAG COMPANY	FLAGS	412.00
06/01/2018	306270	KALAMAZOO LANDSCAPE SUPPLIES	TOP SOIL	1,288.00
06/01/2018	306271	KINGSCOTE CHEMICALS INC.	MISC SUPPLIES	49.09
06/01/2018	306272	KZOO TIRE COMPANY	TIRES AND TIRE REPAIR	2,260.50
06/01/2018	306273	LEXISNEXIS RISK SOLUTIONS	ACCURINT CHARGES	150.00
06/01/2018	306274	MICHIGAN POWER CLEANING	MAINTENANCE	858.75
06/01/2018	306275	MLIVE MEDIA GROUP	ADVERTISEMENTS	1,674.79
06/01/2018	306276	MOSES FIRE EQUIPMENT, INC.	FIRE TRAINING SUPPLIES	2,429.22
06/01/2018	306277	MOTOROLA SOLUTIONS, INC.	FIRE RADIO SOFTWARE	184.40
06/01/2018	306278	NETWORKFLEET, INC.	MONTHLY GPS SERVICE	375.69
06/01/2018	306279	OAKLAND COMMUNITY COLLEGE	DNA UPDATE CLASS	100.00
06/01/2018	306280	OFFICE DEPOT, INC.	OFFICE SUPPLIES	818.17
06/01/2018	306282	OSBORN, MICHAEL	TRIP REFUND	875.00
06/01/2018	306283	PHILLIPS, KIMBERLY	TRAVEL ADVANCE	150.00
06/01/2018	306284	PORTAGE ROTARY	PORTAGE ROTARY ANNUAL	225.00
06/01/2018	306285	PRINTING SERVICES INC	MOVIE BANNERS	256.00
06/01/2018	306286	RATHCO SAFETY SUPPLY, INC.	SIGNS AND SIGN MATERIAL	25.00
06/01/2018	306287	ROE, AUDREY	TRIP REFUND	90.00
06/01/2018	306288	SCHAU, RANDALL	PROGRAM PAYMENT	75.00
06/01/2018	306289	SCHIPPERS, JUDI	DAMAGE DEPOSIT REFUND	150.00

ACCOUNTS PAYABLE REGISTER

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Check Dates From: 5/20/2018 To: 6/3/2018

Check Date	Check	Vendor Name	Description	Amount
06/01/2018	306290	SCHOTT, RICK & PAULETTE	TRIP REFUND	130.00
06/01/2018	306291	SCHUMACHER, MICHAEL	DNA UPDATE TRAINING	20.00
06/01/2018	306292	SIMON, VIRGINIA	TRIP REFUND	118.00
06/01/2018	306293	SPRING CREST CUSTOM DRAPERIES	WINDOW SHADES	900.00
06/01/2018	306294	STATE INDUSTRIAL PRODUCTS CORP	PARTS WASHING FLUID	895.74
06/01/2018	306295	STATE OF MICHIGAN (MDEQ)	CSWO, SESC, PRD EXAM	95.00
06/01/2018	306296	STATE SYSTEMS RADIO, INC	RADIO INSTALLATIONS	995.50
06/01/2018	306297	STEENSMA LAWN & POWER EQUIPMENT	REPAIR AND MAINTENANCE	766.41
06/01/2018	306298	SWEARINGEN, MARIAN	TRIP REFUND	200.00
06/01/2018	306299	SWT EXCAVATING, INC	SIDEWALK REPAIRS	16,387.02
06/01/2018	306300	TRIFECTA NETWORKS, LLC	REPLACEMENT CONFERENCE	510.00
06/01/2018	306301	UNION STREET HYDRAULICS	TINK CYLINDER REPAIR	520.00
06/01/2018	306302	UNITED PARTY & EVENT SERVICES	SOUND FOR MOVIE	600.00
06/01/2018	306303	USA TODAY	USA TODAY FOR LOBBY	29.00
06/01/2018	306304	WENSTRUP, CATHY	TRIP REFUND	105.00
06/01/2018	306305	WILLIAMS ASSOCIATES ARCHITECTS, LTD	ARCHITECT FIRE ST. #	37,720.22
06/01/2018	306306	WORLDPOINT ECC	FIRE TRAINING SUPPLIES	2,746.96
06/01/2018	306307	GERALD K. DEBOER	UMPIRE PAYROLL 5/28/18	210.00
06/01/2018	306308	HARMON, JAMIE	EMPLOYEE TRAINING	500.00
06/01/2018	306309	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL	5,898.00
06/01/2018	306310	ROBINSON, KEVIN	UMPIRE PAYROLL 5/28/18	161.00
			Total Paper Check:	326,493.02

Check Type: Auto-Pay Payments

05/21/2018	6494	CONSUMERS ENERGY	GAS-ELECTRIC	561.67
05/22/2018	6497	CONSUMERS ENERGY	GAS-ELECTRIC	2,897.82
05/23/2018	6510	CONSUMERS ENERGY	GAS-ELECTRIC	239.34
05/25/2018	6526	CONSUMERS ENERGY	GAS-ELECTRIC	561.76
05/31/2018	6535	CITY OF PORTAGE	WATER-SEWER	5,654.77
			Total Auto-Pay Payments:	9,915.36

Grand Total:	1,193,871.79
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TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Social Host Ordinance

SUPPORTING PERSONNEL: Adam Herringa, City Clerk
Nicholas Arnold, Director of Public Safety - Police / Fire Chief

ACTION RECOMMENDED: Accept the proposed "Social Host Ordinance" which modifies Section 50-112, Disorderly Places, of Article 4, Chapter 50 of the City of Portage Code of Ordinances for first reading and set a second reading with final adoption on July 10, 2018.

The concept of a "Social Host Ordinance" was first introduced as an idea during the 2016-2017 session of the Youth Advisory Committee (YAC). Discussion on the abuse of alcohol by youth in the community and steps that could be taken to address the problem. YAC members are involved in alcohol awareness campaigns with the Kalamazoo County Substance Abuse Task Force (KCSATF), but want to facilitate a bigger and more tangible measure. In particular, the YAC determined to focus on creation of an ordinance that would help curb dangerous alcohol consumption among minors in the community and hold those responsible for hosting situations that permitted or encouraged alcohol use and abuse by minors. The YAC took the first steps toward creating a Social Host Ordinance by meeting with Director of Public Safety Nicholas Arnold along with other representatives of the Department of Public Safety. Following favorable support from the Department of Public Safety, the YAC met with Assistant City Attorney Charles Bear to discuss drafting of the proposed ordinance. Rather than create an entire new ordinance, Attorney Bear recommended reviewing, updating and clarifying Chapter 50, Article 4, Section 50-112, Disorderly Places. After several revisions and subsequent review by the Department of Public Safety, the YAC voted unanimously on May 7, 2018, to request that City Council adopt the proposed ordinance.

Among teen substance abuse, alcohol remains the most prevalent in Kalamazoo County. According to the KCSATF 19.9% of high school students report using alcohol within the last 30 days compared to 16.6% for marijuana and 3.6% for tobacco. A Social Host Ordinance draws attention to alcohol use and abuse by students and those adults who encourage or permit alcohol use by minors. The Portage Department of Public Safety reports that officers are called in response to large social gatherings of minors at which alcohol is present several times per year. Passage of the Social Host Ordinance provides officers another tool with which to address underage drinking in the community and those who host the parties. With the addition of this tool for Public Safety and an annual awareness campaign to coincide with high school graduations (*Portager* articles, press releases and on-going KCSATF partnership) to accompany passage of the Social Host Ordinance, it is believed that the health and safety of minors in the community will be positively impacted. The image for the current alcohol awareness campaign of the KCSATF, "Don't Let Alcohol Take Control," was designed by a member of the YAC. Adam Herringa is currently the chairperson of the Kalamazoo County Substance

Abuse Task Force.

The proposed Social Host Ordinance does not make it illegal to furnish alcohol to individuals under the age of 21. This is already illegal (though every state has certain exceptions). The ordinance does make it illegal to provide an environment where underage drinking by groups of minors takes place.

Portage, like other communities across the county, state and nation, is not immune to the health and safety problems associated with underage drinking. The most recent *Community Action Report* by the KCSATF provides the following sobering statistics about alcohol use in Kalamazoo County:

- 13.5 years old is the average age of first alcohol use by Kalamazoo County high school students
- 5% of middle school students report using alcohol within the last 30 days
- 19.9% of high school students report using alcohol within the last 30 days
- 36% of middle school students obtain alcohol because someone (non-family member) provided it
- 48% of high school students obtain alcohol because someone (non-family member) provided it
- Research shows that youth who start drinking before age 15 are four (4) times more likely to meet the criteria for alcohol dependence at some point in their life

Council approval of the social host ordinance will be a meaningful and significant step forward in preventing underage drinking, which will help promote safety and responsibility in Portage.

FUNDING: N/A

Attachments:

1. Social Gathering Ordinance REDLINE
2. Social Gathering Ordinance FINAL

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING SECTION 50-112 OF ARTICLE 4,
OFFENSES AGAINST PUBLIC PEACE AND ORDER, OF CHAPTER 50, OFFENSES AND
MISCELLANEOUS PROVISIONS

THE CITY OF PORTAGE ORDAINS:

That Section 50-112, Disorderly Places Generally, of Article 4, Chapter 50 shall be amended as follows:

Sec. 50-112. – **Social gatherings.** ~~Disorderly places generally.~~

- (a) *Prohibited conduct.* **Except as permitted by state law, no person shall permit, allow, or host a party, gathering, or event at his or her place of residence or other private property, place, or premises under his or her control where three (3) or more other individuals, who are not members of the person's immediate family, are present and No person shall knowingly maintain a disorderly place or knowingly allow or permit any premises occupied or controlled by the person to become a disorderly place, when, during a social gathering of persons, any of the following activities occur:**
- (1) The possession or consumption of any alcoholic beverage or controlled substance by a minor;
 - (2) The possession or consumption of any unlawful controlled substance by any person or the presence of any unlawful controlled substances or drug paraphernalia;
 - ~~(3) The creation of noise resulting from:~~
 - ~~a. Fighting, brawling or tumultuous behavior; or~~
 - ~~b. Yelling or shouting; or~~
 - ~~c. Depositing, throwing or placing trash, refuse or other material or in any manner littering on the property of another from the premises.~~
 - (3) Disturbing the peace pursuant to Section 50-116 of this code;**
 - (4) Depositing, throwing or placing trash, refuse or other material or in any manner littering on the property of another from the premises.**
- (b) *Presumption regarding consumption of alcoholic beverage by minor.* The presence of any alcoholic beverages or any empty glasses, cups, cans or other receptacles which had contained alcoholic beverages on the premises and close to any minor who has an odor of alcohol on his breath creates a rebuttable presumption that the minor was in possession of or consuming an alcoholic beverage for the purpose of this section. A preliminary breath analysis of any person located upon the premises is **admissible** ~~admissible~~ as evidence.
- ~~(c) *Liability for violation.* An owner, landlord or lessee of the premises who willfully permits a violation of this section but who is not present upon the premises when the offense occurs shall be guilty of a civil infraction and subject to a fine in an amount not to exceed \$500.00. A rebuttable presumption is created that an owner, landlord or lessee of the premises has willfully permitted a violation of this section under the following circumstances:~~
- ~~(1) An owner or lessee of the premises has received two notices within the prior two year period that a person left in possession of the premises by the owner or lessee has violated the provisions of this section.~~

~~(2) A landlord of the premises has received two notices within the prior two-year period that a lessee or landlord has violated the provisions of this section, and the landlord failed to commence and/or complete summary proceedings for eviction based on the prior violations of this section. The prohibitions of Section 50-112 (a) shall not apply to conduct involving the use of alcohol which occurs exclusively between a minor child and his or her parent or legal guardian; the use, consumption, or possession of a controlled substance by an individual pursuant to a lawful prescription; the medical use of marihuana by a registered qualifying patient or the possession of paraphernalia used by a registered qualifying patient in the medical use of marihuana pursuant to the Michigan Medical Marihuana Act, MCL 333.26421, et seq., or, to the use, consumption, or possession of an alcoholic beverage by a minor for religious purposes.~~

(d) *Liability of absent owner or landlord.* An owner, landlord or lessee of the premises who willfully permits a violation of this section but who is not present upon the premises when the offense occurs shall be guilty of a civil infraction and subject to a fine not to exceed \$500.00. A rebuttable presumption is created that an owner, landlord or lessee of the premises has willfully permitted a violation of this section under the following circumstances:

- (1) An owner or lessee of the premises has received two notices within the prior two-year period that a person left in possession of the premises by the owner or lessee has violated the provisions of this section.
- (2) A landlord of the premises has received two notices within the prior two-year period that a lessee or landlord has violated the provisions of this section, and the landlord failed to commence and/or complete summary proceedings for eviction based on the prior violations of this section.

~~*Payment for police services.* Any person who violates subsection (a) or (c) of this section, in addition to the penalties imposed under those subsections, shall be civilly liable to the city for the police services required to return the premises to order.~~

(e) *Definitions.* For purposes of this section:

Alcoholic Beverage means any beverage suitable for human consumption containing $\frac{1}{2}$ of 1% or more alcohol by volume.

Controlled Substance means any drug, substance, or immediate precursor as designated and listed in Schedules 1 through 5 of the Michigan Public Health Code, being Public Act 368 of 1978, as may from time to time be amended.

Disturbing the Peace means any or all of the following: a disturbance, fight or quarrel that causes or tends to cause a breach of the peace; any unusual or unnecessarily loud noise, shouting, or yelling such volume or of such nature as to cause annoyance to persons of ordinary sensibility, or otherwise disturb the public peace and quiet; or, the use of threatening, abusive, profane or indecent language likely to cause annoyance, disturbance or vexation to persons of ordinary sensibility, or likely to provoke another to fight.

Drug paraphernalia means equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating,

growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, concealing, containing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.

Immediate Family means the spouse, parent, legal guardian, child, or sibling of the owner, tenant, or occupant of the residence or premises, or other real property.

Person means any individual, association, partnership or corporation, and includes any officer, employee or representative of such individual, association, partnership or corporation.

Premises means a home, apartment, condominium, structure or other dwelling unit or meeting room or hall, whether occupied on a temporary basis or permanent basis, whether occupied as a dwelling or for a social function, including the yard or grounds of such premises.

Dated: _____

Patricia M. Randall, Mayor

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**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING SECTION 50-112 OF ARTICLE 4,
OFFENSES AGAINST PUBLIC PEACE AND ORDER, OF CHAPTER 50, OFFENSES AND
MISCELLANEOUS PROVISIONS**

THE CITY OF PORTAGE ORDAINS:

That Section 50-112, Disorderly Places Generally, of Article 4, Chapter 50 shall be amended as follows:

Sec. 50-112. - Social gatherings.

- (a) *Prohibited conduct.* Except as permitted by state law, no person shall permit, allow, or host a party, gathering, or event at his or her place of residence or other private property, place, or premises under his or her control where three (3) or more other individuals, who are not members of the person's immediate family, are present and any of the following activities occur:
 - (1) The possession or consumption of any alcoholic beverage or controlled substance by a minor;
 - (2) The possession or consumption of any unlawful controlled substance by any person or the presence of any unlawful controlled substances or drug paraphernalia;
 - (3) Disturbing the peace pursuant to Section 50-116 of this code;
 - (4) Depositing, throwing or placing trash, refuse or other material or in any manner littering on the property of another from the premises.
- (b) *Presumption regarding consumption of alcoholic beverage by minor.* The presence of any alcoholic beverages or any empty glasses, cups, cans or other receptacles which had contained alcoholic beverages on the premises and close to any minor who has an odor of alcohol on his breath creates a rebuttable presumption that the minor was in possession of or consuming an alcoholic beverage for the purpose of this section. A preliminary breath analysis of any person located upon the premises is admissible as evidence.
- (c) *Penalties for violation.* A violation of this section shall constitute a misdemeanor punishable by a fine of \$500.00 or by imprisonment for a period of not to exceed 90 days, or by both fine and imprisonment. The prohibitions of Section 50-112 (a) shall not apply to conduct involving the use of alcohol which occurs exclusively between a minor child and his or her parent or legal guardian; the use, consumption, or possession of a controlled substance by an individual pursuant to a lawful prescription; the medical use of marihuana by a registered qualifying patient or the possession of paraphernalia used by a registered qualifying patient in the medical use of marihuana pursuant to the Michigan Medical Marihuana Act, MCL 333.26421, *et seq.*, or, to the use, consumption, or possession of an alcoholic beverage by a minor for religious purposes.
- (d) *Liability of absent owner or landlord.* An owner, landlord or lessee of the premises who willfully permits a violation of this section but who is not present upon the premises when the offense occurs shall be guilty of a civil infraction and subject to a fine not to exceed \$500.00. A rebuttable presumption is created that an owner, landlord or lessee of the premises has willfully permitted a violation of this section under the following circumstances:

- (1) An owner or lessee of the premises has received two notices within the prior two-year period that a person left in possession of the premises by the owner or lessee has violated the provisions of this section.
- (2) A landlord of the premises has received two notices within the prior two-year period that a lessee or landlord has violated the provisions of this section, and the landlord failed to commence and/or complete summary proceedings for eviction based on the prior violations of this section.

(e) *Definitions.* For purposes of this section:

Alcoholic Beverage means any beverage suitable for human consumption containing $\frac{1}{2}$ of 1% or more alcohol by volume.

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Disturbing the Peace means any or all of the following: a disturbance, fight or quarrel that causes or tends to cause a breach of the peace; any unusual or unnecessarily loud noise, shouting, or yelling such volume or of such nature as to cause annoyance to persons of ordinary sensibility, or otherwise disturb the public peace and quiet; or, the use of threatening, abusive, profane or indecent language likely to cause annoyance, disturbance or vexation to persons of ordinary sensibility, or likely to provoke another to fight.

Drug paraphernalia means equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, concealing, containing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.

Immediate Family means the spouse, parent, legal guardian, child, or sibling of the owner, tenant, or occupant of the residence or premises, or other real property.

Person means any individual, association, partnership or corporation, and includes any officer, employee or representative of such individual, association, partnership or corporation.

Premises means a home, apartment, condominium, structure or other dwelling unit or meeting room or hall, whether occupied on a temporary basis or permanent basis, whether occupied as a dwelling or for a social function, including the yard or grounds of such premises.

Dated: _____

Patricia M. Randall, Mayor

FIRST READING:

SECOND READING: .

ORDINANCE #:

EFFECTIVE DATE:

CERTIFICATION

I, Adam Herringa, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2018.

Adam Herringa, City Clerk

PREPARED BY:
Charles R. Bear (P34107)
Portage Assistant City Attorney
1662 East Centre Avenue
Portage, MI 49002
(269) 323-8812

Approved as to Form:

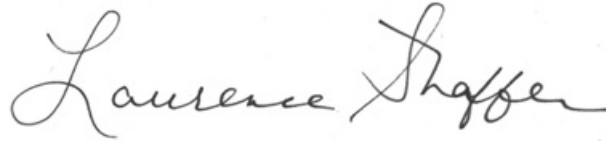
Date: 6/21/2018

City Attorney

z:\jody\portage\ord\SocialHostOrdinance18.6-21.docx

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Class C Liquor License for Black Rock Bar and Grill (603 Trade Centre Way)

SUPPORTING PERSONNEL: Adam Herringa, City Clerk

ACTION RECOMMENDED: Adopt the Resolution granting the request from Black Rock Bar and Grill at 603 Trade Centre Way for a Class C Liquor License.

Representatives of Black Rock Bar and Grill at 603 Trade Centre Way have requested Portage City Council consideration of the attached Resolution for a Class C Liquor License. Black Rock Bar and Grill currently has a Resort Tavern Liquor License permitting the sale of beer and wine; however, the establishment would like to serve spirits as well, which is permissible with a Class C Liquor License. Final approval by the Michigan Liquor Control Commission (MLCC) of a Class C license is contingent upon approval of the local governing body. Black Rock Bar and Grill is set to open by the end of June.

The Community Development, Finance and Public Safety departments recently completed administrative approvals for this request. Therefore, it is recommended that City Council adopt the Resolution granting the request from Black Rock Bar & Grill at 603 Trade Centre Way for a Class C Liquor License.

FUNDING: N/A

Attachments:

1. MLCC Black Rock Resolution
2. E-mail from CFO Krol to City Clerk Herringa



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the Portage City Council council/board
(regular or special) (township, city, village)
called to order by Mayor Randall on 6/26/2018 at 7:00 p.m.
(date) (time)
the following resolution was offered:

Moved by _____ and supported by _____

that the application from CBJ Sizzle, LLC (Black Rock Bar and Grill)

(name of applicant - if a corporation or limited liability company, please state the company name)

for the following license(s): Class C Liquor License

(list specific licenses requested)

to be located at: 603 Trade Centre Way, Portage, MI 49002

and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it Recommends this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the City
council/board at a Regular meeting held on June 26, 2018 (township, city, village)
(regular or special) (date)

Adam Herringa

June 26, 2018

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059

Adam Herringa

From: Jeremy Krol <jkrol@cbjsizzle.com>
Sent: Thursday, June 14, 2018 11:58 AM
To: Adam Herringa
Cc: Caleb Ward; kent ward; Brian Carmody; Jeffrey Carmody
Subject: RE: Class C License - Portage
Attachments: MLCC Form.pdf

Importance: High

Good afternoon Adam

Per our discussion this morning, our BlackRock Bar and Grill in Portage MI received it's Resort Tavern liquor license from the MLCC today.

However, we are in the process of changing this license to a Class C license in order for us to serve 'spirits'.

The paperwork with the MLCC was filed today for this change but we require the attached Local Government Approval form to be completed by your office.

As you indicated, the next council meeting is scheduled for June 26 and we request that our transfer be included on the agenda.

Please let me know what (if any) additional information you require in order to move this forward.

Thank you

Jeremy J. Krol

CFO
CBJ Sizzle, LLC
PO Box 609
Milford, MI 48381-9998
248.830.2307 (Cell)

CONFIDENTIALITY NOTICE: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company. Finally, the recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.

From: Adam Herringa [mailto:herringa@portagemi.gov]
Sent: Thursday, June 14, 2018 10:25 AM
To: Jeremy Krol <jkrol@cbjsizzle.com>
Subject: Class C License - Portage

Pleasure speaking with you. My contact information is below:

Adam Herringa

City Clerk
Office of the City Clerk
City of Portage, Michigan
herringa@portagemi.gov
(269) 329-4512 (phone)
(269) 324-8070 (fax)

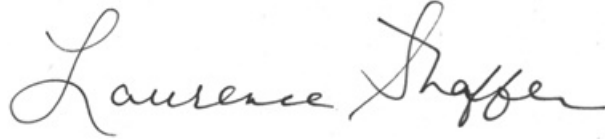
I will be at a conference for most of next week. If I am unavailable you may also work with:

Erica Eklov
Deputy City Clerk
City of Portage | Office of the City Clerk
7900 South Westnedge Avenue | Portage, MI 49002
office (269) 329-4513 | fax (269) 324-8070
www.portagemi.gov

CONFIDENTIALITY: Pursuant to the Electronic Communications Privacy Act of 1986, 18 U.S.C. Sec. 2510, et seq. (the "ECPA"), notice is given that the information or documents in this electronic message are legally privileged and confidential information, intended only for the use of the individual or entity to whom it is sent. If you are not the intended recipient, please be aware that any disclosure, distribution, use or copying of the contents of this message is prohibited. If you have received this message in error, notify the sender immediately by return mail or contact helpdesk@portagemi.gov and delete this message and any attachments from your system. Thank you.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Final Plan for the Selinon Park Planned Development, 1521, 1603 and 1615 East Centre Avenue

SUPPORTING PERSONNEL: Chris Forth, Acting Director, Department of Community Development

ACTION RECOMMENDED: Re-approve the Final Plan for the Selinon Park Planned Development at 1521, 1603 and 1615 East Centre Avenue.

On March 22, 2016, City Council approved the rezoning and tentative plan/narrative for the Selinon Park Planned Development at 1521, 1603 and 1615 East Centre Avenue. The development includes 74 affordable apartment/townhome units constructed in three buildings, one manager's unit located in an existing historic district structure and associated site improvements on the approximate 10.7 acre property. On September 20, 2016, City Council then approved the final plan. However, construction did not commence within the required 120-day time period, and the final plan approval expired. The final plan was resubmitted and subsequently approved by City Council on September 12, 2017. The plan approval expired again since construction did not commence.

According to the applicant, Carl Kunda of Full Circle Communities, the delays in construction have been the result of initial disapprovals by the Michigan State Housing Development Authority (MSHDA) for low income housing tax credits. Approval from MSHDA was recently obtained and the final plan is being re-submitted to the city for re-approval. Full Circle Communities has submitted the final plan with only minor changes from the September 2017 City Council approval. These changes involve a slight decrease in the total building footprint, a slight increase in the overall square footage of the multiple story buildings and technical design modifications to the on-site storm water system.

In a June 7, 2018 report, the Department of Community Development concluded that the Final Plan for Selinon Park has been designed in substantial conformance with the approved tentative plan/narrative, and is recommended for re-approval subject to finalization of engineering details associated with the private storm water system.

The Planning Commission reviewed the Final Plan during its June 7, 2018 meeting. Carl Kunda was present to support the application and explain the delays in construction associated with the MSHDA approval of low income housing tax credits for the project. No citizens spoke during the meeting and no written communications were received from area residents or interested citizens. The Commission voted unanimously to recommend to City Council that the Final Plan for Selinon Park be approved subject to finalization of engineering details associated with the private storm water system.

Since the June 7, 2018 Planning Commission meeting, the applicant has revised the Final Plan to

address the remaining engineering details associated with the private storm water system. Therefore, this condition of approval is no longer necessary.

FUNDING: Not Applicable

Attachments:

1. June 14, 2018 Planning Commission transmittal
2. June 7, 2018 DRAFT Planning Commission minutes
3. June 7, 2018 Community Development staff report

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: June 14, 2018

SUBJECT: Final Plan (re-approval) for Selinon Park, 1521, 1603 and 1615 East Centre Avenue.

During the June 7, 2018 meeting, the Planning Commission reviewed and discussed the Final Plan Re-Approval for the Selinon Park Planned Development proposed on property addressed as 1521, 1603 and 1615 East Centre Avenue. Mr. Carl Kunda of Full Circle Communities was present to support the final plan re-approval request and explain the reasons for the delay in construction of the project which involves 74 affordable apartment units within three buildings, an on-site manager residence and associated site improvements. No citizens spoke regarding the proposed development.

After careful consideration, a motion was made by Commissioner Joshi, seconded by Commissioner Place, to recommend to City Council that the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue, be re-approved subject to finalization of engineering details associated with the private storm water system. The motion was unanimously approved 9-0.

Sincerely,


Wayne Stoffer
Chairman

PLANNING COMMISSION

June 7, 2018

 DRAFT

The City of Portage Planning Commission meeting of June 7, 2018 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Two citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Stoffer led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

Michael West, Senior City Planner and Randy Brown, City Attorney.

ROLL CALL:

Mr. West called the roll: Corradini (yes), Harrell-Page (yes), Place (yes), Joshi (yes), Schimmel (yes), Stoffer (yes), Patterson (yes), Baldwin (yes) and Pezzoli (yes). All Commissioners were present. Chairman Stoffer welcomed Commissioner Paul Pezzoli to the Planning Commission.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the May 17, 2018 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Joshi, to approve the minutes as submitted. The motion was unanimously approved 9-0.

SITE/FINAL PLANS:

1. Final Plan: Selinon Park, 1521, 1603 and 1615 East Centre Avenue (reapproval). Mr. West summarized the June 7, 2018 revised staff report regarding a request from Full Circle Communities to reapprove the final plan for the Selinon Park Planned Development. Mr. West stated the final plan was previously reviewed and recommended for approval by the Planning Commission, and subsequently approved by City Council, twice before in September 2016 and August/September 2017. However and since construction did not commence within 120 days, Mr. West indicated the approvals have since expired. Mr. West indicated the reason for the delay in construction has been previous disapprovals from MSHDA for low income housing tax credits. Mr. West stated the applicant has recently received approval from MSHDA and is requesting reapproval of the final plan with only minor changes from the 2017 approval. Mr. West indicated the size of the 3-story building has been decreased slightly, while the size of the two 2-story buildings has been increased slightly. Mr. West discussed the review by the Historic District Commission (yesterday – June 6th) of the applicant's proposal to utilize the historic house located at 1521 East Centre Avenue as a manager residence: Item was adjourned to the July 11th meeting pending receipt of additional information from the applicant. Mr. West also briefly discussed minor changes to the private storm water system which were being finalized between the applicant and the Department of Transportation and Utilities. Mr. West indicated that staff was recommending reapproval of the final plan subject to finalization of engineering details associated with the private storm water system.

Carl Kunda of Full Circle Properties (applicant) was present to support the application and discuss the development project. Mr. Kunda explained the reasons for the delay in construction, the MSHDA review process and thanked the Commission and the city for their patience with this project. Mr. Kunda discussed the recent approval from MSHDA and the aggressive time schedule to close on the properties in August and begin construction in September.

After a brief discussion, a motion was made by Commissioner Joshi, seconded by Commissioner Place, to recommend to City Council that the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue, be reapproved subject to finalization of engineering details associated with the private storm water system. The motion was unanimously approved 9-0.

TO: Planning Commission**DATE:** June 7, 2018**FROM:** Christopher Forth, Acting Director of Community Development**SUBJECT:** Re-approval of the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue**I. INTRODUCTION:**

On March 22, 2016, City Council approved the PD rezoning application and tentative plan submitted by Full Circle Communities to construct the Selinon Park Planned Development (PD) at 1521, 1603 and 1615 East Centre Avenue. A copy of the approved tentative plan for the Selinon Park PD is attached. The Selinon Park PD proposes construction of 74 affordable apartment/townhome rental units constructed in three buildings (one 3-story building and two 2-story buildings), one unit for an on-site manager, and associated site improvements on the approximate 10.7 acre property. The development will provide one, two, three and four bedroom units with local, state and federal funding sources proposed to finance the development. The single-family residential dwelling located at 1521 East Centre Avenue is located in a Portage Historic District and the applicant intends to use the dwelling as a manager residence.

The final plan to construct Selinon Park was recommended for approval by the Planning Commission on September 1, 2016 and subsequently approved by City Council on September 20, 2016. However, construction did not commence within the required time period (120 days) and, as a result, final plan approval expired. The final plan was then resubmitted, reviewed and recommended for approval by the Planning Commission on August 17, 2017 and subsequently approved by City Council on September 12, 2017, but the plan has again expired since construction did not commence within the required 120 day time period.

Attached is a letter from Carl Kunda, Full Circle Communities, requesting the final plan be considered for approval. Full Circle Communities has applied several times to the Michigan State Housing Development Authority (MSHDA) for low income housing tax credits (LIHTC) and has finally been successful. Based on feedback from MSHDA, 8 units will be designated for market rate rents, while the remaining 66 units will be provided at affordable rental rates for households with incomes at or below 60% of the area median income. Full Circle Communities has resubmitted the final plan will only two minor changes from the August 2017 approval: 1) The total square footage of the buildings has increased by 4,500 square feet, from 71,326 square feet to 75,826 square feet, to accommodate accessibility features; and 2) The overall building footprint has decreased by 820 square feet, from 39,570 square feet to 38, 750 square feet, with a slight increase in open space.

With regard to the historic dwelling located at 1521 East Centre Avenue, on February 3, 2016, the Historic District Commission reviewed the proposed development and was supportive of the use of the residential structure located at 1521 East Centre Avenue as a manager residence, subject to some minor conditions including relocation of the existing barn structure from the 1603 East Centre Avenue parcel to the 1521 East Centre Avenue parcel and installation of new gravel driveway section to the residential structure. These improvements are illustrated on the final plan sheets.

On June 6, 2018, the Historic District Commission considered the applicant's request for a Certificate of Appropriateness and adjourned the matter to the July 11, 2018 meeting pending receipt of additional information from the applicant.

II. FINAL PLAN

The final plan for Selinon Park has been designed in substantial conformance with the approved tentative plan/narrative. Access to the site will be provided through a full service driveway from East Centre Avenue. Consistent with the approved tentative plan, the southern 3-story building will be setback approximately 80-feet from East Centre Avenue and between 49-69 feet from the east property line, while the northern 2-story buildings will be setback approximately 60-feet from the east property line and 119-feet from the west property line. These buildings will include varied rooflines and will be constructed of high-quality, durable materials intended to reduce maintenance and replacement costs. Exterior building materials will include brick, masonry and fiber cement sidings in various colors and textures.

Parking lots associated with the apartment/townhome buildings will be setback approximately 70-feet from the west property line and 10-feet from the east property line. While a total of 150 parking spaces are required for the development, the applicant is proposing to construct 92 parking spaces and defer 62 parking spaces in greenspace for possible future use, if needed. The applicant provided information in the approved tentative plan narrative that satisfactorily documents the reduced demand for parking and the likelihood of alternative transportation usage by the tenants of the development.

Storm water runoff associated with the development will be collected and conveyed to a private storm water retention basin situated along the northern portion of the site. An internal pedestrian circulation network consisting of concrete sidewalks will be provided so as to connect the buildings to one another and to the existing sidewalk along East Centre Avenue. Additionally, an 8-foot wide asphalt path will also be constructed along the west side of the development, extending from East Centre Avenue to the northeast corner of the property. This path will eventually connect to East Central Trailway planned along the adjacent Consumers Energy Company property in FY 2019-2020. The applicant has indicated that an easement will be pursued with the owner of 1629 East Centre Avenue in order to complete this trail connection. Finally, municipal water and sanitary sewer will serve the proposed development and all outdoor lighting units will conform to applicable ordinance standards.

III. RECOMMENDATION:

The final plan has been reviewed by the City Administrative departments. Staff advises that the Planning Commission recommend to City Council that the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue, be re-approved subject to finalization of engineering details associated with the private storm water system.

Attachments: Communication from Carl Kunda, Full Circle Communities, dated May 17, 2018
Approved Tentative Plan for the Selinon Park Planned Development
Final Plan Sheets



FULL CIRCLE
communities

May 17, 2018

Mr. Christopher Forth, AICP
Deputy Director of Planning, Development and Neighborhood Services
City of Portage Department of Community Development
7900 S. Westnedge Avenue
Portage, MI 49002

RECEIVED

MAY 17 2018

COMMUNITY DEVELOPMENT

RE: Site Plan Review of Previously Approved Site Plan for Selinon Park

Dear Mr. Forth:

Full Circle Communities respectfully requests that the City of Portage review the site plan for the proposed Selinon Park project located at 1615 E. Centre Avenue. The City of Portage previously reviewed and approved the Final Plan for Selinon Park on August 17, 2017. Due to unforeseen delays with the Michigan State Housing Development Authority (MSHDA), the approval must be updated in accordance with City of Portage requirements.

Since that review minimal changes have been made since the prior approval.

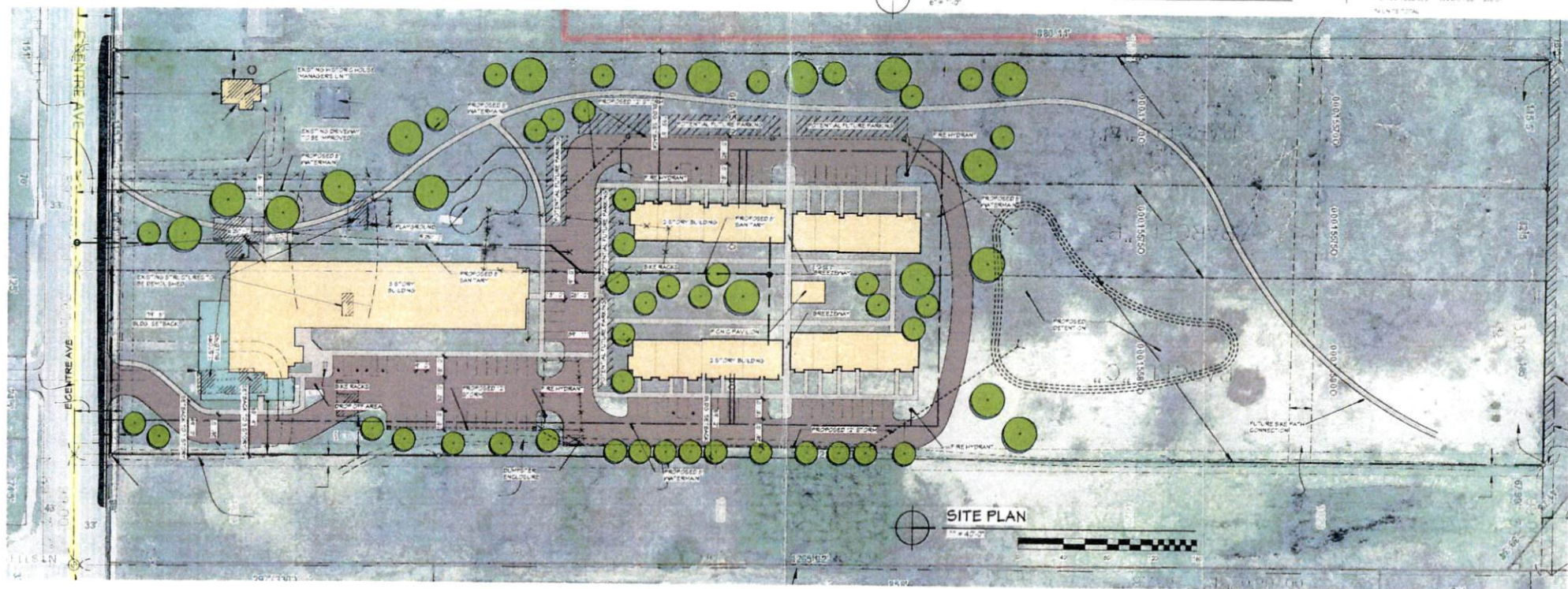
Specifically:

1. Proposed gross residential density or intensity of use: The revised plans call for 75,826 sf, an increase of 4,500 sf, or 6%, from 71,326 sf submitted previously. The project remains at 75 units. The increase is attributable to accommodating accessibility features, and recommendations from our market study.
2. Involve a reduction of the area set aside for common open space: While resident sf has increased, the building footprint has been reduced from 39,570 sf to 38,750 sf, or a net reduction of 820 sf. Common open space has increased 820 sf accordingly.
3. Increase, by more than ten percent, the floor area proposed for nonresidential use: NA
4. Increase, by more than five percent, the total ground area covered by buildings: See above.

Payment is included with this letter, and other application materials have been submitted under separate cover.

Sincerely,

Carl Kunda
Project Manager
Full Circle Communities, Inc.

[illegible]

SELINON PARK

PRELIMINARY
NOT FOR
CONSTRUCTION

OVERALL SITE PLAN
FILL, DREDGE, CONDUIT, TIE
IN, AND PILE-UP

PR-2

Page 2 of 8 4-0861



Property Address:
1601 E. Centre Avenue
Portage, MI 49783

Project Number:
00015-075-0
00015-075-0
00015-075-0

Property Description:
DESCRIPTION OF PARCELS: "COMMITMENT NO. 10306" - 1601 E. CENTRE AVENUE, PORTAGE, MI 49783. THE PARCELS ARE LOCATED IN THE CITY OF PORTAGE, Kalamazoo County, Michigan, being described as follows:

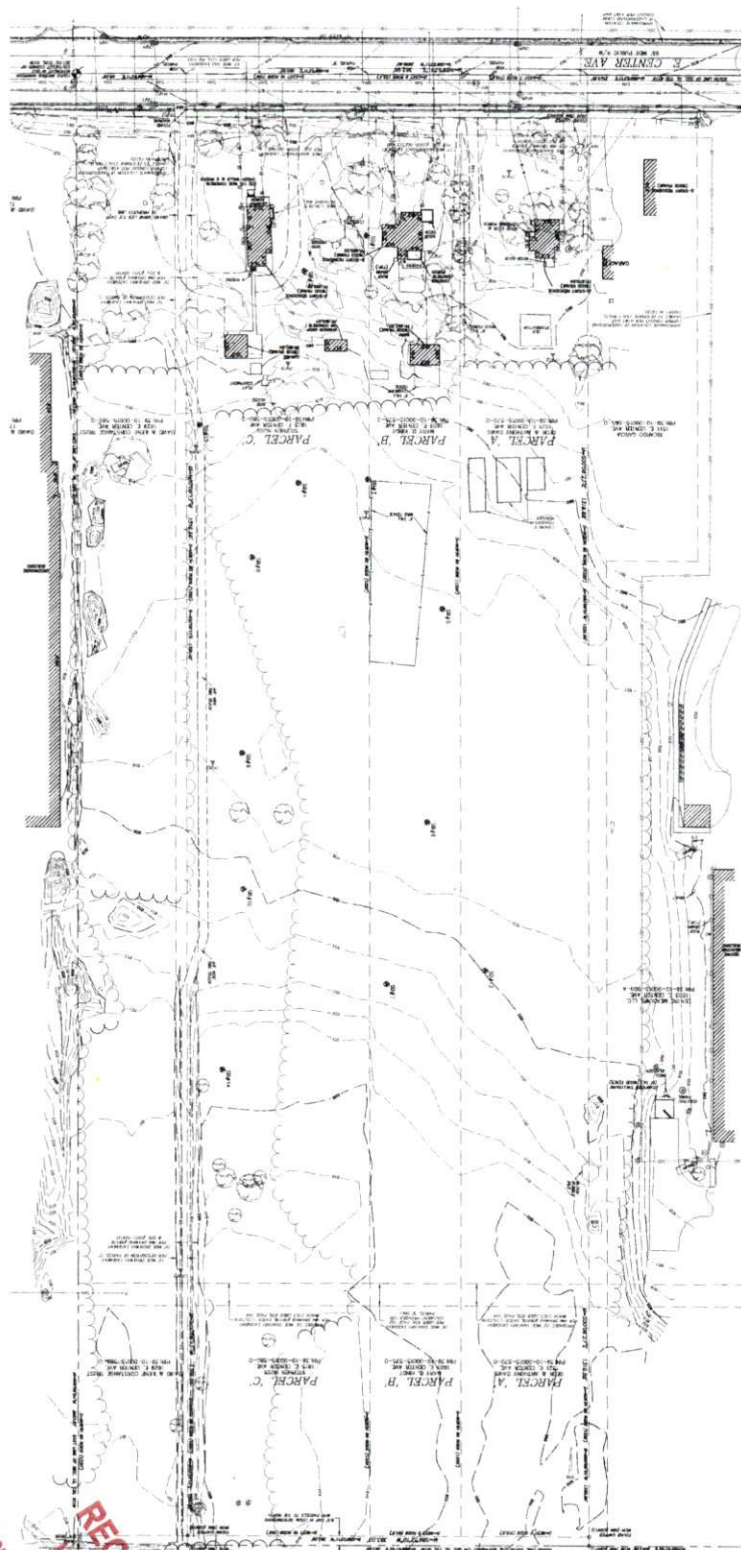
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DESCRIPTION OF PARCELS: "COMMITMENT NO. 10306" - 1601 E. CENTRE AVENUE, PORTAGE, MI 49783. THE PARCELS ARE LOCATED IN THE CITY OF PORTAGE, Kalamazoo County, Michigan, being described as follows:

Property Owner:
Full Circle Communities
310 S. Peoria Street, Suite 500
Chicago, IL 60607
Tel: 312.466.5510
Fax: 312.466.5511

1/2 Acre +/-



Plan Prepared By:
Bruce A. Collins, P.E.
Callen Engineering, Inc.
11333 Spring Lake Road, Suite 110
Spring Lake, Michigan 49456
Tel: 616-240-0080
email: bcollins@callen-engineering.com

H
D
J



Know what's below.
Call before you dig.
DATE OF PLAN: 05-17-18

RECEIVED
MAY 17 2018
COMMUNITY DEVELOPMENT

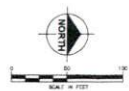
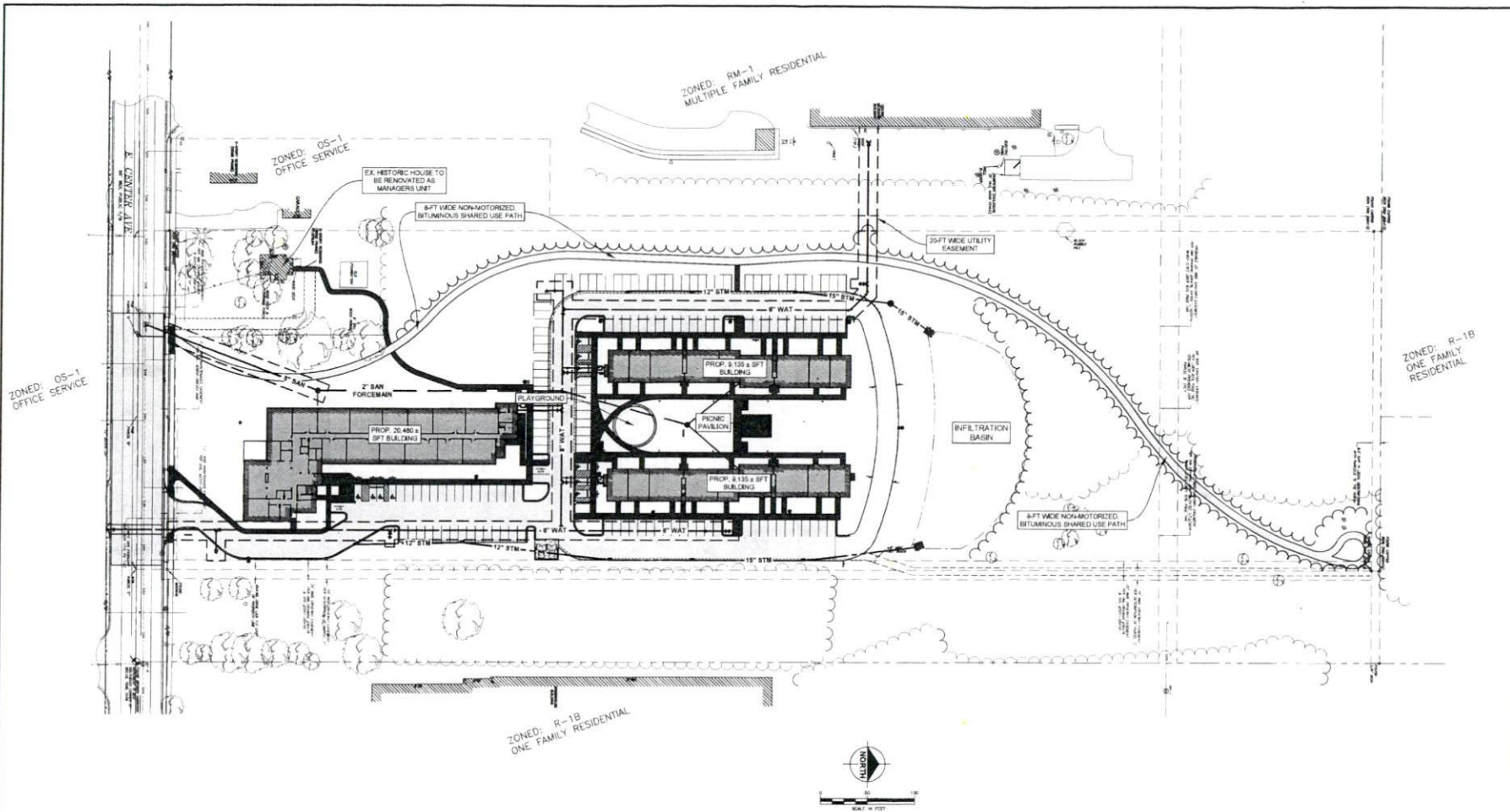
SELINON PARK
1603 E CENTRE AVENUE
CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN
EXISTING CONDITIONS PLAN

NO.	REVISION	BY	DATE
1	SEE PLAN REVIEW COMMENTS	BAC	05-08-18
2	SEE PLAN REVIEW COMMENTS	BAC	05-08-18
3	SEE PLAN REVIEW	BAC	05-17-18

FULL CIRCLE COMMUNITIES
310 S. PEORIA STREET, SUITE 500
CHICAGO, ILLINOIS 60607

Callen Engineering, Inc.
Professional Engineer - Residential
11333 Spring Lake Road, Suite 110
Spring Lake, Michigan 49456
Tel: 616-240-0080
www.callen-engineering.com

C0.1



Know what's below.
Call before you dig.

For indication of underground utilities, the CONTRACTOR shall call 1-800-482-7171 or 811 a minimum of three working days, excluding Saturdays, Sundays and holidays, prior to excavation in the vicinity of utility lines. All "MISS DIG" participating members will thus be routinely notified. This does not release the CONTRACTOR of the responsibility of notifying the utility owners who may not be part of the "MISS DIG" alert system.

