FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
SEPTEMBER 17, 2019

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Suicide Prevention Month.

A. Consent Agenda: To hear about items included on the Consent Agenda, visit: www.portagemi.gov/544/Podcasts

1. Approval of City Council Meeting Minutes:
   a. Regular Meeting of September 3, 2019.
   b. Pre-Council Meeting of September 16, 2019.
2. Approval of the Accounts Payable Register of September 17, 2019 as presented.
3. Award a three-year contract in the annual amount of $43,350, with the option for three, one-year renewals, to Wolverine Lawn Services, Inc. for snow and ice removal of city-owned sidewalk, City Centre facility driveways and parking areas, outlying Fire Stations, the Senior Center, and pedestrian crosswalks, and authorize the City Manager to execute all documents related to the contract on behalf of the city.
4. Approve the low bid from R.W. LaPine, Inc., of Kalamazoo, Michigan, in the amount of $98,750 for HVAC and boiler upgrades at Fire Station No. 1 and authorize the City Manager to execute all documents on behalf of the city.
5. Accept the order of the Construction Board of Appeals to raze and remove the house, accessory building and any debris at 5834 Monticello Avenue; and authorize the City Administration to take the necessary action to place a lien and assess the property to recover the costs associated with the razing and removal of the structures.
6. Adopt Resolution No. 3-19 setting a public hearing on October 1, 2019 for the issuance of the Industrial Facilities Exemption Certificate to the Stryker Corporation for real property investments in the estimated amount of $6,265,544 at 3800 East Centre Avenue and 8065 Merchant Place.
7. Adopt Resolution No. 2 for the West Lake Management Program #020-Q, setting a public hearing of necessity on October 1, 2019.
8. Receive the report from the Local Officers Compensation Commission.
9. Receive the FY 2018-19 Planning Commission Work Program Final Update and Proposed FY 2019-20 Planning Commission Work Program.
10. Minutes of Boards & Commissions:
    a. Human Services Board of July 18, 2019.
    b. Historic District Commission of August 7, 2019.
    c. Zoning Board of Appeals of August 12, 2019.
    d. Planning Commission of August 15, 2019.
    e. Portage Public Schools Board of Education Special Meeting of August 12 and Regular Meeting of August 19, 2019.
11. Materials Transmitted.

B. Petitions and Statements of Citizens:

C. Communications:

1. Calendar of Meetings:

- Senior Citizen Advisory Board, Wednesday, September 18, 2019 at 2:30 p.m., Portage Senior Center.
- Planning Commission, Thursday, September 19, 2019 at 7:00 p.m., Council Chambers.
- CIP Open House, Monday, September 30, 2019, 4:30 to 6:30 p.m., Council Chambers.
- Board & Commission Interviews, Tuesday, October 1, 2019 at 5:15 p.m., City Hall Room #1.

D. Public Hearings:

1. Subsequent to the public hearing, accept the request from Treystar Holdings, LLC and terminate the Centre Port Commons Brownfield Redevelopment Plan Amendment No. 6.

E. Regular Business Agenda:

F. Unfinished Business:

1. Approve the Employment Agreement with Joseph S. La Margo as presented and authorize the Mayor to execute the agreement.
2. Accept Ordinance Amendment #18/19-B, Residential Amendments, for first reading and set a public hearing for October 15, 2019.

G. Council Committee Reports:

H. New Business:

I. Statements of Citizens:

J. Statements of City Council and City Manager.

Adjournment.

CITY OF PORTAGE
PROCLAMATION

National Suicide Prevention Awareness Month

WHEREAS, September is known around the United States as National Suicide Prevention Awareness Month and is intended to help promote awareness surrounding each of the Suicide Prevention resources available to us and our community. The simple goal is to learn how to help those around us and how to talk about suicide without increasing the risk of harm; and

WHEREAS, Suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background; and

WHEREAS, According to the CDC, each year more than 47,000 people die by suicide; and

WHEREAS, Suicide is the 10th leading cause of death among adults in the US, and the 2nd leading cause of death among people aged 10-34; and

WHEREAS, Portage, Michigan, is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, athletic coaches, pack leaders, police officers, and parents, as partners in supporting our community in simply being available to one another; and

WHEREAS, Local organizations like Gryphon Place and national organizations like the National Alliance on Mental Illness (NAMI) are on the front lines of a battle that many still refuse to discuss in public, as suicide and mental illness remain too taboo a topic to speak on; and

WHEREAS, Every member of our community should understand that throughout life's struggles we all need the occasional reminder that we are all silently fighting our own battles; and

WHEREAS, I encourage all residents to take the time to inquire as to the wellbeing of their family, friends, and neighbors over the next few days and to genuinely convey their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, do hereby proclaim the month of September 2019, as National Suicide Prevention Awareness Month in the City of Portage.

Signed this 17th day of September, 2019.

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Patricia M. Randall, Mayor

CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 3, 2019

The Regular Meeting was called to order by Mayor Randall at 7:01 p.m. Prior to calling the roll the Deputy City Clerk announced that Councilmember Knapp would be participating in the meeting remotely via telephone, pending resolution of technical difficulties and that the provisions of the City Council Remote Attendance Policy had been met. The following members present: Councilmembers Chris Burns, Richard Ford, 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 Deputy City Clerk Erica Eklov. Councilmember Lori Knapp was able to sign on at 7:15 p.m.

At the request of Mayor Randall, the audience observed a moment of silence to honor all religions and personal beliefs and in recognition of the end of the summer season. The Mayor and City Council then recited 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. Mayor Pro Tem Pearson removed Item A.5, West Lake Management Program Special District No. 020-Q; Councilmember Reid removed Item A.4, State Streets Water Main Project, and Item A.8, Hampton Creek Wetland Emergency Pumping - Information Only, from the Consent Agenda. Motion by Reid, seconded by Ford, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF MINUTES: Motion by Reid, seconded by Ford, to approve the Special Meeting Minutes of August 20, Regular Meeting Minutes of August 20, Special Meeting Minutes of August 26, and the Special Meeting Minutes of August 28, 2019. Upon a roll call vote, motion carried 6 to 0.

APPROVAL OF ACCOUNTS PAYABLE REGISTER OF SEPTEMBER 3, 2019: Motion by Reid, seconded by Ford, to approve the Accounts Payable Register of September 3, 2019. Upon a roll call vote, motion carried 6 to 0.

ICE CONTROL SALT PURCHASE - COOPERATIVE PURCHASE: Motion by Reid, seconded by Ford, to award contracts to Detroit Salt Company in the amount of $74.57 per ton for 2,500 tons of ice control salt at a total cost of $186,425 for early delivery, and in the amount of $76.58 per ton for 1,500 tons of ice control salt at a total cost of $114,870 for seasonal backup on an as-needed basis and authorize the City Manager to execute all documents related to these contracts on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

COMMITTEE OF THE WHOLE MEETING: Motion by Reid, seconded by Ford, to set a Committee of the Whole Meeting on Monday, September 16, 2019 at 5:30 p.m. for the purpose of reviewing and discussing proposed Ordinance Amendment #18/19-B, Residential Amendments. Upon a roll call vote, motion carried 6 to 0.

BOARD AND COMMISSION INTERVIEW SESSION: Motion by Reid, seconded by Ford, to set a Special Meeting on Tuesday, October 1, 2019, beginning at 5:15 p.m., to interview Board and Commission applicants. Upon a roll call vote, motion carried 6 to 0.

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MINUTES OF BOARDS AND COMMISSIONS: Motion by Reid, seconded by Ford, to approve the minutes of the Youth Advisory Committee of July 22, 2019 and the Senior Citizen Advisory Board of July 19, 2019. Upon a roll call vote, motion carried 6 to 0.

MATERIALS TRANSMITTED: Motion by Reid, seconded by Ford, to approve the Materials Transmitted from August 20, 2019. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: None.

COMMUNICATIONS:

CALENDAR OF MEETINGS: Motion by Reid, seconded by Ford, to approve the Calendar of Meetings. Upon a roll call vote, motion carried 6 to 0.

COMMUNICATION FROM THE PORTAGE COMMUNITY CENTER: Motion by Ford, seconded by Burns, to receive the communication from the Portage Community Center Executive Director Chris Buckley and Board President Kirk Mason. Upon a roll call vote, motion carried 6 to 0.

PUBLIC HEARINGS: None.

REGULAR BUSINESS:

CITY MANAGER APPOINTMENT: Mayor Randall introduced the item, providing a summary of the efforts to date in determining the next City Manager in light of City Manager Shaffer's upcoming retirement. Mayor Randall explained that she is recommending appointment of Mr. Joseph S. La Margo as the next City Manager.

Councilmember Urban expressed dismay with the recent process of locating the next City Manager candidate, noting the candidate pool provided did not appear strong and echoed earlier sentiments in the same regard; however, he stressed that his comments do not reflect negatively upon Mr. La Margo. Councilmember Urban stated he prefers to perform the search for applicants again while maintaining Mr. La Margo as a candidate, utilizing a different search firm. Councilmember Urban conveyed that he enjoyed meeting Mr. La Margo, noting that he was his first choice candidate.

Mayor Pro Tem Pearson agreed with Councilmember Urban in that he was also hoping to have a total of three strong candidates from which to choose, but highlighted that Mr. La Margo was the top choice for each Councilmember and considered him a strong candidate. Mayor Pro Tem Pearson relayed that he and Mayor Randall had contacted Mr. La Margo's references prior to the regular meeting and received positive responses. Mayor Pro Tem Pearson expressed his desire for a unanimous endorsement of Mr. La Margo by City Council.

Councilmember Reid stated she echoed Councilmember Urban's concerns. She also expressed concern with the search process. She stated that she wants to ensure no one is urged to vote in one particular direction.

Councilmember Ford stated that he felt Mr. La Margo stood out amongst the other candidates. He noted his appreciation of Mr. La Margo's prior efforts and projects with Orland Park that Councilmember Ford believed could be applicable to Portage.

7:15 p.m. - Councilmember Knapp announced her presence via phone.

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Councilmember Knapp stated that Mr. La Margo's employment application and interview stood out from the other candidates. She referenced the City Manager Profile document included with the search firm materials packet assembled by City Council and stated that Mr. La Margo's skills exceed the requirements.

Councilmember Burns echoed Councilmember Knapp's comments, highlighting aspects of the City Manager Profile document. He expressed his support of the Mayor's recommendation of Mr. La Margo.

Mayor Randall relayed that she has had conversations with Mr. Bob Slavin from the city's contracted search firm who stressed the current job market is tight, limiting the number of applicants. She stated that Mr. La Margo still presented as the top candidate and she appreciated Mr. La Margo's position and preparation efforts. Mayor Randall expressed her desire for a unanimous City Council vote in order to show total support to the new City Manager appointee. She noted that Mr. La Margo is also a choice candidate for two other communities in Florida and she is concerned that should Portage pursue a second search effort, the opportunity to hire Mr. La Margo would be missed.

Councilmember Urban noted his strong displeasure with Council comments urging a unanimous vote. Mayor Randall responded, noting the intent of the argument was not to persuade, but a desire to illustrate support of the next appointee.

City Manager Shaffer provided insight from his prior history as a candidate for the City Manager position.

Mayor Pro Tem Pearson referenced the split City Council vote for the City Manager appointment in 2014 and expressed his desire to avoid a similar division of Council.

Motion by Pearson to confirm the recommendation from the Mayor to appoint Joseph S. La Margo to the position of City Manager for Portage, Michigan, pending successful completion of background checks and authorize Mayor Randall to negotiate the terms of an employment agreement, with final action planned for September 17, 2019. Councilmember Burns seconded.

Councilmember Urban offered an amendment to Mayor Pro Tem Pearson's motion to add "and have the contract approved before presenting it to Council as to form by labor counsel."

Mayor Randall asked Mayor Pro Tem Pearson whether he would amend his original motion. Mayor Pro Tem Pearson declined.

Attorney Brown offered clarification that all contracts before City Council must be approved by city legal counsel per Charter stipulations. He noted that this particular contract would not be reviewed by his office, rather the city's labor attorney.

Mayor Randall invited Deputy City Manager Rob Boulis to elaborate on the City Administration's efforts regarding the City Manager contract. Mr. Boulis explained that he has been working on a contract with the city's labor attorney, Rob Dubault, with Warner, Norcross and Judd.

Attorney Brown noted that mention of review by a labor attorney in the motion would be fine as it would not alter the City Administration's procedure.

Mayor Randall explained that she intends to pursue contract negotiations with the assistance of Mr. Boulis and Mr. Dubault, citing their respective expertise. She inquired with Mayor Pro Tem Pearson whether he would amend his motion. Mayor Pro Tem Pearson noted that his current motion mirrored the language used when former City Manager Maurice Evans was appointed, citing authority remained with the Mayor, not a labor attorney. Mayor Pro Tem Pearson declined to amend his original motion.

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Councilmember Reid expressed her understanding that the Mayor would be working with labor counsel on the City Manager contract. Councilmember Reid noted she will support the Council's decision.

Mayor Randall asked the Deputy City Clerk to call the vote. Upon a roll call vote, motion carried 7 to 0.

STATES STREETS WATER MAIN PROJECT - AMENDMENT: Mayor Randall deferred to Councilmember Reid who asked that the item be removed from the Consent Agenda. Councilmember Reid relayed that she had pulled the item because approval of the proposal by Council would entail moving a project forward that included ripping up several roads and she wanted to discuss the proposal to ensure the public was aware of the project. Councilmember Reid inquired whether the proposed work would be performed in conjunction with re-doing the roadways in the States Streets neighborhood. Councilmember Reid requested clarity on the nature of funding for the project in reference to the city's Capital Improvement Program document.

Mayor Randall deferred to City Manager Shaffer who identified the subject neighborhood and the locations that will be impacted by the project. Mr. Shaffer noted that the neighborhood does not currently have municipal water, citing in part because the city has been unable to create a special assessment for the neighborhood. Mr. Shaffer noted that the private wells in the area are tested each year by Kalamazoo County, illustrating that particular levels are beginning to increase. Mr. Shaffer explained that the project will be funded via an extension district, negating the need for the individual property owners to pay for service hook-up until desired or ordered by the County. Mr. Shaffer relayed that the project is being pursued at this time due to the favorable per unit pricing extended by the vendor, Kamminga and Roodvoets, from the contract for the adjacent Idaho Avenue Water Main and Reconstruction Project, in combination with growing concern for the continued safety of the area wells. He noted the project will be paid for through surplus in the Water Fund, which will be paid back when property owners complete the hook up process. He confirmed that the project will be completed before the winter season.

Councilmember Reid requested clarification whether the road will be resurfaced as part of the project and the timing of the project.

City Manager Shaffer confirmed the roads in the project area will be resurfaced as part of the project.

Councilmember Urban stated that installing water mains does not normally involve road reconstruction, rather resurfacing similar to the mill and fill process.

Director of Transportation & Utilities, Kendra Gwin, noted that the contractor intended to begin the project within the next two weeks, dependent upon the availability of the supplier.

Mayor Randall asked Director Gwin to ensure that the road resurfacing will be completed prior to the winter seasonal deadline, as well as not impact the area school traffic. Director Gwin confirmed that the project is expected to finish November 15 and confirmed the work will not negatively impact the school traffic.

Councilmember Burns spoke in favor of the proposed project, expressing satisfaction in the city's investment in the States Streets neighborhood.

Motion by Reid, seconded by Burns, to amend a construction contract with Kamminga and Roodvoets, Inc. of Grand Rapids, Michigan for the State Streets Water Main Project in an amount not to exceed $592,593.25 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.

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WEST LAKE MANAGEMENT PROGRAM SPECIAL DISTRICT NO. 020-Q: Mayor Randall deferred to Mayor Pro Tem Pearson who asked that the item be removed from the Consent Agenda. Mayor Pro Tem Pearson began by voicing his support for the proposal and summarized the process with the West Lake Improvement Association. Mayor Pro Tem Pearson requested clarification on whether the proposed renewal of the assessment district will include the same twenty percent funding contribution from the city that was part of the prior assessment programs. City Manager Shaffer confirmed the continued contribution by the city.

Mayor Pro Tem Pearson highlighted the governmental lake boards in place for the other three lakes in the City of Portage, expressing his desire that all lake boards in the city be treated equally, to include twenty percent matching funds for future projects. Mayor Pro Tem Pearson noted the difference between the structure of the West Lake Improvement Association compared to the governmental lake boards currently in place for the other lakes. He expressed displeasure with the governmental lake board arrangement, citing a lack of riparian representation. Mayor Pro Tem Pearson inquired with four members of the West Lake Improvement Association present in the audience whether a governmental lake board structure was desired or maintenance of the current association arrangement.

Mr. Nick O'Brien, 1220 Forest, treasurer for the West Lake Improvement Association spoke on behalf of the Association. Mr. O'Brien responded that the members of the Association do not favor a governmental lake board arrangement and prefer the current representation structure.

Mayor Pro Tem Pearson thanked Mr. O'Brien for his comments and inquired with City Manager Shaffer as to why the city historically pursued the implementation of governmental lake boards. Mr. Shaffer responded that the intent was to maintain consistency and equal management.

Councilmember Urban noted that West Lake differs from the other lake boards in that the Association has been receiving legal and engineering consulting from the city. He further highlighted that two of the lakes in the City of Portage utilize a governmental lake board to manage services because they cross jurisdictions. Councilmember Urban expressed his preference that West Lake also implement a governmental lake board in the future for consistency.

Mayor Pro Tem Pearson thanked Councilmember Urban for his insight. He agreed that Gourdneck and Long Lakes utilize a governmental lake board due to being cross-jurisdictional, but emphasized that Austin Lake is fully within the city. He stated that governmental lake boards entail additional paperwork, legal fees, advertising and costs.

City Attorney Brown explained the legal basis for a governmental lake board structure and noted that once a governmental lake board is established, it becomes autonomous.

Councilmember Urban noted that under state statute only a governmental lake board can dissolve its existence.

Motion by Pearson, seconded by Reid, to adopt Resolution No. 1, accept the City Manager Report and request preparation of Resolution No. 2 for the West Lake Management Program Special District No. 020-Q. Upon a roll call vote motion carried 7 to 0.

HAMPTON CREEK WETLAND EMERGENCY PUMPING - INFORMATION ONLY: Mayor Randall deferred to Councilmember Reid who asked that the item be removed from the Consent Agenda.

Councilmember Reid noted that the communication states the city is seeking to extend the state permit for pumping if the wetland comes up six inches. She inquired whether the city would be able to start pumping before the six-inch threshold, stating that recent events have shown that the six-inch level is when property damage occurs.

City Manager Shaffer responded that the pumping has been successful and the Hampton Bog has receded considerably. Further, that the city continues to work with the engineering firm to find a more permanent solution that the Michigan Department of Environment, Great Lakes, and Energy (EGLE) will permit.

Councilmember Urban inquired whether the city had a control from which to compare and accurately measure the effectiveness of the pumping efforts.

City Manager Shaffer noted that the resulting observations come from areas surrounding the Hampton Bog that had also experienced flooding, such as the golf course and that area residents had been relieved. Further discussion ensued regarding the legal ability of EGLE to stipulate water levels and regulations going forward.

Motion by Reid, seconded by Urban, to receive the Hampton Creek Wetland Emergency Pumping - Information Only communication. Upon a roll call vote motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Burns provided an update on the efforts of the City Council Communications Committee and encouraged residents to sign up for the "Notify Me" function on the city website. Councilmember Knapp supported Councilmember Burns' comments regarding the Council Communications Committee that she also serves on.

Mayor Randall relayed that she had attended a meeting of the Kalamazoo Area Transportation Study (KATS) organization and highlighted that KATS had recently distributed almost 5300 passes for Kalamazoo Public School students as part of the Youth Mobility Project. She further noted recent issues with road projects involving the Rieth-Riley Construction firm that is involved in a union strike. Mayor Randall also relayed the upcoming MDOT plan to widen parts of I-94 and remodel the Portage Road exit configuration, which has experienced issues in receiving elevation clearances from the airport.

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

PETITIONS AND STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid highlighted the October 1, 2019 City Council Boards and Commissions interview sessions and announced the city boards seeking to fill vacancies for any interested citizens.

Councilmember Burns advised of the September 14th Portage Community Center Peacock Strut and provided instructions on how to sign up for the event.

Councilmember Ford reminded everyone that it was the first day of school and to be safe around school buses. He further wished the Mayor luck in beginning contract negotiations with the new City Manager Candidate.

Councilmember Knapp expressed pleasure with the outcome of the Council's vote for the City Manager position. She is looking forward to finalizing the next steps in that process.

Mayor Pro Tem Pearson highlighted the upcoming Committee of the Whole meeting on September 16th and advised the City Manager that he would like to receive the supporting materials for the meeting on the Friday before for ample review time.

Mayor Randall recalled the recent groundbreaking ceremony for the new Fire Station #2. She relayed that she had also recently attended the YWCA Women's Equality Luncheon. Mayor Randall highlighted the recent Portage Public Schools' event featuring Quint Studer and expressed her pleasure with the continued collaboration between the schools and the city. She advised of the city's second annual Portage Community Art Award Exhibition featuring second-time winner June Belitz.

Mayor Randall then advised of the September 17th kick-off event at 10 a.m. for the proposed new Senior Center/Community Center, providing that the efforts of the E3 Committee to date had raised a total of $3,423,152. Finally, she expressed pleasure with the vote for Mr. La Margo and her desire to move the process forward. She thanked City Manager Shaffer for his perspective and comments on the matter.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:14 p.m.

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Erica L. Eklov, Deputy City Clerk

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MINUTES FROM THE PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF SEPTEMBER 16, 2019

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

With regard to Item A.3, Crosswalks and City Centre Snow Removal, Councilmember Burns inquired as to snow removal at bus stops. He asked if snow removal at bus stops had been discussed with this vendor and whether an estimate for removal could be obtained. Mr. Shaffer stated that, to his knowledge, snow removal at bus stops had not been discussed with this vendor. Councilmember Reid commented that the price for the snow removal service seems high given the size of the area involved. She asked if staff thought the pricing was uncharacteristically high and whether it made sense to go out for bid again. Mayor Randall inquired as to the feasibility of the work being performed by city staff. Mr. Shaffer stated that he would research and respond.

With regard to Item A.4, HVAC and boiler upgrades for Fire Station No. 1, Councilmember Reid commented on the disparity of pricing with the bids. She inquired as to the cause of such variation. Mr. Shaffer stated that R.W. LaPine is our present vendor for such services and suspects they want to continue the business relationship.

With regard to Item A.5. Raze Order for 5834 Monticello, Councilmember Reid inquired if the property had a basement and, if so, whether it would be removed. She commented that failure to remove the basement makes it difficult to resell the property. Mr. Shaffer stated that basement removal should happen on all City of Portage demolition projects. Mayor Randall asked City Clerk Herringa to ensure the agenda item reflects basement removal.

With regard to Item F.1., City Manager Contract, Councilmember Reid referenced Section 3.C and the language involving adding a bonus to an employee's base wage. Deputy City Manager Boulis shared that this language has been in previous employment agreements and affirmed that it does not require any bonus to be added to the base wage. Councilmember Reid asked for a table involving key compensation package components inclusive of starting and ending points for the previous four city managers. Mayor Randall commented that the previous four city managers would predate former City Manager Michael Stampfler and questioned the applicability of such data to the present situation. Councilmember Reid modified her request to be inclusive of the starting and ending points of current City Manager Larry Shaffer and former City Manager Maurice Evans.

Mayor Randall summarized the meeting.

STATEMENTS OF CITIZENS: James Hudson, 9001 West End Drive, stated that he was attending the meeting to represent residents of West Lake and that everything looked good.

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ADJOURNMENT: Mayor Randall adjourned the meeting at 8:12 a.m.

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Adam Herringa, City Clerk

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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 September 17, 2019 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 August 25, 2019 through September 7, 2019 and notes $228,912.13 in automated clearing house payments, $350,634.18 in paper checks and $6,046.29 in auto-pay payments for a grand total of $585,592.60.

FUNDING: N/A

Attachments: 1. Accounts Payable Register of September 17, 2019

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
09/06/2019	11723(A)	A-1 SIGNS	MEMORIAL PLAQUES	20.55
09/06/2019	11724(A)	ABONMARCHE CONSULTANTS, INC	PROFESSIONAL SERVICES	35,881.25
09/06/2019	11725(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	5,720.00
09/06/2019	11726(A)	APOLLO FIRE EQUIPMENT COMPANY	FIRE REPAIR SUPPLIES	3,561.31
09/06/2019	11727(A)	AUMACK, MICHAEL	UMPIRE PAYROLL 2019	175.00
09/06/2019	11728(A)	B L HARROUN & SON INC.	SPRINKLER INSPECTION	412.50
09/06/2019	11729(A)	BASIC CORPORATE	2019 ACA 1095-C PREPRATIO	999.00
09/06/2019	11730(A)	BEEBE, RONALD E.	UMPIRE PAYROLL 2019	250.00
09/06/2019	11731(A)	BENNETT, ZACHARY J	TACTICAL ENCOUNTERS MMRMA	20.00
09/06/2019	11732(A)	BEST WAY DISPOSAL, INC.	SWEEPER DEBRIS DISPOSAL	2,350.08
09/06/2019	11733(A)	C T S TELECOM, INC.	TS DEDICATED FIBER OPTIC CIRCUIT	325.00
09/06/2019	11734(A)	CARLETON EQUIPMENT CO.	MAINTENANCE SUPPLIES	2,006.46
09/06/2019	11735(A)	CHARTER COMMUNICATIONS	CABLE TV	124.98
09/06/2019	11736(A)	CLEANIT CORP	CARWASHES FOR VEHICLES	187.96
09/06/2019	11737(A)	COLLIER, MICHAEL	STAFF & COMMAND SCHOOL	157.98
09/06/2019	11738(A)	COMPLETE LANDSCAPING SOLUTIONS	CONTRACT MOWING FOR TALL GRASS	225.33
09/06/2019	11739(A)	CONSUMERS CONCRETE CORP.	PROJECT SUPPLIES	403.50
09/06/2019	11740(A)	COOPER, SYDNIE	MSP SURVEILLANCE SCHOOL 9/9-9/13	235.00
09/06/2019	11741(A)	D & D PRINTING CO.	RAMONA NR PASSES	70.00
09/06/2019	11742(A)	DATA CONSTRUCTS LLC	WEBSITE HOSTING SERVICES SEPT	97.95
09/06/2019	11743(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC HOSES	6,805.26
09/06/2019	11744(A)	VOID		0.00
09/06/2019	11745(A)	E J USA, INC.	MANHOLE SUPPLIES	7,301.52
09/06/2019	11746(A)	ENGINEERED PROTECTION SYSTEMS, INC.	FS1 VIDEO SERVICE AGREEMENT	60.00
09/06/2019	11747(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	WELDING AND FABRICATION	818.85
09/06/2019	11748(A)	EVERETT, CHIP	FIRE OPS TRAINING	99.11
09/06/2019	11749(A)	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	1,177.78
09/06/2019	11750(A)	FORSHEE, MARK	UMPIRE PAYROLL 2019	300.00
09/06/2019	11751(A)	GORDON WATER SYSTEMS	HARDWARE RENTAL AND WATER	77.50
09/06/2019	11752(A)	GREATER KALAMAZOO UNITED WAY	UNITED WAY CONTRIBUTIONS AUG	540.00
09/06/2019	11753(A)	GRIFFIN PEST SOLUTIONS, INC.	PEST CONTROL - RAMONA BEACH HOUSE	108.00

Check Date	Check	Vendor Name	Description	Amount
09/06/2019	11754(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	9,005.17
09/06/2019	11755(A)	HURST MECHANICAL, INC.	CRACKSEALER REPAIRS	2,438.72
09/06/2019	11756(A)	INDUSCO SUPPLY CO., INC.	DPS JANITORIAL SUPPLIES	479.79
09/06/2019	11757(A)	INTERNATIONAL CODE COUNCIL, INC	CODE BOOKS FOR BLDG SERVICES	100.00
09/06/2019	11758(A)	IP CONSULTING, INC.	25 ADDITIONAL CISCO CALL MGR PHONE	3,991.75
09/06/2019	11759(A)	IRISH AYRES ENTERPRISES, LLC	MOWING, TRIMMING, LANDSCAPE MAINT	12,813.81
09/06/2019	11760(A)	J. ALLEN & CO. INC.	BUS STOP REPAIRS	5,800.00
09/06/2019	11761(A)	JACK DOHENY SUPPLIES INC.	VACTOR SUPPLIES	2,516.44
09/06/2019	11762(A)	JONS TO GO PORTABLE RESTROOM	PORTAJOHNS FOR LUAU	210.00
09/06/2019	11763(A)	KAHN, WILMA	CLASS INSTRUCTOR PAYMENT	207.00
09/06/2019	11764(A)	KEHOE, EDWARD J	PROGRAM INSTRUCTOR PAYMENT	395.00
09/06/2019	11765(A)	KENDALL ELECTRIC, INC.	CELERY FLATS PROJECT	1,506.00
09/06/2019	11766(A)	KLOSTERMAN DISTRIBUTING	RAMONA CONCESSIONS	152.23
09/06/2019	11767(A)	LAWSON PRODUCTS, INC	MAINTENANCE SUPPLIES	884.25
09/06/2019	11768(A)	LEXISNEXIS RISK SOLUTIONS	MONTHLY ACCURINT	150.00
09/06/2019	11769(A)	LOWE'S HOME CENTER	SUPPLIES	163.59
09/06/2019	11770(A)	MAPLE HILL SPRINKLING, INC.	IRRIGATION REPAIRS	549.00
09/06/2019	11771(A)	MARANA GROUP	METER SERVICE	274.03
09/06/2019	11772(A)	MATERIALS RESOURCES	MAINTENANCE SUPPLIES	547.30
09/06/2019	11773(A)	MCCULLIN, LARRY W.	UMPIRE PAYROLL 2019	175.00
09/06/2019	11774(A)	MEEKHOF TIRE SALES & SERVICE INC.	LOADER 86 TIRES	10,190.00
09/06/2019	11775(A)	MENARDS	SPLIT RAIL FENCE	1,897.40
09/06/2019	11776(A)	MOORE, LARRY	FIRE MARSHAL TRAINING	150.00
09/06/2019	11777(A)	MYERS, JAMES	MICHIGAN LAW ENFORCEMENT ACCRED.	45.00
09/06/2019	11778(A)	NASON, RICHARD	FIRE OPS TRAINING	841.30
09/06/2019	11779(A)	NYE UNIFORMS	MISC. UNIFORMS 19/20	307.76
09/06/2019	11780(A)	OFF THE CUFF CATERING	CITY COUNCIL SPECIAL MTG DINNER	688.00
09/06/2019	11781(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICES	10,359.12
09/06/2019	11782(A)	PCM SALES, INC.	FOXIT PHANTOMPDF LICENSE	41,529.08
09/06/2019	11783(A)	PERCEPTIVE CONTROLS, INC.	LIFT STATION MAINTENANCE	8,673.47
09/06/2019	11784(A)	PETERS CONSTRUCTION CO.	PIPE REPAIR	11,202.00
09/06/2019	11785(A)	PLM LAKE & LAND MANAGEMENT	AQUATIC WEED MANAGEMENT	230.00

Check Date	Check	Vendor Name	Description	Amount
09/06/2019	11786(A)	PORTAGE FIREFIGHTERS	IAFF DUES FOR AUGUST 2019	2,820.00
09/06/2019	11787(A)	PORTAGE ON-CALL FIREFIGHTERS	ON CALL FF DUES FOR AUGUST	60.00
09/06/2019	11788(A)	PORTAGE POLICE OFFICERS ASSOC	PPOA DUES FOR AUGUST 2019	966.00
09/06/2019	11789(A)	PRINTING SERVICES INC	LUAU PROGRAM PRINTING	615.66
09/06/2019	11790(A)	R W LAPINE INC.	HVAC ON-CALL SERVICES & PARTS	2,570.28
09/06/2019	11791(A)	REYNHOUT, BRENT	MSP SURVEILLANCE SCHOOL	335.00
09/06/2019	11792(A)	RHODES, KEVIN	UMPIRE PAYROLL 2019	216.00
09/06/2019	11793(A)	RIDGE AUTO NAPA	FIRE APPARATUS MAINT.	1,693.37
09/06/2019	11794(A)	VOID		0.00
09/06/2019	11795(A)	VOID		0.00
09/06/2019	11796(A)	RIESGRAF, ALEXANDRA	TACTICAL ENCOUNTERS MMRMA	80.00
09/06/2019	11797(A)	RIETH-RILEY CONSTRUCTION CO., INC	HOT AND COLD PATCH	156.42
09/06/2019	11798(A)	RYAN, JOHNATHAN	UMPIRE PAYROLL 2019	47.00
09/06/2019	11799(A)	SIMPLIFILE LLC	RECORDING OF DOCUMENTS	165.00
09/06/2019	11800(A)	SNELL, DEBRA	EXERCISE INSTRUCTOR PAYMENT	624.00
09/06/2019	11801(A)	SUEZ WATER ENVIRONMENTAL SERVICES	WATER METERS	7,908.52
09/06/2019	11802(A)	TYLER, JIM	UMPIRE PAYROLL 2019	100.00
09/06/2019	11803(A)	UNITED AUTO. IMPLEMENT WORKERS 2290	UAW DUES FOR AUGUST 2019	691.96
09/06/2019	11804(A)	VANDENBRINK, BRIAN	MICHIGAN LAW ENFORCEMENT	45.00
09/06/2019	11805(A)	VANDERVEEN, LAUREN	TRAINING - STAFF & COMMAND SCHOOL	398.95
09/06/2019	11806(A)	VICKSBURG ROOFING & SIDING CO.	CDBG ROCHHOLZ 416 MARIGOLD	9,600.00
09/06/2019	11807(A)	W W GRAINGER INC	SAFETY SUPPLIES	20.30
09/06/2019	11808(A)	WEST MICHIGAN INT'L LLC	MAINTENANCE SUPPLIES	14.59
09/06/2019	11809(A)	WEST SHORE FIRE, INC.	FIRE APPARATUS MAINT	800.00
			Total ACH Transactions:	**228,912.13**
Check Type: Paper Check				
08/28/2019	310924	A T & T	ELECTRONIC COMMUNICATION	404.84
08/28/2019	310925	ED & TED'S EXCELLENT ADVENTURES	TRIP VENDOR PAYMENT 190921	52,794.00
08/28/2019	310926	MICHIGAN ASSOC. OF PLANNING	MAP CONFERENCE FOR PLAN COMMIS.	690.00
08/28/2019	310927	NEVAEH 0169, LLC	IRRIGATION REPAIRS	1,610.00
08/28/2019	310928	SMOKED DOWN BBQ LLC	REFRESHMENTS FOR MOVIE NIGHT VOLS	150.00
08/28/2019	310929	STATE OF MICHIGAN	STATE OF MICHIGAN LAND BANK	89.31

Check Date	Check	Vendor Name	Description	Amount
08/29/2019	310930	USPS	POSTAGE	300.00
09/06/2019	310931	4 SEASONS TREE SERVICES, LLC	TREE REMOVAL SERVICES	420.00
09/06/2019	310932	A PIZZA YEN	SENIOR CENTER GOLF LEAGUE LUNCH	350.00
09/06/2019	310933	ADAMS, MARY LOUISE	TRIP REFUND 191018	125.00
09/06/2019	310934	ALERT-ALL CORP.	FIRE MARSHAL SUPPLIES	800.00
09/06/2019	310935	ALLEGRA PRINT & IMAGING	FIRE ADMIN PRINTING	673.00
09/06/2019	310936	ALTA EQUIPMENT CO.	CRACK SEALER MAINT	805.02
09/06/2019	310937	AMERICAN SCREEN PRINTING	UNIFORMS	140.00
09/06/2019	310938	ARTWEAR APPAREL GRAPHICS, INC.	STAFF SHIRTS	682.00
09/06/2019	310939	BAY AREA TOUCHLESS CARWASH LLC	19/20 CAR WASHES	396.00
09/06/2019	310940	BEAVER RESEARCH COMPANY	CLEANING SUPPLIES	129.85
09/06/2019	310941	BINDER PARK ZOOLOGICAL SOCIETY, INC	SEPTEMBER BINDER PARK PROGRAM	200.00
09/06/2019	310942	BLAIN SUPPLY, INC.	WATER TANK	599.99
09/06/2019	310943	BOYNE USA, INC.	FALL MICAMP MAPPING CONF	392.94
09/06/2019	310944	BRENNER, FLORENCE	TRIP REFUND 191023	285.00
09/06/2019	310945	BRENNER, FLORENCE	TRIP REFUNDS 191008	349.00
09/06/2019	310946	BRUCE'S TRUCK & AUTO ACCESSORIES	RHINO LINING	1,075.00
09/06/2019	310947	C. STODDARD & SONS INC.	USED OIL REMOVAL	172.50
09/06/2019	310948	CAPITAL REAL ESTATE TAX SERVICES	2019 SUM TAX OVERPYMT REFUND	4,205.25
09/06/2019	310949	CARTRIDGE WORLD	PRINTER SERVICES 2019/2020	1,817.39
09/06/2019	310950	CINTAS CORP.	UNIFORM RENTAL FOR INSPECTORS	175.11
09/06/2019	310951	CONSUMERS ENERGY	NEW FIRE STATION 2	1,995.00
09/06/2019	310952	DAVE'S CONCRETE PRODUCTS, INC.	CONCRETE FOR FD	5,179.50
09/06/2019	310953	DENOOYER BROTHERS, INC.	MAINTENANCE SUPPLIES	704.73
09/06/2019	310954	DENOOYER OPERATING, LLC	VEHICLE REPAIRS	78.30
09/06/2019	310955	DEVON TITLE AGENCY	TITLE INSURANCE	75.00
09/06/2019	310956	DJ'S LAWN SERVICE, INC.	WILLOW TREE REMOVAL	3,534.00
09/06/2019	310957	ED & TED'S EXCELLENT ADVENTURES	TRIP VENDOR PAYMENT 190821	526.00
09/06/2019	310958	EMERGENCY VEHICLE PRODUCTS	POLICE VEHICLE REPAIR	560.20
09/06/2019	310959	ENVIRONMENTAL SYSTEMS RESEARCH	1 YR MAINTENANCE CONTRACT ARCGIS	5,626.15
09/06/2019	310960	FISH WINDOW CLEANING	DPW WINDOW CLEANING	234.00
09/06/2019	310961	FULL CIRCLE FARM	PAYMENT ASSISTANCE REIMB	28.00

Check Date	Check	Vendor Name	Description	Amount
09/06/2019	310962	FUN SERVICES	LUAU GAMES/INFLTABLES	7,011.85
09/06/2019	310963	FUNCHES, LAVARR	SCHRIER DEPOSIT REFUND	150.00
09/06/2019	310964	GARLAND CO. INC.	BUILDING MAINTENANCE	258.97
09/06/2019	310965	GILCHRIST, PAMELA	TRIP REFUND 191023	50.00
09/06/2019	310966	GORDON FOOD SERVICE	RAMONA CONCESSIONS	51.48
09/06/2019	310967	GREATER KALAMAZOO FOP LODGE 98	FOP PORTION OF PPOA DUES AUG	4,613.28
09/06/2019	310968	HALL BUILDERS LLC	FIRE STATION #2	140,053.95
09/06/2019	310969	HALT FIRE, INC.	FIRE APPARATUS MAINT	4,403.55
09/06/2019	310970	HANDLEY'S TREE SERVICE	TREE REMOVAL SERVICES	6,250.00
09/06/2019	310971	HERBERGER, KAZMIRA	REIMBURSEMENTS FOR PIG OUT	180.41
09/06/2019	310972	HOME DEPOT	SUPPLIES - PARKS DIVISION	1,555.83
09/06/2019	310973	VOID		0.00
09/06/2019	310974	I H S DISTRIBUTING COMPANY, INC.	HERITAGE FEST ALCOHOL INVOICE	778.00
09/06/2019	310975	IMAGINARIUM PICTURES	2019 EVENT PICTURES	1,000.00
09/06/2019	310976	J & B PROFESSIONAL TREE SERVIC	TREE AND STUMP REMOVE	150.00
09/06/2019	310977	J & J LOCKSMITHS	LOCKSMITH SERVICES	291.25
09/06/2019	310978	J J KELLER & ASSOCIATES, INC.	FMLA MANAGER RENEWAL 2019	1,590.00
09/06/2019	310979	KAL COUNTY FIRE CHIEFS ASSOC.	FIRE OPS TRAINING	170.00
09/06/2019	310980	KALAMAZOO BATTLE CREEK INTL AIRPORT	PROFESSIONAL SERVICES	1,755.50
09/06/2019	310981	KALAMAZOO COUNTY HEALTH & COMMUNITY	2019 HHW PROGRAM	8,037.30
09/06/2019	310982	KALAMAZOO LANDSCAPE SUPPLIES	TOP DIRT AND SUPPLIES	3,528.00
09/06/2019	310983	KIESER & ASSOCIATES, LLC	DEER ENCLOSURE MONITORING	1,445.00
09/06/2019	310984	KIESLER POLICE SUPPLY	REPLACE HANDGUNS/HOLSTERS	5,944.36
09/06/2019	310985	KOPEN, JANICE	TRIP REFUND 191023	50.00
09/06/2019	310986	KOPEN, JANICE	TRIP REFUND 191008 191115	175.00
09/06/2019	310987	KZOO TIRE COMPANY	VEHICLE REPAIRS	94.00
09/06/2019	310988	LOCEY SWIM POOL CO.	FOUNTAIN SUPPLIES FOR CITY HALL	48.22
09/06/2019	310989	MAHONEY, MOLLY	HAYLOFT & AMP. DEPOSIT RFND	300.00
09/06/2019	310990	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	60.00
09/06/2019	310991	MEDILODGE OF PORTAGE	SENIOR CENTER MONTHLY LUNCHEON	288.00
09/06/2019	310992	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR AND MAINT	3,381.19
09/06/2019	310993	MICHIGAN MUNICIPAL LEAGUE	FUTURE ON-LINE JOB ADS	121.08

Check Date	Check	Vendor Name	Description	Amount
09/06/2019	310994	MICHIGAN URBAN SEARCH AND RESCUE	FIRE OPS TRAINING	610.00
09/06/2019	310995	MILLER ROAD TRANSFER STATION	DISPOSAL SERVICES	740.27
09/06/2019	310996	MOHNEY, DIANE	TRIP REFUND 191008 RAT PACK	82.00
09/06/2019	310997	MOSQUITO CONTROL OF SW MICHIGAN	PIG OUT AT PUBLIC SAFETY	338.00
09/06/2019	310998	NATIONAL FIRE PROTECTION ASSOC	FIRE MEMBERSHIP	445.00
09/06/2019	310999	O'REILLY AUTO PARTS	VEHICLE MAINTENANCE	15.99
09/06/2019	311000	OCKERMAN, JOAN	TRIP REFUND 190921	50.00
09/06/2019	311001	OFFICE DEPOT, INC.	OFFICE SUPPLIES - FINANCE	819.00
09/06/2019	311002	VOID		0.00
09/06/2019	311003	PETTY CASH-ALYSSA MILBECK	REPLENISHMENT CHECK	685.66
09/06/2019	311004	PETTY CASH-COLEEA CANDERS	REPLENISHMENT CHECK	309.69
09/06/2019	311005	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	303.59
09/06/2019	311006	PETTY CASH-PAULA GUSTAFSON	REPLENISHMENT CHECK	410.09
09/06/2019	311007	PFIZER, INC	SPECIAL ASSESSMENT	143.36
09/06/2019	311008	PHILLIPS, KIMBERLY	REIMBURSEMENT FOR GARDEN PARTY	194.14
09/06/2019	311009	PORTAGE PUBLIC SCHOOLS (TRANS)	FISH CAMP BUSES	462.31
09/06/2019	311010	PRESTON EAKINS	PIG OUT BALLOON ANIMALS	250.00
09/06/2019	311011	RANDALL, PATRICIA	REIMBURSEMENT FOR ROTARY PMT	131.92
09/06/2019	311012	REUTER, HANNAH & RIETH, ERIC	REIMBURSEMENT FOR CELL PHONE	33.24
09/06/2019	311013	RHOMAR INDUSTRIES INC.	FLEET MAINTENANCE	1,072.55
09/06/2019	311014	SACKETT, JOHNATHAN	OVERPAYMENT FINAL UTILITY	154.60
09/06/2019	311015	SLAVIN MANAGEMENT CONSULTANTS	SLAVIN MANAGEMENT CONSULTANTS	4,813.50
09/06/2019	311016	SMOKED DOWN BBQ LLC	RP LUAU VOLUNTEER MEALS	411.00
09/06/2019	311017	SPARTAN DISTRIBUTORS INC.	MOWER REPAIRS	17.75
09/06/2019	311018	STATE SYSTEMS RADIO, INC	RADIO SERVICES	1,743.60
09/06/2019	311019	STEENSMA LAWN & POWER EQUIPMENT	BANNERMAN PARTS	1,025.12
09/06/2019	311020	STUDENT HAULERS	CLEANUP/ABATEMENT @ 9517 BARRY CT	600.00
09/06/2019	311021	THAD REEDER AUTOMOTIVE LLC	VEHICLE REPAIRS	3,724.73
09/06/2019	311022	THE CANOPEUM, INC.	LUAU TENT RENTAL	255.00
09/06/2019	311023	TODD ARBANAS ENTERPRISES INC.	TREE SERVICES	5,150.00
09/06/2019	311024	TYLER HOME IMPROVEMENTS	CDBG SALEMKA 6328 PEACHTREE	6,460.00
09/06/2019	311025	ULINE, INC.	SAFETY SUPPLIES	2,358.98

Check Date	Check	Vendor Name	Description	Amount
09/06/2019	311026	VANGUARD FIRE & SUPPLY CO., INC.	6-YEAR MAINTENANCE	611.00
09/06/2019	311027	VECTOR NETWORKS, INC.	VIZOR ANNUAL SUBSCRIPTION	8,433.00
09/06/2019	311028	VERIZON WIRELESS	CELLULAR TELEPHONES	2,999.82
09/06/2019	311029	VICKSBURG HARDWARE	CHAINSAW SUPPLIES	578.35
09/06/2019	311030	W MICH CRIMINAL JUSTICE TRAINING CO	SPRING 2019 DISTRIBUTION	1,523.64
09/06/2019	311031	W.T. BERESFORD CO.	NETBADGE CREDITS	150.00
09/06/2019	311032	WASHCO, LLC	POWER WASHING SERVICES	2,500.00
09/06/2019	311033	WASTE MANAGEMENT	DISPOSAL SERVICES	571.12
09/06/2019	311034	WILLIAMS ASSOCIATES ARCHITECTS, LTD	FIRE-NEW STATION 2	11,947.86
09/06/2019	311035	ZEMLICK, EMILY	AMPHITHEATRE DEPOSIT REFU	150.00
09/06/2019	311044	KLINE, MICHAEL	40 STRAW BALES FOR LUAU 2	200.00
09/06/2019	311045	JOHNSON, HOWARD L, & DELLINGER,	EASEMENT - ADMINISTRATIVE ADJST	2,355.00
09/06/2019	311046	JOHNSON, HOWARD L, & DELLINGER,	EASEMENT 8506 & 8515 SPRINKLE	2,645.00
			Total Paper Checks:	**350,634.18**

Check Type: Auto-Pay Payment

08/26/2019		CONSUMERS ENERGY	GAS-ELECTRIC	81.17
08/27/2019		CONSUMERS ENERGY	GAS-ELECTRIC	69.50
09/04/2019		CONSUMERS ENERGY	GAS-ELECTRIC	20.70
09/06/2019		CONSUMERS ENERGY	GAS-ELECTRIC	5,874.92
			Total Auto-Pay Payments:	**6,046.29**
			Grand Total:	**585,592.60**

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Snow Removal - Bid Tabulation

SUPPORTING PERSONNEL: Rod Russell, Director of Public Works

ACTION RECOMMENDED: Award a three-year contract in the annual amount of $43,350, with the option for three, one-year renewals, to Wolverine Lawn Services, Inc. for snow and ice removal of city-owned sidewalk, City Centre facility driveways and parking areas, outlying Fire Stations, the Senior Center, and pedestrian crosswalks, and authorize the City Manager to execute all documents related to the contract on behalf of the city.

For more than 20 years, the City of Portage has contracted snow removal services for city-owned sidewalk and early morning (i.e prior to 7:30 a.m.) snow and ice removal for City Centre facility driveways and parking areas, outlying Fire Stations, the Senior Center, and pedestrian crosswalks. This arrangement allows the majority of city crew members to focus on street snow removal during the winter season. Remaining crew members are available throughout the day to attend to continued snow removal for essential parking lot areas and winter park facilities and cemeteries.

Invitations to bid on this project were sent to more than 30 area contractors, and two bids were received on August 29, 2019 to perform the work. The lowest bid was submitted by Wolverine Lawn Services, Inc., of Kalamazoo, Michigan, in the amount of $43,350 for a total three-year amount of $130,050. Wolverine Lawn Services, Inc. has successfully completed snow removal in the past for the city.

It is recommended that City Council award a three-year contract to Wolverine Lawn Services, Inc. in the annual amount of $43,350 for three years for winter snow removal of crosswalks and early morning snow removal in the City Centre Area, with the option of three, one-year renewals and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Funds are available in the Fiscal Year 2019-2020 Major/Local Streets & Parks Maintenance budgets.

Attachments: 1. Snow Removal - Bid Tabulation

SNOW REMOVAL
BID TABULATION

	Grand Total
Wolverine Lawn Services, Inc. **2420 N. Westnedge Avenue** **Kalamazoo, MI 49004**	$43,350.00
Byholt, Inc. **10636 Sprinkle Road** **Vicksburg, MI 49097**	$95,625.00

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Fire Station No. 1 HVAC Upgrades - Bid Tabulation

SUPPORTING PERSONNEL: Nicholas Armold, Director of Public Safety - Police / Fire Chief
John Podgorski, Senior Deputy Fire Chief

ACTION RECOMMENDED: Approve the low bid from R.W. LaPine, Inc., of Kalamazoo, Michigan, in the amount of $98,750 for HVAC and boiler upgrades at Fire Station No. 1 and authorize the City Manager to execute all documents on behalf of the city.

Fire Station No. 1 has been in service for 35 years and the majority of the Heating, Ventilation and Cooling (HVAC) system consists of original equipment. The existing boiler and HVAC system have several significant mechanical issues, have sustained significant re-builds, and are subject to continual maintenance of the valves, duct work and air handlers. Due to the age and condition of the equipment, replacement parts are no longer available on many of these items, resulting in expensive repairs and significant downtime. Complete replacement of the system was recommended by the HVAC maintenance vendor for the city in the fall of 2018. Due to a lack of available funding, the replacement of these systems was delayed until Fiscal Year 2019-2020.

A request for bids was sought by various methods, including direct mailings to 20 HVAC contractors and eight plan rooms capable of performing the work, a posting on the city's website, and an advertisement placed in the Kalamazoo Gazette. A non-mandatory pre-bid meeting and walk-through of the facility was performed on August 9, 2019, with seven vendors attending. On August 22, 2019, three bids were received. The lowest bid was received from R.W. LaPine, of Kalamazoo, Michigan, in the amount of $98,750.

It is recommended that City Council approve the low bid from R.W. LaPine, Inc., in the amount of $98,750 for HVAC and boiler upgrades at Fire Station No. 1 and authorize the City Manager to execute all documents on behalf of the city.

FUNDING: Funds are available in the FY 2019-2020 Operating and Capital Improvement Project budget.

Attachments: 1. Fire Station No. 1 HVAC System Upgrades - Bid Tabulation

FIRE STATION NO. 1 HVAC SYSTEM UPGRADES
BID TABULATION

	Base Bid
R.W. LaPine, Inc. **5140 East ML Ave.** **PO Box 2045** **Kalamazoo, MI 49003**	$98,750.00
A-1 Refrigeration Sales & Service, Inc. **6461 Valley Industrial Drive** **Kalamazoo, MI 49009**	$159,407.00
Mall City Mechanical Inc. **7184 Douglas Ave.** **Kalamazoo, MI 49009**	$228,730.00

Bids opened 8/22/19 Tabulation prepared 8/23/19

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Construction Board of Appeals Raze Order, 5834 Monticello Avenue

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Accept the order of the Construction Board of Appeals to raze and remove the house, accessory building and any debris at 5834 Monticello Avenue; and authorize the City Administration to take the necessary action to place a lien and assess the property to recover the costs associated with the razing and removal of the structures.

The City of Portage Unsafe Structure Ordinance, Article 13, Section 42, has been adopted by the city that requires buildings to be maintained in a safe and sanitary condition. The ordinance protects the health, safety, and welfare of the residents of the building and the surrounding neighborhood. The current condition of the house and accessory building at 5834 Monticello Avenue present a negative impact on the neighborhood and create an attractive nuisance.

On June 8, 2018, in accordance with the Unsafe Structure Ordinance, Article 13, Section 42-135, an Unsafe/Unfit Structure Notice was posted onsite and mailed to the property owner of record. The notice provided 30 days to bring the house and accessory building into compliance with City Codes. Although staff has worked with the property owner for an extended period of time, no effort was demonstrated to correct the violations.

On August 8, 2019, the Construction Board of Appeals held a Show Cause Hearing to review the matter. At the conclusion of the hearing, an order was established by the Board requiring that within 30 days, the house and accessory building be repaired or razed and removed from the site. Failure to comply with the order would result in the matter being referred to City Council with a recommendation that the city be authorized to demolish and remove the house, accessory building and debris on site. Since the establishment of the Construction Board of Appeals order, no action to repair or remove the house and accessory building has occurred.

If City Council approves the order and authorizes the City Administration to take the necessary action to raze and remove the house and accessory building, the costs will be placed as a lien against the real property and reported to the City Assessor and Finance Director. If unpaid, the cost will be added to the tax roll and collected consistent with Section 42-1353(5) of the Code of Ordinances.

It is recommended that City Council accept the order of the Construction Board of Appeals to raze and remove the house and accessory building at 5834 Monticello Avenue and authorize the City Administration to take the necessary action to place a lien and assess the property to recover the cost

associated with the action, consistent with the city ordinance.

In accordance with the Unsafe Structure Ordinance, abatement of the property may begin in 20 days following approval by City Council.

FUNDING: N/A

Attachments:

1. Construction Board of Appeals communication - July 23, 2019
2. Construction Board of Appeals minutes - August 8, 2019
3. Communicaiton to property owner of 5834 Monticello Avenue - August 12, 2019

PORTAGE
A Natural Place to Move

Department of Community Development

TO: Construction Board of Appeals

FROM: Vicki Georgeau, Director of Community Development

DATE: July 23, 2019

SUBJECT: Show Cause Hearing – 5834 Monticello Avenue

CODE SECTION: Article 13, Section 42-1341 - Unsafe Structures, City of Portage Codified Ordinances

In compliance with the Unsafe Structure Ordinance, a June 8, 2018 Unsafe Structure notice was sent certified mail and posted at the site. The notice advised that the property owner had 30-days to repair or remove the buildings or further enforcement action would be pursued. In an effort to assist the property owner, extensions to the Unsafe Structure Notice have been provided in anticipation the owner would facilitate the demolition and removal of the buildings. Unfortunately, corrective action for the buildings has not occurred and they have become an attractive nuisance and detriment to the surrounding neighborhood.

The vacant single family house and accessory building located at 5834 Monticello Avenue have not been made safe or removed from the site. The buildings are open to the elements and continue to deteriorate. The structural integrity of the buildings is questioned and the utility components for the house (electrical, plumbing and mechanical systems) do not appear to be in operational.

It is recommended that the Construction Board order the vacant single family house and accessory building located at 5834 Monticello Avenue be razed and removed from the site along with any debris within 30-days. Should the owner fail to comply with the order, the matter shall be referred to City Council with a recommendation that the city be authorized to raze/remove the buildings and any junk and debris on the site. Any and all costs incurred for such action shall be due and payable as permitted in the City of Portage Unsafe Structure Ordinance.

Attachments:
- Vicinity map of 5834 Monticello Avenue
- Show Cause Hearing notification dated July 18, 2019
- Unsafe structure notifications dated June 8, 2018
- Photographs of 5834 Monticello Avenue

T:\COMMDEV\2019- 2020 Department Files\Address Files\2019 07 23 VG 5834 Monticello Avenue (Construction Board Recommendation).docx

7900 South Westnedge Avenue • Portage, Michigan 49002 • (269) 329-4477
www.portagemi.gov

PORTAGE
A Natural Place to Move

Department of Community Development

June 8, 2018

Sent Certified Mail and Posted on Site

Burton Bird & Tammy Gildea-Bird
5840 Monticello Avenue
Portage, MI 49024

Dear Burton Bird & Tammy Gildea-Bird:

RE: Unfit/Unsafe Structure - Notice to Owner/Occupant – 5834 Monticello Avenue

This Communication is provided as notification that the house and accessory building located at 5834 Monticello Avenue has been deemed unfit/unsafe for occupancy. A recent inspection of the property on June 7, 2018 has indicated that the house and accessory building continues to decline with the following deficiencies:

1. The house and accessory building are open to casual entry and need to be secured immediately.
2. The structural integrity of the house and accessory building is questioned due to years of neglect, weather intrusion and rot.
3. The roofs of the house and accessory building are in severe disrepair with missing shingles and/or roof components allowing weather and animal intrusion. Several areas in the house show signs of ceiling damage/failure due to water.
4. The required occupancy components for the house (electrical, plumbing and mechanical systems) need to be repaired and operational. Certification of each of the components will need to be verified by a State of Michigan licensed contractor for the respective trade.

The City of Portage property maintenance regulations require that properties be maintained/repaired in the interests of the neighborhood and to protect the public health, safety and welfare. Please be advised that the current condition of the house and accessory building at 5834 Monticello Avenue is unfit/unsafe as defined in Section 42-1341 of the City of Portage Code of Ordinances. For life-safety purposes, please initiate corrective action to either: have the house and accessory building repaired for occupancy, or razed and removed from the site within thirty (30) days to avoid further enforcement action.

If you have any questions or need further information or assistance in this matter, the Department of Community Development is readily available to assist you and can be contacted at 269-329-4466.

Sincerely,

Christopher Forth, AICP
Acting Director

C. Terry A. Novak, Deputy Director of Building and Housing Services

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PORTAGE
A Natural Place to Move

Department of Community Development

July 18, 2019

Sent Certified Mail and Posted on Site

Burton Bird & Tammy Gildea-Bird
5840 Monticello Avenue
Portage, MI 49024

Dear Burton Bird & Tammy Gildea-Bird

RE: Notice of Show Cause Hearing – 5834 Monticello Avenue

The ongoing condition of the vacant house and accessory building located at 5834 Monticello is unsafe/unfit for occupancy as defined in Section 42-1341 of the City of Portage Code of Ordinances. The house and accessory building have not been repaired or removed from the property as required by the June 8, 2018 Unsafe Structure notice.

As a result of the continued violations, you are hereby notified that a hearing on the condition of the house and accessory building at 5834 Monticello Avenue will be held before the Construction Board of Appeals at 5:00 P.M. on August 8, 2019. The meeting will be held in Conference Room One of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. As the property owner at this hearing, you will have the opportunity to show cause as to why the house and accessory building should not be razed and removed from the property. You shall also have the right at the hearing to cross-examine witnesses who testify against the owner's and/or occupant's interests and the right to produce witnesses on your own behalf, including the use of pictures, video tapes or other recording devices.

The decision of the Construction Board of Appeals may be appealed to City Council for review within ten (10) days after the decision of the Board and, after review by Council, may be appealed to the Kalamazoo County Circuit Court within twenty (20) days after the decision of the Council.

If you have any questions, please contact the Division of Building and Housing Services, Department of Community Development, 329-4477.

Sincerely,

Vicki Georgeau

Vicki Georgeau, AICP
Director

Attachment: Copy of June 8, 2018 Unsafe Structure Notices

ec: Terry A. Novak, Deputy Director of Building and Housing Services
Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services

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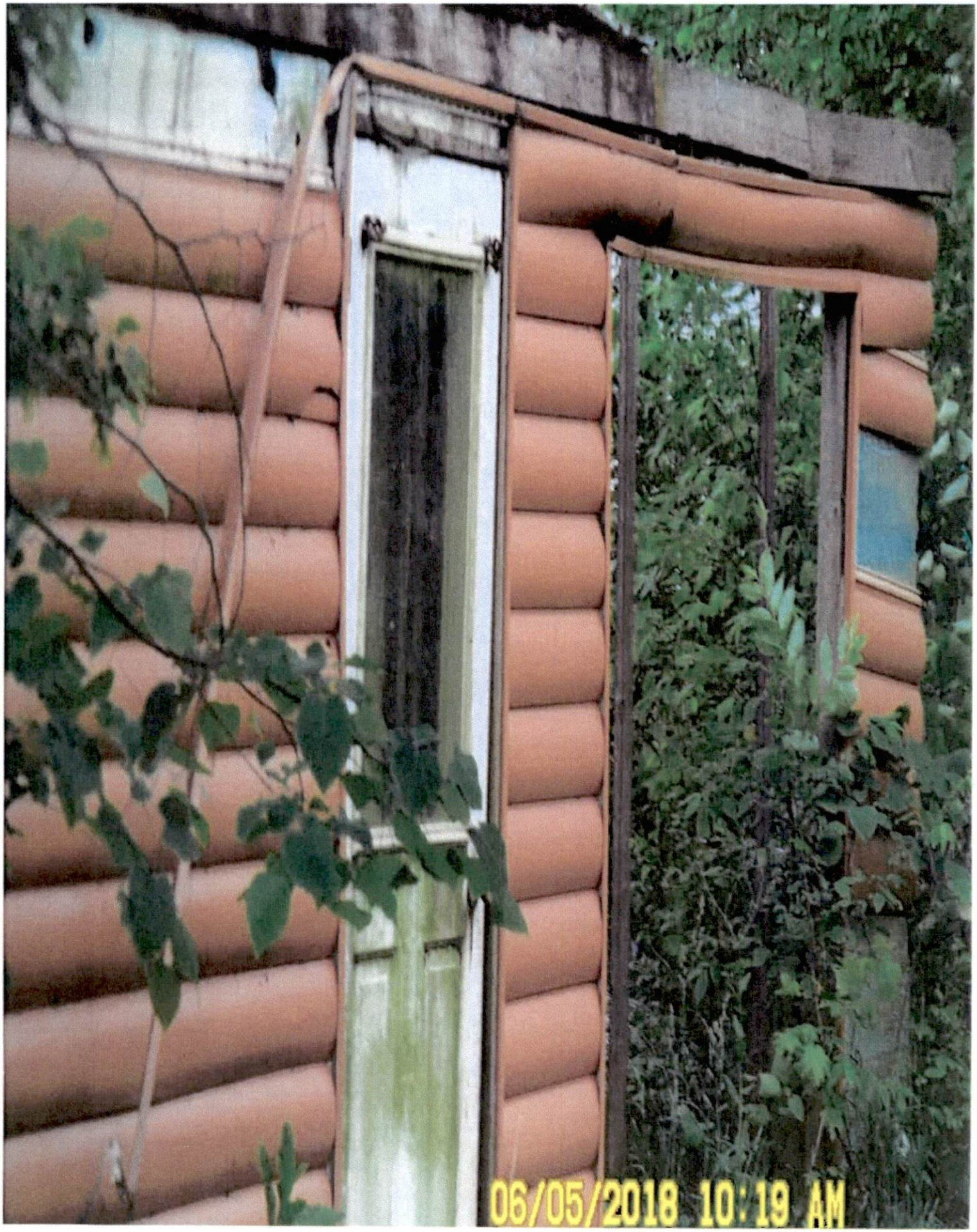
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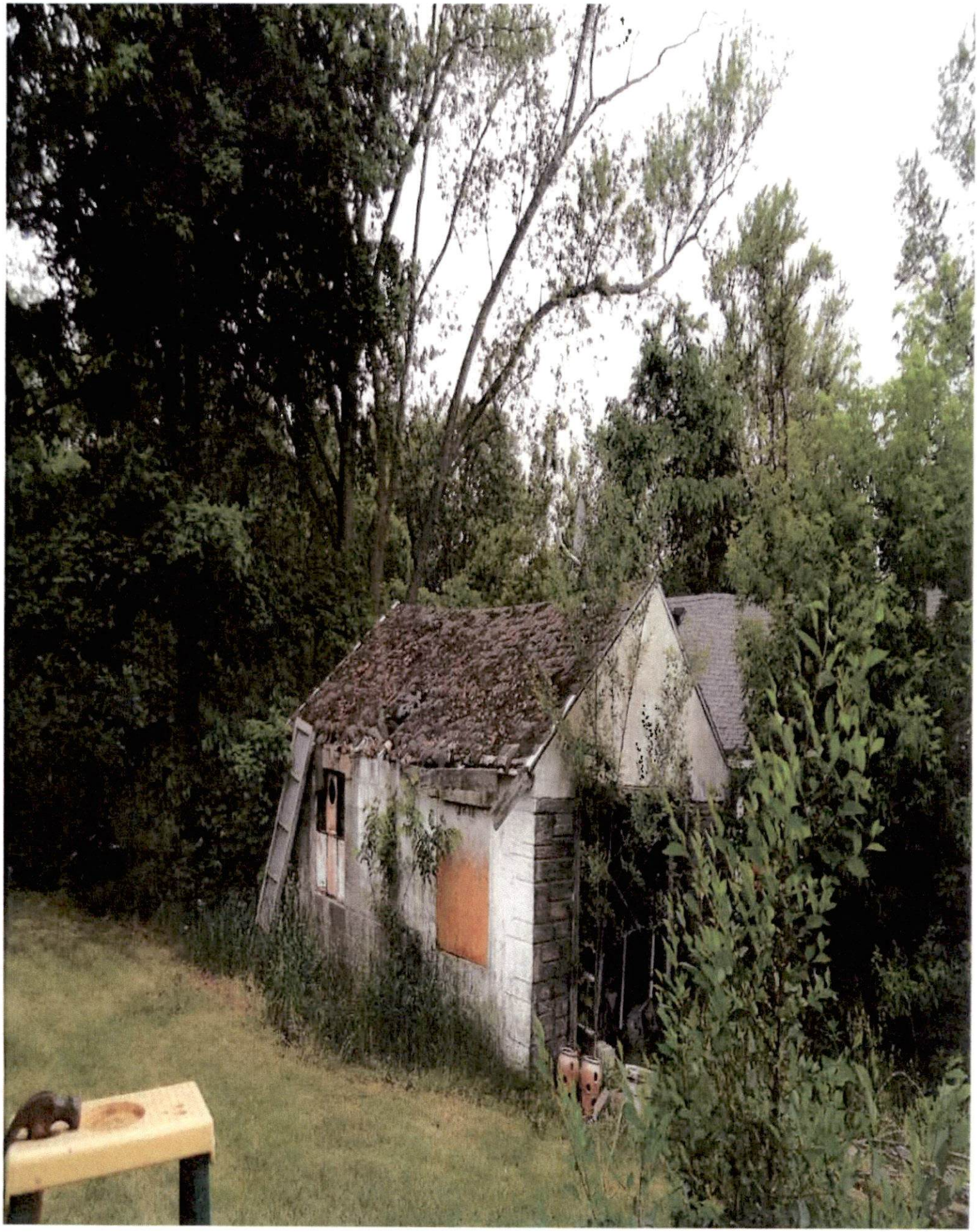

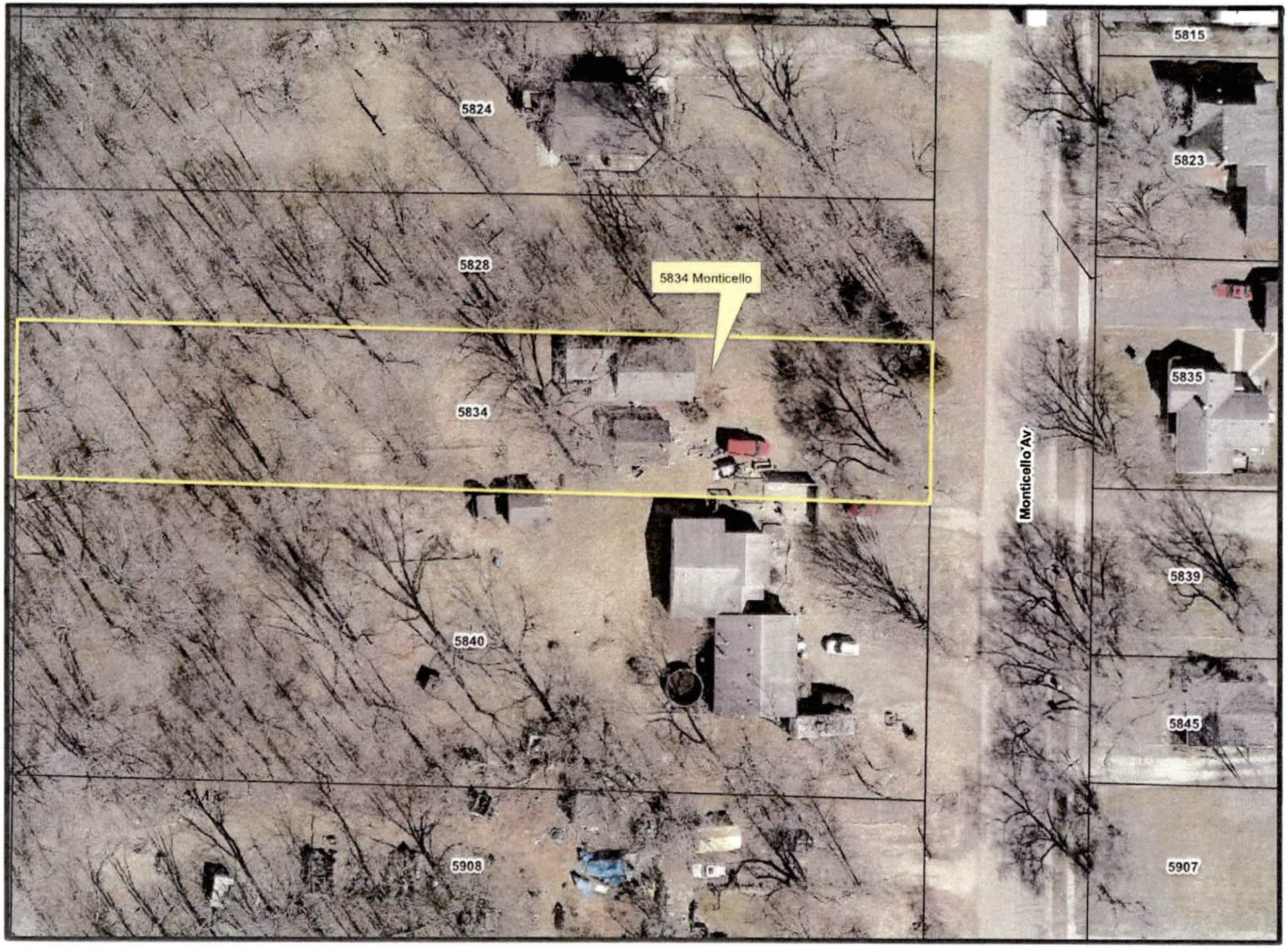

Monticello Vicinity Map

Legend

5834 Monticello

1 inch = 50 feet

DRAFT

CITY OF PORTAGE CONSTRUCTION BOARD OF APPEALS

Minutes of Meeting – August 8, 2019

The City of Portage Construction Board of Appeals meeting of August 8, 2019 was called to order at 5:00 PM in Conference Room #1 of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan.

MEMBERS PRESENT:

Bill Koopsen; William Leach; Todd Gasaway; Gary Gilchrist; Barney Martlew; Sheldon Smith and George Theodoru.

MEMBERS ABSENT:

None

MEMBERS EXCUSED:

None.

IN ATTENDANCE:

Terry Novak, Deputy Director of Building and Housing Services and Mike Beery, Senior Building Inspector.

ELECTION OF CHAIRMAN:

Gary Gilchrist was selected as the Construction Board of Appeals Chairman.

APPROVAL OF MINUTES:

The minutes of March 14, 2019 were approved.

BOARD ACTION:

5834 Monticello Avenue – Show Cause Hearing

Deputy Director Novak introduced the item to the Board and provided information pertaining to the condition of the house and accessory building. No one was in attendance to represent the property. Novak advised the Board of efforts to assist the property owner due to his medical condition. Novak also advised the Board of the legal notifications that were provided. Senior Building Inspector Mike

Beery provided detail of the condition of the house and accessory building. Members of the Board inquired about various items including; potential value of the land with and without the house, potential to repair the house, and repayment of the cost incurred if the city completed the demolition work. Staff responded that the land would be worth more with the house removed as the house had been open to the elements and was past the point of being repaired. Staff also explained the process to recover the cost for the demolition should the property owner not pay.

After further discussion, a motion was made by Member Smith that the vacant single family house and accessory building located at 5834 Monticello Avenue be razed and removed from the site along with any debris within 30-days. Should the owner fail to comply with the order, the matter shall be referred to City Council with a recommendation that the city be authorized to raze/remove the buildings and any junk and debris on the site. Any and all costs incurred for such action shall be due and payable as permitted in the City of Portage Unsafe Structure Ordinance. William Leach seconded the motion. The motion passed unanimously.

ADJOURNMENT:

The Board meeting adjourned at 5:30.

Respectfully Submitted,

Terry A. Novak,
Deputy Director of Building and Housing Services

T:\COMMDEV\2019- 2020 Department Files\Board Files\Construction\Minutes\2019 08 08 CBA Minutes.docx

PORTAGE
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Department of Community Development

August 12, 2019

Sent Certified Mail and Posted

Burton Bird & Tammy Gildea-Bird
5840 Monticello Avenue
Portage, MI 49024

Dear Burton Bird & Tammy Gildea-Bird

RE: Findings of Construction Board of Appeals Show Cause Hearing – 5834 Monticello Avenue

This correspondence is provided to formally advise you of the Construction Board of Appeals Order for the vacant single family house and accessory building located at 5834 Monticello Avenue.

On August 8, 2019 at 5:00 PM in Conference Room #1, Portage City Hall, the Construction Board of Appeals held a Show Cause Hearing for the house and accessory building located at 5834 Monticello Avenue. At the conclusion of the hearing, an order was established by the Board requiring that the house and accessory building located at 5834 Monticello Avenue be razed and removed from the site along with any debris within 30-days. Should the owner fail to comply with the order, the matter is to be referred to City Council with a recommendation that the city be authorized to raze/remove the buildings and any junk and debris on the site. Any and all costs incurred for such action shall be due and payable as permitted in the City of Portage Unsafe Structure Ordinance.

The decision of the Construction Board of Appeals may be appealed to City Council for review within twenty (20) days after the decision of the Board and, after review by Council, may be appealed to the Kalamazoo County Circuit Court within twenty (20) days after the decision of the Council.

If you have any questions, please contact the Division of Building and Housing Services, Department of Development, 329-4477.

Sincerely,

Terry Novak,
Deputy Director of Building and Housing Services

ec: Vicki Georgeau, Community Development Director
Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services

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TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Stryker Corporation - PA 198 Tax Abatement

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Adopt Resolution No. 3-19 setting a public hearing on October 1, 2019 for the issuance of the Industrial Facilities Exemption Certificate to the Stryker Corporation for real property investments in the estimated amount of $6,265,544 at 3800 East Centre Avenue and 8065 Merchant Place.

Attached is a request for an Industrial Facilities Exemption Certificate for Industrial Development District No. 82 for the Stryker Corporation at 3800 East Centre Avenue and 8065 Merchant Place. City Council authorized the expansion of Industrial Development District No. 82 on May 21, 2019 to include 8065 Merchant Place.

Stryker Medical acquired 8065 Merchant Place for the purpose of constructing a 320-space, off-street parking lot to support the existing building, and a 253,000-square-foot building addition. Construction began in the summer of 2018 and is near completion. In addition to the proposed parking lot at 8065 Merchant Place, Stryker Medical plans to construct a 15,294-square-foot building addition off the northwest corner of the existing building, 20,972 square feet of new internal office space and a 2,865-square-foot pedestrian bridge on the east side of the building to increase employee safety. Taken together, this additional 39,131-square-foot building expansion represents a $6.3 million investment. Furthermore, the existing facility will undergo a substantial renovation of more than 211,400 square feet of the building area, which all together will include new test labs and research and development functionality, as well as renovated office space.

The current tax abatement application is directly related to the tax abatement request approved in June 2018 involving the 253,000-square-foot building addition on the south side of the facility, which was a $35.8 million construction project that will create 150 new jobs over the next two years. The proposed $6.3 million investment will retain 1,011 existing jobs and supplement the investment already underway by Stryker Medical. An analysis of the tax abatement impact and project benefits, as well as the Tax Abatement Agreement and Affidavit with Regard to Fees will be provided to Council in the October 1, 2019 agenda.

It is recommended that City Council adopt Resolution No. 3-19 setting a public hearing for October 1, 2019, on the issuance of the Industrial Facilities Exemption Certificate for the Stryker Corporation for real property in the estimated amount of $6,265,544 at 3800 East Centre Avenue and 8065 Merchant Place.

FUNDING: N/A

Attachments:

1. Stryker Industrial Facilities Exemption Certificate Application
2. Stryker Medical Preliminary Site Plan - Parking Lot and Building Expansion
3. IDD 82 Amended Map
4. Stryker Resolution No. 3-19

stryker

September 3, 2019

Portage City Council

7900 South Westnedge Ave

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 Orthopedics, Medical and Surgical equipment, 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 and Global Quality and Operations (GQO)) continues to grow within Western Michigan.

Stryker's Medical business is close to completing the 253,000 square foot addition to its facility for GQO use. With the construction of this space coming to an end, the commercial business is now pursuing additional renovation and new construction for commercial use in this location. Stryker recently acquired 8065 Merchant Place for the purpose of constructing a 320-space off-street parking lot to support the existing building, and the building addition currently under construction. In addition to the proposed parking lot at 8065 Merchant Place, Stryker plans to construct 39,131 square feet of additional commercial space to the building that will include: a 15,294 square foot building addition off the Northwest corner of the existing building that will include a space for a new 10-meter electromagnetic chamber, expanded show room, additional office space, and a new employee entrance on the West side of the building. Also included in the proposed new construction would be a 2,865 square foot pedestrian bridge over the truck bays on the East side of the building to increase employee safety and an additional 20,972 square feet of new internal office space to be constructed within the existing facility that will house the new product development teams. Taken together, this represents an approximate $6 million investment. In addition to this investment, the North end of the facility will undergo a substantial renovation to over 211,400 square feet of the existing building, which will include new test labs, research and development functionality, as well as renovations to the office space, customer show room and fitness facility.

All the above-mentioned work that will occur and is nearing completion will help facilitate the creation of approximately 260 new positions by year-end 2025. The average wage of 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.

Stryker appreciates the support and consideration from the City of Portage and looks forward to further growth within the community.

Sincerely,

Ron Centofanti
Senior Program Manager
Stryker Medical

Medical
3800 East Centre Ave, Portage, MI 49002 USA | P +1 269 329 2100| | stryker.com

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
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

- [x] 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) ▸ $6,265,544 Real Property Costs
* Attach list of improvements and associated costs.
* Also attach a copy of building permit if project has already begun.

6b. Cost of machinery, equipment, furniture and fixtures ▸ N/A Personal Property Costs
* Attach itemized listing with month, day and year of beginning of installation, plus total

6c. Total Project Costs ▸ $6,265,544 Total of Real & Personal Costs
* Round Costs to Nearest Dollar

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)	End Date (M/D/Y)	
Real Property Improvements	07/15/2019	01/08/2021	[x] Owned [ ] Leased
Personal Property Improvements	07/15/2019	01/08/2021	[x] 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 [x] No

▸ 9. No. of existing jobs at this facility that will be retained as a result of this project.
1,011

▸ 10. No. of new jobs at this facility expected to create within 2 years of completion.
0

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:
[x] Industrial Development District [ ] Plant Rehabilitation District

▸ 12b. Date district was established by local government unit (contact local unit)
May 21, 2019

▸ 12c. Is this application for a speculative building (Sec. 3(8))?
[ ] Yes [x] 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	13b. Telephone Number	13c. Fax Number	13d. E-mail Address
Tracy Day	(425) 867-4041	(425) 867-4009	tracy.day@stryker.com
14a. Name of Contact Person	14b. Telephone Number	14c. Fax Number	14d. E-mail Address
Tracy Day	(425) 867-4041	(425) 867-4009	tracy.day@stryker.com
▶ 15a. Name of Company Officer (No Authorized Agents) Ron Centofanti			
15b. Signature of Company Officer (No Authorized Agents)		15c. Fax Number	15d. Date 9/3/19
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 3800 E Centre Ave, Portage MI 49002		15f. Telephone Number (269) 389-6576	15g. E-mail Address ron.centofanti@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)

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.

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)

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				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

stryker

September 3, 2019

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 (the "Property"), and to the best of our knowledge, Stryker is in compliance with all applicable environmental requirements.

Additionally, with respect to the Property, 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,

Robert Pomper
Senior Corporate Operations Counsel
Stryker Corporation

Ron Centofani
Senior Program Manager
Stryker Medical

Acknowledged before me in Kalamazoo County, MI, on September 3, 2019, by Robert Pomper, Senior Corporate Operations Counsel of Stryker Corporation, a Michigan corporation and by Ron Centofani, its Senior Program Manager.

Subscribed and sworn before me, this 3rd day of September, 2019, a Notary Public in and for Kalamazoo County, State of Michigan.

Diane L. Lunt
(Signature)
NOTARY PUBLIC
My Commission expires August 22, 2020

STRYKER CORPORATION - PA 198 APPLICATION ATTACHMENT

3800 E Centre Ave - IFEC Application Land & Building Improvements

Beginning Date of Installation: **8/15/2019**

Ending Date of Installation **1/8/2021**

EQUIPMENT	INSTALLATION DATE		COSTS
Foundations	9/1/2019 - 10/10/2019	$	474,000.00
Structure / Exterior Enclosure	10/29/2019 - 3/23/2020	$	2,958,708.00
Interior Finishes	7/15/2019 - 1/8/2021		
Metal Studs & Drywall		$	535,514.60
Flooring		$	280,176.00
Painting		$	147,092.40
Conveying/Plumbing/HVAC/Electrical	12/17/2019 - 1/8/2021	$	1,385,978.00
Private Sitework	8/19/19 - 11/1/2019		
Excavation		$	266,241.25
Utilities		$	145,222.50
Asphalt		$	72,611.25
		$	**6,265,544.00**

CITY OF PORTAGE
RESOLUTION NO. 2-19
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 May 21, 2019, at 7:00 p.m. local time at City Hall in the City of Portage, Michigan.

PRESENT: Burns, Ford, Knapp, Pearson, Randall, Reid, Urban

ABSENT: None

The following resolution was offered by:

COUNCILMEMBER: Knapp, and supported by:

COUNCILMEMBER: Pearson.

WHEREAS, the City Council has met in public hearing as heretofore resolved and noticed for the purpose of determining whether a certain area described in attached Exhibit A 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 as Expanded Portage Industrial Development District No.82A:

Please see attached Exhibit "A"

Adopted Seven (7) to Zero (0)

ADOPTED: AYES: Councilmember Burns, Ford, Knapp, Pearson, Randall, Reid, Urban

NAYS: Councilmember None.

ABSENT: Councilmember None.