DATE OF PLAN: 05-17-18



Plan Prepared By:
Bruce A. Callen, P.E.
Callen Engineering, Inc.
113 W. Scoville St., Suite B
Spring Lake, Michigan 49456
Tel: 616-240-9080
email: bcallen@callenengineering.com



DESIGNED & DRAWING
Underscore & Signature
3/4" Maximum
Number: 100
10/10/18
10/10/18

SELINON PARK
1803 E CENTRE AVENUE
CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN
SITE PLAN

DESIGNED BY	DATE
A.J.D.	MAY 18
CHECKED BY	DATE
B.A.C.	MAY 18
DATE	
SCALE	
AS NOTED	1:1
PROJECT NO.	205 FULL CIRCLE
DATE	
C1.0	

Callen Engineering, Inc.
113 W. Scoville Street, Suite B
Spring Lake, Michigan 49456
Tel: 616-240-9080 Fax: 616-240-9081
www.callenengineering.com

FULL CIRCLE COMMUNITIES
310 S. PEORIA STREET, SUITE 500
CHICAGO, ILLINOIS 60607

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NO.	DATE	DESCRIPTION
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2	05-17-18	ISSUED FOR PERMIT
3	05-17-18	ISSUED FOR PERMIT
4	05-17-18	ISSUED FOR PERMIT
5	05-17-18	ISSUED FOR PERMIT



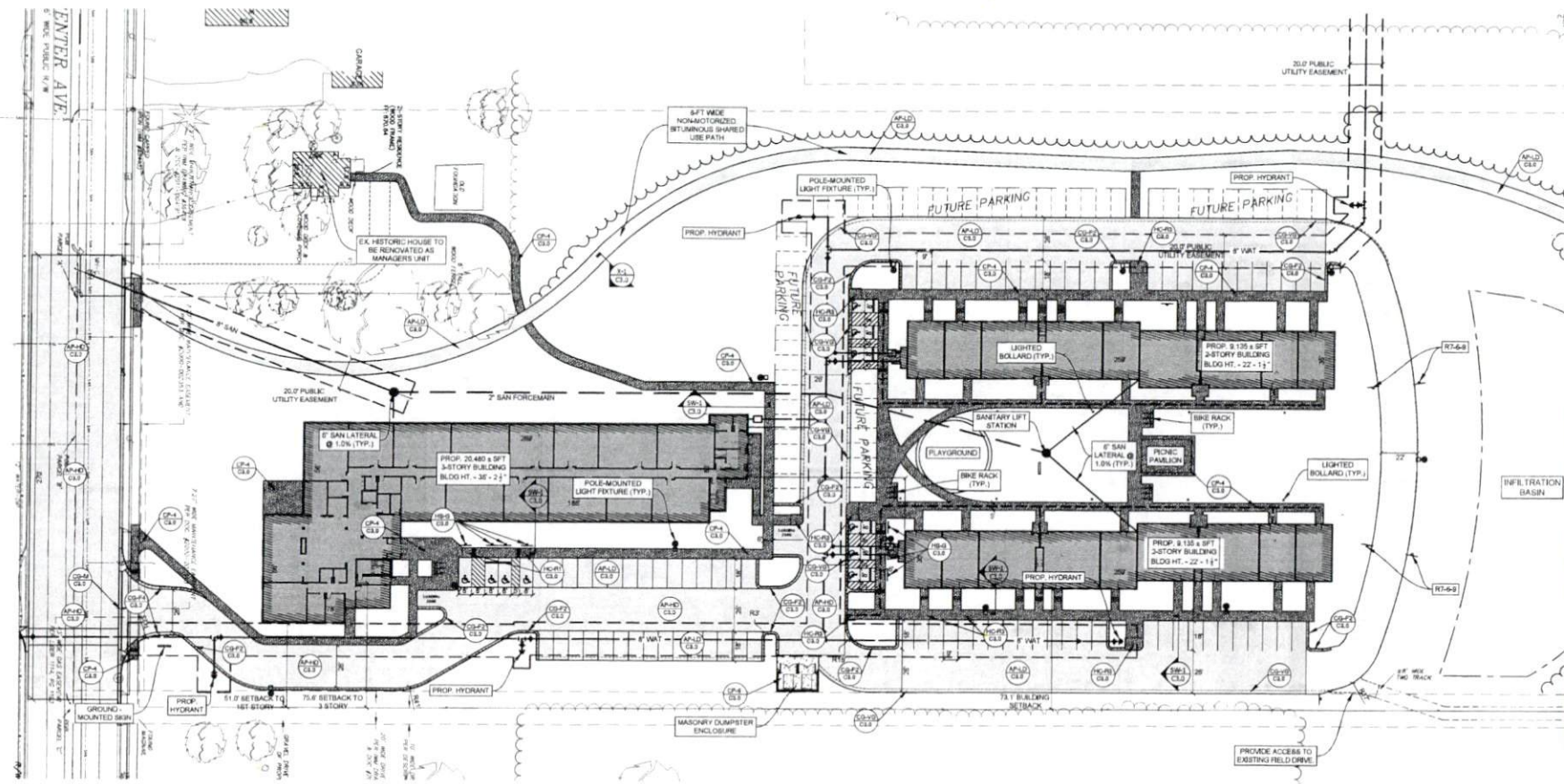
Know what's below.
Call before you dig.

For protection of underground utilities, the CONTRACTOR shall call 811 a minimum of three working days, excluding Saturdays, Sundays and holidays, prior to excavation in the vicinity of utility lines. All "MISS DIG" participating members will trace as routinely called. This does not relieve the CONTRACTOR of the responsibility of calling the utility owners who may not be part of the "MISS DIG" alert system.

DATE OF PLAN 05-17-18

NO.	DATE	DESCRIPTION
1	05-17-18	ISSUED FOR PERMIT
2	05-17-18	ISSUED FOR PERMIT
3	05-17-18	ISSUED FOR PERMIT
4	05-17-18	ISSUED FOR PERMIT
5	05-17-18	ISSUED FOR PERMIT

C1.1



PROPOSED PERMANENT SIGNAGE LEGEND



- GENERAL NOTES**
1. PROVIDE THE CONSTRUCTION OF A NEW "FUTURE COMMUNITIES" (2-THY STORY BUILDING) AND 1-THY STORY BUILDING, AND RELATED PARKING, LANDSCAPING, SIGNAGE, LIGHTING, UTILITY, AND STORM WATER DRAINAGE (SEE SHEET 1.1 FOR DETAILS).
 2. THE DEVELOPMENT SHALL BE SITED TO THE RIGHT OF THE EXISTING HIGHWAY (SEE SHEET 1.1 FOR DETAILS).
 3. ACCESS TO THE DEVELOPMENT SHALL BE VIA ONE (1) DRIVEWAY ON E. CENTRE AVE.
 4. STORM DRAINAGE SHALL BE RETAINED ON SITE, MEETING THE REQUIREMENTS OF THE CITY OF PORTAGE STORM WATER DESIGN - RETENTION MANUAL.
 5. PARKING AND DRIVE AREAS SHALL BE PAVED WITH BITUMINOUS AND CONCRETE PAVEMENTS.
 6. PARKING REQUIRED: 1 SPACE FOR DWELLING UNIT, 1 SPACE FOR APARTMENT/TOWNHOME UNIT, AND ONE MANAGER/RECEPTIONIST TOTAL - 108 SPACES.
 7. PROVIDED: CURRENT PHASE - 12 SPACES, FUTURE PHASE - 48 SPACES, TOTAL - 60 SPACES, INCLUDING TEN (10) HANDICAPPED SPACES.
 8. NEW SIGNAGE SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PORTAGE ZONING ORDINANCE.
 9. PROVIDED WITH LIGHTING SHALL BE A COMBINATION OF POLE AND BOLLARD MOUNTED FIXTURES, SUBJECT TO SUBMIT LIGHTING DESIGN FOR REVIEW, MEETING THE REQUIREMENTS OF APPLICABLE SECTIONS OF THE CITY OF PORTAGE ZONING ORDINANCE.
 10. LANDSCAPING AND SCREENING SHALL MEET THE REQUIREMENTS OF CITY OF PORTAGE ZONING ORDINANCE, SEE SHEET 1.1 FOR COMPLETE LANDSCAPING PLAN.
 11. ALL EXISTING MANHOLES AND SIGNS SHALL CONFORM TO THE CITY OF PORTAGE SET FORTH IN THE CURRENT EDITION OF THE SUBURBAN MANUAL OF TRAFFIC CONTROL DEVICES.

PROPOSED FEATURES LEGEND

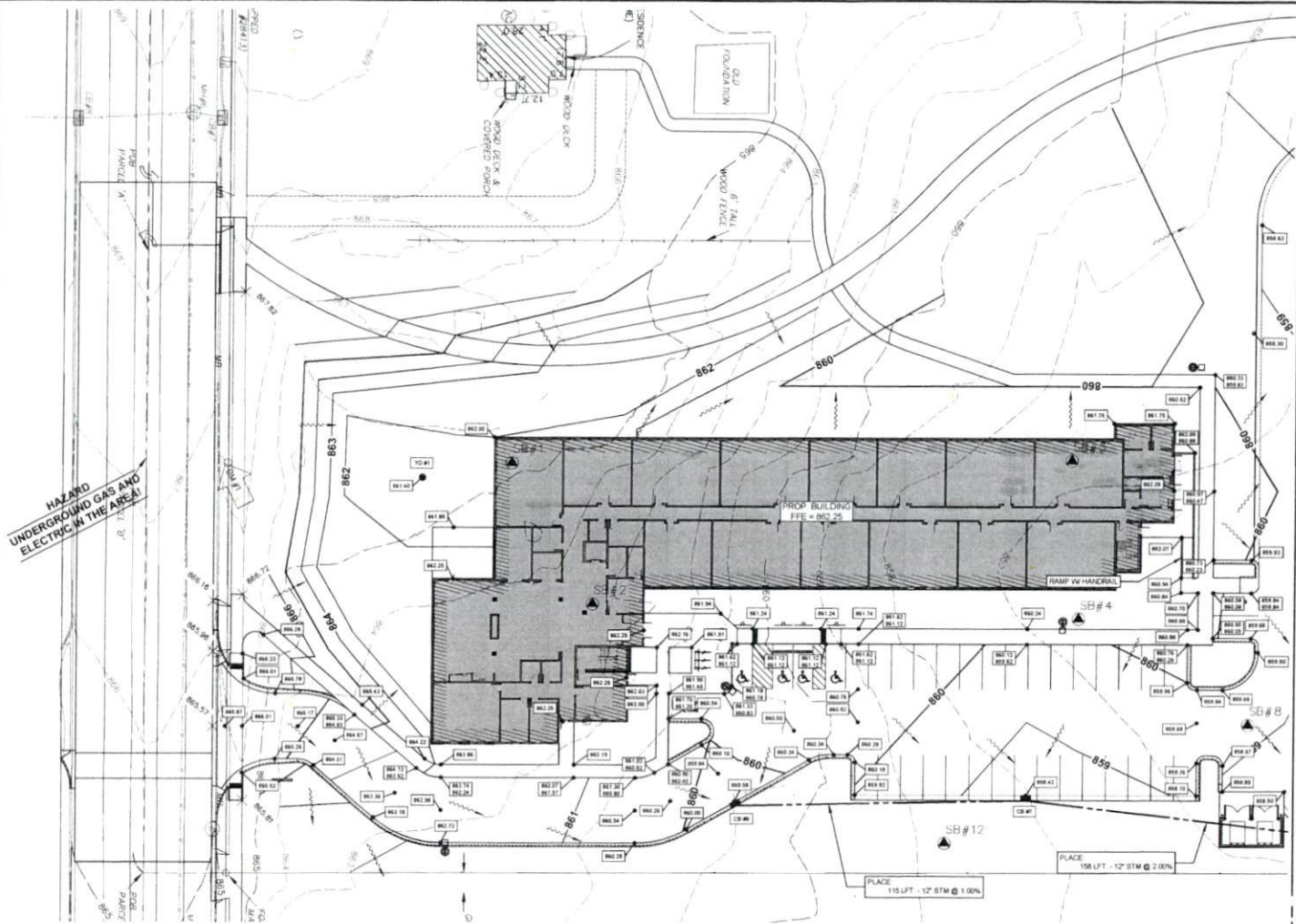
- NEW LIGHT DUTY HMA PAVEMENT AREA
- NEW HEAVY DUTY HMA PAVEMENT AREA
- GRAVEL SURFACE AREA
- NEW CONCRETE SIDEWALK AREA
- NEW 6" CONCRETE PAVEMENT AREA
- ACCESSIBLE ROUTE



Plan Prepared By:
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113 W. Spring Street, Suite 500
Spring Lake, Michigan 49456
Tel: 616-240-9060
email: bcallen@callenengineering.com



DESIGNED BY: CALLEN
CHECKED BY: CALLEN
DATE: 05-17-18



STORM STRUCTURE NOTES

STORM SEWER LENGTHS PROVIDED ARE MEASURED FROM CENTER OF STRUCTURE. RIM ELEVATIONS ARE MEASURED AT EDGE OF METAL.

STORM SEWER SHALL BE WATER TIGHT. SOLID WALL HOPE OR APPROVED EQUAL, UNLESS INDICATED ON THE PLAN.

MANHOLES AND CATCH BASINS SHALL BE IN ACCORDANCE WITH MOST STANDARD SPECIFICATIONS. CATCH BASINS SHALL INCLUDE 2 FT SUMP.

CONNECTIONS TO MANHOLES SHALL BE MADE WITH A RESILIENT CONNECTOR FOR PIPE DIAMETERS 24 INCHES OR LESS.

MANHOLE RIM ELEVATIONS SHALL BE SET 1/4" BELOW PLAN GRADE.

CATCH BASIN RIM ELEVATIONS SHALL BE SET 1" BELOW PLAN GRADE.

ALL CURB DIMENSIONS ARE MEASURED FROM EDGE OF METAL.

THE CONTRACTOR SHALL EXPOSE AND VERIFY LOCATION AND DEPTH OF EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. CONFLICTS IN GRADES SHALL BE REPORTED TO ENGINEER AND ADJUSTMENTS SHALL BE MADE AT NO ADDITIONAL COST TO OWNER.

SUBSURFACE CONDITIONS

Contractor(s) shall familiarize themselves with the information and findings presented in the Soil Boring Report prepared by Druege & Associates, Inc. dated Feb. 22, 2015. Druege & Associates, Inc. Project No. 1510062-3A.

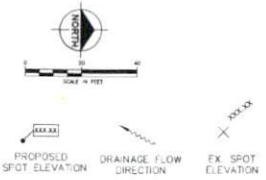
- BENCH MARKS**
- BM 1: SET RAILROAD SPIKE ON NORTH SIDE OF UTILITY POLE LOCATED 42' NORTH OF THE CENTERLINE OF CENTER AVE AND 2' EAST OF THE PROPERTY LINE OF 1800/1815 CENTER AVE. Elevation: 888.20 (NAVD 88).
 - BM 2: SET RAILROAD SPIKE ON WEST SIDE OF 36" DECIDUOUS TREE LOCATED 10' NORTHWEST OF THE SOUTHWEST CORNER OF THE GREENHOUSE BUILDING. Elevation: 888.71 (NAVD 88).
 - BM 3: CUT "X" ON NORTHEAST UPPER FLANGE BOLT OF FIRE HYDRANT LOCATED 40' SOUTHEAST CORNER OF THE CENTER MEADOWS BUILDING. Elevation: 888.71 (NAVD 88).
 - BM 4: CUT "X" ON SOUTHEAST UPPER FLANGE BOLT OF FIRE HYDRANT LOCATED 40' NORTHEAST CORNER OF THE CENTER MEADOWS BUILDING. Elevation: 889.24 (NAVD 88).

MATCH LINE SHEET C2.1

PRELIMINARY: NOT FOR CONSTRUCTION

STORM STRUCTURE SCHEDULE
(THIS SHEET)

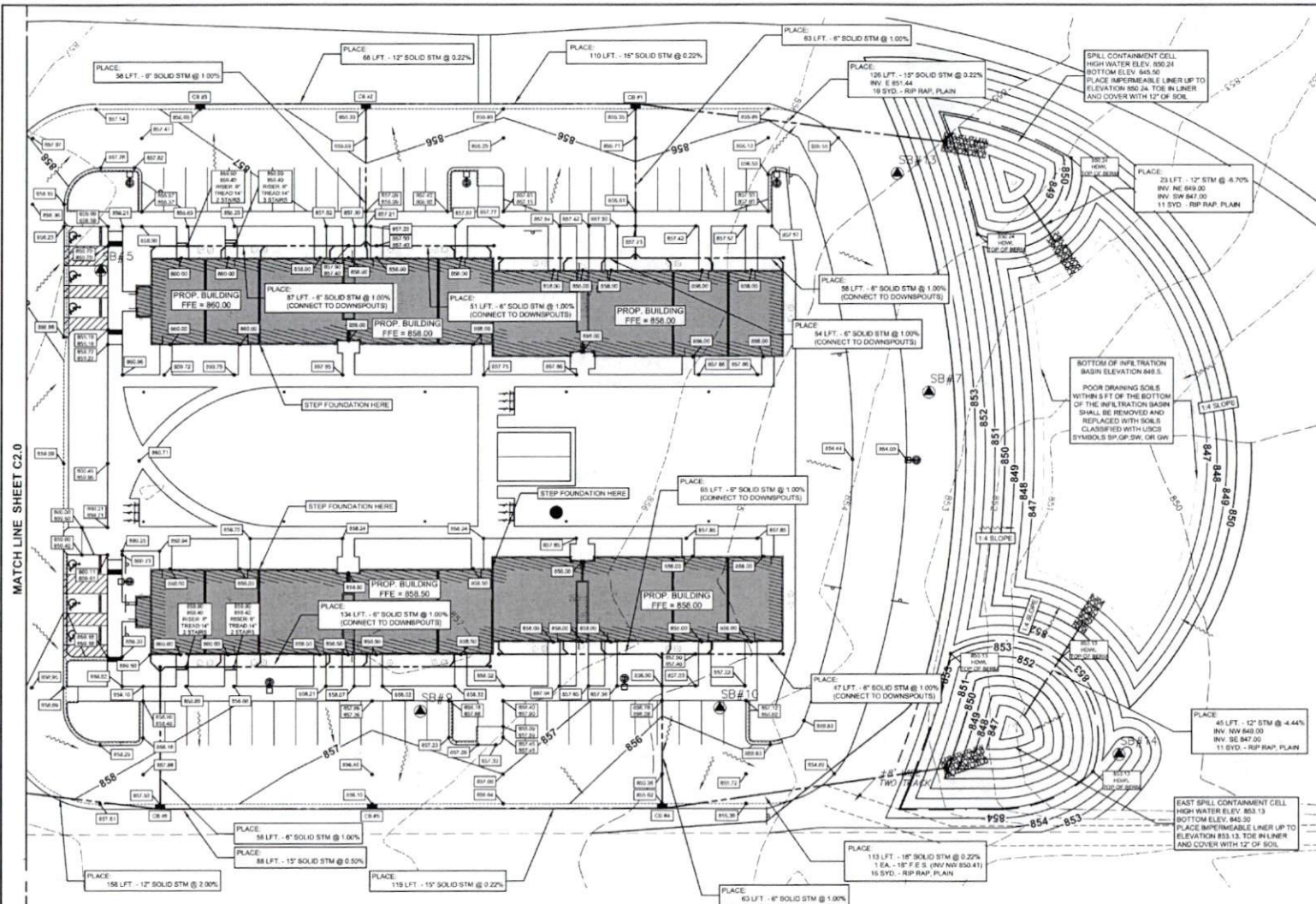
STRUCTURE	COVER	COVER TYPE	COVER SIZE	COVER GRADE
CB#1 (4 DIA) RIM = 858.42 FT	COVER EJBW 1096 SERIES	M2 GRATE OR A.E.	12" (N/A) (N/A) = 854.83 FT (SOLID WALL HOPE @ 2.00%)	12" (N/A) (N/A) = 854.93 FT (SOLID WALL HOPE @ 1.00%)
CB#2 (2 DIA) RIM = 859.58 FT	COVER EJBW 1020 SERIES	M2 GRATE OR A.E.	12" (N/A) (N/A) = 856.06 FT (SOLID WALL HOPE @ 2.00%)	12" (N/A) (N/A) = 856.06 FT (SOLID WALL HOPE @ 1.00%)
YOM1 (4 DIA) RIM = 861.40 FT	COVER TYPE M	SLOTTED COVER OR A.E.	BOTTOM ELEVATION: 856.40 FT	



Plan Prepared By:
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Spring Lake, Michigan 49456
Tel: 616-240-9080
email: bcallen@callenengineering.com



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STORM STRUCTURE SCHEDULE (THIS SHEET)

CB#1 (4 DIA) RIM = 855.35 FT (COVER ELEV 7085 SERIES, NO GRATE OR A.E.)	CB#5 (4 DIA) RIM = 856.10 FT (COVER ELEV 7085 SERIES, NO GRATE OR A.E.)
15" INV (N) = 851.72 FT (SOLID HOPE @ 0.22%)	15" INV (N) = 851.03 FT (SOLID HOPE @ 0.22%)
15" INV (S) = 851.82 FT (SOLID HOPE @ 0.22%)	15" INV (S) = 851.13 FT (SOLID HOPE @ 0.22%)
CB#2 (4 DIA) RIM = 855.33 FT (COVER ELEV 7085 SERIES, NO GRATE OR A.E.)	CB#6 (4 DIA) RIM = 857.53 FT (COVER ELEV 7085 SERIES, NO GRATE OR A.E.)
15" INV (N) = 852.06 FT (SOLID HOPE @ 0.22%)	15" INV (N) = 851.03 FT (SOLID HOPE @ 0.22%)
15" INV (S) = 852.16 FT (SOLID HOPE @ 0.22%)	15" INV (S) = 851.13 FT (SOLID HOPE @ 0.22%)
CB#3 (2 DIA) RIM = 856.85 FT (COVER ELEV 7085 SERIES, NO GRATE OR A.E.)	
12" INV (N) = 852.31 FT (SOLID HOPE @ 0.22%)	
CB#4 (4 DIA) RIM = 855.02 FT (COVER ELEV 7085 SERIES, NO GRATE OR A.E.)	
15" INV (N) = 850.67 FT (SOLID HOPE @ 0.22%)	
15" INV (S) = 850.77 FT (SOLID HOPE @ 0.22%)	

STORM STRUCTURE NOTES

STORM SEWER LENGTHS PROVIDED ARE MEASURED FROM CENTER OF STRUCTURE. RIM ELEVATIONS ARE MEASURED AT EDGE OF METAL.

STORM SEWER SHALL BE WATER-TIGHT, SOLID-WALL HOPE OR APPROVED EQUAL, UNLESS INDICATED ON THE PLANS.

MANHOLES AND CATCH BASINS SHALL BE IN ACCORDANCE WITH MOST STANDARD SPECIFICATIONS. CATCH BASINS SHALL INCLUDE 2 FT SLUMP.

CONNECTIONS TO MANHOLES SHALL BE MADE WITH A RESILIENT CONNECTOR FOR PIPE DIAMETERS 24 INCHES OR LESS.

MANHOLE RIM ELEVATIONS SHALL BE SET 1/4" BELOW PLAN GRADE.

CATCH BASIN RIM ELEVATIONS SHALL BE SET 1/4" BELOW PLAN GRADE.

ALL CURS DIMENSIONS ARE MEASURED FROM EDGE OF METAL.

THE CONTRACTOR SHALL EXPOSE AND VERIFY LOCATION AND DEPTH OF EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. CONFLICTS IN GRADES SHALL BE REPORTED TO ENGINEER AND ADJUSTMENTS SHALL BE MADE AT NO ADDITIONAL COST TO OWNER.

SUBSURFACE CONDITIONS

Contractor(s) shall familiarize themselves with the information and findings presented in the Soil Boring Report prepared by Dierwage & Associates, Inc. dated Feb. 22, 2016. Dierwage & Associates, Inc. Project No. 1810062 SA

BENCHMARKS

SET RAILROAD SPIKE ON NORTH SIDE OF UTILITY POLE LOCATED 32' NORTH OF THE CENTERLINE OF CENTER AVE. AND 2' EAST OF THE PROPERTY LINE OF 1903/1915 CENTER AVE. (Elevation: 866.20 (NAVD 88))

SET RAILROAD SPIKE ON WEST SIDE OF 38' DECIDUOUS TREE LOCATED 120' NORTHWEST OF THE SOUTHWEST BUILDING CORNER OF THE GREENHOUSE BUILDING (Elevation: 859.71 (NAVD 88))

CUT "X" ON NORTHEAST UPPER FLANGE BOLT OF FIRE HYDRANT LOCATED 125' SOUTHEAST CORNER OF THE CENTER MEADOWS BUILDING (Elevation: 860.71 (NAVD 88))

CUT "X" ON SOUTHEAST UPPER FLANGE BOLT OF FIRE HYDRANT LOCATED 425' NORTHEAST CORNER OF THE CENTER MEADOWS BUILDING (Elevation: 859.54 (NAVD 88))

EAST SPILL CONTAINMENT CELL
HIGH WATER ELEV. 863.13
BOTTOM ELEV. 845.50
PLACE IMPERMEABLE LINER UP TO ELEVATION 853.13. TOE IN LINER AND COVER WITH 12" OF SOIL.

Plan Prepared By:
Bruce A. Callen, P.E.
Callen Engineering, Inc.
113 W. Solviga Drive, Suite B
Spring Lake, Michigan 49456
Tel: 616-240-9080
Email: bcallen@callenengineering.com



DATE OF PLAN: 05-17-18

Callen Engineering, Inc.
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Spring Lake, Michigan 49456
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FULL CIRCLE COMMUNITIES
310 S. PEORIA STREET, SUITE 500
CHICAGO, ILLINOIS 60607

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	05-17-18
2	FOR CONSTRUCTION	05-17-18
3	FOR CONSTRUCTION	05-17-18
4	FOR CONSTRUCTION	05-17-18

SELIN PARK
1603 E CENTRE AVENUE
CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN
GRADING AND DRAINAGE PLAN

DATE	05-17-18
BY	BAC
CHECKED	BAE
SCALE	AS SHOWN
PROJECT	015 FULL CIRCLE
SHEET NO.	C2.1

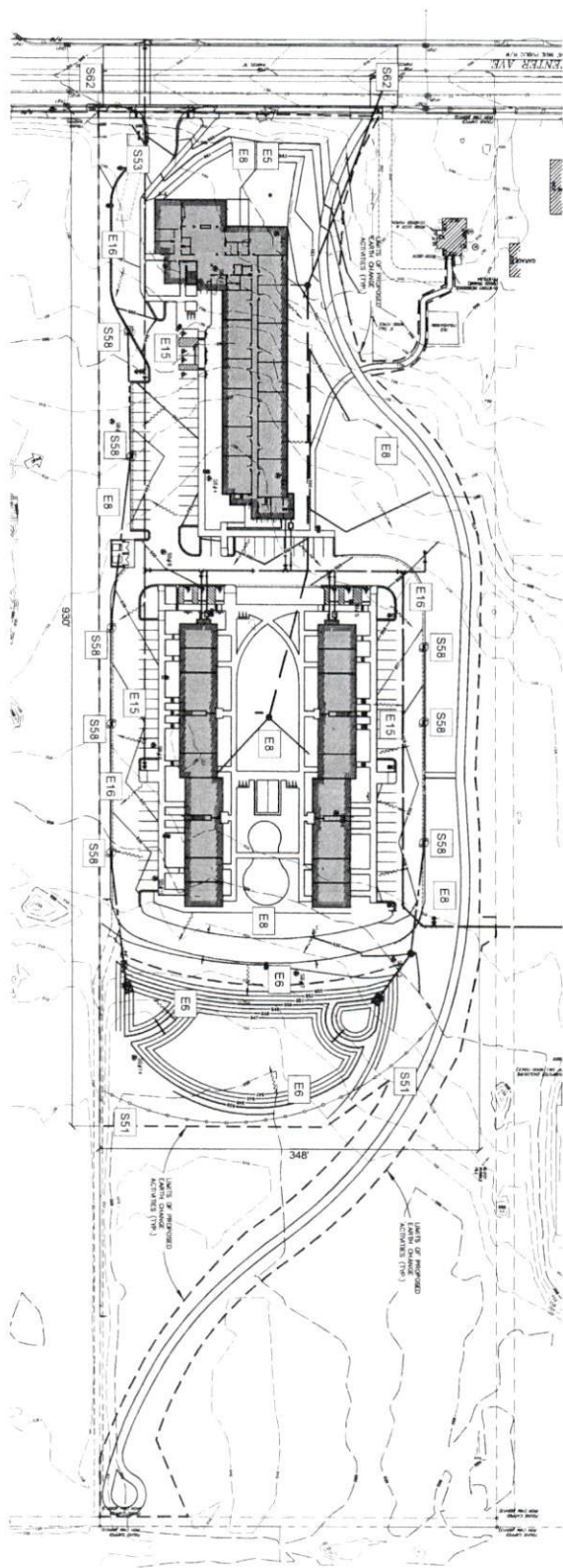
[illegible]

Additional criteria cannot measure the extent to which plans may be implemented as they are programs. Persistence is recognized for all measures and necessary to prevent false implementation.

Quantitative and/or qualitative criteria are used to evaluate measures with or without a target. Qualitative criteria are used to evaluate measures that are primarily judged as shown in tables, so as to reflect the nature of the program, maintenance and/or impact of the measure. Measures are judged for program effectiveness.

Specimens are as soon as possible.

Completion is expected to begin AUGUST 2015 with additional support completed no later than APRIL 2016.

[illegible]

**Know what's below.
Call 811 before you dig.**

For a list of our regional offices, the CONTRACTOR should call 1-800-453-7171. OR, a minimum of three working days, including Saturdays, Sundays and holidays, prior to execution in the vicinity of any branch of the "MCS" Corporation, members will be randomly notified. This does not include the CONTRACTOR of the responsibility of notifying the lobby members who may not be part of the "MCS" OR, when required.

 EX. SPOT ELEVATION
 DRAINAGE FLOW DIRECTION
 PROPOSED SPOT ELEVATION
 SUT FENCE



Plan Prepared By:
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H DJ

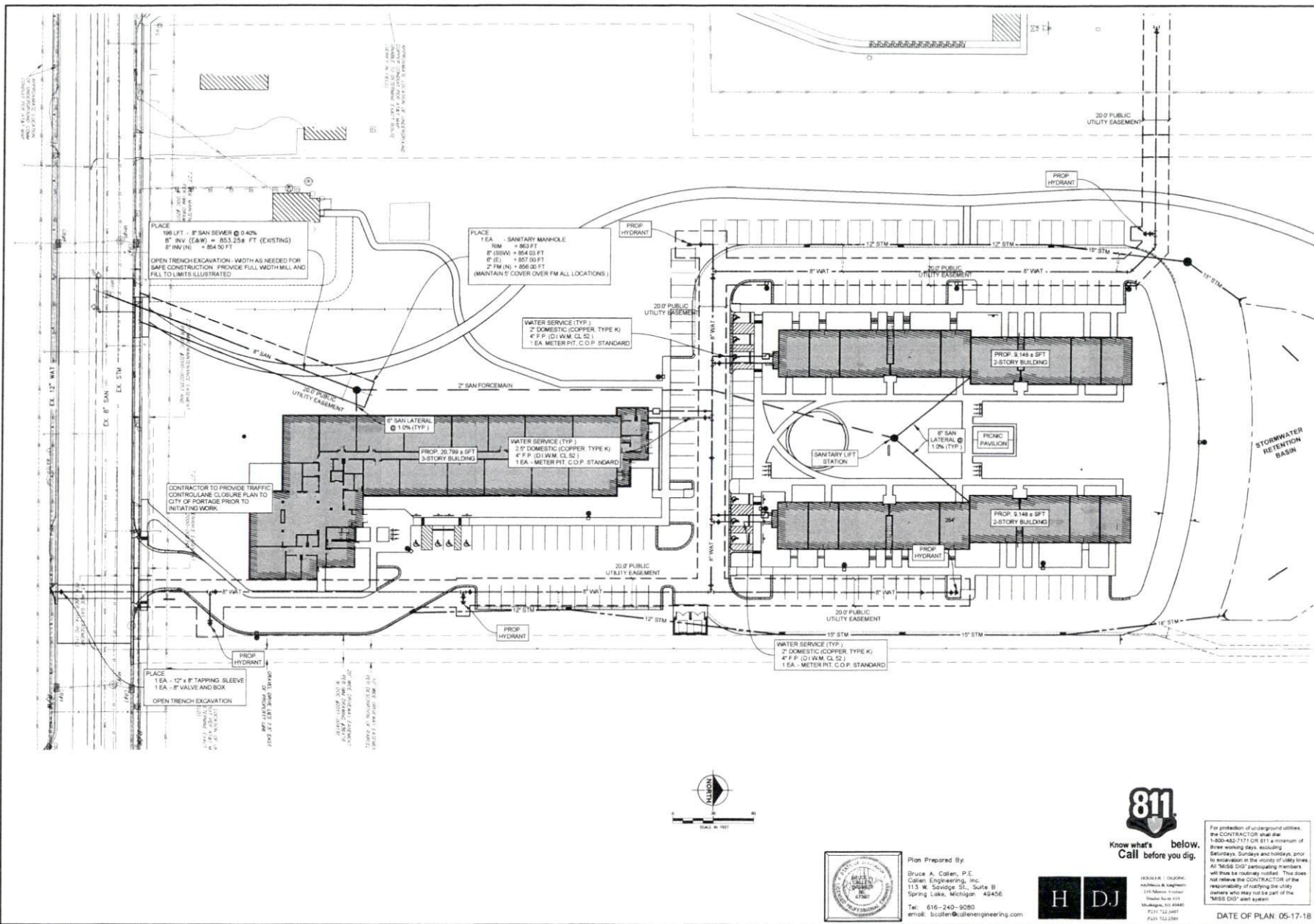
LAURENCE J. DUBROW
Suburban & Regional
Public Works Section
London Office
Metropolitan, New York
7131 712 2007
7131 712 2006

DATE OF PLAN: 05-17-18

SELINON PARK
1603 E CENTRE AVENUE
CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN
SESC PLAN

FULL CIRCLE COMMUNITIES
310 S. PEORIA STREET, SUITE 500
CHICAGO, ILLINOIS 60607

Callen Engineering, Inc.
municipal - commercial - residential
112 W. Gervase Street, Suite B
Spring Lake, Michigan 49456
Tel 616-440-6080 Web callenengineering.com



Plan Prepared By:
 Bruce A. Callen, P.E.
 Callen Engineering, Inc.
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 Spring Lake, Michigan 49456
 Tel: 616-240-9080
 email: bcallen@callenengineering.com



10/10/18 (10/10/18)
 Andrew A. Thompson
 101 Morris Avenue
 Spring Lake, MI 49456
 Tel: 616-240-9080
 Fax: 616-240-9080

For protection of underground utilities the CONTRACTOR shall call 1-800-482-7171 OR 811 a minimum of three working days, excluding Saturdays, Sundays and holidays, prior to excavation in the vicinity of utility lines. All "Miss Dig" participating members will then be mutually notified. This does not release the CONTRACTOR of the responsibility of notifying the utility owners who may not be part of the "Miss Dig" alert system.

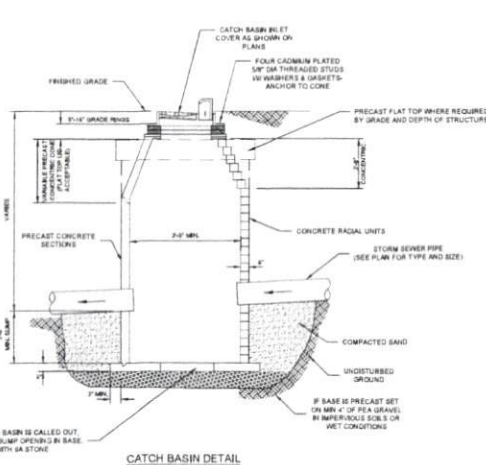
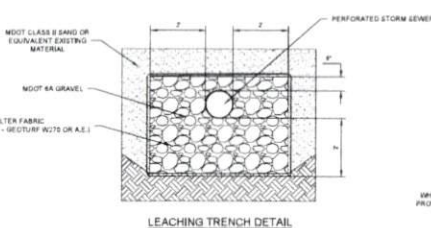
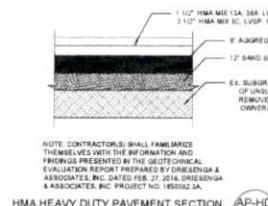
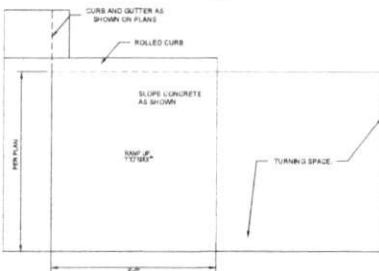
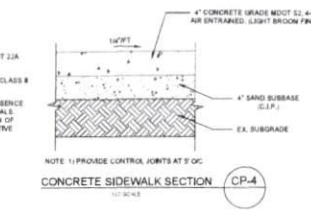
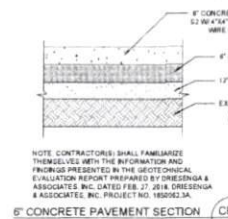
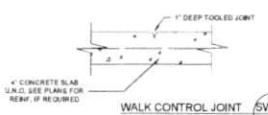
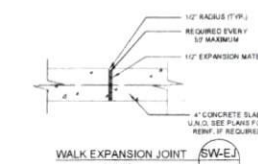
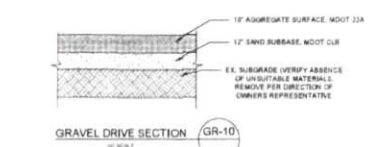
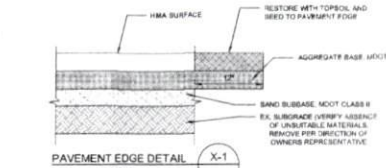
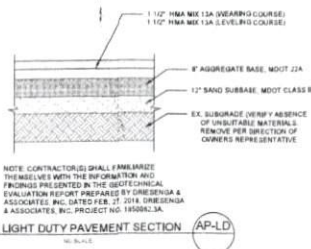
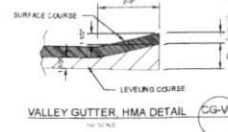
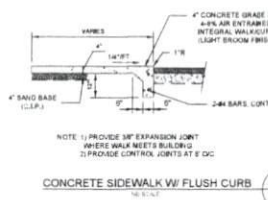
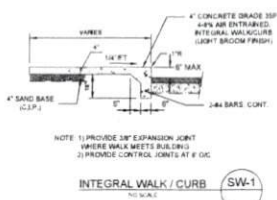
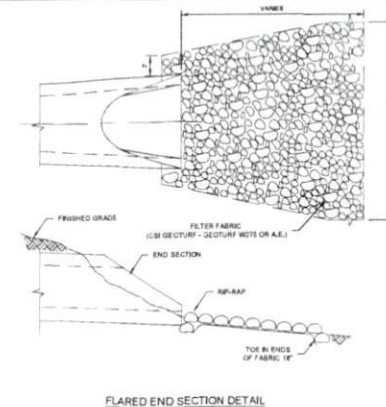
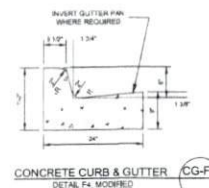
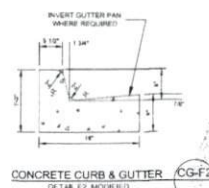
DATE OF PLAN: 05-17-18

Callen Engineering, Inc.
 113 W. Sargeant Street, Suite B
 Spring Lake, Michigan 49456
 Tel: 616-240-9080
 Fax: 616-240-9080
 www.callenengineering.com

FULL CIRCLE COMMUNITIES
 310 S. PEARCE STREET, SUITE 500
 CHICAGO, ILLINOIS 60607

SELINON PARK
 1603 E CENTRE AVENUE
 CITY OF PORTAGE
 KALAMAZOO COUNTY, MICHIGAN

UTILITY PLAN
 SCALE: 1" = 10'-0"
 DATE: 05-17-18
 DRAWN BY: C3.0
 CHECKED BY: C3.0
 DATE: 05-17-18



Plan Prepared By:
Bruce A. Colten, P.E.
Colten Engineering, Inc.
113 W. Savidge St., Suite B
Spring Lake, Michigan 49456
Tel: 816-240-9080
email: bcolten@coltenengineering.com



Know what's below
Call before you dig

For protection of underground utility lines, the CONTRACTOR shall dial 1-800-452-7371 OR 811 a minimum two working days, excluding Saturdays, Sundays and holidays, prior to excavation in the vicinity of MMS. All "MISS DIG" participating members will thus be routinely notified. This will not relieve the CONTRACTOR of responsibility of notifying the utility owners who may not be part of the "MISS DIG" alert system.

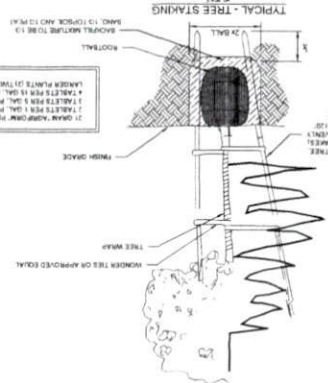
DATE OF PLAN: 05-17-18

SELINON PARK
1603 E CENTRE AVENUE
CITY OF PORTAGE
KALAMAZOO COUNTY, MICHIGAN
X-SECTIONS, NOTES AND DETAILS

FULL CIRCLE COMMUNITIES
310 S. PEORIA STREET, SUITE 500
CHICAGO, ILLINOIS 60607

CE
Callen Engineering, Inc.
muni-pur - commercial - residential
131W Sprague Street, Suite 8
Spring Lake, Michigan 48136
Tel: 516-200-0000 Fax: callen-engineering.com

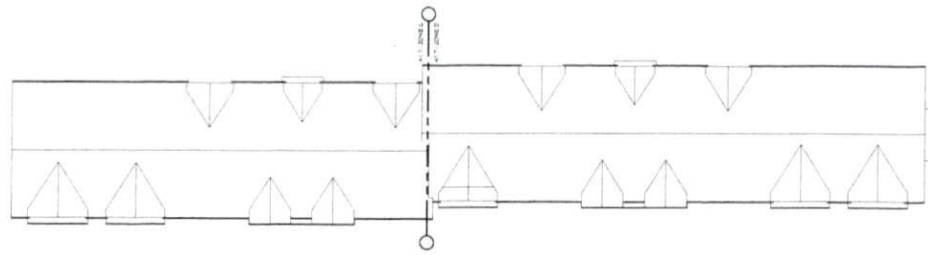
Know what's below.
Call before you dig.



1. SHARP ANGLE TO ROOT BALL
2. TIGHTEN STRAPS TO BE 1/2
3. TIGHTEN STRAPS TO BE 1/2
4. TIGHTEN STRAPS TO BE 1/2
5. TIGHTEN STRAPS TO BE 1/2



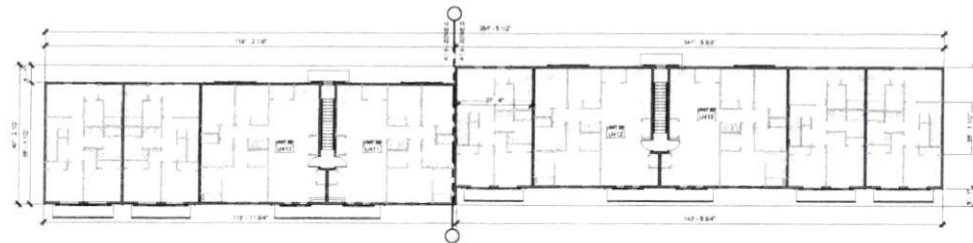
PLANT SCHEDULE		CONTRACTOR SHALL VERIFY PLANT QUANTITIES PRIOR TO INSTALLATION	
CODE	BOTANICAL NAME / COMMON NAME	SIZE	QTY
CO1	Red Maple / <i>Acer rubrum</i>	5' x 6'	1
CO2	White Birch / <i>Betula papyrifera</i>	5' x 6'	1
CO3	Black Birch / <i>Betula nigra</i>	5' x 6'	1
CO4	Red Oak / <i>Quercus rubra</i>	5' x 6'	1
CO5	White Oak / <i>Quercus alba</i>	5' x 6'	1
CO6	Black Oak / <i>Quercus nigra</i>	5' x 6'	1
CO7	Red Pine / <i>Pinus resinosa</i>	5' x 6'	1
CO8	White Pine / <i>Pinus strobus</i>	5' x 6'	1
CO9	Black Pine / <i>Pinus nigra</i>	5' x 6'	1
CO10	Red Spruce / <i>Picea canadensis</i>	5' x 6'	1
CO11	White Spruce / <i>Picea canadensis</i>	5' x 6'	1
CO12	Black Spruce / <i>Picea canadensis</i>	5' x 6'	1
CO13	Red Fir / <i>Abies balsamea</i>	5' x 6'	1
CO14	White Fir / <i>Abies balsamea</i>	5' x 6'	1
CO15	Black Fir / <i>Abies balsamea</i>	5' x 6'	1
CO16	Red Cedar / <i>Juniperus horizontalis</i>	5' x 6'	1
CO17	White Cedar / <i>Juniperus horizontalis</i>	5' x 6'	1
CO18	Black Cedar / <i>Juniperus horizontalis</i>	5' x 6'	1
CO19	Red Juniper / <i>Juniperus horizontalis</i>	5' x 6'	1
CO20	White Juniper / <i>Juniperus horizontalis</i>	5' x 6'	1
CO21	Black Juniper / <i>Juniperus horizontalis</i>	5' x 6'	1
CO22	Red Yew / <i>Taxus canadensis</i>	5' x 6'	1
CO23	White Yew / <i>Taxus canadensis</i>	5' x 6'	1
CO24	Black Yew / <i>Taxus canadensis</i>	5' x 6'	1
CO25	Red Cypress / <i>Libocedrus decoloratus</i>	5' x 6'	1
CO26	White Cypress / <i>Libocedrus decoloratus</i>	5' x 6'	1
CO27	Black Cypress / <i>Libocedrus decoloratus</i>	5' x 6'	1
CO28	Red Arborvitae / <i>Thuja occidentalis</i>	5' x 6'	1
CO29	White Arborvitae / <i>Thuja occidentalis</i>	5' x 6'	1
CO30	Black Arborvitae / <i>Thuja occidentalis</i>	5' x 6'	1
CO31	Red Dogwood / <i>Cornus florida</i>	5' x 6'	1
CO32	White Dogwood / <i>Cornus florida</i>	5' x 6'	1
CO33	Black Dogwood / <i>Cornus florida</i>	5' x 6'	1
CO34	Red Flowering Dogwood / <i>Cornus florida</i>	5' x 6'	1
CO35	White Flowering Dogwood / <i>Cornus florida</i>	5' x 6'	1
CO36	Black Flowering Dogwood / <i>Cornus florida</i>	5' x 6'	1
CO37	Red Spicebush / <i>Lindera benzoin</i>	5' x 6'	1
CO38	White Spicebush / <i>Lindera benzoin</i>	5' x 6'	1
CO39	Black Spicebush / <i>Lindera benzoin</i>	5' x 6'	1
CO40	Red Nannyberry / <i>Viburnum lentago</i>	5' x 6'	1
CO41	White Nannyberry / <i>Viburnum lentago</i>	5' x 6'	1
CO42	Black Nannyberry / <i>Viburnum lentago</i>	5' x 6'	1
CO43	Red Highbush Blueberry / <i>Vaccinium corymbosum</i>	5' x 6'	1
CO44	White Highbush Blueberry / <i>Vaccinium corymbosum</i>	5' x 6'	1
CO45	Black Highbush Blueberry / <i>Vaccinium corymbosum</i>	5' x 6'	1
CO46	Red Lowbush Blueberry / <i>Vaccinium corymbosum</i>	5' x 6'	1
CO47	White Lowbush Blueberry / <i>Vaccinium corymbosum</i>	5' x 6'	1
CO48	Black Lowbush Blueberry / <i>Vaccinium corymbosum</i>	5' x 6'	1
CO49	Red Elderberry / <i>Sambucus racemosa</i>	5' x 6'	1
CO50	White Elderberry / <i>Sambucus racemosa</i>	5' x 6'	1
CO51	Black Elderberry / <i>Sambucus racemosa</i>	5' x 6'	1
CO52	Red Ninebark / <i>Physocarpus opulifolius</i>	5' x 6'	1
CO53	White Ninebark / <i>Physocarpus opulifolius</i>	5' x 6'	1
CO54	Black Ninebark / <i>Physocarpus opulifolius</i>	5' x 6'	1
CO55	Red Spirea / <i>Spiraea alba</i>	5' x 6'	1
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CO243	Black Forsythia / <i>Forsythia intermedia</i>	5' x 6'	1
CO244	Red Hydrangea / <i>Hydrangea macrophylla</i>	5' x 6'	1



OVERALL ROOF PLAN - BUILDING 2
(BUILDING 3 SIMILAR, OPPOSITE HAND)



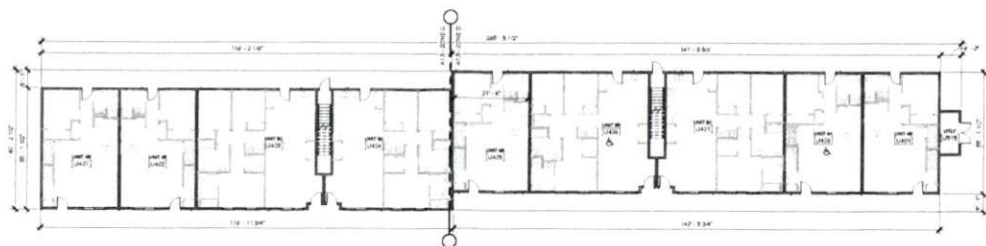
1/16" = 1'-0"



OVERALL SECOND FLOOR PLAN - BUILDING 2
(BUILDING 3 SIMILAR, OPPOSITE HAND)



1/16" = 1'-0"



OVERALL FIRST FLOOR PLAN - BUILDING 2
(BUILDING 3 SIMILAR, OPPOSITE HAND)



1/16" = 1'-0"



KEYPLAN
NOT TO SCALE

H
DJ

HOCHER, DR. JONG
Architect & Engineer
10000 10th Avenue
Suite 1000
Boulder, CO 80501
720.441.1000
720.441.1001
720.441.1002

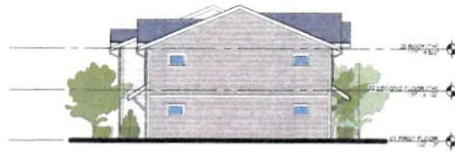
NEW APARTMENTS
SELINON PARK
10000 10th Avenue, Boulder, CO 80501
FULL CIRCLE COMMUNITIES

Project Number: 4-0867

No.	Date	Description
1	2014.05.15	SITE PLAN REVIEW

OVERALL PLANS -
BUILDING 2 (BLDG
3 OPP.)

A0.3



NORTH ELEVATION - 2 STORY

3/32" = 1'-0"



SOUTH ELEVATION - 2 STORY

3/32" = 1'-0"



PARKING LOT ELEVATION - 2 STORY BUILDING

3/32" = 1'-0"



COURTYARD ELEVATION - 2 STORY BUILDING

3/32" = 1'-0"

H DJ HOOKER | DE JONG
ARCHITECTS & ENGINEERS



FULL CIRCLE
communities

SELINON PARK

PRELIMINARY
NOT FOR
CONSTRUCTION

PR-6

Project # 4-0851
Date 09/18/18

EXTERIOR ELEVATIONS - 2 STORY BUILDING
FULL CIRCLE COMMUNITIES
151 CENTRE AVE. PORTLAND, ME 04102



VIEW FROM COURTYARD - 2 STORY



VIEW FROM PARKING - 3 STORY



VIEW FROM CENTRE AVE - 3 STORY

H DJ **HOOKE I DE JONG**
ARCHITECTS & ENGINEERS



FULL CIRCLE
communities

SELINON PARK

PRELIMINARY
NOT FOR
CONSTRUCTION

PR-7

Project # 4-0861
Date 5/18/2014

PERSPECTIVE VIEWS
FULL CIRCLE COMMUNITIES
151 CENTRE AVE. FORT LAUDERDALE, FL 33304

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Angling Road and Meredith Street Reconstruction Project - Tabulation of Proposals

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a contract to perform engineering services for Angling Road and Meredith Street to AR Engineering, LLC, in the amount not to exceed \$87,750, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The fiscal year 2018 – 2019 Capital Improvement Program budget contains funding for the reconstruction of Angling Road from Vincent Drive to the north city limits and Meredith Street from Sprinkle Road to East Kilgore Road. The work on Angling Road includes evaluation of existing pavement condition and recommendation on rehabilitation of roadway, storm drainage improvements, concrete curb at intersections, ADA sidewalk ramp upgrades, installation of two new sanitary sewer leads for future development, new pavement, pavement markings and signage. The work on Meredith Street includes milling existing pavement, sidewalk extension on the west side to connect to existing sidewalk at East Kilgore Road, resurfacing, pavement markings and signage.

On June 14, 2018, six (6) proposals were received for design and construction engineering services for the Angling Road and Meredith Street projects. Based upon review of the proposals, staff has determined that the proposal from AR Engineering, LLC, best fits the needs of the projects. AR Engineering has previously assisted city staff with site plan reviews and soil erosion inspections, and is familiar with the city's policies and procedures.

Therefore, it is recommended that City Council award a contract to AR Engineering, LLC, to perform engineering services for the Angling Road and Meredith Street Reconstruction Projects in the amount not to exceed \$87,750, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Sufficient funding is available in the FY 2018-2019 Capital Improvement Program budget for these projects.

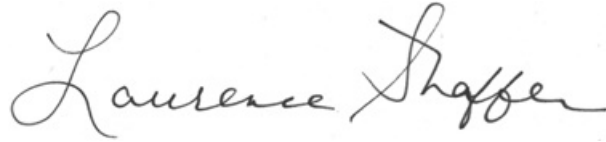
Attachments: 1. Tabulation of Proposals

TABULATION OF PROPOSALS
2018 ANGLING ROAD AND MEREDITH STREET
PROFESSIONAL ENGINEERING SERVICES

<u>BIDDER</u>	<u>BID</u>
AR Engineering, LLC 4664 Campus Drive, Suite 106 Kalamazoo, MI 49008	\$87,750.00
Hurley & Stewart 2800 S. 11th Street Kalamazoo, MI 49009	\$129,049.00
C2AE 211 E. Water Street, Suite 213L Kalamazoo, MI 49007	\$133,800.00
Abonmarche Consultants, Inc. 95 West Main Street Benton Harbor, MI 49022	\$141,300.00
Williams & Works 549 Ottawa Ave NW Grand Rapids, MI 49503	\$154,182.00
Wightman & Associates, Inc. 9835 Portage Road Portage, MI 49002	\$176,000.00

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: May 2018 Environmental Report - Information Only

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Information Only

Attached please find the May 2018 Summary Environmental Activity Report from the Department of Transportation & Utilities Director Kendra Gwin. New material or material of specific interest to City Council is presented in italics.

City Council has a quality of environment goal to "enhance environmental quality and protect natural resources." The summary report is intended for informational purposes and to keep the Council, Planning Commission and Environmental Board apprised of current environmental issues.

FUNDING: N/A

Attachments: 1. Environmental Monthly Report - May 2018

SUMMARY ENVIRONMENTAL ACTIVITY REPORT
May 2018 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	Beginning in 1991, South Westnedge Park (landfill) has been monitored for on-site and off-site contamination. On July 23, 2013, City Council approved a three-year contract with American Hydrogeologic Corporation (AHC) to perform annual groundwater sampling. General groundwater quality continues to improve. Initial groundwater and methane results indicate no off-site impact. AHC has completed their contract. The City is working with Attorney Brown to obtain a Hold Harmless Agreement for four properties in the influence area to have connected to municipal water. <i>Two properties have connected to municipal water.</i>
Site Inspection / Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	Coordination with property owners and City or State agencies ongoing. <i>Review of 5 site/building plans and/or plats completed in May 2018.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<i>Sanitary sewer hookup permits issued in May 2018: 2 residential; 1 commercial.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions. Special emphasis on weed control and non-point source pollution reduction.	Five Year Lake Management Assessment District process was approved by City Council. The West Lake Improvement association has completed a five year plan for a new special assessment district in 2014. Special assessment process for 2015-2019 began on August 26, 2014. Resolution No. 5 completing the assessment was adopted October 21, 2014. The Association elected to use Restorative Lake Sciences, LLC for consulting services in 2015 and to renew the contract with Restorative Lake Sciences for 2017.

Retention Basin Sampling Program (Groundwater Elevation)	Investigation regarding potential impact of retention basins on groundwater levels.	Nova Consultants was awarded a four-year contract by City Council on April 29, 2014 for a four year program to monitor groundwater levels in the city. Monthly sampling at two retention basins continues. The 2017 Annual Report was provided March 7, 2018.
Wellhead Protection Program (WHPP)	Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.	Current Wellhead Protection was originally approved in 2001. Update of the program as part of the Water Reliability Study in conjunction with Fishbeck, Thompson, Carr & Huber is complete. Final report preparation was submitted to the Michigan Department of Environmental Quality for review and approval. Letter of approval received from MDEQ on June 15, 2015. Program implementation is ongoing.
Leaf Compost Monitoring Program	Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.	City Council awarded contract on August 21, 2001 to Soil & Materials Engineers for monitoring and analysis of groundwater impact of the Oakland Drive compost site. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi-annual sampling was performed from 2002 to 2008 in June and January. Sampling and analysis results continue to show negligible groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. No significant change in groundwater impacts. Sampling was completed in June 2017.
National Pollution Discharge Elimination System (NPDES) Permit Implementation	Five year plan to implement the current NPDES stormwater permit.	Received NPDES general permit on August 15, 2001. City staff completed the submission of a Storm Water Pollution Prevention Initiative (SWPPI) as required by NPDES permit. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) completed December 11, 2009. New permit application process announced in November 2014. New permit application was submitted in March 2015. Semi-annual report resubmitted to MDEQ on December 11, 2017. Program implementation is ongoing.
	Kalamazoo River Mainstream Watershed Management Plan	Draft of watershed plan submitted to MDEQ on December 30, 2005. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Watershed council completed a watershed update in November, 2011. No new developments.

	Portage River Watershed Management Plan	Draft watershed plan submitted to MDEQ on December 30, 2005. Interest has been raised by local conservation groups to update the Watershed Plan using grant funds. Grant for watershed update was awarded to Calhoun County Conversation District. No new developments.
	Plan to implement and maintain an Illicit Discharge Elimination Program (IDEP) Storm Sewer Outfall Testing.	On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled “Storm Water Illicit Discharges and Connections.” Continued outfall sampling is required by permit and will be budgeted accordingly. On April 29, 2014 City Council awarded a contract to Nova Consultants, Inc., to perform annual investigations of storm outfalls and investigate all outfalls on a four-year cycle. Report submitted to MDEQ as part of the annual report. Follow-up reporting on IDEP procedures submitted on August 25, 2016. Program implementation is ongoing.
Garden Lane Water Treatment Plant	Native Prairie Restoration	Native prairie burn completed in March 2016. Staff assisting the Environmental Board with invasive species control. City staff are working together to implement a management program for future burns. Procedures are being implemented and resources identified so that the fire department will have the ability to administer and control native prairie burns.
Environmental Incident/Spill Clean Up Notification	Environmental Protection Program to assist Portage Police/Fire Departments with spill containment and spill cleanup.	Emergency spill response contract for 2017-18 with Terra Contracting is in process.
Deer Management	Assist the Environmental Board with the impact of the native deer population in the city.	The city has contracted with the Kalamazoo Nature Center to install and monitor deer exclosures. The exclosures were constructed as a local boy scout project and will help assess damage from deer in the areas they are placed. The agreement concerning deer exclosures between the city and the Kalamazoo Nature Center expiring March 1, 2017 was extended through October 1, 2017. The Kalamazoo Nature Center provided a final report February 19, 2018. The damaged enclosures have been repaired.

Internal Environmental Efforts	Summarize internal city environmental efforts including recycling, building improvements, and hybrid vehicle inclusion.	Environmental efforts in the City of Portage are ongoing.
Environmental Board	Summarize efforts of the Environmental Board projects.	The Environmental Board is currently providing assistance and expertise, as needed, to the Parks Department on their Land Management Plan. The board is also looking into opportunities to educate the community on environmental topics including lakeshore management and education outreach.

Submitted by: Jamie Harmon, Assistant City Engineer

Minutes of Boards & Commissions

Portage Park Board Meeting Minutes
May 2, 2018

Board Present: Jon Peer, Kazmira Ruhland, Charles Thomas, Staci Salisbury, Elanor Riley, Tara Gish, Lana Escamilla, Robb Krueger, Tim Earl

Board Absent (excused): none

Board Absent (unexcused): Rushik Patel – Youth Representative

Meeting was called to order by Mr. Earl at 6:36 pm

I. INTRODUCTION OF GUESTS

- A. Michele Triolo – Administrative Assistant
- B. Rodney Russell – Director of Public Services
- C. Kathleen Hoyle – Director of Parks, Recreation, and Senior Center Services

II. APPROVAL OF AGENDA

- A. Mr. Peer moves to add discussion of Fishing Fair to the Event Subcommittee Reports
- B. Agenda approved by consensus

III. APPROVAL OF MINUTES

- A. Mr. Peer moves to approve the minutes
- B. Ms. Ruhland seconds approval of minutes
- C. Motion passes by consensus

IV. DEPARTMENT REPORT – Hoyle

- A. Reptile event last weekend was a great success – 250 people attended at Schrier park
- B. Eliason Phase II RFP for design of the phase should be released this week
- C. Invasive species plan should be complete and ready to report at the end of June
- D. Lexington Green surrounding neighborhood has provided positive input to the renovation plan
- E. Ramona Park admission is free for Portage residents this season

V. PUBLIC SERVICES REPORT – Russell

- A. All park restrooms have been unlocked and opened for the season
- B. Hayloft bathroom is still under construction and should be complete ~ May 18th
- C. Lexington Green renovations have the green light
 - 1. Asphalt has been torn up to make way for additional pickleball courts
- D. Eliason facility renovations general construction has completed and rough-in plumbing and electric is being completed

- E. Celery Flats new curb construction and concrete work has been completed including a motorcycle pad
- F. Celery Flats asphalt should be completed within the next week and then needs to be striped and should be open for parking before the end of the month
- G. Celery Flats construction and renovation should be completed before October 1
 - 1. Interpretative Center will be demolished and bathrooms will be open at the Hayloft while construction is occurring

VI. NEW BUSINESS

A. Financial Report

- 1. No changes

B. Subcommittee Reports

1. Green-a-thon Review – Cancelled due to weather

2. Heritage Festival

- a. 11 confirmed vendors and organizations participating
- b. Ms. Ruhland asked about the condition of the park previous to the event (fallen brush at the amphitheater, etc)
 - (a) There is a pre-event cleaning list and Mr. Russell will ensure that is completed before the event
- c. Board members discussed volunteer needs for the event
- d. Facebook event response has been very good so attendance should be good
- e. Sponsors have provided funding for the event banner and DNA geneology tests to provide as prizes at the event
- f. Mr. Thomas will donate copies of books for prizes at the event
- g. Board members discussed publicity plans for the event including Ms. Ruhland talking about the event on the radio as well as MLive coverage. City will distribute a press release about the event.

3. Great American Campout

- a. Intentional Yoga will host Yoga on the beach in the morning
- b. Brewster's is providing side dishes for dinner
- c. Awaiting response from several donations and sponsors for the event
- d. Logistical planning for entertainment still outstanding

4. Tour de Portage

- a. Outstanding Logistical Discussion
 - (a) Printed Trail Map / Activity Plan
 - (i) On-trail activities?
 - (ii) Crossing guards for major intersections?
 - (b) Bike Parking at Celery Flats

- (c) Mrs. Riley is reaching out to local bicycle shops as vendors or sponsorship
- (d) Need to reach out to additional sponsors and potential vendors (food / water)
 - (i) Health related vendors? Board members will brainstorm and send contacts to Mrs. Riley and Mr. Thomas

5. Recycled Art in the Park

- a. Committee Members are working on event preparations and planning

6. Picnics in the Park

- a. Park Board planned to use a grill which is in disrepair, needs to be replaced
- b. Outstanding needs:
 - (a) Food, Beverages and other accoutrements for cook outs
 - (b) Board members will solicit local businesses for sponsorship and food donation

7. Fishing Fair (New Event planned for May 19)

- a. Mr. Peer motions for \$30 to purchase gummi fish
- b. Ms. Escamilla seconds
- c. Motion passes by consensus

C. Fundraising Activities

- 1. Discussion tabled for next meeting

D. Friends of the Park Report

1. Board of Director Candidates

- a. Ms. Ruhland is working on finding more applicants for these positions
- b. Mr. Earl will create a position description letter to assist with recruitment

2. Legal / Bylaw Update

- a. Awaiting appointment of Board Members

3. Facebook

- a. We are currently promoting Hertiage Fest on Facebook
- b. Other events have been created for the rest of the year

4. Website

- a. Updates are ongoing
- b. Mrs. Hoyle will send updated contest rules to Mrs. Riley for posting on the website

E. Bicycle Advisory Committee Update

- 1. Mrs. Riley is attempting to organize a meeting for the Bicycle Advisory Committee and report back at the next meeting

VII. SUMMARY ACTIVITY

- A. Board members reviewed summary activity

VIII. COMMENTS FROM BOARD MEMBERS

A. Mrs. Escamilla: plan for sponsorships in the Fall

B. Mr. Earl thanks board members for handling meetings while he was absent, and is looking forward to Heritage Fest

Motion to adjourn was made by Mrs. Escamilla and seconded by Mr. Peer

Meeting adjourned at 7:57pm

Next meeting is June 6, 2018, 6:30 p.m. at Lexington Green

Respectfully Submitted,

Mrs. Elanor Riley

Park Board Secretary

Environmental Board Minutes, May 8, 2018

Meeting called to order at 7:00pm.

Members Present: Chair William Beck, Martha Dahlinger, Roger Lonoza, Dave Solberg, Deirdre Nieves, William Strong, Jerry Kroehn, Brian Harrison, Assistant City Engineer Jamie Harmon, and Secretary Tim Winslow.

Excused Members: None

Unexcused Members: Student Advisory member Owen Gwyn

Guests: None.

Martha made a motion to approve the minutes, seconded by Roger. Motion passes.

Communications Pathways

Jamie has been working with the City on this issue to try and get the environmental board an email address. The problem with giving the board an email address is that who would have access to it and the password. We do have a current email address but there's no protocol on who has it basically. Brian would like to see a governmental email address to add credibility to add it a bit.

We could list the email address on the webpage to our gmail address and provide a link to actually send emails to it. Jamie says the city would prefer that the board use its current environmental board address and not a city address.

The new website is coming out very soon (June hopefully). The environmental board will have its own page and a way for people to contact us and what they are contacting us about.

The hope is also to give the environmental board a blackboard portal as well that they list events, announcements, and even post topics for the public to read as well. This could be a very effective way to send out information.

Dave brings up that a lot of people are looking for community service hours and they want an easy way to find these available hours. He wonders if the City can put something together for all the boards, commissions, departments, etc. that makes this easy. Jamie says in a way that citizens can sign up for alerts now for topics that interest them. Jerry brings up maybe not using the word alert necessarily too as a precaution.

Brian says at the next subcommittee meeting the group can discuss how to proceed with this. He thinks it might be a good idea to enter into this cautiously just in case we encounter any bigger issues or problems.

Event Updates/Invasive Plant Pulls

We had a very successful invasive plant pull this past Saturday, May 5th with 15-20 people showing up. We started at Schrier Park and pulled what little Garlic Mustard was there before moving to Millennium Trail wetlands area near the Consolidated Drain.

Bill would like to get a volunteer-centric article in the Portager about this to show that helping with these types of events does help the environment.

Martha brings up doing better at educating private landowners about invasive species since many of them do nothing which helps contribute to the problem. Bill seconds this point of making more of an effort to educate the public about this. Martha also mentions that we will have to make sure the City is putting something in its place as well and not just pulling the invasives. Bill thinks this will be part of the land management plan that the Kalamazoo Nature Center is putting together for the City of Portage.

Jerry pointed out some Japanese Knotweed at the consolidated drain area at our pull on Saturday. Bill asked Jamie if the City knows it is there. Jamie says the City is dealing with it at another development project at Lakeview Drive and Portage Road and is learning first-hand the problems that this invasive causes. The City is exploring ways to get rid of it.

We have a couple more upcoming invasive plant pulls on Saturday, May 19th at Bicentennial Park and Saturday June 2nd at West Lake Nature Preserve.

Project Team Updates

Parks Invasive Management Plan Support

Deirdre is in constant contact with Kathleen Hoyle and she says the KNC does not expect to have a draft of the plan ready until the end of June or early July.

Resident/Stakeholder Education Plan

This project team met a couple of weeks ago and put a lot of different communication channels on paper. The channels they discussed are: directive community engagement, social media, communications via email, public access media, subliminal media, signage around town, and environmental marketing materials on city-owned assets/media. They also discussed expanding their outreach outside the city and regionally as well as doing more with the schools in the area and within the City limits. They also mentioned working more with the Kalamazoo Environmental Board and CISMA. Next step is to determine what to focus more with these channels.

Martha mentions that we should do more with CISMA in having a representative on this group. She thinks this should be a topic at our next environmental board meeting. Deirdre mentions that KNC is going through quite a bit of transition right now and that might be affecting some of the groups they are putting together as well.

Jerry mentions that the board should consider having a booth at the Farmer's Market possibly every other weekend or so. Brian says they will definitely consider this idea.

Stream/Shoreline Protection

Martha checked out some potential areas on Austin Lake for a place where the City could help "build" a natural shoreline as an example to people. She mainly checked Lakeview Park and the DNR boat launch. She also mentioned that she did not see a place for people to wash their boats at the Austin Lake DNR boat launch. She didn't think there were many locations where we could put in a natural shoreline to be honest so she wonders if we should maybe consider some other locations.

Martha will try to setup a meeting soon with Ray and Kathleen regarding this project. She thinks that this year we will need to plan for this and next year maybe actually implement the project.

Tim brings up would it make more sense to do this at West Lake Nature Preserve where there is already existing natural shoreline. The City could work on better improving it perhaps as an educational point.

Martha would like to see a display board showing what the City is doing on this issue and there is not one at Lakeview Park anymore. West Lake still does have a display board.

Brian asks the question if the point of the project team is to just do resident education on natural shorelines or to "build" a natural shoreline restoration. Martha says it is both

and showing a natural shoreline restoration example would be good to show residents what they need to do.

Business Environmental Incentives

Roger is going to try and set up a meeting with a developer on mixed-use living and what they would like to see to help them consider making a mixed use developments. Jamie says she knows quite a few developers she can put the board in touch with to discuss this issue.

Martha would like to see developers not be allowed to clear-cut lands before site plans are approved for developments. It is easier though for developers to build and replant trees rather than build around trees as that results in higher costs. Dave mentions that we need to be more proactive with regard to trees and what trees to plant, what trees to remove, etc.

Setting June's Agenda

Tim will provide an update on Purple Loosestrife at this meeting. We will also discuss the board having a more active role regionally and in collaboration with other regional groups with an environmental focus. We will also do project team updates and discuss the potluck for the July meeting.

Announcements

Jamie is working with Professor Todd Barkman on a very sensitive state-threatened plant species called Prairie Coreopsis that happens to have a population located on city-owned property where a lift station is present. Todd would like to work with the City of Portage on helping protect this plant and clear the invasives at that property. Todd wants to create a 20' x 20' area to help the plant grow there. There is a WMU student spearheading this project.

Bill made a motion to adjourn, seconded by Deirdre. Motion passes. Meeting adjourned at 8:13pm.

/s/ Tim Winslow

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – May 14, 2018

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Schau at 7:00 p.m. in the Council Chambers. Ten people were in the audience.

MEMBERS PRESENT: John Byrnes, Alexander Philipp, Jay Eichstaedt, Jeff Wettig (alt), Randall Schau, Linda Finch, Stu Bernhardt (alt)

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator, Kyle Mucha, Zoning & Codes Administrator, Charlie Bear, Assistant City Attorney.

MEMBERS EXCUSED: Natalie Rowe, Linda Fry

APPROVAL OF THE MINUTES: Eichstaedt moved and Phillip seconded a motion to approve the April 9, 2018 minutes as submitted. Upon voice vote, the motion was approved 7-0.

OLD BUSINESS:

ZBA #17-24; 3070 West Centre Avenue: A communication from the applicant requesting postponement until the June meeting was read. A motion was made by Wettig, seconded by Finch to postpone the item until June 11, 2018. Upon voice vote the motion passed 7-0.

NEW BUSINESS:

ZBA #17-26; 7907 Autumn Street: Mucha summarized the request for a variance to construct an addition 16 feet from the front (south) property line where a minimum 30-foot setback is required. Mr. Puckett stated he agreed with staff recommendations. Schau noted the lot had frontage on Autumn and was adjacent to an outlot to the south when it was created in 1953 and wondered when the property became subject to two front setbacks. Mais responded when Fallow Avenue was dedicated as a public right-of-way in the 1990's.

A public hearing was opened. No one spoke for or against the request. The public hearing was closed.

After a brief discussion, a motion was made by Finch, seconded by Wettig, to grant a variance to construct an addition 16 feet from the front (south) property line where a minimum 30-foot setback is required, for the following reasons: there are exceptional or extraordinary circumstances applying to the property that do not generally apply to other properties in the zoning district which include Fallow Avenue was constructed 30 years after the house had been built; the variance is necessary for the preservation and enjoyment of a substantial property right, the right to increase the living space, which is similar to that possessed by other properties in the same zoning district and in the vicinity; the immediate practical difficulty causing the need for the variance was not created by the applicant; will not be detrimental to adjacent property and will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Wettig-Yes, Byrnes-Yes, Philipp-Yes, Finch-Yes, Schau-Yes, Eichstaedt-Yes, Bernhardt-Yes. The motion passed 7-0.

ZBA #17-27; 1102 Forest Drive: Mucha summarized the request to construct a dwelling 25.66 feet high where a maximum 25 feet is permitted. Barbara Sneath, David Bauer and Paul Abueva, their builder, were present to answer questions. Schau inquired what a LEED certified house was and how it affected the proposed building height. Mr. Abueva explained the design is intended to use less energy and be more environmentally friendly. Mr. Abueva stated the variance request was quite small and the additional height is needed to accommodate sufficient insulation and adequate window area/solar exposure necessary for interior environmental control. Eichstaedt noted the dwelling height met code on three elevations and only on the lakeside elevation did the dwelling exceed 25 feet slightly. Attorney Bear stated the Board has

authority to authorize variances on the legal basis that a request may be considered 'de minimis' - being too small or minor to merit consideration. Eichstaedt stated he considered this particular request de minimis.

A public hearing was opened. Additional letters of support signed by the owners of 1202 Forest Drive; 1020 Forest Drive; 1028 Forest Drive; 1210 Forest Drive; 1110 Forest Drive; and 1116 Forest Drive were read into the record. No one spoke for or against the request. The public hearing was closed.

A motion was made by Eichstaedt, seconded by Finch, to grant a variance request to construct a dwelling 25.66 feet high where a maximum 25 feet is permitted on the basis that it is a de minimis request; the variance is necessary for the preservation and enjoyment of a substantial property right, the right to construct a LEED certified dwelling, which is similar to that possessed by other properties in the same zoning district and in the vicinity; the immediate practical difficulty causing the need for the variances was not created by the applicant; will not be detrimental to adjacent property and will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Wettig-Yes, Byrnes-Yes, Philipp-Yes, Finch-Yes, Schau-Yes, Eichstaedt-Yes, Bernhardt-Yes. The motion passed 7-0.

ZBA #17-28; 10027 Oakland Drive: Mais summarized the request for a variance to provide a loading/unloading area in the (south) side yard where loading areas are required in the rear yard. John Kleppe was present to answer questions. Schau asked the applicant to explain the purpose of the proposed building expansion. Mr. Kleppe stated primarily for additional storage. Eichstaedt inquired if the applicant intended to increase the parking. Mr. Kleppe replied no. Eichstaedt requested clarification on the number of deliveries taking place. Mr. Kleppe stated they are currently getting six deliveries per year and after the proposed expansion, the deliveries would likely increase to every two weeks or so. Schau inquired where the Eliason Nature Reserve trail was in relation to the applicant's property and the future residential development to the east that was recently before the Planning Commission. Mais responded the trail is east of the future residential development and not adjacent to the applicant's property.

A public hearing was opened. No one spoke for or against the request. The public hearing was closed.

A motion was made by Eichstaedt, seconded by Finch, to grant a variance to provide a loading/unloading area in the (south) side yard where loading areas are required in the rear yard for the following reasons: there are exceptional or extraordinary circumstances applying to the property that do not apply generally to other properties in the zoning district which include the pending future residential development to the east will be located to the rear of the property; the variance is necessary for the preservation and enjoyment of a substantial property right, the right to expand the business, which is similar to that possessed by other properties in the same zoning district and in the vicinity; the immediate practical difficulty causing the need for the variance was not created by the applicant; will not be detrimental to adjacent property and will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Wettig-Yes, Byrnes-Yes, Philipp-Yes, Finch-Yes, Schau-Yes, Eichstaedt-Yes, Bernhardt-Yes. The motion passed 7-0.

ZBA #17-29; 1522 West Centre Avenue: Mais summarized the request for a variance to erect a sign five feet from the front (south) property line where a minimum 10 feet is required. Robert Nicola stated the sign had to be removed as it had been struck by a car backing up and was beyond repair and he proposed maintaining the same front setback but would move the sign further east so it would be located behind parking spaces that are less heavily utilized.

A public hearing was opened. A letter from Masood Atashbar, owner of 1510 West Centre Avenue, objecting to the request was read into the record. Schau inquired how far the new sign would be from the east property line. Mr. Nicola clarified he is not requesting a variance from the east property line setback but the sign would be 20 feet from the east property line. Eichstaedt noted the sign at 1510 West Centre Avenue had to meet the 10-foot setback because it was erected after the road widening project was completed, whereas the applicant's sign had to be moved in the 1990's as a result of the road widening project. Schau stated he did not think the proposed sign would present much of a vision obstruction for eastbound traffic. Eichstaedt inquired how far the proposed sign would be from the sign at 1510 West Centre Avenue. Mais responded a precise measurement was not known but estimated around 90 feet. Eichstaedt noted the applicant's sign could not be moved to a location further north without encroaching into the required maneuvering lane. Mais pointed out the applicant did have the option to move the sign to property they owned to the west (1530 West Centre Avenue), but so long as the zoning lot designation did not change by the owner or developer, there were no practical conforming alternatives at 1522 West Centre Avenue. The public hearing was closed.

After a brief discussion, a motion was made by Schau, seconded by Eichstaedt to grant a variance to erect a sign five feet from the front (south) property line where a minimum 10 feet is required for the following reasons: there are exceptional or extraordinary circumstances applying to the property that do not apply generally to other properties in the zoning district which include a sign has been setback five feet for many years due to the variance; the variance is necessary for the preservation and enjoyment of a substantial property right, the right to identify one's business, which is similar to that possessed by other properties in the same zoning district and in the vicinity; the immediate practical difficulty causing the need for the variance was not created by the applicant, but rather, occurred when the County Road Commission widened West Centre Avenue; will not be detrimental to adjacent property and will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Wettig-Yes, Byrnes-Yes, Philipp-Yes, Finch-Yes, Schau-Yes, Eichstaedt-Yes, Bernhardt-Yes. The motion passed 7-0.

ZBA #17-30; 8767 Shaver Road: Mais summarized the request for a variance to replace a nonaccessory sign that does not meet the 1,000 feet sign separation distance requirement. Michael Thompson was present on behalf of Adams Outdoor Advertising and stated he agreed with staff's recommendations.

A public hearing was opened. No one spoke for or against the requested variance. The public hearing was closed.

A motion was made by Eichstaedt, seconded by Finch to grant a variance to replace a nonaccessory sign that does not meet the 1,000 feet sign separation distance requirement for the following reasons: there are exceptional or extraordinary circumstances applying to the property that do not apply generally to other properties in the zoning district which include a sign permit issued in 1999 for a nonaccessory sign north of the subject sign; the variance is necessary for the preservation and enjoyment of a substantial property right, the right to display a nonaccessory sign, which is similar to that possessed by other properties in the same zoning district and in the vicinity; the immediate practical difficulty causing the need for the variance was not created by the applicant; will not be detrimental to adjacent property and will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Wettig-Yes, Byrnes-Yes, Philipp-Yes, Finch-Yes, Schau-Yes, Eichstaedt-Yes, Bernhardt-Yes. The motion passed 7-0.

OTHER BUSINESS:

None

STATEMENT OF CITIZENS:

None

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator

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PLANNING COMMISSION

June 7, 2018

The City of Portage Planning Commission meeting of June 7, 2018 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Two citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Stoffer led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

Michael West, Senior City Planner and Randy Brown, City Attorney.

ROLL CALL:

Mr. West called the role: Corradini (yes), Harrell-Page (yes), Place (yes), Joshi (yes), Schimmel (yes), Stoffer (yes), Patterson (yes), Baldwin (yes) and Pezzoli (yes). All Commissioners were present. Chairman Stoffer welcomed Commissioner Paul Pezzoli to the Planning Commission.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the May 17, 2018 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Joshi, to approve the minutes as submitted. The motion was unanimously approved 9-0.

SITE/FINAL PLANS:

1. Final Plan: Selinon Park, 1521, 1603 and 1615 East Centre Avenue (reapproval). Mr. West summarized the June 7, 2018 revised staff report regarding a request from Full Circle Communities to reapprove the final plan for the Selinon Park Planned Development. Mr. West stated the final plan was previously reviewed and recommended for approval by the Planning Commission, and subsequently approved by City Council, twice before in September 2016 and August/September 2017. However and since construction did not commence within 120 days, Mr. West indicated the approvals have since expired. Mr. West indicated the reason for the delay in construction has been previous disapprovals from MSHDA for low income housing tax credits. Mr. West stated the applicant has recently received approval from MSHDA and is requesting reapproval of the final plan with only minor changes from the 2017 approval. Mr. West indicated the size of the 3-story building has been decreased slightly, while the size of the two 2-story buildings has been increased slightly. Mr. West discussed the review by the Historic District Commission (yesterday – June 6th) of the applicant's proposal to utilize the historic house located at 1521 East Centre Avenue as a manager residence: Item was adjourned to the July 11th meeting pending receipt of additional information from the applicant. Mr. West also briefly discussed minor changes to the private storm water system which were being finalized between the applicant and the Department of Transportation and Utilities. Mr. West indicated that staff was recommending reapproval of the final plan subject to finalization of engineering details associated with the private storm water system.

Carl Kunda of Full Circle Properties (applicant) was present to support the application and discuss the development project. Mr. Kunda explained the reasons for the delay in construction, the MSHDA review process and thanked the Commission and the city for their patience with this project. Mr. Kunda discussed the recent approval from MSHDA and the aggressive time schedule to close on the properties in August and begin construction in September.

After a brief discussion, a motion was made by Commissioner Joshi, seconded by Commissioner Place, to recommend to City Council that the Final Plan for Selinon Park, 1521, 1603 and 1615 East Centre Avenue, be reapproved subject to finalization of engineering details associated with the private storm water system. The motion was unanimously approved 9-0.

PUBLIC HEARING:

1. Special Land Use Permit: Group Child Care Home, 3826 Florinda Avenue. Mr. West summarized the June 1, 2018 staff report regarding a request from Ms. Melissa Loghry to establish a group child care home at her residence located at 3826 Florinda Avenue. Mr. West indicated the applicant has been operating a family child care home from this residence for approximately 25 years and wishes to expand her day care license. Mr. West discussed the Michigan statute that permits both family and group child care homes in residential zoning districts and also reviewed the specific ordinance requirements for a group child care home. Mr. West indicated the ordinance allows the Planning Commission to consider installation of a 6-foot tall screening fence around the outdoor play area in the rear yard of the site, however, adjacent property owners have signed a letter in support of the group child care home and requesting that a 6-foot tall screening fence not be required. Mr. West stated the application fulfills the requirements for issuance of a special land use permit and was recommended for approval. The Commission, Mr. West and Attorney Brown next discussed issues associated with the 6-foot tall fencing requirement and whether the fencing could be deferred or later required if ownership of adjacent properties were to change.

Ms. Melissa Loghry (applicant) was present to support the application. Ms. Loghry stated that she has been operating a family child care home from her residence for approximately 25 years and would like to expand her license in order to accept siblings of existing children she cares for, along with other children of parents who also need child care services. Chairman Stoffer thanked Ms. Loghry for her 25 years of providing important child care services to residents of Portage and the surrounding area.

The public hearing was then opened by Chairman Stoffer. No citizens spoke regarding the special land use permit. A motion was then made by Commissioner Schimmel, seconded by Commissioner Harrell-Page, to close the public hearing. The motion was unanimously approved 9-0. After a brief discussion, a motion was made by Commissioner Place, seconded by Commissioner Corradini, to approve the Special Land Use Permit for Ms. Melissa Loghry (group child care home) at 3826 Florinda Avenue. The motion was unanimously approved 9-0.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS/COMMISSIONERS:

Commissioner Corradini indicated that he would not be present at the June 21st and July 5th meetings. Commissioner Harrell-Page indicated she would not be present at the July 5th meeting.

ADJOURNMENT:

There being no further business to come before the Commission, the regularly scheduled meeting was adjourned at 7:35 p.m.

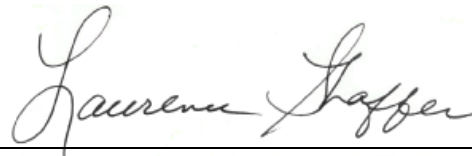
Respectfully submitted,

Michael West, AICP
Senior City Planner

MATERIALS TRANSMITTED

Tuesday, June 12, 2018

1. Communication from the City Manager regarding the Whispering Meadows Phase IV Sidewalks, **Agenda Item C.2.** – Information Only
2. Communication from the City Manager regarding Delinquent Water and Sewer Bills, **Agenda Item A.6.** – Information Only



Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Agenda Item C.2/Supplemental information

Attached is a communication from Aparna Kanaparthi Prabhash Tatineni dated Monday, June 11, 2018, in opposition to the installation of sidewalks in Whispering Meadows Phase IV.

Attachments: Communication from Aparna Kanaparthi Prabhash Tatineni dated June 11, 2018.

Contact Us

Which department do you wish to contact? Community Development

Your First Name Prabhash

Last Name Tatineni

Email Address ptatineni@aol.com

Subject Whispering Meadows Sub-division

Your Message

Aparna Kanaparthi Prabhash Tatineni 6527 Bunchberry DR
Portage, MI, 49024 To, Christopher Forth, Deputy Director,
Community Development, City of Portage, Portage, MI

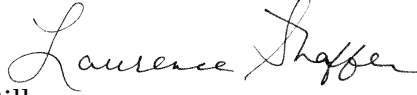
Mr. Forth, We recently purchased a property and built a house on 6527 Bunchberry Dr. We did not realize that this sub-division is supposed to have walking paths, the older parts of this sub-division do not have walking paths. We feel that the addition of the walking paths will decrease the Aesthetic value of the sub-division and will make this part of the sub-division look different from the other parts.

We are hoping that you will reconsider this and give this sub-division exception to having walking paths to maintain uniformity and the Aesthetic value.

Sincerely, Aparna Kanaparthi Prabhash Tatineni

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Delinquent Water & Sewer Bills

SUPPORTING PERSONNEL: William Furry, Director of Finance

Attachments: Delinquent Utility Bill (UB) to Tax List

Delinquent UB to Tax List

Friday, June 08, 2018

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
04380-005-O	7105 S 12TH ST	WOODS, ANTHONY	WOODS, ANTHONY T	565.41
03700-056-O	1413 ALICE AVE	TAYLOR, SHARON	BYERS, GERALDINE	93.13
08402-125-O	6630 AMBERLY ST	MCSELFRESH, LACEY	KRONNER, ROBERT M & MARY J	412.44
00340-050-O	2138 AMES DR	WILLARD, LOUIS	WILLARD, LOUIS R & PAULINE J	253.53
01900-052-O	205 AMOS AVE	HARPOLE, SHARLA	HARPOLE, JASON & SHARLA	115.97
01900-025-O	218 AMOS AVE	ROUSH, RUSSELL	ROUSH, RUSSELL J & J K	827.27
01900-031-O	326 AMOS AVE	DIMAS, TRISHA	DIMAS, SERGIO	476.37
01900-040-O	417 AMOS AVE	WILLIAMS, KEN	WILLIAMS, KENNETH A	411.80
05943-117-O	7705 ANDREA LN	BARRY, STEVE	BARRY, STEVEN	52.62
08220-062-O	325 ANDY AVE	HANNAHS, JOSHUA	HANNAHS, JOSHUA & LAURA	521.69
00023-365-O	8927 AUSTIN CT	POINDEXTER, WILLIAM	POINDEXTER, WILLIAM E & B M	198.62
01720-025-O	6047 AVON ST	WEISSMANN, HERMAN K	WEISSMANN, HERMAN K - TRUST	341.83
04803-074-O	2811 BACH AVE	VAN HOVEN, GARY	VANHOVEN, GARY & SHANNON	65.92
04740-002-O	526 BACON AVE	KOPPERS, DANIELLE	ROBINSON, JASON	473.35
00027-180-O	1213 BACON AVE	DENAWAY, JACOB	DENAWAY, JACOB	165.44
06180-004-O	1409 BACON AVE	WHALEY, BRYAN	OLSEN, ANTHONY	97.10
04503-398-O	5814 BELARD ST	GURDWARA SINGH SABHA KALAMAZC	GURDWARA SINGH SABHA KALAI	1,177.48
02561-098-A	1721 BENDER RD	NICHOLS, JEFFREY	NICHOLS, JEFFREY A	29.77
02561-091-O	1812 BENDER RD	HANEY, MIRANDA	SWISHER, ADAM & MIRANDA	107.70
02561-090-O	1816 BENDER RD	LABRIE, JEFF	BRASSFIELD, BASIL J & BARBARA	77.90
02561-104-O	1913 BENDER RD	RICKSTAD, BRANDON	DOWNS, MORGAN	694.85
00550-050-O	10760 BILTMORE LN	DE SHAIS, JASON	HAGENBARTH, SCOTT & GLORIA	148.34
03640-003-O	4710 BISHOP AVE	LOZA, GRETCHEN	LOZA, ELIZABETH A & GRETCHEN	60.00
07081-042-O	6917 BRATCHER ST	BURKE, KAREN	BURKE, MICHAEL D & K L	30.24
07020-052-O	5136 BRENNERTON DR	SWEENEY, CHRISTINE C	FEDERAL NATIONAL MORTGAGE	411.36
08403-132-O	6749 BRIGHAM ST	O'BRIEN REAL ESTATE	ROBERTS, NICHOLAS	30.90
00940-043-O	5105 BRONSON BL	TAVERNA, THOMAS	TAVERNA, THOMAS J	428.43
01000-054-A	8113 BROOKWOOD DR	HOSBEIN, HENRY & JILL	HOSBEIN, HENRY A & J M	376.07
04560-023-O	2117 BYRD DR	BUCHINO, FRANK	NELSON, RONALD L	413.14
06840-052-O	324 CAMEO AVE	LANDIS, KRISTINE	BONSELAAR, DAVID & CAROL	40.65
06840-022-D	427 CAMEO AVE	BUSHOUSE, KRISTY	RIDENOUR, KRISTY L	50.78
00016-675-O	806 W CENTRE AVE	WAGONER, JEAN M	WAGONER, JEAN M	351.52
00021-150-A	1411 W CENTRE AVE	DERHAMMER EXCAVATING	DERHAMMER, TERRY D	114.22
01001-062-O	8333 CHARWOOD DR	NYBLOM, PATRICIA OR SHERYL	NYBLOM, SHERYL	191.26
04501-101-O	5517 CHESHIRE ST	PETERSON, LORIE	US BANK TRUST NA	387.77
04501-204-O	5548 CHESHIRE ST	CCLW, LLC	VANDEPOLDER, CHRISTOPHER &	27.50
00032-212-O	2711 CHOPIN AVE	SIMS, NICHOLAS	MORALES, ROBERT & ROBERT B	61.79
07022-165-O	526 CIRCLEWOOD SOUTH DR	CLARK, SARAH	CLARK, SARAH A	620.44

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
07022-166-O	604 CIRCLEWOOD SOUTH DR	SIMMONS, DEBI	SIMMONS, ANTHONY H & D	403.64
01540-018-O	3219 COACHLITE AVE	KARPENKO, KELLY	CLEMONS, PAULA M	312.90
01600-042-O	125 COLONIAL AVE	SHREE SIDDHI VINAYAK, LLC	SHARMA, JAYESH & NEHA	155.59
00020-095-O	3205 COOLEY DR	LEEGER, JEFFREY	LEEGER, MARIAN & JEFFREY	61.34
05522-149-O	9511 CORDUROY ST	POOL, KATHY	POOL, KATHY A	5.32
07083-078-O	6749 CORNELL ST	CLARK, ELLEN	MCCLURE, GARY M & DIANE L	47.72
07623-196-O	803 COTTONDALE AVE	MELSON, ERICA	MANDAGERE, PHANISHA S	60.00
01640-013-O	5940 COPPERLEAF TRAIL	RICHMOND, DIANA	RICHMOND, DIANA L & JOSHUA V	162.05
09062-021-O	5743 DAKOTA AVE	MEYER, KRISTIN	MEYER, KRISTIN	425.76
09061-001-O	5830 DAKOTA AVE	TURNER, IESHA	BYERS, GERALDINE	364.07
09056-035-O	5904 DAKOTA AVE	CARROLL, KRISTA	R & J EQUITIES LLC	328.95
09056-045-O	5928 DAKOTA AVE	HUGHSON, SAMUEL	HUGHSON JR, SAMUEL & MARSH	205.88
02200-014-O	307 DELLA ST	GRIFFIN, PARIS	TRIGUBO, MOIRA B	133.63
02200-030-O	523 DELLA ST	HARLEY, DANIELLE	BAUCOM, BRENT & HARLEY, DAN	11.96
02200-035-O	611 DELLA ST	ROE, ROBIN	ROE, LAWRENCE I & ROBIN E	247.35
01721-067-O	6150 DEVON ST	KEMPER, SARA SUSANNE	US BANK TRUST N.A.	291.43
04440-011-O	10419 DEWBERRY ST	DOYLE, JAMES T	DOYLE, JAMES T	735.33
05402-134-O	8703 DOLPHIN ST	DERIGHT, DEBORAH	YANCER, LONNIE	157.76
06840-036-O	526 DORSET ST	HETTINGER, MICHAEL	HETTINGER, MICHAEL A	26.66
04200-221-O	801 DRURY LN	GREENMAN, GREGORY	GREENMAN, GREGORY D	43.29
01723-185-O	1509 EDINGTON ST	SMITH, RACHAEL	NEWNUM, TIM J	52.86
06540-070-O	1803 FESCUE ST	WILLMS, KATHERINE	BGP, LLC	350.00
04141-051-O	3913 FLORINDA AVE	WEYENBERG, JAYD	GUNTER, BARAK W & MEGAN E	64.00
00015-190-B	7412 GARDEN LN	MORLEY, JULIE	ZAKIR, KHURRAM & FAIZA	474.11
02561-103-O	5107 GARDEN RD	JANK, LISA	JANK, LISA	366.94
03182-044-O	5643 GRAND TRAVERSE LN	WIBORN, KYLE	JOHNSON, SUSAN G TRUST	110.13
06540-027-O	1715 GREENVIEW AVE	BARBER, DAWN	TREBING, MELISSA & STEPHEN	79.26
02920-009-O	5226 GROSSE POINTE ST	ZIPPLE-MORRISON, KARL & DANIELLE	ZIPPLE- MORRISON KARLA AND I	1,498.92
02920-022-O	5229 GROSSE POINTE ST	COOPER, KATHY	COOPER, KATHY L	367.19
02980-017-O	1604 HAMELINK DR	ADAMS-CORBIN, MARY	CORBIN, JIM B	248.51
02321-081-O	1904 HELEN AVE	DUNCAN, AMBER	BGP LLC	667.72
02081-034-O	2216 HEMLOCK AVE	BRANSON-PREB, BA'SHUN	BRANSON, BA'SHUN J & M-TISHA	485.47
09065-033-A	229 IDAHO AVE	HUDSON, AMY	ROJO, ADRIAN & RUBIN, ANA L	421.20
02561-146-O	2002 INDIAN RD	BREESE, ANN MARIE	BREESE, GABRIEL & ANN MARIE	561.90
02561-145-A	2012 INDIAN RD	SMITH, SCOTT B	SMITH, SCOTT B & A J F	358.83
02561-144-O	2020 INDIAN RD	WINEKA, MEGHAN	KHABEIRY, NILE & WINEKA, M ME	521.34
09063-013-O	5817 IOWA AVE	BYERS, BRIAN	BYERS, BRIAN J	1,734.00
03161-021-O	6843 ISABELLE ST	GONZALEZ, RAYMOND & NORMA	GONZALEZ, RAYMOND & NORMA	1,653.96
02561-164-O	1326 E KILGORE RD	GONZALEZ, JOSE G	GONZALEZ, JOSE G	822.94
00001-020-O	3620 E KILGORE RD	KC REALESTATE	KC REAL ESTATE, LLC	15.76
07020-003-O	123 W KILGORE RD	BYERS, LINDA	BYERS SR, MICHAEL & LINDA	422.36

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
03960-016-O	753 W KILGORE RD	ANDERSON, RICHARD	JERECO, LLC	447.70
08280-004-O	1901 W KILGORE RD	GARCIA, FRANKIE	GARCIA JR, F & MARTINEZ L	337.51
06360-004-O	915 LAKEVIEW DR	MOHANLAL, RAMON	GUERNSEY, WILLIAM & DOROTH'	98.35
06360-042-O	1010 LAKEVIEW DR	TERRY, ANDREW	SHEARER, LYNN F & CAROL A TR	262.43
04200-316-O	7539 LAKE WOOD DR	MALCOLM, PAUL	BEEBE, P THOMAS & J - TRUSTEE	45.28
07020-016-O	622 LANDSDOWNE AVE	MORRIS, JASON	MORRIS, JASON A & GRIGGS, JAC	1,005.02
06480-030-O	2303 LANSING AVE	SMITH, SAREATHA	SMITH, SAREATHA	58.53
00010-025-O	6328 LOVERS LN	NUYEN, CHAD	GREENWAI, LLC	418.38
00010-015-O	6428 LOVERS LN	BODNAR, GEORGE	BODNAR, GEORGE & MYER, BARI	17.91
00492-133-O	4700 MARCEL AVE	MIFSUD, ROBERT & KIMBERLY	MIFSUD, ROBERT & KIMBERLY	776.23
00492-134-O	4720 MARCEL AVE	JANIK, DEBORAH	JANIK, MICHAEL G & DEBORAH M	980.44
02440-018-O	416 MARIGOLD AVE	YOUNG, TIM	K TROUT MANAGEMENT, LLC	357.27
01723-189-O	6514 MARLOW ST	FAARUP, AUBREY	MCPHERSON, RYAN	258.17
06541-144-O	6749 MARLOW ST	KELLEY, MELISSA	KALACASS TRUST	47.23
04502-286-O	5812 MEREDITH ST	BENNETT, RUTH ANN	MEREDITH SFR LLC	26.24
07020-034-O	5124 MIDFIELD DR	FRAGA, PAIGE	FRAGA, MIGUEL	1,057.25
00491-054-O	7329 MILAN DR	BONNER, JENNIFER	BONNER, JENNIFER	227.77
00760-002-O	3620 W MILHAM AVE	ANTOON, LAPEER	TISBY, JIMMIE M & SHARESE L	664.72
01600-007-O	213 E MILHAM AVE	GUCMA, THOMAS	MARTINAZZI, ADAM M	110.09
01600-016-O	405 E MILHAM AVE	HETTINGER, MICHAEL	HETTINGER, MICHAEL A	136.14
09063-035-O	5740 MISSOURI AVE	NEMEDI, JOHN C	MILLER, KIMBERLY	13.54
03700-037-O	5603 MONTICELLO AVE	HOWARD, ANNE	FETT, KATHLEEN A	609.38
03700-016-O	5823 MONTICELLO AVE	JONES, NATANYA	RICHARDS, DENNIS & ANN	59.85
03700-080-O	5908 MONTICELLO AVE	RICHTER, CHARLES	RICHTER, CHARLES W	187.48
03700-112-A	5739 MT VERNON AVE	DAVID, JESSE	DAVID, JESSE	328.70
03700-174-O	5924 MT VERNON AVE	WELBAUM, CASEY	ROSARIO, GISSELLE A	463.43
00025-155-O	4811 NASH AVE	PREUSSEL, JAMES	PREUSSEL, JAMES B	214.37
09061-020-O	5747 NEVADA AVE	LEWIS, EVELYN	SUBLETT, KIM	37.81
09061-013-O	5815 NEVADA AVE	DELONG, RHONDA K	DELONG, RHONDA K	17.37
09056-021-O	5911 NEVADA AVE	THOMPSON, DILLON & CARMEN MORF	COLLINS, CHERI	165.90
09057-043-O	5924 NEVADA AVE	VANFULPEN, THOMAS G & P A	VANFULPEN, THOMAS G & P A	560.13
09056-015-A	5925 NEVADA AVE	JOHNSON, MICHELLE	BUTLER, RONALD L & S S	378.95
08820-067-O	8147 NEWELL'S LN	GRANCHI, MIKE	NORRIS, GRAHAM N & KAYLEE N	30.39
02500-018-O	8510 OAKSIDE ST	LEGALLEY, MINDY	LEGALLEY, MINDY	549.82
00008-055-O	6117 OAKLAND DR	BLISS, JUDITH	KALAMAZOO PROFESSIONAL BLI	55.01
04020-002-O	6703 OAKLAND DR	SCHKURKO, JUDY	SCHKURKO, JOHN M & JUDY A	12.07
00032-525-O	10648 OAKLAND DR	OERTEL, ETHAN & MELISSA	OERTEL, ETHAN C	468.99
09064-041-O	5812 OHIO AVE	HODKINS, DANIEL	HODGKINS, DANIEL A II	247.49
00940-026-O	5028 OLD COLONY RD	IANNI, MICHAEL	IANNI, MICHAEL B	75.63
01241-038-O	1021 ORCHARD DR	THRASHER, CONNIE	THRASHER, CONNIE J	273.37
01242-083-O	1124 ORCHARD DR	MYERS, JOHN & RACHEL	RADCLIFF, SOLOMON	170.98