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 May 21, 2019, 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: 5/1/2015
By: _____
City Attorney

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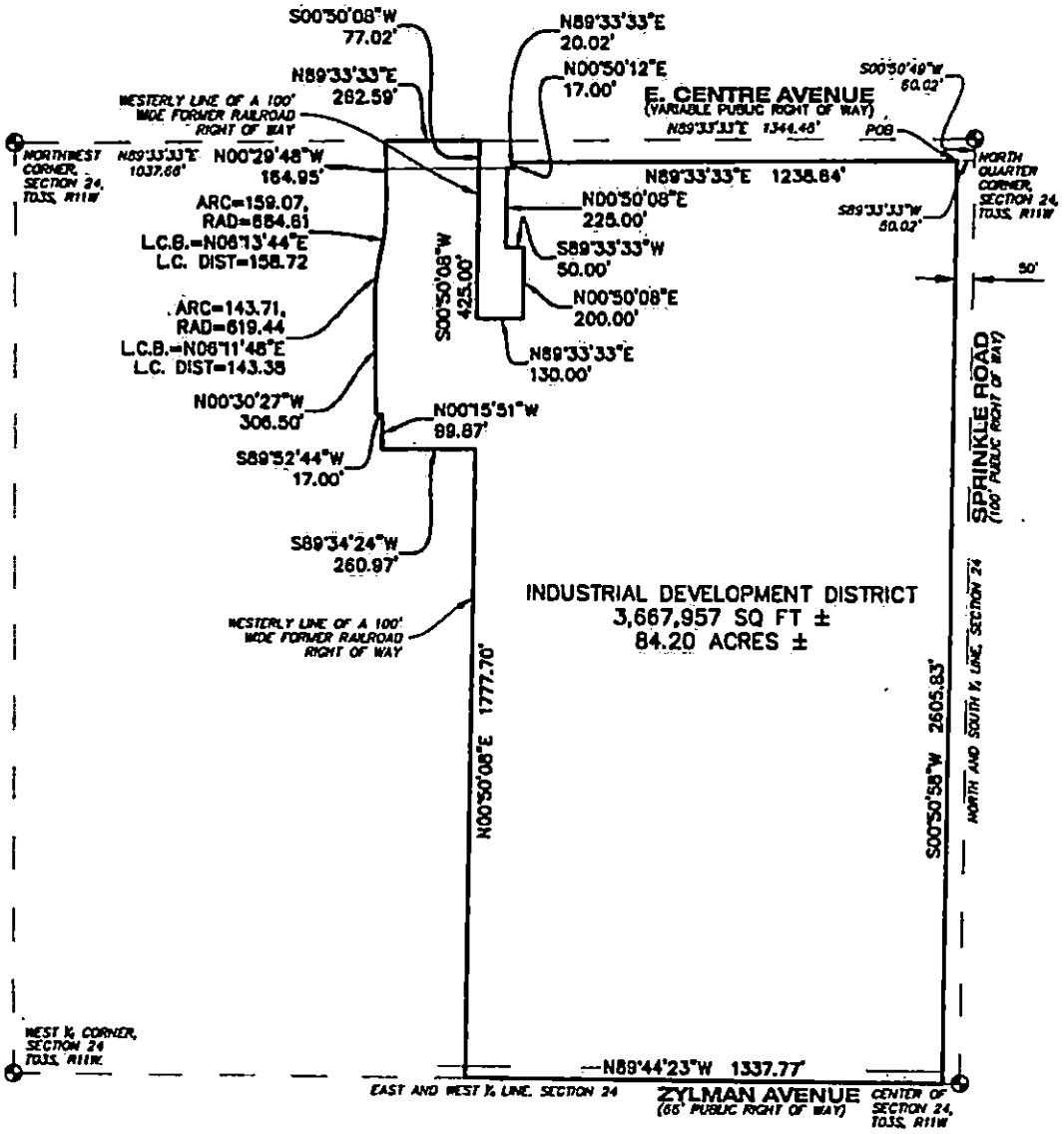
EXHIBIT A

(legal description)

INDUSTRIAL DEVELOPMENT DISTRICT

COMBINED PARCEL



Drawing No.	Title	Job No: 18-0138
1	INDUSTRIAL DEVELOPMENT DISTRICT	Date: 04/18/19
1 OF 4	Project: STRYKER MEDICAL	Scale: AS NOTED
	Client: STRYKER CORPORATION	P.M.: TAK
		Drt: RDB
		QA/QC: 04/18/19

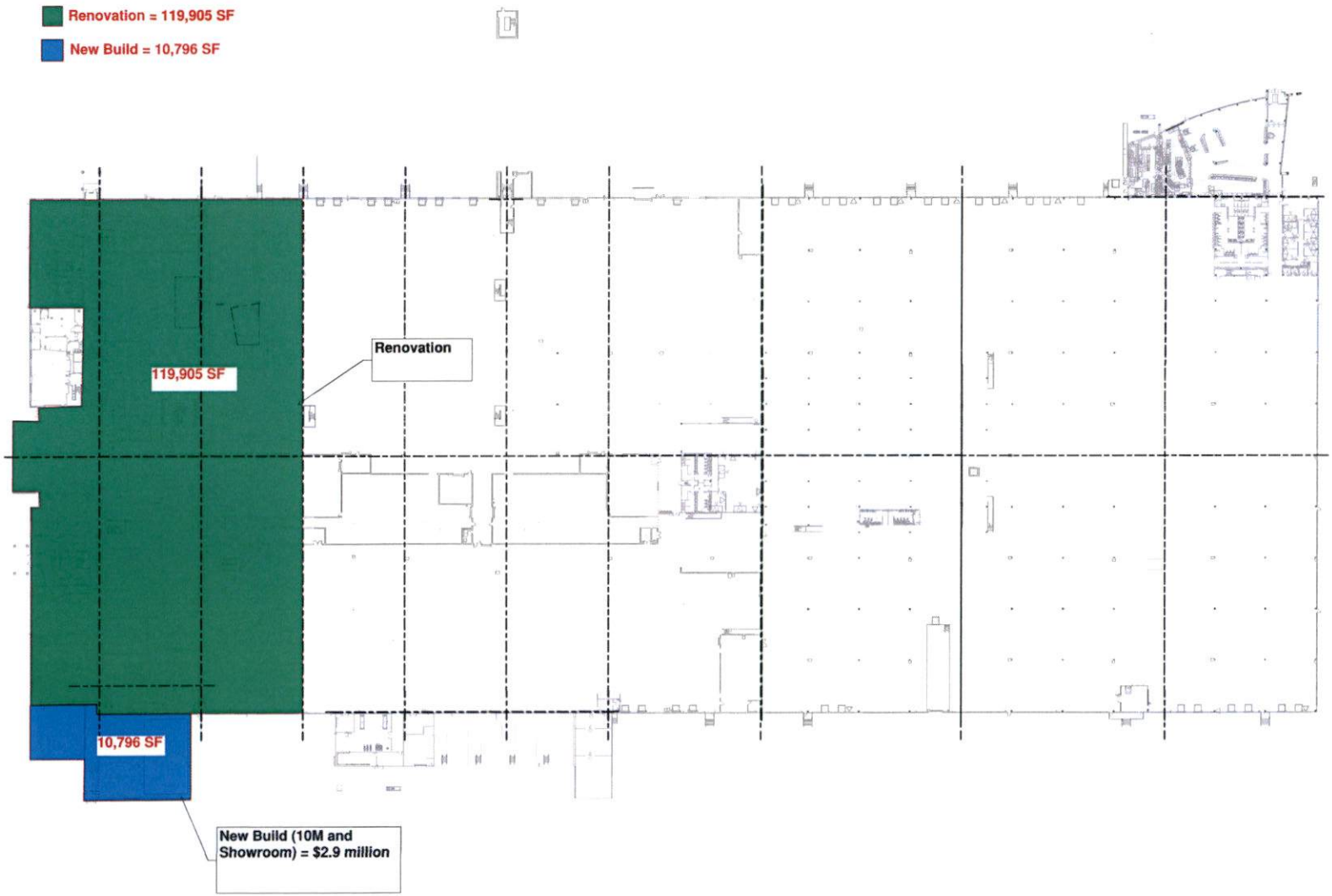
hurley & stewart

hurley & stewart, llc
2200 north 11th street
kalamazoo, michigan 49009
269.342.1980 fax 269.342.4981
www.hurleystewart.com

COMBINED PARCEL DESCRIPTION

PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWN 03 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, COUNTY OF KALAMAZOO, STATE OF MICHIGAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 24, TOWN 03 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, COUNTY OF KALAMAZOO, STATE OF MICHIGAN; THENCE ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION, SOUTH 00 DEGREES 50 MINUTES 49 SECONDS WEST 60.02 FEET (RECORDED AS SOUTH 00 DEGREES 35 MINUTES 50 SECONDS WEST 60.02 FEET) TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF EAST CENTRE AVENUE; THENCE ALONG SAID LINE EXTENDED, SOUTH 89 DEGREES 33 MINUTES 33 SECONDS WEST 50.02 FEET (RECORDED AS SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST 50.01 FEET) TO THE WESTERLY RIGHT OF WAY OF SPRINKLE ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY, SOUTH 00 DEGREES 50 MINUTES 58 SECONDS WEST 2605.83 FEET (RECORDED AS SOUTH 00 DEGREES 35 MINUTES 50 SECONDS WEST 2605.59) TO THE EAST AND WEST QUARTER LINE OF SAID SECTION 24; THENCE ALONG SAID EAST AND WEST QUARTER LINE, NORTH 89 DEGREES 44 MINUTES 23 SECONDS WEST 1337.77 FEET (RECORDED AS NORTH 89 DEGREES 59 MINUTES 46 SECONDS WEST 1337.84 FEET) TO THE WESTERLY LINE OF A 100 FOOT WIDE FORMER RAILROAD RIGHT OF WAY AS MONUMENTED; THENCE ALONG THE WESTERLY LINE OF SAID RIGHT OF WAY, NORTH 00 DEGREES 50 MINUTES 08 SECONDS EAST 1777.70 FEET (RECORDED AS NORTH 00 DEGREES 35 MINUTES 11 SECONDS EAST); THENCE SOUTH 89 DEGREES 34 MINUTES 24 SECONDS WEST 260.97 FEET TO A FOUND CAPPED IRON BEARING LICENSE NUMBER 57885 (RECORDED AS PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST 260.92 FEET); THENCE NORTH 00 DEGREES 15 MINUTES 51 SECONDS WEST 99.87 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 100.00 FEET); THENCE SOUTH 89 DEGREES 52 MINUTES 44 SECONDS WEST 17.00 FEET TO A FOUND CAPPED IRON BEARING LICENSE NUMBER 57885 (RECORDED AS PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89 DEGREES 18 MINUTES 32 SECONDS WEST 17.00 FEET); THENCE NORTH 00 DEGREES 30 MINUTES 27 SECONDS WEST 306.50 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 306.50 FEET); THENCE NORTHEASTERLY 143.71 FEET ALONG THE ARC OF A 619.44 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 06 DEGREES 11 MINUTES 48 SECONDS EAST 143.38 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS 143.68 FEET ALONG THE ARC OF A 618.61 FOOT RADIUS CURVE TO THE RIGHT THE CHORD OF WHICH BEARS NORTH 05 DEGREES 57 MINUTES 47 SECONDS EAST 143.36 FEET); THENCE NORTHERLY 159.07 FEET ALONG THE ARC OF A 684.61 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 06 DEGREES 13 MINUTES 44 SECONDS EAST 158.72 FEET TO A FOUND CONCRETE MONUMENT (RECORDED AS 159.03 FEET ALONG THE ARC OF A 684.61 FOOT RADIUS CURVE TO THE LEFT THE CHORD OF WHICH BEARS NORTH 05 DEGREES 57 MINUTES 48 SECONDS EAST 158.67 FEET); THENCE NORTH 00 DEGREES 29 MINUTES 48 SECONDS WEST 164.95 FEET (RECORDED AS PERPENDICULAR TO THE NORTH LINE OF SECTION 24, NORTH 00 DEGREES 41 MINUTES 28 SECONDS WEST 165.00 FEET) TO A POINT ON THE NORTH LINE OF SECTION 24, SAID POINT LAYING NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 1037.66 FEET FROM THE NORTHWEST CORNER OF SECTION 24; THENCE ALONG THE NORTH LINE OF SECTION 24, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 262.59 FEET TO THE WEST RIGHT OF WAY LINE OF A FORMER RAILROAD AS MONUMENTED (FORMERLY NORTHFOLK SOUTHERN, FORMERLY CONRAIL, AND FORMERLY GRAND RAPIDS AND INDIANA) (RECORDED AS NORTH 89 DEGREES 18 MINUTES 32 SECONDS EAST 262.59 FEET); THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 00 DEGREES 50 MINUTES 08 SECONDS WEST 77.02 FEET TO THE SOUTHERLY RIGHT OF WAY OF EAST CENTRE AVENUE; THENCE CONTINUING ALONG SAID WEST LINE, SOUTH 00 DEGREES 50 MINUTES 08 SECONDS WEST 425.00 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SECTION 24, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 130.00 FEET; THENCE PARALLEL WITH THE WEST RIGHT OF WAY LINE OF SAID FORMER RAIL ROAD AS MONUMENTED, NORTH 00 DEGREES 50 MINUTES 08 SECONDS EAST 200.00 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SECTION 24, SOUTH 89 DEGREES 33 MINUTES 33 SECONDS WEST 50.00 FEET; THENCE PARALLEL WITH WEST RIGHT OF WAY LINE OF SAID FORMER RAIL ROAD AS MONUMENTED, NORTH 00 DEGREES 50 MINUTES 08 SECONDS EAST 225.00 FEET TO THE SOUTHERLY RIGHT OF WAY OF EAST CENTRE AVENUE; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 20.02 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, NORTH 00 DEGREES 50 MINUTES 12 SECONDS EAST 17.00 FEET (RECORDED AS NORTH 00 DEGREES 35 MINUTES 11 SECONDS EAST 17.00 FEET); THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY, NORTH 89 DEGREES 33 MINUTES 33 SECONDS EAST 1238.64 FEET (RECORDED AS NORTH 89 DEGREES 18 MINUTES 32 SECONDS EAST 1238.57 FEET) TO THE POINT OF BEGINNING. SUBJECT TO EASEMENTS AND RESTRICTIONS APPARENT AND OF RECORD. SAID PARCEL CONTAINS 84.2 ± ACRES (3,667,957 ± SQUARE FEET).

Drawing No. 1 4 OF 4	Title INDUSTRIAL DEVELOPMENT DISTRICT Project STRYKER MEDICAL Client STRYKER CORPORATION	Job No.: 16-0138 Date 04/18/16 Scale: AS NOTED P.M.: TAK Drt. BDB QA/QC 04/18/16	hurley & stewart hurley & stewart, llc 2900 south 11th street kalamazoo, michigan 49009 269.552.4900 fax 269.552.4901 www.hurleystewart.com



FIRST FLOOR PLAN

TowerPinkste

Tower Pinkster Titus Associates Inc

DATE
FEBRUARY 28, 2019

PROJECT TITLE
STRYKER GQ&C

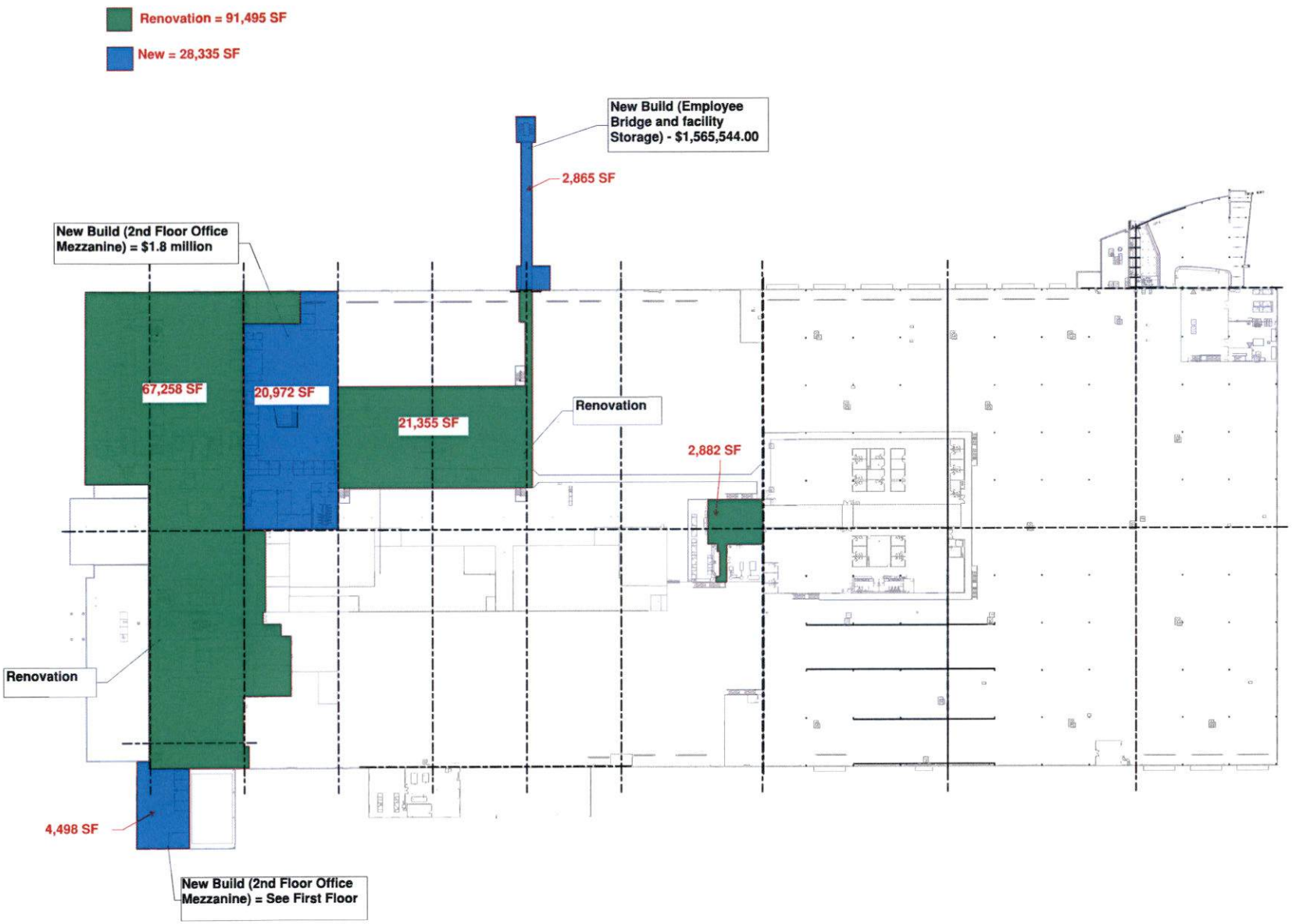
STRYKER

Portage, Michigan

ISSUED FOR

SHEET TITLE
OVERALL FIRST FLOOR PLAN

SHEET NUMBER
A 101XX
18-129.00



SECOND FLOOR PLAN

TowerPinkste

Tower Pinkster Titus Associates In

242 East Kalamazoo Avenue, Suite 200
Kalamazoo, Michigan 49007-5858
269.343.0123 PHONE 269.343.9633 FAX

4 East Fulton Street, Suite 200
Grand Rapids, Michigan 49503
616.456.5944 PHONE 616.456.5936 FAX

TOWERPINKSTER.COM

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DATE
FEBRUARY 28, 2019

PROJECT TITLE
STRYKER GQ&(

STRYKER

Portage, Michigan

ISSUED FOR

SHEET TITLE
OVERALL SECOND FLOOI PLAN

SHEET NUMBER
A 101YY
18-129.00

ZONING REQUIREMENTS

ZONING
THE SITE IS ZONE I-2 (HEAVY INDUSTRY)
SETBACKS: FRONT – 100'
SIDES – 1/2 HEIGHT OF STRUCTURE = 16'
REAR – 1/2 HEIGHT OF STRUCTURE = 16'

PROPOSED USE
MANUFACTURING FACILITY
CONSTRUCTION TYPE II-B

PARKING
TOTAL PARKING SPACES REQUIRED:
5 + 1 1/2 SPACES x TOTAL EMPLOYEES IN LARGEST SHIFT =
5 + 1 1/2 x 1,180 EMPLOYEES = 1,775 SPACES

TOTAL PARKING PROVIDED = 1,328 (CURRENT) + 323 (PROPOSED)
= 1,651 PROPOSED SPACES
+ 162 BANKED SPACES
= 1,813 TOTAL SPACES

BARRIER FREE SPACES REQUIRED:
(1,656 X 0.02) = 33 SPACES

TOTAL BARRIER FREE PROVIDED = 29 (CURRENT) + 8 (PROPOSED)
= 37 SPACES

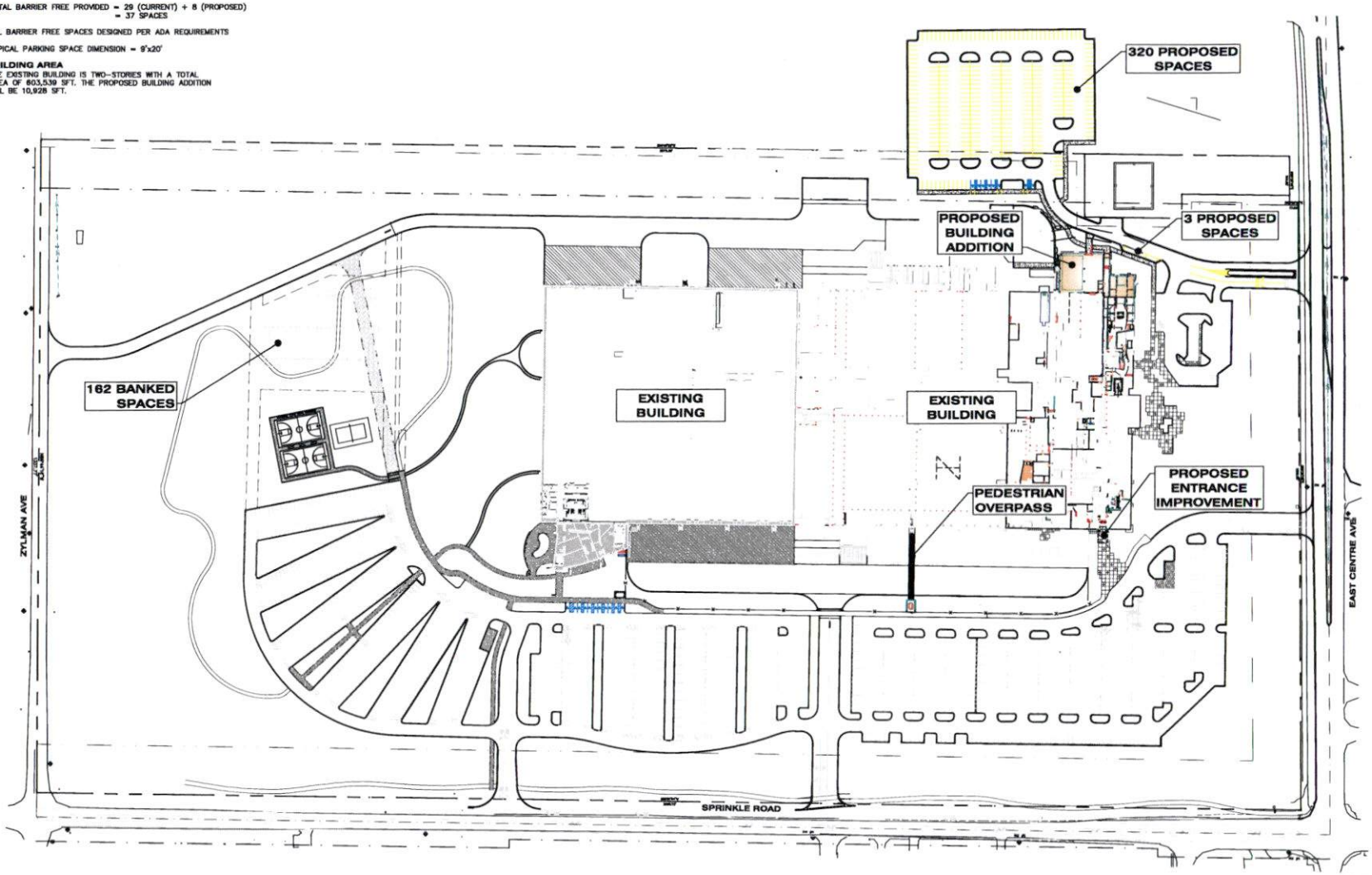
ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS

TYPICAL PARKING SPACE DIMENSION = 9'x20'

BUILDING AREA
THE EXISTING BUILDING IS TWO-STORIES WITH A TOTAL AREA OF 603,539 SFT. THE PROPOSED BUILDING ADDITION WILL BE 10,928 SFT.

hurley & stewart
hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4960 fax 552.4961
www.hurleystewart.com
h&s project no. 18-013D

0 50 100 200
1 inch = 100 ft.



TowerPinkste
ARCHITECTS | ENGINE
Tower Pinkster Titus Associates Inc.
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TOWERPINKSTER.COM

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DATE
APRIL 26, 2019

PROJECT TITLE
STRYKER GQ&O PARKING LOT EXPANSION - PHASE 3

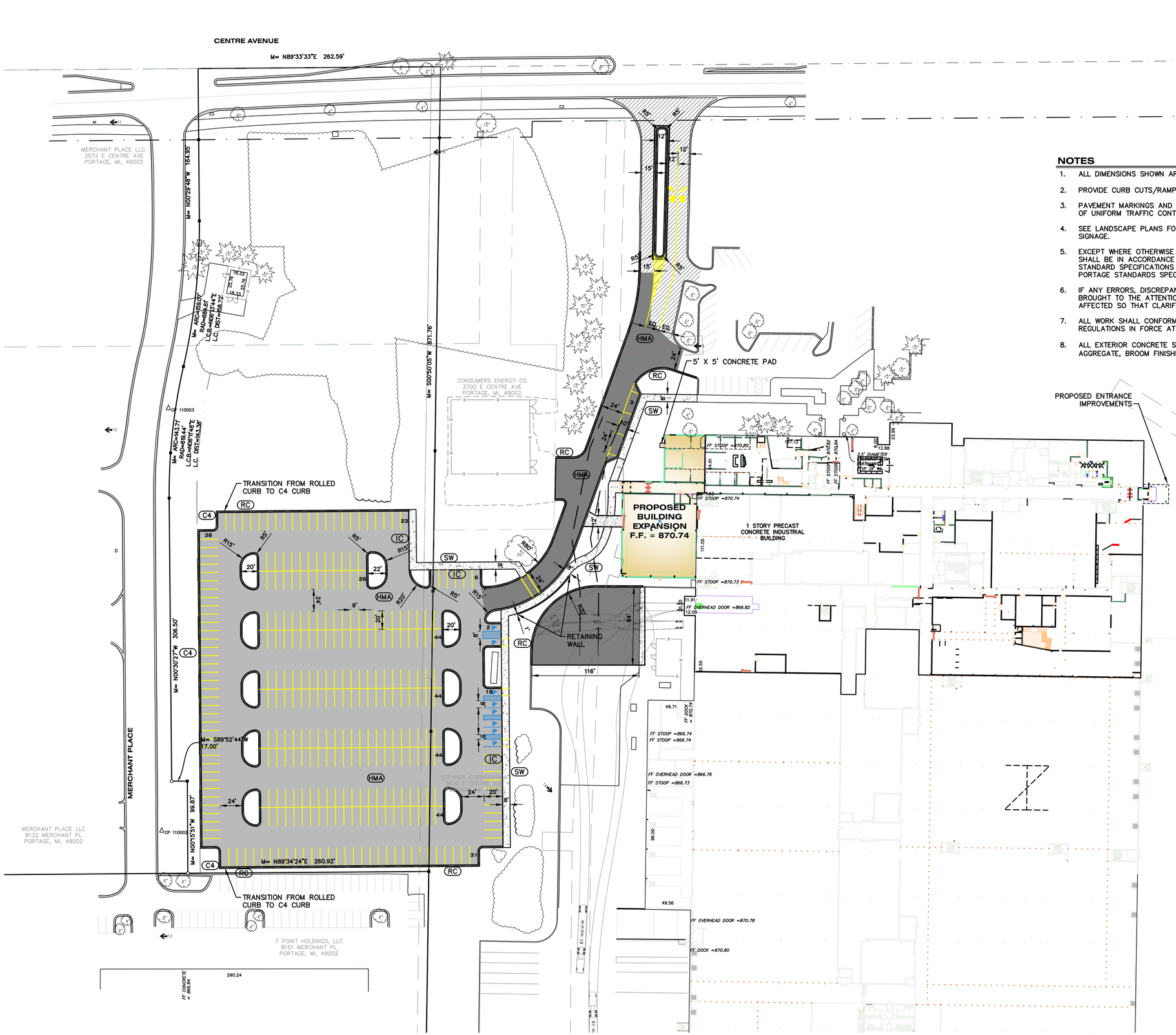
STRYKER

Portage, Michigan

BULLETIN 4 JUNE
BULLETIN 3 APRIL 2
ISSUED FOR

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
C 103
18-129.00



0 25 50 100
1 inch = 50 ft.

N W E S

NOTES

1. ALL DIMENSIONS SHOWN ARE TO THE EDGE OF METAL.
2. PROVIDE CURB CUTS/RAMPS AT ALL BARRIER FREE ACCESS POINTS.
3. PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND MICHIGAN BARRIER FREE CODE.
4. SEE LANDSCAPE PLANS FOR HARDSCAPE, DETAILED GRADING IN LANDSCAPED AREAS AND SIGNAGE.
5. EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, 2012 EDITION, AND CITY OF PORTAGE STANDARDS SPECIFICATIONS.
6. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
7. ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
8. ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE P1 (3500PSI), AIR ENTRAINED, LIMESTONE AGGREGATE, BROOM FINISHED, CURING SEAL. (SEE LANDSCAPE PLAN FOR JOINT PATTERNS)

LEGEND:

- STANDARD–DUTY BITUMINOUS PAVEMENT
- HEAVY–DUTY BITUMINOUS PAVEMENT
- 2" HMA OVERLAY
- CONCRETE PAVEMENT AND SIDEWALK
- HEAVY–DUTY CONCRETE PAVEMENT

(HMA) HMA PAVEMENT
(IC) INTEGRAL SIDEWALK/CURB (SEE DETAIL)
(RC) "ROLLED" CURB (SEE DETAIL)
(SW) CONCRETE SIDEWALK (SEE DETAIL)
(C4) C4 CURB AND GUTTER (SEE DETAIL)

INTERIOR LANSCAPE REQUIREMENTS

1 SQFT INTERIOR LANDSCAPE REQUIRE / 15 SQFT OF PARKING EXCLUDING 20' OF PERIMETER LANDSCAPE.
89,384 SQFT OF PARKING/15=5,959 SQFT REQUIRED
5,993 SQFT PROVIDED

PRELIMINARY
NOT FOR CONSTRUCTION

ALL UTILITIES AS SHOWN ARE APPROXIMATE LOCATIONS DERIVED FROM ACTUAL MEASUREMENTS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATION NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THE AREA.

FIELD WORK PERFORMED BY:
HURLEY & STEWART

TowerPinkster
ARCHITECTS | ENGINEERS

Tower Pinkster Titus Associates Inc.

242 East Kalamazoo Avenue, Suite 200
Kalamazoo, Michigan 49007-5828
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TOWERPINKSTER.COM

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DATE

APRIL 16, 2019

PROJECT TITLE

STRYKER GQ&O - PARKING LOT EXPANSION - PHASE 3

STRYKER

Portage, Michigan

ISSUED FOR DATE

SHEET TITLE

SITE LAYOUT PLAN

SHEET NUMBER

C 108

18-129.00

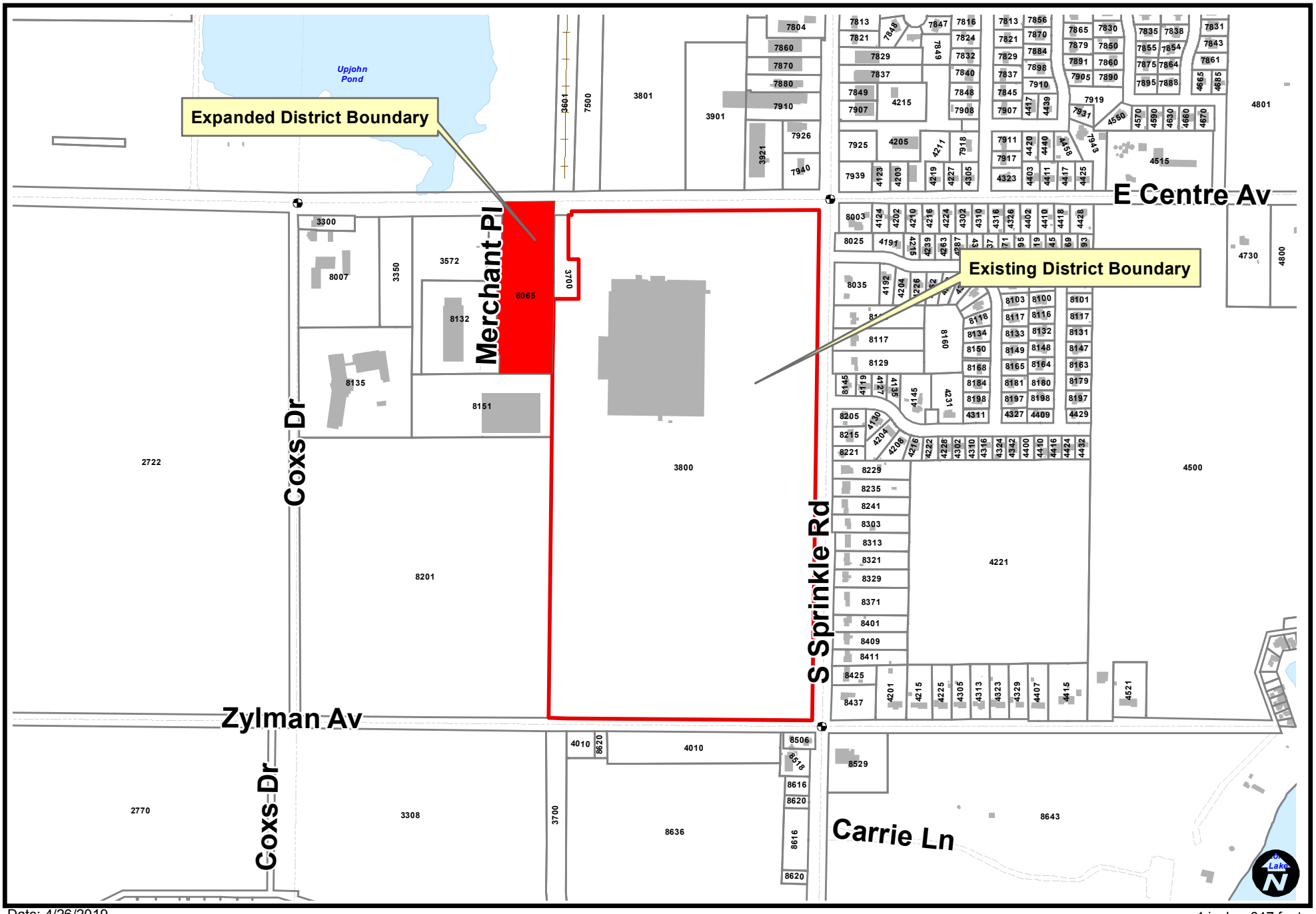
PA 198 - IDD #82

Legend

Existing IDD Boundary

Proposed IDD Expanded Boundary

IDD boundaries are approximate.



Date: 4/26/2019

1 inch = 647 feet

CITY OF PORTAGE, MICHIGAN
RESOLUTION NO. 3-19
TO SET THE PUBLIC HEARING ON A FACILITIES TAX EXEMPTION CERTIFICATE FOR STRYKER CORPORATION INDUSTRIAL DEVELOPMENT DISTRICT NO. 82 (EXPANDED)

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on _____, 2019 at 7:00 p.m., local time in 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., the City Council has established Industrial Development District No.82 (expanded);

WHEREAS, STRYKER CORPORATION, owner of the realty located within said District, has applied for an Industrial Facilities Exemption Certificate under the provisions of 1974 PA 198, Sec. 5(1);

WHEREAS, 1974 PA 198 Sec. 5(2) provides that before acting upon an application for an Industrial Facilities Certificate, the City Council shall afford the applicant, the assessor, and a representative of the affected taxing units an opportunity for a hearing;

NOW THEREFORE, BE IT RESOLVED as follows:

(1) That the application of STRYKER CORPORATION for an Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.

(2) That the City Council shall meet at the City Hall on _____, 2019 at 7:00 p.m., local time, or as soon thereafter as may be heard, and shall provide to the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of STRYKER

CORPORATION application for an Industrial Facilities Exemption Certificate with regard to proposed new facility and installation of equipment and machinery within said Industrial Development District.

(3) That the City Clerk immediately inform, by letter, the City Assessor, and the legislative body of each taxing unit which levies ad valorem taxes in the City of Portage on the property located within said Industrial Development District, as follows:

(a) The City of Portage has established _____ Industrial Development District No.82 (expanded) and has now received and will consider an application for a Facilities Exemption Certificate for building construction, site improvements and the installation of equipment and machinery within said district.

(b) That the City Council shall meet on _____, 2019, at the City Hall at 7:00 p.m., local time, or as soon thereafter as may be heard, to afford the City Assessor and a representative of each said taxing unit an opportunity to be heard with regard to the said application.

(c) That, as to Stryker Corporation Industrial Development District No. 82 (expanded), the Facilities Exemption Certificate would be in the amount of $_____, for expenditures in the amount of $_____.

(4) All resolutions or parts of resolutions are, to the extent of any conflict with this resolution, 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 _____, 2019, 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, MI 49002

Approved as to Form:
Date: 9/6/2019
By: _____
City Attorney

Z:\JODY\PORTAGE\INDUSTRIAL\Stryker #82\Resolution #3 expanded.docx

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: West Lake Weed Management - 2020 to 2024 Application Program

SUPPORTING PERSONNEL: Adam Herringa, City Clerk

ACTION RECOMMENDED: Adopt Resolution No. 2 for the West Lake Management Program #020-Q, setting a public hearing of necessity on October 1, 2019.

The West Lake Improvement Association (Association) has requested city assistance in creating a new five-year assessment district for the management of aquatic plants in West Lake. West Lake Weed Management assessment programs were approved by City Council in 1988, 1993, 1999, 2005, 2010, and 2015. It is the desire of the West Lake residents to continue current lake management efforts.

Attached is Special Assessment Resolution No. 2 for the West Lake Management Program #020-Q. Previous Council action on this project includes:

- On September 3, 2019, City Council adopted Resolution No. 1, accepting the City Manager Report and requested preparation of Resolution No. 2.

FUNDING: Special Assessment Collection - West Lake Weed Budget in the General Fund

Attachments: 1. West Lake Weed Managent - Resolution 2

CITY OF PORTAGE

SPECIAL ASSESSMENT RESOLUTION NO. 2

WEST LAKE MANAGEMENT PROGRAM SPECIAL ASSESSMENT, DISTRICT #020-Q

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan held at the City Hall in said City on the ____ day of _____, 2019, at 7:00 p.m., local time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember: _____, and seconded by:

Councilmember: _____.

WHEREAS, the City Council has adopted the initial resolution commencing special assessment proceedings for the construction and financing of the hereinafter described public improvement; and

WHEREAS, the City Council of the City of Portage has caused to be prepared by the City Manager, the report called for in Section 62-2 of the City Ordinances; and

WHEREAS, the same has been received and reviewed by the City Council; and

WHEREAS, at the request of the West Lake Improvement Association, the City Council will proceed further with the improvement.

NOW THEREFORE BE IT RESOLVED THAT:

1. The City Council tentatively determines that the improvement hereinafter described and also described in the City Manager's report is necessary.

2. The City Council determines that the nature of the improvement is:

   Establish funding to provide for the management of West Lake including herbicide treatment of aquatic plants.

and that the expected useful life of said improvement is 5 years.

3. The City Council determines that the properties within the special assessment district will receive the special benefits and, further, determines that the total estimated cost of the improvement will not exceed $176,000.00, of which total cost the sum of no more than $115,000.00 shall be assessed against the special assessment district, and the sum of no more than $35,200.00 shall be borne by the City-at-large. Further, the existing project account containing $31,095 shall also be used for the improvement.

4. The City Council hereby designates the special assessment district against which all or a part of the cost of said improvement is to be assessed, as consisting of the following described land, to wit:

Unplatted Land	Land located in Section 22 described as beginning 99 ft. west and approximately 540 ft. south of the center 1/4 Post of Section 22 on the North shore line of West Lake; thence Westerly along said north shore line of West Lake and West Lake channel to the Southwest corner of Lot 132 of the recorded plat of Fabercrest #2; thence south 42 degrees East approximately 90 ft. to the South line of West Lake channel; thence Easterly along said South line approximately 1,150 ft. to the west shore of West Lake; thence Southerly along said shore approximately 2,100 ft. to the Northeast corner of Lot 4 of the recorded plat of Matteson's Park and place of ending; Also land located in Section 27 described as: Beginning at the Northwest corner of Lot 30 of the recorded plat of West Lake Beach, which is on the South shore of West Lake, thence Westerly along said shore line approximately 165 ft. to the place of beginning.
Platted Land	Lots 7 through 57 inclusive of Ames West Lake Park; Lots 1 through 10 inclusive of Burr's West lake Resort; Lots 1 through 15 inclusive and Lot 89 of Dixie-Mac Park excluding the south 20ft. of lot 8; Lots 129 through 140 inclusive of Fabercrest #2; Lots 1 through 26 inclusive of Hilliard's Plat; Lots 1 through 14 inclusive of James W. Scott West Lake; Lots 3 through 37 inclusive of Matteson's Park; Lots 1 through 13 and Lots 28 through 46 inclusive of Newell's West Lake Subdivision; Lots 1 through 26 inclusive of Pleasant View Beach; Lots 1 through 14 inclusive of Reid's Plat; Lots 2 through 30 inclusive of West Lake Beach.

5. The City Council determines that the cost of the benefits is to be assessed by frontage abutting on said improvement.

6. The City Council hereby accepts and approves the City Manager's report and directs that it, along with the resolution, be filed with the City Clerk and be made available for public inspection.

7. The City Council will meet at the City Hall located at 7900 South Westnedge Avenue in the City of Portage, on the _____ day of _____, 2019, at 7:00 p.m., or as soon thereafter as may be heard, at which time and place the City Council will hear all interested parties with respect to the necessity of the improvement, and to the special assessment district therefor.

8. The City Clerk is hereby ordered to cause notice of such hearing to be published once prior to said hearing in the KALAMAZOO GAZETTE, a newspaper in general circulation in the City, said publication to be at least ten (10) days before the time of hearing, and shall cause notice of said hearing to be mailed by first class mail to all owners or persons with interest in the property in the special assessment district, as shown on the current assessment roll of the City, at least ten (10) days before the date of said hearing. Said notice shall conform substantially to Exhibit "A" attached hereto and incorporated herein.

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

ADOPTED: YEAS: Councilmember:_____

NAYS: Councilmember:_____

ABSENT: Councilmember:_____

_____

Adam Herringa, City Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF KALAMAZOO)

I, the undersigned duly qualified and acting City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the ___ day of _____, 2019, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereto affixed my official signature this ___ day of _____, 2019.

_____
Adam Herringa, City Clerk

APPROVED AS TO FORM
DATE 8/23/2019
_____
CITY ATTORNEY

EXHIBIT "A"

CITY OF PORTAGE, MICHIGAN
NOTICE OF PUBLIC HEARING ON THE NECESSITY OF A
SPECIAL ASSESSMENT IMPROVEMENT BY THE CITY OF PORTAGE
WEST LAKE MANAGEMENT PROGRAM SPECIAL ASSESSMENT, DISTRICT #020-Q

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY AND ALL OTHER INTERESTED PARTIES:

PLEASE TAKE NOTICE that the City Council of the City of Portage has declared its intention to initiate the following public improvement:

Establish funding to provide for the management of West Lake including herbicide treatment of aquatic plants.

and has designated the special assessment district against which all, or a part of the cost of said improvement is to be assessed, as consisting of all the following described land, to wit:

Unplatted Land	Land located in Section 22 described as beginning 99 ft. west and approximately 540 ft. south of the center 1/4 Post of Section 22 on the North shore line of West Lake; thence Westerly along said north shore line of West Lake and West Lake channel to the Southwest corner of Lot 132 of the recorded plat of Fabercrest #2; thence south 42 degrees East approximately 90 ft. to the South line of West Lake channel; thence Easterly along said South line approximately 1,150 ft. to the west shore of West Lake; thence Southerly along said shore approximately 2,100 ft. to the Northeast corner of Lot 4 of the recorded plat of Matteson's Park and place of ending; Also land located in Section 27 described as: Beginning at the Northwest corner of Lot 30 of the recorded plat of West Lake Beach, which is on the South shore of West Lake, thence Westerly along said shore line approximately 165 ft. to the place of beginning.
Platted Land	Lots 7 through 57 inclusive of Ames West Lake Park; Lots 1 through 10 inclusive of Burr's West lake Resort; Lots 1 through 15 inclusive and Lot 89 of Dixie-Mac Park excluding the south 20 ft. of Lot 8; Lots 129 through 140 inclusive of Fabercrest #2; Lots 1 through 26 inclusive of Hilliard's Plat; Lots 1 through 14 inclusive of James W. Scott West Lake; Lots 3 through 37 inclusive of Matteson's Park; Lots 1 through 13 and Lots 28 through 46 inclusive of Newell's West Lake Subdivision; Lots 1 through 26 inclusive of Pleasant View Beach; Lots 1 through 14 inclusive of Reid's Plat; Lots 2 through 30 inclusive of West Lake Beach.

A report concerning said improvement has been prepared and is on file with the City Clerk for public examination.

TAKE FURTHER NOTICE that the City Council will meet on the ____ day of _____, 2019, at 7:00 p.m. or as soon thereafter as may be heard, at the City Hall, 7900 South Westnedge Avenue, in the City of Portage, for the purpose of hearing all interested parties concerning the necessity of said improvement and the special assessment district therefor.

TAKE FURTHER NOTICE that if, prior to the adoption of the resolution to proceed with the improvement, written objections have been filed by either 1) a majority of owners of property in the district, or 2) owners in the district who will be required to pay more than fifty percent (50%) of the cost of the public improvement, the affirmative vote of five (5) or more members of the Council is needed to proceed with the improvement.

PLEASE TAKE FURTHER NOTICE that the owner or any person having an interest in property that is specially assessed may file a written appeal with the Michigan Tax Tribunal within 30 days after confirmation of the special assessment roll. However, appearance and protest at the public hearing are required in order to appeal the special assessment to the Michigan Tax Tribunal. An owner or other party in interest or his or her agent may (1) appear in person at the hearing to protest the special assessment or (2) file his or her appearance or protest by letter before the close of the hearing. The City Council shall maintain a record of parties who appear to protest at the hearing. If the hearing is terminated or adjourned for the day before a party is provided the opportunity to be heard, a party whose appearance was recorded shall be considered to have protested the special assessment in person.