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
09000-033-A	1402 ORCHARD DR	NEEDHAM, JODI	NEEDHAM, JODI	396.31
09000-032-A	1418 ORCHARD DR	BROWN, CHESTER	BROWN, CHESTER & ANNETTE	560.13
09000-011-O	1423 ORCHARD DR	BROWN JR, JOHN W	BROWN JR, JOHN & CAROLINE	560.13
09000-029-O	1516 ORCHARD DR	NEMETH, LORI	NEMETH, MICHAEL A & L S	190.93
02860-044-O	912 E OSTERHOUT AVE	SUNDMAN, ANGELA	PYPHI, MARKUS	397.23
09180-023-O	1130 E OSTERHOUT AVE	MISSLER, BETH	TURNKEY PROPERTIES, LLC	726.25
07621-109-O	6013 PEACHTREE ST	WILSON, WILLIAM & CHRIS	FAIRCHILD MANAGEMENT, LLC	220.72
07623-155-O	6236 PEACHTREE ST	ASHMORE, DALE	ASHMORE, DALE & KIMBERLY	57.73
07620-006-O	402 PECAN AVE	AYERS, TESLA	KAYLOR, GARY E TRUST	129.21
07620-048-O	419 PECAN AVE	SUNIE, MATTIE	KINNEY, CHRISTIAN	151.53
08220-026-O	5336 PLATEAU ST	ROLAN II, SIMON	ROLAN, VICTORIA	257.98
08220-013-O	5350 PLATEAU ST	DALLA, LORETTA	DALLA, LORETTA E	218.16
08820-024-O	1923 PLEASANT DR	DOWNS, LYNDSEY	BROOKS, SCOTT & KATHRYN	55.13
00023-347-O	8811 PORTAGE RD	LALIBERTE, DONALD & GERRY	LALIBERTE, DONALD & GERRY	560.13
00023-345-O	8817 PORTAGE RD	LALIBERTE, DONALD & GERRY	LALIBERTE, DONALD & GERRY	560.13
01420-021-O	2219 POTOMAC AVE	TIMMER, MELINDA	TIMMER, DAVID W	279.65
05502-037-O	7233 PRESTWICK LN	GERGER, MARK	GERGER, MARK E & M A	328.27
06780-024-O	2321 PROSPERITY DR	KOSCIK, DANIELLE	SANFORD, JOEL & FORSLEV, WIL	90.89
00490-040-O	7173 PROVENCE DR	MATEUS, ANITA	MATEUS, ANITA	514.39
05381-044-O	1133 RAINBOW CT	DROK-PREB, DAVE & BELINDA	DROK, DAVID & BELINDA	942.84
06480-017-O	2118 RAMONA AVE	SPRAU, JAMES	SPRAU, JAMES E JR	450.81
09482-066-O	7410 ROCKFORD ST	LEMNAH, JEFFREY AND AMY	KELLY, JEFFREY	50.40
00032-260-A	3118 ROLLING HILL AVE	WILLIAMS, JOHN	POWERS, BRIAN & CUNNINGHAM	78.31
07080-004-O	824 ROMENCE RD	GARRISON, KATHLEEN	LPC PROPERTY SOLUTIONS, LLC	75.52
07080-008-O	930 ROMENCE RD	HOWLAND, KIEL	SMITH-BELL, ARESTES D	62.24
00018-084-B	4591 ROMENCE RD	STEENSTRA, MARIJO	STEENSTRA, MARIJO	560.10
04380-026-O	4729 ROMENCE RD	SMITH, ADAM	SMITH, ADAM M	794.12
02200-149-O	404 RUTH ST	UNDERLY, LINDA C	UNDERLY, LINDA C	53.29
00491-113-O	7311 SALERNO CIR	HOYAT, MAIN	HAYAT, MIAN SAQIB	993.73
00491-071-O	4611 SALZBURG CIR	GARCIA, MARC A	GARCIA, MARC & LISA	874.24
02606-003-O	5204 SHAGBARK CT	MANDAGERE, PHANISHA	MANDAGERE, PHANISHA	121.55
02606-012-O	5229 SHAGBARK CT	LEWIS-BRAUSSARD, KATHERYN	LEWIS-BROUSSARD, KATHRYN	560.57
00032-385-A	10648 SHAVER RD	COLLISON, LISA	10648 SHAVER, LLC	331.96
01241-068-O	809 SHUMWAY AVE	ELLIOTT, BRANDON	BENNER FAMILY TRUST	110.76
00027-035-O	1110 SOUTH SHORE DR	RAAB, CAROLYN	RAAB SR, DONALD L & CAROLYN	560.13
00001-010-C	5090 S SPRINKLE RD	5090 SPRINKLE LLC	5090 SPRINKLE, LLC	684.03
04501-132-O	5633 S SPRINKLE RD	LACY, AUTUMN	MERRILL, GLORIA J	620.80
04501-132-O	5633 S SPRINKLE RD	MERRILL, CHARLES	MERRILL, GLORIA J	438.95
00280-020-O	7813 S SPRINKLE RD	CUNNINGHAM, JOSH	CUNNINGHAM, JOSHUA & REBEC	20.00
00026-146-O	2472 STANLEY AVE	FARRINGTON, LYNETTE	FARRINGTON, LYNETTE	1,389.44
07740-001-O	5011 STONEHENGE DR	SCHAUER, ROBERT T.	SCHAUER, ROBERT T	314.56

Parcel #	Service Address	Customer Name	Owner Name	Delq Amount
07740-028-O	5128 STONEHENGE DR	SAIA, ANTHONY	SAIA, ANTHONY & CRYSTAL	12.83
08220-010-O	222 TAMARIX AVE	MANGENA, PRINCE	MANGENA, PRINCE	66.28
08220-011-O	228 TAMARIX AVE	DUCKETT, THEOPHLIS	DUCKETT, THEOPHLIS & DIANA	163.08
09485-176-O	1819 TAMFIELD AVE	STALEY, WENDY	NEILSON, JASON L	49.98
00018-549-O	3768 TARTAN CIRCLE	BHATIA, INDERDEEP	BHATIA, INDERDEEP S & JASLEEI	5.62
04741-045-O	10126 TERRY LN	KERNELL, ANTHONY	KERNELL, ANTHONY	238.07
04501-188-O	5622 TIFFIN ST	GARD-LEONARD, DEBRA	GUEYE, MAREME	18.83
01241-029-O	8301 TRANQUIL ST	HARRIS, VANCE	HARRIS II, VANCE G	560.13
01241-046-O	8314 TRANQUIL ST	GETTYS, THOMAS	GETTYS, THOMAS & B	298.41
01241-035-O	8337 TRANQUIL ST	BECKER, JOANI	BECKER, JOANI R	63.53
01241-036-O	8343 TRANQUIL ST	WENTZEL, CINDY	WENTZEL, CINDY K	272.49
00029-120-O	2308 VANDERBILT AVE	HOUSER, MICHAEL	HOUSER, MICHAEL	129.51
09056-029-O	627 W VAN HOESEN BL	MADDOX, JEFF	SHAW, JACUB	25.01
04200-129-O	601 VAUCELLES ST	CULVER, BARB	MARQUIS, BRANDON & SPAROW	180.15
01421-056-O	7631 WALCOTT ST	NEWSOME, RANDY	JOHNSON, BRYAN & KRISTA	128.77
08760-026-O	4414 WESTFIELD AVE	SHAW, MATILDA	CASERIA, MIKELA & HIGGASON, C	58.50
07321-062-O	6442 WESTCHESTER ST	THELEN, BERNARD	VANDERBERG, BRIAN W	164.35
00004-045-A	5348 S WESTNEDGE AVE	GANDER MOUNTAIN, PREB	QUALITY ACQUISITIONS LLC	583.76
00004-045-A	5348 S WESTNEDGE AVE	GANDER MOUNTAIN	QUALITY ACQUISITIONS LLC	348.52
09050-001-A	5890 S WESTNEDGE AVE	BABIES R US # 6469 - PREB	A & W ACQUISITIONS, LLC	683.41
00019-238-O	8024 WIMBLEDON DR	VAINAVICZ, JEREMY	VAINAVICZ, ADAM & WHITLEY	173.50
00019-227-O	8040 WIMBLEDON DR	COVERT, JENNIFER	WOOTEN, JACOB F	81.11
02320-002-O	2328 WINTERS DR	LOT 2 ETHEL LANE, LLC	KBA PROPERTIES, LLC	363.03
08220-018-O	5327 WISTERIA ST	ESTRADA, BRIAN	ESTRADA, BRIAN	49.29
08220-005-O	5336 WISTERIA ST	DEVRIES, SCOTT	DEVRIES, SCOTT	155.60
08220-007-O	5348 WISTERIA ST	MARSHALL, KANDEISS	TOI ROSS, KANDEISS	94.09
07020-001-O	5012 WOODMONT DR	VAN HORN, MICHELLE	BUCHANAN, MICHELLE	401.16
07020-087-A	5111 WOODMONT DR	SHELBY, MICHELLE	SHELBY, MICHELLE L	1,179.25
09451-030-O	2414 WOODY NOLL DR	CATO, CHRISTOPHER	CATO, CHRISTOPHER R	231.51

Total Accounts 190

Total: **\$61,738.97**

Report Generated: 6/8/2018 4:24 PM
Report Options: All Accounts

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Rezoning Application #17/18-3, Pennridge Trail Planned Development

SUPPORTING PERSONNEL: Chris Forth, Acting Director, Department of Community Development

ACTION RECOMMENDED: Subsequent to the public hearing, consider approving Rezoning Application #17/18-3 for Pennridge Trail Planned Development (1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive) changing the zoning from I-1, light industry to PD, planned development.

An application has been received from Westview Capital, LLC for a 46.54 acre tract of land addressed as 1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive to be rezoned from I-1, light industry to PD, planned development. Pennridge Trail is a proposed residential community that would include a single-family site condominium element (63 single-family homes) with public streets and two-family attached condominium dwellings (74 units) with private streets. Additionally, the applicant proposes to preserve 16 acres (or 34% of the overall land area) as open space, with particular emphasis along the western perimeter of the property adjacent to the Penn-Central railroad tracks and the northern portion of the site. To provide this additional open space, the applicant proposes a smaller lot, "clustered" form of residential development. The overall development density for the residential community would be 2.9 units per acre. An internal pedestrian circulation network consisting of concrete sidewalks and asphalt trails is planned throughout the development, including a connection to the Eliason Nature Preserve.

Based on the proximity of the Penn-Central railroad tracks to the proposed Pennridge Trail PD, the city Development Review Team (DRT) expressed serious safety concerns with construction of a second public access street. As such, public access will be provided through only one public street from West Osterhout Avenue. In lieu of a second public street access, the developer proposes to construct a permanent emergency vehicle access drive to the adjacent property to the north located at 9801 Shaver Road.

The applicant has requested two modifications involving the maximum number of lots on a cul-de-sac street and installation of a five-foot wide concrete sidewalk along West Osterhout Avenue:

1. As a second public street access from West Osterhout Avenue is not permitted, construction of the single-family site condominium portion of the development will result in a total of 63 lots on a public cul-de-sac street when 20 is the maximum. With the proposed permanent emergency access drive to the north, the City Administration is supportive of this requested modification.

2. The Subdivision and Land Division Regulations require installation of a five-foot-wide concrete sidewalk along the West Osterhout Avenue frontage. Given the proposal to install an internal network of sidewalks and trails within the Pennridge Trail PD, including a connection to the adjacent Eliason Nature Preserve trail, combined with the lack of existing sidewalks along West Osterhout Avenue and no future plans by the city to install sidewalks, the City Administration is supportive of this requested modification.

The Department of Community Development recommends that Rezoning Application #17/18-3 be approved and the property be rezoned from I-1, light industry to PD, planned development, including approval of the two requested modifications. The PD district and associated tentative plan/narrative submitted by Westview Capital, LLC is consistent with the Comprehensive Plan and Future Land Use Map designations, and is compatible with the surrounding zoning/land use pattern along West Osterhout Avenue. Additionally and consistent with Section 42-375.L of the PD ordinance, the two requested modifications are in the best interests of the residents of the planned development and are not inconsistent with the interests of the entire city.

The Planning Commission convened a public hearing during the April 19 and May 3, 2018 meetings. After careful consideration, the Commission voted 7-0 to recommend to City Council that Rezoning Application #17/18-3 be approved, including the two requested modifications. The recommendation included the same findings and analysis contained in the staff recommendation.

City Council completed the first reading of the application at the May 22, 2018 regular meeting. Attached find the Planning Commission transmittal, Department of Community Development report and related materials for review.

FUNDING: Not applicable

Attachments:

1. Planning Commission Transmittal
2. Planning Commission Minutes May 3, 2018
3. Planning Commission Minutes, April 19, 2018
4. Community Development Staff Report dated April 27, 2018
5. Ordinance Amendment for Rezoning Application #17/18-3

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: May 11, 2018

SUBJECT: Rezoning Application #17/18-3, Pennridge Trail Planned Development, 1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive

The Planning Commission convened a public hearing during the April 19th and May 3rd, 2018 meetings to consider the rezoning application submitted by Westview Capital, LLC to rezone 1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive, from I-1, light industry to PD, planned development. Mr. Tom Larabell, Westview Capital, LLC, was present during the April 19th meeting and Mr. Brian Wood, Westview Capital, LLC, was present at the May 3rd meeting to support the PD rezoning request and explain the development project. At the April 19th meeting, three citizens spoke in opposition to the PD rezoning citing concerns over access, traffic generation and related impacts at the Oakland Drive/West Osterhout Avenue intersection and safety issues given the proximity to the Penn-Central railroad tracks. At the May 3rd meeting, two citizens spoke in opposition to the PD rezoning again citing concerns over access and traffic generation, along with loss of trees and privacy for adjacent residents.

After careful consideration, a motion was made by Commissioner Bosch, seconded by Commissioner Place, to recommend to City Council that Rezoning Application #17/18-3 be approved and 1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive be rezoned from I-1, light industry to PD, planned development with approval of the two requested modifications involving the maximum number of lots on a cul-de-sac street and installation of sidewalk along West Osterhout Avenue. The motion included a finding that the PD district and proposed Pennridge Trail mixed detached/attached residential development is appropriate in this area of the City and will provide assurances to surrounding property owners on the specific type of development that will be built on the property while providing design flexibility to the developer. The PD district and associated tentative plan/narrative submitted by Westview Capital LLC is consistent with the Comprehensive Plan and Future Land Use Map designations and compatible with the surrounding zoning/land use pattern along West Osterhout Avenue. Additionally and consistent with Section 42-375.L of the PD ordinance, the two requested modifications are in the best interests of the residents of the planned development and are not inconsistent with the interests of the entire city. The motion was unanimously approved 7-0.

Sincerely,

A handwritten signature in blue ink that reads "Wayne Stoffer". The signature is fluid and cursive, with the first name "Wayne" being more prominent than the last name "Stoffer".

Wayne Stoffer
Chairman

PLANNING COMMISSION

May 3, 2018

The City of Portage Planning Commission meeting of May 3, 2018 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 35 citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Stoffer led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

Michael West, Senior City Planner and Bryan Beach, Assistant City Attorney.

ROLL CALL:

Mr. West called the roll: Corradini (yes), Place (yes), Joshi (yes), Schimmel (yes), Stoffer (yes), Patterson (yes) and Bosch (yes). A motion was then made by Commissioner Patterson, seconded by Commissioner Schimmel, to approve the roll excusing Commissioner Harrell-Page. The motion was approved 7-0.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the April 19, 2018 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Schimmel, to approve the minutes as submitted. The motion was unanimously approved 7-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

1. Final Report: Rezoning Application #17/18-3, Pennridge Trail Planned Development, 1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive. Mr. West summarized the Department of Community Development staff report dated April 27, 2018 regarding the request from Westview Capital, LLC to rezone a 46.54 acre tract of land from I-1, light industry to PD, planned development. Mr. West stated the Pennridge Trail PD proposes a total of 137 residential dwellings with 63 single family detached homes planned within a site condominium with public streets and 37 duplex dwellings (74 units total) in a condominium with private roads. Mr. West then discussed various elements of the proposed Pennridge Trail PD including the overall development density, significant open space preservation, secondary emergency vehicle access drive and the two requested modifications involving the maximum number of lots on a cul-de-sac and sidewalks along West Osterhout Avenue. Mr. West summarized the final staff analysis including the Comprehensive Plan and Future Land Use Map designations for the subject property, the suitability of the existing I-1 zone and impacts of the proposed PD zone, access and traffic related impacts. Mr. West indicated the rezoning and tentative plan/narrative was consistent with the Comprehensive Plan, Future Land Use Map, surrounding land use pattern and was recommended for approval including the two requested modifications.

The Commission and Mr. West discussed various issues of the proposed rezoning and development project including access from West Osterhout Avenue, the secondary emergency vehicle access drive, the proximity to the railroad tracks and traffic related impacts. Brian Wood of Westview Capital, LLC was present to support the rezoning application and explain the development project. Mr. Wood elaborated on the secondary emergency vehicle access drive and indicated that easements and maintenance agreements have been drafted for both the Pennridge Trail property and the adjacent property to the north (9801 Shaver Road). Mr. Wood indicated the Pennridge Trail home owners association would be responsible for maintenance of this secondary emergency

vehicle access drive and that language would be added that would allow the city to maintain the drive and assess the home owners association, if not properly maintained. Mr. West indicated that if the rezoning was approved, the City Attorney would be reviewing the easements and maintenance agreements.

The public hearing was opened by Chairman Stoffer. Andy Bozell, 10315 Oakland Drive, and Cindy Crawford, 10716 Oakland Drive, spoke regarding the proposed rezoning. Mr. Bozell again spoke in opposition to the proposed PD rezoning and residential development citing traffic and safety concerns particularly at the Oakland Drive/West Osterhout Avenue and Oakland Drive/Shaver Road intersections during peak periods. Ms. Crawford indicated her father owns the adjacent property to the east (1702 West Osterhout Avenue) and was concerned about the loss of privacy and requested that a fence be required along the shared property line. Mr. Crawford also cited concerns about additional traffic generation and impacts at the Oakland Drive/West Osterhout Avenue intersection. Mr. West indicated that screening/buffering was not required between single family residences and resulting setbacks/separations between the existing residence at 1702 West Osterhout Avenue and the planned residences with the Pennridge Trail development would be similar or greater than setbacks/separations in a traditional subdivision. Mr. West summarized existing traffic volumes along West Osterhout Avenue and indicated that West Osterhout Avenue is currently operating at less than 25% of its capacity. Mr. West also indicated that the Department of Transportation and Utilities has been monitoring traffic in the area and has reviewed and approved the tentative development plan. Mr. West restated the Pennridge Trail development was planned in multiple phases over an approximate 10-year period with an overall development density of 2.9 units/acre. Mr. West indicated the existing I-1, light industrial zoning is inconsistent with the Comprehensive Plan designation. No additional citizens spoke regarding the proposed PD rezoning. A motion was then made by Commissioner Bosch, seconded by Commissioner Schimmel, to close the public hearing. The motion was unanimously approved 7-0.

After additional discussion, a motion was then made by Commissioner Bosch, seconded by Commissioner Place, to recommend to City Council that Rezoning Application #17/18-3 be approved and 1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive be rezoned from I-1, light industry to PD, planned development with approval of the two requested modifications involving the maximum number of lots on a cul-de-sac street and installation of sidewalk along West Osterhout Avenue. The motion included a finding that the PD district and proposed Pennridge Trail mixed detached/attached residential development is appropriate in this area of the City and will provide assurances to surrounding property owners on the specific type of development that will be built on the property while providing design flexibility to the developer. The PD district and associated tentative plan/narrative submitted by Westview Capital LLC is consistent with the Comprehensive Plan and Future Land Use Map designations and compatible with the surrounding zoning/land use pattern along West Osterhout Avenue. Additionally and consistent with Section 42-375.L of the PD ordinance, the two requested modifications are in the best interests of the residents of the planned development and are not inconsistent with the interests of the entire city. The motion was unanimously approved 7-0.

2. Preliminary Report: Rezoning Application #17/18-4, 6533, 6547, 6603 and 6609 Oakland Drive. Mr. West summarized the Department of Community Development staff report dated April 27, 2018 regarding the request from Scott Gignac to rezone 6533, 6547, 6603 and 6609 Oakland Drive from R-1B, one family residential to R-1T, attached residential. Mr. West indicated the applicant was requesting the rezoning to facilitate construction of an attached single-family development consisting of two-unit, three-unit and/or four-unit attached residential condominiums. Mr. West then reviewed the Comprehensive Plan and Future Land Use Map designations for the subject properties, the surrounding land use/zoning pattern and the suitability of the existing R-1B zone and impacts of the proposed R-1T zone.

Scott Gignac was present to support the rezoning application and explain the attached residential development planned for the subject properties. Although conceptual in nature, Mr. Gignac distributed copies of a preliminary site plan showing a mixture of two-unit, three-unit and four-unit attached residential condominiums. Mr. Gignac stated it was his intention to retain the southern two single family residences, along with a portion of the mature evergreen tree stand located along the northern portion of the site. Mr. Gignac stated he envisioned the condominiums would be a minimum of 1,200 square feet in size with an attached garage and an approximate sales price of \$250,000. Commissioner Joshi stated that preliminary site plan presented by the applicant does not

PLANNING COMMISSION

April 19, 2018

The City of Portage Planning Commission meeting of April 19, 2018 was called to order by Chairman Stoffer at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Eight citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Stoffer led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

Michael West, Senior City Planner and Randy Brown, City Attorney.

ROLL CALL:

Mr. West called the roll: Corradini (yes), Harrell-Page (yes), Place (yes), Stoffer (yes), Schimmel (yes), Stoffer (yes), Patterson (yes) and Bosch (yes). A motion was then made by Commissioner Patterson, seconded by Commissioner Bosch, to approve the Roll excusing Commissioner Joshi. The motion was approved 7-0.

APPROVAL OF MINUTES:

Chairman Stoffer referred the Commission to the April 5, 2018 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to approve the minutes as submitted. The motion was unanimously approved 7-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

1. **Preliminary Report: Rezoning Application #17/18-3, Pennridge Trail Planned Development, 1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive.** Mr. West summarized the Department of Community Development staff report dated April 13, 2018 regarding the request from Westview Capital, LLC to rezone a 46.54 acre tract of land from I-1, light industry to PD, planned development. Mr. West stated the Pennridge Trail PD proposes a total of 137 residential dwellings with 63 single family detached homes planned within a site condominium with public streets and 37 duplex dwellings (74 units total) in a condominium with private roads. Mr. West then summarized various elements of the proposed Pennridge Trail PD including access, public/private street design and layout, sidewalks and walking trail, open space preservation, lot sizes and setbacks. Mr. West indicated upon full build-out, which is proposed in six phases over 10 years, the overall development density will be 2.9 units/per acre. Mr. West then discussed the Comprehensive Plan and Future Land Use Map designations for the subject property, the suitability of the existing I-1 zone and impacts of the proposed PD zone, the two modifications requested by the applicant involving the maximum number of lots on a cul-de-sac street and sidewalks along West Osterhout Avenue and access/traffic related issues.

Mr. Tom Larabell of Westview Capital, LLC was present to support the rezoning application and explain the development project. Mr. Larabell discussed the proposed "clustered" form of residential development with smaller lots sizes and building setbacks that will allow for retention of significant open spaces areas across the property (16 acres or 34% of the overall property). Mr. Larabell discussed the site topography and proposed layout of the development and the plans to preserve the mature trees adjacent to the Pen Central railroad tracks. Mr. Larabell then discussed the proposed emergency vehicle access to the adjacent property to the north and the easements and maintenance agreements that would be in place to ensure the access is maintained.

The public hearing was opened by Chairman Stoffer. Three citizens spoke regarding the proposed rezoning and development plan: 1) Buffy McCorry (10469 Oakland Drive), 2) Andy Bozell (10315 Oakland Drive) and 3) Cindy Crawford (10716 Oakland Drive). Ms. McCorry had several questions regarding various aspects of the project including the trail connection to Eliason Nature Preserve, access and left-turn lane construction within West Osterhout Avenue, proposed emergency vehicle access drive to the north, traffic generation and impacts at the Oakland Drive/West Osterhout Avenue intersection and safety issues associated with the adjacent railroad tracks. Mr. West provided responses to these various questions. Mr. Bozell spoke in opposition to the proposed PD rezoning and residential development citing traffic concerns and stated the existing I-1, light industry zoning is appropriate for the subject properties. Ms. Crawford also spoke in opposition to the proposed PD rezoning and residential development citing concerns over increased traffic and safety issues given the proximity to the adjacent railroad tracks. No additional citizens spoke in regards to the proposed PD rezoning and development plan. A motion was then made by Commissioner Bosch, seconded by Commissioner Harrell-Page, to adjourn the public hearing for Rezoning Application #17/18-3, Pennridge Trail Planned Development, to the May 3, 2018 meeting. The motion was unanimously approved 7-0.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS/COMMISSIONERS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the regularly scheduled meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Michael West, AICP
Senior City Planner

TO: Planning Commission

DATE: April 27, 2018

FROM: Christopher Forth, Acting Director of Community Development

SUBJECT: Final Report: Rezoning Application #17/18-3, Pennridge Trail Planned Development, 1722, 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive

I. INTRODUCTION:

A PD, planned development rezoning application has been received from Westview Capital, LLC for a 46.54 acre tract of land addressed as 1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive. Attached is the rezoning application, narrative, tentative plan and supporting materials.

Applicant	Property Address	Parcel Number	Zoning	
			Existing	Proposed
Westview Capital, LLC	1722 West Osterhout Avenue	00032-180-O	I-1	PD
	1800 West Osterhout Avenue	00032-175-O	I-1	PD
	10099 Oakland Drive	00032-195-O	I-1	PD
	10117 Oakland Drive	00032-190-O	I-1	PD
	10121 Oakland Drive	00032-200-O	I-1	PD
Five parcels – 46.54 acres				

II. EXISTING CONDITIONS:

Existing Land Use/Zoning	<u>Rezoning Site:</u> Vacant land (1800 West Osterhout, 10099, 10117 and 10121 Oakland Drive) and a vacant, non-conforming single family residence (1722 West Osterhout) zoned I-1, light industry. <u>East:</u> Single family residences (1702 and 1620 West Osterhout) and the Eliason Nature Preserve (1614 West Osterhout) zoned RM-1, multiple family residential. <u>North:</u> Former Charles River Industries facility (9801 Shaver Road) zoned I-2, heavy industry. <u>South (across West Osterhout):</u> Non-conforming single family residences (1909 and 1847 West Osterhout), R & T Auto Repair (1903 West Osterhout) and J & B Professional Tree Service (1811 West Osterhout) zoned I-1, light industry. <u>West (across railroad tracks):</u> Multiple family residences and vacant land zoned RM-2, multiple family residential and commercial businesses and vacant land zoned B-3, general business.
Zoning/Development History	No rezoning of properties in the surrounding area within the past 10 years.
Historic District/Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	West Osterhout Avenue is designated as a 2-lane minor arterial with 3,905 vehicles per day (2015); capacity of 16,500 vehicles per day (level of service "D").
Public Utilities	Municipal water and sewer are available and will serve the development.

Environmental	The City of Portage Natural Features Map identifies a small wetland area situated along the northern portion of the subject property. A 2017 Wetland Delineation conducted by the applicant has identified the boundaries of this wetland area which are illustrated on the tentative plan. No development activities (home/road construction) are proposed within this designated wetland area. The approximate northern half of the tract of land is heavily wooded. As shown on the tentative plan, a significant portion of the trees are proposed to be retained as open space or natural space.
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III. ZONING CODE/PLANNED DEVELOPMENT PROCEDURES & REGULATIONS

The PD, planned development chapter establishes a two-part review and approval process: Tentative plan review and final plan review for each phase of the development. The applicant is required to submit a tentative plan that outlines the development concept (phases) for the entire project. Although conceptual in nature, specific statements, proposals, plans and schedule for the ultimate development of the site are required. The tentative plan is submitted for administrative review and scheduled for Planning Commission review and a public hearing. Both the written and graphic information constitutes a tentative plan.

The Planning Commission will provide a recommendation to City Council regarding the tentative plan. If approved, the planned development must proceed in accordance with the tentative plan. Approval of the tentative plan by Council constitutes rezoning of the land to PD and allows for the submission of a final plan for Administrative, Planning Commission and City Council review. A final plan is submitted in detailed form and is subject to a review process similar to a site plan. If no final plan for development is submitted within two years from the date of approval of the tentative plan, Council may either extend the approval for a period not to exceed two years or immediately initiate rezoning proceedings to re-designate the property to a more suitable zoning classification. Under the terms of the ordinance, any change to the tentative plan, such as modifying an approved land use class or adding a land use class, will require formal review and approval, with public hearings, in a manner similar to a rezoning procedure.

Section 42-374 of the Land Development Regulations contains the PD district development standards. This section provides flexibility in the types of land uses of which up to 20% of the total land area available can be utilized for nonresidential uses. The planned development is required to provide public water, public sanitary sewer and a pedestrian system. The applicant must demonstrate that the plan cannot be developed under other sections of the Zoning Code or must provide a mixture of housing types. The overall density of the project may not exceed seven units per acre and density in any one phase may not exceed 12 units per acre. Single family "lots" cannot average less than 6,500 square feet with a minimum of 5,000 square feet. Building setbacks, building height, open space and screening are also regulated under the ordinance.

IV. PUBLIC HEARING/COMMENTS:

The Planning Commission convened a public hearing to consider the PD rezoning and tentative plan/narrative during the April 19, 2018 meeting. Mr. Tom Larabel (Westview Capital LLC) was present to support the PD rezoning request and explain the planned development project. Three citizens spoke during the public hearing expressing various concerns associated with the planned development including access to site, increased traffic generation and related impacts at the Oakland/West Osterhout intersection and Oakland/Shaver intersection, proximity to the train tracks and appropriate buffering and screening.

V. PROPOSED TENTATIVE PLAN:

As indicated by the applicant, the objective of the Pennridge Trail PD is to create an attractive community with a clustered residential development of high quality, energy efficient homes, that preserves large trees/natural areas and incorporates additional open space and landscaping features for families, couples and single individuals. The project is proposed to be developed as both a site condominium subdivision with public streets and single family detached homes, and a condominium with private streets and two-family attached (duplex) dwellings for a total of 137 units on the 46.54 acre tract of land. The site condominium subdivision portion of the development is proposed along the southern portion of the property and will involve a total of 63 single family detached units on 20.6 acres in three phases (Phase 1, 4 and 5). The condominium portion of the development is proposed along the northern portion of the property and will involve a total of 37 attached duplex buildings (74 units) on 25.9 acres in three phases (Phase 2, 3 and 6). Open space areas totaling approximately 16 acres, or 34% of the overall land area, are also proposed across the planned development with particular emphasis along the western perimeter of the property (where adjacent to the Penn-Central railroad tracks) and the northern portion of the site. To provide this additional open space, the applicant is proposing a smaller lot "clustered" form of residential development with reduced lot sizes and building setbacks and increased building lot coverage within the site condominium subdivision portion of the development. The overall development density for the residential community will be 2.9 units per acre (137 units on 46.54 acres).

As identified in the attached materials, a variety of floor plans are planned for the mixed detached/attached residential community. Single family detached homes within the site condominium subdivision portion of the development will range between 1,400-2,800 square feet of living area (excluding any basement area) with an attached two-car garage and deck or patio, while dwellings within the duplex condominium portion of the development will range between 1,040-2,800 square feet of living area (excluding any basement area) with an attached two-car garage and deck or patio. The PD narrative and proposed concept portfolio also indicates the homes will incorporate variations in architectural design and construction materials and range in price from \$220,000-\$300,000+. Other features of the planned development project include:

- Pedestrian Walkway/Trailway – An internal pedestrian circulation network consisting of concrete sidewalks and asphalt trails will be provided throughout the development. Four-foot wide concrete sidewalks will be provided along both sides of the public streets within the site condominium subdivision and along one side of the private streets within the condominium portion of the development. Additionally, a 6-8 foot wide asphalt path will be constructed within open space areas along the northeastern portion of the development, providing a connection from Schrier Lane (public street cul-de-sac) and Pennridge Drive (private street cul-de-sac) to the Eliason Nature Preserve located immediately to the east. Where located within the site condominium subdivision, sidewalks will be located within the public street right-of-way and maintained by the individual lot owners. Where located with the condominium portion of the development, along the private streets and within open space areas, the sidewalks and paths will be owned and maintained by the condominium association.
- Storm Water Management - Storm water runoff associated with the public and private streets will be collected and conveyed to infiltration basins and/or natural low areas situated along the northern and central portions of the subject property. Possible locations are identified on the tentative plan. While the storm water piping located within the public streets will be owned and maintained by the city, the

storm water piping located within the private streets along with storm water disposal areas situated within common open spaces will be owned and maintained by the condominium association with appropriate easements and indemnification provided to the city.

- Vehicular Access – Access to the Pennridge Trail PD will be provided through a new public street from West Osterhout Avenue (along the eastern portion of the property) and an internal public/private street network. This new public street access will include a boulevard entrance with one lane of ingress and two lanes of egress. A dedicated left-turn lane will be constructed within West Osterhout Avenue. Since there are more than 20 residential lots with only one formal access point, the developer is requesting a variance from this provision.

During administrative review of the tentative plan, a second public street access to West Osterhout Avenue, along the western portion of the property, was also considered. However, due to safety concerns related to the close proximity of this public street intersection to the Penn-Central railroad tracks, this second West Osterhout Avenue public access point is not recommended. A future connection to the east was also considered but with the acquisition of the abutting property by the City of Portage and development of the Eliason Nature Reserve Trail, a connection to the east is no longer possible. In lieu of a second public street access to West Osterhout Avenue or a future connection to the east, the developer will construct a permanent emergency vehicle access drive to the adjacent property to the north located at 9801 Shaver Road. The City Administration has reviewed this alternative emergency access arrangement and found it acceptable. The developer of the Pennridge Trail PD and the owner of 9801 Shaver Road will provide the city the necessary easements and maintenance agreements for this permanent emergency vehicle access before development of Phase 2.

- Housing Types and Building Setbacks – The applicant plans to incorporate a variety of different residential elevations and floor plans into the development (see narrative and concept portfolio). Single family detached homes within the site condominium subdivision will range between 1,400–2,800 square feet of living area (excluding any basement area) with an attached two-car garage and deck or patio. Duplex dwellings within the condominium portion of the development will range between 1,040–2,800 square feet of living area (excluding any basement area) with an attached two-car garage and deck or patio. As indicated by the applicant, lots within the site condominium subdivision will maintain a minimum 60-foot wide lot width and a minimum 8,000 square foot lot area with the average lot area being approximately 9,720 square feet. A maximum building lot coverage of 30% is proposed. Single family detached homes will maintain minimum setbacks of 25-foot (front), 25-foot (rear) and 5-foot (side) with a minimum 15-foot separation between homes. Additionally, a 15-foot side setback will be provided along the long side of the corner lots. Duplex buildings within the condominium portion of the development will maintain a minimum 40-foot perimeter setback from all property lines, 25-foot setback from the edge of the private streets and 20-foot separation between duplex buildings.
- Phasing – The Pennridge Trail PD and construction of the 137 total residential dwelling units and associated infrastructure is proposed to occur in six phases over an approximate 10-year period with Phase 1 planned for 2018-2019. Phase 1 will include 21 site condominium lots and will begin along the southeast portion of the overall property with a public street constructed from West Osterhout Avenue. The remaining phases of the development are planned as follows: Phase 2 (22 duplex units) 2019-2021; Phase 3 (22 duplex units) 2020-2023; Phase 4 (24 lots) 2021-2024; Phase 5 (18 lots) 2022-2026 and Phase 6 (30 duplex units) 2023-2028. Since the total number of site condominium subdivision lots will be 63 with construction of Phase 1, 4 and 5, the applicant on Page 6 of the written narrative is

requesting a modification from the maximum 20-lots on a cul-de-sac provision of the Subdivision and Land Division Regulations [Section 42-803(i)].

VI. FINAL ANALYSIS:

The following analysis has been prepared based on general land use considerations, the Comprehensive Plan, traffic conditions and surrounding development patterns. Issues to be considered are consistency with the Future Land Use Plan Map and Development Guidelines, suitability of the existing zoning classification and the impacts of the proposed zoning classification.

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Plan Map component of the Comprehensive Plan identifies the subject property, along with adjacent properties to the south (along the south side of West Osterhout Avenue), as appropriate for Low Density Residential land use. Adjacent properties to the east are designated for Park/Recreation and Low Density Residential land uses. Adjacent properties to the north and northwest are identified for Shaver Road Business Corridor and General Business land uses, while adjacent properties to the west (along the west side of the Penn-Central railroad tracks) are designated for High Density Residential land use.

The Comprehensive Plan defines the "Low Density Residential" land use classification to include areas planned for future low density residential developments ranging from 1-4 units per acre. As indicated in the attached materials, the density of Pennridge Trail is approximately 2.9 units per acre. The Comprehensive Plan further identifies the purpose of the low density residential classification to establish areas for future low density, single family development, protect existing established neighborhoods from the intrusion of incompatible land uses and encourage additional "higher value" housing taking advantage of available attractive natural features and other amenities. The proposed Pennridge Trail PD with a mixture of single family detached and attached/duplex dwellings and an overall development density of 2.9 units/acre is consistent with the Comprehensive Plan and Future Land Use Map

Development Guidelines. The Development Guidelines are intended to be used by the Commission and staff when reviewing private development proposals, infrastructure improvement programs (i.e. public expenditures on streets, sewers and water mains that influence the location, intensity and timing of development) and public programs that affect the physical environment. The guidelines also provide direction and underpinning for regulations that affect land use (e.g. zoning, subdivision, parking, landscaping and others), may suggest incentives to influence community development and preservation and may suggest adjustments to other policies that influence the use of land for consistency with community development objectives. The proposed Pennridge Trail PD is consistent with applicable development guidelines contained in the Comprehensive Plan (see attached).

Suitability of Existing I-1 Zone/Impacts of Proposed PD Zone. The subject properties have been zoned I-1, light industry since comprehensive zoning of the city in 1965. While the I-1 district may have been considered a suitable zoning district in 1965 as a result of the adjacent railroad tracks, it has never been developed with an industrial use. According to the current property owner, the land has been actively marketed for sale since 1993. The lack of industrial development interest is likely attributed to location (distance from major transportation routes, competition from other, more desirable industrial locations and adjacent residential land uses). Given the surrounding residential zoning and land use pattern, the proposed PD zone and mixed residential development project offers a more suitable option for the subject properties. Although an occasional passing train will result in noise and vibration, the decision to live near

an active railroad line is a personal choice. While the PD ordinance permits up to 20% nonresidential land use, the proposed Pennridge Trail PD does not include a nonresidential land use element. Additionally, the PD ordinance allows an overall residential development density of up to 7.0 units per acre, the proposed Pennridge Trail PD proposes an overall single family residential development density of 2.9 units per acre.

The proposed PD zone offers flexibility for the applicant and assurances to the community on how the property will be developed (i.e. types of land uses, density, location and so forth). As proposed by the applicant, the Pennridge Trail PD will result in a similar residential density that could be developed under a traditional subdivision (R-1B/R-1C district) with a more creative design that preserves open space and natural features.

Modifications. In conjunction with the proposed tentative plan, the applicant is requesting modifications from two Subdivision and Land Division Regulation provisions involving the maximum number of lots on a cul-de-sac street and installation of a five-foot wide concrete sidewalk along West Osterhout Avenue. Section 42-375.L of the Zoning Code allows City Council the authority to waive or modify standards of the PD ordinance where it finds such specifications are not in the best interests of the residents of the planned development and that modifications are not inconsistent with the interests of the entire city.

Since a second public street access from West Osterhout Avenue is not recommended given the proximity to the Penn-Central railroad tracks and a future connection to the east is no longer possible, construction of the site condominium subdivision portion of the development (Phases 1, 4 and 5) will result in a total of 63 lots on a public cul-de-sac street. Section 42-803(i) of the Subdivision and Land Division Regulations limits the number of lots on a residential cul-de-sac street to 20. As discussed previously and to provide an alternative secondary access to the development, a permanent emergency vehicle access connecting the northern portion of the Pennridge Trail PD (from Kearns Court) to the adjacent former Charles River industrial property located to the north at 9801 Shaver Road will be provided. Given the characteristics of the property and surrounding area, the City Administration is supportive of this requested modification.

While the developer will install four-foot wide concrete sidewalks along both sides of the public streets within the site condominium subdivision, Section 42-804 of the Subdivision and Land Division Regulations also requires the installation of a five-foot wide concrete sidewalk along the West Osterhout Avenue frontage. Given the proposal to install an internal network of sidewalks and trails within the Pennridge Trail PD including a connection to the adjacent Eliason Nature Preserve trail, combined with the lack of existing sidewalks along West Osterhout Avenue and no future plans by the city to install sidewalks along West Osterhout, the developer is requesting a modification from this requirement. As information for the Commission, sidewalks were once planned along West Osterhout Avenue. However, and with the reconstruction of West Osterhout Avenue in FY 2014-2015, proposed sidewalks were replaced with a wider paved shoulder to better accommodate non-motorized traffic. For these reasons, staff is supportive of this requested modification.

Traffic Considerations. The Trip Generation Manual published by the Institute of Traffic Engineers (ITE) estimates that a single family residential dwelling will generate approximately 10-12 vehicle trips per day ("trip" defined as one vehicle movement either in or out of the development). Upon full build-out of the Pennridge Trail PD (estimated at approximately 10 years), the 137 dwelling unit project will generate approximately 1,370-1,644 vehicle trips per day. As previously indicated, West Osterhout Avenue is a 2-lane minor arterial roadway with 3,905 vehicles per day (2015) and a capacity of 16,500 vehicles per day (level of service "D"). Anticipated traffic generation associated with a single family residential development on the subject property can be accommodated by the adjacent roadway system. In an effort to

facilitate through traffic and left-turn movements into the proposed development, a left-turn lane will be constructed in West Osterhout Avenue at the new public street (Pennridge Drive) intersection.

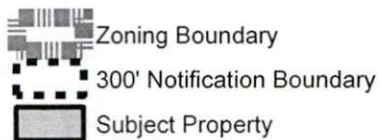
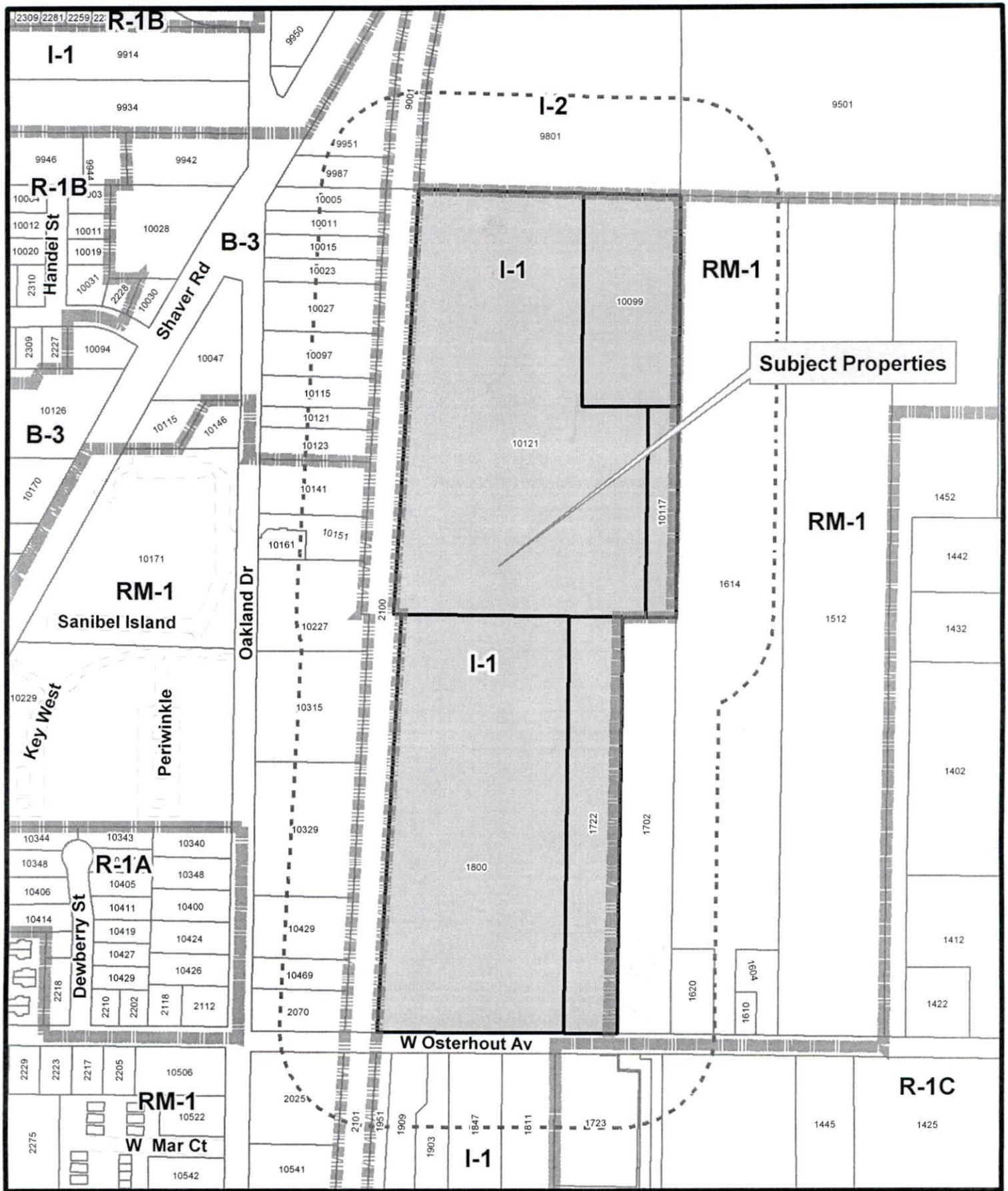
VII. RECOMMENDATION:

Subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #17/18-3 be approved and 1722 and 1800 West Osterhout Avenue and 10099, 10117 and 10121 Oakland Drive be rezoned from I-1, light industry to PD, planned development with approval of the two requested modifications involving the maximum number of lots on a cul-de-sac street and installation of sidewalk along West Osterhout Avenue.

The PD district and proposed Pennridge Trail mixed detached/attached residential development is appropriate in this area of the City and will provide assurances to surrounding property owners on the specific type of development that will be built on the property while providing design flexibility to the developer. The PD district and associated tentative plan/narrative submitted by Westview Capital LLC is consistent with the Comprehensive Plan and Future Land Use Map designations and compatible with the surrounding zoning/land use pattern along West Osterhout Avenue. Additionally and consistent with Section 42-375.L of the PD ordinance, the two requested modifications are in the best interests of the residents of the planned development and are not inconsistent with the interests of the entire city.

Attachments: Zoning/Vicinity Map
 Future Land Use Map
 Aerial Photograph Map
 Development Guidelines Table (PD)
 Rezoning Application, Narrative, Tentative Plan and Concept Portfolio

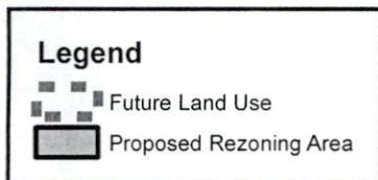
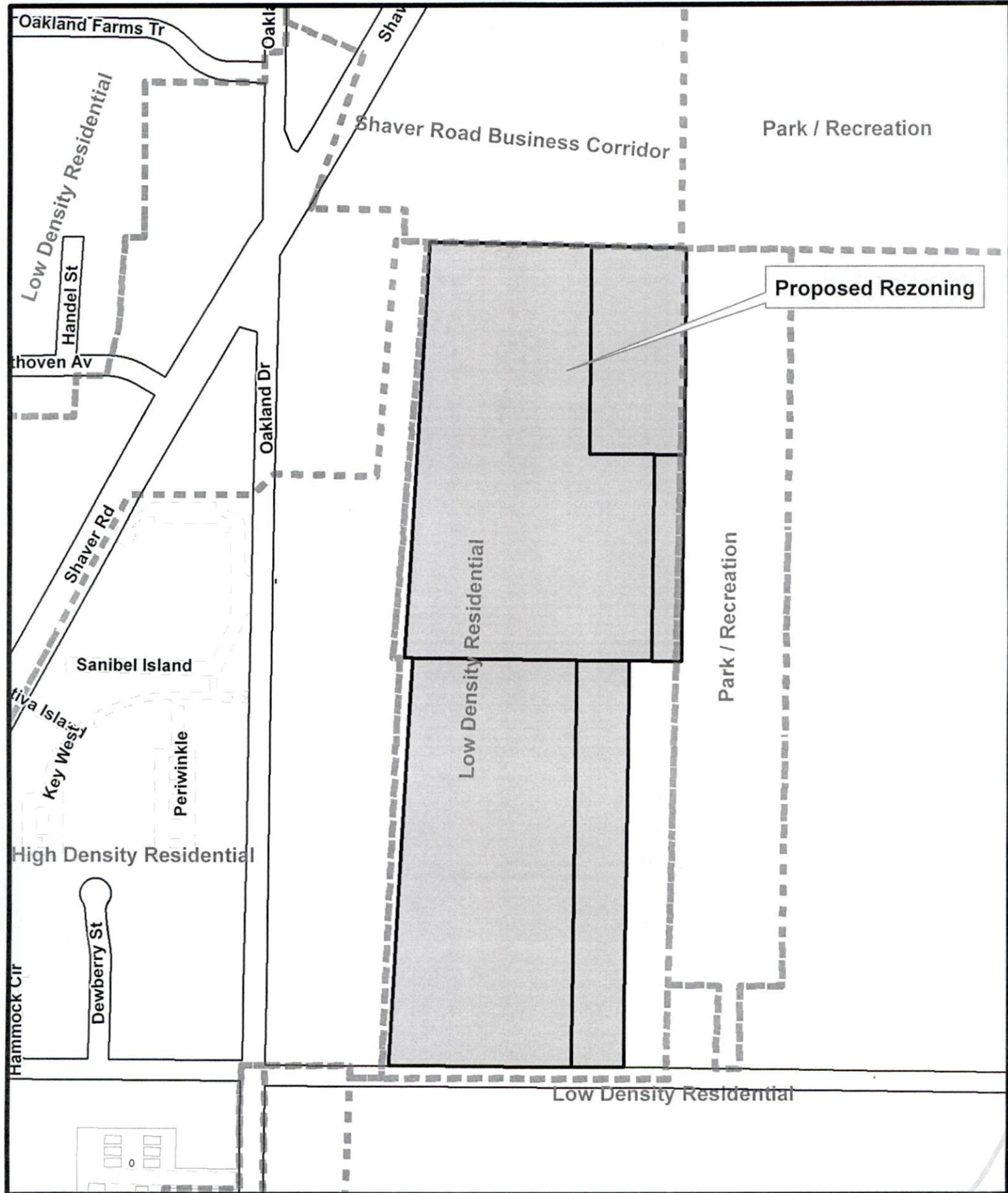
S:\Commdev\2017-2018 Department Files\Board Files\PLANNING COMMISSION\PC Reports\Rezoning\2018 04 27 Rezoning Application #17-18-3, Pennridge Trail Planned Development (final).doc



Rezoning: 17/18 - 3
1722, 1800 West Osterhout Avenue
10117, 10099, 10121 Oakland Drive



1 inch = 400 feet



Future Land Use Map
 1722, 1800 West Osterhout Avenue
 10117, 10099, 10121 Oakland Drive



1 inch = 400 feet



Subject Properties

Aerial Photography
1722,1800 West Osterhout Avenue
10117,10099, 10121 Oakland Drive



1 inch = 400 feet
 (98)

 Subject Property

DEVELOPMENT GUIDELINES

Rezoning Application #17/18-03 (Planned Development, PD)

Guideline	Description	Consistent	Comments
Rezoning – 1	Rezoning Request	Yes	Future Land Use Map designates rezoning site, along with adjacent properties to the south and east, as appropriate for low density residential land use. The proposed Pennridge Trail PD and associated tentative plan/ narrative is consistent with this designation. The residential condominium project proposes a combination of single family detached and attached dwellings with an overall development density of approximately 2.9 units/acre.
Residential – 1	Protection of Residential Neighborhoods	Yes	The proposed single-family residential PD is consistent and compatible with the surrounding zoning and land use pattern: Non-residential land uses are not proposed with the PD.
Residential – 2	Residential Development along Arterial Roadway	Yes	The proposed single-family residential PD project will be situated along West Osterhout Avenue (minor arterial) with access provided from West Osterhout Avenue.
Residential – 3a	Locational Criteria for Residential Uses	Yes	Rezoning site has locational criteria consistent with the low density residential category (1-4 units/acre): Overall development density for single-family residential PD will be approximately 2.9 units/acre with access from a minor arterial roadway, municipal water/sanitary sewer and underground private utilities.
Residential – 4	Compatibility with Adjacent Land Use	Yes	The single-family residential PD and related development density is consistent and compatible with the surrounding low density residential zoning and land use pattern.
Residential – 5	Open Space and Natural Resource Protection	Yes	The single-family residential PD will preserve approximately 16 acres or 34% of the overall land area in open space with particular emphasis along the western perimeter of the site (adjacent to the Penn-Central railroad tracks) and along the northern portions of the development.
Residential – 6	Streets and Pedestrian Systems	Yes	Access will be provided from West Osterhout Avenue, a minor arterial street. Four-foot wide concrete sidewalks will be constructed along both sides of all interior public streets and along one side of the interior private streets. Additionally, a 6-8 foot wide asphalt path will be constructed within open space areas along the northeastern portion of the development, providing a connection to the Eliason Nature Preserve located immediately to the east.