DATED: _____, 2019

_____
Adam Herringa, City Clerk

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Local Officers Compensation Commission (LOCC) Report

SUPPORTING PERSONNEL: Adam Herringa, City Clerk

ACTION RECOMMENDED: Receive the report from the Local Officers Compensation Commission.

The Code of Ordinances, Chapter 2 - Division 5, establishes a Local Officers Compensation Commission (LOCC) and its duties. The LOCC, which is required to meet every odd-year, met on September 4, 2019, to consider City Council compensation. The LOCC is composed of Commissioners Betty Lee Ongley, Mike Stoddard, Paul Summers, Gary Roberts, James Graham, Stacey Randolph Ledbetter and Larry Lutz. The attached report from the LOCC to City Council contains a determination that the annual compensation for the Mayor be increased by $1,000 to a new total of $9,500 and the annual compensation for City Councilmembers be increased by $1,000 to a new total of $7,000.

For informational purposes, according to section 117.5c of the State of Michigan Home Rule City Act, the determinations of the LOCC are effective 30 days following the formal filing with the City Clerk on September 4 unless rejected by a two-thirds majority of the members of City Council. In case of rejection, the current salaries prevail. The LOCC will meet again in 2021.

FUNDING: Funding is available in the Fiscal Year 2019-2020 budget.

Attachments:
1. 2019 LOCC Report
2. September 4, 2019 LOCC Minutes

To: Mayor Randall and the Portage City Council **Date:** September 4, 2019
From: Local Officers Compensation Commission
Subject: Elected Official Compensation Review

Commission Officers:
Betty Ongley, Chairperson

Commission Members:
Betty Lee Ongley, Mike Stoddard, Paul Summers, Gary Roberts, James Graham, Stacey Randolph Ledbetter, Larry Lutz

Background

The Local Officers Compensation Commission (LOCC) is appointed by the Mayor as established by City Ordinance to "determine the salaries of all local elected officials."

Compensation History

Following is a brief history of the compensation received by the Portage City Council and Mayor:

- $20 per meeting as of – and prior to – April 1975 for the Councilmembers and the Mayor.
- $25 per meeting as of April 25, 1975, for the Councilmembers and the Mayor.
- $1300 per year for Councilmembers and $2,300 per year for the Mayor as of August 2, 1977.
- $4,000 per year for Councilmembers and $6,000 per year for the Mayor as of March 1991.
- $5,000 per year for Councilmembers and $7,500 per year for the Mayor as of June 2007.
- In June of 2009, 2011, 2013 and August of 2015, it was determined that there should be no change to the compensation of $5,000 per year for Councilmembers and $7,500 per year for the Mayor.
- August 2017 increased City Councilmembers and the Mayor by $1,000 annually to totals of $6,000 per year and $8,500 per year.

Commission Discussion

The commission believes there exists a need to fairly compensate the Mayor and the City Councilmembers. The LOCC discussed the continued growth of the city in terms of population and development, the increased demand on personal time for official duties as compared with prior years, and how the compensation of Portage elected officials compares to equivalent cities. Members of the LOCC contrasted the competing needs to balance reasonable compensation with the fact that being an elected official is a public service and not part-time employment.

Commission Determination

After discussion and deliberation on the subject for which the LOCC is charged, it is the determination of the commission that the compensation of City Councilmembers and the Mayor be increased by $1,000 annually to $7,000 and $9,500 per year, respectively. It should be noted that the vote of the commission was five to one and members wanted to acknowledge the constructive comments of opposing member Paul Summers, who highlighted that the proposed raise, in combination with the annual Council device stipend, would create a total compensation package comparable to that of the Cities of Wyoming and Kalamazoo.

LOCAL OFFICERS COMPENSATION COMMISSION MEETING MINUTES
SEPTEMBER 4, 2019

The Meeting was called to order at 4:00 p.m.

The following members were present: Betty Lee Ongley, Paul Summers, Gary Roberts, James Graham, Stacey Randolph Ledbetter and Larry Lutz. Mike Stoddard were absent with excuse. Staff Liaison Erica Eklov and Deputy City Manager I/City Clerk Adam Herringa were also present.

ELECTION OF CHAIRPERSON

Motion by Graham, seconded by Randolph Ledbetter, to re-appoint Betty Ongley as Chairperson. Upon a voice vote, motion carried unanimously.

APPROVAL OF THE MINUTES

Motion by Lutz, seconded by Summers, to approve the minutes of the August 7, 2017 meeting of the Local Officers Compensation Commission (LOCC). Upon a voice vote, motion carried five to zero; Graham noted his abstention citing his absence from the prior meeting.

STATEMENTS OF CITIZENS

There were no statements offered by citizens.

NEW BUSINESS – REVIEW OF CITY COUNCIL AND MAYOR SALARIES

Chairperson Ongley directed members to the supplementary meeting documents that included a survey of compensation rates from local municipalities.

Mr. Graham offered a recommendation of raising the current City Council compensation levels by $1,000, noting the increased time demands of City Council.

Chairperson Ongley stated that the city is continuing to grow, nearing 50,000 in population, and recommended that the pay should be reflective of its growth.

Ms. Randolph Ledbetter sought clarification from Mr. Graham that his recommendation was for both the Mayor and Councilmembers. Mr. Graham affirmed. Additional discussion followed regarding the purpose of the LOCC and the progression of the recommendation to City Council.

Motion by Graham, seconded by Lutz, to increase the annual compensation for Mayor by $1,000 to a total of $9,500 and to increase the annual compensation for City Councilmembers by $1,000 to a total of $7,000. Upon a voice vote, motion carried five to one. Mr. Summers voted in opposition, noting his concern with the increase in pay, citing that the total compensation package that included the Council Device Stipend will now be comparable with the cities of Kalamazoo and Wyoming. Mr. Graham stated that the vote had passed with a majority but asked that Mr. Summers' comments be noted in the record and report to City Council.

Ms. Eklov reviewed the proposed updates to the draft report to City Council and shared that it would be placed on the agenda of the September 17, 2019 Regular City Council Meeting.

ADJOURNMENT: The meeting adjourned at 4:14 p.m.

_____

Erica Eklov, Deputy City Clerk /
Staff Liaison to the LOCC

DRAFT

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: FY 2018-19 Planning Commission Work Program Final Update & Proposed FY 2019-20 Work Program

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Receive the FY 2018-19 Planning Commission Work Program Final Update and Proposed FY 2019-20 Planning Commission Work Program.

In accordance with the Michigan Planning Enabling Act (PA 33), the Planning Commission is required to submit a written report to the legislative body concerning planning activities. Attached is the final update of FY 2018-19 Planning Commission Work Program accepted by the Planning Commission during their August 15, 2019 meeting. Also included for Council information is a copy of the Proposed FY 2019-20 Planning Commission Work Program. The City Council is advised to receive the FY 2018-19 Planning Commission Work Program Final Update and Proposed FY 2019-20 Planning Commission Work Program as information only.

FUNDING: Not applicable.

Attachments: 1. Planning Commission Annual Report - Information Only

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: September 6, 2019

SUBJECT: Planning Commission Annual Report (FY 2018-2019) – Information Only

In accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008, the attached report from the Community Development Department dated August 9, 2019 summarizes planning/zoning activities completed by the Planning Commission during FY 2018-2019 (July 1, 2018 thru June 30, 2019). The attached report summarizes these activities and progress made by the Commission on work items relating to their adopted FY 2018-2019 Work Program. Also included for your information is a copy of the FY 2019-2020 Work Program. On August 15, 2019, the Planning Commission accepted the final update of the FY2018-19 work program and approved the FY2019-20 work program.

If you have any questions regarding this matter, please contact either myself or the Community Development Department.

Sincerely,

Dan Corradini

Dan Corradini
Chairman

cc: Department of Community Development report dated August 9, 2019

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Department of Community Development

TO: Planning Commission **DATE:** August 9, 2019

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: FY 2018-19 Planning Commission Work Program Final Update and Proposed FY 2019-20 Work Program.

I. INTRODUCTION:

The Planning Commission customarily adopts an annual Work Program that includes the duties and responsibilities of the Commission per statute and local ordinance. The FY 2018-19 Work Program was adopted by the Planning Commission in August 2018. Progress made by the Commission on these work items during the past fiscal year is summarized below.

II. FY 2018-19 WORK PROGRAM:

1) *Continue to implement strategies from the Comprehensive Plan including: 1) Inconsistencies between the Zoning Map and Future Land Use map; 2) Landscaping/Screening and Lake Front Regulations and 3) Zoning Text Amendments.*

   During the past fiscal year, progress was made on addressing inconsistencies between the Zoning Map and Future Land Use Map [Rezoning Applications #18/19-2, 4211 and 4525 Long Lake Drive and Rezoning Application #18/19-5, 1700 East Centre Avenue] and Zoning Code Text Amendments (Ordinance Amendment #18/19-A, Sign Regulations and Ordinance Amendment #18/19-B, Residential Zoning Regulations). A further discussion of these activities is provided below. Additional work activities on the prioritized implementation strategies will continue into FY 2019-20.

   In addition to the above Comprehensive Plan activities, the Commission also completed the following:

   - Reviewed and commented, when applicable, on adjacent community Comprehensive Plans including Oshtemo Township Master Plan Update – *"Go! Green Oshtemo Plan"*.
   - Reviewed and subsequently approved the Redevelopment Ready Communities – Public Participation Plan.

2) *Continue to guide development to appropriately planned area of the community and consider the protection of environmentally sensitive areas including regulated wetlands, groundwater and surface water, with the intent to achieve a well-organized, balanced, sustainable, and efficient use of land at densities that:*

   - *Meets the current and future needs of city residents*
   - *Protects key natural and historic resources*
   - *Complements the existing and planned capacity of streets and infrastructure*

The Planning Commission continues to guide development consistent with the Comprehensive Plan Update/Future Land Use Map and remains cognizant of the impacts development may have on environmentally sensitive land areas. Additionally, the Planning Commission also continues to ensure new development projects are designed consistent with applicable ordinances through review of site plans, special land use permits, planned developments, plats and other development proposals.

3) *During project plan review, consider the following:*

- *Implementation, where possible, of Complete Streets Policy elements.*
- *Parking lot interconnection, driveway consolidation, access from adjacent local/collector street or other methods intended to improve traffic flow and safety.*
- *Adjacent residential neighborhood protection measures.*
- *Protection of environmentally sensitive areas including regulated wetlands, ground water and surface water through the use of green development practices or other appropriate measures.*

During the past fiscal year, the Planning Commission has reviewed/approved the following private development projects:

- Site Plan for Weathervane Self Storage, 9600 Shaver Road;
- Specific Plan for Arbor Financial Credit Union, 5250 South Westnedge Avenue;
- Accessory Building (Newsome), 2663 Mandigo Avenue;
- Site Plan for Stryker Corporation (expansion), 3800 East Centre Avenue;
- Final Plan for Greenspire Apartments (Phase V-C), 3413 Fawn Cove;
- Preliminary Condominium for Pennridge Trail (Phase 1), 1800 West Osterhout Avenue;
- Special Land Use Permit for Paver Dog Park, 9651 Portage Road;
- Accessory Building (Warner), 10650 South Westnedge Avenue;
- Access Management Appeal for Callander Commercial Office, 524, 602 and 610 West Milham Avenue, 5932 Iowa Avenue and 5933 Dakota Avenue
- Historic District Modification, 2663 Mandigo Avenue;
- Site Plan for Jungle Joes (miniature golf course), 7255 South Sprinkle Road;
- Accessory Building (Herron), 920 West Osterhout Avenue;
- Tentative Plan Amendment for Streamsong Planned Development, 715 West Osterhout Avenue;
- Preliminary Condominium for Copperleaf (Phase IV), 3800 West Milham Avenue;
- Active Home Occupation Permit (Berglund), 6722 Fescue Street
- Accessory Building (Taylor), 10525 Portage Road;
- Final Plan for Mrs. O's Preschool, 8025 Moorsbridge Road;
- Specific Plan for Portage Creek Landings (Unit 2), 412 West Centre Avenue;
- Preliminary Condominium for Westfield North, 5700 Alten Street;
- Special Land Use Permit for Cole-Buick, 6600 and 6660 South Westnedge Avenue;
- Site Plan for Eagle Meadows Condominiums, 6533 Oakland Drive;
- Special Land Use Permit for Group Child Care Home, 217 Bacon Avenue; and
- Final Plan for Pennridge Trail PD (Phases 1 and 2), 1800 West Osterhout Avenue

Several of the projects listed above included shared/cross access arrangements, measures to protect adjacent residential uses and/or protection of environmentally sensitive areas including the Specific Plan for Arbor Financial Credit Union, 5250 South Westnedge Avenue, Final Plan for Greenspire Apartments (Phase V-C), 3413 Fawn Cove, Site Plan for Eagle Meadows Condominiums, 6533 Oakland Drive and Final Plan for Mrs. O's Preschool, 8025 Moorsbridge Road.

4) *Consider and act appropriately upon site-specific rezonings in the context of the Comprehensive Plan in an effort to encourage sustainable residential, commercial, industrial, planned development and high-tech development opportunities, as appropriate.*

Five rezoning applications were considered and acted upon by the Planning Commission during the past fiscal year and included:

- Rezoning Application #18/19-1, 5932 Iowa Avenue;
- Rezoning Application #18/19-2, 4211 and 4525 Long Lake Drive;
- Rezoning Application #18/19-3, 129 Boston Avenue;
- Rezoning Application #18/19-5, 1700 East Centre Avenue
- Rezoning Application #18/19-6, 129 Boston Avenue

The Planning Commission recommended approval of two of these applications (Rezoning Applications #18/19-2 and #18/19-5) and City Council subsequently approved these zoning changes. Rezoning Application #18/19-1 was withdrawn by the applicant prior to Planning Commission final review/recommendation. Rezoning Applications #18/19-3 and #18/19-6 involved the same property (129 Boston Avenue) and the Planning Commission recommended denial of both of these applications. Rezoning Application #18/19-3 was subsequently withdrawn by the applicant prior to City Council consideration, while Rezoning Application #18/19-6 was approved by City Council.

5) *Consider Zoning Code text amendments including, but not limited to, City Council referrals and ordinances that emphasize, as appropriate, a green, sustainable and healthy community focus and assist with implementation of the updated Comprehensive Plan, amongst others.*

During the months of March, April and May, the Planning Commission reviewed and discussed proposed amendments to the sign regulations that were intended to improve clarity and to address content neutrality issues. A preliminary workshop meeting was held on March 21, 2019 to review the proposed amendments. A public hearing was then held at the April 18th and May 2nd, 2019 meetings and at the conclusion the Planning Commission recommended to City Council that Ordinance Amendment #18/19-A, Sign Regulations be approved.

At the June 6, 2019 meeting, the Planning Commission held a preliminary workshop meeting to review and discuss proposed amendments to the Zoning Code and Subdivision Regulations pertaining to residential code provisions. Public hearings regarding Ordinance Amendment #18/19-B, Residential Zoning Regulations were held in July/August 2019 and City Council will be considering the amendments in August/September 2019.

6) *When appropriate, engage the Youth Advisory Committee in the planning process.*

The Commission engaged the Youth Advisory Committee through an invitation to participate in the September 24, 2018 CIP Open House and through outreach efforts intended to solicit project ideas for the Neighborhood and Community Enhancement Program.

7) *Neighborhood and Community Enhancement Program subcommittee to meet and evaluate projects submitted in conjunction with the FY2018-2028 Capital Improvement Program. Subcommittee to provide a recommendation to the full Planning Commission. Following Planning Commission consideration, funding recommendation to be provided to City Manager.*

No applications for Neighborhood and Community Enhancement Program projects were received during FY 2018-19. Funding in the CIP remains available for future project proposals.

8) *Review and recommend the FY2019-2029 Capital Improvement Program.*

On September 24, 2018, city staff and members of the Planning Commission hosted a Capital Improvement Program (CIP) "Open House" to provide additional opportunity for public input into the CIP process.

At the December 20, 2018 meeting, staff provided the Planning Commission a summary of the On-Line Survey Results along with comments received during the September 24, 2018 CIP Open House. At the February 7, 2019 meeting, staff provided the Planning Commission a DRAFT version of the FY 2019-2029 CIP document for review and discussion. The Planning Commission again reviewed the FY 2019-2029 CIP document at the March 7, 2019 meeting and subsequently voted unanimously to recommend to City Council approval of the FY 2019-2029 CIP.

9) *Review and adopt the Annual Major Thoroughfare Plan Status Update, as necessary.*

An update to the Major Thoroughfare Plan was incorporated into the development and adoption of the 2014 Comprehensive Plan. A further review and update of this document will be considered as part of the upcoming 5-year review/update of the 2014 Comprehensive Plan.

10) *Continue to engage in continuing education through various Planning Commission training options including continued review of professional planning publications and information available through the Michigan Association of Planning (MAP) and American Planning Association (APA) web sites, participation in webinars and/or conferences sponsored by professional planning organizations, and participation in training sessions presented by staff and/or City Attorney.*

The MAP and Planning and Zoning News newsletters continue to be provided to the Commission. On-line training and educational materials are also accessible to the Commission through the MAP and APA websites. At the October 18, 2018 meeting, staff also provided a training session regarding Planning Commission Roles and Responsibilities pertaining to the annual CIP. At the December 20, 2018 meeting, staff also provided a training session regarding Public Utility System

Overview. Finally, several Commissioners attended MAP Planning & Zoning Training Workshops held in Oshtemo Township on March 20, 2019.

III. FY 2019-20 WORK PROGRAM (PROPOSED):

The proposed FY 2019-20 Planning Commission Work Program has been prepared and is attached for review and consideration. If City Council requests the Commission consider/review additional topics/issues, the Commission can amend the Work Program at a later date.

The Commission is advised to review and discuss the attached materials during the August 15, 2019 meeting and, if no further changes, adopt the attached FY 2019-20 Planning Commission Work Program.

Attachments: FY 2019-20 Planning Commission Work Program (PROPOSED)

cc: Larry Shaffer, City Manager
Rob Boulis, Deputy City Manager

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FY 2019-20 PLANNING COMMISSION WORK PROGRAM

The FY 2019-20 work program reflects the established duties and responsibilities of the Planning Commission as specified by statute and local ordinance, and the guidance provided by the City Council Mission Statement and Goals & Objectives for the community.

The following work program outlines activities of the Planning Commission for FY 2019-20.

1) Conduct five-year review/update of the 2014 Comprehensive Plan.

2) In conjunction with the five-year review/update of the 2014 Comprehensive Plan, review and adopt the Major Thoroughfare Plan Status Update, as needed.

3) Continue to assist the City Administration and City Council to achieve Redevelopment Ready Communities (RRC) certification, a program sponsored by the Michigan Economic Development Corporation. The Commission to review: development of criteria for identifying and promoting redevelopment ready sites within the community; an updated economic development strategy; and an overarching marketing strategy to promote redevelopment ready sites and economic development in general.

4) Continue to guide development to appropriately planned area of the community and consider the protection of environmentally sensitive areas including regulated wetlands, groundwater and surface water, with the intent to achieve a well-organized, balanced, sustainable, and efficient use of land at densities that:

   - Meets the current and future needs of city residents
   - Protects key natural and historic resources
   - Complements the existing and planned capacity of streets and infrastructure

5) During project plan review, consider the following:

   - Implementation, where possible, of Complete Streets Policy elements.
   - Parking lot interconnection, driveway consolidation, access from adjacent local/collector street or other methods intended to improve traffic flow and safety.
   - Adjacent residential neighborhood protection measures.
   - Protection of environmentally sensitive areas including regulated wetlands, ground water and surface water through the use of green development practices or other appropriate measures.

6) Consider and act appropriately upon site-specific rezonings in the context of the Comprehensive Plan in an effort to encourage sustainable residential, commercial, industrial, planned development and high-tech development opportunities, as appropriate.

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7) Consider Zoning Code text amendments including, but not limited to, the City Council referrals and ordinances that emphasize, as appropriate, a green, sustainable and healthy community focus.

8) When appropriate, engage the Youth Advisory Committee in the planning process.

9) Neighborhood and Community Enhancement Program subcommittee to meet and evaluate projects submitted in conjunction with the FY2019-2029 Capital Improvement Program. Subcommittee to provide a recommendation to the full Planning Commission. Following Planning Commission consideration, funding recommendation to be provided to City Manager.

10) Review and recommend the FY2020-2030 Capital Improvement Program.

    - Participate in the September 2019 CIP Open House.

11) Continue to engage in continuing education through various Planning Commission training options including continued review of professional planning publications and information available through the Michigan Association of Planning (MAP) and American Planning Association (APA) web sites, participation in webinars and/or conferences sponsored by professional planning organizations, and participation in training sessions presented by staff and/or City Attorney.

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Minutes of Boards & Commissions

CITY OF PORTAGE HUMAN SERVICES BOARD
Minutes of Meeting July 18, 2019

CALL TO ORDER: 6:34 p.m.
MEMBERS PRESENT: Nadeem Mirza, Alice Mwanda, Tim Henson, Effie Kokkinos
Elma (Pat) Maye
MEMBERS EXCUSED: Fiorella Spalvieri, Diane Durian
MEMBERS ABSENT: Stephanie Upshaw, Kathryn Hanfland

STAFF PRESENT: Tom McCoy, Neighborhood Program Specialist

APPROVAL OF MINUTES: Mirza moved, and Henson supported a motion to approve the June 13, 2019 minutes. Motion passed 5-0

OLD BUSINESS:

1. Review of HPS Funding Application – McCoy presented a summary of three issues that have been discussed by the Board regarding the evaluation and eligibility of potential grant applicants and applications including:

    - The desire of the Board to identify any sources of potential discrimination in the provision of services provided by agencies applying for funding.
    - The desire of the Board to receive complete and specific information regarding the programs and services that would be provided by agencies who may receive funding recommendations.
    - The desire of the Board to maintain a consistent and unbiased position related to evaluating and scoring organizations who may be exempt from certain regulatory requirements and/or agencies or organizations who may have organizational or philosophical positions and/or practices which are inconsistent with the City of Portage Non-Discrimination ordinance of 2017.

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In attendance by invitation of the Board was Assistant City Attorney Matt Quardorkus, who indicated that based on his review of the application process and background materials provided confirmed that the Board had been acting in an appropriate manner and that applicants should be evaluated based on their ability and intention to provide services in a non-discriminatory manner, consistent with all federal, state and local ordinances. Maye stated that every applicant should be evaluated in a consistent manner and no organization should be scrutinized or investigated beyond the parameters of the established evaluation criteria. Henson stated that he had posed questions to several applicants about specific programming, training and capacity to provide services as outlined in their respective applications and felt that it was our responsibility to request clarification where indicated. Mirza added that although his particular religion has specific beliefs that may be in conflict with other religious and philosophical beliefs these are not a condition for funding and that the evaluation of applications based on established criteria was the primary function of the Board. Maye stated that any potential conflicts or deviations from city policies or positions by service providers from their stated intentions to provide services in a non-discriminatory manner should addressed by the City Administration. Quardorkus summarized with a suggestion that Board members focus their consideration of applicants primarily on their ability to provide services consistent with all applicable laws and regulations as to not inadvertently discriminate against any applicant. Mwanda stated that the legal guidance was helpful and that it was critical that the Board acts in a consistent manner. The Board agreed that a statement from applicants agreeing to provide services in a non- discriminatory manner should be included in the application and staff agreed to draft a statement to be considered at the next Board meeting for inclusion in the upcoming round of applications. Additionally, staff agreed to include additional guidance in written communications to ensure that applicants are prepared to provide specific information on the programs and services they are proposing during their presentations to the Board. Board members agreed that the discussions have been productive and that they feel confident in the ability of the Board to process and evaluate applications in a consistent manner going forward.

2. Final Recommendation to City Council on Proposed Amendment to CDBG Program FY 2019-20 Annual Action Plan – McCoy stated that the public comment period had expired and that no comments had been received. Kokkinos moved and Mirza supported motion to forward recommendation to approve to City Council. Motion passed 5-0.

STATEMENTS OF CITIZENS: None received.

ADJOURNMENT: Mirza moved and Henson supported adjournment at 7:35 p.m. Motion passed 5-0.

Respectfully Submitted,

Tom McCoy, Neighborhood Program Specialist

City of Portage
Historic District Commission
Wednesday, August 07, 2019

Meeting Called to Order: 8:25 A.M.

Members Present: Duniphin, Lopez, Maytnier, vanLonkhuyzen, Nemeth, Barton.

Members Excused: Grunert, Custer, Forrest.

Staff: Kyle Mucha, Zoning & Codes Administrator.

Guest(s): Pat Norman – 922 West Osterhout Avenue. Nick Meyle, Portage District Library.

Approval of Minutes: Duniphin moved, seconded by Maytnier, to approve the July 17, 2019 meeting minutes. Motion approved 5-0.

Old Business:

a. 922 West Osterhout Avenue – Window Replacement: Pat Norman, property owner of 922 West Osterhout Avenue, was present to discuss his application regarding storm window replacement. Mr. Norman indicated the 15 proposed storm windows are necessary to help protect the original windows on the home. Mr. Norman indicated he has been working with Peter Carrol from North Coast Windows to select the appropriate storm window design for the home and to repair/repaint the existing windows.

   Nemeth & vanLonkhuyzen recommended that Mr. Norman paint the storm windows the same color as the regular windows and that should Mr. Norman wish, an internet search of Greek Revival windows may help in determining the appropriate color scheme for the windows.

   vanLonkhuyzen moved, seconded by Nemeth, to issue the Certificate of Appropriateness to replace 15 storm windows at 922 West Osterhout, and that the property owner inform the Commission of the color choice once a decision has been made. Motion passed 6-0.

New Business:

Member Comments:

a. vanLonkhuyzen requested an update regarding a proposed ordinance amendment to include the local historian whom currently works for the Portage District Library into the Historic District Commission as a non-voting member. Mucha informed the members present that an ordinance amendment would be a lengthy process, however should the Commission wish to amend the ordinance to include a local historian, city staff can begin working with Commission members on drafting the ordinance amendment. Mucha stated that the local historian, Steve Rossio, can always attend the public meetings as a member of the general public, however he would not have voting rights as a non-member. Mucha also informed the Commission that the Portage District Library has no requirement to have a historian on staff, though the intention from the Portage District Library is to retain a historian as a staff member.

b. Duniphin informed the Commission that name tags for each member have been ordered and should be arriving sometime in September.

c. Duniphin provided an update regarding a draft request for funds from City Council for the fiscal year of 2020-2021. The proposed budget would seek to provide home restoration grants or reimbursements for restoration projects, with a small amount of the remaining budget going towards community outreach and education as it pertains to the areas historical resources. Mucha informed the Commission that a set of guidelines, application and review criteria would

need to be created in conjunction with a proposed grant/reimbursement program. After further discussion, Mucha requested Commissioners Duniphin & vanLonkhuyzen meet with city staff once a draft has been prepared regarding the proposed budget request.

d. Maytnier inquired about moving the September 4th meeting back one week, to September 11th, due to being out of the area. Barton informed the Commission that he will be absent from the September 4th meeting, and supported the proposed meeting date move. Upon further discussion, Maytnier moved, seconded by Barton, to move the regularly scheduled September 4th meeting to September 11th, 2019. Motion approved 5-0.

Adjournment: There being no further comments or business, vanLonkhuyzen adjourned the Historic District at 9:28 a.m.

Respectfully submitted,

Kyle Mucha

Kyle Mucha
Zoning & Codes Administrator

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – August 12, 2019

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

MEMBERS PRESENT: Alexander Philipp, Jay Eichstaedt, Natalie Rowe, Linda Fry, Randall Schau, Jeff Wettig, and Linda Finch.

MEMBERS EXCUSED: Stu Bernhardt, John Byrnes.

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

APPROVAL OF THE MINUTES: Finch moved and Schau seconded a motion to approve the July 8, 2019 minutes as submitted. Upon voice vote, the motion was approved 6-0.

OLD BUSINESS:

ZBA #18-18; 7570 Curry Lane: Withdrawn at applicant's request.

NEW BUSINESS:

ZBA #19-02; 10950 East Shore Drive: Mais summarized the request for a 370 square-foot variance to construct a 1,230 square-foot tri-level dwelling where a minimum 1,600 square feet is required. Mr. Awad stated he wasn't aware of the minimum house size requirements when he purchased the property. He indicated he will be retiring and would like to construct a tri-level home, but does not need 1,600 square feet since he would be the only occupant. Finch inquired if the applicant constructed a ranch style home, would it change the minimum floor area requirement. Mais responded no. Schau asked the applicant what his practical difficulties were. Mr. Awad stated he did not need the amount of living area required by code and the house is isolated from other nearby homes by the surrounding wetlands and woods. Eichstaedt asked Rowe, since she is a realtor, if there is lack of this type of housing in the area. Rowe stated there is a lack of this type of housing in the area. Rowe added she contacted city staff to inquire when the 1,600 square foot minimum became the standard in the R-1D zoning district. The 1,600 square foot minimum was adopted in 2003 and prior to that, 1,040 square feet was the minimum. Eichstaedt inquired if dwellings comparable in size to the variance being requested could be found in nearby Schoolcraft Township. Rowe replied yes. Eichstaedt asked the applicant if he agreed with the staff recommended conditions: one-foot overhang and extension of the brick veneer shown in the drawing provided with the supplemental agenda. Mr. Awad replied yes.

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

A motion was made by Finch, seconded by Fry, to grant a 370 square-foot variance to construct a 1,230 square-foot tri-level dwelling where a minimum 1,600 square feet is required, with the condition that the dwelling be enhanced with additional architectural features, including: 1) the addition of a minimum 12-inch overhang; and 2) extension of the brick veneer across the entire front facade, for the following reasons: there are exceptional circumstances applying to the property that do not apply generally to other properties in the same zoning district, which include dwelling's seclusion from adjacent properties due to the surrounding woods and wetlands. The variance is necessary for the preservation and enjoyment of a substantial property right, the right to live in a dwelling that fits an owner's needs; the immediate practical difficulty causing the need for the variance request was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood; and the variance will not materially impair the intent and purpose of the Zoning Ordinance. In addition, the application and supporting materials, staff report, and all comments, discussions 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: Schau-Yes, Wettig-Yes, Fry-Yes, Finch-Yes, Philipp-Yes, Rowe-Yes, Eichstaedt-Yes. Motion passed 7-0.

OTHER BUSINESS:

Officer elections were held. Natalie Rowe was elected Chair, Jay Eichstaedt elected Vice Chair; and Alexander Philipp elected Secretary.

STATEMENT OF CITIZENS: None.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator

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PLANNING COMMISSION

August 15, 2019

The City of Portage Planning Commission meeting of August 15, 2019 was called to order by Chairman Corradini at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Seven citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development & Neighborhood Services and Randy Brown, City Attorney.

ROLL CALL:

Mr. Forth called the role: Myer (yes); Fries (yes); Baldwin (yes); Pezzoli (yes); Schimmel (yes); Corradini (yes); and Joshi (yes). A motion was then made by Commissioner Baldwin, seconded by Commissioner Joshi, to approve the role excusing only Commissioner Patterson. The motion was unanimously approved 7-0.

APPROVAL OF MINUTES:

Chairman Corradini referred the Commission to the August 1, 2019 meeting minutes contained in the agenda packet. A motion was made by Commissioner Myer, seconded by Commissioner Baldwin, to approve the minutes as submitted. The motion was unanimously approved 7-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

1. Special Land Use Permit Amendment: Presidential Brewing (Outdoor Beer Garden), 8302 and 8232 Portage Road. Mr. Forth summarized an application submitted by Jake Lohse requesting to amend the Special Land Use Permit that was previously approved by the Planning Commission in June 2018 to include an outdoor beer garden along the north side of the existing Presidential Brewing Company site located at 8302 and 8232 Portage Road. Mr. Forth indicated the west nine holes of the previously approved 18-hole outdoor miniature golf course have been removed and will be replaced with an outdoor bar, seating areas, gazebos, a fire pit, outdoor games and a stage for outdoor music entertainment. The applicant has indicated the remaining east nine holes of the miniature golf course will be refurbished and incorporated into the outdoor beer garden. Mr. Forth stated staff has concerns about the noise impacts on the adjacent residences and had discussed this issue with the applicant. Finally, Mr. Forth stated staff is recommending approval of the proposed amendment subject to five conditions and any additional comment brought before the Commission during the public hearing.

Commissioner Fries noted he has prior experience with noise issues and indicated his noise meter recorded a dBA level of 72 during the meeting. Commissioner Baldwin asked if a roof, in addition to a back wall, would be installed on the outdoor music stage. Mr. Forth indicated a roof was not mentioned in the applicant's material but the applicant could provide any additional input regarding a roof over the music stage. Commissioner Joshi asked about a berm and other screening along the north property line. Mr. Forth indicated there is a very dense vegetative screen that already exists along the north property line. Installation of a 6-foot high berm would require removal of the existing vegetation and would require 40 horizontal feet of land area.

The applicant, Jake Lohse, was present to support he amendment. Mr. Lohse explained the type of music and would not include heavy metal type. The stage was purposefully placed along the north property line to direct the sound away from the adjacent residents. Furthermore, Mr. Lohse stated the stage would include a roof and Thursdays would be the primary night for outdoor music. Commissioner Schimmel asked the applicant how many nights per week would there be outdoor music. Mr. Lohse responded there may be outdoor music once a week and maybe not even once a week. Commissioner Myer asked when the music will end. Mr. Lohse responded by saying 9:00 p.m. Commissioner Joshi aske the applicant if he considered another location away from the adjacent residents. Mr. Lohse responded by saying the it would be costly but could move the stage to a location other than where the new cooler will be located. Commissioner Fries acknowledged the sound will be amplified and suggested a sound engineer be consulted to help determine the noise impact rather than the Commission. Commissioner Pezzoli asked the applicant if he has set-up a radio at the location of the proposed stage at a sound level similar to live music then consult with the neighbors. Mr. Lohse stated he has not but did attempt to make contact with the adjacent neighbors but was only able to speak to one.

Chairman Corradini opened the public hearing. Linda Weimann, 8329 Oakside Street, indicated she lives behind Erbelli's and it can be loud at night. Mrs. Weimann stated she doesn't want to hear music at night and is opposed to outdoor music. Eric Hyland, 2315 Prosperity, stated he doesn't believe the outdoor beer garden is a problem. He indicated he hears more noise from RJ's Bar and Grill and supports the proposed Presidential Brewing outdoor entertainment. Steve Knipfel, 2224 Prosperity, stated he also supports the business and beer garden proposal. He indicated that when the building/property was vacant, it was an eyesore and drug use necessitated several police responses. Mr. Knipfel stated people would buy their medical marihuana from the business next door and walk over to the Presidential Brewing site and start smoking. Commissioner Schimmel asked Mr. Knipfel if the situation has improved. Mr. Knipfel indicated it has greatly improved after Presidential Brewing occupied the site.

There being no further discussion, a motion was made by Commissioner Schimmel, seconded by Commissioner Joshi, to close the public hearing. The motion was unanimously approved. Chairman Corradini asked if the Commissioners had any further comments. There being none, a motion was made by Commissioner Fries, seconded by Commissioner Pezolli, to approve the Special Land Use Permit for Presidential Brewing Company (outdoor beer garden), 8302 and 8232 Portage Road, subject to the five conditions outlined in the Department of Community Development report dated August 9, 2019. The motion was approved 7-0.

NEW BUSINESS:

1. FY2018-19 Planning Commission Work Program Final Update and Proposed FY2019-20 Work Program. Mr. Forth provided a brief overview of the completed FY2018-19 work program and the proposed FY2019-20 work program. With regard to the proposed FY2019-20 work program, Mr. Forth noted new activities include update of the 2014 Comprehensive Plan, update of the Major Thoroughfare Plan and continued assistance with Redevelopment Ready Communities certification. The Commission accepted the final update of the FY2018-19 work program. A motion was then made by Commissioner Joshi, seconded by Commissioner Baldwin, to approve the FY2019-20 work program. The motion was approved 7-0.

OLD BUSINESS:

None.

STATEMENT OF CITIZENS/COMMISSIONERS:

Chairman Corradini asked each Commissioner if they had any closing statements or comments:

- Commissioner Fries noted redevelopment of vacant properties, such as the one now occupied by Presidential Brewing, with activities for residents is good for the community.
- Commissioner Pezolli concurred with the statements made by Commissioner Fries.

- Chairman Corradini also concurred with Commissioner Fries statements. Chairman Corradini reminded the Commissioners who may be interested in attending the 2019 MAP conference to submit their application forms to the Department of Community Development.
- Other Commissioners did not have any closing statements or comments.

ADJOURNMENT:

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

Respectfully submitted,

Christopher Forth, AICP
Deputy Director of Planning, Development and Neighborhood Service

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PORTAGE PUBLIC SCHOOLS
BOARD OF EDUCATION
SPECIAL MEETING

August 12, 2019

SPECIAL MEETING

The Special Meeting of the Board of Education of Portage Public Schools held on Monday, August 12, 2019, was called to order at 3:02 p.m. by President Van Antwerp in Conference Room #1 of the Administration Building, 8107 Mustang Drive.

Board Trustees Present: Kurt Droppers, Terri Novaria, Rusty Rathburn, Celeste Shelton-Harris, Bo Snyder, Randy Van Antwerp, Joanne Willson

Board Trustees Absent: None

REVISIONS/APPROVAL OF AGENDA

Motion offered by Mrs. Willson, seconded by Dr. Shelton-Harris, that the Board of Education approve the agenda as printed.

The motion carried unanimously.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting. There being no public comment, he opened the floor for Trustee comments.

Mrs. Willson praised the Meet Up and Eat Up program.

Dr. Shelton-Harris shared positive comments regarding the progress on North Middle School.

Mr. Van Antwerp informed Trustees that the KRESA Board approved placing a millage on the November 5, 2019 ballot for Career and Technical Education. The millage would be for one mill levied for 20 years, if approved.

President Van Antwerp thanked Trustees for their comments.

DISCUSSION ITEMS

Elementary Facility Planning

Superintendent Bielang shared introductory remarks. As a follow-up to the facility master plan presentation given to the Board in June, the purpose of this meeting was to have discussion regarding what comes next. Dr. Bill DeJong of DeJong LLC facilitated the discussion, which included a brief review of the recommendations presented in June, with the primary focus of dialogue on the next steps and timeline.

With no further business to come before the Board, the meeting was adjourned at 5:12 p.m.

Respectfully submitted,

Barb Atkinson
Recording Secretary

PORTAGE PUBLIC SCHOOLS
BOARD OF EDUCATION
REGULAR BUSINESS MEETING

August 19, 2019

REGULAR BUSINESS MEETING

The Regular Business Meeting of the Board of Education of Portage Public Schools held on Monday, August 19, 2019, was called to order at 6:31 p.m. by President Van Antwerp in Conference Room #1 of the Administration Building, 8107 Mustang Drive, Portage. He welcomed the audience and the Pledge of Allegiance was recited.

Board Trustees Present: Terri Novaria, Rusty Rathburn, Bo Snyder, Randy Van Antwerp, Joanne Willson

Board Trustees Absent: Kurt Droppers, Celeste Shelton-Harris

REVISIONS/APPROVAL OF AGENDA

Motion offered by Mrs. Willson, seconded by Mr. Snyder, that the Board of Education approve the agenda as printed.

The motion carried unanimously.

REPORTS

Superintendent's Report

Bond Project Update

Mr. Ron Herron, Assistant Superintendent of Operations, provided an update on the status of bond work. At North Middle School, the majority of furniture has been installed, work continues on the classroom punch list, and final cleaning. Paving will be complete August 26 and wayfinding signage will be installed. The project is on schedule. At West Middle School, the northwest water line has been installed; interior walls, framing, and the fire system is complete; electrical/HVAC work is complete; ceiling grids and lighting has been installed; work continues on classroom technology work and bathrooms. At the Northern Athletic Event Facility, the throw area needs to be regraded. At the Central Athletic Event Facility, the opening game will be August 29; work is complete on the track, turf, concessions, team buildings, etc. At PCEC, final clean up continues; inspections will occur this week.

Mr. Herron thanked everyone involved in the bond projects. Mr. Herron recognized Marti Phelps, Dave Skinner, Al Shearer and his staff, Dan Vomastek and his staff for going above and beyond in their coordination and efforts.

Mr. Herron addressed questions from Trustees.

Change Order Summary/Bond Budget Update

Mr. Dan Rathburn, Project Manager from OAK, reviewed work committed through Bond Change Order #22 and detailed Change Orders by Construction Change Directives for North Middle School,

Central Athletic Event Facility, Central Middle School, West Middle School, and Portage Community Education Center. Mr. Dan Rathburn responded to questions from board members.

Summer Food Program Update

Susan Livingston, Director of Dining Services, accompanied by Mr. Mike Huber, Director of Curriculum and Professional Development, shared highlights on the summer program *Meet Up and Eat Up & Read Up!* Students experienced taste testing, enjoyed a visit from Food Network star Chef Jet Tila, and July soccer camp with local Olympian Lindsay Tarpley. Over 5,600 student meals were served, and over 3,000 books were provided to students this summer. Ms. Livingston addressed questions from Trustees.

Gifted and Talented Update

Beth Hartman, Director of Elementary Education, provided an update on the work done over the summer around enrichment and extension for our Gifted and Talented students. Ms. Hartman added a communication will issued soon. Ms. Hartman responded to questions from the Board.

Other

Mr. Bielang shared items of interest. The District received a proposal from the City of Portage regarding School Resource Officers. The three-year proposal includes the addition of two resource officers. The terms include the City covering 100 percent of the cost for the first year, the City and District splitting the cost in the second year, and 100 percent of the cost covered by the District in the third year.

Last week's TeachCamp was a success. Participants engaged in technology learning. Thank you to Jessica Winstanley, Paul Murray and to Dan Vomastek and his staff for holding this event.

Trustees were reminded of upcoming events – August 22 new teacher luncheon, August 26 Quint Studer event, and staff opening day on August 27.

Mr. Bielang congratulated John Dunlop and the Portage Central archery team. In July, they competed in the 2019 National Archery in the Schools Program Championship in Nashville, Tennessee. Madalyn Weiss scored 287 of a possible 300, ranked 13 out of 167 grade 8 girls, and was named to the All American Team.

A contract agreement is in place with PMN to videotape regular session board meetings beginning in September. Terms are similar to the agreement PMN had with the City of Portage for the same service.

Mr. Bielang and Michelle Karpinski attended the Fresh Thyme store grand opening. Mr. Bielang expressed appreciation for the $2,500 check the District received at the event.

Mr. Bielang recognized Paula Johnson and her staff for their work on the audit. The auditing firm completed their on-site work in the District today.

Mr. Bielang recognized and thanked the Executive Leadership team and their staff for their work over this very busy summer.

BOARD EDUCATION

There were no Board Education items.

COMMENTS OR COMMUNICATIONS

President Van Antwerp opened the comments and communications portion of the meeting. There being no public comment, he opened the floor for Trustee comments.

Mrs. Willson shared positive comments regarding Heimstra Optical's Stuff the Bus event. Mrs. Willson also remarked on the state's budget and funding for schools.

Mr. Rathburn praised John Dunlop for his work with students in archery, biking, and fishing; shared positive remarks regarding his visit to Lake Center Elementary, and expressed his concerns regarding the Kalamazoo RESA's Career and Technical Education millage proposal.

Mr. Van Antwerp shared complimentary remarks he received regarding Central High School's swim program providing assistance to Northern High's swim program.

Mr. Snyder shared highlights of the Board's Linkage Committee meeting held earlier today.

President Van Antwerp thanked Trustees for their comments.

CONSENT AGENDA

President Van Antwerp presented the following Consent Agenda items for approval by the Board of Education: approve the July 22, 2019 Regular Business Meeting and the August 12, 2019 Special Meeting Minutes; approve the purchase of 76 desktop computers from Presidio of Wixom, MI in an amount not-to-exceed $29,944.00, the proceeds for which come from the 2016 Bond Fund #1; and approve a one-year extension of the custodial services contract with Grand Rapids Building Services, Inc. for $1,773,372.00, the funds for which will come from the 2019-20 General Fund Budget.

There being no objection to the items, the motion carried unanimously.

REQUIRED ACTION ITEMS

There were no required action items.

ACTION ITEMS

Approve New Teacher Appointments

Motion offered by Mrs. Willson, seconded by Mr. Snyder, that the Board of Education approve the following new teacher appointments, as presented:

Rachel Bell	**James Long**
Betty Bianco	**Laura Mercadal**
Madelyn Buhrman	**Lisa Miller**
Nikki Callen	**Anne Nower**
Bailey Chapman	**Maggie Parker**
Alexander Coulombe	**Hanah Ponitz**
Samantha Crooks	**Nicole Powell**

Miranda Eldridge
Amber French
Timary Fuller
Rachael Harding
Christopher Harris Jr.
Rose Hellmers
Matthew Kolodzieczyk
Noah Krzan
Rachel Lam
Justin Lehman
Christopher Prom
Joshua Quist
Nicholas Sasak
Taylor Triemstra
Shannon Underwood
Marianne Walsh
Joseph Wood
Madeline Woods
Stephanie Wren

Mr. Brad Galin, Director of Human Resources, shared some facts about the new teacher hires. Of the teachers listed, eight are new to teaching, the average years of experience is 7.1 with the most experienced teacher having 19 years of experience, one half of the group has a Masters Degree, the teachers come to us from many states and one from Japan. Mr. Galin added there were 22 teacher retirements last year and one this summer.

The motion carried unanimously.

DISCUSSION ITEMS

There were no discussion items.

With no further business to come before the Board, the meeting was adjourned at 7:44 p.m.

Respectfully submitted,

Barb Atkinson
Recording Secretary

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Termination of Centre Port Commons, Brownfield Redevelopment Plan Amendment No. 6

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Subsequent to the public hearing, accept the request from Treystar Holdings, LLC, and terminate the Centre Port Commons Brownfield Redevelopment Plan Amendment No. 6.

On August 6, 2019, City Council accepted the attached request from Treystar Holdings, LLC requesting termination of Brownfield Redevelopment Plan Amendment No. 6 for Centre Port Commons, located at the southeast corner of Portage Road and East Centre Avenue (comprised of 8015, 8043 and 8061 Portage Road and 2610 and 2700 East Centre Avenue). As indicated in the communication from Mr. Brown, redevelopment of the southeast corner of Portage Road and East Centre Avenue has been contemplated since 2006 and in March 2010, City Council approved the Centre Port Commons Brownfield Redevelopment Plan Amendment, which proposed the use of tax increment revenue generated by the project to reimburse the developer $147,000 over a four-year period for eligible brownfield activities. These activities included demolition of a blighted gas station building at 8043 Portage Road, site work, environmental response, public infrastructure improvements and other eligible work activities.

Subsequent to the approval of the Plan, the economic downturn halted development of the property and therefore, no tax increment revenue was generated or captured within the proceeding five-year time period required under the Brownfield Redevelopment Financing Act (PA 381 of 1996). Because no tax increment revenue was generated, the developer was not reimbursed for any of the eligible activities that were completed to create the development-ready site that exists today.

In July 2019, the City Administration approved a site plan for an approximate 12,600-square-foot Bronson Primary Care medical office building to be constructed at 2610 and 2700 East Centre Avenue. The project represents a $5.3 million investment and will generate new tax revenue as initially contemplated in the Centre Port Commons Brownfield Redevelopment Plan. Treystar is therefore requesting that City Council take action to terminate the plan approved in 2010 which has essentially expired. Termination of the existing plan in accordance with Section 14(8)(b) of PA 381 of 1996 would allow Treystar to proceed with preparing a new plan for review and approval of the Portage Brownfield Redevelopment Authority and City Council, as permitted in Section 14(8)(c) of PA 381.

The new plan to be prepared by Treystar, would include reimbursement for the same eligible expenses included in the March 2010 plan. Per the city Brownfield Redevelopment Incentive Policy, the scope

of this project would be eligible for a tax increment revenue capture period of 15 years, during which the developer would be reimbursed for eligible expenses. In addition to the expenses included in the March 2010 plan, it is proposed that $25,000 in public infrastructure expenses would be available for reimbursement to the City of Portage for a Lake Center business district entry feature at the northwest corner of 8015 Portage Road within an easement granted to the city by Treystar. Finally, it is proposed that the new Centre Port Commons Brownfield Redevelopment Plan include five years of tax increment revenue capture for the recently established Local Brownfield Revolving Fund.

It is recommended that subsequent to the public hearing, City Council accept the request from Treystar Holdings, LLC and terminate the Centre Port Commons Brownfield Redevelopment Plan Amendment No. 6. This action would allow Treystar to proceed with preparation of a new plan amendment as noted above.

FUNDING: Not applicable

Attachments:
1. July 11, 2019 Communication from Treystar Holdings, LLC
2. Vicinity Map
3. 2010 Concept Plan for Centre Port Commons
4. Bronson Primary Care Site Plan

TREYSTAR™

July 11, 2019

City Council - Portage, Michigan
C/O Ms. Victoria Georgeau
Community Development Director
7900 South Westnedge Avenue
Portage, Michigan 49002

Re: Termination of the Brownfield Plan Amendment for the CentrePort Development Project Located at the Southeast Corner of East Centre and Portage Road

Honorable City Council Members:

As you may be aware, Treystar has been an active real estate development partner of the city of Portage since 1979 when we first broke ground on The Moors Golf course and the surrounding 816 single family homes. Since then, we have enjoyed collaboration on dozens more projects, including the Woodbridge Shopping Village, Carillon Shopping Center, Borgess – Angling, and Bronson – Centre Ave.

That said, we would like to ask the City Council for its assistance concerning our project located at the southeast corner of East Centre and Portage Road.

In 2006, Treystar purchased the bulk of the property from Pharmacia and shortly thereafter, added an adjacent parcel (an old Clark gas station). Treystar subsequently met with the city Brownfield Redevelopment Authority and had all 8.09 acres placed in the Brownfield plan. In March 2010, the Brownfield Plan for the southeast corner of East Centre and Portage Road was approved. The development proposal included plans to construct a total of 6 buildings comprised of retail, restaurant(s), and office. (see attached initial site plan)

Because one of the parcels immediately sold to Fifth Third bank (who planned on constructing a branch within six months), Treystar promptly began work on installing infrastructure, including storm water retention, utilities, and roads. The work was done thinking the entire development would be completely built-out within a few years and that Treystar would be reimbursed in the form of Tax Increment Financing.

Unfortunately, the downturn caught up with this project and everything stopped – almost overnight. Fifth Third pulled the plug on the branch and all activity dried up. Except by now, Treystar had invested $450,000 in infrastructure and with no development on the horizon, there was little chance of seeing TIF reimbursement within the timeline set forth in the Brownfield Agreement.

Fast forward to today, the economy is finally back to pre-2008 levels and projects are once again popping-up in the tertiary markets – including the southeast corner of East Centre and Portage Road. Treystar now has a project ready for units 2 and 3 of the development (Bronson

Primary Care) – a $5.3 million building slated for completion in July 2020. (See attached site plan and elevation)

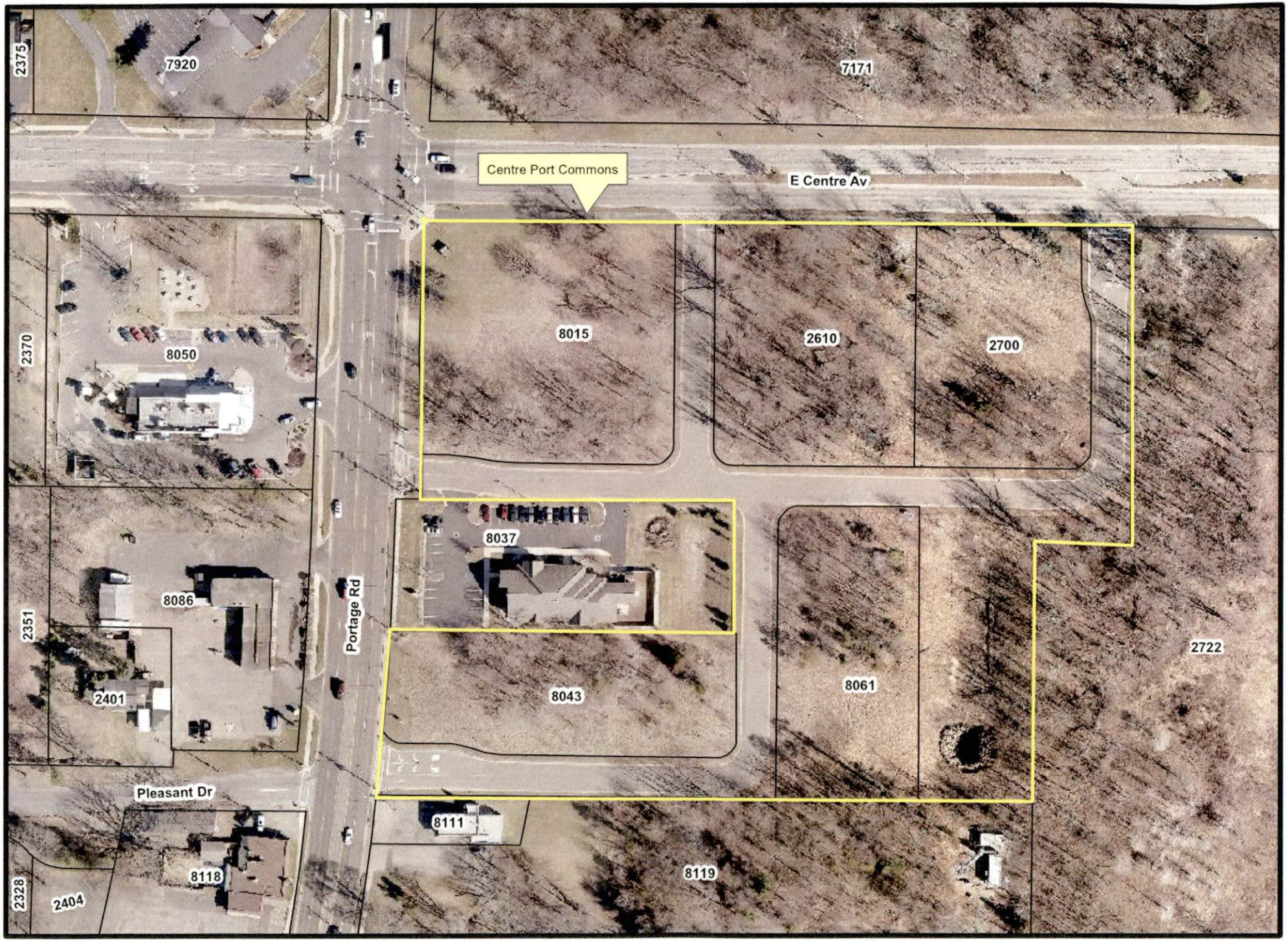
We are very excited to finally start a project on this corner. Not only is the development the northern gateway to the Lake Center business district, but we anticipate that the Bronson project will be the catalyst to stimulate further investment in the corridor.

Having said all of the above, Treystar is asking the City Council to terminate the current Brownfield plan per Section 14, Paragraph 8 of BROWNFIELD REDEVELOPMENT FINANCING ACT (Act 381 of 1996). Terminating the plan would accomplish two goals: 1) It would officially close the books on a plan established in 2009 which has technically lapsed; and 2) It would allow Treystar to develop a new Brownfield plan in the hopes the city will allow Treystar to capture the TIF eligible expenses associated with the infrastructure installed and paid for in 2009.

We thank the City Council for its consideration.

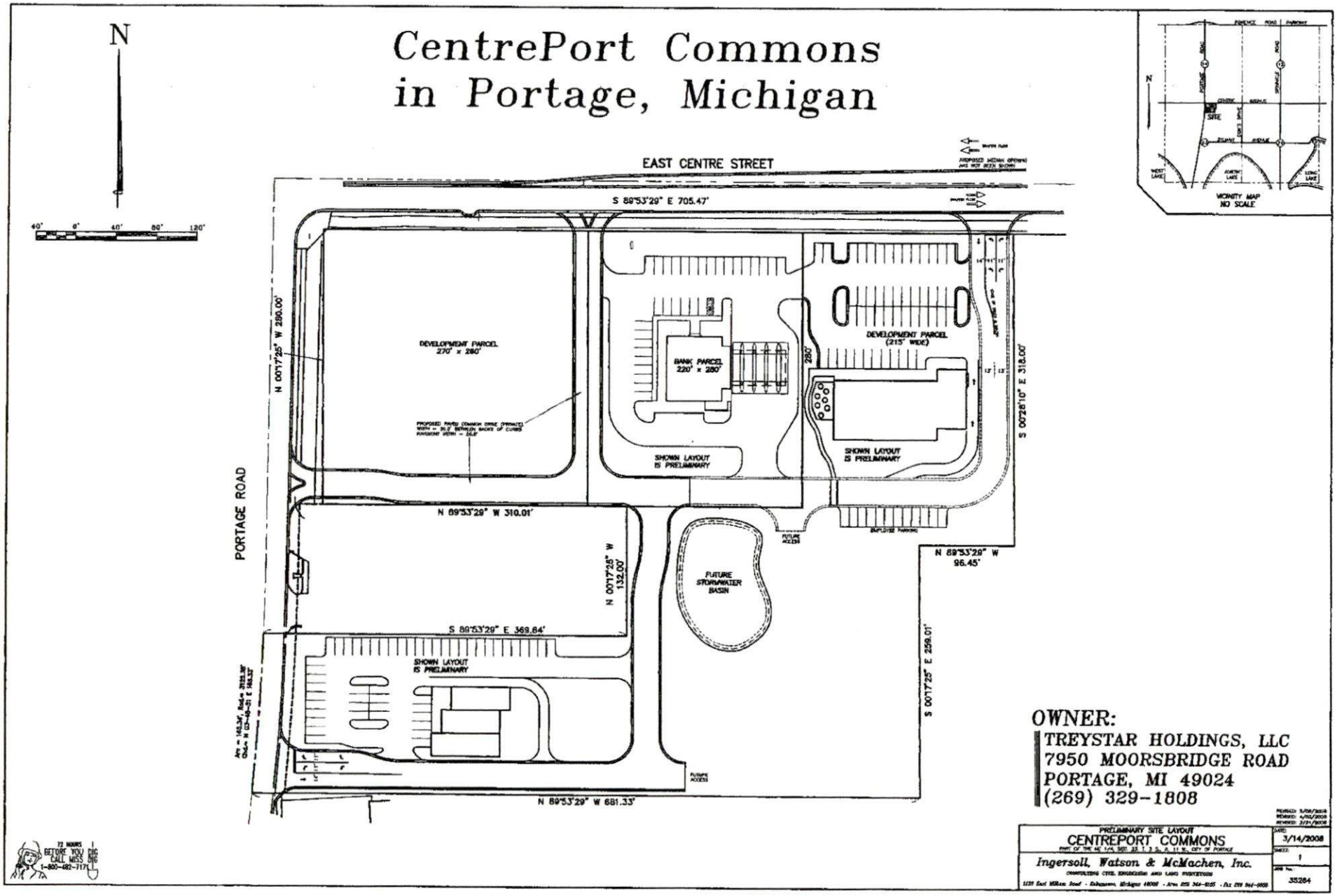
Sincerely,

Fritz Brown
Partner
Treystar Holdings, LLC



Centre Port Commons Brownfield Redevelopment Plan Amendment No. 6

CentrePort Commons in Portage, Michigan

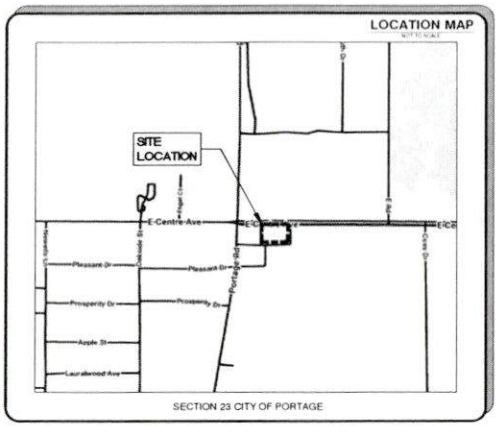


Legal Description

Centreport Commons
8019 Portage Road
Portage, Michigan

A PARCEL OF LAND SITUATED IN THE NE 1/4 AND THE NW 1/4 OF SEC 23, T3S, R11W; COMM AT THE N 1/4 COR OF SEC23, T3S, R11W; TH S89DEG53'29"E 648.32FT ALONG THE N LI OF THE NE 1/4 OF SAID SEC TO THE W LI OF THE E 1/2 OF THE NW 1/4 OF SAID NE 1/4; TH CONTINUING S89DEG53'29"E 170 FT ALONG SAID N LI; TH S00DEG28'10"E 50 FT PARALLEL WITH SAID W LI TO THE S ROW LI OF CENTRE AV AND THE POB; TH CONT S00DEG28'10"E 318 FT PARALLEL WITH SAID W LI; TH N89DEG53'29"W 96.45 FT PARALLEL WITH SAID N LI TO THE E LI OF THE W 660 FT (PERPENDICULAR MEASURE) OF SAID NE 1/4; TH S00DEG17'25"E 259.01 FT ALONG SAID E LI TO A POINT S00DEG17'25"E 627 FT PARALLEL WITH SAID E LI FROM THE N LI; TH N89DEG53'29"W 681.33 FT PARALLEL WITH SAID N LI TO THE CENTER LI OF PORTAGE RD; TH NORTHERLY 165.34 FT ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 3125.36 FT AND A CHORD N03DEG45'51"E 165.00 FT TO A POINT S00DEG17'25"E 462 PARALLEL WITH SAID E LI FROM SAID N LI; TH S89DEG 53'29"E 369.64 FT PARALLEL WITH SAID N LI TO A POINT N89DEG53'29"W 300 FT FROM SAID E LI; TH N00DEG17'25"W 132.00 FT PARALLEL WITH SAID E LI; TH N89DEG53'29"W 310.00 FT PARALLEL WITH SAID N LI TO THE E LI OF THE W 50 FT OF SAID NE 1/4; TH N00DEG17'25"W 280.00 FT ALONG SAID E LI OF THE W 50 FT TO SAID S ROW LINE OF CENTRE AV; TH S89DEG53'29"E 705.47 FT ALONG SAID S ROW LI TO THE POB. CONTAINING 8.09 ACRES OF LAND. PARCEL SUBJECT TO HIGHWAY EASEMENT FOR PORTAGE RD.

PPN: 00023-040-B



BRONSON PRIMARY CARE PARTNERS
CENTRE AVE
2610 E CENTRE AVE
SECTION 23
CITY OF PORTAGE
KALAMAZOO COUNTY, MI

SITE DEVELOPMENT PLANS
MAY 9, 2019

ISSUED FOR: SITE PLAN SUBMITTAL

SHEET INDEX

No.	SHEET TITLE
C1.0	EXISTING CONDITIONS
C2.0	DEMOLITION PLAN
C3.0	SITE / UTILITY PLAN
C4.0	GRADING & SESC PLAN
C5.0	DETAILS
L1.0	LANDSCAPE PLAN
ES0.1	ELECTRICAL SITE PLANS
A1.1	FLOOR PLANS
A3.1 - A3.2	EXTERIOR BUILDING ELEVATIONS

REVISIONS

No.	ISSUED FOR:	DATE:	BY:
0	SITE PLAN SUBMITTAL	05/09/2019	DL
1	-	-	-
2	-	-	-
3	-	-	-
4	-	-	-
5	-	-	-
6	-	-	-
7	-	-	-
8	-	-	-
9	-	-	-

OWNER/APPLICANT:

BRONSON HEALTHCARE GROUP
GREG MILLIKEN
601 JOHN STREET, BOX 9
KALAMAZOO, MI 49007

CIVIL ENGINEER:

AR ENGINEERING, LLC
4664 CAMPUS DRIVE, SUITE 106
KALAMAZOO, MI 49008
TEL: (269) 207-4438 FAX: (866) 569-0604

AR Engineering

DAN LEWIS, P.E. DATE

AR Engineering
Civil Engineers & Surveying

DHAE
KALAMAZOO GRAND RAPIDS

612 South Park Street
Kalamazoo, Michigan 49007

15 Ionia SW - Suite 330
Grand Rapids, Michigan 49503

STATE OF MICHIGAN
DANIEL G. LEWIS
ENGINEER
No. 52071
LICENSED PROFESSIONAL ENGINEER
DAN LEWIS, P.E.

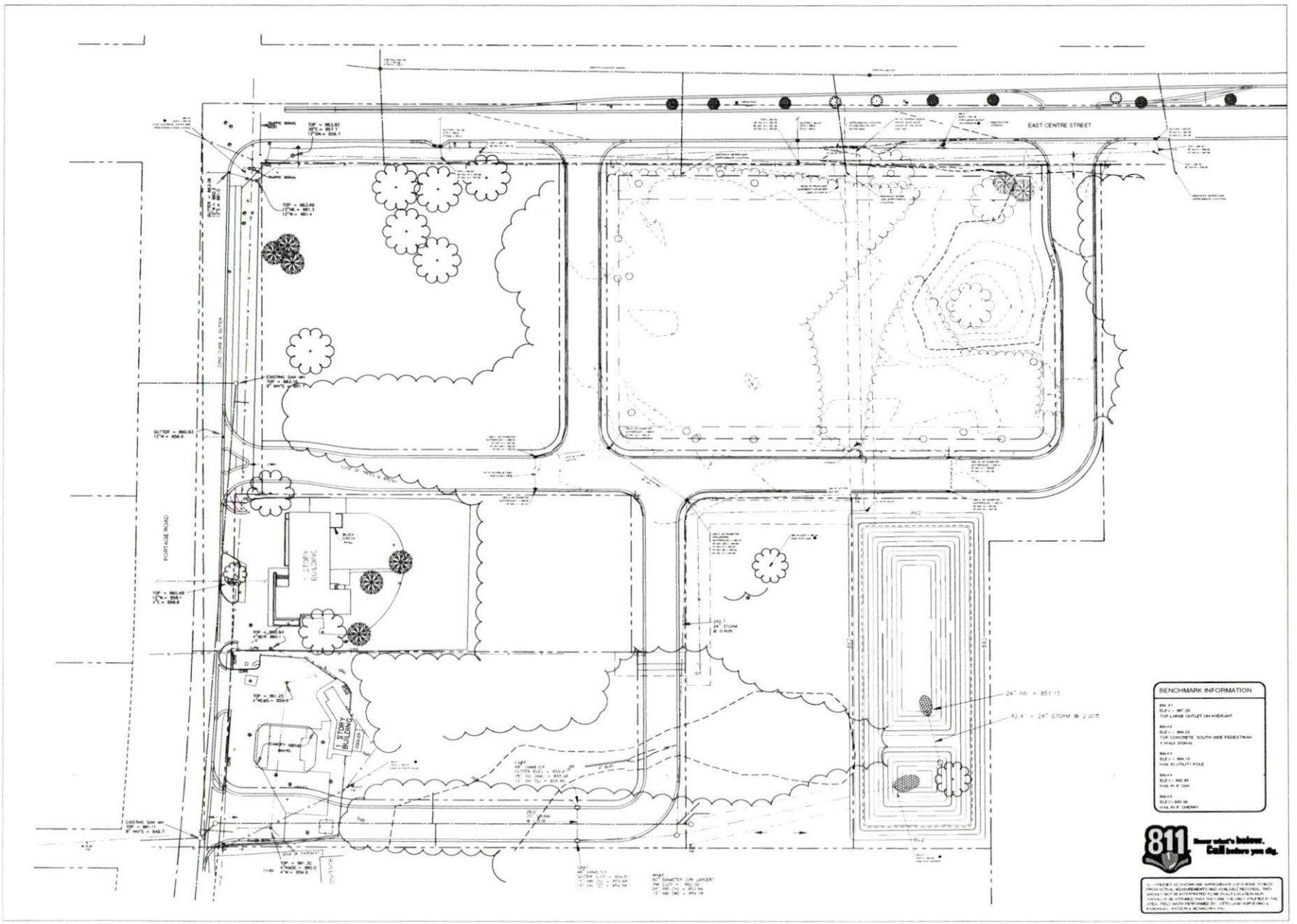
CENTRE AVE - NEW PRIMARY CARE BUILDING
BRONSON HEALTHCARE GROUP
PORTAGE, MICHIGAN 49002

MAY 9, 2019

19015.02

TITLE PAGE

T1.0
CONST DOCUMENTS



AR Engineering
Civil Engineers & Surveying

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EXISTING CONDITIONS

C1.0
CONST. DOCUMENTS

GENERAL NOTES

1. DIMENSIONS TAKE PRECEDENCE OVER SCALE. CONTRACTOR TO VERIFY ALL DIMENSIONS IN FIELD.
2. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT / ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
3. ALL CURB RADII AND DIMENSIONS ARE TO FACE OF CURB. CURB TO BE PROVIDED WHERE SHOWN AND INTEGRAL WITH SIDEWALK AT PAVING EDGE.
4. SLOPE GRADES UNIFORMLY BETWEEN ELEVATIONS SHOWN. NOMINAL GRADING, SLOPE SIDEWALKS AWAY FROM BUILDING AT 1/4" PER FOOT ON ENTRY WALK.
5. GROSS SITE AREA: 80,027 SQFT
   BUILDING COVERAGE = 14% OPEN SPACE = 45%
6. ZONING IS B2 GENERAL BUSINESS.
7. BUILDING HEIGHT = 30.75
8. PARKING CALCS
   REQUIRED = 2 SPACES PER EXAM ROOM + 1 PER EMPLOYEE
   71 SPACES REQUIRED
   PROVIDED:
   BARRIER FREE = 6
   REGULAR = 73
   TOTAL = 79

SITE PLAN NOTES

- A 10' x 10' CONCRETE PAD FOR DUMPSTER W/ VINYL ENCLOSURE 6' TALL MIN.
- B INTEGRAL CURB/WALK (SEE DETAIL SHEET)
- C PROPOSED LIGHTED MONUMENT SIGN TO BE APPROVED SEPARATELY AT LATER DATE
- D BOLLARDS WITH DECORATIVE BOLLARD SLEEVE (SEE DETAIL SHEET)
- E PROPOSED HVAC CONDENSERS GENERATOR AND TRANSFORMER (REFER TO MEP DRAWINGS FOR ADDITIONAL INFORMATION)
- F LOADING AREA
- G TWO WAY YARD CLEANOUT
- H SEWER LATERAL. COORDINATE CONNECTION WITH PLUMBING PLANS
- I CONNECT TO EXISTING SEWER LEAD. COORDINATE WITH MUNICIPALITY
- J PRIVATE UTILITIES (ELECTRIC,GAS,FIBER,ETC) (SEE MEP DRAWINGS FOR ADDITIONAL INFORMATION)
- K CONNECT TO EXISTING WATER MAIN. COORDINATE CONNECTION WITH MUNICIPALITY
- L 2" DOMESTIC WATER SERVICE
- M 6" FIRE WATER SERVICE
- N SANITARY CLEANOUT
- O BUILDING SIGN TO BE APPROVED AT A LATER DATE
- P IRRIGATION LINE (SEE IRRIGATION PLAN FOR CONTINUANCE)
- Q AT GRADE RAMP (SEE GRADING PLAN)
- R LIGHT POLE LOCATIONS (SEE ELECTRICAL PLAN FOR ADDITIONAL INFORMATION)
- S FDC CONNECTION
- T 2' STONE MAINTENANCE STRIP AROUND ENTIRE BUILDING (SEE LANDSCAPE PLAN FOR ADDITIONAL INFORMATION)
- U 6" ROOF DRAIN
- V SECONDARY DIRECTIONAL SIGN APPROVED AT A LATER DATE
- W 6" OR 45 BEND
- X LIVE TAPPING SLEEVE AND VALVE OF EXISTING 8" WATERMAIN. TO BE COORDINATED WITH CITY OF PORTAGE
- Y CONCRETE PAVEMENT (SEE DETAIL SHEET)

PROP. STORM STRUCTURE DATA

INLET 1, 2' DIA, EJIW 7046	
RIM = 862.43	
12" CONC SE	858.80
CB-2, 4' DIA, EJIW 7046	
RIM = 861.35	
12" CONC NW	858.28
12" HDPE SE	858.29
CB-3, 4' DIA, BEEHIVE	
RIM = 862.00	
12" HDPE NW	858.22
12" HDPE S	858.22
6" PVC W	859.00
CB-4, 4' DIA, EJIW 1040 M1	
RIM = 862.00	
12" HDPE N	859.06
15" HDPE S	858.08

* ALL STRUCTURES HAVE 2 SUMPS

EXISTING STRUCTURE DATA

CB-5,1, 4' DIA		CB-9, 4' DIA		MH-14	
GUTTER = 862.74		GUTTER = 860.58		RIM = 863.04	
15" INV N	858.06	12" INV S	857.06	30" INV W	855.06
15" INV S	857.86	15" INV NW	858.88	12" INV N	857.40
		18" INV E	858.88		
CB-6, 4' DIA		CB-10, 4' DIA		MH-15	
GUTTER = 862.74		GUTTER = 860.58		RIM = 863.12	
15" INV N	857.82	12" INV N	857.37	30" INV E	854.70
15" INV W	857.62				
CB-7, 4' DIA (OR LARGER)		SMH-11		MH-16	
GUTTER = 861.2?		RIM = 862.40		RIM = 864.49	
18" INV NW	855.08	8" INV S	852.40	30" INV E	854.70
15" INV E	854.42			30" INV W	857.20
15" INV SE	854.42	CB-12		12" INV N	858.60
24" INV S	854.88	GUTTER = 862.12			
		12" INV E	858.40	CB-17	
CB-8, 4' DIA				GUTTER = 863.91	
GUTTER = 860.87		CB-13		12" INV N	860.00
18" INV W	854.25	GUTTER = 858.30		12" INV S	858.80
18" INV SE	854.15	12" INV W	858.30	SMH-18	
		12" INV N & S	857.80	NO INFORMATION	

SITE MATERIALS & CONSTRUCTION NOTES

1. SOILS EXPOSED IN THE BASE OF ALL SATISFACTORY FOUNDATION EXCAVATIONS SHOULD BE PROTECTED AGAINST ANY DETRIMENTAL CHANGES IN CONDITION SUCH AS FROM DISTURBANCE, RAIN AND FREEZING. SURFACE RUN-OFF WATER SHOULD BE DRAINED AWAY FROM THE EXCAVATION AND NOT ALLOWED TO POND. IF POSSIBLE, ALL FOOTING CONCRETE SHOULD BE POURED THE SAME DAY THE EXCAVATION IS MADE. IF THIS IS NOT PRACTICAL, THE FOOTING EXCAVATIONS SHOULD BE ADEQUATELY PROTECTED.
2. REMOVE ALL SUBGRADE GRADE MATERIAL THAT MAY BE SOFTENED BY RAINS, FREEZING, OR CONSTRUCTION TRAFFIC, ETC. AND REPLACE WITH COMPACTED GRANULAR FILL.
3. STORM SEWER SHALL BE CORRUGATED HDPE PIPE WITH SMOOTH INTERIOR WALL, BY ADS OR EQUAL. LEACHING BASINS AND MANHOLES ARE TO BE REINFORCED CONCRETE WITH RIM AND SLOTTED GRATING (AS SHOWN). STORM SEWER & LEACHING BASINS ARE TO BE WRAPPED WITH FILTER FABRIC.
4. SANITARY SEWER PIPE MAY BE PVC SDR 3034 MATERIAL.
5. WATER SERVICE LINE SHALL BE DUCTILE IRON AND SHALL BE BROUGHT TO WITHIN 5' OF BUILDING.
6. PROVIDE MINIMUM 5' COVER FROM FINISHED GRADE FOR ALL WATER SERVICE LINES. IF COVER CANNOT BE MAINTAINED DUE TO SITE CONDITIONS OR INVERT ELEVATIONS THE ENTIRE LENGTH OF THE EXTERIOR PIPE MUST BE PROTECTED WITH 2" RIGID INSULATION BOARD ON THE TOP AND SIDES.
7. PROVIDE MINIMUM 5' COVER FROM FINISHED GRADE FOR ALL SANITARY SEWER LINES. IF COVER CANNOT BE MAINTAINED DUE TO SITE CONDITIONS OR INVERT ELEVATIONS THE ENTIRE LENGTH OF THE EXTERIOR PIPE MUST BE PROTECTED WITH 2" RIGID INSULATION BOARD ON THE TOP AND SIDES.
8. MAINTAIN 10 FOOT MINIMUM HORIZONTAL SEPARATION BETWEEN THE SEWER AND WATER MAIN UTILITIES. PROVIDE 18" MINIMUM VERTICAL SEPARATION WHERE UTILITIES CROSS.
9. THE CONTRACTOR SHALL INSTALL A PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
10. EXTERIOR CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 4000 PSI AND SHALL HAVE LIMESTONE AGGREGATE AND SHALL HAVE 4 - 8 % AIR ENTRAINMENT WITH A BROOM FINISH.
11. EXPANSION JOINTS IN CONCRETE PAVEMENT AND WALLS SHALL BE 1/2" ASPHALT IMPREGNATED FULL DEPTH 40' O.C. MAXIMUM & AT SIDEWALK INTERSECTIONS. CRACK CONTROL SCORING AT SIDEWALK WIDTH DIMENSION AND @ 10'-0" O.C. IN DRIVES.

LEGEND

- LIGHT DUTY ASPHALT
- HEAVY DUTY BITUMINOUS PAVEMENT (SEE DETAIL THIS SHEET)
- CONCRETE PAVEMENT AND SIDEWALK
- C4 CURB AND GUTTER (SEE DETAIL SHEET)
- B/T VALLEY CURB (SEE DETAIL SHEET)

BENCHMARK INFORMATION

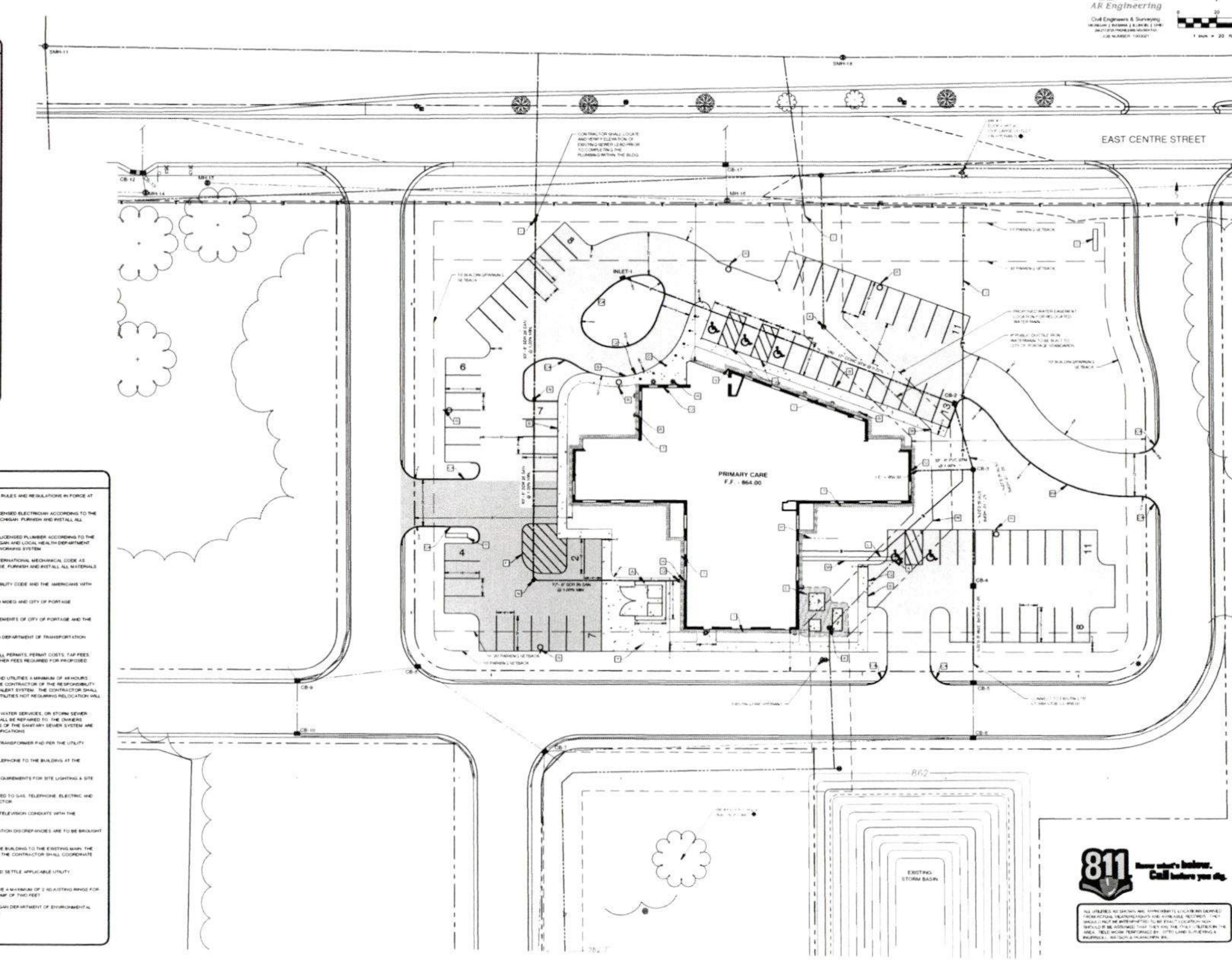
BM #1
ELEV = 867.20
TOP LARGE OUTLET ON HYDRANT

BM #2 (SEE SHEET C1.0)
ELEV = 864.26
TOP CONCRETE, SOUTH SIDE PEDESTRIAN X-WALK SIGNAL

BM #3 (SEE SHEET C1.0)
ELEV = 864.15
NAIL IN UTILITY POLE

BM #4
ELEV = 862.92
NAIL IN 8" OAK

BM #5 (SEE SHEET C1.0)
ELEV = 863.46
NAIL IN 8" CHERRY



GENERAL NOTES

1. ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT TIME OF CONSTRUCTION.
2. ELECTRICAL WORK SHALL BE PERFORMED BY A STATE OF MICHIGAN LICENSED ELECTRICIAN ACCORDING TO THE N.F.P.A. NATIONAL ELECTRICAL CODE AS MODIFIED BY THE STATE OF MICHIGAN. FURNISH AND INSTALL ALL MATERIALS AND LABOR TO PROVIDE A COMPLETE WORKING SYSTEM.
3. ALL PLUMBING WORK SHALL BE PERFORMED BY A STATE OF MICHIGAN LICENSED PLUMBER ACCORDING TO THE INTERNATIONAL PLUMBING CODE AS MODIFIED BY THE STATE OF MICHIGAN AND LOCAL HEALTH DEPARTMENT. FURNISH AND INSTALL ALL MATERIALS AND LABOR TO PROVIDE A FULL WORKING SYSTEM.
4. ALL MECHANICAL WORK SHALL BE PERFORMED ACCORDING TO THE INTERNATIONAL MECHANICAL CODE AS MODIFIED BY THE STATE OF MICHIGAN AND THE MICHIGAN ENERGY CODE. FURNISH AND INSTALL ALL MATERIALS AND LABOR TO PROVIDE A FULL WORKING SYSTEM.
5. ALL WORK SHALL CONFORM TO THE MICHIGAN HANDICAPPED ACCESSIBILITY CODE AND THE AMERICANS WITH DISABILITIES ACT.
6. WATER SERVICE PRESSURE TESTING AND CHLORINATION SHALL BE PER MDEQ AND CITY OF PORTAGE REQUIREMENTS.
7. SANITARY SEWER INSTALLATION AND TESTING MUST MEET THE REQUIREMENTS OF CITY OF PORTAGE AND THE MICHIGAN DEPT. OF ENVIRONMENTAL QUALITY.
8. ALL REGULATORY SIGNAGE (IF SPECIFIED) SHALL BE PER THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT).
9. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS, PERMIT COSTS, TAP FEES, METER DEPOSITS, PERMANENT UTILITY APPLICATIONS, BONDS, AND OTHER FEES REQUIRED FOR PROPOSED WORK.
10. CONTACT "MISS DIG" AT 1-800-482-7171 FOR LOCATION OF UNDERGROUND UTILITIES A MINIMUM OF 48 HOURS BEFORE COMMENCING EXCAVATION WORK. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO ARE NOT PART OF THE "MISS DIG" ALERT SYSTEM. THE CONTRACTOR SHALL CONDUCT HIS OPERATIONS IN A MANNER AS TO ENSURE THAT THOSE UTILITIES NOT REQUIRING RELOCATION WILL NOT BE DISTURBED.
11. ANY SANITARY SEWER, SANITARY SEWER SERVICE LEADS, WATER MAIN, WATER SERVICES, OR STORM SEWER WHICH IS DAMAGED BY THE CONTRACTOR DURING HIS OPERATIONS SHALL BE REPAIRED TO THE OWNERS SATISFACTION, AND AT THE CONTRACTORS EXPENSE. IF ANY ELEMENTS OF THE SANITARY SEWER SYSTEM ARE DAMAGED AND NEED REPAIRED, IT MUST MEET CITY OF PORTAGE SPECIFICATIONS.
12. THE ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR THE ELECTRICAL TRANSFORMER PAD PER THE UTILITY COMPANY SPECIFICATIONS.
13. THE TELEPHONE UTILITY COMPANY SHALL PROVIDE UNDERGROUND TELEPHONE TO THE BUILDING AT THE OWNERS EXPENSE.
14. REFER TO ELECTRICAL DRAWINGS FOR UNDERGROUND ELECTRICAL REQUIREMENTS FOR SITE LIGHTING & SITE DETAILS SHEETS FOR THE FIXTURE AND & POLE SPECIFICATIONS.
15. DESIGN, INSTALLATION AND SPECIFICATION FOR IMPROVEMENTS RELATED TO GAS, TELEPHONE, ELECTRIC AND CABLE TELEVISION SERVICES SHALL BE COORDINATED BY THE CONTRACTOR.
16. CONTRACTOR SHALL COORDINATE TELEPHONE, ELECTRIC, AND CABLE TELEVISION CONDUITS WITH THE APPROPRIATE UTILITY PRIOR TO PAVEMENT INSTALLATION.
17. CONTRACTOR IS TO UNCOVER AND CONFIRM ALL TAP LOCATIONS. LOCATION DISCREPANCIES ARE TO BE BROUGHT TO THE ENGINEERS ATTENTION FOR RESOLUTION.
18. THE CONTRACTOR IS TO PROVIDE THE WATER SERVICE PIPING FROM THE BUILDING TO THE EXISTING MAIN. THE CONTRACTOR SHALL MAKE THE CONNECTION TO THE SHUT OFF VALVE. THE CONTRACTOR SHALL COORDINATE SERVICES WITH THE CITY OF PORTAGE.
19. CONTRACTOR/OWNER SHALL OBTAIN UTILITY CONNECTION PERMITS AND SETTLE APPLICABLE UTILITY ASSESSMENTS PRIOR TO EXTENSION OF PUBLIC UTILITIES ONSITE.
20. MANHOLE AND CATCH BASIN STRUCTURES SHALL BE PRECAST AND HAVE A MAXIMUM OF 2 ADJUSTING RINGS FOR FINISH GRADE ADJUSTMENT. STORM STRUCTURES MUST ALL HAVE A SUMP OF TWO FEET.
21. ALL WATER MAIN TO HAVE A BURIAL DEPTH AS REQUIRED BY THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE SPECIFIC REGION OF WORK IN THE CITY OF PORTAGE.
22. DEMOLISH & REMOVE ALL EXISTING SITE FEATURES AS REQUIRED.
23. THE CONTRACTOR SHALL REVIEW THE GEOTECHNICAL REPORT.