Guideline	Description	Consistent	Comments
Residential – 9	Residential Planned Unit Development	Yes	The Pennridge Trail PD will create a mixed detached/attached residential neighborhood with a combination of public and private streets, sidewalks, trails and preservation of natural areas for the enjoyment of the residents. Single family homes within the site condominium subdivision portion of the development will range between 1,400-2,800 square feet of living space (excluding any basement area) with an attached two-car garage and deck or patio, while duplexes within the condominium portion of the development will range from 1,040-2,800 square feet of living space (excluding any basement area) with an attached two-car garage and deck or patio. No nonresidential uses are proposed with the Pennridge Trail PD.
Natural & Historic Resources – 1	Environmental Protection	Yes	A 2017 Wetland Delineation conducted by the applicant identified a small wetland area situated along the northern portion of the property. No development activities (home/road construction) are proposed within this designated wetland area.
Natural & Historic Resources – 2	Floodplain	N/A	The rezoning site is not encumbered by floodplain areas.
Natural & Historic Resources – 3	Water Quality	Yes	Storm water from the project will be collected and conveyed to infiltration basins and/or natural low areas situated along the northern and central portions of the subject property.
Natural & Historic Resources - 4	Noise	N/A	The rezoning site is not situated near excessive noise generators such as the Kalamazoo/Battle Creek International Airport or major freeway arteries. Preservation of existing mature trees and supplemental berming/landscaping within proposed open spaces areas along the western portion of the site will help mitigate noise impacts from the adjacent Penn-Central railroad tracks.
Natural & Historic Resources - 5	Historic Resource Preservation	N/A	The subject site is not located within a historic district and does not contain any historic structures.
Natural & Historic Resources – 6	Open Space Preservation	Yes	See Residential – 5 and Natural & Historic Resources – 1 comments above
Transportation – 1	Transportation Systems	Yes	West Osterhout Avenue is a 2-lane minor arterial street with 3,905 vehicles per day (2015) and a capacity of 16,500 vehicles per day (level of service D). Anticipated traffic generation from the PD can be accommodated.
Transportation – 2	Street Design	Yes	Access to the Pennridge Trail PD will be provided through a new public street from West Osterhout Avenue (along the eastern portion of the property) and an internal public/private street network. In conjunction with the project, a dedicated left-turn lane will be constructed within West Osterhout Avenue by the developer. In lieu of a second public street access to West Osterhout Avenue or a future connection to the east/west, the developer will also construct a permanent emergency vehicle access drive to the adjacent property to the north located at 9801 Shaver Road.

Transportation – 3	Access Management	Yes	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	Yes	See Residential – 6 above.
Municipal Facilities & Services – 1	Sound Fiscal Growth	Yes	Existing and proposed public infrastructure is adequate to accommodate planned development.
Municipal Facilities & Services – 2	Sanitary Service	Yes	Sanitary sewer is available and will serve the planned development.
Municipal Facilities & Services – 3	Underground Utilities	Yes	Underground utilities will serve the planned development.

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APR 11 2018

COMMUNITY DEVELOPMENT

April 10, 2018

**NARRATIVE for Proposed
PENNRIDGE TRAIL
Located on Osterhout Avenue
in The City of Portage**

**DEVELOPER:
WESTVIEW CAPITAL, LLC
2186 EAST CENTRE STREET
PORTAGE, MI 49002**

INTRODUCTION:

Pennridge Trail is a proposed Single Family Site Condominium / Residential Planned Development (PD), which is situated on the north side of Osterhout Avenue, approximately 500 feet east of Oakland Drive, in Section 32, City of Portage, Michigan. The subject property contains 46.54 acres (excluding Osterhout Avenue right-of-way) and measures a little over one eighth mile east/west by one half mile north/south. The front half of the site is farm field while the back half of the site is heavily wooded. The property is bordered on the west by the Penn-Central rail line and is surrounded by properties that are mostly wooded. Despite the property having a rural feel to it, it is located less than 5 minutes from many City of Portage businesses and other City amenities. Proposed on site are approximately 137 units of high quality energy efficient construction. Each unit within the single family site condo will be served by public roadway while the duplex units will be served by private roadways. This PD will offer a variety of dwelling floor plans along with a mixture of housing types consisting of single family detached and duplex dwellings. Please see the attached Concept Portfolio.

PURPOSE & OBJECTIVES:

The objectives of this PD development are as follows:

- 1.) To create an attractive community with a clustered residential development that preserves large trees, natural areas, and incorporates additional open space and landscaping features for families, couples and single individuals to enjoy.
- 2.) For the owners in the duplex area, to eliminate many normal maintenance duties and responsibilities such as mowing, weed control, raking of leaves, cleaning of gutters, snow shoveling, tree trimming, etc.
- 3.) To provide a single family neighborhood with high quality, energy efficient homes.
- 4.) To create a neighborhood with typical densities, but at the same time provide permanent open space and on-site natural areas for residents to enjoy, including direct access to the City owned Schrier Park and the Bishops Bog Trail.

THE SITE:

This PD is located on the north side of Osterhout Avenue in the Northeast quarter of Section 32. The property consists of addresses 1722 & 1800 West Osterhout Avenue as well as 10099, 10117 and 10121 Oakland Drive. Situated east of the subject property are two parcels, one with a residential home and the other being the City owned Schrier Park. Along the entire south edge of the property is Osterhout Avenue, a City of Portage public street. On the south side of Osterhout Avenue is land owned by various businesses. West of the subject property is the existing Penn-Central rail line with multi-family residences further to the west. North of the property is an existing industrial complex. Adjoining properties to the north are zoned I-2 Heavy Industry, to the south I-1 Light Industry, and to the east and west RM-1 Multiple Family. The north part of the subject property is covered by mature trees. The site is unique with nice hardwoods and rolling terrain, and the intent is to preserve as many trees as possible. The southerly part of the property is open land. Small areas of the property to the northeast and in the central portion are significantly lower than the remainder of the property. The north central and southerly portions of the property are relatively high. A wetland assessment of the property has been completed and the wetland boundary has been shown on the Tentative Plan. Soils within the proposed building areas are Oshtemo Sandy Loam per the USDA's Soil Survey of Kalamazoo County.

ZONING, BUILDING SETBACKS, and DENSITY:

The property is currently zoned I-1 Light Industrial. The proposed zoning is PD. With this PD development, we are proposing a 40 foot perimeter setback (abutting all adjoining properties). In the duplex portion all duplex buildings will share a common building wall. There will be a minimum 20.0 feet between buildings, and a minimum distance of 25.0 feet between the edge of the roadway and the front of the dwelling. The site condo single family portion of the project will have a minimum required unit width at the front setback of 60', a required front setback of 25', a required rear setback of 25' and a required side setback of 5', with a minimum of 15' between dwellings. The average lot size within the site condo portion is about 9720 sq.ft. with a minimum of 8,000 sq.ft. With the proposed portfolio the maximum unit coverage is equal to 30% with a minimum perimeter rear yard setback of 40'. With this PD, the density will be approximately 2.9 dwellings per acre. Per the City's Ordinance, the maximum allowable density for a PD is 7 dwellings per acre.

PHASING:

It is anticipated that the development will be constructed in six phases, with each phase consisting of between 20 and 30 dwellings. Construction of utilities, roadways, and dwellings for phase one is planned to commence during 2018. Construction for each subsequent phase is anticipated to commence approximately every couple of years thereafter based on the market and velocity of sales achieved. The currently anticipated size, limits, and density of each phase has been shown on the submitted Tentative Plan and outlined below. Please note that the proposed phasing could be altered based on market conditions, utility routing, final design, City requirements, etc.

Phase #	Condo Units	Duplex Units	Anticipated Construction
1	21	0	2018/2019
2	0	22	2019/2021
3	0	22	2020/2023
4	24	0	2021/2024
5	18	0	2022/2026
6	0	30	2023/2028

ON-SITE DWELLINGS:

The proposed dwellings within the single family portion of the site condo will consist of a mixture of housing types including two story and single story homes. Each dwelling will have between approximately 1400 square feet to 2800 square feet of living area (excluding any basement area), and an attached two-car garage, deck or patio. The proposed dwellings within the duplex portion will consist of single story homes measuring approximately 80 feet wide and 50 to 60 feet deep. Each dwelling will have approximately 1040 to 2800 square feet of living area (excluding any basement area), and an attached two-car garage, deck or patio. Approximately 45% of the onsite units will be single family detached dwellings and approximately 55% of the onsite units will be

duplexes. Single family attached dwellings and duplexes shall comply with City requirements. All dwelling construction shall comply with City and State construction codes. Each home will feature quality construction, maintenance free materials, and various energy efficient features. Conceptual Front Building Elevations and Floor Plans are included in this packet. Please see attached Concept Portfolio. The units will be constructed to meet or exceed energy codes. While the front elevations will be different, the look will have an intentional feel with design consistency among the various building fronts throughout the development. It is anticipated the dwelling prices will start in the \$220,000 range for smaller units. For certain units with additional upgrades, dwelling costs will likely approach or exceed the \$300,000 range.

OPEN SPACE and NATURAL AREAS:

A significant portion of the property will be designated as a permanent natural open space area. This includes the northerly, southerly, westerly and central portions of the property. The area of the subject property is 46.54 acres excluding the Osterhout Avenue right-of-way area. We currently estimate that approximately $\frac{3}{4}$ acres of the property is wetland area, and that approximately 16 acres of the property (north, west, south and central) will remain as a permanent natural open space. Around the perimeter of the development, existing natural areas and trees will be preserved to serve as a natural buffer and visual screening. All green space is contiguous and will allow residents to traverse the entire property in its natural setting. A paved Trail will also be installed to connect between the single family and duplex portions with direct access to Schrier park and the Bishops Bog Trail. Additional earth berms and trees will be installed in the open space on the south end of the property along Osterhout Avenue, as well as the westerly portion in the proposed open space area that backs up along the back of the single family and duplex lots (see attached plan). The additional earth berms and existing tree line will help buffer the homes from the existing Penn-Central rail line.

CONDOMINIUM / OWNERSHIP:

The PD will be developed as a site condominium with the southern half of the development being single family. These residents will own and maintain their entire unit that fronts on the public street. Within the portion of the PD consisting of the duplex units, the owner will maintain only the inside of the dwelling (the condominium "unit"). The condominium association will own and maintain everything exterior to each duplex unit, including yard areas ("limited common areas") and streets / natural areas ("general common areas"). Exterior maintenance that will be provided by the Condominium Association will include the exterior of the dwellings, gutters, lawns, sidewalks, driveways, private streets, natural areas, etc. The yard area surrounding each dwelling will be "limited common area" and will be for the use and enjoyment of that unit owner. The private streets, sidewalks, on site trails, and natural areas will be designated as "general common areas." These general common areas will be for the use and enjoyment of all residents.

CONDOMINIUM MASTER DEED:

The typical "plat restrictions" or "deed restrictions" for a subdivision will be replaced with the Condominium Master Deed. The Master Deed shall also include survey plans, house plans, rules of ownership, mapping of general common areas, limited common areas, unit areas, and other rules and regulations. Within the Master Deed, the streets and utilities for each phase will be designated as "need to be built," while each unit will be designated as "need not be built." The Master Deed will be prepared by an Attorney, and the Survey Plans within the Master Deed will be prepared by a local Land Surveying Office. The Master Deed will be subject to City review and comment prior to recording.

STORM SEWER SYSTEM and DRAINAGE:

Crowned, paved roadways, and gutters will direct storm water run-off to the proposed storm sewer drains and pipes. The storm water run-off will be disposed of by a combination of infiltration basins and discharge to the on site lowland areas. The storm water system will comply with City requirements. Design of the system will be subject to City review and approval, as well as review and permitting through the State of Michigan MDEQ if required.

WATER MAINS, FIRE HYDRANTS, and SANITARY SEWERS:

Installed along all public and private roads will be City Portage public water mains and sanitary sewers, including house leads to each dwelling. Fire hydrants will be installed at locations approved by the City of Portage. These utilities shall be designed and installed in accordance with City requirements, and appropriate utility easements shall be granted to the City. Public utilities designed and installed outside of the public and private roadways would be conveyed through an easement to the City as well. Note that there is an existing 20 inch public water main on the north side of Osterhout Avenue, and an existing 12 inch public sanitary sewer near the center line of Osterhout Avenue.

PRIVATE UTILITIES:

The site will be served with underground natural gas, electric, telephone, and cable TV lines. It is anticipated that these underground lines will be situated on the side of the street opposite the public water main.

STREETS, SIDEWALKS, and DRIVEWAYS:

On site paved streets serving the single family site condo portion will be public. On site paved streets serving the duplex portion will be private. All public streets will incorporate concrete curb and gutter on each edge and will have a pavement width of 32 feet. All private streets will incorporate concrete roll curb or paved valley gutter on each edge and will have a minimum drivable width of 26.1 feet. It is intended that the streets will be wide enough to allow parking on one side of the street per Fire Department requirements. All streets shall be designed and constructed in accordance with City requirements. Access to and from the site will be from one location and shall include one entry lane (14 feet wide) and two exit lanes (lane widths equal 11 feet) along with a landscaped island. A 20 foot wide permanent emergency access will also be constructed when the number of units constructed exceeds 30, at which time an easement for the access will be granted to the City and recorded. This drive will connect to the property to the north and tie into the existing parking lot that has direct access to Shaver Road. Lighting along

streets will be provided by permanent streetlights and may be incorporated into the City's street light district. Concrete sidewalks will be constructed on both sides of all new public streets and on one side of the new private streets. Also incorporated within the development will be a paved trail within the easterly portion of the property. This paved trail will extend east to the adjoining City owned property of Schrier Park and the existing Bishops Bog Trail. Driveways for each dwelling will be constructed of concrete and will have a length of at least 25.0 feet as measured from the edge of the roadway. The length of the each driveway will allow temporary vehicle parking for two or more vehicles depending on the length of driveway. All private streets, walks, trails, driveways, and parking areas in the duplex portion will be maintained by the Condominium Association.

MODIFICATIONS:

The Pennridge Trail PD is requesting a waiver from the Subdivision and Land Division Regulations Provision as it relates to Section 42-803 (i), Maximum Number of Lots on a residential Cul-de-sac Street. The original intent was to have two access drives off West Osterhout Avenue to serve this development, however only one was recommended by City staff. With the recommendation and addition of the permanent emergency access road that is being constructed to the north linking access directly to Shaver Road, there will now be two points of access to the development both on the north and south side of the development for emergency vehicles. For that reason we are requesting that this requirement be waived

The second waiver that is being requested is regarding the provision (Section 42-804), that requires sidewalks on both sides of all public streets. (Specifically West Osterhout Avenue) We are requesting this requirement be waived due to the fact that all internal sidewalks within the community will have direct access to Schrier Park from both the single family area as well as the duplex area. In addition there are currently no existing sidewalks on either side of West Osterhout Avenue to either the east or west of the property that would allow any contiguous flow of pedestrian traffic, and it seems unlikely that any sidewalks would be constructed in the future due to the size of the privately owned nearby parcels. For that reason we are requesting that this requirement be waived.



PENNRIDGE TRAIL

CONCEPT PORTFOLIO
CITY OF PORTAGE

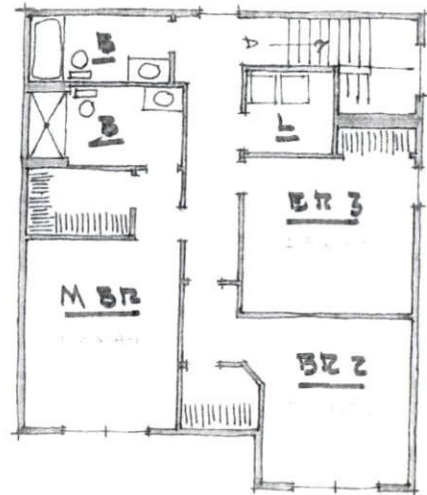
ALLEN
EDWIN
HOMES

FLOOR PLAN

1,794 SQ. FT.

3 BEDROOM
2 BATHROOM
2 CAR GARAGE





SECOND FLOOR = 1025 SF



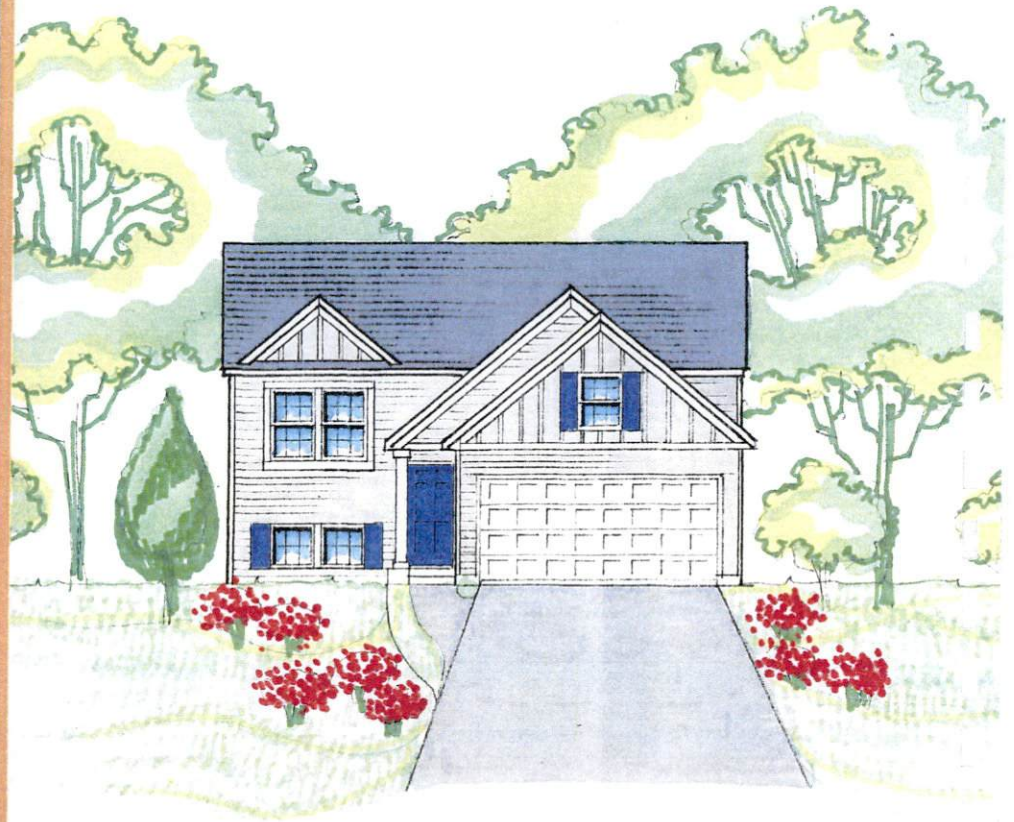
FIRST FLOOR = 769 SF

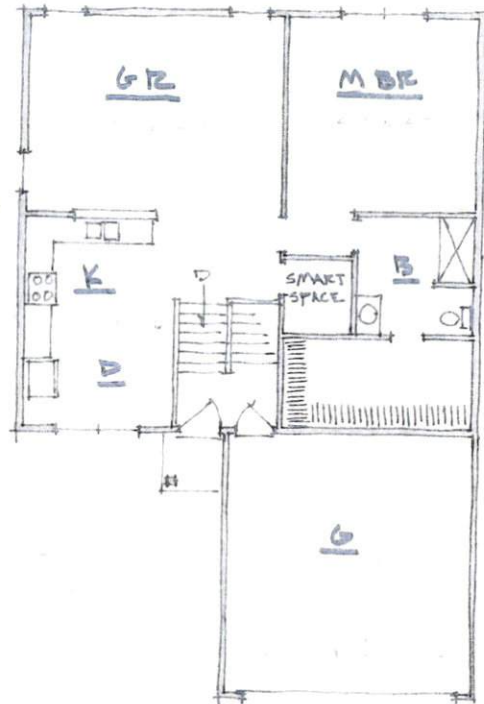
FLOOR PLAN : E1700

FLOOR PLAN

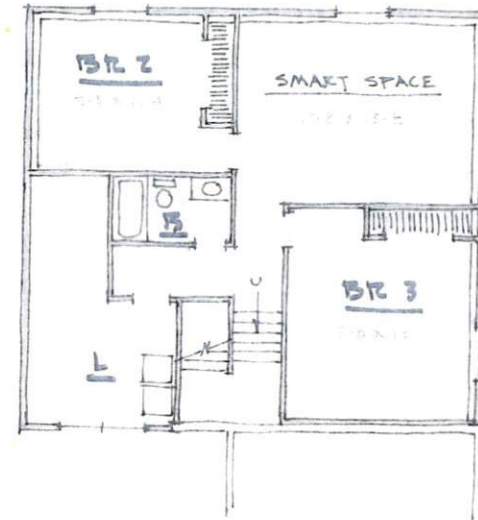
2,040 SQ. FT.

3 BEDROOM
2 BATHROOM
2 CAR GARAGE





UPPER LEVEL = 1120 SF



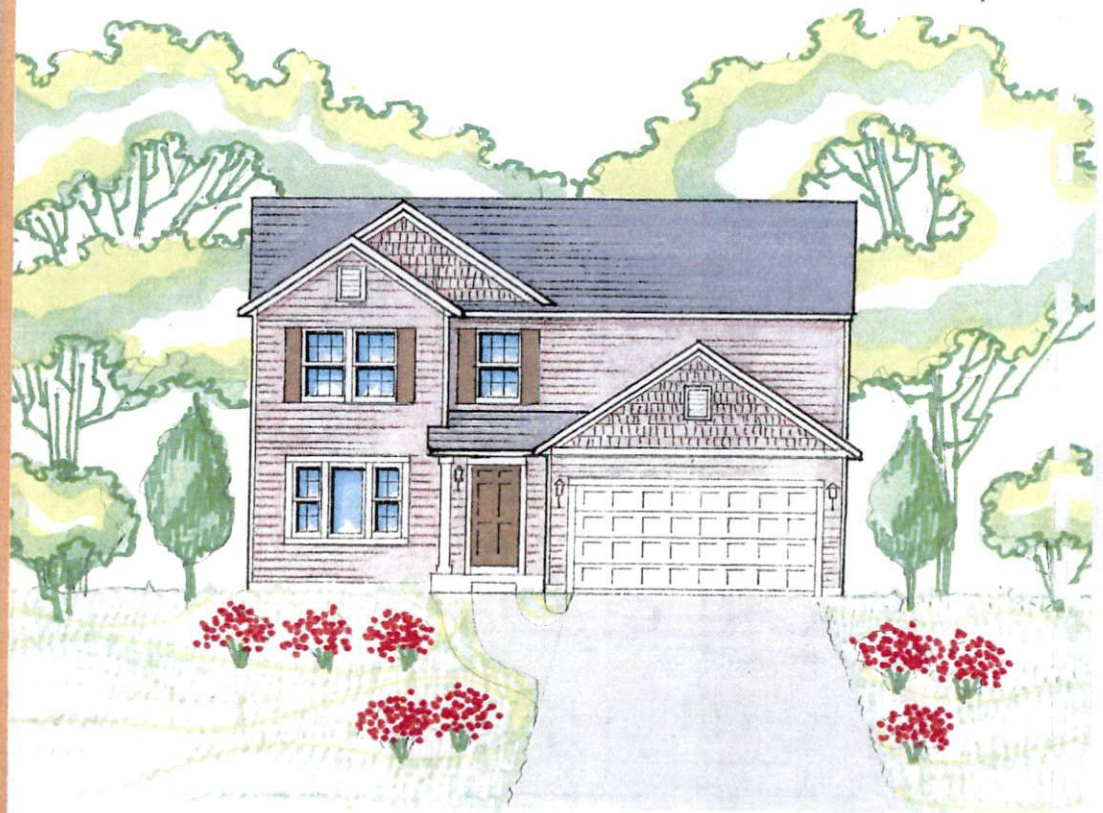
LOWER LEVEL = 920 SF

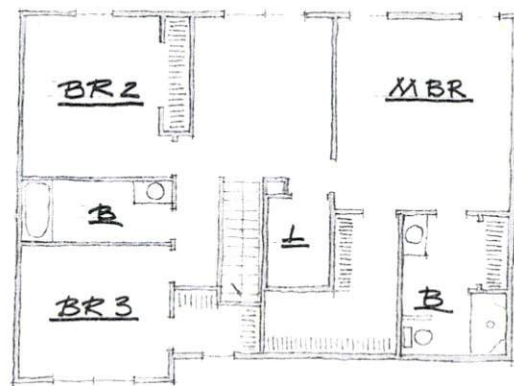
FLOOR PLAN : C2040

FLOOR PLAN

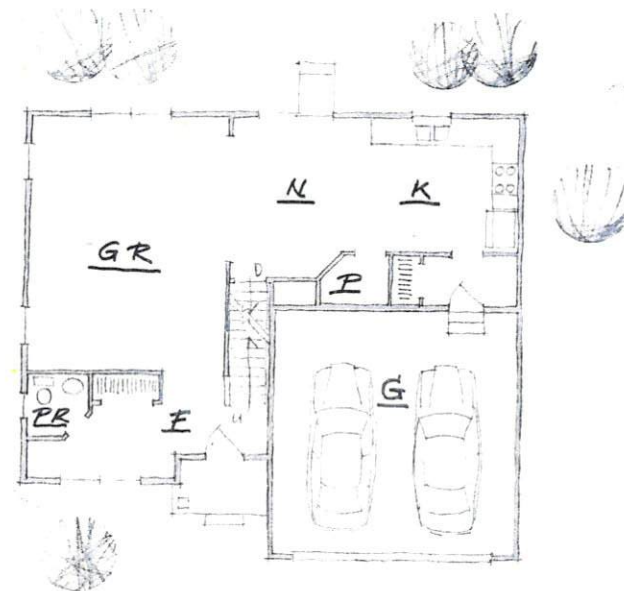
2,070 SQ. FT.

3 BEDROOM
2.5 BATHROOM
2 CAR GARAGE





SECOND FLOOR



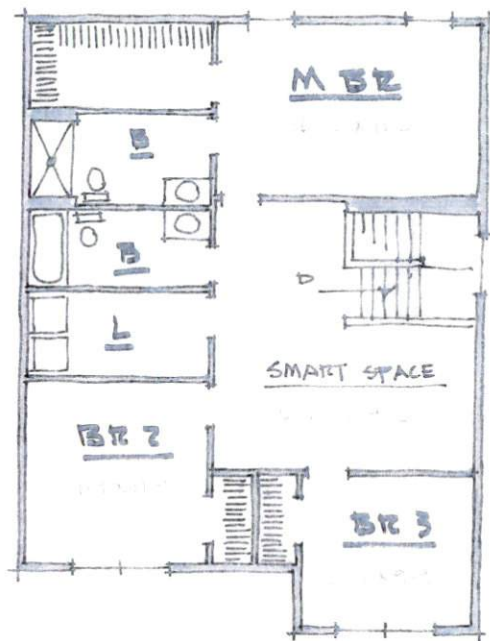
FIRST FLOOR E2070

FLOOR PLAN

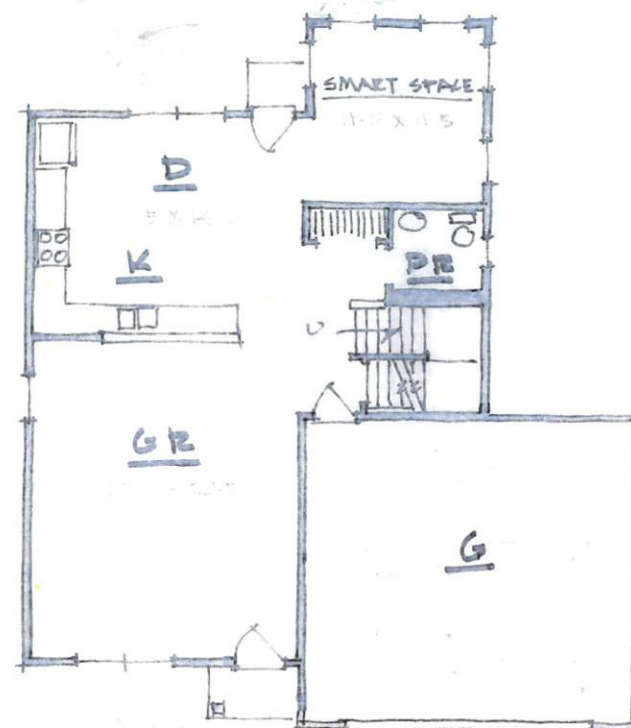
2,121 SQ. FT.

3 BEDROOM
2.5 BATHROOM
2 CAR GARAGE





SECOND FLOOR • 1146 SF

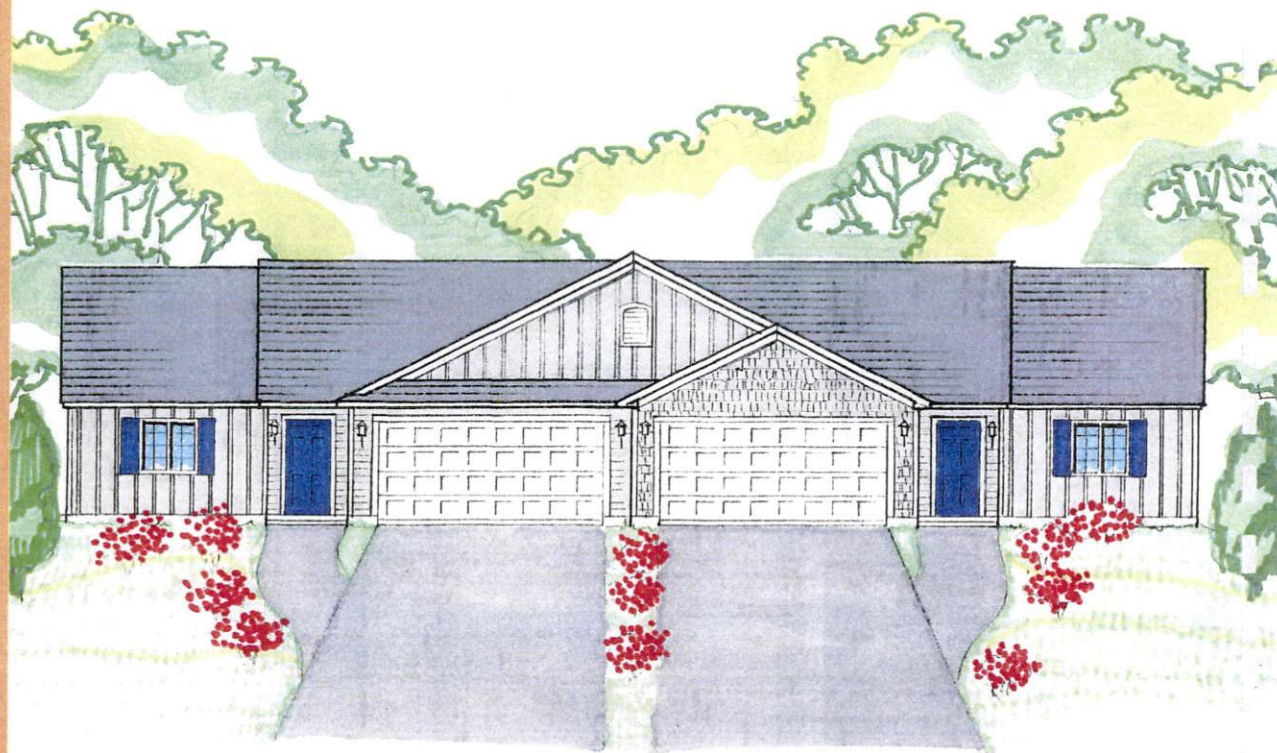


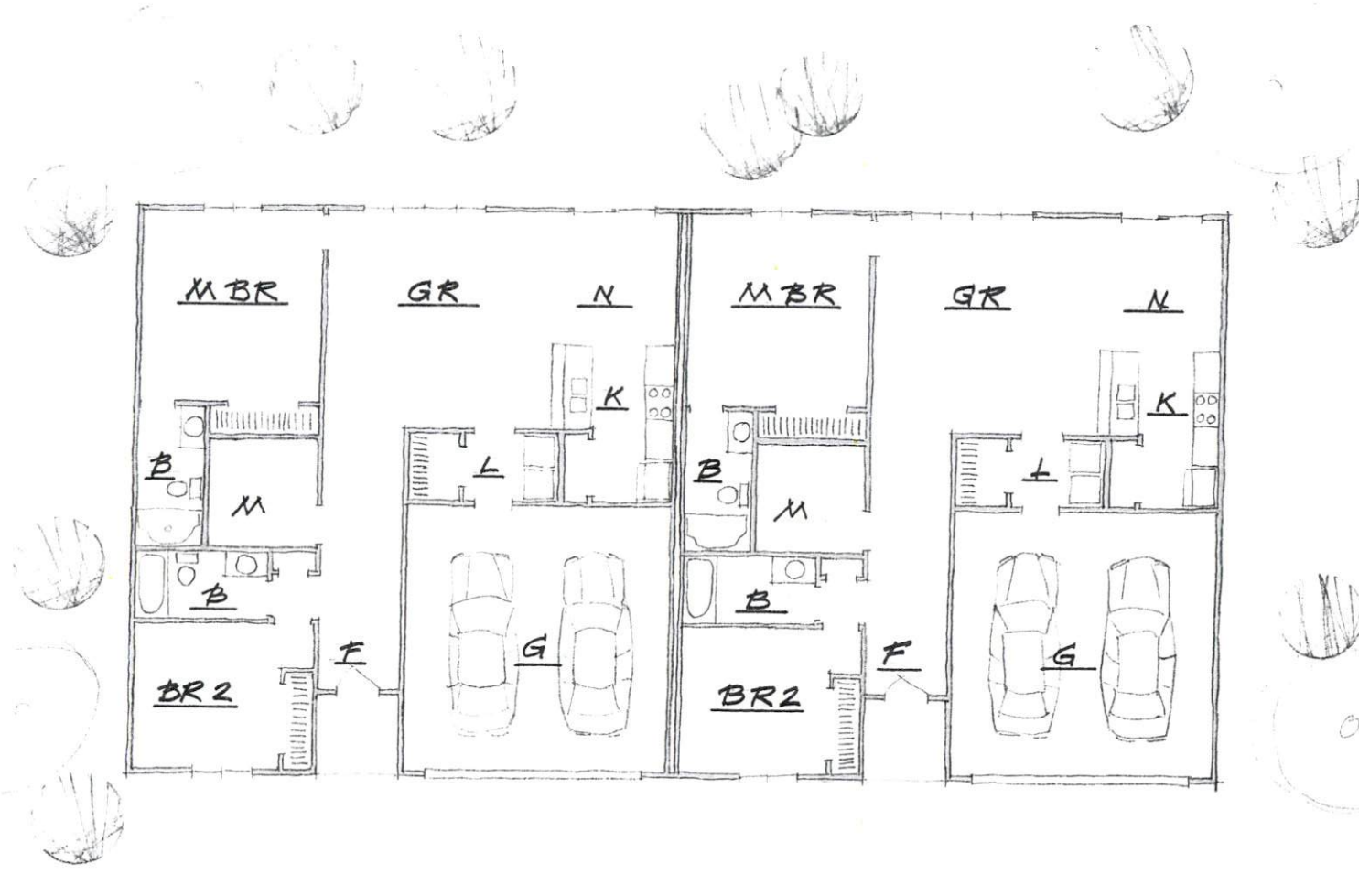
FIRST FLOOR • 975 SF

FLOOR PLAN

1,040 SQ. FT.

2 BEDROOM
2 BATHROOM
2 CAR GARAGE



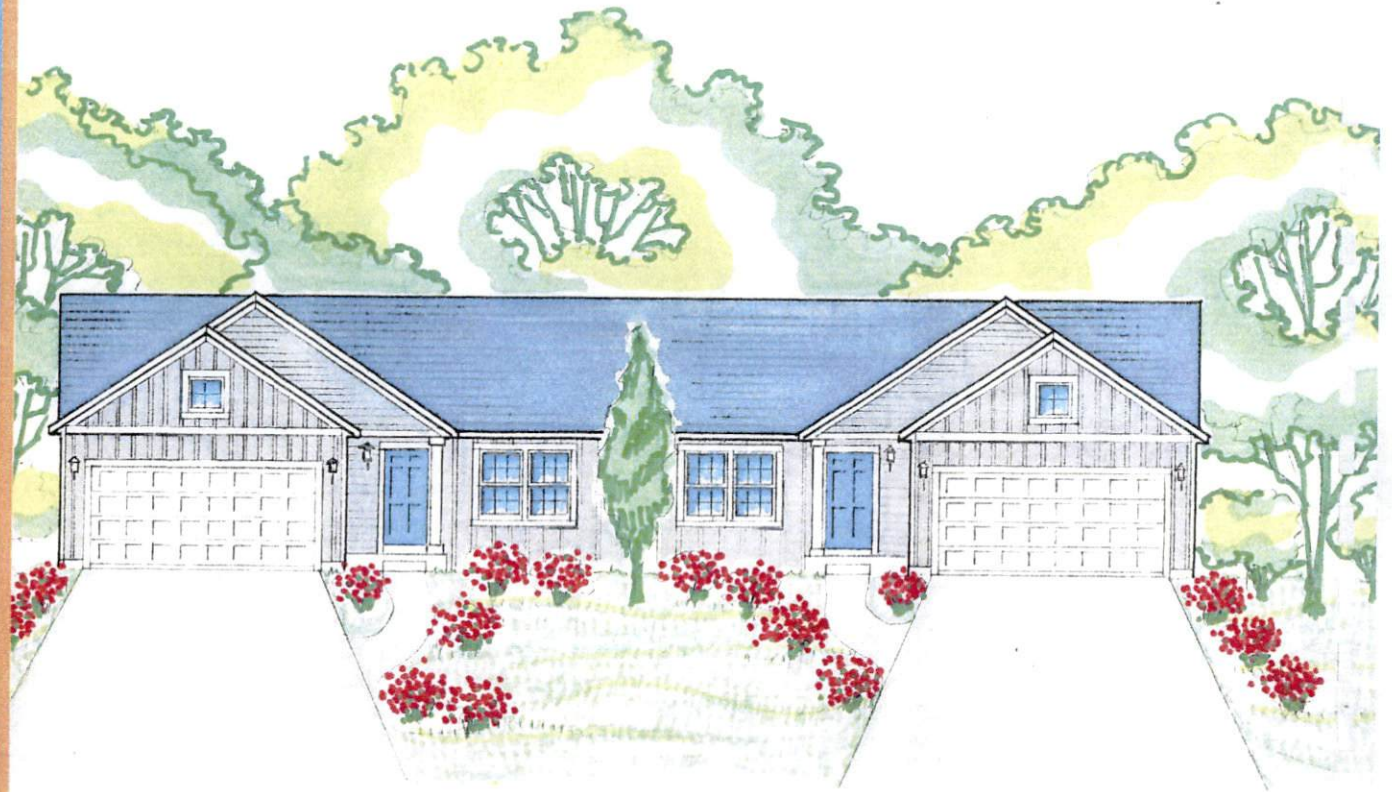


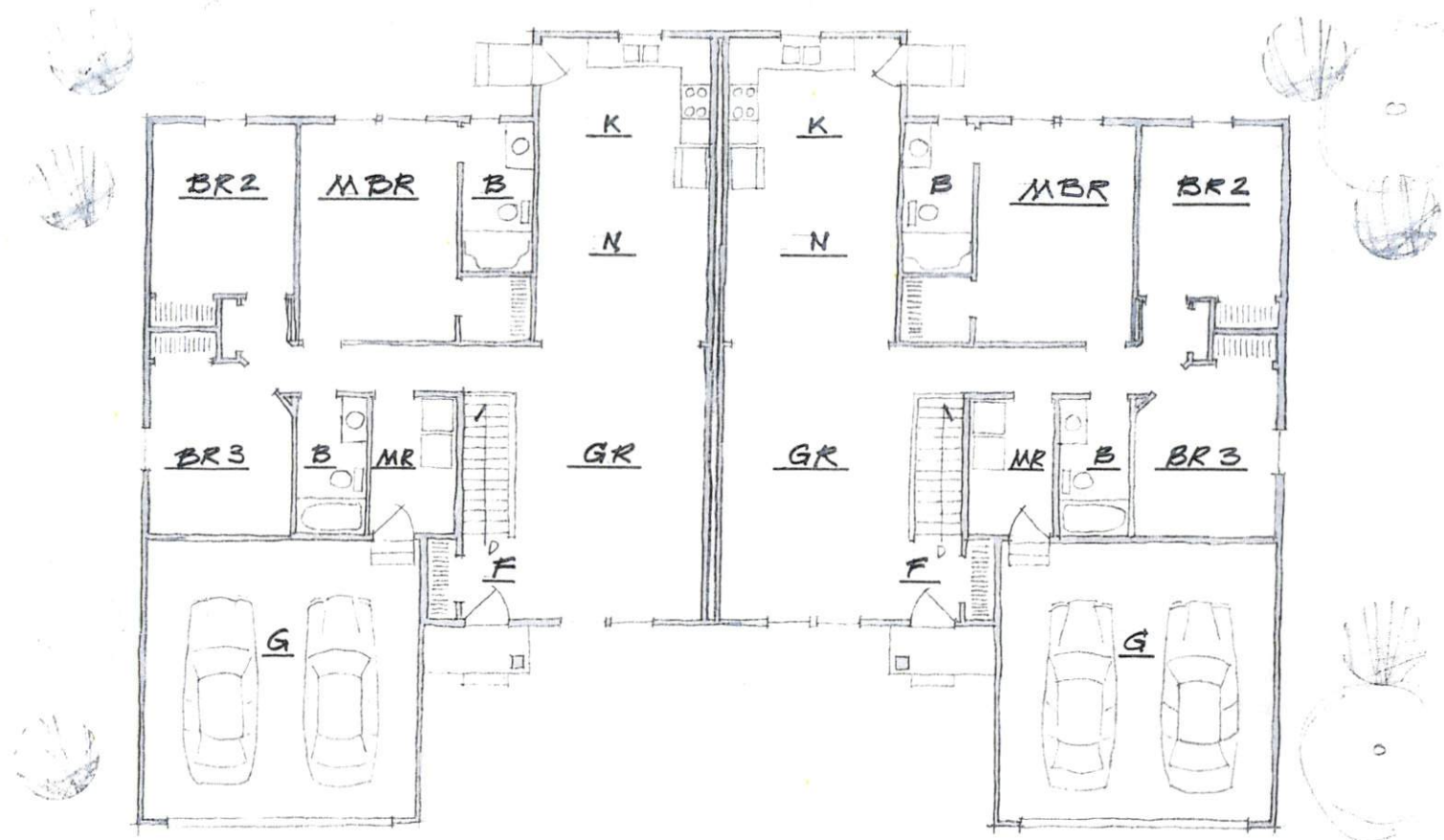
FLOOR PLAN : D1040

FLOOR PLAN

1,412 SQ. FT.

3 BEDROOM
2 BATHROOM
2 CAR GARAGE



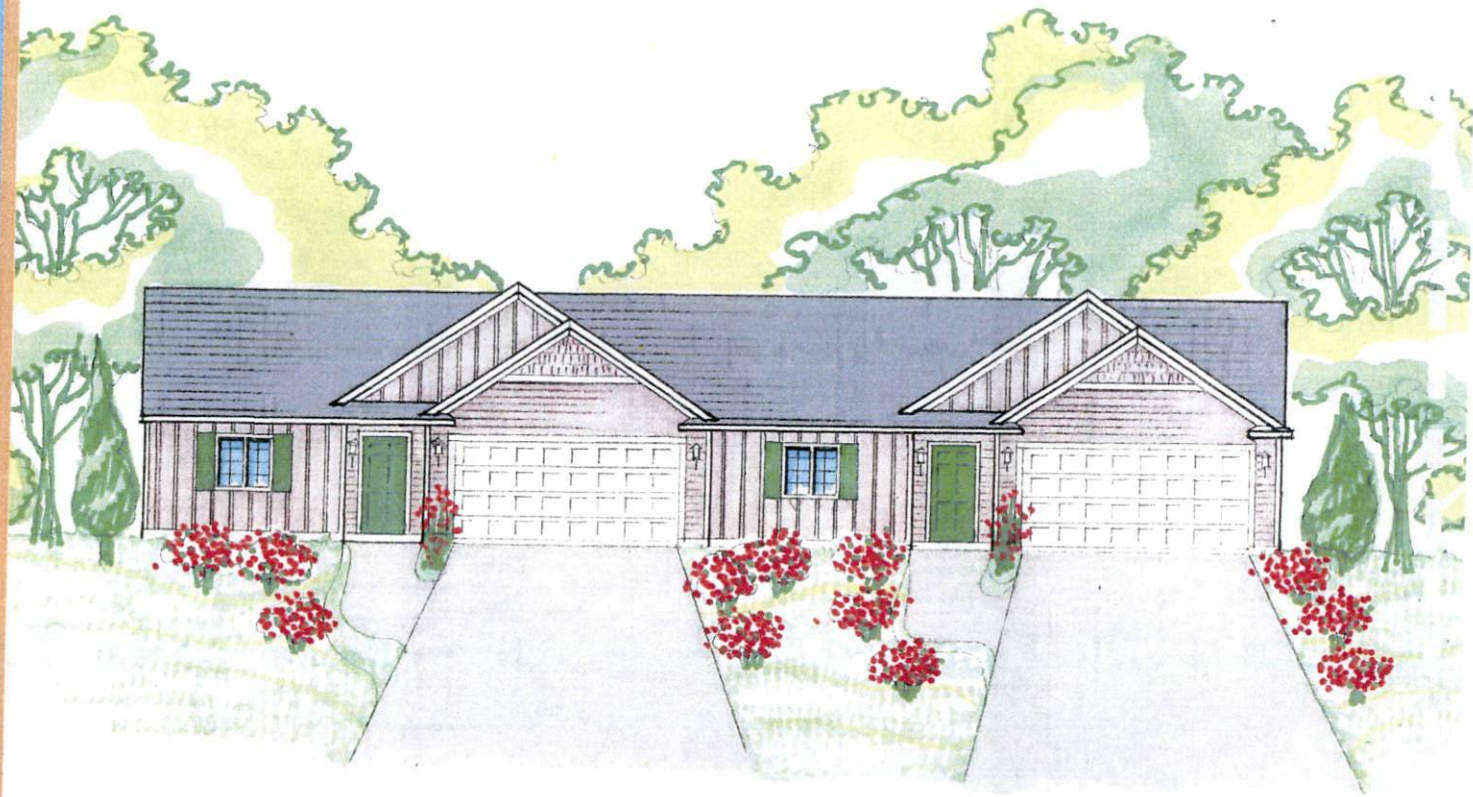


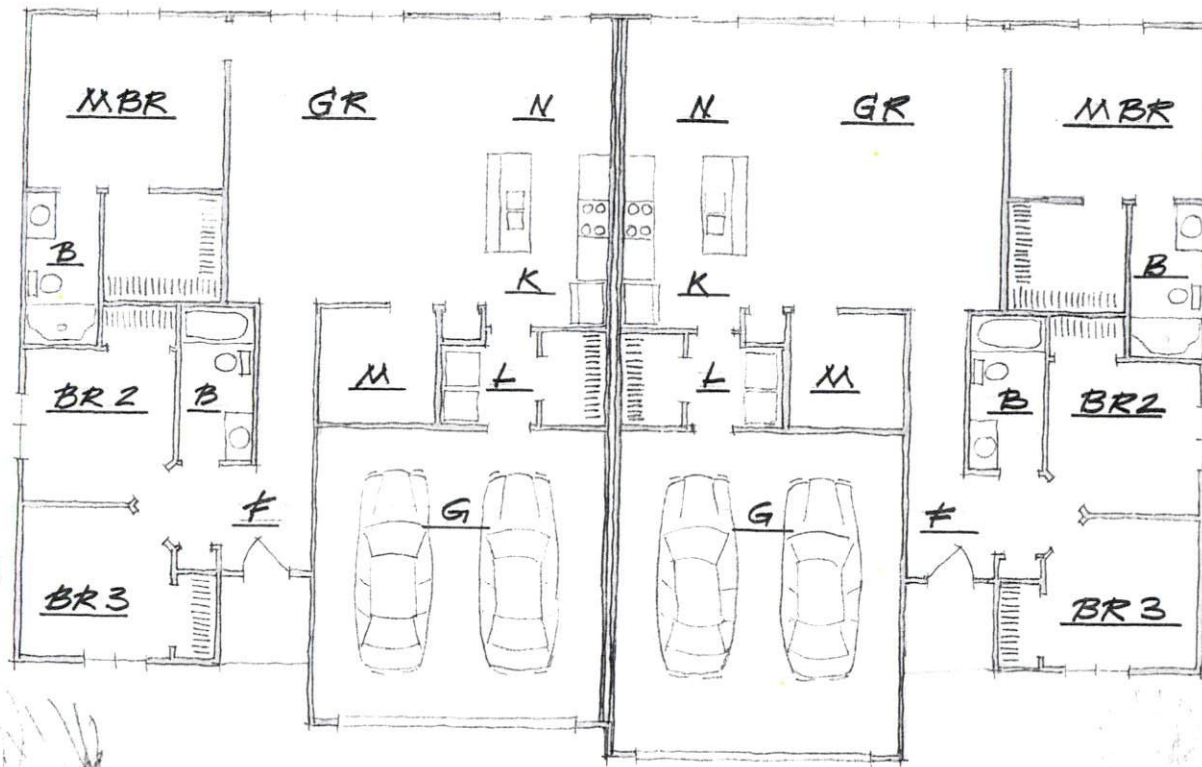
FLOOR PLAN : D1412

FLOOR PLAN

1,418 SQ. FT.