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

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SITE / UTILITY PLAN
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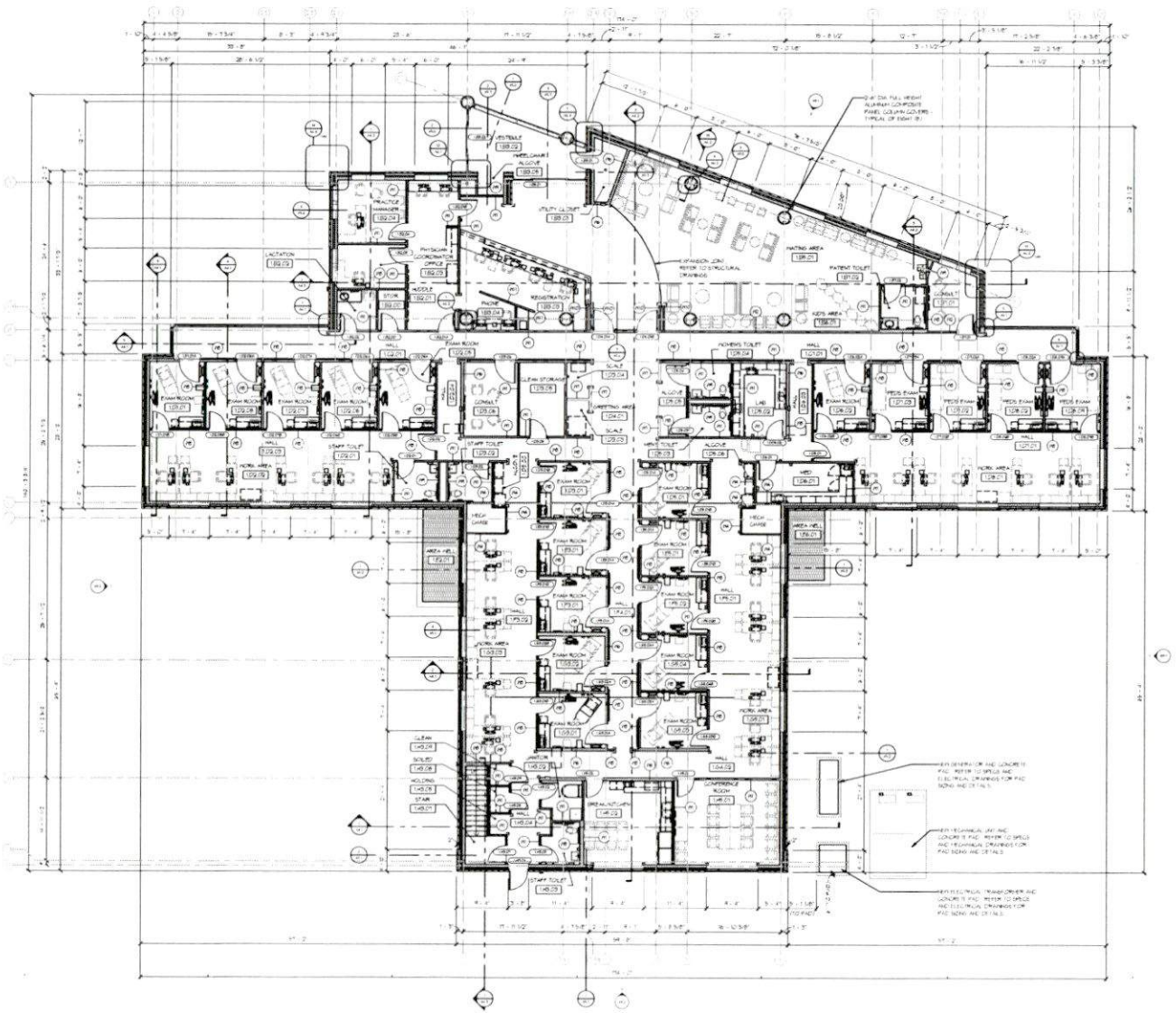

FIRST LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

FLOOR PLAN LEGEND

NEW NON-FIRE RATED WALL

1-HOUR FIRE RATED PARTITION - UL DESIGN

NEW DOOR

WALL TYPES

(W1) 3-5/8" 6-1/4" (BE) ON BOTH SIDES ON 3-5/8" METAL STUDS. FILL CAVITY W/3" ACOUSTICAL BATTEN INSULATION - EXTEND STUDS 6-1/4" (BE) TO ROOF DECK OR FLOOR DECK ABOVE & SEAL ALL GAPS W/ACOUSTICAL SEALANT. (PROVIDER RATED WALLS WHERE SHOWN)

(W2) 5-5/8" 6-1/4" (BE) ON BOTH SIDES OF 3-5/8" METAL STUDS. 1/2" DEEP RESILIENT FURRING CHANNEL ON ONE SIDE. FILL CAVITY W/3" ACOUSTICAL BATTEN INSULATION - EXTEND STUDS 6-1/4" (BE) TO ROOF DECK & SEAL ALL GAPS W/ACOUSTICAL SEALANT. (PROVIDER RATED WALLS WHERE SHOWN)

(W3) 5-5/8" TYPE X 6-1/4" (BE) ON BOTH SIDES OF 3-5/8" METAL STUDS. FILL CAVITY W/3 1/2" ACOUSTICAL BATTEN INSULATION - EXTEND STUDS 6-1/4" (BE) TO ROOF DECK & SEAL ALL GAPS W/ACOUSTICAL SEALANT. (PROVIDER RATED WALLS WHERE SHOWN)

(W4) 5-5/8" TYPE X 6-1/4" (BE) ON ROOM SIDE ON 6" X 1 1/2" C-H METAL STUDS. 1" X 2-1/2" 6-1/4" (BE) LINER PANEL ON SHAFT SIDE. FILL CAVITY W/ 3" ACOUSTICAL BATTEN INSULATION - EXTEND STUDS 6-1/4" (BE) TO ROOF DECK & SEAL ALL GAPS W/FIRE RATED SEALANT. (PROVIDER RATED WALLS WHERE SHOWN)

(W5) 5-5/8" 6-1/4" (BE) ON BOTH SIDES ON 6" METAL STUDS. FILL CAVITY W/3" ACOUSTICAL BATTEN INSULATION - EXTEND STUDS 6-1/4" (BE) TO ROOF DECK & SEAL ALL GAPS W/ACOUSTICAL SEALANT. (PROVIDER RATED WALLS WHERE SHOWN)

(W6) 5-5/8" 6-1/4" (BE) ON BOTH SIDES OF 6" X 20 GA METAL STUDS. FILL CAVITY W/6" ACOUSTICAL BATTEN INSULATION - EXTEND STUDS 6-1/4" (BE) TO ROOF DECK & SEAL ALL GAPS W/ACOUSTICAL SEALANT. (PROVIDER RATED WALLS WHERE SHOWN)

(W7) PARTIAL HEIGHT WALL (4'-0" A.F.F.) WITH 5-5/8" 6-1/4" (BE) BOTH SIDES ON 3-5/8" METAL STUDS WITH GWB. REFER TO DETAIL SHEET A6.2 FOR GWB DETAIL. INSTALL TOWN WALL CONNECTION PRIMER AT PRESS FAMENING ENDS OF WALL. SEE SPECIFICATIONS.

(W8) PARTIAL HEIGHT WALL (7'-0" A.F.F.) WITH 5-5/8" 6-1/4" (BE) BOTH SIDES ON 3-5/8" METAL STUDS. INSTALL TOWN WALL CONNECTION PRIMER AT PRESS FAMENING ENDS OF WALL. SEE SPECIFICATIONS. GWB FINISH TOP OF WALL (W/5/8" 6-1/4" (BE)

(W9) 5-5/8" 6-1/4" (BE) ONE SIDE ON 3-5/8" METAL STUDS W/ACOUSTICAL BATT INSULATION - EXTEND STUDS & SHEATHING TO DECK

(W10) 5-5/8" 6-1/4" (BE) ONE SIDE ON 3-5/8" METAL STUDS - EXTEND STUDS & SHEATHING TO BULKHEAD ABOVE. GWB FINISH TOP OF WALL (W/5/8" 6-1/4" (BE)

(W11) PARTIAL HEIGHT WALL (8'-0" A.F.F.) WITH 5-5/8" 6-1/4" (BE) BOTH SIDES ON 3-5/8" METAL STUDS. INSTALL TOWN WALL CONNECTION PRIMER AT PRESS FAMENING ENDS OF WALL. SEE SPECIFICATIONS. GWB FINISH TOP OF WALL (W/5/8" 6-1/4" (BE)

GENERAL NOTES

1. ALL WALLS SCHEDULED TO RECEIVE EPOXY PAINT SHALL BE 5/8" MOISTURE RESISTANT FIREGUARD 6-1/4" BOARD UNLESS OTHERWISE NOTED - REFER TO FINISH SCHEDULE
2. ALL WALLS CARRYING PLUMBING FIXTURES SHALL BE 5/8" MOISTURE - RESISTANT FIREGUARD 6-1/4" BOARD UNLESS OTHERWISE NOTED - REFER TO FINISH SCHEDULE
3. ALL COUNTERTOPS AT OUTSIDE CORNERS TO BE 2" RADIUS
4. PROVIDE BLOCKING IN WALLS FOR OWNER PROVIDED EQUIPMENT AS SHOWN IN INTERIOR ELEVATIONS AND ENLARGED FLOOR PLANS. COORDINATE FINAL LOCATIONS WITH OWNER
5. ON ONE SIDE OF THE WALL PARTITION USE 5/8" DUPT ROCK 6-1/4" (BE) IN PLACE OF 5/8" 6-1/4" (BE) AT WALL LOCATIONS BETWEEN PATIENT ROOMS
6. ARCHITECTURAL DRAWINGS USE 100.0'-0" FOR FIRST FLOOR ELEVATION. REFER TO CIVIL DRAWINGS FOR ACTUAL ELEVATION
7. SEE ENLARGED PLANS ON A10.1A, A10.1B & A10.1C FOR DIMENSIONS

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KEY PLAN

ALL PLANS, ELEVATIONS, SCHEDULES, ETC. REFERENCE **PLAN NORTH**. ACTUAL BUILDING ORIENTATION ON THE SITE "**TRUE NORTH**" DIFFERS FROM THE DRAWING **PLAN NORTH**. REFER TO COVER SHEET AND SITE PLAN FOR TRUE ORIENTATION OF THE BUILDING ON THE SITE

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DATE
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SHEET TITLE
FIRST LEVEL FLOOR PLAN

SHEET NUMBER
A1.1

SITE PLAN SUBMISSION

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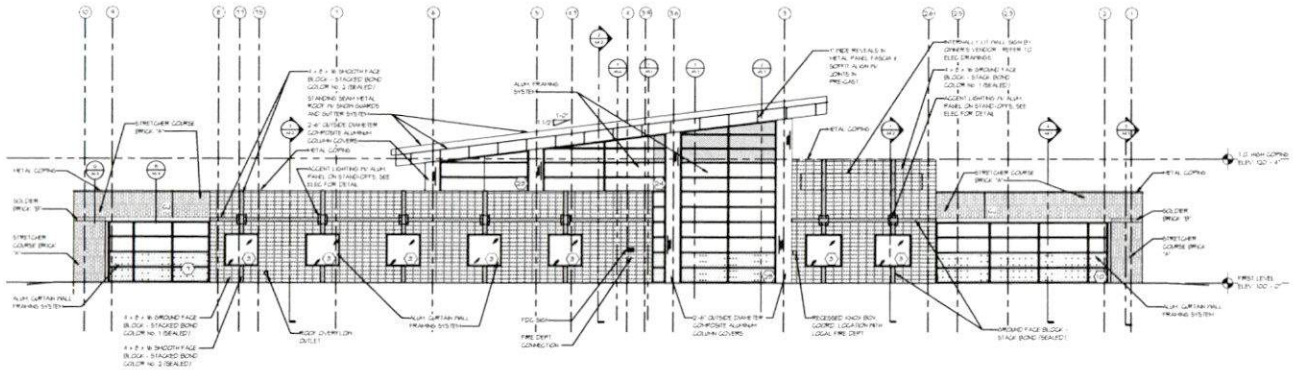
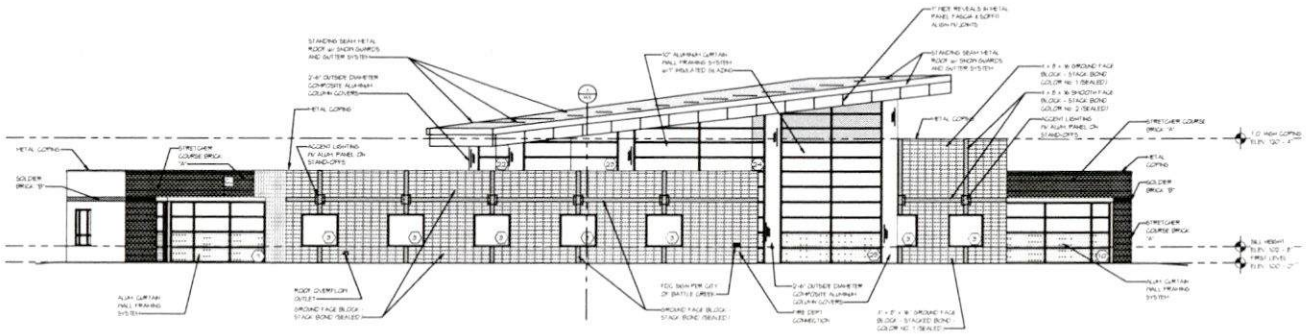
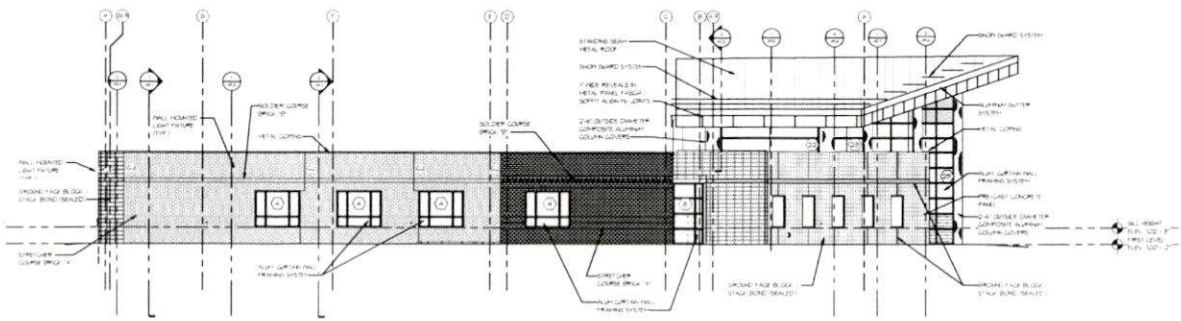


3 NORTH ELEVATION
A3.1 SCALE: 1/8" = 1'-0"



2 NORTHEAST ELEVATION
A3.1 SCALE: 1/8" = 1'-0"



1 EAST ELEVATION
A3.1 SCALE: 1/8" = 1'-0"

GLAZING LEGEND

- GL-1 INSULATED SAFETY GLASS
- GL-2 INSULATED GLAZING UNIT
- GL-3 INSULATED SPANDREL UNIT
- GL-4 INFILL PANEL

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PLAN NORTH

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SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NUMBER
A3.1

SITE PLAN SUBMISSION

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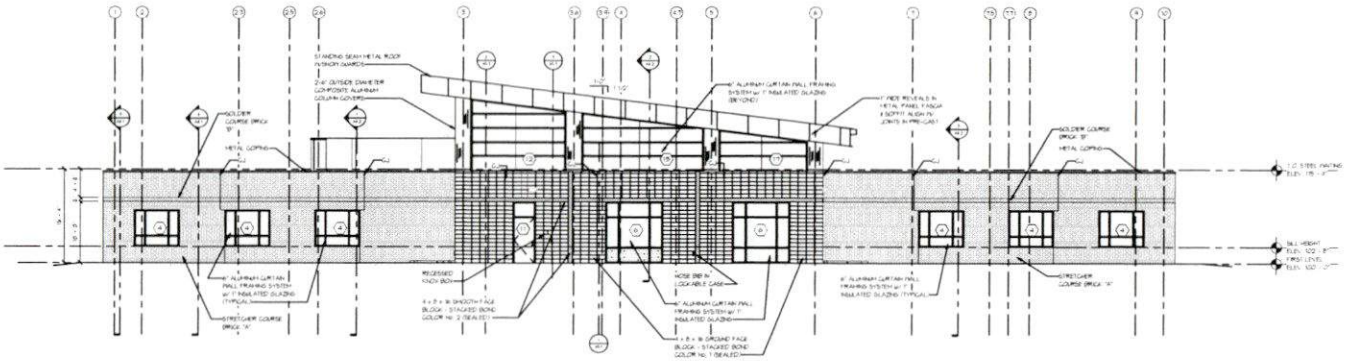
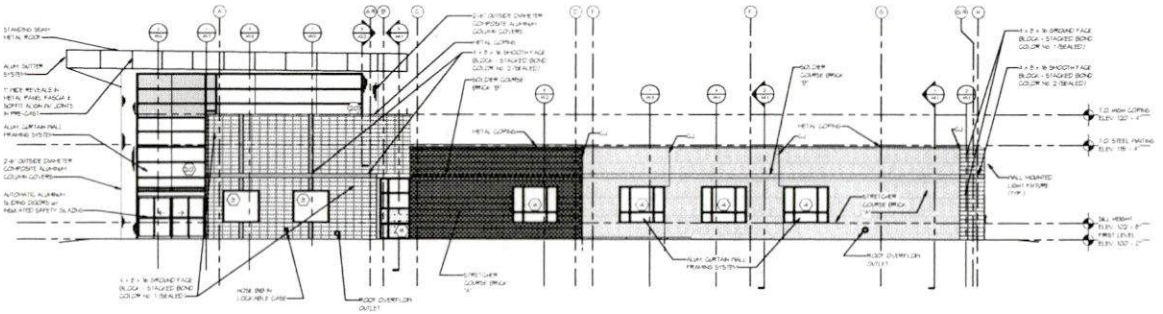


2 A3.2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



1 A3.2 WEST ELEVATION
SCALE: 1/8" = 1'-0"

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Grand Rapids, Michigan 49503

KEY PLAN

ALL PLANS, ELEVATIONS, SCHEDULES, ETC. REFERENCE **PLAN NORTH**. ACTUAL BUILDING ORIENTATION ON THE SITE **"TRUE NORTH"** DIFFERS FROM THE DRAWING **PLAN NORTH**. REFER TO COVER SHEET AND SITE PLAN FOR TRUE ORIENTATION OF THE BUILDING ON THE SITE.

CENTRE AVE - NEW PRIMARY CARE BUILDING
BRONSON HEALTHCARE GROUP
PORTAGE, MICHIGAN 49002

MAY 09, 2019

19015.02

EXTERIOR ELEVATIONS

A3.2

SITE PLAN SUBMISSION

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TO: Honorable Mayor and City Council

FROM: Patricia Randall, Mayor

SUBJECT: City Manager Appointment

ACTION RECOMMENDED: Approve the Employment Agreement with Joseph S. La Margo as presented and authorize the Mayor to execute the agreement.

On August 28, 2019, the City Council conducted a Special Meeting to interview two candidates for the position of City Manager. At the conclusion of the interviews, I recommended Mr. Joseph S. La Margo be appointed as the next City Manager. The Council voted to support the recommendation of the Mayor, with the intention of confirming the recommendation on September 3, 2019.

On September 3, 2019, the City Council confirmed the recommendation from the Mayor to appoint Joseph S. La Margo to the position of City Manager, pending successful completion of background checks and authorized the Mayor to negotiate the terms of an employment agreement. Subsequently, the background check was successfully completed and the terms of an employment agreement were developed and agreed to by Mr. La Margo. The agreement has been provided to the City Council via confidential Materials Transmitted dated September 13, 2019.

I recommend that the City Council approve the Employment Agreement with Joseph S. La Margo as presented and authorize the Mayor to execute the agreement.

FUNDING: Sufficient funding is provided in the operating budget of the Office of the City Manager.

Attachments: None

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Ordinance Amendment #18/19-B, Residential Amendments

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: Accept Ordinance Amendment #18/19-B, Residential Amendments, for first reading and set a public hearing for October 15, 2019.

The City Administration has prepared a number of Zoning Code amendments (primarily pertaining to residential land uses) that are intended to provide more flexibility for property owners and developers and to address ongoing issues associated with code administration. The more substantive changes are summarized below:

1. Regulation of accessory buildings in a more flexible manner so that fewer variances for residential property are requested. Such as an increase in height from 14 feet to 16 feet, a decrease in separation distance between buildings, a slight increase in size, and a slight increase in setback distance from three feet to five feet from the side or rear property line.
2. Increase the residential building height for properties with less than 80 feet of lot-width (from 25 feet to 30 feet) to facilitate a desirable architectural design and better address lifestyle changes of property owners.
3. Increase percentage of lot cover from 25% to 30% for all conforming size lots (width and area) in the single-family residential districts.
4. Increase the height of non-residential buildings in locations that have little impact on adjacent properties and neighborhoods.
5. Clarify projections into required yards, including barrier-free ramps for persons with disabilities.
6. Allow, on a limited basis, land divisions without 60 feet of frontage on a public street or 50 feet on a cul-de-sac, and in a manner that provides accessibility for public safety purposes.
7. Language has been added to ensure lots are properly graded and maintained to ensure storm water does not adversely impact neighboring properties.
8. Increase plan approvals and Board/Commission approvals from six (6) to twelve (12) months.
9. Increase the number of residential lots permitted on a cul-de-sac from 20 to 30 consistent with the requirements of the International Fire Code.
10. Modify the method to determine the minimum living area of 1½ and 2-story dwellings to eliminate a minimum area per floor and a combined total area of each floor.
11. Modify the floor area requirements for tri and bi-level dwellings.The minimum floor area is the combined total floor area of each level not classified as a basement. Since all non-basement levels are computed in the total floor area, bi and tri-level dwellings must meet the minimum area requirement for a two-story residence in the same district.

The proposed amendments were introduced to the Planning Commission during the June 6, 2019 meeting. The Commission convened public hearings during the July 11, 2019 and August 1, 2019 meetings. During the public hearing process, one citizen spoke regarding the proposed amendments and expressed concern over the proposed increase in lot coverage from 25% to 30% especially on lakefront lots. No other comments, either written or verbal, were received regarding the proposed residential amendments.

The proposed ordinance amendments were first presented to City Council for consideration on August 20, 2019. Subsequent to introducing the matter, City Council had a number of questions and scheduled a Committee of the Whole (COW) meeting on September 16, 2019. During this meeting, a considerable amount of discussion occurred around the issue of maximum lot cover on non-conforming lots, lakefront lots with walkways, road ends, and designated private beach and/or promenades, lakefront variances and the potential of creating lakefront overlay or a specific lakefront district section of the zoning ordinance. After further discussion, City Council requested the amendments be placed on the September 17, 2019 agenda so that a public hearing on the proposed amendments could be scheduled in October 2019.

It is recommended that City Council accept Ordinance Amendment #18/19-B, Residential Amendments, for first reading and set a public hearing for October 15, 2019.

FUNDING: N/A

Attachments:

1. August 9, 2019 Planning Commission transmittal
2. June 6, July 11, and August 1 2019 Planning Commission Meeting Minutes
3. July 26, 2019 Community Development staff report with Ordiance Amendment highlight strike and clean version
4. 1st Reading - Residential Amendments

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: August 9, 2019

SUBJECT: Ordinance Amendment #18/19-B, Residential Amendments

During the June 6, 2019 meeting, staff introduced to the Planning Commission a number of Zoning Code amendments (primarily pertaining to residential land uses) that are intended to provide more flexibility for property owners/developers and to address ongoing issues associated with code administration. The more substantive amendments address the size height and location of accessory buildings; increase in residential and nonresidential building height; increase in the percent of lot cover for conforming lots; projections into required yards; land divisions without frontage on a public street; lot grading; increase in the number of lots/units on a residential cul-de-sac and an increase in plan/Commission approval time from six the 12 months.

The Planning Commission held a public meeting on July 11, 2019, to garner public input on the proposed changes. The public hearing was reconvened on August 1, 2019. During the public hearing process, one citizen spoke regarding the proposed amendments and expressed concern over the proposed increase in lot coverage from 25% to 30% especially on lakefront lots. No other comments, either written or verbal, were received regarding the proposed residential amendments.

Following a discussion regarding whether or not an increase in lot cover from 25% to 30% should apply to nonconforming lots, a motion was made by Commissioner Joshi, seconded by Commissioner Patterson, to recommend to City Council that Ordinance Amendment #18/19-B, Residential Amendments, be approved. The motion was approved 7-1 with Commissioner Fries voting against the motion. Commissioner Fries clarified that he supported all the other proposed residential amendments, but believes a consistent 30% maximum building lot coverage standard should be established for both substandard/nonconforming lots and standard/conforming lots.

Sincerely,

Dan Corradini

Dan Corradini
Chairman

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NEW BUSINESS:

1. Election of Officers. Secretary Schimmel asked for nominations for Chairman. Commissioner Joshi nominated Commissioner Corradini for Chairman, supported by Commissioner Patterson. The nomination was unanimously approved 7-0. Commissioner Fries then nominated Commissioner Joshi for Vice-Chairwoman, supported by Commissioner Baldwin. The nomination was unanimously approved 7-0. Commissioner Joshi next nominated Commission Schimmel for Secretary, supported by Commissioner Baldwin. The nomination was unanimously approved 7-0.

STATEMENT OF CITIZENS/COMMISSIONERS:

Secretary Schimmel welcomed new Planning Commissioner, Gerald Myer.

7:40 p.m.	-	The Commission took a short recess.
7:45 p.m.	-	The Commission reconvened the meeting in City Hall Conference Room No. 1

NEW BUSINESS:

1. Ordinance Amendment #18/19-B: Residential Zoning Regulations (preliminary). Mr. Forth referred the Commission to the May 31, 2019 staff report and summarized the proposed amendments to the Zoning Code and Subdivision Regulations. Mr. Forth stated the proposed amendments were intended to provide more flexibility for property owners/developers and to address ongoing issues associated with code implementation by staff.

Mr. Forth and the Commission next reviewed and discussed the various amendments including inclusion definition and references to pergolas and arbors; elimination of R-1E zoning district; residential building height; accessory building size, height, percentage of rear yard coverage, separation from the principal residence, total floor area compared to square footage of principal residence and setback from side/rear property lines; clarification of "vertical projections' into required yards; public street frontage changes; Schedule of Regulation changes pertaining to maximum lot coverage and building height/lot grading changes; extensions of site plan and variance approvals to 12 months and changes to Subdivision Regulations regarding increase of number of lots on cul-de-sac from 20 lots to 30 lots. Commissioner Fries asked for staff to consider changes that would not increase accessory building setback requirements from 3-feet to ½ building height (retain 3-foot setback requirement) and an allowance for either the Transportation and Utilities Department or the Community Development Department to review/approval lot coverage increases to 30% on smaller, substandard lakefront lots.

At the conclusion of this discussion, Mr. Forth indicated that the public hearing to formally considered adoption of these residential zoning regulation amendments would be noticed and scheduled for the July 11, 2019 meeting.

ADJOURNMENT:

There being no further business to come before the Commission, the regularly scheduled meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Christopher Forth, AICP
Deputy Director of Planning, Development and Neighborhood Service

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SITE/FINAL PLANS:

1. Site Plan: Kingdom Sports KidFit Child Care Center, 8151 Merchant Place. Mr. West summarized the staff report dated July 3, 2019 regarding a request by Chris and Stephanie Keenan to construct an approximate 6,300 square foot child care center building and associated site improvements along the northwest portion of the existing Kingdom Indoor Center site. Mr. West discussed the applicant's intent to "bank" a portion of the required parking in greenspace since the peak hours of operation for the existing Kingdom Indoor Center use and the proposed child care center do not conflict. Mr. West indicated that deferment of these parking spaces will reduce the amount of unnecessary pavement until such time that additional parking may be required.

Stephanie Keenan of Kingdom Indoor Center was present to support the site plan. No citizens spoke regarding the proposed child care center building. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Schimmel, to approve the Site Plan for Kingdom Sports KidFit Child Care Center, 8151 Merchant Place. The motion was unanimously approved 8-0.

SITE/FINAL PLANS:

1. Final/Site Plan: American Village Builders (addition), 4200 West Centre Avenue. Mr. West summarized the July 3, 2019 staff report regarding the final/site plan submitted by American Village Builders to construct an approximate 4,000 square foot, two story building addition along the west side of the existing office building located at 4200 West Centre Avenue. Mr. West indicated the proposed building addition would maintain a similar setback from West Centre Avenue as the existing office building, and would be situated outside of the defined wetland area to the north.

Greg Dobson of American Village Builders was present to support the application and explain the development project. No citizens spoke regarding the proposed building addition. After a brief discussion, a motion was made by Commissioner Pezzoli, seconded by Commissioner Baldwin, to recommend to City Council that the Final/Site Plan for American Village Builders (addition), 4200 West Centre Avenue, be approved. The motion was unanimously approved 8-0.

PUBLIC HEARING:

1. Preliminary Report: Ordinance Amendment #18/19-B: Residential Amendments. Mr. Forth referred the Commission to the July 5, 2019 staff report and summarized the proposed amendments to the Zoning Code and Subdivision Regulations pertaining to residential land uses. Mr. Forth stated that Community Development has been working with the City Attorney for the past several months to develop these amendments which are intended to provide more flexibility for property owners/developers and to address ongoing issues associated with code implementation by staff. Mr. Forth indicated the proposed amendments were first presented to Planning Commission at the June 6, 2019 meeting where preliminary review and discussion occurred. Based on these preliminary discussions, Mr. Forth stated minimum side and rear yard building setbacks for residential accessory buildings were changed from ½ the building height to 5-feet (current requirement is 3-feet). Mr. Forth also stated the provision for review/approval of lot coverage increases (from 25% to 30%) on substandard lakefront lots by the Director of Transportation and Utilities was retained and indicated that Community Development staff would also be involved with the review.

Mr. Forth then reviewed the proposed amendments, by section, including elimination of the R-1E zoning district, Section 42-112 (Definitions), Section 32-121 (Accessory Uses), Section 42-124 (Projections into required yards), Section 42-125 (Street frontage requirements, development standards for land divisions), Section 42-128 (Lakefront lots), Section 42-139 (Lot grading), Section 42-350 (Schedule of Regulations), various sections pertaining to the length of approvals for site plan, special land use permit and variance (increase to 12 month approval period) and Section 42-803 (Streets) and Section 42-805 (Utilities) of the Subdivision Regulations.

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The Commission and staff discussed issues associated with the proposed extension of time for site plan, special land use permit and variance approvals to 12 months, number of lots on a cul-de-sac street and number of lots served by municipal water. The public hearing was then opened by Chairman Corradini. One citizen (James Hudson, 9001 West End Drive) spoke regarding the proposed amendments. Mr. Hudson commended staff and the Commission for the increased flexibility associated with the ordinance amendments, however, expressed concern over the proposed increase in lot coverage from 25% to 30% especially on lakefront lots. Mr. Hudson stated this increase in lot coverage could result in negative impacts associated with higher density/more intensive residential land use, larger residential structures, increases in traffic, diminished lake views and possible accessibility issues for the Fire Department. No citizens were present to speak regarding the proposed residential amendments.

A motion was then made by Commissioner Myer, seconded Commissioner Fries, to adjourn the public hearing for Ordinance Amendment #18/19-B, Residential Amendments to the August 1, 2019 meeting. The motion was unanimously approved 8-0.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Redevelopment Ready Communities – Public Participation Plan. Mr. Forth referred the Commission to the July 5, 2019 staff report and summarized the city's efforts to date to obtain Redevelopment Ready Community (RRC) certification through the Michigan Economic Development Corporation (MEDC). Mr. Forth discussed the three primary steps in the MEDC-RRC certification process which are 1) Engagement, 2) Evaluation and 3) Certification. Mr. Forth indicated that Step 1 (Engagement) was completed after City Council adoption of a resolution in July 2017 and the city's submission of a self-evaluation to the MEDC in November 2017. In regard to Step 2 (Evaluation), Mr. Forth referred the Commission to the MEDC-RRC Baseline Report received from the MEDC on April 15, 2019. Mr. Forth indicated the MEDC report concluded that the City of Portage was already engaged in 68% of the RRC best practices and additional work activities were recommended in areas of developing criteria for identifying and promoting redevelopment ready sites, updating economic development strategies and developing an overarching marketing strategy to promote redevelopment ready sites and economic development in general. Mr. Forth indicated that Step 3 (Certification) comes after successful implementation of the approved RRC best practices. Mr. Forth stated that City Council, on May 7, 2019, adopted a resolution to proceed with the RRC certification process.

Mr. Forth discussed the Public Participation Plan, which was provided to City Council and accepted on June 25, 2019 with the purpose of encouraging citizen input in community-wide planning efforts and the review and approval process for new development and redevelopment projects. Mr. Forth reviewed the various components of this Plan including Objectives, Key Stakeholders, Public Notice Requirements, Planning and Review Entities, Open Meetings, Public Hearings, Methods of Community Participation and Communicating Results. Mr. Forth indicated updates to the Public Participation Plan would be drafted by staff and reviewed and recommended by the Planning Commission as needed, but at a minimum every 5 years in conjunction with the city's Master Plan review.

The Commission and Mr. Forth next discussed various aspects of the MEDC-RRC Baseline Report and the Public Participation Plan. Commissioner Fries stated that he was impressed with the city's scoring criteria on the MEDCRRC Baseline Report. After additional discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Schimmel, to approved the Public Participation Plan as submitted. The motion was unanimously approved 8-0.

DRAFT

PLANNING COMMISSION

August 1, 2019

The City of Portage Planning Commission meeting of August 1, 2019 was called to order by Chairman Corradini 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 Corradini led the Commission, staff and citizens in the Pledge of Allegiance.

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role: Myer (yes); Fries (yes); Baldwin (yes); Pezzoli (yes); Schimmel (yes); Corradini (yes); Joshi (yes) and Patterson (yes). A motion was then made by Commissioner Patterson, seconded by Commissioner Schimmel, to approve the role excusing Commissioner Harrell-Page. The motion was unanimously approved 8-0.

APPROVAL OF MINUTES:

Chairman Corradini referred the Commission to the July 11, 2019 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 8-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARING:

1. Final Report: Ordinance Amendment #18/19-B: Residential Amendments. Mr. Forth referred the Commission to the July 26, 2019 final staff report and summarized the proposed amendments to the Zoning Code and Subdivision Regulations pertaining to residential land uses. Mr. Forth discussed the Planning Commission preliminary review at the July 11, 2019 meeting and one change that was made following further staff review and evaluation. Mr. Forth indicated the revised ordinance amendments contained in the agenda packet have retained the current 25% maximum building lot coverage provision for substandard/nonconforming residential lots (30% lot maximum lot coverage still proposed for standard/conforming residential lots). Mr. Forth stated that since a substandard lot is smaller than a standard lot, staff was concerned about potential impacts including increase storm water runoff and flooding associated with more impervious area on these smaller lots with less remaining greenspace. Mr. Forth also mentioned the side yard setback for substandard lots reduces to five feet and there are other impervious surfaces, such as driveways, walkways, patios and uncovered/unenclosed decks/porches that are not included in lot cover calculations. Mr. Forth indicated additional information regarding this issue was requested by Commissioner Fries earlier in the day and a staff response was provided in an email communication sent to all Commissioners and a hard copy provided to Commission members prior to the start of the meeting.

DRAFT

The public hearing was reconvened by Chairman Corradini. No citizens spoke regarding the proposed amendments. A motion was then made by Commissioner Schimmel, seconded by Commissioner Baldwin, to close the public hearing. The motion was unanimously approved 8-0.

Commissioner Fries discussed his observations with home construction and lot coverage involving the smaller substandard lots and stated that he believes a 30% maximum lot coverage standard should be applied consistently for both substandard/nonconforming lots and standard/conforming lots. In cases of smaller substandard lots around the lakes, Commissioner Fries indicated that property owners will often opt for more house square footage, while reducing the size of the accessory garage and increasing the area of paved driveway/parking area to store vehicles and boats. Under this scenario, Commissioner Fries stated an increase in maximum building lot coverage from 25% to 30% for substandard lots would likely not increase the overall amount of impervious area across the site. Commissioner Fries also stated that the Building Code and Zoning Code require each property owner to properly maintain storm water runoff regardless of the amount of building lot coverage that is present at the site.

Mr. Forth summarized the staff recommendation regarding this issue and briefly reviewed Zoning Board of Appeals variance requests for increase in maximum lot coverage over the past 25 years. Mr. Forth stated that 20 variance requests over the past 25 years have involved maximum lot coverage on substandard/nonconforming lot (less than one per year on average). The Zoning Board of Appeals approved 17 of the 20 requests while staff only recommended approval of six requests. Mr. Forth indicated that substandard lots already have reduced building setbacks and staff was concerned with allowing additional lot coverage and resulting impervious area on these substandard lots that may result in storm water runoff and/or flooding problems. Commissioner Patterson shared his observations as a builder and indicated he supported the staff position to retain the 25% lot coverage standard for substandard/nonconforming lots. Commissioner Patterson stated variance requests to exceed 25% lot coverage for substandard/nonconforming lots could continue to be reviewed and evaluated on a case-by-case basis by the Zoning Board of Appeals. Commissioner Joshi stated she also concurs with the staff position regarding this issue and was concerned that an increase in lot coverage for these smaller substandard/nonconforming lots could potentially increase storm water runoff and flooding, especially around the lakes.

There being no further discussion. a motion was made by Commissioner Joshi, seconded by Commissioner Patterson, to recommend to City Council that Ordinance Amendment #18/19-B, Residential Amendments, be approved. The motion was approved 7-1 with Commissioner Fries voting against the motion. Commissioner Fries clarified that he supported all the other proposed residential amendments, but believes a consistent 30% maximum building lot coverage standard should be established for both substandard/nonconforming lots and standard/conforming lots.

NEW BUSINESS:

None.

OLD BUSINESS:

None.

STATEMENT OF CITIZENS/COMMISSIONERS:

Chairman Corradini asked each Commissioner if they had any closing statements or comments:

- Commissioner Joshi thanked Mr. Hudson for his observations and comments regarding the proposed residential Zoning Code amendments.
- Commissioner Patterson commented on the beautiful weather and the opportunity for Portage residents to experience entertainment events at the Overlander Bandshell.
- Other Commissioners did not have any closing statements or comments.

PORTAGE
A Natural Place to Move

Department of Community Development

TO: Planning Commission **DATE:** July 26, 2019

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Final Report, Ordinance Amendment 18/19-B, Residential Amendments

I. INTRODUCTION

Over the past several months, staff and the City Attorney have been preparing a number of Zoning Code amendments (primarily pertaining to residential land uses) that are intended to provide more flexibility for property owners/developers and to address ongoing issues associated with code implementation by staff. The more substantive changes are summarized below:

1) Regulation of accessory buildings in a more flexible manner so fewer residential property owners have to obtain variances to use their property in a manner that meets current household needs.
2) Increasing the residential building height for properties with less than 80 feet of lot width to facilitate desirable architectural design and better address lifestyle changes. An increase in building height is also consistent with many other comparable communities in Kalamazoo County and other areas of the state. With regard to lakefront lots where the demand for a 2-story walkout is high, an increase in height will avoid the practice of artificially changing the grade which may adversely impact adjacent properties.
3) Increasing the height of non-residential buildings in locations that have little impact on adjacent properties and neighborhoods.
4) Clarification on permissible projections into required yards, including barrier-free ramps for persons with disabilities;
5) Allowing increased flexibility to develop land without 60 feet of frontage on a public street (or 50 feet on a cul-de-sac), while ensuring alternative development patterns occur in an orderly fashion and in a manner that provide accessibility for public safety purposes;
6) Adding language regarding lot grading and maintenance to ensure storm water does not adversely impact neighboring properties, which is an increasingly relevant issue with more frequent and heavy rain events;
7) Increasing the time from for site plan approval and variance approval from 6 to 12 months to avoid additional bureaucratic review for development projects that are not built in what is a very short time frame;

Following the July 11, 2019 public hearing, staff reviewed/evaluated the proposal to increase the percent of lot coverage involving nonconforming lots (lots that don't meet the minimum zoning district requirement for width and/or area) from 25% to 30%. Since these lots are smaller than a standard size lot and, as a result, the impacts of increasing the amount of impervious area greater, staff has revised the ordinance language to retain 25% lot coverage for substandard or nonconforming lots.

II. PROPOSED AMENDMENTS

The following specific sections of the Zoning Code have been revised and a brief summary/rationale for the change has been provided. For additional detail on the specific language of each change, a highlight and strike version of the ordinance is attached for Commission review.

1. Reference to the large lot R-1E single family residential zoning district has been deleted from the following sections of the Zoning Code. It was established in 2003 and no land area has ever been zoned R-1E.

   - 42-121.B.1 – Accessory Uses
   - 42-135.K – Wireless telecommunications facilities and towers
   - 42-160 – Districts established
   - 42-180 – Intent
   - 42-181 – Principal permitted uses
   - 42-182 – Special land uses
   - 42-350.A – Schedule of regulations
   - 42-484.I.2 – General Requirements (Signs)
   - 42-545. – R-1A, R-1B, R-1C, R-1D, R-1E and R-1T districts. (Signs)

2. Section 42-112 - Definitions. Definitions for Arbor and Pergola were added to clarify these types of structures are permitted without being counted towards building lot cover, and minimum setback distances from property lines. Also, the definition of building height was revised consistent with current method of calculating building height.

3. Section 42-121 – Accessory Uses.

   - A.2: The separation distance between an accessory building and main building has been reduced from 10 feet to 5 feet consistent with the Building Code.
   - B.1.a: Accessory building height has been increased to 16 feet due to numerous variance requests from homeowners. Also, requests to exceed 16 feet are proposed to be reviewed by the Planning Commission and not the Zoning Board of Appeals.
   - B.1.b.1: The size of an accessory building is proposed to be based on 20% of the entire rear yard, and not just the required rear yard. This would allow for a slightly larger building and would provide a more equal standard for narrow, long lots, in comparison to wide lots. If located in the side or rear yard, the setback is proposed to be increased from three feet to five feet. A larger building is proposed to be permitted so a slightly greater setback distance from the property line is appropriate. Existing accessory buildings that do not meet the revised setback standard would be considered legally nonconforming. However, if such building was destroyed by an act of God or public enemy, it could be reconstructed to its original location within 18 months.
   - B.1.b.2: This subsection is proposed to be deleted since the size of an accessory building in the rear yard is proposed to be based on the entire rear yard area.
   - B.1.b.2: (Renumbered from 3 to 2 since the previous section is proposed to be deleted). The total floor area of accessory buildings is proposed to be based on the

ground floor area of main building, plus half of the second story. This change will permit more accessory building area for two-story houses, and a more equal standard in comparison to one-story houses with a larger ground floor.