3 BEDROOM
2 BATHROOM
2 CAR GARAGE





**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF
PORTAGE, MICHIGAN BY AMENDING ARTICLE 4 OF CHAPTER 42,
LAND DEVELOPMENT REGULATIONS OF THE CODIFIED ORDINANCES
OF PORTAGE, MICHIGAN**

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

<u>Street Address</u>	<u>Parcel ID Numbers</u>
1722 West Osterhout Ave.	00032-180-0
1800 West Osterhout Ave.	00032-175-0
10099 Oakland Drive	00032-195-0
10117 Oakland Drive	00032-190-0
10121 Oakland Drive	00032-200-0

From I-1, light industrial to PD, planned development

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Patricia M. Randall, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2018.

Adam Herringa, City Clerk

(App #18/19-2)

Approved as to Form:

Date: 4/23/2018

By: [Signature]

City Attorney

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Stryker Corporation - PA 198 Tax Abatement

SUPPORTING PERSONNEL: Chris Forth, Acting Director, Department of Community Development

ACTION RECOMMENDED: Public hearing on the expansion of Industrial Development District No. 82 and an Industrial Facilities Exemption Certificate involving the property located at 3800 East Centre Avenue, and subsequently

1. adopt Resolution No. 2-18, expanding Industrial Development District No. 82 for the Stryker Corporation, 3800 East Centre Avenue;
2. adopt Resolution No. 3-18, approving the industrial facilities exemption certificate application for the Stryker Corporation, 3800 East Centre Avenue; and
3. approve the tax abatement agreement and affidavit between the City of Portage and the Stryker Corporation.

On June 12, 2018, City Council accepted a request from the Stryker Corporation to expand Industrial Development District IDD No. 82 at 3800 East Centre Avenue and an associated PA 198 tax abatement application for a 12-year real property tax abatement. Stryker Corporation plans to construct an approximate 253,000-square-foot building addition on the south side of the existing facility beginning in 2018 and concluding in 2020. As a result of the two-year construction period, Stryker has requested that the 12-year abatement period begin after construction is complete, resulting in a 14-year abatement period. Taxes during the construction phase of the project would be abated based on a partial assessment. To facilitate the proposed project and future expansion, Stryker is requesting to expand the boundaries of IDD No. 82 (created in 2004) to encompass the entire 79-acre parcel of land. Attached is a map illustrating the current and proposed boundary of IDD No. 82. Included in the application materials is a map detailing the location of the immediate development project.

Stryker has requested an abatement for real property improvements for the addition/expansion that total \$35,758,639. Stryker has advised that approximately \$53 million in personal property will be invested; however, these improvements are considered Eligible Manufacturing Personal Property (EMPP) and are exempt from local taxation. The total level of investment, including real and personal property improvements, is approximately \$89 million. In addition to the real and personal property investment included in the tax abatement application, Stryker will retain 929 full-time equivalent employees, create 150 new jobs within two years of the addition and 260 new jobs by year-end 2025.

The application indicates the average annual salary of the newly created jobs will be \$73,000.

Summary of PA 198 Process

The process to receive a tax abatement is initiated with the filing of a request to establish or expand an industrial development district. Following a public hearing and decision on the district, the second step involves review of the industrial facilities exemption certificate. As required by the State of Michigan, the city may not approve a new industrial facilities exemption certificate unless there is a written agreement between the city and the owner of the industrial facility, which must be formally filed with the Michigan Department of Treasury. The Michigan State Tax Commission also requires an affidavit, executed by the local unit of government and the applicant, which states that there are no additional payments or similar charges other than the required application fee. The tax abatement agreement is considered by the Council when the industrial facilities exemption certificate is reviewed and would include provisions related to the jobs created or retained, the facility to be constructed and related issues. The tax abatement procedure concludes when, within 60 days of the date of filing, City Council considers approval of the resolution approving the application for an industrial facilities exemption certificate. The application materials are forwarded to the State Tax Commission and the agreement is submitted to the Department of Treasury. If City Council adopts a resolution disapproving the application for the certificate, the applicant may still proceed and file the application with the State Tax Commission, which renders final approval or disapproval of the industrial facilities exemption certificate.

Preliminary Environmental Analysis

A preliminary planning and environmental investigation of the proposed industrial activity has been completed. The subject property is approximately 79 acres in size, zoned I-2 heavy industry and occupied by an approximate 433,000-square-foot Stryker Medical facility and associated site improvements constructed in 2004. This existing facility is connected to municipal water and sanitary sewer. Storm water drainage is controlled on-site in accordance with the city's Storm Water Design Criteria. Review of the area for environmental concerns revealed no compliance problems with either the Michigan Department of Environmental Quality or the City of Kalamazoo. All state and federal regulations pertaining to hazardous material handling, storage and disposal will be met. The adjacent properties to the north and west are zoned either heavy industrial or I-1 light industrial. The properties to the east across South Sprinkle Road and to the south across Zylman Avenue are zoned R-1B, one-family residential. South Sprinkle Road is within the Sprinkle Road Industrial Corridor and is identified for industrial development in the City of Portage Comprehensive Plan.

Project Impact Analysis

Project impact analyses have been prepared for the proposed investment of \$35,758,639 in real property improvements. Personal property investments in the amount of \$53 million will also be made; however, these improvements are considered Eligible Manufacturing Personal Property (EMPP) and are exempt from local taxation. The projects will retain 929 full-time equivalent employees and will add an additional 150 jobs within two years of project completion with 260 new jobs by year-end of 2025. The average annual salary for existing and new employees is approximately \$73,000, not including benefits. Assumptions utilized in the analyses are detailed on page one of the attached reports. Since employment does not begin until after construction is complete, the analysis is based on

a 12-year period. Calculations are included on proceeding pages and a summary table and chart organizes the results of these calculations for City Council reference.

Based on the level of investment and the time to complete construction, the applicant has requested the 12-year real property tax abatement begin after construction of the new facility is complete. Commencement of the 12-year abatement period after construction is complete is not specified in the Tax Abatement Policy, but given the community impact of this new facility and length of time needed for construction, this request is supported by the City Administration.

The analyses show the economic impact on the city General Fund and the broader community with a 50% real property abatement for the full 12-year period. The following summarizes the cumulative outcomes of the investments:

Direct General Fund Abatement Cost	\$160,439
Cumulative Revenue to the city (20 years)	\$801,688
Primary / Secondary Community Economic Benefits	\$12,848,000

The direct General Fund abatement cost to the city over the 12-year period is estimated to be \$160,439. However, the overall impact of this project on the city and surrounding area is significant. Cumulative revenue to the city over a 20-year period is estimated to be \$801,688, while the additional broader community benefit is estimated to be \$12.8 million based on the level of real property investment and job creation. It is worth noting that by 2025, when an additional 110 new jobs will be added (260 total), the broader community benefit is expected to increase to approximately \$22.2 million.

Property Tax Analysis

An analysis of the impact of property taxes has also been prepared. With no abatement and the real property taxed at the full 60.909969 millage rate, the estimated taxes generated for all taxing units would total \$14,225,621 over a 14-year period. The information below provides the estimated total tax revenue foregone over a 14-year abatement period by local units of government.

City of Portage	\$1,345,674
Kalamazoo County	\$752,269
Central County Transportation Authority	\$87,582
Kalamazoo County Transportation Authority	\$36,726
KRESA	\$747,692
KVCC	\$328,012
Portage District Library	\$175,164

Portage Public Schools' revenue is subject to the 1994/1995 school aid legislation and is largely provided by the State of Michigan. The total tax abatement valuation percentage approved by the Council with the inclusion of this application would equal 8.92%. This figure reflects the active industrial tax abatements that have been approved by the Council as a percentage of the total city State Equalized Value.

Conclusion

The investments being made by the Stryker Corporation are important not only to the Portage community, but to the greater Kalamazoo metropolitan area. In an effort to facilitate this important community project, approval of a 14-year abatement period, which includes the two year construction period, is recommended.

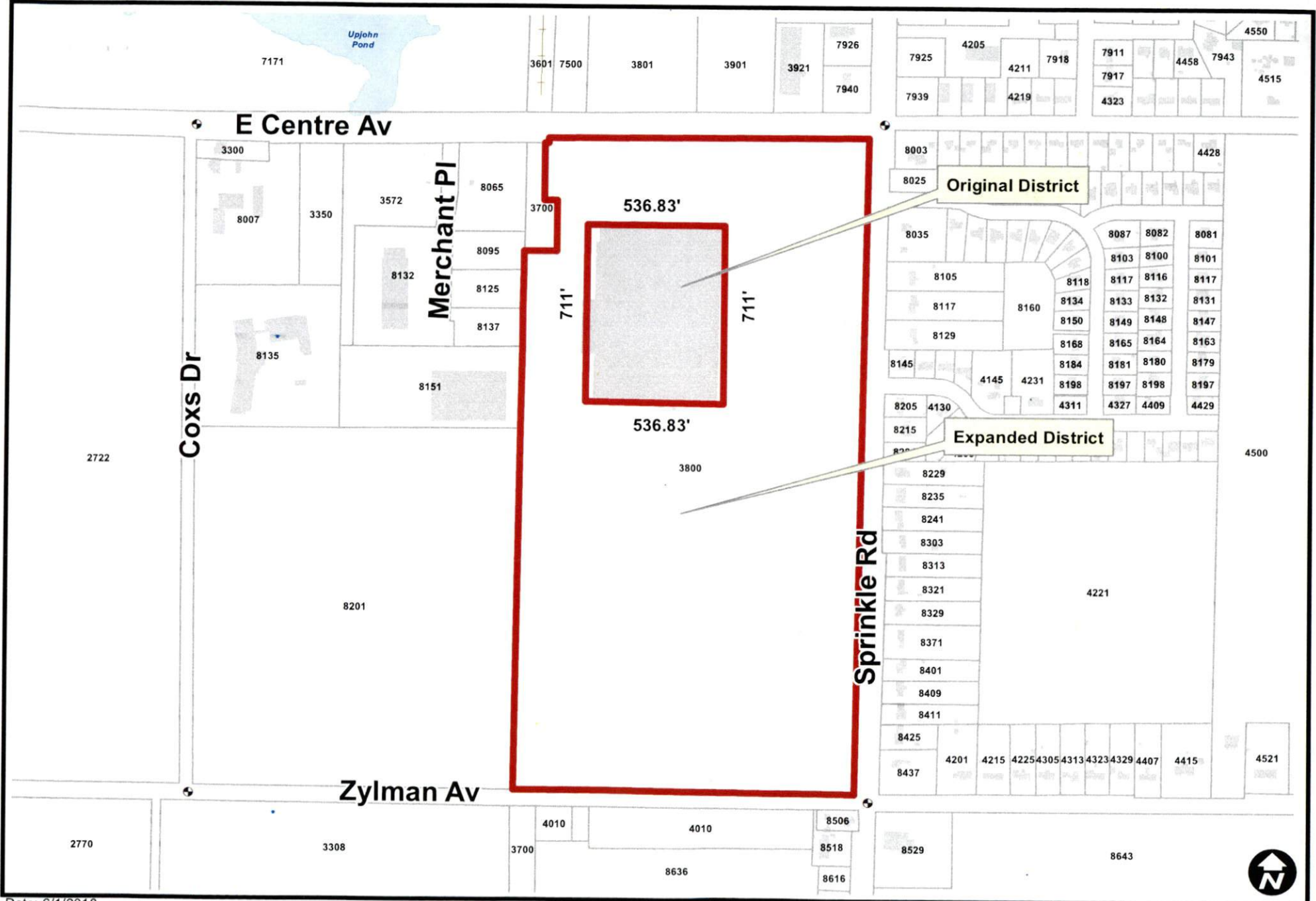
Therefore, it is recommended that City Council adopt Resolution No. 2-18 expanding Industrial Development District No. 82 for 3800 East Centre Avenue and Resolution No. 3- 18 approving the Industrial Facilities Exemption Certificates for real property in the estimated amount of \$35,758,639 million within IDD No. 82. In addition to approval of the industrial facilities exemption certificate, approval of the Affidavit with Regard to Fees and the Tax Abatement Agreement for a 14-year real property abatement period is also recommended.

FUNDING: N/A

- Attachments:**
1. PA 198 IDD#82 Project Impact Analysis
 2. Stryker IDD #82 Expansion Application
 3. Resolution #2-18
 4. Resolution #3-18
 5. Affidavit Regarding Fees - Stryker
 6. Tax Abatement Agreement

PA 198 - IDD #82

IDD boundaries are approximate.



PROJECT IMPACT ANALYSIS - Stryker 2018

Assumptions used in the following calculations:

Market value of property to be added :	
Real property.....	\$35,758,639
Personal property.....	\$53,450,831
Percentage tax abatement requested: (consistent with City Council policy)	
Real property.....	50.00%
Personal property.....	0.00%
Years of abatement requested:	
Real property.....	12
Personal property.....	0
Non-recoverable City share costs of requested:	
Roadway improvements.....	\$0
Drainage improvements.....	\$0
Sanitary sewer improvements.....	\$0
Water delivery improvements.....	\$0
Number of new employees.....	150
Average annual income of each new employee.....	\$73,000
Percentage of new employees assumed to be residents.....	33.00%
Propensity for resident employees to consume locally.....	60.00%
Propensity for non-resident employees to consume locally.....	50.00%
County income multiplier.....	2.00
Percentage of new employees constructing new homes.....	20.00%
Value of new home as a factor of annual income.....	2.00
Number of members per household (2010-2014 5-year estimate)	2.40
Population, 2017 estimation.....	48,500
General Fund expenditures net of certain offsetting revenues: i.e., user charges and fees, grants, reimbursements	\$20,762,902
Current General Fund millage rate.....	7.5000
Per capita state revenue sharing to General Fund.....	\$82.66
Average annual inflation rate (2011 to 2016).....	0.91%
Annual increase in industrial real property value.....	0.00%
Annual increase in residential real property value.....	1.50%

PROJECT IMPACT ANALYSIS - Stryker 2018

CALCULATION OF ECONOMIC BENEFITS TO THE COMMUNITY:

Equation 1-Calculation of additional payroll generated

Number of new employees	Average annual income	Total new annual payroll
150	\$73,000	\$10,950,000

Equation 2-Calculation of primary economic benefit to the community from payroll income

Percentage of new employees assumed to be residents.....	33.00%
Propensity for resident employees to consume locally.....	60.00%
Propensity for non-resident employees to consume locally.....	50.00%

	Distribution of labor force	Average annual income	Propensity to consume locally	Primary economic benefit	
Resident employees.....	50	\$73,000	60.00%	\$2,190,000	
Non-resident employees.....	100	\$73,000	50.00%	\$3,650,000	
				\$5,840,000	\$5,840,000

Equation 3-Calculation of secondary economic benefit to the community from payroll income

	Total primary benefit	County income multiplier	Propensity to consume locally	Secondary economic benefit	
	\$5,840,000	2.00	60.00%	\$7,008,000	\$7,008,000
----ADDITIONAL ECONOMIC BENEFITS TO THE COMMUNITY.....					\$12,848,000

PROJECT IMPACT ANALYSIS - Stryker 2018

CALCULATION OF ADDITIONAL GENERAL FUND REVENUE:

Equation 4-Calculation of gross taxes to be generated from new project

Market value of property to be added:				
Real property.....				\$35,758,639
Personal property.....				\$53,450,831
Current General Fund millage rate				7.50
First year property SEV	Millage rate	Abated	First year property taxes	
Real \$17,879,320	7.50	Yes	\$134,095	
Personal \$24,320,128	7.50	No	\$0	\$134,095

Equation 5-Calculation of additional property tax from new residents

Percentage of new employees constructing new homes.....				20.00%	
Value of new home as a factor of annual income.....				2.00	
Number of new homes	Avg market value of each new home	Total SEV of new homes	General Fund millage rate	First year property taxes	
30	\$146,000	\$2,190,000	7.50	\$16,425	\$16,425

Equation 6-Calculation of additional state revenue sharing to the General Fund

Number of members per household.....				2.40	
Per capita state revenue sharing to General Fund.....				\$83	
Number of new resident employees	Number of members per household	Number of new residents	Per capita state revenue sharing	Additional state revenue sharing	
50	2.40	120	\$83	\$9,919	\$9,919
----ADDITIONAL GENERAL FUND REVENUE.....					\$160,439

PROJECT IMPACT ANALYSIS - Stryker 2018

Equation 7-Annual tax abatement costs

Percentage tax abatement requested:				
	Real property.....			50.00%
	Personal property.....			0.00%
Years of abatement requested:				
	Real property.....			12
	Personal property.....			0
	First year General Fund property tax	Requested abatement rate	First year tax abatement	
Real	\$134,095	50.00%	\$67,048	
Personal	\$0	0.00%	\$0	\$67,048

Equation 8-Additional service costs

Population, 2017 estimation.....					48,500	
General Fund expenditures net of certain offsetting revenues: i.e., user charges and fees, grants, reimbursements					\$20,762,902	
	Costs of services	Number of residents	Cost per resident	Number of new residents	Additional cost for new residents	
	\$20,762,902	48,500	\$428	120	\$51,360	\$51,360

Equation 9-Public facilities cost, non-recoverable City share

	Road imprvmnts	Drainage imprvmnts	Sanitary sewer imprvmnts	Water delivery imprvmnts	Total improvements	
	\$0	\$0	\$0	\$0	\$0	\$0
----TOTAL ADDITIONAL GENERAL FUND COSTS.....						\$118,408

CALCULATION OF RELATIVE COMPARISON FACTOR

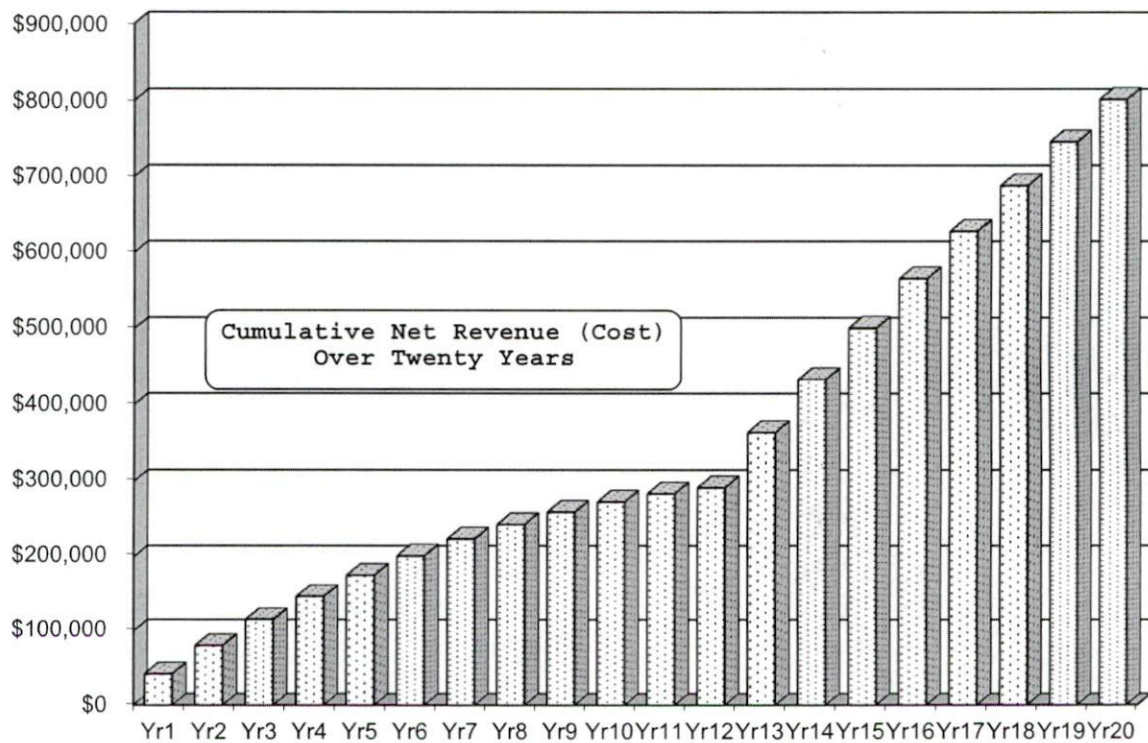
Equation 10-Relative comparison investment factor/initial cost per job created

Additional revenues	Additional (costs)	Net additional (cost)/revenue	Number of jobs created	(Cost)/revenue per job created
\$160,439	(\$118,408)	\$42,031	150	\$280

Long term comparison of increased revenues to increased costs
reflecting the effects of inflation on property values and General Fund expenditures
and the decreasing value of personal property due to depreciation

PROJECT IMPACT ANALYSIS - Stryker 2018

Year	Revenue	Infrastructure costs	General Fund real property tax abatement	General Fund personal prop. tax abatement	General Fund service costs	Expenditures	Net annual (cost)/revenue	Cumulative (cost)/revenue
Yr1	\$160,439	\$0	\$67,048	\$0	\$51,360	(\$118,408)	\$42,032	\$42,032
Yr2	\$157,423	\$0	\$67,048	\$0	\$51,828	(\$118,876)	\$38,548	\$80,579
Yr3	\$154,496	\$0	\$67,048	\$0	\$52,300	(\$119,348)	\$35,149	\$115,728
Yr4	\$151,655	\$0	\$67,048	\$0	\$52,777	(\$119,825)	\$31,831	\$147,558
Yr5	\$148,898	\$0	\$67,048	\$0	\$53,258	(\$120,306)	\$28,593	\$176,151
Yr6	\$146,224	\$0	\$67,048	\$0	\$53,743	(\$120,791)	\$25,434	\$201,584
Yr7	\$143,631	\$0	\$67,048	\$0	\$54,233	(\$121,281)	\$22,351	\$223,935
Yr8	\$141,115	\$0	\$67,048	\$0	\$54,727	(\$121,775)	\$19,341	\$243,275
Yr9	\$138,678	\$0	\$67,048	\$0	\$55,226	(\$122,274)	\$16,405	\$259,680
Yr10	\$136,314	\$0	\$67,048	\$0	\$55,729	(\$122,777)	\$13,538	\$273,217
Yr11	\$134,025	\$0	\$67,048	\$0	\$56,237	(\$123,285)	\$10,741	\$283,958
Yr12	\$131,807	\$0	\$67,048	\$0	\$56,750	(\$123,798)	\$8,010	\$291,967
Yr13	\$129,660	\$0	\$0	\$0	\$57,267	(\$57,267)	\$72,393	\$364,360
Yr14	\$127,581	\$0	\$0	\$0	\$57,789	(\$57,789)	\$69,792	\$434,152
Yr15	\$125,570	\$0	\$0	\$0	\$58,315	(\$58,315)	\$67,255	\$501,407
Yr16	\$123,624	\$0	\$0	\$0	\$58,847	(\$58,847)	\$64,777	\$566,184
Yr17	\$121,742	\$0	\$0	\$0	\$59,383	(\$59,383)	\$62,359	\$628,543
Yr18	\$119,924	\$0	\$0	\$0	\$59,924	(\$59,924)	\$60,000	\$688,543
Yr19	\$118,166	\$0	\$0	\$0	\$60,470	(\$60,470)	\$57,696	\$746,239
Yr20	\$116,470	\$0	\$0	\$0	\$61,021	(\$61,021)	\$55,449	\$801,688



Stryker Corporation- PA-198 TAX ABATEMENT APPLICATION

3800 E Centre

Summary of Total Taxes Abated and Maximum Application Fee Calculation

Real & Personal Property

Total Real Property Taxes Abated (12 Years):	\$ 7,813,465
Total Personal Property Taxes Abated:	EMPP Exempt
Total Taxes Abated:	\$ 7,813,465
2% Application Fee Calculation:	2%
Maximum Allowable Fee Under Statute:	\$ 156,269
Application Fee per City Policy:	\$ 1,855.00

NOTE: With no abatement the estimated taxes generated for all taxing units over the 12 years including the two year construction period would be:

	Abatement Period	Full Tax Rate	Total Period TV	Unabated Tax Amt.
Real Property	12	60.909969	233,551,600	\$ 14,225,621
Personal Property *	0	-	-	-
Total Unabated Tax Liability:				\$ 14,225,621

* The Taxation of all New Eligible Manufacturing Personal Property is Exempt per MCL 211.9m

Report Created by City Assessor's Office 6-22-2018

Stryker Corporation- PA-198 TAX ABATEMENT APPLICATION

3800 E Centre

Real Property Investment: \$35,758,639

Real Property Taxes Abated Over 2 Year Construction Period & 12-Year Abatement Period								
	CIP Year 1 2019	CIP Year 2 2020	Year 3 2021	Year 4 2022	Year 5 2023	Year 6 2024	Year 7 2025	
Cost	\$ 12,000,000	\$ 26,000,000	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	
SEV & TV	6,000,000	13,000,000	17,879,300	17,879,300	17,879,300	17,879,300	17,879,300	
Rate Abated	0.0334550	0.0334550	0.0334550	0.0334550	0.0334550	0.0334550	0.0334550	
Taxes Abated	\$ 200,730	\$ 434,915	\$ 598,152	\$ 598,152	\$ 598,152	\$ 598,152	\$ 598,152	
	Year 8 2026	Year 9 2027	Year 10 2028	Year 11 2029	Year 12 2030	Year 13 2031	Year 14 2032	Totals Over 2-Year Construction & 12-Year Period
Cost	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	
SEV & TV	17,879,300	17,879,300	17,879,300	17,879,300	17,879,300	17,879,300	17,879,300	233,551,600
Rate Abated	0.0334550	0.0334550	0.0334550	0.0334550	0.0334550	0.0334550	0.0334550	
Taxes Abated	\$ 598,152	\$ 598,152	\$ 598,152	\$ 598,152	\$ 598,152	\$ 598,152	\$ 598,152	\$ 7,813,465

Detail of the Total Real Property Taxes Abated Over the 2-Year Construction & 12-Year Period

Taxing Jurisdiction Name Tax Levy Description	PA-198 Est. Tax Rate (50% Level)	12-Year Combined TV	Total 12-Year Taxes Abated
CITY OF PORTAGE	5.4602500	233,551,600	\$ 1,275,250
SCHOOL OPERATING	8.9091000	233,551,600	\$ 2,080,735
SCHOOL BUILDING/DEBT	3.6750000	233,551,600	\$ 858,302
STATE EDUCATION	6.0000000	233,551,600	\$ 1,401,310
KVCC	1.4044500	233,551,600	\$ 328,012
KRESA	3.2014000	233,551,600	\$ 747,692
KALAMAZOO COUNTY	3.0641000	233,551,600	\$ 715,625
KCTA TRANSPORTATION	0.1572500	233,551,600	\$ 36,726
CCTA TRANSPORTATION	0.3750000	233,551,600	\$ 87,582
PORTAGE DIST LIBRARY	0.7500000	233,551,600	\$ 175,164
CNTY JUVENILE	0.1070000	233,551,600	\$ 24,990
CNTY HOUSING FND	0.0499000	233,551,600	\$ 11,654
City of Portage 1% Tax Administration Fee	0.3015345	233,551,600	\$ 70,424
Total - All Taxing Entities	33.4549845		\$ 7,813,465

CIP- Construction in Progress

Report Created by City Assessor's Office 6-22-2018

Stryker Corporation- PA-198 TAX ABATEMENT APPLICATION

3800 E Centre

Real Property Investment: \$35,758,639

Est. Real Property Tax Liability (12-Year) With NO ABATEMENT								
	CIP Year 1 2019	CIP Year 2 2020	Year 3 2021	Year 4 2022	Year 5 2023	Year 6 2024	Year 7 2025	
Cost	\$ 12,000,000	\$ 26,000,000	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	
SEV & TV	6,000,000	13,000,000	17,879,300	17,879,300	17,879,300	17,879,300	17,879,300	
Millage	0.0609100	0.0609100	0.0609100	0.0609100	0.0609100	0.0609100	0.0609100	
Tax Liability	\$ 365,460	\$ 791,830	\$ 1,089,028	\$ 1,089,028	\$ 1,089,028	\$ 1,089,028	\$ 1,089,028	
	Year 8 2026	Year 9 2027	Year 10 2028	Year 11 2029	Year 12 2030	Year 13 2031	Year 14 2032	Totals Over 2-Year Construction & 12-Year Period
Cost	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	\$ 35,758,600	
SEV & TV	17,879,300	17,879,300	17,879,300	17,879,300	17,879,300	17,879,300	17,879,300	233,551,600
Millage	0.0609100	0.0609100	0.0609100	0.0609100	0.0609100	0.0609100	0.0609100	
Tax Liability	\$ 1,089,028	\$ 1,089,028	\$ 1,089,028	\$ 1,089,028	\$ 1,089,028	\$ 1,089,028	\$ 1,089,028	\$ 14,225,621

Detail - NO ABATEMENT Taxes Paid Over the 12-Year Period

Taxing Jurisdiction Name Tax Levy Description	Regular 100% Tax Rate	12-Year Combined TV	Total 12-Year Taxes
CITY OF PORTAGE	10.9205000	233,551,600	\$ 2,550,500
SCHOOL OPERATING	17.8182000	233,551,600	\$ 4,161,469
SCHOOL BUILDING/DEBT	7.3500000	233,551,600	\$ 1,716,604
STATE EDUCATION	6.0000000	233,551,600	\$ 1,401,310
KVCC	2.8089000	233,551,600	\$ 656,023
KRESA	6.4028000	233,551,600	\$ 1,495,384
KALAMAZOO COUNTY	6.1282000	233,551,600	\$ 1,431,251
KCTA TRANSPORTATION	0.3145000	233,551,600	\$ 73,452
CCTA TRANSPORTATION	0.7500000	233,551,600	\$ 175,164
PORTAGE DIST LIBRARY	1.5000000	233,551,600	\$ 350,327
CNTY JUVENILE	0.2140000	233,551,600	\$ 49,980
CNTY HOUSING FND	0.0998000	233,551,600	\$ 23,308
City of Portage 1% Tax Administration Fee	0.6030690	233,551,600	\$ 140,848
Total - All Taxing Entities	60.9099690		\$ 14,225,621

CIP- Construction in Progress

Report Created by City Assessor's Office 6-22-2018

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call (517) 373-3302.

To be completed by Clerk of Local Government Unit	
Signature of Clerk 	Date Received by Local Unit June 12, 2018
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Stryker Corporation	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 339110	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 3800 E Centre Ave, Portage, MI 49002	1d. City/Township/Village (indicate which) Portage	1e. County Kalamazoo
2. Type of Approval Requested ☒ New (Sec. 2(5)) ☐ Transfer ☐ Speculative Building (Sec. 3(8)) ☐ Rehabilitation (Sec. 3(6)) ☐ Research and Development (Sec. 2(10)) ☐ Increase/Amendment	3a. School District where facility is located Portage Public Schools	3b. School Code 39140
4. Amount of years requested for exemption (1-12 Years) 12		

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

See attached document.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	\$35,758,639 Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	\$35,758,639 Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

Begin Date (M/D/Y) 6/15/2018	End Date (M/D/Y) 12/31/2020	Real Property Improvements ☒ Owned ☐ Leased Personal Property Improvements ☐ Owned ☐ Leased
---------------------------------	--------------------------------	---

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. ☐ Yes ☒ No

9. No. of existing jobs at this facility that will be retained as a result of this project. 929	10. No. of new jobs at this facility expected to create within 2 years of completion. 150
--	--

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

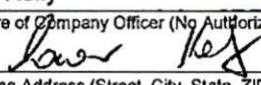
a. TV of Real Property (excluding land)	N/A
b. TV of Personal Property (excluding inventory)	N/A
c. Total TV	N/A

12a. Check the type of District the facility is located in: ☒ Industrial Development District ☐ Plant Rehabilitation District	
12b. Date district was established by local government unit (contact local unit)	12c. Is this application for a speculative building (Sec. 3(8))? ☐ Yes ☒ No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Adam Burgess	13b. Telephone Number 248.375.7863	13c. Fax Number 248.233.7579	13d. E-mail Address adam.burgess@plantemoran.com
14a. Name of Contact Person Brandon Podolski	14b. Telephone Number 248.375.7440	14c. Fax Number 248.233.7793	14d. E-mail Address brandon.podolski@plantemoran.com
15a. Name of Company Officer (No Authorized Agents) Conor Kelly			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number 269 385 1062	15d. Date 5/30/2018
15e. Mailing Address (Street, City, State, ZIP Code) 1901 Romence Road Parkway, Portage, MI 49002		15f. Telephone Number (269) 389-2300	15g. E-mail Address conor.kelly@stryker.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

16. Action taken by local government unit ☐ Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion ☐ Yes ☐ No ☐ Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable ☐ 1. Original Application plus attachments, and one complete copy ☐ 2. Resolution establishing district ☐ 3. Resolution approving/denying application. ☐ 4. Letter of Agreement (Signed by local unit and applicant) ☐ 5. Affidavit of Fees (Signed by local unit and applicant) ☐ 6. Building Permit for real improvements if project has already begun ☐ 7. Equipment List with dates of beginning of installation ☐ 8. Form 3222 (if applicable) ☐ 9. Speculative building resolution and affidavits (if applicable)	
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable ☐ 1. Notice to the public prior to hearing establishing a district. ☐ 2. Notice to taxing authorities of opportunity for a hearing. ☐ 3. List of taxing authorities notified for district and application action. ☐ 4. Lease Agreement showing applicants tax liability.			
16c. LUCI Code		16d. School Code	
17. Name of Local Government Body		18. Date of Resolution Approving/Denying this Application	

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
1. LUCI Code	2. Begin Date Real	3. Begin Date Personal	4. End Date Real	5. End Date Personal

May 30, 2018

Portage City Council
7900 South Westnedge Avenue
Portage, MI 49002

Dear Portage City Council:

Stryker Corporation was incorporated in Michigan in 1946 and is a global leader in medical technology. Stryker is one of the world's leading medical technology companies and, together with its customers, is driven to make healthcare better. Stryker's products are sold in over 100 countries through company owned sales subsidiaries and branches as well as third party dealers and distributors. Stryker offers innovative products and services in Orthopaedics, Medical and Surgical, and Neurotechnology and Spine that help improve patient and hospital outcomes. Stryker's product lines include implants used in joint replacement and trauma surgeries; surgical equipment and surgical navigation systems; endoscopic and communications systems; patient handling and emergency medical equipment; neurological, neurovascular and spinal devices; as well as other medical device products used in a variety of medical specialties.

Stryker's Medical division (Commercial & GQO) continues to grow within Western Michigan.

Based upon a lengthy review and due diligence process, Stryker believes it can help alleviate some of its capacity issues by expanding its footprint at 3800 E Center Avenue in Portage, Michigan.. Immediately, Stryker would begin by expanding its parking footprint at the site. Currently, the site only has employee parking for approximately 390 employees and is near its capacity. In working through test fits and initial plan reviews, it is estimated that Stryker will be able to add approximately 1,300 parking spaces to the site along with its potential building expansion

Following the initial parking work, Stryker would pursue an expansion of its existing facility. This construction could commence as early as Q3 of 2018 and add approximately 253,000 square feet to its facility. It is believed that the total anticipated capital investment would reach approximately \$109 million by 2020. In addition, this additional space would help facilitate the creation of approximately 260 new positions by year-end 2025. The average wage for these new positions is approximately \$73,000 annually.

Stryker currently employs 3,612 Michigan residents, 1,011 of those Michigan residents operate within the Commercial and GQO groups of the Medical division.

Of those 1,011 Michigan residents, they currently operate within the following divisions & locations;

- Stryker Medical – Commercial – 3800 E Centre Ave, Portage, MI 49002: 338 employees
(FEIN: 38-1239739)
- Stryker Medical – GQO - 3800 E Centre Ave, Portage, MI 49002: 541 employees
(FEIN: 38-1239739)
- Stryker Medical – Commercial – 3800 E Centre Ave, Portage, MI 49002: 50 employees
(FEIN: 38-2902424)
- Stryker Medical – Commercial – 6938 Elk Valley Drive, Kalamazoo, MI 49009 82 employees
(FEIN: 38-1239739)

The project outlined above is contingent upon the receipt of an incentive package suitable to Stryker Corporation from the State of Michigan. Stryker Corporation has already engaged in dialogue with the Michigan Economic Development Corporation and submitted an application via its portal system on May 14, 2018.

 6/18/2018
Conor Kelly
Director, Finance, Americas East
SGS US HQ Finance

**STRYKER CORPORATION – PA 198 APPLICATION ATTACHMENT
LIST OF PARCEL NUMBERS TO BE INCLUDED AND LEGAL DESCRIPTIONS**

Tax Identification Number:

10-00024-075-A

Commonly known as:

3800 E Centre Ave, Portage, MI 49002

Current Legal Description of the Property:

PART OF THE NW 1/4 OF SEC 24 T3S R11W, COMMENCING AT THE NW 1/4 CORNER OF SD SEC, TH S 00 DEG 51'04" W ALONG THE N S 1/4 LINE OF SD SEC A DISTANCE OF 60.02 FT (RECORDED AS S 00 DEG 35'50" W 60.02 FT) TO THE E STRLY EXTENSION OF THE S LINE OF E CENTRE ST, TH S 89 DEG 33'46" W ALONG SD LINE EXTENDED A DISTANCE OF 50.01 FT (RECORDED AS S 89 DEG 18'32" W 50.01 FT) TO THE WSTRLY ROW OF SPRINKLE RD AND THE POB. TH S 00 DEG 51'04" W ALONG SD ROW A DISTANCE OF 2605.72 FT (RECORDED AS S 00 DEG 35'50" W 2605.59 FT) TO THE E W 1/4 LINE OF SD SEC, TH N 89 DEG 44'17" W ALONG SD E W 1/4 LINE A DISTANCE OF 1337.77 FT (RECORDED AS N 89 DEG 59'46" W 1337.84) TO THE WSTRLY LINE OF A 100 FT WIDE FORMER RAIL ROAD ROW, TH N 00 DEG 49'53" E ALONG SD FORMER ROW A DISTANCE OF 2147.36 FT (RECORDED AS N 00 DEG 35'11" E), TH N 89 DEG 33'46" E A DISTANCE OF 130.00 FT, TH N 00 DEG 49'53" E A DISTANCE OF 200.00 FT, TH S 89 DEG 33'46" W A DISTANCE OF 50.0 FT, TH N 00 DEG 49'53" E A DISTANCE OF 225.00 FT TO THE STRLY ROW LINE OF SD CENTRE ST, TH N 89 DEG 33'46" E ALONG SD ROW LINE A DISTANCE OF 20.02 FT, TH N 00 DEG 50'25" E ALONG SD ROW LINE A DISTANCE OF 17.00 FT (RECORDED AS N 00 DEG 35'11" E 17.00 FT) TH N 89 DEG 33'46" E ALONG SD S LINE OF CENTRE ST A DISTANCE OF 1238.91 FT (RECORDED AS N 89 DEG 18'32" E 1238.57 FT) TO THE POB.

Update Legal Description of the Property:

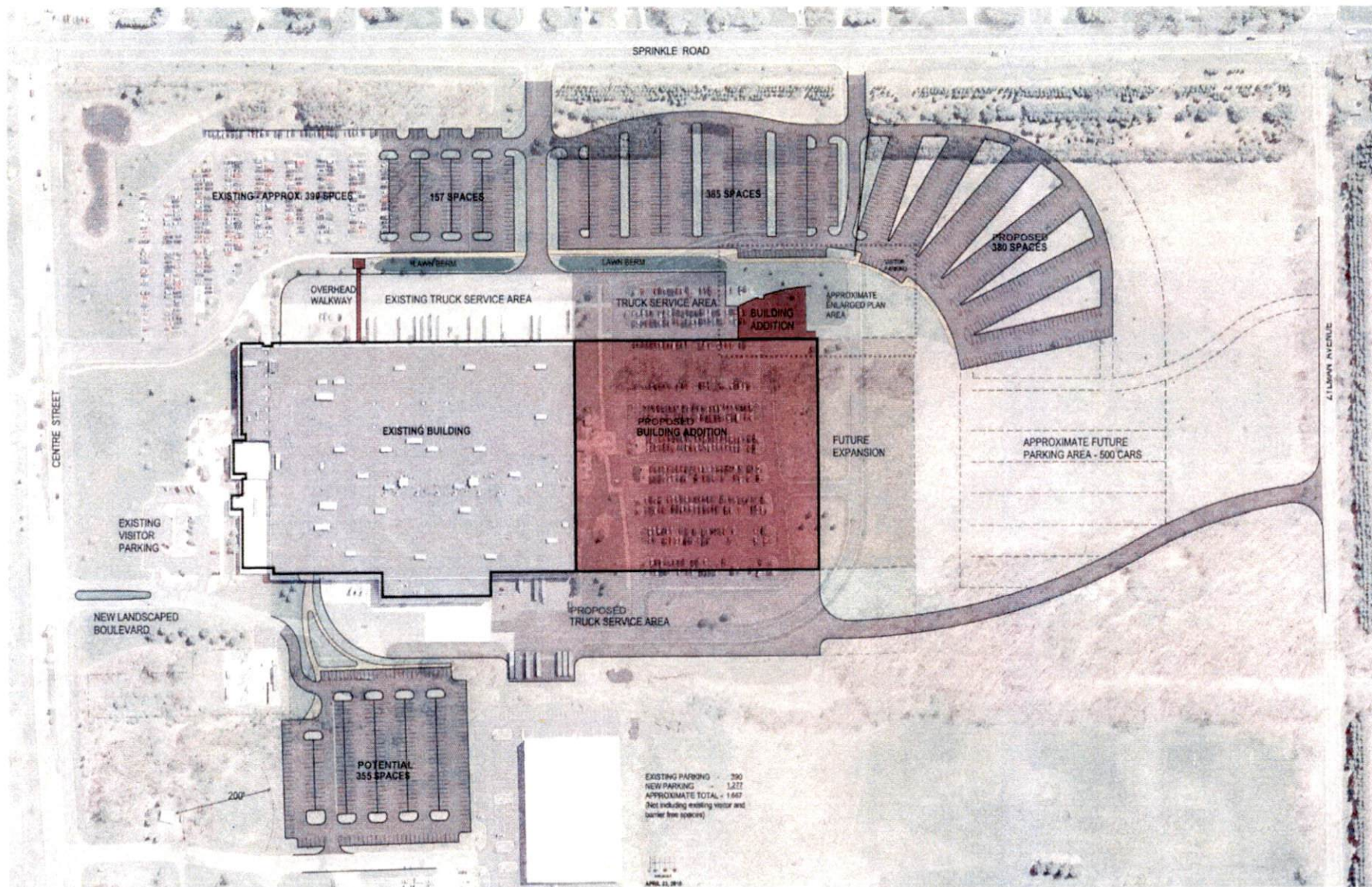
The Industrial Development District to be established is located on Parcel 10-00024-075-A at 3800 E Centre Ave, Portage, MI 49002. The overall intent is to create an Industrial Development District for the entire Parcel. The attached current drawing of the original facility and planned facility illustrates the site improvements that will be made for the operation of Stryker's updated campus. To the extent that a revised legal description is required by the City of Portage other than what is provided above, Stryker will provide the revised legal description prior to the public hearing when the industrial development district is created.

STRYKER CORPORATION – PA 198 APPLICATION ATTACHMENT
3800 E Centre Ave – IFEC Application Land & Building Improvements

Beginning Date of Installation: 06/15/2018

Ending Date of Installation: 12/31/2020

EQUIPMENT	INSTALLATION DATE	COSTS
Foundations	9/1/18 – 12/1/18	\$995,675
Structure/ Exterior Enclosure	10/1/18 – 4/1/19	\$10,993,719
Interior Finishes	2/1/19 – 5/1/19	\$2,857,823
Conveying/ Plumbing/ HVAC/ Electrical/ Kitchen	1/1/19 – 5/1/19	\$9,880,500
Equipment/ Furniture	5/1/19 – 12/31/19	\$2,627,188
Private Sitework	6/18/18 – 2/15/19	\$6,074,700
TOTAL REAL PROPERTY COSTS- ELIGIBLE FOR ABATEMENT		<u>\$2,329,034</u>
		<u>\$35,758,639</u>



PROPOSED
SITE PLAN - GQ&O EXPANSION SITE STUDY



stryker

3800 E CENTRE AVE PORTAGE, MI 49002 (Property Address)

Parcel Number: 00024-075-A Customer ID: 15468



Item 1 of 1

0 Images / 1 Sketch

Property Owner: STRYKER CORPORATION**Summary Information**

- > Commercial/Industrial Building Summary
- Yr Built: 2015 # of Buildings: 2
- Total Sq Ft: 433,411
- > 3 Special Assessments found
- > 22 Building Department records found

- > Assessed Value: \$11,854,300 | Taxable Value: \$10,052,171
- > Property Tax information found
- > 1 Invoice Found, Amount Due: 0.00

Owner and Taxpayer Information

Owner	STRYKER CORPORATION 3800 E CENTRE AV PORTAGE, MI 49002	Taxpayer	SEE OWNER INFORMATION
--------------	--	-----------------	-----------------------

General Information for Tax Year 2018

Property Class	301 INDUSTRIAL IMPROVED	Unit	10 CITY OF PORTAGE
School District	PORTAGE	Assessed Value	\$11,854,300
SECTION	Not Available	Taxable Value	\$10,052,171
BOOK	Not Available	State Equalized Value	\$11,854,300
PROPERTY TYPE	Not Available	Date of Last Name Change	04/18/2017
USER ALPHA 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
CODE	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information**Homestead Date** *No Data to Display*

Qualified Agricultural	June 1st	Final
2018	0.0000 %	
2017	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2017	\$11,863,100	\$11,863,100	\$9,845,418
2016	\$1,042,500	\$1,042,500	\$1,042,500
2015	\$1,004,100	\$1,004,100	\$1,004,100

Land Information

Zoning Code	I-2	Total Acres	78.750
Land Value	\$2,229,728	Land Improvements	Not Available
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	INDUSTRIAL NONPARK	Mortgage Code	No Data to Display
Lot Dimensions/Comments	No Data to Display	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Lot 1	2,583.77 ft	1,237.00 ft
Total Frontage: 2,583.77 ft		Average Depth: 1,237.00 ft

Legal Description

PART OF THE NW 1/4 OF SEC 24 T35 R11W COMMENCING AT THE NW 1/4 CORNER OF SD SEC. TH S 00 DEG 51'04" W ALONG THE N S 1/4 LINE OF SD SEC A DISTANCE OF 60.02 FT (RECORDED AS S 00 DEG 35'50" W 60.02 FT) TO THE E STRLY EXTENSION OF THE S LINE OF E CENTRE ST TH S 89 DEG 33'46" W ALONG SD LINE EXTENDED A DISTANCE OF 50.01 FT (RECORDED AS S 89 DEG 18'32" W 50.01 FT) TO THE WSTRLY ROW OF SPRINKLE RD AND THE POB TH S 00 DEG 51'04" W ALONG SD ROW A DISTANCE OF 2605.72 FT (RECORDED AS S 00 DEG 35'50" W 2605.59 FT) TO THE E W 1/4 LINE OF SD SEC TH N 89 DEG 44'17" W ALONG SD W 1/4 LINE A DISTANCE OF 1337.77 FT (RECORDED AS N 89 DEG 59'46" W 1337.84) TO THE WSTRLY LINE OF A 100 FT WIDE FORMER RAIL ROAD ROW TH N 00 DEG 49'53" E ALONG SD FORMER ROW A DISTANCE OF 2147.36 FT (RECORDED AS N 00 DEG 35'11" E), TH N 89 DEG 33'46" E A DISTANCE OF 130.00 FT, TH N 00 DEG 49'53" E A DISTANCE OF 200.00 FT, TH S 89 DEG 33'46" W A DISTANCE OF 50.0 FT, TH N 00 DEG 49'53" E A DISTANCE OF 225.00 FT TO THE STRLY ROW LINE OF SD CENTRE ST TH N 89 DEG 33'46" E ALONG SD ROW LINE A DISTANCE OF 20.02 FT, TH N 00 DEG 50'25" E ALONG SD ROW LINE A DISTANCE OF 17.00 FT

(RECORDED AS N 00 DEG 35'11" E 17.00 FT TH N 89 DEG 33'46" E ALONG SD S LINE OF CENTRE ST A DISTANCE OF 1238.91 FT (RECORDED A SN 89 DEG 18'32" E 1238.57 FT) TO THE POB

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber./Page
07/06/2004	\$0.00	WD	CITY OF PORTAGE DEVELOPMENT AUTHORITY	STRYKER CORP	INVALID SALE	2004-034605
06/02/2004	\$2,400,000.00	WD	GEP PORTAGE, LLC	CITY OF PORTAGE DEVELOPMENT AUTHORITY	INVALID SALE	2004-034604
04/16/2003	\$0.00	WD	PHARMACIA & UPJOHN COMPANY	PFIZER INC	INVALID SALE	
03/25/2002	\$0.00	WD	PHARMACIA & UPJOHN COMPANY	GEP PORTAGE, LLC	INVALID SALE	2004-034603

Building Information - 240.00 sq ft Industrial - Light Manufacturing (Commercial)

Floor Area	240 sq ft	Estimated TCV	Not Available
Occupancy	Industrial - Light Manufacturing	Class	C
Stories Above Ground	1	Average Story Height	17 ft
Basement Wall Height	Not Available	Identical Units	Not Available
Year Built	2015	Year Remodeled	Not Available
Percent Complete	100%	Heat	Complete H.V.A.C.
Physical Percent Good	95%	Functional Percent Good	Not Available
Economic Percent Good	Not Available	Effective Age	2 yrs

Building Information - 433,171.00 sq ft Industrial - Light Manufacturing (Commercial)

Floor Area	433,171 sq ft	Estimated TCV	Not Available
Occupancy	Industrial - Light Manufacturing	Class	C
Stories Above Ground	2	Average Story Height	17 ft
Basement Wall Height	Not Available	Identical Units	Not Available
Year Built	2005	Year Remodeled	Not Available
Percent Complete	100%	Heat	Complete H.V.A.C.
Physical Percent Good	74%	Functional Percent Good	Not Available
Economic Percent Good	Not Available	Effective Age	13 yrs

****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or implied. Please contact your local municipality if you believe there are errors in the data.

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May 31, 2018

Portage City Council
7900 South Westnedge Avenue
Portage, MI 49002

Dear Portage City Council,

Regarding the Stryker Corporation property located at 3800 East Centre Avenue in Portage Michigan, and to the best of our knowledge, Stryker is in compliance with all applicable environmental requirements.

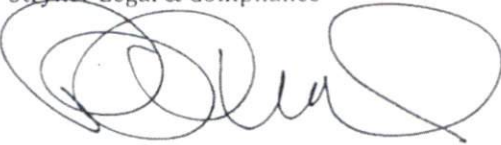
Additionally, there are no current enforcement actions by the Michigan DEQ (MDEQ) or the United States Environmental Protection Agency (EPA).

Should you have any additional questions or comments, please do not hesitate to contact us.

Sincerely,

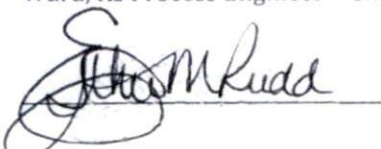


Carole Mendez
Division Counsel
Stryker Legal & Compliance



Phil Ward
Process Engineer – Chief
Stryker Global Supply

Acknowledged before me in Kalamazoo County, MI, on May 31, 2018, by Carole Mendez, its Division Counsel, and by Phil Ward, its Process Engineer – Chief, of Stryker Corporation, a Michigan corporation.



Notary Public

Kalamazoo County, Michigan

Acting in Kalamazoo County

My commission expires 3/10/2020

**CITY OF PORTAGE
RESOLUTION NO. 2-18
DESIGNATING PORTAGE INDUSTRIAL DEVELOPMENT DISTRICT NO. 82 (EXPANDED)
STRYKER CORPORATION**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on _____, 2018, at 7:00 p.m. local time at City Hall in the City of Portage, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

COUNCILMEMBER: _____, and supported by:

COUNCILMEMBER: _____.

WHEREAS, the City Council has met in public hearing as heretofore resolved and noticed for the purpose of determining whether a certain described area located at 3800 East Centre Avenue, Portage, Michigan, may be established as an Industrial Development District, pursuant to 1974 PA 198, MCLA 207.551, et seq.; and

WHEREAS, such location meets all of the prerequisites of the cited Act;

NOW THEREFORE, BE IT RESOLVED that the following described property be designated
Expanded Portage Industrial Development District No.82:

Please see attached Exhibit "A"

ADOPTED: AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

All resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

RESOLUTION DECLARED ADOPTED:

Adam Herringa, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on _____, 2018, the original of which is in the official proceedings of the City Council.

Adam Herringa, City Clerk

PREPARED BY:
RANDALL L. BROWN
Portage City Attorney
1662 East Centre Avenue
Portage, Michigan 49002
(269) 323-8812

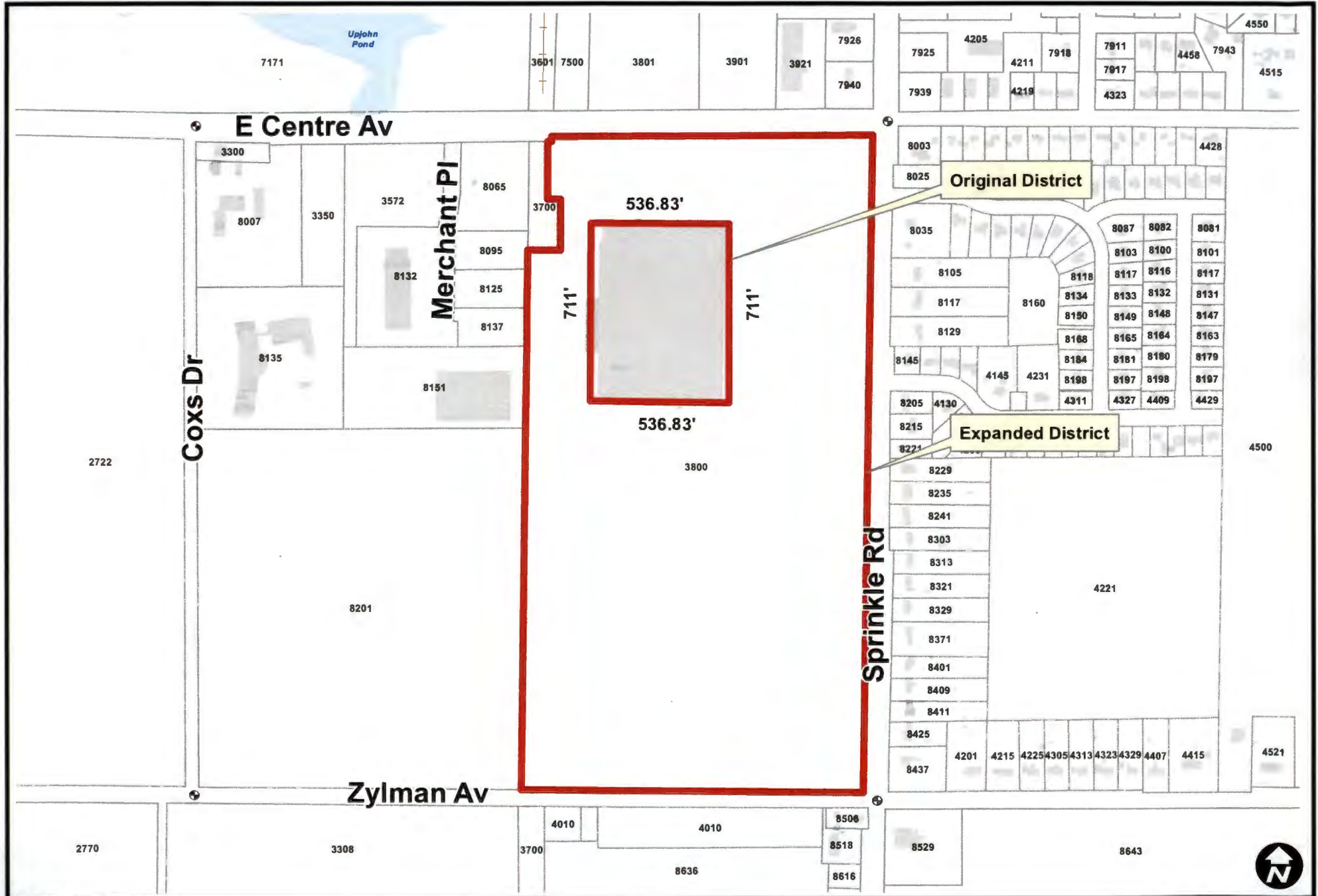
Approved as to Form:
Date: 6/20/2018
By: [Signature]
City Attorney

z:\jody\portage\industrial\stryker #82\resolution #2.06-5-18.docx

Exhibit A

PA 198 - IDD #82

IDD boundaries are approximate.



**STRYKER CORPORATION – PA 198 APPLICATION ATTACHMENT
LIST OF PARCEL NUMBERS TO BE INCLUDED AND LEGAL DESCRIPTIONS**

Tax Identification Number:

10-00024-075-A

Commonly known as:

3800 E Centre Ave, Portage, MI 49002

Current Legal Description of the Property:

PART OF THE NW 1/4 OF SEC 24 T3S R11W , COMMENCING AT THE NW 1/4 CORNER OF SD SEC, TH S 00 DEG 51'04" W ALONG THE N S 1/4 LINE OF SD SEC A DISTANCE OF 60.02 FT (RECORDED AS S 00 DEG 35'50" W 60.02 FT) TO THE E STRLY EXTENSION OF THE S LINE OF E CENTRE ST , TH S 89 DEG 33'46" W ALONG SD LINE EXTENDED A DISTANCE OF 50.01 FT (RECORDED AS S 89 DEG 18'32" W 50.01 FT) TO THE W STRLY ROW OF SPRINKLE RD AND THE POB. TH S 00 DEG 51'04" W ALONG SD ROW A DISTANCE OF 2605.72 FT (RECORDED AS S 00 DEG 35'50" W 2605.59 FT) TO THE E W 1/4 LINE OF SD SEC , TH N 89 DEG 44'17" W ALONG SD E W 1/4 LINE A DISTANCE OF 1337.77 FT (RECORDED AS N 89 DEG 59'46" W 1337.84) TO THE W STRLY LINE OF A 100 FT WIDE FORMER RAIL ROAD ROW , TH N 00 DEG 49'53" E ALONG SD FORMER ROW A DISTANCE OF 2147.36 FT (RECORDED AS N 00 DEG 35'11" E), TH N 89 DEG 33'46" E A DISTANCE OF 130.00 FT, TH N 00 DEG 49'53" E A DISTANCE OF 200.00 FT, TH S 89 DEG 33'46" W A DISTANCE OF 50.0 FT, TH N 00 DEG 49'53" E A DISTANCE OF 225.00 FT TO THE STRLY ROW LINE OF SD CENTRE ST, TH N 89 DEG 33'46" E ALONG SD ROW LINE A DISTANCE OF 20.02 FT, TH N 00 DEG 50'25" E ALONG SD ROW LINE A DISTANCE OF 17.00 FT (RECORDED AS N 00 DEG 35'11" E 17.00 FT) TH N 89 DEG 33'46" E ALONG SD S LINE OF CENTRE ST A DISTANCE OF 1238.91 FT (RECORDED AS N 89 DEG 18'32" E 1238.57 FT) TO THE POB.

Update Legal Description of the Property:

The Industrial Development District to be established is located on Parcel 10-00024-075-A at 3800 E Centre Ave, Portage, MI 49002. The overall intent is to create an Industrial Development District for the entire Parcel. The attached current drawing of the original facility and planned facility illustrates the site improvements that will be made for the operation of Stryker's updated campus. To the extent that a revised legal description is required by the City of Portage other than what is provided above, Stryker will provide the revised legal description prior to the public hearing when the industrial development district is created.

**CITY OF PORTAGE, MICHIGAN
RESOLUTION NO. 3-18**

**APPROVING THE APPLICATION OF
STRYKER CORPORATION
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR THE FACILITY IN PORTAGE INDUSTRIAL DEVELOPMENT
DISTRICT NO. 82 (EXPANDED)**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on the day of _____, 2018 at 7:00 p.m., local time at the City Hall in the City of Portage.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember _____, and supported by

Councilmember _____.

WHEREAS, pursuant to 1974 PA 198, MCLA Sec. 207.551 et seq., after a duly noticed public hearing held on the _____ day of _____, 2018, this Council by resolution, established Expanded Portage Industrial Development District No. 82 as requested by STRYKER CORPORATION, sole owners of the property therein described; and;

WHEREAS, by resolution adopted _____, 2018, the City Council accepted the application of STRYKER CORPORATION for an Industrial Facilities Exemption Certificate for a new facility and site improvements to be installed in the Expanded Portage Industrial Development District No. 82, and directed the City Clerk to notify the City Assessor and the legislative body of each taxing unit which levies ad valorem taxes on the property located within said Expanded Industrial Development District No.

82, that the application for the Facilities Exemption Certificate would be considered at a meeting of the City Council on _____, 2018, and that an opportunity to be heard would be provided to the Assessor and to a representative of each of the bodies so notified; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Portage after granting this certificate **will exceed 5%** of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property exempted.

WHEREAS, during a regular meeting of the City Council held _____, 2018, the applicant, the Assessor and representative of the affected taxing units were afforded an opportunity to be heard:

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. That this City Council finds:

- (a) That the construction of the facility had not begun earlier than six (6) months before _____, the date of acceptance of the application for the Industrial Facilities Exemption Certificate;
- (b) That the application relates to a project which when completed will constitute a new facility within the meaning of 1974 PA 198 and will be situated in Expanded Portage Industrial Development District No. 82 (STRYKER CORPORATION) established in Portage on _____, 2018 by resolution of the City Council;
- (c) That completion of facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment, retain employment, or prevent a loss of employment in the City of Portage.
- (d) That the application applies to a new facility and site improvements;
- (e) That the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Portage, after granting this certificate, will be _____ percent of an amount equal to the sum of SEV of the City plus the SEV of personal and real property thus exempted; however, the City Council specifically finds that the granting of the exemption applied for will not have the effect of substantially impeding the operation of the City of Portage, or impairing the financial soundness of any taxing unit that levies an ad valorem property tax in the City of Portage.

That the application of STRYKER CORPORATION for an Industrial Facilities Exemption Certificate with regard to the construction of a new facility and site improvements located in Expanded Portage Industrial Development District No. 82 (STRYKER CORPORATION) be and is hereby approved for a period of ____ years after completion for the new facility (building) and site improvements with an ending

date of _____, and is conditioned upon execution of an agreement between STRYKER CORPORATION and the City.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

ADOPTED: AYES: COUNCILMEMBER _____

NAYS: COUNCILMEMBER _____

ABSENT: COUNCILMEMBER _____

Adam Herringa, City Clerk

Certificate

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on the _____ day of _____, 2018, the original of which is in the official proceedings of the City Council.

Adam Herringa, City Clerk

PREPARED BY:
Randall L. Brown
Portage City Attorney
1662 East Centre Avenue
Portage, Michigan 49002

Approved as to Form:
Date: 6/20/2018
By: _____
City Attorney

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**AFFIDAVIT WITH REGARD TO FEES
OF 198 APPLICATION FOR
STRYKER CORPORATON**

STATE OF MICHIGAN)
)ss.
COUNTY OF KALAMAZOO)

NOW COME Affiants, Adam Herringa and Conor Kelly, and state as follows:

1. Adam Herringa is the City Clerk and an official for the City of Portage.
2. Conor Kelly is the Finance Director of the applicant, Stryker Corporation, who is an applicant for an industrial facilities exemption certificate.

3. Affiants are aware of the following provision, being Section 5(3) of Act No. 198 of the Public Acts of 1974:

The local government unit may charge the applicant an application fee to process an application for an industrial facilities exemption certificate. The application fee shall not exceed the actual cost incurred by the local government or unit in processing the application or 2% of the total property taxes stated under this Act for the term that the industrial facilities exemption certificate is in effect, whichever is less. A local government unit shall not charge an applicant any other fee under this Act.

4. Affiants state that no payment of any kind in excess of the fee allowed by the above provision of Act 198 as amended has been made or promised in exchange for favorable consideration of an exemption certificate application.

5. Affiants realize that any fee, payment in lieu of taxes, donations, or any other such payments as a condition precedent to approving industrial facilities exemption certificates would be contrary to the legislative intent of Act 198.

6. Each affiant has the authority to make this affidavit on behalf of the entity he or she represents.

CITY OF PORTAGE, a Michigan Municipal Corporation

Date: _____, 2018

By: _____
ADAM HERRINGA
Its: City Clerk

Subscribed and sworn to before me this _____ day of _____, 2018.

Notary Public
Kalamazoo County, Michigan
My commission expires: _____
Acting in Kalamazoo County, Michigan

STRYKER CORPORATION
A Michigan Corporation

Date: _____, 2018

By: _____
Conor Kelly
Its: Finance Director

Subscribed and sworn to before me this _____ day of _____, 2018.

Notary Public
Kalamazoo County, Michigan
My commission expires: _____
Acting in Kalamazoo County, Michigan

APPROVED AS TO FORM:

DATE 6/18/2018
[Signature]
CITY ATTORNEY

Prepared by:
Randall L. Brown
1662 East Centre Avenue
Portage, MI 49002

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TAX ABATEMENT AGREEMENT

This Agreement is made between THE CITY OF PORTAGE, a Michigan Municipal Corporation, of 7900 South Westnedge Avenue, Portage, Michigan 49002, hereinafter referred to as "CITY", and STRYKER CORPORATION, a Michigan Corporation, of 1901 Romence Road Parkway, Portage, Michigan 49002, hereinafter referred to as "APPLICANT."

THE PARTIES AGREE AS FOLLOWS:

1. The CITY has established an Expanded Industrial Development District #82 in which the APPLICANT proposes to locate a facility in the City of Portage, County of Kalamazoo, State of Michigan and which is described as follows:

See attached.

2. The APPLICANT has filed an application (which is incorporated herein by reference) with the CITY requesting an industrial facilities exemption certificate ("certificate") for real property and building improvements ("facility") located at 3800 East Centre Avenue, Portage, Michigan, within Expanded Industrial Development District #82.

3. The APPLICANT has represented that the application relates to a new or replacement facility within the meaning of Public Act 198 of 1974, MCLA 207.551, et seq.

4. The term of the certificate granted by the CITY shall be twelve (12) years after completion of the facility (building). This agreement shall remain in force as to each certificate granted for the term of said certificate.

5. The APPLICANT has represented to the CITY that granting of the certificate will enable the facility to be completed, which will have the reasonable likelihood to create employment, retain employment, and prevent a loss of employment within the CITY.

6. The APPLICANT agrees to maintain at least 929 existing employees and hire at least 260 new employees by 2025, with at least 150 of these new employees hired within two years of completion of the project. Failure to hire and maintain these positions shall be considered a material breach of this Agreement unless APPLICANT can show by clear and convincing evidence that the breach was caused by unfavorable economic business conditions, loss of business, or some other reason beyond the control of APPLICANT.

7. The APPLICANT agrees to maintain the facility for the entire period of the Certificate within the CITY and not to move or relocate the facility, business, or any material portion of either outside the CITY without replacing the relocated portion with real property improvements of equal or greater value, without first obtaining the permission of the CITY. If

APPLICANT relocates the facility, business, or any material portion of either without this replacement and without the CITY's consent outside of the CITY during the period in which the industrial facilities exemption certificate is in effect, the APPLICANT is liable to the CITY for an amount equal to the difference between the industrial facilities tax to be paid by the owner or lessee of that relocated facility for the tax years remaining under the industrial facilities exemption certificate that is in effect and the general ad valorem property tax that the Applicant would have paid if the Applicant did not have an industrial facilities exemption certificate in effect for those years. The CITY will not impose this liability without first giving the APPLICANT an opportunity to meet with CITY representatives. The payment provided in this section shall be distributed in the same manner as the industrial facilities tax is distributed.

8. The APPLICANT agrees that during the term of the certificate, all CITY taxes shall be timely paid. Further, APPLICANT agrees that by accepting the benefits of the tax abatement, it waives appeal of personal and/or real property tax assessments concerning property which is the subject of the certificate. Appeal of the personal and/or real property taxes which is the subject of the certificate during the term of the certificate shall result in revocation of the certificate and/or termination of the district and APPLICANT shall repay to the CITY and all taxing authorities the amount of taxes that were abated by reason of the certificate. This waiver does not apply to the first annual assessment after completion of construction.

9. The APPLICANT further agrees that during the term of the certificate, the APPLICANT shall be in full compliance with all applicable CITY codes.

10. The APPLICANT further agrees that during the term of the certificate, the APPLICANT shall not discriminate against any person on the basis of race, creed, color, sex, religious orientation, or other criteria not reasonably related to the job.

11. The APPLICANT further agrees to submit an annual project performance report to the CITY, addressed to City Council, provided under oath, setting forth the progress in attaining and maintaining the requirements of this Agreement and the provisions of the certificate application. Such reports shall be furnished in duplicate on or before July 1 of each year and shall contain, at minimum, the following:

- (a) The number of new jobs promised in the certificate and the actual number of new jobs created.
- (b) The number of employees at the time of the application and the current number of employees.
- (c) If projection for creation or retention of jobs was not reached, give explanation.
- (d) The estimated project cost given in the application and the actual project cost.
- (e) If actual project costs differ substantially from projected cost, give explanation.

12. The APPLICANT agrees that if employment has not been retained or reached as represented, the construction and/or expansion project has not been completed or expenditures made as described in the Application, or if APPLICANT fails to fulfill any other provision of this Agreement as well as the provisions of Act 198 of 1974, the CITY shall have the right (after giving APPLICANT an opportunity to meet with CITY representatives) to reduce the term or revoke the certificate and APPLICANT shall repay to the CITY and all taxing authorities the amount of taxes that were abated by reason of the certificate plus all accrued interest, penalties and administrative fees applicable to said tax exemptions in the amount as would be collected if the same were considered delinquent. Any payments due under this paragraph may be collected by either court proceedings or by adding to the next taxes due against the APPLICANT'S property on the next tax roll of the CITY. This section does not apply to the extent that the APPLICANT demonstrates to the CITY by clear and convincing evidence that the failure was caused by unfavorable economic business conditions, loss of business, or some other reason beyond the control of APPLICANT.

13. After the certificate is issued, the CITY agrees to maintain the same in full force and effect during the term of the certificate, subject to any regulations and requirements of state law, and subject to any breach of the provisions of this agreement by APPLICANT.

14. The parties agree that the CITY, in approving the tax abatement, has relied on the actions, representations and promises (including the Application) of the APPLICANT. Default of any of the provisions of this Agreement may be enforced in law or equity. The parties agree that exclusive jurisdiction to resolve any disputes on this contract shall be Kalamazoo County, Michigan.

15. If the various sections and provisions of this Agreement shall be deemed to be declared by any court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of the Agreement as a whole or any section or provision hereof other than the section or provision so declared to be unconstitutional or invalid.

16. The benefits herein shall accrue to and the obligations hereof shall bind the successors, assignees, and transferees of the APPLICANT.

17. The APPLICANT further agrees that should ownership of the business and/or facility for which the Public Act 198 exemption certificate is issued be changed in the future, thereby requiring a hearing in front of the City of Portage Council under state law, that the transferee or new owner shall abide by all the terms and conditions of this Agreement, and that APPLICANT will communicate all terms and conditions of this Agreement to the transferee or new owner and assist the CITY in obtaining the signature of the authorized agent of the transferee or new owner on this Agreement or an identically worded Agreement.

By signatures of representatives of both the APPLICANT and the CITY below, it is understood that both the APPLICANT's investment in the project and the CITY's investment through the granting of a certificate is to encourage economic growth. It is also acknowledged that certain economic conditions can, at times, prohibit the maintenance of the APPLICANT's targeted status. It is understood that if such conditions exist at the time of the designated APPLICANT reports, the governing body of the CITY will carefully evaluate the APPLICANT's situation, and will inform the APPLICANT if any action is considered in order to give the APPLICANT an opportunity for correction.

Dated: _____, 2018

STRYKER CORPORATION

By _____

Conor Kelly
Its Director, Finance

WITNESSED:

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

On this ____ day of _____, 2018 before me personally came the above named Conor Kelly, Director, Finance and on behalf of Stryker Corporation, who acknowledges that he has read the foregoing Tax Abatement Agreement by him subscribed and knows the contents thereof, and that he has the authority of said corporation to execute this Agreement, and acknowledges that he executed the same as his free act and deed.

_____, Notary Public
Kalamazoo County, Michigan
My Commission Expires: _____
Acting in Kalamazoo County, Michigan

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

CITY OF PORTAGE, a Michigan Municipal
Corporation

By: _____
Patricia M. Randall
Its Mayor

By: _____
Adam Herringa
Its Clerk

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

On this _____ day of _____, 2018 before me personally came the above named Patricia M. Randall and Adam Herringa, to me personally known, who being duly sworn, did and each for themselves say that they are respectively the Mayor and Clerk of the municipal corporation named in and who executed the within instrument and that said instrument was signed on behalf of said corporation by authority of its City Council; and said Patricia M. Randall and Adam Herringa acknowledge said instrument to be the free act and deed of said municipal corporation.

_____, Notary Public
Kalamazoo County, Michigan
My Commission Expires: _____
Acting in Kalamazoo County, Michigan

Prepared by:
Randall L. Brown
Portage City Attorney
1662 East Centre Avenue
Portage, Michigan 49002

Approved as to Form:
Date: 6/22/2018
By: [Signature]

City Attorney

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TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Supplemental Community Infrastructure Investment Grant

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Approve contract amendments with the following:

1. Hurley & Stewart, LLC in the amount not to exceed \$67,988 for design and construction engineering services for the Lovers Lane improvements;
2. Wightman & Associates, Incorporated in the amount not to exceed \$69,875 to perform design engineering services for Idaho Avenue reconstruction and water main replacement;
3. Abonmarche Consultants, Incorporated, in the amount not to exceed \$117,500 to perform design engineering services for the Zylman Avenue reconstruction, and

authorize the City Manager to execute all documents related to the contracts on behalf of the city.

In anticipation of expected grant notifications to fund Lovers Lane from Ramona Avenue to East Milham Avenue, Idaho Avenue from Oregon Avenue to South Westnedge Avenue and Zylman Avenue from Portage Road to South Sprinkle Road it is essential to begin engineering design immediately.

Lovers Lane Realignment Project

Lovers Lane from East Centre Avenue to East Milham Avenue is part of the Kalamazoo Area Transportation Study Map 7 Proposed Bike Commuter Routes, and with the increase in traffic and left turn movements onto Stryker Way, conversion from 4 lanes to 3 lanes with a center turn lane and bike lanes will facilitate safer left-turn movements. Lovers Lane has a sharp reverse curve where safety is a concern due to drivers having to shift their vehicles abruptly. The grant funding enables implementation of a road diet from East Centre Avenue to East Milham Avenue and the correction of the reverse curve alignment on Lovers Lane. In total, the Lovers Lane project cost is estimated at \$1,250,000, with \$600,000 in state funds and \$650,000 to be funded by the fiscal year 2018-2019 Capital Improvement Program Major Street Fund.

On April 10, 2018, City Council awarded a contract to Hurley & Stewart, LLC for improvements to Lovers Lane. With the additional grant funding, staff requested a proposal from Hurley and Stewart, LLC for the design and construction engineering services for the additional scope on the Lovers Lane

project. Staff has reviewed the proposal from Hurley & Stewart, LLC and found it to be appropriate for the work required and in line with their previous low cost proposal on the project. Hurley & Stewart, LLC has experience with the city's policies and procedures, and completed the civil engineering for the Stryker site and the new Stryker Way boulevard that will connect Lovers Lane and Portage Road.

Idaho Reconstruction Project

Idaho Avenue Reconstruction Project will be designed to include "complete street" enhancements such as cross walk improvements, curb and gutter and traffic calming measures, which are part of the City of Portage "A Natural Place to Move" initiative. The project also includes replacement of deteriorated water mains. In total, the Idaho Avenue Reconstruction project cost is estimated at \$1,350,000, with \$850,000 in state funds and \$500,000 financed through the Water Fund for the water main replacement.

Due to the expedited construction schedule, staff requested a proposal from Wightman & Associates, Incorporated for design engineering services for Idaho Avenue reconstruction and water main replacement. Staff has reviewed the proposal from Wightman & Associates, Incorporated and found it to be appropriate for the work required and comparable to their low cost proposal for West Milham Avenue Reconstruction Project. Wightman & Associates, Incorporated has significant experience with the city's policies and procedures and is pre-qualified with the Michigan Department of Transportation.

Zylman Avenue Reconstruction Project

Zylman Avenue Reconstruction project design will include "complete street" enhancements such as crosswalk improvements, sections of curb and gutter and storm sewer installation where none exist, installation of bike lanes, which is part of the "A Natural Place to Move" initiative. In total, the Zylman Avenue Reconstruction project cost is estimated at \$2,050,000, with \$1,800,000 in state funds and \$250,000 financed through the Capital Improvement Program Major and Local Street Design Engineering Fund.

Due to the expedited construction schedule, staff requested a proposal from Abonmarche Consultants, Incorporated for the design engineering services for the Zylman Avenue Reconstruction Project. Staff has reviewed the proposal from Abonmarche Consultants, Incorporated and found it to be appropriate for the work required and comparable to their low cost proposal for the Romence Road Reconstruction Project. Abonmarche Consultants, Incorporated has significant experience with the city's policies and procedures and is pre-qualified with the Michigan Department of Transportation.

It is recommended that City Council approve contract amendments to:

1. Hurley & Stewart, LLC to perform engineering services for the expanded scope of the Lovers Lane Improvements in the amount not to exceed \$67,988.
2. Wightman & Associates, Incorporated to perform design engineering services for Idaho Avenue reconstruction and water main replacement from Oregon Avenue to South Westnedge Avenue in the amount not to exceed \$69,875.
3. Abonmarche Consultants, Incorporated to perform design engineering services for Zylman Avenue Reconstruction Project in the amount not to exceed \$117,500.

and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: 2017-2018 & 2018-2019 Capital Improvement Program Budgets and Local Development Finance Authority Fund.

Attachments:

1. Hurley & Stewart Lovers Lane Proposal
2. Wightman Idaho Ave Proposal
3. Abonmarche Zylman Avenue Proposal



June 19, 2018

Ms. Kendra Gwin, P.E.
Director of Transportation and Utilities
City of Portage
7719 South Westnedge Avenue
Portage MI 49002

RE: Proposal for Engineering and Surveying
Reconstruction of Lovers Lane Ramona Avenue to East Centre Avenue

Dear Kendra:

We understand that the City was selected to receive funds to allow the current Lovers Lane project we are working on to be extended south to East Centre Ave. We have reviewed your scope of work and agree with aspects including the schedule outlined. We propose to complete all services for a lump-sum fee according to the scope of work as outlined in your request for proposal and the discussions with you and Jamie Harmon. We understand that our current contract will be amended and this work added.

<i>Design Engineering, Geotechnical and Topographic Survey</i>	<i>-\$39,086 (inc \$12,000/Surveying)</i>
<i>Construction Engineering, Surveying and Testing</i>	<i>-\$28,897</i>
Total	-\$67,983

Based on our current workload, we can commence work immediately and adhere to the schedule in the RFP. We understand that construction is scheduled for 2019.

Thank you again for providing H&S the opportunity to perform this work for you. If you have any questions, feel free to contact our office at 269-552-4960.

Sincerely,
HURLEY & STEWART, LLC

Todd D. Hurley, P.E.

Enclosures

O:\PROPOSALS\Portage Proposals\2018 Lovers Lane Reverse Curves\South Addition Proposal.doc



Allegan Office:
1670 Lincoln Road
Allegan, MI 49010

Telephone:
(269)673-8465

Fax:
(269)927-1300

Website:
www.gowightman.com

June 18, 2018

City of Portage
7919 South Westnedge Avenue
Portage, MI 49002

Attention: Ms. Kendra Gwin, P.E., Director of Transportation & Utilities

**RE: PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES
IDAHO AVENUE RECONSTRUCTION – OREGON AVE. TO S. WESTNEDGE AVE.**

Dear Kendra:

We would like to thank you for requesting a proposal from our firm for professional engineering services for the above referenced project. After our discussions, reviewing the original sewer plans that we prepared, and our knowledge of Idaho Avenue, we would like to offer the following proposal.

Section I – Project Goals

We understand the City of Portage has secured funding in the amount of \$1.35M to reconstruct Idaho Avenue including water main replacement. Idaho Avenue from Oregon Avenue to South Westnedge Avenue is one of the major streets selected from the prioritization list and it provides direct access to Portage Northern High School and Portage North Middle School.

The current scope of the project includes approximately 2,650' of reconstruction of the roadway with concrete curb and gutter, 8" ductile iron water main replacement, ADA ramp improvements, and drainage modifications. The design will incorporate bulb-outs at intersections to facilitate pedestrian crossings, protect parking, and traffic calming. There are currently no plans to replace the sanitary sewer or sidewalk other than ramps. The current drainage system is a combination of leaching basins and structures that outlet to an existing sewer in Outer Drive on the western half of Idaho while the remainder is largely infiltration. As part of the scope, we will evaluate the existing drainage system including outlets based on City records and field evidence. It may be necessary to televise portions of the storm sewer to properly locate the routing and the City will assist with this if required. We will recommend solutions to accommodate surface runoff both within and beyond the project limits. Construction of a new retention pond is beyond the scope at this time and right-of-way acquisition is not anticipated.

Based upon the above understanding and goals, we have prepared the following scope of services and fees.

Section II – Scope of Services

Based upon the above project goals, WAI proposes the following description of services to be performed.

- **Design Engineering** – WAI will complete a topographic survey and obtain eight soil borings to assist in the preparation of the construction plans. Once the desired storm water management alternative is selected, we will proceed with design engineering and include plans, specifications, and engineer's estimate. Specifically, this will include the following services.

- o Topographic survey extending 5' beyond the right-of-way
 - o Eight pavement borings to a depth of 10'
 - o Storm water evaluation including infiltration, utilization of existing outlets, or construction of new detention facilities
 - o Plans including cover sheet, details sheet, plan & profile sheets (1" = 20'), SESC sheet, traffic control plan, and pavement marking & signage sheet
 - o Specifications in accordance with City requirements
 - o MDEQ Water Main Permit Application and supporting documents
 - o Final Engineer's Opinion of Probable Cost
- Bidding Services – WAI will assist the City of Portage in finalizing the bid package into a format suitable to the City. This will include the following services.
 - o Prepare and submit a draft package to Purchasing for review
 - o Place bid advertisement in local newspaper, one Sunday edition (publication fee included)
 - o Place plans and specifications with local plan rooms, post on WAI website, and provide City with electronic and hard copy sets for their use.
 - o Respond to Contractor inquiries and issue addenda as necessary
 - o Attend bid opening and prepare bid tabulation
 - o Assist City in providing a recommendation to City Council
 - o Assist City in preparation of contracts

Section III - Fees

All services described herein would be performed at a **Guaranteed Maximum Fee of \$69,875**. All services would be invoiced on a monthly basis with payment due within 30 days.

Section IV – Schedule

We understand that the City of Portage is proposing to bid the project in February 2019 with construction to be completed during the 2019 construction season. Additionally, we have reviewed the schedule you provided for the design process. We believe this schedule is attainable with proper planning and we are confident that we can meet this. Once we have received the formal notice to proceed, we would be glad to sit down with the City to lay out a detailed schedule to meet any specific milestones that would coordinate with projects or events.

Following completion of the design, we can provide the City with a separate proposal to provide Construction Administration services including staking, observation, material testing, and project management. Should they become necessary, we can also provide landscape architecture, architecture, environmental, and GIS services.

Section V – Project Team

For this project, our team will include the following personnel.

- Mr. Mickey E. Bittner, P.E. – Principal
- Mr. Aaron J. Neitling, P.E. – Project Manager
- Mr. Gary Hahn, P.S. and Mr. Kevin Miedema, P.S. – Project Surveyors
- Mr. Alec Simonds & Ms. Anna Horner – Design Engineers
- Great Lakes Drilling, Inc. – Pavement borings

Other staff will be utilized as necessary to provide field data collection, design engineering, and CAD drafting to meet the project schedule.

Thank you again for requesting a proposal from our firm for this project. If our proposal is acceptable, please sign and date where indicated below and return one copy of this proposal to us. We look forward to again working with the City of Portage. Should you have any questions or comments or wish to further discuss our proposal, please do not hesitate to call me.

Very truly yours,

WIGHTMAN & ASSOCIATES, INC.



Mickey E. Bittner, P.E., Allegan Office Director
mbittner@gowightman.com

This proposal is approved and accepted by the City of Portage:

Signature

Date

Printed Name & Title

June 19, 2018

Ms. Kendra Gwin, PE
Director of Transportation and Utilities
City of Portage
7719 South Westnedge Avenue
Portage, MI 49002

RE: Zylman Avenue – Portage Road to Sprinkle Road
Proposal for Professional Services

Dear Ms. Gwin:

Abonmarche is pleased to present this proposal for Design Phase services related to the Zylman Avenue reconstruction project. The project will consist of construction of a boulevard from Cox's Drive to Sprinkle Road with a roundabout at Cox's Drive. The boulevard section will include full curb and gutter, storm drainage improvements including a piped system and outlet, 10' wide bike lane, pavement markings and new signage. The boulevard section will be similar to the recently constructed Stryker Way consisting of 20' back of curb to back of curb (11' lane and 5' bike lane) on each side. Zylman Avenue from Portage Road to Cox's Drive will remain a 2 lane section with and receive an overlay, minor storm drainage improvements, pavement markings and new signage. We understand that improvements to the water and sanitary sewer systems are not included in the proposed scope of work. The project will be funded with \$1,800,000 of Supplementary Community Infrastructure Investment funds, and \$250,000 of City Major Street funds.

SCHEDULE

The following timeline is proposed for this project:

<u>Phase</u>	<u>Completion Date</u>
Project Initiation	June 27, 2018
Submit Preliminary Plans for Review	September 14, 2018
Submit Final Package for Review	November 2, 2018
Submit Bidding Package for Review	December 15, 2018
Bidding	February, 2019

PROJECT TEAM

Our project team members consist of the same personnel that has successfully completed many recent projects for the city: Timothy R. Drews, P.E., PTOE (Project Principal, Traffic

Engineering, QA/QC), Daniel A. Dombos II, P.E. (Project Management and Design Oversight), Sam Jablonowski, PE (Project Engineer) and Matthew Reinking, PS (Survey Services).

Based upon our experience with previous City of Portage projects, we are confident that we can achieve the project goals and deliver a successful project. In addition, we are MDOT pre-qualified for numerous categories including for Design-Roadway.

SCOPE OF SERVICES

The following will detail our scope of services and fees for this phase of the project.

DESIGN PHASE

1. Kickoff meeting with city staff to review the project scope, work plans, schedule and preliminary costs estimates. This meeting is intended to set the stage for a clear understanding of the project goals, timelines and lines of communication.
2. Topographic survey – All survey work will be on state plane coordinates and vertical datum to match the city's datum. Survey limits will consist of Zylman Avenue from Portage Road to Sprinkle Road for a 100' width centered on the centerline. In addition, Cox's Drive from Zylman Avenue to Austin Lake including storm sewer on both sides of the road. Data collected for the topographic survey work will include full topographic survey for the entire right of way including existing pavement, structures, utility poles, trees mailboxes, driveways, parking areas, other significant features, and ground elevations outside the pavement edge to evaluate drainage needs.
3. Soil borings and pavement cores – We expect to complete pavement cores/soil borings as directed by city staff. We have budgeted for six (6) soil borings between Portage Road and Cox's Drive and twelve (12) soil borings between Cox's Drive and Sprinkle Road. Our sub-consultant will provide boring logs, and a report of their findings and recommendations.
4. Preparation of roadway and drainage plans at 1:20 scale including plan and profile of the boulevard roadway geometrics and grading, roundabout design, storm system improvements and outlet, design of pavement overlay, typical cross sections, standard details and notes, landscaping plan, maintenance of traffic, pavement marking and permanent signage plans.
5. Preparation of permit applications necessary for construction of the project. These could include permits from the MDEQ for wetland impacts and/or storm outlet, and a right-of way permit for temporary construction signage to be placed in the Road Commission right-of-way.
6. Preparation of sketches/descriptions for right-of-way acquisition. We understand that ordering of title work and easement acquisition services will be performed by others.
7. Cost estimating – Cost estimates will be prepared at various design stages in the project to confirm the city's budget and recommend revisions, if necessary.



8. Submittal of preliminary drawings to utility companies for location of their utilities, and follow-up for review of potential conflicts.
9. Traffic maintenance plan – We will work with the city to develop the most efficient traffic control plans and/or provisions for the project.
10. Preparation of preliminary specifications and special provisions per city requirements.
11. Compiling quantities & pay items and refinement of the preliminary cost estimate.
12. Progress meetings and design review meetings with city staff and utility companies, as necessary.
13. Plans, specifications and the final cost estimate will be submitted to city staff for review prior to advertising for bids.

BIDDING PHASE

Support for city staff for one (1) local bid letting, including:

1. Distribution of plans to contractors and plan rooms.
2. Maintaining a bid register.
3. Attendance at a pre-bid meeting.
4. Answering questions and providing clarifications and/or addenda, as necessary.
5. Attendance at the bid opening
6. Compiling a bid tabulation and recommendation for award of the contract.
7. Compiling and distribution of contracts for execution by the city and contractor.

FEES

Our fees to complete the above scope of services are proposed as follows:

Design Phase	\$115,000
Bidding Phase	<u>\$ 2,500</u>
Total	\$117,500



Your signature in the space provided below will serve as authorization to proceed with this project. If you have any questions, please contact me at 269-876-9286 or tdrews@abonmarche.com.

Sincerely,
Abonmarche Consultants, Inc.



Timothy R. Drews, PE, PTOE
Vice President

cc. Christopher Cook, PE

Authorized by

Date



GlasAssociates

CUSTOM HOME DESIGNERS/BUILDERS
COMMERCIAL CONTRACTING

6339 Stadium Drive
Kalamazoo, MI 49009

ph: 269.353.7737
fax: 269.353.7316
glasassociates.com

May 21, 2018

City of Portage
City Council
7900 S. Westnedge Ave.
Portage, MI 49002



Members of the Portage City Council,

As the owner/developer of the recently approved plat Whispering Meadows Phase IV, we respectfully ask the City Council to reconsider the sidewalk requirement for the new phase of an existing subdivision.

Chapter 42, Article 5, Division 4, Sec. 42-804 of the City of Portage Zoning Ordinance states:

(a) Sidewalks shall be required in accordance with subsection (b) of this section when the proposed residential subdivision is so situated in relation to an existing or proposed school, park, workplace, institution, developed residential neighborhood, neighborhood commercial area or other pedestrian generator, whether public or private, that sidewalks will provide or facilitate safe and convenient travel to and from such pedestrian generator.

With regards to Phase IV and per the City's requirements, sidewalks have been installed connecting the cul-de-sac of Boxwood Ct. to the dead-end of Camelot St. as well as along the north side of Mullein Ln. ending at Angling Rd. (with proposed extension up to Boxwood Ct.), however, these newly installed sidewalks do not connect to any existing sidewalks and in turn, leave pedestrians stranded. Please see Attachment "A" for reference.

On a larger scale, Attachment "B" shows the nearest pedestrian generator (Amberly Elementary School) which is approximately four blocks from Whispering Meadows Phase IV, as well as existing sidewalks in neighboring developments. While this school is certainly within walking distance, the lack of connecting sidewalks does not allow for safe and convenient travel as intended by the ordinance above.

Whispering Meadows Phase IV is a direct offshoot of Phase III and does not connect directly to any streets outside of the development; and with cul-de-sac streets, there will be no through traffic. Furthermore, Whispering Meadows offers lots that are roughly twice the size of lots in surrounding neighborhoods. A lower density of homes means less vehicles and less foot traffic.

The requirement of sidewalks throughout Phase IV would visually reduce yards and green space and would disjoint the feel and aesthetic flow of the development as a whole. In addition, the existing grades along the corner of Bunchberry Dr. and Boxwood Ct. will require steeper driveways for some lots; and incorporating sidewalks would only worsen the situation. Attachments "C" and "D" depict such scenarios.

Again, we hope the City Council will grant our request for variance from the sidewalk requirement as it applies to Phase IV of Whispering Meadows.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Charlie Glas', with a stylized, cursive script.

Charlie Glas
President – Glas Associates

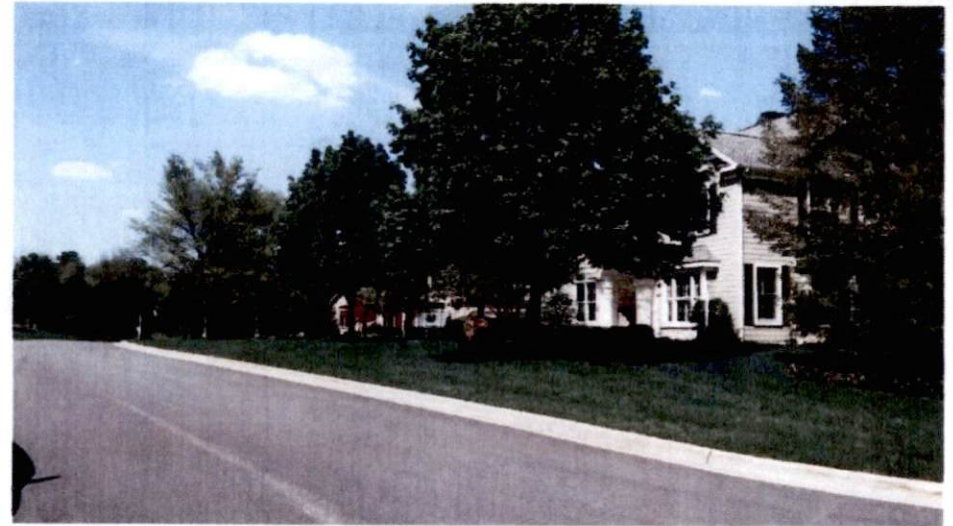
ATTACHMENT "A"



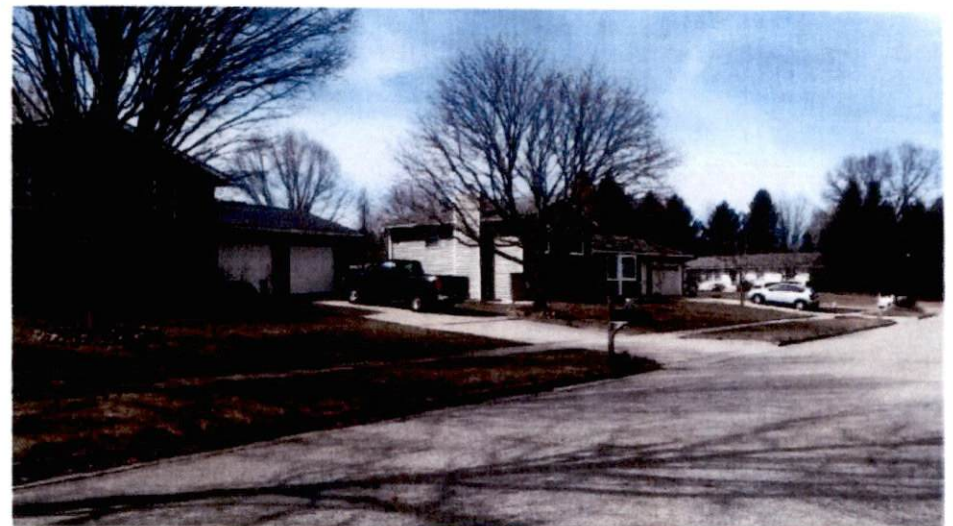
ATTACHMENT "B"



ATTACHMENT "C"



EXISTING WHISPERING MEADOWS LOTS



LOTS WITH SIDEWALKS

ATTACHMENT "D"



EXISTING GRADES
BUNCHBERRY DR. & BOXWOOD CT.



STEEP DRIVEWAY

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager



SUBJECT: Whispering Meadows No. 4 - Request to Reconsider Sidewalks

SUPPORTING PERSONNEL: Chris Forth, Acting Director, Department of Community Development

ACTION RECOMMENDED:

1. Review a decision to require sidewalks along both sides of all public streets within the Plat of Whispering Meadows Phase IV;
2. In lieu of sidewalks on both sides of all streets, consider an alternative proposed by the developer that includes a sidewalk on the north side of Mullein Lane and east side of Bunchberry Drive from Mullein Lane to Boxwood Court.

Agenda Item C.1 includes a letter and supporting documentation from Charlie Glas, Glas Associates, owner/developer of Whispering Meadows Phase IV, requesting City Council reconsideration of a condition of preliminary plat approval that sidewalks be installed on both sides of all public streets within this plat.

City Council approved the Preliminary Plat of Whispering Meadows Phase IV on May 24, 2016, following a discussion involving installation of sidewalks, public street connection to Camelot Street and, as an alternative to a public street connection, installation of a pedestrian connector between Boxwood Court and Camelot Street. Attached for City Council review is a copy of the May 24 City Council meeting minutes. City Council approved the preliminary plat consistent with the recommendations provided by the Planning Commission and the City Administration with the exception of the sidewalks. The Planning Commission and City Administration also recommended preliminary plat approval with support for the developers variance requests to not install sidewalks (with the exception of the pedestrian connection to Camelot Street) and a public street connection to Camelot Street consistent with the first three phases of the plat. In the end, City Council voted to require sidewalks be installed along both sides of the street.

As shown on Attachment A submitted by Mr. Glas, a sidewalk has already been installed on the north side of Mullein Lane, on the east side of Bunchberry Drive to a point approximately 100 feet north and between the east end of Boxwood Court and Camelot Street. Additionally, Attachment A shows the northerly extension of the Bunchberry Drive sidewalk to Boxwood Court that will be completed by Mr. Glas. Mr. Glas does not want to install a sidewalk on the south side of Boxwood Court that would provide a continuous sidewalk between Angling Road and Camelot Street. Although pedestrian facilities separate from a public street are preferred, there are only five residential lots on Boxwood Court. As a result, vehicular traffic will be minimal.

If City Council chooses to revise the 2016 decision and not require sidewalks on both sides of each public street, then the City Administration recommends, as an alternative, the developer's proposal to extend the Bunchberry Drive sidewalk to Boxwood Court that will result in a continuous sidewalk from Angling Road to Boxwood Court.

FUNDING: Not applicable

- Attachments:**
1. City Council minutes May 24, 2016
 2. Planning Commission minutes May 5, 2016
 3. Community Development staff report April 29, 2016
 4. June 5, 2018 Letter from the Whispering Meadows Homeowners Association
 5. Resident Input - Tatineni e-mail
 6. Resident Input - Rowland e-mail
 7. Resident Input - Majka e-mail

CITY COUNCIL MEETING MINUTES FROM MAY 24, 2016



COPY

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

At the request of Mayor Strazdas, Pastor Richard Pilger of the Kalamazoo Valley Family Church gave the invocation and City Council and the audience recited the Pledge of Allegiance.

At the request of Mayor Strazdas, the City Clerk called the roll with the following members present: Councilmembers Richard Ford, Patricia M. Randall, Terry Urban and Jim Pearson, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Councilmember Claudette Reid was absent with notice. Also in attendance were City Manager Larry Shaffer, City Attorney Randy Brown and City Clerk James R. Hudson.