- B.1.b.3: Currently, a public hearing is not required to exceed the floor area of the main building. A public hearing is now proposed consistent with the current practice of notifying property owners within 300 feet.
- B.2.a-c: Subsections a, b, and c were combined into one (refer to B.2.b.).
- B.2.a: Consistent with the requirements applicable to non-lakefront lots, this subsection clarifies limitations on the total floor area of all accessory buildings also apply to lakefront lots.
- B.3: The current minimum setback requirement in the RM-1 and RM-2, multi-family districts for an accessory building located in the rear yard is three feet from a side or rear property line. Consistent with B.1.b.1 above, this section is proposed to be revised to require the minimum setback distance be increased from three feet to five feet.

4. Section 42-124 - Projections into required yards

- A.4: Subsection (4) was added to address numerous front yard setback variance requests for barrier-free ramps.
- B: The current language of subsection (B) refers to a vertical projection, which has been difficult to interpret. For clarity purposes, vertical projection is proposed to be deleted and chimney added as an example. Cantilevered wall is excluded from an architectural feature since it could result in an entire wall of a building.
- C: This subsection was deleted and divided into two separate subsections for clarity purposes (refer to (D) & (E)).
- C: Subsection (C) was added to allow an egress landing and stairs in the side yard setback area as a result of numerous homeowner requests.

5. Section 42-125 - Street frontage requirements; development standards for land divisions.

- A. & B. These subsections were revised to clarify that the width of frontage requirements extend to the front setback line or building line, whichever is greater. In addition, the revisions allow parcels without public street frontage if the following conditions are met:
  - Recordable access and utility easement with a width of not less than 20 feet.
  - The easement area must be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds.
  - If the access and utility easement is shared by more than one parcel or owner, a maintenance agreement must also be recorded.
  - No more than four parcels can be created from a parent parcel without frontage on a public street.

Sections 42-743.8 – Application requirements (Land Divisions) and 42-745.5 – Review of application; criteria for approval (Land Divisions) were also revised to include consistent language related to street frontage requirements.

- C. The phrase "...with public infrastructure improvements..." was added to clarify this section is applicable only when public infrastructure improvements are proposed.

6. Section 42-128 – Lakefront lots

- D: Pergolas, arbors and similar structures are allowed in the lakeside yard provided there are no walls, only support posts, and the structures do not exceed eight feet in height

7. Section 42-139 – Lot grading

- Lot grading is a new section to ensure lots are properly graded and maintained to prevent surface water and erosion problems.

8. Section 42-350 – Schedule of regulations

- A: In the table, the following changes were made as a result of many variance and property owner requests. The changes in building height and percent lot coverage is also consistent with other area communities.
  - Building height has been increased for lots with less than 80 feet of width in the R-1A – R-1D district from 25 to 30 feet and in the B-1 district from 25 to 35 feet.
  - Maximum lot cover may be increased from 25 to 30% (excluding nonconforming lots) but it is subject to review and approval by the Director of Transportation and Utilities to ensure storm water drainage and related impacts are properly addressed. Also, an increase to 30% would permit slightly larger ranch-style dwellings that address increasing needs for aging-in-place accommodations, mother-in-law suites and larger accessory buildings. An increase to 30% in also consistent with other comparable communities.
- B.2.b.i: The rear yard setback for a lot that has less than the required area has been increased from 3 feet to 30 feet to correct an apparent typographical error
- B.3: This footnote has been revised to clarify that for lots with more than 80 feet in width, the number of stories and building height can be increased to 3 and 40 feet, respectively, consistent with an amendment to the code in March 1993.
- B.4: "...unless otherwise permitted in this article" was added for clarity purposes.
- B.5: The following changes were made to this subsection:
  - "...on February 18, 2003" was added for clarity purposes.
  - In the table, the method in which to determine the minimum living area of 1½ and 2-story dwellings has been modified. The change eliminates a minimum area per floor (story) and a combined total area of each floor is now proposed. This change provides more flexibility with building design and construction.
  - Consistent with the changes in the table, floor area requirements for tri and bi-level dwellings has been deleted. The minimum floor area is the combined total floor area of each level not classified as a basement (more than 50% below grade). Since all non-basement levels are computed in the total floor area, bi and tri-level dwellings must meet the minimum area requirement for a two story residence in the same district.

- B.6.b: Building height in the RM-1 and RM-2 district was changed from 25 to 30 feet when abutting a single-family residential district and from 30 feet to 35 feet after Planning Commission review and approval. Construction of a two-story, multi-family residential building with the maximum height limited to 25 feet is challenging from a design perspective. Also, this change is consistent with the height and number of stories of single-family residential dwellings (40 feet and three stories).
- B.6.c: Building height in all other zoning districts was changed from 25 to 30 feet and from one story to two stories when abutting a single-family residential district for the reasons noted above.
- B.10: The exterior side yard setback for a structure located in the OS-1, office service district (when abutting a single-family residential district) was changed to from 10 feet to15 feet to correct an inconsistency between the table in 42-350.A, which indicates 15 feet and footnote 10, which indicates 10 feet.

9. In the following Zoning Code sections, expiration of plan or Board/Commission approval is proposed to be extended to 12 months to allow applicants more time to prepare site plans, construction related documents or assemble other related material:

- Section 42-375 – Plan review and approval (PD, Planned Development).
- Section 42-394.H.b – Plan review and approval (OTR, Office Technology and Research);
- Section 42-414.I - Plan review and approval (Commercial Planned Development).
- Section. 42-438.H.2 - Development project review and approval (CCA, City Center Area)
- Section. 42-443.H.2 - Development project review and approval (CCMU, Commercial Corridor Mixed Use).
- Section. 42-461.E.4 - Application and review procedures (Special Land Use Permit).
- Section. 42-484.C – Site Plan Approval.
- Section. 42-623. – Public hearings, voting, and decisions (Zoning Board of Appeals).

10. <u>Section. 42-803. – Streets (Subdivision Regulations).</u>

- i: This section is proposed to be revised to increase the number of residential lots on a cul-de-sac from 20 to 30 consistent with the International Fire Code.

11. <u>Section. 42-805. – Utilities (Subdivision Regulations).</u>

- c.5 & 6: These two sections are proposed to be changed to increase the number of residential units/lots served by municipal water from 20 to 30 consistent with the proposed increase in the number of lots permitted on a cul-de-sac per the International Fire Code.

III. PUBLIC HEARING/COMMENT

The Planning Commission convened a public hearing during the July 11, 2019. One citizen, James Hudson, 9001 West End Drive, spoke regarding the proposed amendments. Mr. Hudson commended staff and the Commission for the increased flexibility associated with the ordinance amendments; however, expressed concern over the proposed increase in lot coverage from 25% to

30% especially on lakefront lots. Mr. Hudson stated this increase in lot coverage could result in negative impacts associated with higher density/more intensive residential land use, larger residential structures, increases in traffic, diminished lake views and possible accessibility issues for the Fire Department. No other comments, either written or verbal, were received regarding the proposed residential amendments.

III. RECOMMENDATION

Based on the above analysis and subject to any comments received during the August 1, 2019 public hearing, the Planning Commission is advised to recommend to City Council that Ordinance Amendment 18/19-B, Residential Amendments, be approved.

Attachment: Draft Ordinance Amendment (highlight/strike and clean versions)

HIGHLIGHT AND STRIKE VERSION

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING SEC. 42-112, DEFINITIONS; 42-121, ACCESSORY USES; 42-124, PROJECTIONS IN REQUIRED YARDS; 42-125, STREET FRONTAGE REQUIREMENTS; DEVELOPMENT STANDARDS FOR LAND DIVISIONS; 42-128 , LAKEFRONT LOTS; 42-135, WIRELESS TELECOMMUNICATIONS FACILITIES AND TOWERS; 42-139, LOT GRADING; 42-160, DISTRICTS ESTABLISHED; 42-180, INTENT; 42-181, PRINCIPAL PERMITTED USES; 42-182, SPECIAL LAND USES; 42-350, SCHEDULE OF REGULATIONS; 42-375, PLAN REVIEW AND APPROVAL (PD, PLANNED DEVELOPMENT); 42-394, PLAN REVIEW AND APPROVAL (OTR, OFFICE TECHNOLOGY AND RESEARCH); 42-414, PLAN REVIEW AND APPROVAL (COMMERCIAL PLANNED DEVELOPMENT); 42-438, DEVELOPMENT PROJECT REVIEW AND APPROVAL (CCA, CITY CENTER AREA); 42-443, DEVELOPMENT PROJECT REVIEW AND APPROVAL (CCMU, COMMERCIAL CORRIDOR MIXED USE); 42-461, APPLICATION AND REVIEW PROCEDURES; 42-484, SITE PLAN APPROVAL; 42-542, GENERAL REQUIREMENTS; 42-545, R-1A, R-1B, R-1C, R-1D, R-1E AND R-1T DISTRICTS; 42-623, PUBLIC HEARINGS, VOTING, AND DECISIONS; 42-743, APPLICATION REQUIREMENTS; 42-745, REVIEW OF APPLICATION; CRITERIA FOR APPROVAL; 42-803, STREETS; 42-807, LOTS OF ARTICLE 4, ZONING, OF CHAPTER 42, LAND DEVELOPMENT REGULATIONS

THE CITY OF PORTAGE ORDAINS:

That Chapter 42 shall be amended as follows:

ARTICLE 4. ZONING.

Sec. 42-112. – Definitions, *shall be amended as follows.*

Arbor: A freestanding structure that typically serves as a passageway to a yard or garden. The sides of an arbor are either open or covered with lattice or trellis. The roof of an arbor is open consisting slatted members. An arbor shall not be considered an accessory building for the purpose of lot cover and setback from the main building.

Building height: The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs, to the deck line of mansard roofs, and to the average height between the highest eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average grade.

Pergola: A freestanding structure supported by columns or posts with a roof that is more than 50% open. A pergola shall not be considered an accessory building for the purpose of lot cover and setback from the main building.

Sec. 42-112. A definition of building height was revised consistent with current application of the code.

Definitions for Arbor and Pergola were added to clarify these types of structures are permitted and minimum setback distances from property lines.

Sec. 42-121. - Accessory uses.

A. *General requirements.*

1. No Change.

2. No detached accessory building or structure shall be located closer than ~~ten~~ five feet to a main building or other accessory building or structure on the same lot unless the minimum fire separation requirements of the last adopted edition of the Building Code are met.

3. through 4. - No Change.

The separation distance between an accessory building and structure has been reduced from 10 feet to 5 feet consistent with the Building Code.

B. *Accessory buildings—Residential zoning districts.*

1. Non-lakefront lots: The following applies to accessory buildings and uses on non-lakefront lots in the R-1A one-family residential, R-1B one-family residential, R-1C one-family residential, R-1D one-family residential, ~~R-1E, estate residential~~ or R-1T attached residential districts. These requirements shall also apply to one family dwellings constructed in the RM-1 and RM-2 districts.

42-121.B.1 Reference to the R-1E single family residential zoning district has been deleted from all sections of the Zoning Code. It was established in 2003 and no land area has ever been zoned R-1F

a. No detached accessory building shall exceed ~~14~~ 16 feet in height except, after a public hearing, the height of the building may be increased if the planning commission determines that the topography, natural features or other land use characteristics, including the distance of the proposed building from adjacent residential structures, adequately mitigate adverse impacts upon any adjacent single-family residential use.

42-121.B.1.a Accessory building height has been increased to 16 feet due to several requests from homeowners. Requests to exceed 16 feet are proposed to be reviewed by the Planning Commission and not the Zoning Board of Appeals

b. Maximum floor areas:

1. Except as noted in (2) and 3 below, each detached accessory building shall have a maximum floor area not greater than 20 percent of ~~a required~~ the rear yard. Accessory buildings on these lots may be located within a required rear or side yard, but not closer than ~~three~~ five feet to any side or rear lot line. Accessory buildings in the front yard shall meet the setbacks required for the main building.

42-121.B.1.b.1. The size of an accessory building is proposed to be based on 20% of the entire rear yard, and not just the required rear yard. This would allow for a slightly larger building and would provide a more equal standard for narrow, long lots, in comparison to wide lots. The setback is proposed to be based on the height of the building.

~~2. On nonconforming residential lots, the maximum floor area of all detached accessory buildings shall not exceed 20 percent of the total rear yard area. Accessory buildings on these lots may be located within a required rear yard, but not closer than three feet to any side or rear lot line.~~

42-121.B.1.b.2. Since the size of an accessory building in the rear yard is proposed to be based on the entire rear yard area, subsection 2 can be deleted

~~3~~2. The total floor area of all accessory buildings, including those attached to the main building, shall not exceed the ground floor area of the main building plus 50 percent of the second story, provided that breezeways or enclosed porches are not counted in computing the total floor area of an accessory(s) or main building.

42-121.B.1.b.2. The total floor area of accessory buildings is proposed to be based on the ground floor area of main building, plus half of the second story. This change will permit more accessory building area for two-story houses, and a more equal standard in comparison to one-story houses with a larger ground floor.

3. The floor area of accessory buildings may exceed the ground floor area of the main building plus 50 percent of the second story when the residential lot or parcel ~~is unplatted with an~~ has an area of two acres or more. However, when the floor area of the accessory building exceeds the ground floor area of the main building plus 50 percent of the second story, the accessory building and use shall be subject to the approval of the planning commission after a public hearing. To ensure harmonious relationships and to minimize conflicts between adjacent uses, the commission shall consider the proposed characteristics and uses of the building in relation to existing land uses and to the future

42-121.B.1.b.3. Currently, a public hearing is not required to exceed the floor area of the main building. A public hearing is now proposed.

land uses as shown in the comprehensive plan. The commission may attach requirements to such accessory building and use when it deems necessary to avoid or mitigate adverse impacts on surrounding properties. This section does not apply to agricultural uses.

2. Lakefront lots: The following applies to accessory buildings on lakefront lots in any residential district.

~~a. Not more than one detached accessory building is permitted in the rear (lake side) yard.~~

~~b. The permitted accessory building shall not exceed 80 square feet in area and eight feet in height, measured from the average grade at the accessory building location to the highest point of the accessory building.~~

~~c. The permitted accessory building shall be located not closer than ten feet to any side property line and three feet to the rear property line in the rear (lake side) yard.~~

42-121.B.2. Subsections a, b, and c were combined into one (refer to subsection b).

a. The total floor area of all accessory buildings shall not exceed the ground floor area of the main building plus 50 percent of the second story, provided that breezeways or enclosed porches are not counted in computing the total floor area of a detached accessory(s) or main building.

42-121.B.2.a. Subsection (a) was added to limit the total floor area of all accessory buildings consistent with non-lakefront lots.

b. Not more than one detached accessory building is permitted in the rear (lake side) yard and shall not exceed 80 square feet in area and eight feet in height, measured from the average grade at the accessory building location to the highest point of the accessory building. The permitted accessory building shall be located not closer than ten feet to any side property line and three feet to the rear property line in the rear (lake side) yard.

~~d~~c. Boathouses, docks and other similar structures that are situated in whole or in part in the water are not regulated by this section.

~~e.~~d. All buildings and structures, including fences, that were in existence in the rear (lake side) yard prior to January 30, 1987, shall be allowed to continue and shall be considered to be nonconforming structures and buildings.

42-121.B.3. The setback is proposed to be inceased from three to five feet.

3. RM-1 and RM-2 districts: A detached accessory building accessory to uses permitted in these districts may be located within a required rear yard not closer than ~~three~~ five feet to any side or rear lot line, except that community recreation or meeting facilities shall meet the setback requirements applicable to main buildings for the district. One-family dwellings shall comply with the provisions of section 42-121.B.1.

Sec. 42-124. - Projections into required yards.

A. Porches, terraces and decks through
1. through 3. No change
4. Ramps for the purpose of providing barrier free access to a dwelling can project to within 10 feet of the front property line.

42-124.A.4. Subsection (4) was added to address numerous variance requests for barrier-free ramps.

B. An architectural feature, such as a chimney but not including a ~~vertical projection~~ cantilevered wall, may extend or project into a required side yard not more than two inches for each one foot of width of the side yard, and may extend or project not more than three feet into a required front yard or rear yard.

42-124.B. In Subsection (B), vertical projection was difficult to define so it is proposed to be deleted and chimney added as an example. Cantilevered wall is excluded from an architectural feature since it could result in an entire wall of a building.

~~C. For the purpose of this article, an access drive may be placed in a required front or side yard so as to provide access to the rear yard and/or an accessory or attached structure. These drives shall be considered a permitted encroachment into a front or side yard. For the purpose of this article, any walk, terrace or other pavement serving a similar function, not in excess of nine inches above the grade upon which placed, shall not be considered a structure and shall be permitted in any required yard.~~

42-124.C Subsection (C) was deleted and divided into two separate Subsections (refer to (D) & (E) below.

C. In the one-family residential districts, a landing and stairs for egress purposes less than 30 inches above grade may project into the side yard not more than 36 inches or as regulated by the last adopted edition of the city's building code.

42-124.C. Subsection (C) was added to allow an egress landing and stairs in the side yard setback area.

D. For the purpose of this article, an access drive may be placed in a required front or side yard so as to provide access to the rear yard and/or an accessory or attached structure. These drives shall be considered a permitted encroachment into a front or side yard.

E. For the purpose of this article, any walk, terrace or other pavement serving a similar function, not in excess of nine inches above the grade upon which placed, shall not be considered a structure and shall be permitted in any required yard.

Sec. 42-125. - Street frontage requirements; development standards for land divisions.

~~A. This section is intended to preclude the development of private streets where land divisions are proposed, and to establish review and approval criteria for land divisions and developments not otherwise regulated.~~

~~B.~~ A. Any parcel of land which is to be occupied by a use or building shall ~~have a minimum of 60 feet of frontage on a public street or 50 feet of frontage on a public cul-de-sac, and shall further meet the lot width and setback requirements for the zoning district in which it is located. The public street shall be paved and adequate drainage provided therefor.~~

meet at least one of the following street frontage requirements:

42-125.A. Subsection (A) was deleted and a new Subsection (A) added to allow parcels without public street frontage if certain conditions are met.

1. Maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac, to the front setback or building setback line, whichever is greater. The public street shall be paved and adequate drainage provided therefor; or
2. For a parcel that does not have the above required frontage on a public street, an access and utility easement with a width of not less than 20 feet to the front setback or building setback line, whichever is greater, shall be recorded with the Kalamazoo County Register of Deeds. Such recorded easement shall be provided to the Director simultaneously with the Register of Deeds filing. The access easement shall be a perpetual, irrevocable easement appurtenance over the burdened property, providing unobstructed access to the public street for the benefitting parcel. The utility easement shall also be perpetual, irrevocable and provide any public utility the ability and right to install all utilities on the burdened property. The 20 foot easement shall be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. If the access and utility easement is shared by more than one parcel or owner, a maintenance agreement shall also be recorded providing for the rights and obligations of the parties regarding installation, maintenance and repair as well

as apportionment of costs and expense for infrastructure and/or improvement on the easement.

B. A parent parcel cannot be divided to create more than four resulting parcels without the required frontage on a public street. Each parcel shall further meet the lot width and setback requirements for the zoning district in which it is located.

C. Residential, commercial or industrial developments which result in land divisions with public infrastructure improvements, except lands divided pursuant to the Land Division Act (MCL 560.101 et seq., MSA 26.430(101) et seq.) and article V, Subdivision and Land Division Requirements, of this chapter, shall be subject to subsection B of this section and to the following conditions:

42-125.C was revised to clarify it is applicable only when public infrastructure improvements are proposed

1. through 3. No change

Sec. 42-128. - Lakefront lots.

A. and C. No change.

D. Pergolas, arbors and similar structures over nine inches in height above grade are permitted in the lakeside yard provided there are no walls, only support posts, and the structures do not exceed eight feet in height.

42-128.D. Pergolas, arbors and similar structures are allowed in the lakeside yard with conditions

Sec. 42-135. - Wireless telecommunications facilities and towers.

A. through J. No change.

K. Separation:

In Table 1 below, reference to R-1E has been deleted.

1. and 2. No change. Table 1- Setback and Separation Requirements For New Telecommunication Tower Construction

District of Tower Location[1]	Special land Use Required	Minimum Setbacks	Any Residential District or Use	OS-1, OTR, B-2, B-3, CPD, or P-1 Districts	I-1, I-2 Districts
R-1A, R-1B, R-1C, R-1D, ~~R-1E,~~ R-1T, MHC PD [1]		Front: 30 ft. Side: 12 ft. Rear: 40 ft.	No separation requirements if alternative tower structure is utilized.		
RM-1, RM-2, OS-1, OTR, B-1 [1]		Front: 30 ft. Side: 12 ft. Rear: 12 ft.			
B-2, B-3, CPD, P-1	Yes	Front: 30 ft. (except B-2-75 ft.) Side: 12 ft. Rear: 12 ft.	1,320 ft.	Greater of: 100 ft. or 100% of tower height	20% of tower height
			No separation requirements if alternative tower structure is utilized		
I-1, I-2		Front: 75 ft. Side/Rear: None; separation requirements only	200 ft.	Greater of: 100 ft. or 100% of tower height	20% of tower height
			No separation requirements if alternative tower structure is utilized.		

[1] Alternative tower structure required: Alternative design mounting structures that camouflage or conceal the presence of antennas and/or towers, see Section 42-135.C for definition.

Sec. 42-139. – Lot Grading.

Required yard space, as determined by the minimum setback requirements, shall be at an elevation to ensure surface water drains away from the foundation walls in accordance with the last adopted edition of the Residential Building Code. Yards shall be graded and maintained to prevent the accumulation of surface water on the property outside of designated storm water detention areas and not increase the natural flow or runoff of surface water onto adjacent properties.

42-139. Lot grading was added to ensure lots are properly graded to prevent surface water problems.

Sec. 42-160. - Districts established.

For the purpose of this article, the city is hereby divided into the following districts:

Zoning Map Designation	District Title (See also Division 4, Subdivision 10)
R-1A	One-Family Residential (Lot area: 7,800 to 15,000 sq. ft.)
R-1B	One-Family Residential (Lot area: 9,600 to 15,000 sq. ft.)
R-1C	One-Family Residential (Lot area: 12,000 to 15,000 sq. ft.)
R-1D	One-Family Residential Lot area: 12,000 to 28,000 sq. ft.)
~~R-1E~~	~~Estate Residential (Lot area: 1 acre)~~
R-1T	Attached Residential
RM-1	Multifamily Residential (High Density)
RM-2	Multifamily Residential (Medium Density)
OS-1	Office Service
B-1	Local Business
B-2	Community Business
B-3	General Business
CPD	Commercial Planned Development
OTR	Office Technology Research
I-1	Light Industrial
I-2	Heavy Industrial
P-1	Vehicular Parking
MHC	Manufactured Home Community
PD	Planned Development

42-160. In the table to the left, reference to R-1E has been deleted.

Subdivision 2. - R-1A, R-1B, R-1C, and R-1D ~~and R-1E~~ One-Family Residential Districts

Sec. 42-180. - Intent.

The R-1A through R-1~~E~~ D one-family residential districts are designed to be the most restrictive of the residential districts. The intent is to provide for an environment of predominantly low-density single-unit dwellings along with other residentially related facilities that serve the residents in the district. Further, the intent of these regulations is to protect residential neighborhoods from incompatible land uses and associated effects.

In Sections 42-180, 42-181 and 42-182, reference to R-1E has been deleted.

Sec. 42-181. - Principal permitted uses.

In a one-family residential district (R-1A through R-1~~-E~~ D), no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article:

A. thru H. - No change.

Sec. 42-182. - Special land uses.

The following uses may be allowed in a one-family residential district (R-1A through R-1~~-E~~ D), subject to the conditions imposed in this Section for each use, and subject further, to the review and approval of the planning commission in accordance with the provisions of division 5, subdivision 1 of this article:

A. thru J. - No change.

In the table below, the following changes were made:
1. Reference to the R-1E district has been deleted
2. Building height has been increased in the R-1A – R-1D district from 25 to 30 feet and in the B-1 district from 35 to 35 feet.
3. Maximum lot cover has been increased from 25 to 30% subject to review and approval by the Director of Transportation and Utilities

Subdivision 10. - Schedule of Regulations

Sec. 42-350. - Schedule of regulations.

A. Schedule of regulations: The following schedule sets forth regulations regarding building height, bulk, density and area for the zoning districts as indicated. Numbers in parentheses are footnotes and apply as explained.

Zoning District	Minimum Lot Area Per Dwelling Unit (sq. ft.)/lot width in feet (1)			Maximum Building Height in feet		Minimum Yard Setback in feet (2)				
	With Sewer & Water	With Sewer or Water	Without Sewer & Water	Stories	Height	Front	Side	Rear	Minimum Floor Area Per Unit (sq. ft.)	Maximum Lot Coverage (20)
R-1A One-Family Residential	7,800/65	12,000/80	15,000/100	2 (3)	30~~25~~ (3)	27	8(4)	40	(5)	25%
R-1B One-Family Residential	9,600/80	12,000/80	15,000/100	2 (3)	30~~25~~ (3)	30	10(4)	40	(5)	25%
R-1C One-Family Residential	12,000/100	12,000/100	15,000/100	2 (3)	30~~25~~ (3)	30	12(4)	40	(5)	25%
R-1D One-Family Residential	12,000/100	12,000/100	28,000/120	2 (3)	30~~25~~ (3)	30	12(4)	40	(5)	25%
~~R-1E One-Family Residential~~	~~43,560/150~~	~~43,560/150~~	~~43,560/150~~	~~2 (3)~~	~~25 (3)~~	~~40~~	~~20(4)~~	~~60~~	~~(5)~~	25%
R-1T Attached Residential	6,000/40	9,000/60	9,000/60	2	30~~25~~(6)	30	10(4)	40	850	25%
RM-1 & RM-2 Multi-family Residential	(7)	8,000	8,000	3	35(6)	30(8)	30(8) (4)	30(8)	1 BR: 500, 2 BR: 700, 3 BR: 900, 4 BR: 1,100	25%
OS-1 Office Service	—	—	—	—	35(6)	27(9)	15(10)(4)	20(11)	—	—
OTR Office Technology Research	(12)	—	—	—	35(6)	50(13)	50(13) (14) (4)	50(13)	—	25%
B-1 Local Business	—	—	—	—	35~~25~~(6)	27(9)	(10)(4)	20(11)	—	25%
B-2 Community Business	—	—	—	—	35(6)	75(9)(15)	(15)(4)	(11)(15)	—	—
B-3 General Business	—	—	—	—	35(6)	30(9)	(10)(4)	20(11)	—	—
CPD Commercial Planned Development	(16)	—	—	—	35(6)	(15)	(15)(4)	(11)(15)	—	25%
I-1 Light Industrial	—	—	—	—	40(6)	75(17)(18)	75(17)(19)(4)	(11)(17)(19)	—	—
I-2 Heavy Industrial	—	—	—	—	60(6)	100(17)(18)	100(17)(19)(4)	(11)(17)(19)	—	—
MHC, Mobile Home Community	See Division 4, Subdivision 8 for regulations pertaining to this zoning district									
PD, Planned Development	See Division 4, Subdivision 11 for regulations pertaining to this zoning district									
P-1, Parking	See Division 4, Subdivision 14 for regulations pertaining to this zoning district									

B. Footnotes to Schedule of regulations:

1. No change.
2. No change:
   a. No change;
   b. For lots with less than the required area, setbacks shall not be less than the following:
      i. Thirty ~~Three~~ feet to the rear line;
      ii. No change
      iii. No change

42-350.B.2.b.1. The rear yard setback for a lot that has less than the required area has been increased from 3 feet to 30 feet to correct an apparent typographical error

3. R-1A, R-1B, R-1C, and R-1D ~~and R-1E~~ one-family residential districts. The number of stories and maximum height of any residential structure on lots of 80 feet or more in width shall not exceed three stories and 40 feet in height.~~be regulated by the last adopted edition of the city's building code.~~

42-350.B.3. Reference to R-1E has been deleted and the number of stories and building height clarified at 3 and 40 feet, respectively, consistent with an amendment to the code in March 1993.

4. The side yard facing the street shall not be less than the minimum front yard of the district in which it is located, unless otherwise permitted in this article.

42-350.B.4 "...unless otherwise permitted in this article" was added for clarity purposes.

5. The following minimum floor area requirements apply to each residence hereafter erected. Any structure existing as of the date of the adoption of this Article on February 18, 2003 and not meeting the requirements of this subsection shall not be prevented from being reconstructed and, for the purpose of this article, therefore, shall not be considered nonconforming.

42-350.B.5. "...on February 18, 2003" was added for clarity purposes.

In the table below, the method in which to determine the minimum area of 1½ and 2-story single family residential dwellings has been modified. The change eliminates a minimum area per floor (story) and a combined total area of each floor is now proposed. This change is based on changes in home design/construction that provide more living/utility area on the ½ or second story. Also, the R-1E district has been deleted from the table.

Residence Type	Zoning District							
	(with basement of at least 440 sq. ft.)				(with basement less than 440 sq. ft.)			
	R-1A	R-1B	R-1C &D	~~R-1E~~	R-1A	R-1B	R-1C&D	~~R-1E~~
1 story	1,040	1,280	1,600	~~2,000~~	1,120	1,360	1,600	~~2,000~~
11/2 story	~~880~~1,100	~~1,080~~1,340	~~1,280~~1,680	~~1,800~~	~~960~~1,180	~~1,160~~1,500	~~1,300~~1,700	~~1,800~~
~~11/2 story, 2nd floor~~	~~212~~	~~260~~	~~400~~	~~600~~	~~212~~	~~340~~	~~400~~	~~600~~
2 story~~, 1st floor~~	~~720~~1,440	~~900~~1,800	~~1,000~~2,000	~~1,200~~	~~800~~1,520	~~980~~1,880	~~1,000~~2,000	~~1,200~~
~~2 story, 2nd floor~~	~~720~~	~~900~~	~~1,000~~	~~1,200~~	~~720~~	~~900~~	~~1,000~~	~~1,200~~

~~Minimum floor area requirements for tri-levels shall be computed using the total square footage of the two uppermost levels. Minimum floor area requirements for bi-levels shall be computed using the total square footage of that floor at or above the approximate grade of the address street.~~ The total square footage ~~so computed~~ for a tri-level or bi-level shall equal at least the minimum square footage requirement for a ~~one-floor~~ two-story residence in the same district.

Consistent with the changes in the table above, floor area requirements for tri and bi-level dwellings has been deleted. The minimum floor area is combined total floor area of each level not classified as a basement (more than 50% below grade). Since all non-basement levels are computed in the total floor area, bi and tri-level dwellings must meet the minimum area requirement for a two story residence in the same district.

42-350.B.6.b. Structure height was changed from 25 to 30 feet and from 30 feet to 35 feet

6. a. No change

b. The height of any structure in an RM-1 or RM-2 multifamily residential district shall be no greater than ~~25~~30 feet and two stories when the zoning lot abuts a single-family residential zoning district, except, after a public hearing, which may be held prior to site plan approval, the height of the structure may be increased to no more than ~~30~~35 feet and three stories if the planning commission determines that the topography, natural features or other land use characteristics, including the distance of the proposed structure from the residential district and residential structures therein, adequately mitigate adverse impacts upon any adjacent single-family residential zone or use. The height of a structure under this provision may be increased beyond the maximum height stated in this subsection only if the regulations and procedures of subsection (6)(a) of this section are followed.

42-350.B.6.c. Structure height was changed from 25 to 30 feet and from one story to two stories.

c. In all other districts, the height of any structure shall be no greater than ~~25~~30 feet and ~~one~~ two ~~story~~ stories when the zoning lot abuts a single-family residential zoning district, except, after a public hearing, which may be held prior to site plan approval, the height and number of stories of the structure may be increased to the height normally allowed in the zoning district if the planning commission determines that the topography, natural features or other land use characteristics, including the distance of the proposed structure from the residential district and residential structures therein, adequately mitigate adverse impacts upon any adjacent single-family residential zone or use. The height of a structure under this provision may be increased beyond the height normally allowed within the district only if the requirements and procedures of subsection (6)(a) of this section are followed.

d. No change

7. thru (9). No change

42-350.B.10. The exterior yard setback was changed to 15 feet to correct an inconsistency between the table in 42-350.A and footnote.

10. No side yards are required along the interior side lot lines of the district, except as otherwise specified in the building code of the city (article 8, division 2 of this chapter), provided that if walls of structures facing such interior side lot lines contain windows or other openings, side yards of not less than ten feet shall be provided. On a corner lot which borders on a residential district, there shall be provided a setback of 27 feet on the side or residential street. On an exterior side yard abutting a residential district, there shall be provided a setback of ~~10~~15 feet in width.

11. thru (19). No change

20. An increase in lot coverage to 30% may be permitted for lots that meet the minimum area and width requirements for the zoning distict in which it is located, subject to review and approval by the Director of Transportation and Utilities to ensure storm water drainage and related impacts are properly addressed.

Sec. 42-375. - Plan review and approval (PD, Planned Development).

J. Time limit for commencing development: After a final plan is approved by the council, development of the planned development or divisible geographic section thereof shall begin within ~~120 days~~ 12 months of approval of the final plan. If development is not begun within such time, the final plan must be resubmitted for reapproval. At the lapse of each ~~120 days~~ 12 months period, the council, before reapproval, may require modification of the final plan to meet new or previously undetected conditions affecting the project area.

42-375.J. The expiration of plan approval has been extended from 120 days to 12 months to allow the community more time to prepare construction

Sec. 42-394. - Plan review and approval (OTR, Office Technology and Research)

H. Development plan (specific plan):
   a. No change
   b. Time limit for commencing construction. After a specific plan is approved pursuant to division 5, subdivision 2, Site Plan Review, development shall commence within ~~six months~~ 12 months of approval of the specific plan. If development is not begun within this period, the specific plan must be resubmitted for approval per division 5, subdivision 2, Site Plan Review.
   c. No change.

The expiration of plan approval has been extended from 6 to 12 months in Sec. 42-394, 414, 438, 443, 461 & 484 to allow the developers more time to prepare construction documents

Sec. 42-414. - Plan review and approval (Commercial Planned Development).

I. Time limit for commencing development: After a specific plan is approved pursuant to division 5, subdivision 2, Site Plan Review, development shall commence within ~~six months~~ 12 months of approval of the specific plan. If development is not begun within this time period, the specific plan must be resubmitted for approval in accordance with the requirements of division 5, subdivision 2, Site Plan Review.

Sec. 42-438. - Development project review and approval (CCA, City Center Area)

H. Development plan (specific plan):
   1. No change.
   2. Time limit for commencing construction. After the specific plan is approved pursuant to division 5, subdivision 2, site plan review, development shall commence within ~~six months~~ 12 months of approval of the specific plan. If development is not begun within this period, the specific plan must be resubmitted for approval per division 5, subdivision 2, site plan review.
   3. No change.

Sec. 42-443. - Development project review and approval (CCMU, Commercial Corridor Mixed Use).

H. Development plan (specific plan):
   1. No change.
   2. Time limit for commencing construction. After the specific plan is approved pursuant to division 5, subdivision 2, site plan review, development shall commence within ~~six months~~ 12 months of approval of the specific plan. If

development is not begun within this period, the specific plan must be resubmitted for approval per division 5, subdivision 2, site plan review.

3. No change.

Sec. 42-461, Application and review procedures

A. through D. No change

E. Special land use decisions

1. through 3. No change

4. Validity of approval: Any approval given by the commission under which the premises are not used or work is not started within ~~six months~~ 12 months , or when the use or work has been abandoned for a period of ~~six months~~ 12 months , shall lapse and cease to be in effect.

5. No change

Sec. 42-484. - Site plan approval (Site Plan Review).

C. Site plan expiration: If construction activity has not commenced within ~~six months~~ 12 months of final site plan approval, the site plan becomes null and void and a new application for site plan review in accordance with the procedures of this subsection shall be required.

Sec. 42-542. - General requirements.

In Sec. 42-542.I.2, reference to R-1E has been deleted.

A. through H. No change

I. Electronic or mechanical sign elements.

1. No change

2. An accessory sign for a permitted use in the R-1A through ~~R-1E~~ R-1D one-family residential districts, the R-1T residential district, and the RM-1 and RM-2 residential districts, may include an EMD subject to the following requirements: A through h. No change

Sec. 42-545. - R-1A, R-1B, R-1C, R-1D, ~~R-1E~~ and R-1T districts.

In Sec. 42-545, reference to R-1E has been deleted.

In any R-1A, R-1B, R-1C, R-1D, ~~R-1E~~ and R-1T residential district:

A. through D. No change

Sec. 42-623. - Public hearings, voting, and decisions (Zoning Board of Appeals).

A. through B. No change

C. Decisions:

1. No change.

2. No change.

3. No change.

4. Any approval given by the board under which the premises are not used or work is not started within ~~six months~~ 12 months , or when the use or work has been abandoned for a period of six months, shall lapse and cease to be in effect.
5. No change.

In Sec. 42-623.C.4, the expiration of ZBA approval has been extended from 6 to 12 months to allow the applicants more time to prepare construction documents, if applicable

Sec. 42-743. - Application requirements.

1. through 7. No change
8. The application shall include proof that all divisions shall result in buildable parcels containing at least ~~60 feet of frontage on a public street or 50 feet of frontage on a public cul-de-sac;~~ one of the following street frontage requirements:

Consistent with 42-125.A, 42-743.8 for Land Divisions was modified to allow parcels without public street frontage if certain conditions are

a. Maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac, to the front setback or building setback line, whichever is greater. The public street shall be paved and adequate drainage provided therefor; or
b. For a parcel that does not have the above required frontage on a public street, an access and utility easement with a width of not less than 20 feet to the front setback or building setback line, whichever is greater, shall be recorded with the Kalamazoo County Register of Deeds. Such recorded easement shall be provided to the Director simultaneously with the Register of Deeds filing. The access easement shall be a perpetual, irrevocable easement appurtenance over the burdened property, providing unobstructed access to the public street for the benefitting parcel. The utility easement shall also be perpetual, irrevocable and provide any public utility the ability and right to install all utilities on the burdened property. The 20 foot easement shall be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. If the access and utility easement is shared by more than one parcel or owner, a maintenance agreement shall also be recorded providing for the rights and obligations of the parties regarding installation, maintenance and repair as well as apportionment of costs and expense for infrastructure and/or improvement on the easement.
   i. A parent parcel cannot be divided to create more than four resulting parcels without the required frontage on a public street. Each parcel shall further meet the lot width and setback requirements for the zoning district in which it is located.
c. The application shall also include proof of sufficient buildable area outside of wetlands, floodplains and other areas where buildings are prohibited; and sufficient area to comply with required setback provisions, minimum floor area requirements, off-street parking space requirements, on-site water and sewer location (if municipal utilities are not available), and maximum area for coverage of buildings.

9. through 10. No change

Sec. 42-745. - Review of application; criteria for approval.

1. through 4. No change

5. Each resulting parcel ~~has not less than 60 feet of frontage on a public street and 50 feet of frontage on a cul-de-sac.~~ shall meet at least one of the following street frontage requirements:

Consistent with 42-125.A and 42-743.8, 42-745.5 was modified to allow parcels without public street frontage if certain conditions are met.

a. Maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac, to the front setback or building setback line, whichever is greater. The public street shall be paved and adequate drainage provided therefor; or

b. For a parcel that does not have the above required frontage on a public street, an access and utility easement with a width of not less than 20 feet to the front setback or building setback line, whichever is greater, shall be recorded with the Kalamazoo County Register of Deeds. Such recorded easement shall be provided to the Director simultaneously with the Register of Deeds filing. The access easement shall be a perpetual, irrevocable easement appurtenance over the burdened property, providing unobstructed access to the public street for the benefitting parcel. The utility easement shall also be perpetual, irrevocable and provide any public utility the ability and right to install all utilities on the burdened property. The 20 foot easement shall be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. If the access and utility easement is shared by more than one parcel or owner, a maintenance agreement shall also be recorded providing for the rights and obligations of the parties regarding installation, maintenance and repair as well as apportionment of costs and expense for infrastructure and/or improvement on the easement.

i. A parent parcel cannot be divided to create more than four resulting parcels without the required frontage on a public street. Each parcel shall further meet the lot width and setback requirements for the zoning district in which it is located.

6. through 8. No change

Sec. 42-803. – Streets (Subdivision Regulations).

42-803.i was changed to increase the number of residential lots on a cul-de-sac from 20 to 30 consistent with the International Fire Code

a. through h. No change

i. Cul-de-sac. The maximum number of lots or parcels which front on a residential cul-de-sac street shall not exceed ~~20~~ 30. The maximum length for industrial and other cul-de-sac streets may exceed 500 feet subject to the review and approval of the planning commission.

j. through k. No change

Sec. 42-805. – Utilities (Subdivision Regulations).

42-805(c)(5)(6) were changed to increase the number of residential units/lots served by municipal water from 20 to 30 consistent with the International Fire Code

a. through b. No change

c. 1. through 4. No change

5. Valves shall be placed at all intersections such that not more than ~~20~~ 30 dwelling units may be isolated. Valve spacing shall not exceed 1,000 feet.

6. Dead-end water mains serving cul-de-sac and other short street designs shall not serve more than a maximum of ~~20~~ 30 lots or as otherwise required by the city council.

CLEAN VERSION

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING SEC. 42-112, DEFINITIONS; 42-121, ACCESSORY USES; 42-124, PROJECTIONS IN REQUIRED YARDS; 42-125, STREET FRONTAGE REQUIREMENTS; DEVELOPMENT STANDARDS FOR LAND DIVISIONS; 42-128, LAKEFRONT LOTS; 42-135, WIRELESS TELECOMMUNICATIONS FACILITIES AND TOWERS; 42-139, LOT GRADING; 42-160, DISTRICTS ESTABLISHED; 42-180, INTENT; 42-181, PRINCIPAL PERMITTED USES; 42-182, SPECIAL LAND USES; 42-350, SCHEDULE OF REGULATIONS; 42-375, PLAN REVIEW AND APPROVAL (PD, PLANNED DEVELOPMENT); 42-394, PLAN REVIEW AND APPROVAL (OTR, OFFICE TECHNOLOGY AND RESEARCH); 42-414, PLAN REVIEW AND APPROVAL (COMMERCIAL PLANNED DEVELOPMENT); 42-438, DEVELOPMENT PROJECT REVIEW AND APPROVAL (CCA, CITY CENTER AREA); 42-443, DEVELOPMENT PROJECT REVIEW AND APPROVAL (CCMU, COMMERCIAL CORRIDOR MIXED USE); 42-461, APPLICATION AND REVIEW PROCEDURES; 42-484, SITE PLAN APPROVAL; 42-542, GENERAL REQUIREMENTS; 42-545, R-1A, R-1B, R-1C, R-1D, R-1E AND R-1T DISTRICTS; 42-623, PUBLIC HEARINGS, VOTING, AND DECISIONS; 42-743, APPLICATION REQUIREMENTS; 42-745, REVIEW OF APPLICATION; CRITERIA FOR APPROVAL; 42-803, STREETS; 42-807, LOTS OF ARTICLE 4, ZONING, OF CHAPTER 42, LAND DEVELOPMENT REGULATIONS

THE CITY OF PORTAGE ORDAINS:

That Chapter 42 shall be amended as follows:

ARTICLE 4. ZONING.

Sec. 42-112. – Definitions, *shall be amended as follows.*

Arbor: A freestanding structure that typically serves as a passageway to a yard or garden. The sides of an arbor are either open or covered with lattice or trellis. The roof of an arbor is open consisting slatted members. An arbor shall not be considered an accessory building for the purpose of lot cover and setback from the main building.

Building height: The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs, to the deck line of mansard roofs, and to the average height between the highest eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average grade.