PROCLAMATIONS: Mayor Strazdas issued a Gun Violence Awareness Day Proclamation and a Portage Soccer Classic Tournament Weekend Proclamation.

APPROVAL OF MINUTES: Motion by Ansari, seconded by Randall, to approve the Special Meeting Minutes of May 10, 2016, and the Regular Meeting Minutes of May 10, 2016, as presented. Upon a voice vote, motion carried 6 to 0. Motion by Pearson, seconded by Randall, to approve the Pre-Council Meeting Minutes of May 23, 2016, as presented. Upon a roll call vote, motion carried 4 to 0, with Councilmembers Ford and Urban abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Pearson to read the Consent Agenda. Councilmember Urban asked that Item F.4, Preliminary Plat of Whispering Meadows No. 4 (6513 Angling Road), be removed from the Consent Agenda.

Motion by Pearson, seconded by Ansari, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0, with Councilmember Pearson abstaining from Item F.5, Permit to Conduct Fireworks Display, owing to a perceived conflict of interest.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MAY 24, 2016:** Motion by Pearson, seconded by Ansari, to approve the Accounts Payable Register of May 24, 2016. Upon a roll call vote, motion carried 6 to 0.

REPORTS FROM THE ADMINISTRATION:

FISCAL YEAR 2016-2017 BUDGET: Mayor Strazdas introduced this item and asked City Manager Larry Shaffer to comment on the Fiscal Year 2016-2017 Budget as presented. Mr. Shaffer indicated that his is a \$6.84 million Proposed Fiscal Year 2016-2017 Budget. He indicated that the budget represents a 1.3% increase in expenditures over last year's budget. It includes six different categories in 22 different funds: the General Fund is experiencing a reduction of 0.53%, and the \$14.8 million Capital Improvement Plan reflects an \$840,000 increase or about 6%. He thanked and congratulated City Council for the many hours they spent in consideration of this budget. He acknowledged and expressed his appreciation to the City Department Heads and Deputy City Manager Rob Boulis for their efforts in putting this budget together and offered to answer any questions that City Council or anybody in the community might have relative to this budget. Mayor Strazdas interjected that there has been a request through Council for a second Spring Clean-up, perhaps as a Fall Clean-up for trash and unwanted items, and wanted the assurances that the funds would be there for that effort. Discussion followed and Mayor Strazdas summed up.

Motion by Urban, seconded by Ford, to adopt the General Appropriations Act Resolution to adopt the Fiscal Year 2016-2017 Budget. Upon a roll call vote, motion carried 6 to 0 with

Councilmember Ansari abstaining from the vote related to Portage Community Center and Lending Hands of Michigan, owing to a perceived conflict of interest.

Motion by Urban, seconded by Randall, to adopt the Resolution to adopt the Salary and Wage Schedules for the Fiscal Year July 1, 2016, to June 30, 2017. Upon a roll call vote, motion carried 6 to 0.

*** STREET CRACK SEALING MATERIAL – SOLE SOURCE PURCHASE**

RECOMMENDATION: Motion by Pearson, seconded by Ansari, to approve the sole source purchase from Maxwell Products, Incorporated, for: 46,000 pounds of crack sealing material in the amount of \$19,504 for initial application in 2016; and 118,000 pounds of crack sealing material to be used during the 2016-2017 construction season; and, authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

*** BACKUP STORAGE REPLACEMENT:** Motion by Pearson, seconded by Ansari, to approve the purchase of an EMC storage backup solution from Data Strategy, Incorporated, through the Western States Contracting Alliance cooperative purchasing program in the amount of \$47,578.41; approve professional installation services through Data Strategy, Incorporated, in the amount of \$10,000 in order to address storage backup failures and capacity issues on behalf of the City of Portage, for a total project cost of \$57,578.41; and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

PRELIMINARY PLAT OF WHISPERING MEADOWS NO. 4 (6513 ANGLING ROAD): Mayor Strazdas deferred to Councilmember Urban, who expressed his concern about the two proposed variances offered as part of the Preliminary Plat of Whispering Meadows No.4, to vary the extension/connection of public streets and the installation of sidewalks on both sides of the street. At the request of Mayor Strazdas, Community Development Director Vicki Georgeau provided some background of the request and mentioned as with the first three Phases of Whispering Meadows, the developer has asked for an exception to the street connection. She described some of the details related to Phase 3 as approved by City Council where Towhee Street was not extended where the developer built five homes instead, and Davcliff Avenue was not extended where the developer built homes in a different plat instead. She indicated that the developer contends that this has always been the plan and wants to continue this development pattern and leave Kalarama Avenue as the only East/West Road through the Amberly neighborhood since extending Camelot would bring excessive traffic through the plat. With regard to sidewalks, she pointed out that the first three Phases of Whispering Meadows do not have sidewalks, is a fairly low density neighborhood and has access off of Romence Road outlining some details using a map. She summed up and indicated that staff and the Planning Commission reviewed this request and recommend approval.

In answer to Mayor Strazdas, Councilmember Randall indicated that she would be abstaining from the final vote, but would be staying for the discussion and explained. City Attorney Brown concurred with her intent to remain, not be a part of the discussion and refrain from voting.

Councilmember Urban asked whether the sidewalk requirement was in place when the previous Phases of the Whispering meadows Plat were approved, and Ms. Georgeau said she did not believe that it was and pointed out that the sidewalk policy has varied over the years. She mentioned that there were some examples where the waivers were granted when the policy was in place, but did not think that was the case here. Discussion followed. Councilmember Urban expressed his objection to the Council Policy of the 1990's of not having sidewalks on either side of the street, then having sidewalks on one side of the street, and now back to sidewalks on both sides of the street as it has left City Council with an extreme patchwork of sidewalks. He spoke in support of sidewalks on both sides of the street in Whispering Meadows No. 4, regardless of the first three phases for whatever reasons. He noted that this neighborhood is within the required walking distance to Amberly Elementary and West Middle Schools

and does not receive bus service. He pointed out that it is somewhat ridiculous to put in a pedestrian walkway on Camelot Street and not continue with sidewalks in the plat, or "a sidewalk to nowhere" and summed up.

With regard to interconnectivity, Councilmember Urban indicated that the idea is to create a city and a community, not isolated enclaves, and argued that there is no way there can be a street in this plat that becomes a "through street" by virtue of the design of proposed site plan. Further, he said that the idea is to create neighborhoods and not just isolated neighbors who do not know one another; therefore, sidewalks and interconnectivity are important, especially with Amberly Elementary School nearby. He emphasized Portage is a city of neighborhoods and neighborhood schools, and getting to school without having to go a half of a mile out of the way is important, and restated his opposition to the proposed variances.

In answer to Mayor Pro Tem Ansari and his question regarding safety, Ms. Georgeau responded she could not think of an instance where a sidewalk would be a detriment to safety unless there was a situation where a grade change or deep slope would be a challenge to a person with a disability; or where there is not enough right-of-way and the sidewalk is integral to the curb as with a major thoroughfare; nevertheless, she stressed that this sidewalk still keeps the pedestrian out of the roadway. She referred to the Complete Streets Policy exceptions given for environmental issues, unique circumstances, or other pedestrian amenities in the vicinity, and drew correlations to be considered with the Amberly neighborhood where there are very few sidewalks. She pointed out that in his application, the developer stated that when he was selling the lots in the first three phases, this was always a future intended Phase; that he had a first right of refusal to buy and develop this land in the event it became available; and Ms. Georgeau explained that if this was a new development, the City would be taking a much stronger stance with regard to sidewalks and interconnectivity. She restated her preference for sidewalks, but this developer has requested a variance.

Mayor Strazdas indicated that he was trying to balance the request from a very good developer with the Complete Streets Policy, the patchwork of sidewalks dilemma in the City, and the socioeconomic issue of isolating a neighborhood, whether it is a poor neighborhood, or a rich neighborhood. He spoke in support of the pedestrian walkway through Camelot Street and sidewalks.

Councilmember Urban expressed his frustration with the lack of interconnectivity among the plats in Portage and the lack of sidewalks for the safety of the children of Portage. Discussion followed.

City Attorney Brown answered in the affirmative when Councilmember Ford asked if Council should consider all of the requirements quoted in part from Section 42-803(j) of the Subdivision and Land Division Regulations (Streets – Location and Arrangement) found in the Deputy City Manager Communication to Honorable Mayor and City Council as Item F.4 in the City Council Agenda Packet dated May 24, 2016. Councilmember Ford spoke in support of granting the variances since the Planning Commission recommended approval with only fifteen properties affected and stressed the importance of conformance with the first three phases and the adjoining neighborhood. City Attorney Brown cited Section 42-713 found in the staff report dated April 29, 2016, as the three requirements that must be shown before granting a variance as even more relevant to Council consideration before granting the variance.

Councilmember Pearson pointed out that this was a unanimous decision by the Planning Commission, then Ms. Georgeau responded to him that she was unaware if anyone from Whispering Meadows No 1, No.2 or No. 3 has ever requested installation of sidewalks, and that it (no sidewalks) was consistent with the existing development pattern. Councilmember Pearson indicated that when he was a Planning Commissioner, and there was a four-phase project with seventy-five per cent of the development completed, no consideration would be given to changing the rules in "midstream" as it would be unfair and explained. He indicated that he would be supporting the request and indicated that he could see no reason to change the character of the plat for Phase No 4.

Councilmember Urban said that there are some sidewalks in the Amberly neighborhood and indicated that there have been complaints in that neighborhood of children having to walk in the road. He reminded Council that the City has made special efforts in some areas to add sidewalks in the

Amberly neighborhood as necessary. He pointed out that there was no discussion of these variances cited in the Planning Commission minutes, and asked for any discussion from Ms. Georgeau that she may recall. He refuted the holding that each of the three conditions of V. RECOMMENDATION, Section 1. Variance Requests, Page 3 of the staff report dated April 29, 2016, have been met and could not grant a variance even if he wanted to. City Attorney Brown indicated that the staff report reasoning behind the variance should be incorporated into the motion granting this request. Discussion followed.

Charlie Glas, 7217 North Douglas, Kalamazoo, reflected upon his positive experiences in Portage over the years. He objected to interconnectivity on the basis of increased traffic in a low density plat and a desire for continuity by his Father and himself. He also expressed a concern about long-term maintenance. Discussion followed regarding the pros and cons of sidewalks and interconnecting roadways.

Ms. Georgeau answered Councilmember Ford by indicating that the decision to close off Davcliff Avenue was a part of Whispering Meadows No. 2, and the decision to close off Towhee Street was part of Whispering Meadows No. 3, and guessed it was in 1997. Discussion followed.

Motion by Pearson, seconded by Ford, to approve the Preliminary Plat of Whispering Meadows No. 4 (6513 Angling Road), subject to the three conditions in the April 29, 2016 Department of Community Development staff report, and grant the two variances requested, finding that the three standards set forth in Section 42-713 have been satisfied as found in Section V. RECOMMENDATION of the report.

At the request of Mayor Strazdas, City Engineer Chris Barnes offered an opinion with respect to traffic, pedestrian, engineering and safety. He distinguished between an urban section with curb and gutter, and a rural section with no curb and gutter, but a ditch. He said typically there is an allowance for a sidewalk in an urban section because most national transportation organizations recognize that the ultimate urban section would be a section with sidewalks that would provide a safe passage for all of the users of the right-of-way, i.e. the Complete Streets concept. He said that the Council Policy was brought forth by the Federal Highway Administration and the Transportation Department to facilitate access for all of the users of the roadway, not just motor vehicles. He acknowledged that typically there would be sidewalks in this situation in answer to Mayor Strazdas.

Councilmember Ford observed that it is "odd" that Council is considering putting sidewalks in front of fifteen homes when all of the homes within a two block radius do not have them and explained. He then offered that maintenance of these sidewalks will ultimately fall on this Council for fifteen homes when there are no other sidewalks in the vicinity. Mayor Strazdas shared his understanding of his point, then reflected on the time when people were negative about the stubbed bicycle trail ways across the City, and compared them with today now that they are all connected. He expressed his belief that there will be a time when there will be sidewalks all over the City.

Councilmember Urban reiterated that all three of the criteria in the Subdivision and Land Division Regulations (Streets – Location and Arrangement), Section 42-713, need to be satisfied. He again read the first one stating that Council cannot show that this requirement has been met, even aside from the other two. Discussion followed.

Councilmember Pearson indicated that he is "struck" by the opinion of the professional staff; Phase 4 is consistent with the existing development pattern; we have worked with the developer; obviously in a main thoroughfare, we want the Complete Streets concept and the Federal Funds; this is a low density neighborhood with winding streets, completes the pattern and the developer contends it retains the continuity of the plat; hence, it is clear why the Planning Commission is making this recommendation.

Councilmember Urban indicated to Mayor Strazdas that it is appropriate that he express what effect a "yes" vote and a "no" vote has on the installation of sidewalks. Mayor Strazdas indicated that a "yes" vote means there are no sidewalks and no other cut through streets; and, a "no" vote means that you would like to have the roads connected and that you would like to have sidewalks, "or one or the other." Discussion followed.

Upon a roll call vote, motion failed, 3 to 2: Yeas: Councilmembers Pearson and Ford. No: Councilmembers Urban and Mayor Pro Tem Ansari and Mayor Strazdas.

Motion by Urban, seconded by Ansari, to approve the Preliminary Plat of Whispering Meadows No. 4 (6513 Angling Road), subject to condition two and three of the April 29, 2016 Department of Community Development staff report, excepting the last sentence of condition two which states, "...an easement will also need to be provided for the public walkway located between Lots 71 and 72." City Attorney Brown interjected that this is a request for a variance, so the motion should include a denial of the variance as requested by the applicant and explained. Motion by Urban, seconded by Ansari, to amend the motion to include: additionally, the variances requested by the applicant, are denied in finding that the three conditions required for variance of the Subdivision and Land Division Regulations (Streets – Location and Arrangement), Section 42-713, have not been satisfied.

Ms. Georgeau asked for the understanding from City Council that if the street connection is desired, the developer may wish to redesign the layout of the plat not to include the street connection to Camelot Street. Discussion followed.

At the request of Mayor Strazdas, Charlie Gas indicated that the sidewalk is one issue and the cut through street is a totally different issue for him since the sidewalks are "either we add them or we don't" and the interconnectivity of the road is to a completely different plat, so the houses will be completely different, probably with a Planned Unit Development (PUD). He expressed his preference for the variance on the interconnectivity of the streets as it will completely change the dynamics of this plat and stated his willingness to forego the variance on the sidewalks. Discussion followed.

Mayor Strazdas indicated that a "yes" vote means there will be a completely new design; and, a "no" vote means that we may still have an impasse. Discussion followed.

Upon a roll call vote, motion failed, 4 to 1. Yeas: Councilmembers Pearson and Ford, Mayor Pro Tem Ansari and Mayor Strazdas. No: Councilmembers Urban.

Motion by Urban, seconded by Ford, to approve the Preliminary Plat of Whispering Meadows No. 4 (6513 Angling Road), subject to the three conditions in the April 29, 2016 Department of Community Development staff report, modified as follows: in Condition 1, eliminate the words, "and installation of sidewalks along both sides of all streets (Section 42-804)." He explained that this motion requires that the sidewalks be installed, but does not require the street interconnectivity and leaves the easement for a public walkway located between Lots 71 and 72. Discussion followed.

Mayor Strazdas indicated that a "yes" vote means the sidewalks are in and the road interconnection is not in; and, a "no" vote means no sidewalks.

Upon a roll call vote, motion carried, 4 to 1: Yeas: Councilmembers Ford and Urban, Mayor Pro Tem Ansari and Mayor Strazdas. No: Councilmember Pearson. Discussion followed.

* **PERMIT TO CONDUCT FIREWORKS DISPLAY:** Motion by Pearson, seconded by Ansari, to approve a permit for a fireworks display on July 3, 2016, sponsored by the Portage Rotary Club. Upon a roll call vote, motion carried 5 to 0 with Councilmember Pearson abstaining.

* **APRIL 2016 SUMMARY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Pearson, seconded by Ansari, to receive the April 2016 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 6 to 0.

COMMUNICATIONS:

ANNUAL UPDATE OF THE HUMAN SERVICES BOARD (HSB): Mayor Strazdas welcomed Human Services Board Chair Amanda Woodin, who referred to the Communication in the City Council Packet dated May 5, 2016, that summarizes the activities of the HSB for the past year as she presented each of the accomplishments. Discussion followed. City Manager Shaffer expressed his appreciation for the staff support provided by Elizabeth Money to the HSB, and thanked the HSB for

PLANNING COMMISSION

May 5, 2016

 COPY

The City of Portage Planning Commission meeting of May 5, 2016 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 25 citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Welch led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Senior City Planner; and Charlie Bear, Assistant City Attorney.

ROLL CALL:

Mr. Forth called the roll: Patterson (yes), Stoffer (yes), Welch (yes), Felicijan (not present), Dargitz (yes), Bosch (yeas), Somers (yes) and Schimmel (yes). A motion was offered by Commissioner Dargitz, seconded by Commissioner Schimmel, to approve the roll excusing Commissioner Richmond. The motion was unanimously approved 7-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the April 21, 2016 meeting minutes contained in the agenda packet. A motion was then made by Commissioner Bosch, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was unanimously approved 7-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road. Mr. Forth summarized the staff report dated April 29, 2016 regarding the request by Glas Associates to construct the fourth and final phase of the Whispering Meadows single-family residential subdivision. Mr. Forth stated Whispering Meadows No. 4 proposes 15 single family residential lots on approximately 12.78 acres. Mr. Forth indicated the existing 2-story farmhouse and detached garage building located on the property would be relocated to the northwestern portion of the site (0.4 acre parcel) and would be exempted from the plat. In conjunction with the preliminary plat, Mr. Forth stated the applicant was requesting variances from the Subdivision and Land Division Regulations involving extension/connection of public streets (Section 42-803) and installation of sidewalks along both sides of all streets (Section 42-804). Mr. Forth summarized the analysis section of the staff report and indicated staff is recommending approval of the preliminary plat, including the requested variances, subject to the three conditions outlined in the April 29, 2016 Department of Community Development report.

Mr. Charlie Glas of Glas Associates (applicant/developer) was present to support the proposed plat. Mr. Glas explained the rationale for the requested variances and thanked staff for their assistance during the review process. Chairman Welch opened the public hearing. There being no public comment, a motion was made by Commissioner Somers, supported by Commissioner Bosch, to close the public hearing. The motion was unanimously approved 7-0.

After a brief discussion, a motion was made by Commissioner Patterson, supported by Commissioner Bosch, to recommend to City Council approval of the Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road, subject to the three conditions outlined in the Department of Community report dated April 29, 2016 including the requested variances and with a finding that the criteria outlined in Section 42-713 of the Subdivision and Land Division Regulations for issuance of the variances had been satisfied. The motion was unanimously approved 7-0.

2. Preliminary Report; Rezoning Application #15/16-5, 715 West Osterhout Avenue. Mr. Forth summarized the preliminary staff report dated April 29, 2016 regarding a request from Landmark Development Properties LLC to rezone 715 West Osterhout Avenue from R-1C, one family residential to PD, planned development. Mr. Forth discussed the two-step PD process involving the rezoning/tentative plan review and then the subsequent final/site plan review. Mr. Forth stated the PD rezoning would facilitate construction of 102 single-family detached and attached residential condominium dwellings on approximate 39 acres. Mr. Forth summarized various elements of the proposed tentative plan including access, private street design/layout, sidewalks and walking trails, wetlands and open space preservation, phasing and overall density of the development. Mr. Forth then reviewed the preliminary analysis section of the report including the Comprehensive Plan/Future Land Use Plan designations and the suitability of the existing zoning and impacts of the proposed PD zoning.

Mr. Pat Flanagan of Ingersoll, Watson & McMachen (applicant's engineer) was present to support the rezoning application and explain the planned development project. Mr. Flanagan introduced Mr. Aaron Hovestadt (principal of Landmark Development Properties) and thanked staff for their assistance during the review process. Mr. Flanagan presented a color rendering of the proposed development project and discussed the plans to install a fire sprinkler system within each dwelling unit. Mr. Flanagan discussed the target market of the development (55 years and older, "empty nesters") and reviewed various aspects of the project including access, internal private street network, sidewalks and walking trails, size and square footage of the homes, building materials and energy efficiency features, building setbacks, phasing and development densities, wetlands assessment, storm water management, open space areas and plans to preserve mature trees and natural areas across the property.

The public hearing was opened by Chairman Welch. Two citizens spoke regarding the proposed rezoning: 1) Mr. Elmon Oliver, 951 West Osterhout Avenue and 2) Mr. Mike Davidovich. Mr. Oliver stated he had no objections to the development project and Mr. Davidovich had questions regarding construction traffic. After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Schimmel, to adjourn the public hearing for Rezoning Application #15/16-5, 715 West Osterhout Avenue, to the May 19, 2016 meeting. The motion was unanimously approved 7-0.

3. Special Land Use Permit: KEPS Technologies (Verizon antenna collocation), 6301 South Westnedge Avenue. Mr. West summarized the staff report dated April 29, 2016 regarding a request from KEPS Technologies to install three (3) 10-foot tall telecommunication antennas on top of the roof of the existing Verizon Wireless building located at 6301 South Westnedge Avenue. Mr. West stated that Section 42-135.G.1.c of the Wireless Telecommunications Facilities and Towers Ordinance permits placement or collocation of antennas on existing conforming towers, buildings and similar structures. Mr. West indicated the antennas would be slate grey or brush silver in color so as to blend into the existing structure and surroundings and would extend approximately 10-feet above the top of the roof. Mr. West stated the application fulfills the requirements for issuance of a special land use permit and was recommended for approval. Mr. West also referred the Commission to an April 29, 2016 letter from KIN Properties contained in the final agenda packet opposing the antenna collocation.

Ms. Kacey Polisky of ACD.net (applicant representative) was present to support the application and to discuss the need for the additional antennas. Ms. Polisky stated the three antennas, along with other antenna locations planned across the area, were necessary to improve in-building coverage and to reduce the over saturation that was occurring in the Verizon Wireless network. The public hearing was then opened by Chairman Welch. One citizen spoke regard to the proposed special land use permit: Mr. Brandon Ovenhandler

(representing Aldi Food Stores, 6291 South Westnedge Avenue). Mr. Ovenhandler spoke in opposition to the proposed antennas citing visual and aesthetic concerns. A motion was made by Commissioner Bosch, seconded by Commissioner Somers, to close the public hearing. The motion was unanimously approved 7-0.

After a brief discussion regarding the height of the antennas, the parapet around the building perimeter and the height of other structures in the area such as parking lot light poles, a motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to approve the Special Land Use Permit for KEPS Technologies (Verizon antenna colocation), 6301 South Westnedge Avenue. The motion was unanimously approved 7-0.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

OLD BUSINESS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Christopher T. Forth, AICP
Deputy Director of Planning, Development and Neighborhood Services

TO: Planning Commission

DATE: April 29, 2016

FROM: Vicki Georgeau,  Director of Community Development

SUBJECT: Preliminary Plat: Whispering Meadows No. 4, 6513 Angling Road.

I. INTRODUCTION:

The preliminary plat of Whispering Meadows No. 4 has been submitted for review and approval. The fourth and final phase of the Whispering Meadows subdivision proposes construction of 15 single family residential lots on approximately 12.78 acres. Based on information provided by the applicant, the existing 2-story farmhouse and detached garage located on the property, opposite Arbutus Trail, will be relocated to the northwestern portion of the site (0.4 acre parcel) and will be exempted from the plat. The existing barns will be moved to an off-site location.

Applicant	Lots/Area	Location
Glas Associates	15 lots/12.78 acres	Southeast ¼ of Section 7, East of Angling Road and north of Mullein Lane.

In conjunction with the proposed preliminary plat, the applicant is also requesting variances from the Subdivision and Land Division Regulations involving extension/connection of public streets (Section 42-803) and installation of sidewalks along both sides of all streets (Sections 42-804). Consistent with Section 42-713 (Variances) of the Subdivision and Land Division Regulations, the applicant has submitted a written communication in support of the requested variances.

II. BACKGROUND INFORMATION:

The following is important background information and summarizes the requirements that are applicable to the preliminary plat application. All required improvements will comply with Article 5 – Subdivision and Land Division Regulations of the City of Portage Land Development Regulations.

Street Access	Northerly extension of Bunchberry Drive (public street) and construction of a new public cul-de-sac street (Boxwood Court). Existing access to Angling Road and Romence Road provided through existing public streets located with previous phases of the Whispering Meadows subdivision.
Storm Water	Directed to an existing private storm water basin located to the south, along the east side of Bunchberry Drive, within Whispering Meadows No. 3.
Public Improvements	Public streets, curb-gutter, municipal water, sanitary sewer, streetlights will be provided pursuant to established ordinance requirements.
Zoning	R-1B, one family residential: Minimum 80 foot lot widths (100 feet for corner lots); minimum lot size of 9,600 square feet; and minimum setbacks of 30-feet (front), 10-feet (side) and 40-feet (rear).

Environmental impacts	No wetlands, floodplain or other environmental issues are present on the subject property. Existing mature trees located across the property and along Angling Road will be preserved, to the extent possible, to serve as an amenity to the development and to provide screening/buffering to future residents.
Traffic	A total of 15 single-family residential dwellings can be expected to generate approximately 75-90 vehicles per day (equivalent to 150-180 vehicle trips per day).

III. PUBLIC NOTICE REQUIREMENTS:

In accordance with the Michigan Planning Enabling Act (Public Act No. 33 of 2008, as amended), a public notice was published in the local newspaper and notice was mailed to owners of land immediately adjoining the proposed plat 15 days prior to the date of the public hearing.

Submission of the preliminary plat is intended to provide the community with the opportunity to examine existing and proposed conditions pertaining to the development of the subdivision. After approval by the City Council, preliminary plat approval is effective for 12 months. During the 12 month period, detailed engineering drawings will be prepared and submitted to City Council for review and approval. Following construction of the plat improvements, the developer will request that City Council grant final plat approval.

IV. VARIANCE REQUESTS:

Section 42-803(j) of the Subdivision and Land Division Regulations (Streets - Location and Arrangement), states, in part, that "The street layout shall provide for the continuation of collector streets in the adjoining subdivision or for the proper projection of streets when adjoining property is not subdivided, or shall conform to a plan for a neighborhood unit drawn up and adopted by the planning commission." Immediately east of the subject property is the Robinswood subdivision that includes a public street stub (Camelot Street) that extends to the eastern boundary of the proposed Whispering Meadows No. 4 subdivision. In written correspondence dated April 27, 2016, the applicant discusses the rationale for this variance request including the desire to preserve home values and privacy, and the secluded neighborhood character of the Whispering Meadows subdivision, which has no public street interconnections to the east in the previous three phases to discourage vehicular through traffic to Angling Road.

Section 42-804 of the Subdivision and Land Division Regulations (Sidewalks) establishes a requirement that a four-foot wide concrete sidewalk be provided on both sides of all local streets, including the full length and bulb of any cul-de-sacs. In the attached correspondence, the applicant discusses the rationale for this variance request including the lack of existing sidewalks in Whispering Meadows No. 1, No. 2 and No. 3, along with the lack of continuous sidewalk in the surrounding area (Angling Road and adjacent residential neighborhoods to the east and west).

Neighborhood connectivity and installation of pedestrian facilities have been encouraged and required, when and where possible. As explained by the applicant, the Whispering Meadows development was originally planned and the first three phases constructed without pedestrian or public street connections to adjacent neighborhoods. For Commission information, Towhee Court was originally stubbed to the south property line of Whispering Meadows No. 3, between 3382 and 3440 Davcliff Avenue. During the planning and construction phase of Whispering Meadows No. 3, Towhee Street was not extended at the request of the developer. Since it was not extended, the street improvements were removed by the developer and the area

restored to greenspace. Additionally, the west end of Davcliff Avenue was stubbed to the Whispering Meadows development site. This street was also not extended into Whispering Meadows and instead, the developer constructed a small, six residential lot cul-de-sac.

In lieu of a public street extension/connection to Camelot Street, the applicant is proposing to install a pedestrian walkway, between Lots 71 and 72, which would provide for pedestrian connectivity between neighborhoods, without an increase in vehicular traffic through the Whispering Meadows subdivision. This public walkway would also provide a pedestrian linkage to Amberly Elementary School to the east and West Middle School/Moorsbridge Elementary School to the south. Also, the applicant will remove the west 62 feet of the existing Camelot Street improvements (asphalt and curb/gutter) and restore this area to greenspace.

With regard to sidewalks, during development of the first three phases of Whispering Meadows, the Land Development Regulations did not require sidewalks if the lots were greater than 100 feet in width. Since the Whispering Meadows lots are greater than 100 feet in width, installation of sidewalks was optional. The Land Development Regulations were changed in 1998 to require sidewalks on both sides of all new residential subdivisions. As noted above, the applicant is proposing a pedestrian connection to the neighborhood to the east in the final phase of Whispering Meadows, and a bikeway along Angling Road and Romence Road is provided along the major street frontage for the development.

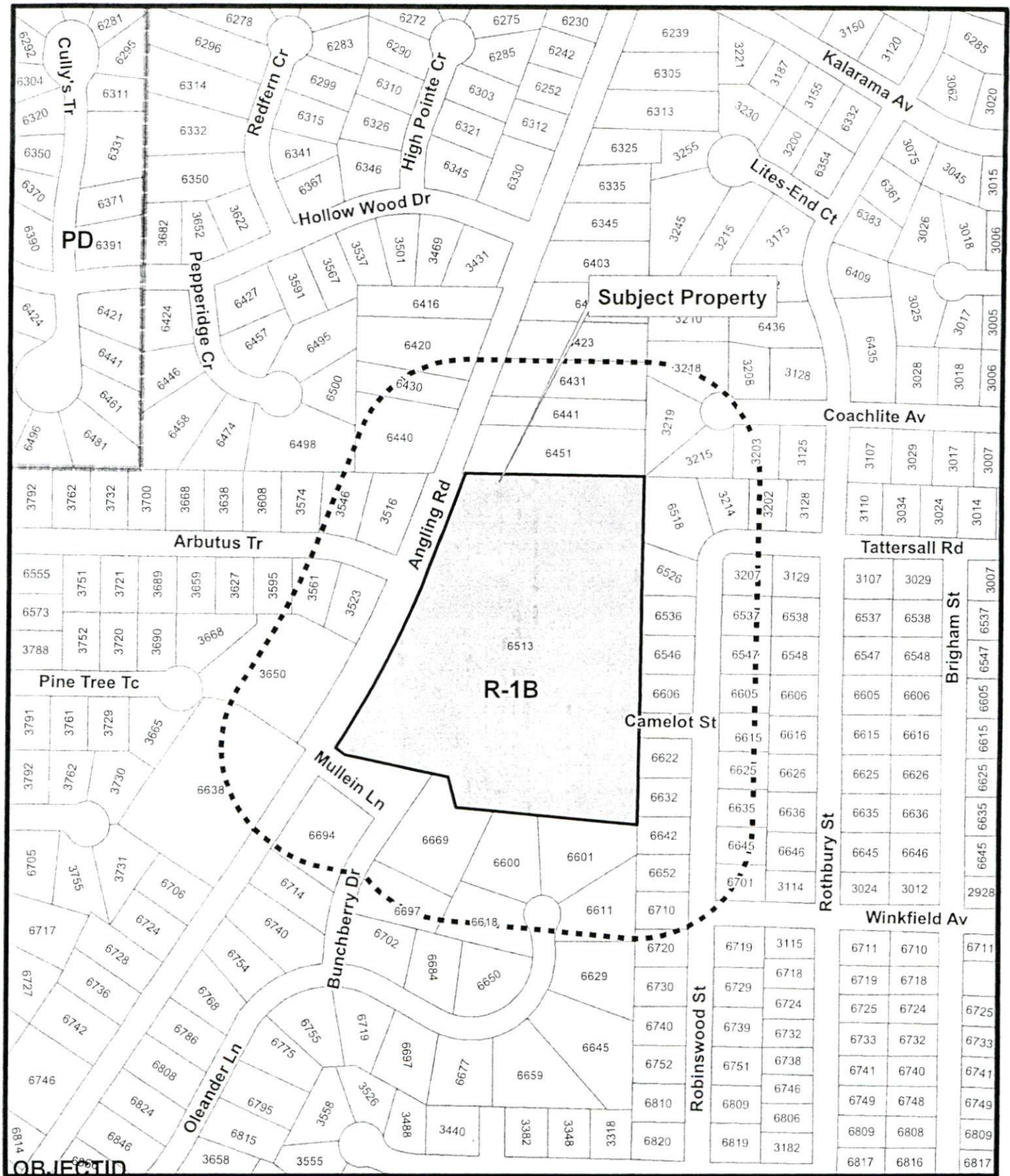
V. RECOMMENDATION:

The proposed plat has been reviewed within the context of the Comprehensive Plan, Land Development Regulations and other applicable ordinance requirements. Based on the above information and subject to any additional information received during the public hearing, staff advises the Planning Commission recommend to City Council that the Preliminary Plat of Whispering Meadows No. 4, 6513 Angling Road, be approved subject to the following conditions:

1. Variance Requests – The applicant is requesting to complete the final phase of the Whispering Meadows development project consistent with approval of the first three phases. As such, approval of the variance requests involving extension/connection of public streets (Section 42-803) and installation of sidewalks along both sides of all streets (Sections 42-804) with a finding that the criteria outlined in Section 42-713 (Variances) of the Subdivision and Land Division Regulations have been satisfied: (1) There are special circumstance of conditions affecting the property such that the strict application of this article would deprive the applicant of the reasonable use of his land; (2) The variances are necessary for the preservation and enjoyment of a substantial property right of the petitioner; and (3) The granting of the variances will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
2. Public Streets, Walkway and Utilities – The proposed street system, municipal water and sanitary sewer are acceptable in concept. Final design, location and related issues will be addressed upon submittal of the detailed engineering drawings. Any public utility located outside of the street right-of-way (water main between lots 71 and 72) will require that an easement(s) be conveyed to the city. Additionally, an easement will also need to be provided for the public walkway located between Lots 71 and 72.

3. Storm Water Retention – Storm water run-off from Whispering Meadows No. 4 will be conveyed to an existing private storm water retention basin located to the south within Whispering Meadows No. 3. This storm water basin is owned and maintained the Whispering Meadows Home Owners Association. An easement and maintenance/indemnification agreement will need to be conveyed to the city for discharge of storm water from public streets within Whispering Meadows No. 4 to this private basin before approval of the detailed engineering drawings. Final design and related issues associated with this additional storm water discharge will be addressed upon submittal of the detailed engineering drawings.

Attachments: Zoning/Vicinity Map
Aerial Photo Map
Communication from Glas Associates received April 27, 2016
Preliminary Plat Drawing



Preliminary Plat
Whispering Meadows No. 4
6513 Angling Road



1 inch = 333 feet

GlasAssociates

CUSTOM HOME DESIGNERS/BUILDERS
COMMERCIAL CONTRACTING

6339 Stadium Drive
Kalamazoo, MI 49009

ph: 269.353.7737
fax: 269.353.7316
glasassociates.com

RECEIVED

APR 27 2016

COMMUNITY DEVELOPMENT

April 11, 2016

[April 26, 2016 Revised – See Paragraph 8]

City of Portage
7900 South Westnedge Avenue
Portage, MI 49002

Attention: Mr. Christopher Forth, AICP, Deputy Director of Planning, Development and Neighborhood Services

**RE: PRELIMINARY PLAT OF WHISPERING MEADOWS NO. 4, 6513 ANGLING ROAD,
PORTAGE, MICHIGAN**

Dear Mr. Forth:

Thank you for providing the City Administration review and comments. In response thereto, below please find comments which correspond to the item numbers contained in your April 4, 2016 letter.

Community Development Department

1. An executed affidavit of ownership is enclosed for your review and approval.
2. Please accept this correspondence as a written request for a variance from the neighborhood interconnection requirements with the adjacent Robinswood subdivision to the east. Justifications for this request, in accordance with the criteria outlined in Section 42-713 of the Subdivision Regulations, are as follows:
 - a. General Overview
 - i. Whispering Meadows Nos 1, 2 and 3 were recorded in 1992, 1994, and 1997, respectively, all of which predate the current ordinance provisions adopted in 1998. The first three phases created a secluded neighborhood character with high value homes. The road network specifically focused on discouraging the use by through traffic, which is still consistent with current ordinance provision 42-803.(1) for street location and arrangement. This was also desired since the market value of the Whispering Meadows homes in comparison to those in adjoining neighborhoods are nearly 300-400% higher as supported by current SEV and taxable value information found on the City GIS web site. The lack of interconnectivity helps preserve the privacy and values of these property owners. Whispering Meadows No. 4 is proposed as a final extension of this existing neighborhood and aims to create a cohesive character and environment for the sake of both existing and new home/property owners.
 - b. Section 42-713
 - i. Condition 1 – There are special circumstances or conditions affecting the property such that the strict application of this article would deprive the applicant of the reasonable use of his land.
 1. The street layout of the previous three phases provides no interconnectivity, or proposed connection, to adjoining subdivisions for reasons stated above. This development pattern was set in place before much of the recent emphasis on

comprehensive planning connectivity and Complete Streets policies. Imposing the current ordinance provisions creates a special circumstance/condition which deprives the applicant from reasonably developing this final phase in a nature consistent with the existing phases. It would detract from the existing home values and lessen the market viability of the developers proposed use of the land for the final phase. Finally, the currently adequate interconnectivity among adjacent subdivisions to the same major thoroughfares to which Whispering Meadows No.s 1-4 connects does not significantly benefit vehicular circulation in the vicinity when contrasted with the detriments to the neighborhood character.

- ii. Condition 2 – The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

- 1. The variance is necessary to preserve the same and substantial property rights of the petitioner previously afforded for the betterment/enjoyment of the eventual home/property owners and development character. It is also necessary to preserve the property rights of homeowners of the previous three phases.

- iii. Condition 3 – The granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.

- 1. To the contrary, the granting of variance will warrant against injurious conditions to the other existing properties in the territory/Whispering Meadows No.s 1-3 and will preserve the public safety/welfare by limiting through traffic within these quiet neighborhoods.

- 3. Please accept this correspondence as a written request for a variance from the four- and five-foot sidewalk installation requirements throughout the development and along Angling Road. Justifications for this request, in accordance with the criteria outlined in Section 42-713 of the Subdivision Regulations, as well as the City Complete Streets Policy, are as follows:

- a. General Overview

- i. The lack of sidewalks in all phases of the Whispering Meadows subdivision is purposeful for the same reasons stated above for the roadway interconnectivity. The addition of sidewalk in Whispering Meadows No. 4 would be a gap filling measure at best given a lack of any other major network in the vicinity, especially in Whispering Meadows No. 1 through 3. In the west and east neighborhoods, the sidewalk network is very sporadic and incomplete. Without a documented capital improvements plan demonstrating a timely feasible financial plan to implement sidewalk installation throughout the area, we further believe it would be in the public's best interest to prolong installation in Whispering Meadows until such a time. This approach would prevent premature deterioration (and sooner than necessary rehabilitation/replacement) of the sidewalk in an immediate time frame when it would be highly under-utilized. A sidewalk to a "nowhere" terminus could also create potential safety issues by entering/existing pedestrians and non-motorized traffic to/from a vehicular network not designed for this mixed-use pattern.

- b. Section 42-713

- i. Condition 1 – There are special circumstances or conditions affecting the property such that the strict application of this article would deprive the applicant of the reasonable use of his land.

- 1. See above item 2 and 3.a.i.

- ii. Condition 2 – The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

- 1. See above item 2 and 3.a.i.

- iii. Condition 3 – The granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
 - 1. See above item 2 and 3.a.i.
 - c. Complete Streets
 - i. The City of Portage Complete Streets Policy provides the City Administration the discretion to permit exceptions from the policy if meeting one or more of certain provisions. The following are two such provisions applicable to the Whispering Meadows application:
 - 1. Provision 2 – An alternative route, such as a multi-use trail in the immediate vicinity provides an option for non-motorized transportation.
 - a. An alternative non-motorized transportation route in the immediate vicinity is available by means of the existing designated widened shoulder trail along Angling Road.
 - 2. Provision 9 – The adopted Comprehensive Plan, or other present and/or anticipated market conditions that can be documented, indicate an absence of existing or future need (e.g. sparse population), for a Complete Street element or elements.
 - a. As mentioned in item 2 and 3.a.i above, market and character conditions within all Whispering Meadows phases support the absence of sidewalk throughout the development. The absence of such a transportation element in the general area, as aforementioned, also supports the lack of current need without significant area wide investment and support, all while avoiding placing unneeded replacement operation, maintenance and replacement costs for a highly under-utilized asset onto future users.
- 4. The variance request for the Lot 1 front yard building setback along the south property line is hereby withdrawn. Thank you for coordinating the request requirements between your office and the City attorney.
- 5. A signed letter from the Whispering Meadows Home Owners Association concerning the ownership and use of this basin for Whispering Meadows No. 4 is enclosed for your review and approval.
- 6. It is our intent to preserve the mature tree line to the greatest extent possible in the area from the existing overhead electric utility lines towards Angling Road to preserve the desired private and naturally wooded character of this development. Any clearing which may occur would consist of removing fallen trees/limbs or underbrush which inhibit the health of the mature tree line. In this stretch, we will supplement landscaping and/or berming as appropriate adjacent to Lots 1 through 6 to comply with Subdivision Regulation requirements.
- 7. The proposed setbacks have been dimensioned for the relocated structures shown on the land division application for the 0.40 acre exempted parcel. The updated plat drawing is enclosed.
- 8. *[April 26, 2016 Revision]*
Additional comment not in City review letter dated April 4, 2016 – A subsequent phone conversation with Ms. Vicki Georgeau, Director of Community Development, indicated City staff would be agreeable to recommending the above stated variance requests (see items 3 and 4) with the stipulation a 10' wide dedicated public walk be installed from the cul-de-sac of proposed Boxwood Court to the revised asphalt limits of Camelot Street. We are agreeable to this stipulation and commit to providing the dedicated public walk and coordinating the removal of asphalt (as shown on the updated plan) and abandonment of the Camelot Street right-of-way.

Fire Department

1. The "no parking-fire lane" sign posting requirement is noted on the enclosed updated preliminary plat drawing.

Transportation and Utilities Department

1. We understand the cut/fill requirements associated with this site. The site design construction drawings submitted to the City for approval between Preliminary and Final Plat approval will consider this comment and aim to mitigate any adverse effects associated therewith to the greatest extent possible.
2. A 20 foot easement for water main looping has been added between lots 12 and 13 on the enclosed updated preliminary plat drawing.

We believe the above responses address the City Administration comments. Accordingly, also enclosed please find eight copies of the revised plans at an 11" x 17" reduction in effort to be scheduled on the May 5, 2016 Planning Commission meeting agenda.

Thank you and other City staff in advance for your diligent efforts on the review of our application. If you have comments or questions, please do not hesitate to contact me at any time.

Sincerely,

GLAS ASSOCIATES DESIGNER/BUILDER LLC

A handwritten signature in black ink, appearing to read 'Charlie Glas', with a stylized, flowing script.

Charlie Glas, Member

6526 Robinswood St.
Portage, MI 49024

May 20, 2016

Dear members of the Portage Planning Commission,

I reside on Robinswood Street, and was notified by the City of the proposed Whispering Meadows #4 development being planned for 6513 Angling Road, directly behind my house.

As I understand it, the developers have asked for a variance from the "neighborhood interconnection requirements," and this was granted by the Planning Commission at the May 5, 2016 meeting.

I am writing you because I am very concerned about the justification that was used to request this variance, and further that it was approved with no question or discussion from the Planning Commission.

In the correspondence from the developer, Glas Associates, dated April 11, 2016 (revised April 26, 2016), the following justification is used in the request to this variance:

"The first three phases [of Whispering Meadows] created a secluded neighborhood character with high value homes. The road network specifically focused on discouraging the use by through traffic ... This was also desired since the market value of the homes in comparison to those in adjoining neighborhoods are nearly 300-400% higher as supported by the current SEV and taxable value information found on the City GIS web site. The lack of interconnectivity helps preserve the privacy and values of these property owners."

I have the following questions about these statements:

- Is it the intention of the Planning Commission to continue to isolate developments with "high value" homes from more modest neighborhoods? If so, how is this beneficial to the community as a whole?
- Are the "privacy and values" of "high value" homes a bigger priority for the Planning Commission and the City of Portage than the "privacy and values" of citizens in more modest neighborhoods?

I am extremely disappointed that this variance was approved by the Planning Commission, and that none of the members questioned this justification, or expressed any apprehension about it. I am also concerned that this has now set a precedent; since this variance was approved for this development, other developers of "high value" home projects will ask for the same variance, and the Planning Commission and City Council will continue to approve these. I find this to be a seriously troubling issue.

I have been a citizen of Portage for 15 years, and have been very engaged with the community. I firmly believe the diversity within our community is one of its strengths, and I was under the impression that diversity was something valued by the City as well. I believe that allowing the isolation of "high value" developments changes the character of our community in a way that detracts from its desirability as a

place to live for current and future residents. Personally, I am extremely uncomfortable with the City moving in this direction.

Thank you for your time in considering these matters.

Sincerely,

Michele D. Behr

June 5, 2018

Whispering Meadows Owners Association
PO Box 2581
Portage, MI 49081

City Council
City of Portage
7900 S. Westnedge Avenue
Portage, MI 49002

Members of the Portage City Council,

Phase 4 of the Whispering Meadows is the fourth and final phase of the Whispering Meadows development. Currently, Whispering Meadows Phase 4 is part of the Whispering Meadows Owners Association. As the Board of Whispering Meadows Owners Association, we are writing in support of the limited sidewalks proposed by Glas Associates in the development of Phase 4. This would include the newly constructed sidewalks on the north side of Mullein Lane between Angling Road and Bunchberry Drive, the connection between Boxwood Court and Camelot Street, and finishing the sidewalk along Bunchberry Drive connecting Mullein Lane and Boxwood Court. We would not be in favor of further internal sidewalk construction throughout all of Phase 4.

In Phases 1, 2, and 3 there are no internal sidewalks. It is felt that having part of Whispering Meadows with internal sidewalks and part without sidewalks, would significantly alter the homogeneity of the plat appearance and would appear less like a cohesive development. There has been no interest from the owners in the existing Phases 1, 2, and 3 that they would want to undertake the personal expense of "retrofitting" internal sidewalks in of the existing parts of Whispering Meadows Phases 1, 2, and 3.

Thank you for your consideration,



Richard Dirrenberger
President
Whispering Meadows Homeowners Association

Adam Herringa

From: Christopher Forth
Sent: Tuesday, June 12, 2018 7:10 AM
To: Laurence Shaffer; Rob Boulis; 'Randall Brown'; Adam Herringa
Subject: FW: Online Form Submittal: Contact Us

The message below is from the person who purchased a lot in the Whispering Meadows No. 4 subdivision regarding installation of sidewalks.

Christopher Forth, AICP
Deputy Director of Planning, Development and Neighborhood Services
City of Portage Department of Community Development
7900 South Westnedge Avenue
Portage, Michigan, 49002
Direct dial: 269.329.4474
www.portagemi.gov

From: noreply@civicplus.com [mailto:noreply@civicplus.com]
Sent: Monday, June 11, 2018 10:05 PM
To: Tamara Stephens <stephent@portagemi.gov>; Victoria Georgeau <georgeav@portagemi.gov>; Christopher Forth <forthc@portagemi.gov>
Subject: Online Form Submittal: Contact Us

Contact Us

Which department do you wish to contact?	Community Development
Your First Name	Prabhash
Last Name	Tatineni
Email Address	ptatineni@aol.com
Subject	Whispering Meadows Sub-division
Your Message	Aparna Kanaparthi Prabhash Tatineni 6527 Bunchberry DR Portage, MI, 49024 To, Christopher Forth, Deputy Director, Community Development, City of Portage, Portage, MI Mr. Forth, We recently purchased a property and built a house on 6527 Bunchberry Dr. We did not realize that this sub-division is supposed to have walking paths, the older parts of this sub-division do not have walking paths. We feel that the addition of the walking paths will decrease the Aesthetic value of the sub-

division and will make this part of the sub-division look different from the other parts. We are hoping that you will reconsider this and give this sub-division exception to having walking paths to maintain uniformity and the Aesthetic value. Sincerely, Aparna Kanaparthi Prabhash Tatineni

Email not displaying correctly? [View it in your browser.](#)

Adam Herringa

Subject: FW: PLEASE NO SIDEWALK THROUGH WHISPERING MEADOWS

From: Terry Rowland [<mailto:dr.terry.rowland@gmail.com>]
Sent: Saturday, June 16, 2018 6:02 PM
To: Christopher Forth <forthc@portagemi.gov>
Subject: PLEASE NO SIDEWALK THROUGH WHISPERING MEADOWS

Hi Chris,

I live in Phase 1 of Whispering Meadows and have been here for 20 years. We work hard to maintain a warm and secluded neighborhood ambiance with minimal street and pedestrian traffic. The cozy seclusion and quiet cut-de-sacs are part of the charm and appeal of the neighborhood and bind the various phases together.

The notion of cutting through the newest phase of the Whispering Meadows development with a sidewalk connecting an unrelated neighborhood to Angling Road is unwelcome and ill-advised. It changes the neighborhood atmosphere and lowers the attraction and value of the entire development. No one in Whispering Meadows wants it.

Please don't force this artificial monstrosity on our neighborhood.

Dr. Terry Rowland

From: Carole Majka [mailto:]
Sent: Tuesday, June 19, 2018 1:10 PM
To: Laurence Shaffer
Subject: Sidewalks in Whispering Meadows

Dear Larry,

My name is Carole Majka and I live at 6697 Bunchberry Drive in Whispering Meadows with my husband, Jim. Our home is the last one on the east side of Bunchberry before Phase IV begins.

We are very opposed to installing sidewalks in Phase IV. Sidewalks will adversely affect our home value because it will divide the neighborhood into "new" and "old" appearance wise. The neighborhood has evolved seamlessly through Phases, I, II, and III, with a cohesive appearance throughout. You cannot tell where one phase ends and the other begins. To have Phase IV suddenly appear different for no reason is harmful to the rest of the neighborhood and ruins this cohesive appearance, which provides value to the neighborhood.

We have all lived quite nicely without sidewalks for about 28 years. Phase IV has no outlet other than into Phase III, so sidewalks provide no benefit at all. We ARE in favor of the sidewalk that leads to the Cypress, as it has a real purpose in connecting two neighborhoods. Any other sidewalks are a waste of money and harmful to the neighborhood.

Please let me know if you have any questions.

Best regards,

Carole Majka
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