Pergola: A freestanding structure supported by columns or posts with a roof that is more than 50% open. A pergola shall not be considered an accessory building for the purpose of lot cover and setback from the main building.

Sec. 42-121. - Accessory uses.

A. *General requirements.*

1. No Change.
2. No detached accessory building or structure shall be located closer than five feet to a main building or other accessory building or structure on the same lot unless the minimum fire separation requirements of the last adopted edition of the Building Code are met.

3. through 4. - No Change.

B. *Accessory buildings—Residential zoning districts.*

1. Non-lakefront lots: The following applies to accessory buildings and uses on non-lakefront lots in the R-1A one-family residential, R-1B one-family residential, R-1C one-family residential, R-1D one-family residential, or R-1T attached residential districts. These requirements shall also apply to one family dwellings constructed in the RM-1 and RM-2 districts.

   a. No detached accessory building shall exceed 16 feet in height except, after a public hearing, the height of the building may be increased if the planning commission determines that the topography, natural features or other land use characteristics, including the distance of the proposed building from adjacent residential structures, adequately mitigate adverse impacts upon any adjacent single-family residential use.
   b. Maximum floor areas:
      1. Except as noted in (2) and 3 below, each detached accessory building shall have a maximum floor area not greater than 20 percent of the rear yard. Accessory buildings in the rear or side yard shall be setback from the side or rear property lines not less than one-half the height of the building. Accessory buildings in the front yard shall meet the setbacks required for the main building.
      2. The total floor area of all accessory buildings, including those attached to the main building, shall not exceed the ground floor area of the main building plus 50 percent of the second story, provided that breezeways or enclosed porches are not counted in computing the total floor area of an accessory(s) or main building.
      3. The floor area of accessory buildings may exceed the ground floor area of the main building plus 50 percent of the second story when the residential lot or parcel has an area of two acres or more. However, when the floor area of the accessory building exceeds the ground floor area of the main building plus 50 percent of the second story, the accessory building and use shall be subject to the approval of the planning commission after a public hearing. To ensure harmonious relationships and to minimize conflicts between adjacent uses, the commission shall consider the proposed characteristics and uses of the building in relation to existing land uses and to the future land uses as shown in the comprehensive plan. The commission may attach requirements to such accessory building and use when it deems necessary to avoid or mitigate adverse impacts on surrounding properties. This section does not apply to agricultural uses.

2. Lakefront lots: The following applies to accessory buildings on lakefront lots in any residential district.

   a. The total floor area of all accessory buildings shall not exceed the ground floor area of the main building plus 50 percent of the second story, provided that breezeways or enclosed porches are not counted in computing the total floor area of a detached accessory(s) or main building.
   b. Not more than one detached accessory building is permitted in the rear (lake side) yard and shall not exceed 80 square feet in area and eight feet in height, measured from the average grade at the accessory building location to the highest point of the accessory building. The permitted accessory building shall

be located not closer than ten feet to any side property line and three feet to the rear property line in the rear (lake side) yard.

c. Boathouses, docks and other similar structures that are situated in whole or in part in the water are not regulated by this section.

d. All buildings and structures, including fences, that were in existence in the rear (lake side) yard prior to January 30, 1987, shall be allowed to continue and shall be considered to be nonconforming structures and buildings.

3. RM-1 and RM-2 districts: A detached accessory building accessory to uses permitted in these districts may be located within a required rear yard not closer than five feet to any side or rear lot line, except that community recreation or meeting facilities shall meet the setback requirements applicable to main buildings for the district. One-family dwellings shall comply with the provisions of section 42-121.B.1.

Sec. 42-124. - Projections into required yards.

A. Porches, terraces and decks through
   1. through 3. No change
   4. Ramps for the purpose of providing barrier free access to a dwelling can project to within 10 feet of the front property line.

B. An architectural feature, such as a chimney but not including a cantilevered wall, may extend or project into a required side yard not more than two inches for each one foot of width of the side yard, and may extend or project not more than three feet into a required front yard or rear yard.

C. In the one-family residential districts, a landing and stairs for egress purposes less than 30 inches above grade may project into the side yard not more than 36 inches or as regulated by the last adopted edition of the city's building code.

D. For the purpose of this article, an access drive may be placed in a required front or side yard so as to provide access to the rear yard and/or an accessory or attached structure. These drives shall be considered a permitted encroachment into a front or side yard.

E. For the purpose of this article, any walk, terrace or other pavement serving a similar function, not in excess of nine inches above the grade upon which placed, shall not be considered a structure and shall be permitted in any required yard.

Sec. 42-125. - Street frontage requirements; development standards for land divisions.

A. Any parcel of land which is to be occupied by a use or building shall meet at least one of the following street frontage requirements:
   1. Maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac, to the front setback or building setback line, whichever is greater. The public street shall be paved and adequate drainage provided therefor; or
   2. For a parcel that does not have the above required frontage on a public street, an access and utility easement with a width of not less than 20 feet to the front setback or building setback line, whichever is greater, shall be recorded with the Kalamazoo County Register of Deeds. Such recorded easement shall be provided to the Director simultaneously with the Register of Deeds filing. The access easement shall be a perpetual, irrevocable easement appurtenance over the burdened property, providing unobstructed access to the public street for the benefitting parcel. The utility easement shall also be perpetual, irrevocable and provide any public utility the ability and right to install all utilities on the burdened property. The 20 foot easement shall be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. If the access

and utility easement is shared by more than one parcel or owner, a maintenance agreement shall also be recorded providing for the rights and obligations of the parties regarding installation, maintenance and repair as well as apportionment of costs and expense for infrastructure and/or improvement on the easement.

B. A parent parcel cannot be divided to create more than four resulting parcels without the required frontage on a public street. Each parcel shall further meet the lot width and setback requirements for the zoning district in which it is located.

C. Residential, commercial or industrial developments which result in land divisions with public infrastructure improvements, except lands divided pursuant to the Land Division Act (MCL 560.101 et seq., MSA 26.430(101) et seq.) and article V, Subdivision and Land Division Requirements, of this chapter, shall be subject to subsection B of this section and to the following conditions:

1. through 3. No change

Sec. 42-128. - Lakefront lots.

A. and C. No change.

D. Pergolas, arbors and similar structures over nine inches in height above grade are permitted in the lakeside yard provided there are no walls, only support posts, and the structures do not exceed eight feet in height.

Sec. 42-135. - Wireless telecommunications facilities and towers.

A. through J. No change.

K. Separation:

1. and 2. No change. Table 1- Setback and Separation Requirements For New Telecommunication Tower Construction

District of Tower Location[1]	Special land Use Required	Minimum Setbacks	Any Residential District or Use	OS-1, OTR, B-2, B-3, CPD, or P-1 Districts	I-1, I-2 Districts
R-1A, R-1B, R-1C, R-1D, R-1T, MHC PD [1]		Front: 30 ft. Side: 12 ft. Rear: 40 ft.	No separation requirements if alternative tower structure is utilized.		
RM-1, RM-2, OS-1, OTR, B-1 [1]		Front: 30 ft. Side: 12 ft. Rear: 12 ft.			
B-2, B-3, CPD, P-1	Yes	Front: 30 ft. (except B-2-75 ft.) Side: 12 ft. Rear: 12 ft.	1,320 ft.	Greater of: 100 ft. or 100% of tower height	20% of tower height
			No separation requirements if alternative tower structure is utilized		
I-1, I-2		Front: 75 ft. Side/Rear: None; separation requirements only	200 ft.	Greater of: 100 ft. or 100% of tower height	20% of tower height
			No separation requirements if alternative tower structure is utilized.		

[1] Alternative tower structure required: Alternative design mounting structures that camouflage or conceal the presence of antennas and/or towers, see Section 42-135.C for definition.

Sec. 42-139. – Lot Grading.

Required yard space, as determined by the minimum setback requirements, shall be at an elevation to ensure surface water drains away from the foundation walls in accordance with the last adopted edition of the Residential Building Code. Yards shall be graded and maintained to prevent the accumulation of surface water on the property outside of designated storm water detention areas and not increase the natural flow or runoff of surface water onto adjacent properties.

Sec. 42-160. - Districts established.

For the purpose of this article, the city is hereby divided into the following districts:

Zoning Map Designation	District Title (See also Division 4, Subdivision 10)
R-1A	One-Family Residential (Lot area: 7,800 to 15,000 sq. ft.)
R-1B	One-Family Residential (Lot area: 9,600 to 15,000 sq. ft.)
R-1C	One-Family Residential (Lot area: 12,000 to 15,000 sq. ft.)
R-1D	One-Family Residential Lot area: 12,000 to 28,000 sq. ft.)
R-1T	Attached Residential
RM-1	Multifamily Residential (High Density)
RM-2	Multifamily Residential (Medium Density)
OS-1	Office Service
B-1	Local Business
B-2	Community Business
B-3	General Business
CPD	Commercial Planned Development
OTR	Office Technology Research
I-1	Light Industrial
I-2	Heavy Industrial
P-1	Vehicular Parking
MHC	Manufactured Home Community
PD	Planned Development

Subdivision 2. - R-1A, R-1B, R-1C, and R-1D One-Family Residential Districts

Sec. 42-180. - Intent.

The R-1A through R-1D one-family residential districts are designed to be the most restrictive of the residential districts. The intent is to provide for an environment of predominantly low-density single-unit dwellings along with other residentially related facilities that serve the residents in the district. Further, the intent of these regulations is to protect residential neighborhoods from incompatible land uses and associated effects.

Sec. 42-181. - Principal permitted uses.

In a one-family residential district (R-1A through R-1D), no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article:

A. thru H. - No change.

Sec. 42-182. - Special land uses.

The following uses may be allowed in a one-family residential district (R-1A through R-1D), subject to the conditions imposed in this Section for each use, and subject further, to the review and approval of the planning commission in accordance with the provisions of division 5, subdivision 1 of this article:

A. thru J. - No change.

Subdivision 10. - Schedule of Regulations

Sec. 42-350. - Schedule of regulations.

A. Schedule of regulations: The following schedule sets forth regulations regarding building height, bulk, density and area for the zoning districts as indicated. Numbers in parentheses are footnotes and apply as explained.

Zoning District	Minimum Lot Area Per Dwelling Unit (sq. ft.)/lot width in feet (1)			Maximum Building Height in feet		Minimum Yard Setback in feet (2)				
	With Sewer & Water	With Sewer or Water	Without Sewer & Water	Stories	Height	Front	Side	Rear	Minimum Floor Area Per Unit (sq. ft.)	Maximum Lot Coverage (20)
R-1A One-Family Residential	7,800/65	12,000/80	15,000/100	2 (3)	30 (3)	27	8(4)	40	(5)	25%
R-1B One-Family Residential	9,600/80	12,000/80	15,000/100	2 (3)	30 (3)	30	10(4)	40	(5)	25%
R-1C One-Family Residential	12,000/100	12,000/100	15,000/100	2 (3)	30 (3)	30	12(4)	40	(5)	25%
R-1D One-Family Residential	12,000/100	12,000/100	28,000/120	2 (3)	30 (3)	30	12(4)	40	(5)	25%
R-1T Attached Residential	6,000/40	9,000/60	9,000/60	2	30 (6)	30	10(4)	40	850	25%
RM-1 & RM-2 Multi-family Residential	(7)	8,000	8,000	3	35(6)	30(8)	30(8) (4)	30(8)	1 BR: 500, 2 BR: 700, 3 BR: 900, 4 BR: 1,100	25%
OS-1 Office Service	—	—	—	—	35(6)	27(9)	15(10)(4)	20(11)	—	—
OTR Office Technology Research	(12)	—	—	—	35(6)	50(13)	50(13) (14) (4)	50(13)	—	25%
B-1 Local Business	—	—	—	—	35(6)	27(9)	(10)(4)	20(11)	—	25%
B-2 Community Business	—	—	—	—	35(6)	75(9)(15)	(15)(4)	(11)(15)	—	—
B-3 General Business	—	—	—	—	35(6)	30(9)	(10)(4)	20(11)	—	—
CPD Commercial Planned Development	(16)	—	—	—	35(6)	(15)	(15)(4)	(11)(15)	—	25%
I-1 Light Industrial	—	—	—	—	40(6)	75(17)(18)	75(17)(19)(4)	(11)(17)(19)	—	—
I-2 Heavy Industrial	—	—	—	—	60(6)	100(17)(18)	100(17)(19)(4)	(11)(17)(19)	—	—
MHC, Mobile Home Community	See Division 4, Subdivision 8 for regulations pertaining to this zoning district									
PD, Planned Development	See Division 4, Subdivision 11 for regulations pertaining to this zoning district									
P-1, Parking	See Division 4, Subdivision 14 for regulations pertaining to this zoning district									

B. Footnotes to Schedule of regulations:

1. No change.
2. No change:
   a. No change;
   b. For lots with less than the required area, setbacks shall not be less than the following:
      i. Thirty feet to the rear line;
      ii. No change
      iii. No change
3. R-1A, R-1B, R-1C, and R-1D one-family residential districts. The number of stories and maximum height of any residential structure on lots of 80 feet or more in width shall not exceed three stories and 40 feet in height.
4. The side yard facing the street shall not be less than the minimum front yard of the district in which it is located, unless otherwise permitted in this article.
5. The following minimum floor area requirements apply to each residence hereafter erected. Any structure existing as of the date of the adoption of this Article on February 18, 2003 and not meeting the requirements of this subsection shall not be prevented from being reconstructed and, for the purpose of this article, therefore, shall not be considered nonconforming.

Residence Type	Zoning District					
	(with basement of at least 440 sq. ft.)			(with basement less than 440 sq. ft.)		
	R-1A	R-1B	R-1C &D	R-1A	R-1B	R-1C&D
1 story	1,040	1,280	1,600	1,120	1,360	1,600
11/2 story	1,100	1,340	1,680	1,180	1,500	1,700
2 story	1,440	1,800	2,000	1,520	1,880	2,000

The total square footage for a tri-level or bi-level shall equal at least the minimum square footage requirement for a two-story residence in the same district.

6. a. No change
   b. The height of any structure in an RM-1 or RM-2 multifamily residential district shall be no greater than 30 feet and two stories when the zoning lot abuts a single-family residential zoning district, except, after a public hearing, which may be held prior to site plan approval, the height of the structure may be increased to no more than 35 feet and three stories if the planning commission determines that the topography, natural features or other land use characteristics, including the distance of the proposed structure from the residential district and residential structures therein, adequately mitigate adverse impacts upon any adjacent single-family residential zone or use. The height of a structure under this provision may be increased beyond the maximum height stated in this subsection only if the regulations and procedures of subsection (6)(a) of this section are followed.
   c. In all other districts, the height of any structure shall be no greater than 30 feet and two stories when the zoning lot abuts a single-family residential zoning district, except, after a public hearing, which may be held prior to site plan approval, the height and number of stories of the structure may be increased to the height normally allowed in the zoning district if the planning

commission determines that the topography, natural features or other land use characteristics, including the distance of the proposed structure from the residential district and residential structures therein, adequately mitigate adverse impacts upon any adjacent single-family residential zone or use. The height of a structure under this provision may be increased beyond the height normally allowed within the district only if the requirements and procedures of subsection (6)(a) of this section are followed.

d. No change

7. thru (9). No change

10. No side yards are required along the interior side lot lines of the district, except as otherwise specified in the building code of the city (article 8, division 2 of this chapter), provided that if walls of structures facing such interior side lot lines contain windows or other openings, side yards of not less than ten feet shall be provided. On a corner lot which borders on a residential district, there shall be provided a setback of 27 feet on the side or residential street. On an exterior side yard abutting a residential district, there shall be provided a setback of 15 feet in width.

11. thru (19). No change

20. An increase in lot coverage to 30% may be permitted for lots that meet the minimum area and width requirements for the zoning distict in which it is located, subject to review and approval by the Director of Transportation and Utilities to ensure storm water drainage and related impacts are properly addressed.

Sec. 42-375. - Plan review and approval (PD, Planned Development).

J. Time limit for commencing development: After a final plan is approved by the council, development of the planned development or divisible geographic section thereof shall begin within 12 months of approval of the final plan. If development is not begun within such time, the final plan must be resubmitted for reapproval. At the lapse of each 12 months period, the council, before reapproval, may require modification of the final plan to meet new or previously undetected conditions affecting the project area.

Sec. 42-394. - Plan review and approval (OTR, Office Technology and Research)

H. Development plan (specific plan):

a. No change

b. Time limit for commencing construction. After a specific plan is approved pursuant to division 5, subdivision 2, Site Plan Review, development shall commence within 12 months of approval of the specific plan. If development is not begun within this period, the specific plan must be resubmitted for approval per division 5, subdivision 2, Site Plan Review.

c. No change.

Sec. 42-414. - Plan review and approval (Commercial Planned Development).

I. Time limit for commencing development: After a specific plan is approved pursuant to division 5, subdivision 2, Site Plan Review, development shall commence within 12 months of approval of the specific plan. If development is not begun within this

time period, the specific plan must be resubmitted for approval in accordance with the requirements of division 5, subdivision 2, Site Plan Review.

Sec. 42-438. - Development project review and approval (CCA, City Center Area)

H. Development plan (specific plan):
   1. No change.
   2. Time limit for commencing construction. After the specific plan is approved pursuant to division 5, subdivision 2, site plan review, development shall commence within 12 months of approval of the specific plan. If development is not begun within this period, the specific plan must be resubmitted for approval per division 5, subdivision 2, site plan review.
   3. No change.

Sec. 42-443. - Development project review and approval (CCMU, Commercial Corridor Mixed Use).

H. Development plan (specific plan):
   1. No change.
   2. Time limit for commencing construction. After the specific plan is approved pursuant to division 5, subdivision 2, site plan review, development shall commence within 12 months of approval of the specific plan. If development is not begun within this period, the specific plan must be resubmitted for approval per division 5, subdivision 2, site plan review.
   3. No change.

Sec. 42-461. - Application and review procedures

A. through D. No change
E. Special land use decisions
   1. through 3. No change
   4. Validity of approval: Any approval given by the commission under which the premises are not used or work is not started within 12 months , or when the use or work has been abandoned for a period of 12 months , shall lapse and cease to be in effect.
   5. No change

Sec. 42-484. - Site plan approval (Site Plan Review).

C. Site plan expiration: If construction activity has not commenced within 12 months of final site plan approval, the site plan becomes null and void and a new application for site plan review in accordance with the procedures of this subsection shall be required.

Sec. 42-542. - General requirements.

A. through H. No change
I. Electronic or mechanical sign elements.

1. No change
2. An accessory sign for a permitted use in the R-1A through R-1D one-family residential districts, the R-1T residential district, and the RM-1 and RM-2 residential districts, may include an EMD subject to the following requirements: A through h. No change

Sec. 42-545. - R-1A, R-1B, R-1C, R-1D, and R-1T districts.

In any R-1A, R-1B, R-1C, R-1D, and R-1T residential district:

A. through D. No change

Sec. 42-623. - Public hearings, voting, and decisions (Zoning Board of Appeals).

A. through B. No change

C. Decisions:
   1. No change.
   2. No change.
   3. No change.
   4. Any approval given by the board under which the premises are not used or work is not started within 12 months, or when the use or work has been abandoned for a period of six months, shall lapse and cease to be in effect.
   5. No change.

Sec. 42-743. - Application requirements.

1. through 7. No change
8. The application shall include proof that all divisions shall result in buildable parcels containing at least one of the following street frontage requirements:

   a. Maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac, to the front setback or building setback line, whichever is greater. The public street shall be paved and adequate drainage provided therefor; or
   b. For a parcel that does not have the above required frontage on a public street, an access and utility easement with a width of not less than 20 feet to the front setback or building setback line, whichever is greater, shall be recorded with the Kalamazoo County Register of Deeds. Such recorded easement shall be provided to the Director simultaneously with the Register of Deeds filing. The access easement shall be a perpetual, irrevocable easement appurtenance over the burdened property, providing unobstructed access to the public street for the benefitting parcel. The utility easement shall also be perpetual, irrevocable and provide any public utility the ability and right to install all utilities on the burdened property. The 20 foot easement shall be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. If the access and utility easement is shared by more than one parcel or owner, a maintenance agreement shall also

be recorded providing for the rights and obligations of the parties regarding installation, maintenance and repair as well as apportionment of costs and expense for infrastructure and/or improvement on the easement.

i. A parent parcel cannot be divided to create more than four resulting parcels without the required frontage on a public street. Each parcel shall further meet the lot width and setback requirements for the zoning district in which it is located.

c. The application shall also include proof of sufficient buildable area outside of wetlands, floodplains and other areas where buildings are prohibited; and sufficient area to comply with required setback provisions, minimum floor area requirements, off-street parking space requirements, on-site water and sewer location (if municipal utilities are not available), and maximum area for coverage of buildings.

9. through 10. No change

Sec. 42-745. - Review of application; criteria for approval.

1. through 4. No change
5. Each resulting parcel shall meet at least one of the following street frontage requirements:

   a. Maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac, to the front setback or building setback line, whichever is greater. The public street shall be paved and adequate drainage provided therefor; or
   b. For a parcel that does not have the above required frontage on a public street, an access and utility easement with a width of not less than 20 feet to the front setback or building setback line, whichever is greater, shall be recorded with the Kalamazoo County Register of Deeds. Such recorded easement shall be provided to the Director simultaneously with the Register of Deeds filing. The access easement shall be a perpetual, irrevocable easement appurtenance over the burdened property, providing unobstructed access to the public street for the benefitting parcel. The utility easement shall also be perpetual, irrevocable and provide any public utility the ability and right to install all utilities on the burdened property. The 20 foot easement shall be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. If the access and utility easement is shared by more than one parcel or owner, a maintenance agreement shall also be recorded providing for the rights and obligations of the parties regarding installation, maintenance and repair as well as apportionment of costs and expense for infrastructure and/or improvement on the easement.

      i. A parent parcel cannot be divided to create more than four resulting parcels without the required frontage on a public street. Each parcel shall further meet the lot width and setback requirements for the zoning district in which it is located.
6. through 8. No change

Sec. 42-803. – Streets (Subdivision Regulations).

a. through h. No change

i. Cul-de-sac. The maximum number of lots or parcels which front on a residential cul-de-sac street shall not exceed 30. The maximum length for industrial and other cul-de-sac streets may exceed 500 feet subject to the review and approval of the planning commission.

j. through k. No change

Sec. 42-805. – Utilities (Subdivision Regulations).

a. through b. No change

c. 1. through 4. No change

5. Valves shall be placed at all intersections such that not more than 30 dwelling units may be isolated. Valve spacing shall not exceed 1,000 feet.

6. Dead-end water mains serving cul-de-sac and other short street designs shall not serve more than a maximum of 30 lots or as otherwise required by the city council.

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FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE

TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF PORTAGE AND ALL OTHER INTERESTED PERSONS.

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Chapter 42, Land Division Regulations, of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2019, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2019, at 7:00 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Chapter 42, Zoning, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

That Chapter 42 shall be amended as follows:

ARTICLE 4. ZONING.

Sec. 42-112. – Definitions*, shall be amended as follows***.**

Arbor: A freestanding structure that typically serves as a passageway to a yard or garden. The sides of an arbor are either open or covered with lattice or trellis. The roof of an arbor is open consisting slatted members. An arbor shall not be considered an accessory building for the purpose of lot cover and setback from the main building.

Building height: The vertical distance measured from the established grade to the highest point of the roof surface for flat roofs, to the deck line of mansard roofs, and to the average height between the highest eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average grade.

Pergola: A freestanding structure supported by columns or posts with a roof that is more than 50% open. A pergola shall not be considered an accessory building for the purpose of lot cover and setback from the main building.

Sec. 42-121. - Accessory uses.

A. *General requirements.*

1. No Change.

2. No detached accessory building or structure shall be located closer than five feet to a main building or other accessory building or structure on the same lot unless the minimum fire separation requirements of the last adopted edition of the Building Code are met.

3. through 4. - No Change.

B. *Accessory buildings—Residential zoning districts.*

1. Non-lakefront lots: The following applies to accessory buildings and uses on non-lakefront lots in the R-1A one-family residential, R-1B one-family residential, R-1C one-family residential, R-1D one-family residential, or R-1T

attached residential districts. These requirements shall also apply to one family dwellings constructed in the RM-1 and RM-2 districts.

a. No detached accessory building shall exceed 16 feet in height except, after a public hearing, the height of the building may be increased if the planning commission determines that the topography, natural features or other land use characteristics, including the distance of the proposed building from adjacent residential structures, adequately mitigate adverse impacts upon any adjacent single-family residential use.

b. Maximum floor areas:

1. Except as noted in (2) and 3 below, each detached accessory building shall have a maximum floor area not greater than 20 percent of the rear yard. Accessory buildings in the rear or side yard shall be setback from the side or rear property lines not less than one-half the height of the building. Accessory buildings in the front yard shall meet the setbacks required for the main building.

2. The total floor area of all accessory buildings, including those attached to the main building, shall not exceed the ground floor area of the main building plus 50 percent of the second story, provided that breezeways or enclosed porches are not counted in computing the total floor area of an accessory(s) or main building.

3. The floor area of accessory buildings may exceed the ground floor area of the main building plus 50 percent of the second story when the residential lot or parcel has an area of two acres or more. However, when the floor area of the accessory building exceeds the ground floor area of the main building plus 50 percent of the second story, the accessory building and use shall be subject to the approval of the planning commission after a public hearing. To ensure harmonious relationships and to minimize conflicts between adjacent uses, the commission shall consider the proposed characteristics and uses of the building in relation to existing land uses and to the future land uses as shown in the comprehensive plan. The commission may attach requirements to such accessory building and use when it deems necessary to avoid or mitigate adverse impacts on surrounding properties. This section does not apply to agricultural uses.

2. Lakefront lots: The following applies to accessory buildings on lakefront lots in any residential district.

a. The total floor area of all accessory buildings shall not exceed the ground floor area of the main building plus 50 percent of the second story, provided that breezeways or enclosed porches are not counted in computing the total floor area of a detached accessory(s) or main building.

b. Not more than one detached accessory building is permitted in the rear (lake side) yard and shall not exceed 80 square feet in area and eight feet in height, measured from the average grade at the accessory building location to the highest point of the accessory building. The permitted accessory building shall be located not closer than ten feet to any side property line and three feet to the rear property line in the rear (lake side) yard.

c. Boathouses, docks and other similar structures that are situated in whole or in part in the water are not regulated by this section.

d. All buildings and structures, including fences, that were in existence in the rear (lake side) yard prior to January 30, 1987, shall be allowed to continue and shall be considered to be nonconforming structures and buildings.

3. RM-1 and RM-2 districts: A detached accessory building accessory to uses permitted in these districts may be located within a required rear yard not closer than five feet to any side or rear lot line, except that community recreation or meeting facilities shall meet the setback requirements applicable to main buildings for the district. One-family dwellings shall comply with the provisions of section 42-121.B.1.

Sec. 42-124. - Projections into required yards.

A. Porches, terraces and decks through
1. through 3. No change

4. Ramps for the purpose of providing barrier free access to a dwelling can project to within 10 feet of the front property line.

B. An architectural feature, such as a chimney but not including a cantilevered wall, may extend or project into a required side yard not more than two inches for each one foot of width of the side yard, and may extend or project not more than three feet into a required front yard or rear yard.

C. In the one-family residential districts, a landing and stairs for egress purposes less than 30 inches above grade may project into the side yard not more than 36 inches or as regulated by the last adopted edition of the city's building code.

D. For the purpose of this article, an access drive may be placed in a required front or side yard so as to provide access to the rear yard and/or an accessory or attached structure. These drives shall be considered a permitted encroachment into a front or side yard.

E. For the purpose of this article, any walk, terrace or other pavement serving a similar function, not in excess of nine inches above the grade upon which placed, shall not be considered a structure and shall be permitted in any required yard.

Sec. 42-125. - Street frontage requirements; development standards for land divisions.

A. Any parcel of land which is to be occupied by a use or building shall meet at least one of the following street frontage requirements:

1. Maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac, to the front setback or building setback line, whichever is greater. The public street shall be paved and adequate drainage provided therefor; or

2. For a parcel that does not have the above required frontage on a public street, an access and utility easement with a width of not less than 20 feet to the front setback or building setback line, whichever is greater, shall be recorded with the Kalamazoo County Register of Deeds. Such recorded easement shall be provided to the Director simultaneously with the Register of Deeds filing. The access easement shall be a perpetual, irrevocable easement appurtenance over the burdened property, providing unobstructed access to the public street for the

benefitting parcel. The utility easement shall also be perpetual, irrevocable and provide any public utility the ability and right to install all utilities on the burdened property. The 20 foot easement shall be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. If the access and utility easement is shared by more than one parcel or owner, a maintenance agreement shall also be recorded providing for the rights and obligations of the parties regarding installation, maintenance and repair as well as apportionment of costs and expense for infrastructure and/or improvement on the easement.

B. A parent parcel cannot be divided to create more than four resulting parcels without the required frontage on a public street. Each parcel shall further meet the lot width and setback requirements for the zoning district in which it is located.

C. Residential, commercial or industrial developments which result in land divisions with public infrastructure improvements, except lands divided pursuant to the Land Division Act (MCL 560.101 et seq., MSA 26.430(101) et seq.) and article V, Subdivision and Land Division Requirements, of this chapter, shall be subject to subsection B of this section and to the following conditions:

1. through 3. No change

Sec. 42-128. - Lakefront lots.

A. and C. No change.

D. Pergolas, arbors and similar structures over nine inches in height above grade are permitted in the lakeside yard provided there are no walls, only support posts, and the structures do not exceed eight feet in height.

Sec. 42-135. - Wireless telecommunications facilities and towers.

A. through J. No change.

K. Separation:

1. and 2. No change. Table 1- Setback and Separation Requirements
For New Telecommunication Tower Construction

District of Tower Location[1]	Special land Use Required	Minimum Setbacks	Any Residential District or Use	OS-1, OTR, B-2, B-3, CPD, or P-1 Districts	I-1, I-2 Districts
R-1A, R-1B, R-1C, R-1D, R-1T, MHC PD [1]		Front: 30 ft. Side: 12 ft. Rear: 40 ft.	No separation requirements if alternative tower structure is utilized.		
RM-1, RM-2, OS-1, OTR, B-1 [1]		Front: 30 ft. Side: 12 ft. Rear: 12 ft.			
B-2, B-3, CPD, P-1	Yes	Front: 30 ft. (except B-2-75 ft.) Side: 12 ft. Rear: 12 ft.	1,320 ft.	Greater of: 100 ft. or 100% of tower height	20% of tower height
			No separation requirements if alternative tower structure is utilized		
I-1, I-2		Front: 75 ft. Side/Rear: None; separation requirements only	200 ft.	Greater of: 100 ft. or 100% of tower height	20% of tower height
			No separation requirements if alternative tower structure is utilized.		

[1] Alternative tower structure required: Alternative design mounting structures that camouflage or conceal the presence of antennas and/or towers, see Section 42-135.C for definition.

Sec. 42-139. – Lot Grading.

Required yard space, as determined by the minimum setback requirements, shall be at an elevation to ensure surface water drains away from the foundation walls in accordance with the last adopted edition of the Residential Building Code. Yards shall be graded and maintained to prevent the accumulation of surface water on the property outside of designated storm water detention areas and not increase the natural flow or runoff of surface water onto adjacent properties.

Sec. 42-160. - Districts established.

For the purpose of this article, the city is hereby divided into the following districts:

Zoning Map Designation	District Title (See also Division 4, Subdivision 10)
R-1A	One-Family Residential (Lot area: 7,800 to 15,000 sq. ft.)
R-1B	One-Family Residential (Lot area: 9,600 to 15,000 sq. ft.)
R-1C	One-Family Residential (Lot area: 12,000 to 15,000 sq. ft.)
R-1D	One-Family Residential Lot area: 12,000 to 28,000 sq. ft.)
R-1T	Attached Residential
RM-1	Multifamily Residential (High Density)
RM-2	Multifamily Residential (Medium Density)
OS-1	Office Service
B-1	Local Business
B-2	Community Business
B-3	General Business
CPD	Commercial Planned Development
OTR	Office Technology Research
I-1	Light Industrial
I-2	Heavy Industrial
P-1	Vehicular Parking
MHC	Manufactured Home Community
PD	Planned Development

Subdivision 2. - R-1A, R-1B, R-1C, and R-1D One-Family Residential Districts

Sec. 42-180. - Intent.

The R-1A through R-1D one-family residential districts are designed to be the most restrictive of the residential districts. The intent is to provide for an environment of predominantly low-density single-unit dwellings along with other residentially related facilities that serve the residents in the district. Further, the intent of these regulations is to protect residential neighborhoods from incompatible land uses and associated effects.

Sec. 42-181. - Principal permitted uses.

In a one-family residential district (R-1A through R-1D), no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article:

A. thru H. - No change.

Sec. 42-182. - Special land uses.

The following uses may be allowed in a one-family residential district (R-1A through R-1D), subject to the conditions imposed in this Section for each use, and subject further, to the review and approval of the planning commission in accordance with the provisions of division 5, subdivision 1 of this article:

A. thru J. - No change.

Subdivision 10. - Schedule of Regulations

Sec. 42-350. - Schedule of regulations.

A. Schedule of regulations: The following schedule sets forth regulations regarding building height, bulk, density and area for the zoning districts as indicated. Numbers in parentheses are footnotes and apply as explained.

Zoning District	Minimum Lot Area Per Dwelling Unit (sq. ft.)/lot width in feet (1)			Maximum Building Height in feet		Minimum Yard Setback in feet (2)				
	With Sewer & Water	With Sewer or Water	Without Sewer & Water	Stories	Height	Front	Side	Rear	Minimum Floor Area Per Unit (sq. ft.)	Maximum Lot Coverage (20)
R-1A One-Family Residential	7,800/65	12,000/80	15,000/100	2 (3)	30 (3)	27	8(4)	40	(5)	25%
R-1B One-Family Residential	9,600/80	12,000/80	15,000/100	2 (3)	30 (3)	30	10(4)	40	(5)	25%
R-1C One-Family Residential	12,000/100	12,000/100	15,000/100	2 (3)	30 (3)	30	12(4)	40	(5)	25%
R-1D One-Family Residential	12,000/100	12,000/100	28,000/120	2 (3)	30 (3)	30	12(4)	40	(5)	25%
R-1T Attached Residential	6,000/40	9,000/60	9,000/60	2	30 (6)	30	10(4)	40	850	25%
RM-1 & RM-2 Multi-family Residential	(7)	8,000	8,000	3	35(6)	30(8)	30(8) (4)	30(8)	1 BR: 500, 2 BR: 700, 3 BR: 900, 4 BR: 1,100	25%
OS-1 Office Service	——	——	——	——	35(6)	27(9)	15(10)(4)	20(11)	——	——
OTR Office Technology Research	(12)	——	——	——	35(6)	50(13)	50(13) (14) (4)	50(13)	——	25%
B-1 Local Business	——	——	——	——	35(6)	27(9)	(10)(4)	20(11)	——	25%
B-2 Community Business	——	——	——-	——	35(6)	75(9)(15)	(15)(4)	(11)(15)	——	——
B-3 General Business	——	——	——	——	35(6)	30(9)	(10)(4)	20(11)	——	——
CPD Commercial Planned Development	(16)	——	——	——-	35(6)	(15)	(15)(4)	(11)(15)	——	25%
I-1 Light Industrial	——	——	——	——	40(6)	75(17)(18)	75(17)(19)(4)	(11)(17)(19)	——	——
I-2 Heavy Industrial	——	——	——	——	60(6)	100(17)(18)	100(17)(19)(4)	(11)(17)(19)	——	——
MHC, Mobile Home Community	See Division 4, Subdivision 8 for regulations pertaining to this zoning district									
PD, Planned Development	See Division 4, Subdivision 11 for regulations pertaining to this zoning district									
P-1, Parking	See Division 4, Subdivision 14 for regulations pertaining to this zoning district									

B. Footnotes to Schedule of regulations:

1. No change.

2. No change:

   a. No change;

   b. For lots with less than the required area, setbacks shall not be less than the following:

      i. Thirty feet to the rear line;

      ii. No change

      iii. No change

3. R-1A, R-1B, R-1C, and R-1D one-family residential districts. The number of stories and maximum height of any residential structure on lots of 80 feet or more in width shall not exceed three stories and 40 feet in height.

4. The side yard facing the street shall not be less than the minimum front yard of the district in which it is located, unless otherwise permitted in this article.

5. The following minimum floor area requirements apply to each residence hereafter erected. Any structure existing as of the date of the adoption of this Article on February 18, 2003 and not meeting the requirements of this subsection shall not be prevented from being reconstructed and, for the purpose of this article, therefore, shall not be considered nonconforming.

Residence Type	Zoning District					
	(with basement of at least 440 sq. ft.)			(with basement less than 440 sq. ft.)		
	R-1A	R-1B	R-1C &D	R-1A	R-1B	R-1C&D
1 story	1,040	1,280	1,600	1,120	1,360	1,600
11/2 story	1,100	1,340	1,680	1,180	1,500	1,700
2 story	1,440	1,800	2,000	1,520	1,880	2,000

The total square footage for a tri-level or bi-level shall equal at least the minimum square footage requirement for a two-story residence in the same district.

6. a. No change

   b. The height of any structure in an RM-1 or RM-2 multifamily residential district shall be no greater than 30 feet and two stories when the zoning lot abuts a single-family residential zoning district, except, after a public hearing, which may be held prior to site plan approval, the height of the structure may be increased to no more than 35 feet and three stories if the planning commission determines that the topography, natural features or other land use characteristics, including the distance of the proposed structure from the residential district and residential structures therein, adequately mitigate adverse impacts upon any adjacent single-family residential zone or use. The height of a structure under this provision may be increased beyond the

maximum height stated in this subsection only if the regulations and procedures of subsection (6)(a) of this section are followed.

c. In all other districts, the height of any structure shall be no greater than 30 feet and two stories when the zoning lot abuts a single-family residential zoning district, except, after a public hearing, which may be held prior to site plan approval, the height and number of stories of the structure may be increased to the height normally allowed in the zoning district if the planning commission determines that the topography, natural features or other land use characteristics, including the distance of the proposed structure from the residential district and residential structures therein, adequately mitigate adverse impacts upon any adjacent single-family residential zone or use. The height of a structure under this provision may be increased beyond the height normally allowed within the district only if the requirements and procedures of subsection (6)(a) of this section are followed.

d. No change

7. thru (9). No change

10. No side yards are required along the interior side lot lines of the district, except as otherwise specified in the building code of the city (article 8, division 2 of this chapter), provided that if walls of structures facing such interior side lot lines contain windows or other openings, side yards of not less than ten feet shall be provided. On a corner lot which borders on a residential district, there shall be provided a setback of 27 feet on the side or residential street. On an exterior side yard abutting a residential district, there shall be provided a setback of 15 feet in width.

11. thru (19). No change

20. An increase in lot coverage to 30% may be permitted for lots that meet the minimum area and width requirements for the zoning distict in which it is located, subject to review and approval by the Director of Transportation and Utilities to ensure storm water drainage and related impacts are properly addressed.

Sec. 42-375. - Plan review and approval (PD, Planned Development).

J. Time limit for commencing development: After a final plan is approved by the council, development of the planned development or divisible geographic section thereof shall begin within 12 months of approval of the final plan. If development is not begun within such time, the final plan must be resubmitted for reapproval. At the lapse of each 12 months period, the council, before reapproval, may require modification of the final plan to meet new or previously undetected conditions affecting the project area.

Sec. 42-394. - Plan review and approval (OTR, Office Technology and Research)

H. Development plan (specific plan):

a. No change

b. Time limit for commencing construction. After a specific plan is approved pursuant to division 5, subdivision 2, Site Plan Review, development shall commence within 12 months of approval of the specific plan. If development is not begun within this period, the specific plan must be resubmitted for approval per division 5, subdivision 2, Site Plan Review.

c. No change.

Sec. 42-414. - Plan review and approval (Commercial Planned Development).

I. Time limit for commencing development: After a specific plan is approved pursuant to division 5, subdivision 2, Site Plan Review, development shall commence within 12 months of approval of the specific plan. If development is not begun within this time period, the specific plan must be resubmitted for approval in accordance with the requirements of division 5, subdivision 2, Site Plan Review.

Sec. 42-438. - Development project review and approval (CCA, City Center Area)

H. Development plan (specific plan):

1. No change.

2. Time limit for commencing construction. After the specific plan is approved pursuant to division 5, subdivision 2, site plan review, development shall commence within 12 months of approval of the specific plan. If development is not begun within this period, the specific plan must be resubmitted for approval per division 5, subdivision 2, site plan review.

3. No change.

Sec. 42-443. - Development project review and approval (CCMU, Commercial Corridor Mixed Use).

H. Development plan (specific plan):

1. No change.

2. Time limit for commencing construction. After the specific plan is approved pursuant to division 5, subdivision 2, site plan review, development shall commence within 12 months of approval of the specific plan. If development is not begun within this period, the specific plan must be resubmitted for approval per division 5, subdivision 2, site plan review.

3. No change.

Sec. 42-461. - Application and review procedures

A. through D. No change

E. Special land use decisions

1. through 3. No change

4. Validity of approval: Any approval given by the commission under which the premises are not used or work is not started within 12 months , or when the use or work has been abandoned for a period of 12 months , shall lapse and cease to be in effect.

5. No change

Sec. 42-484. - Site plan approval (Site Plan Review).

C. Site plan expiration: If construction activity has not commenced within 12 months of final site plan approval, the site plan becomes null and void and a new application for site plan review in accordance with the procedures of this subsection shall be required.

Sec. 42-542. - General requirements.

A. through H. No change

I. Electronic or mechanical sign elements.

1. No change

2. An accessory sign for a permitted use in the R-1A through R-1D one-family residential districts, the R-1T residential district, and the RM-1 and RM-2 residential districts, may include an EMD subject to the following requirements:
A through h. No change

Sec. 42-545. - R-1A, R-1B, R-1C, R-1D, and R-1T districts.

In any R-1A, R-1B, R-1C, R-1D, and R-1T residential district:

A. through D. No change

Sec. 42-623. - Public hearings, voting, and decisions (Zoning Board of Appeals).

A. through B. No change

C. Decisions:

1. No change.

2. No change.

3. No change.

4. Any approval given by the board under which the premises are not used or work is not started within 12 months, or when the use or work has been abandoned for a period of six months, shall lapse and cease to be in effect.

5. No change.

Sec. 42-743. - Application requirements.

1. through 7. No change

8. The application shall include proof that all divisions shall result in buildable parcels containing at least one of the following street frontage requirements:

   a. Maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac, to the front setback or building setback line, whichever is greater. The public street shall be paved and adequate drainage provided therefor; or

   b. For a parcel that does not have the above required frontage on a public street, an access and utility easement with a width of not less than 20 feet to the front setback or building setback line, whichever is greater, shall be recorded with the Kalamazoo County Register of Deeds. Such recorded easement shall be provided to the Director simultaneously with the Register of Deeds filing. The access easement shall be a perpetual, irrevocable easement appurtenance over the burdened property, providing unobstructed access to the public street for the benefitting parcel. The utility easement shall also be perpetual, irrevocable and provide any public utility the ability and right to install all utilities on the burdened property. The 20 foot easement shall be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. If the access and utility easement is shared by more than one parcel or owner, a maintenance agreement shall also be recorded providing for the rights and obligations of the parties regarding installation, maintenance and repair as well as apportionment of costs and expense for infrastructure and/or improvement on the easement.

      i. A parent parcel cannot be divided to create more than four resulting parcels without the required frontage on a public street. Each parcel shall further meet the lot width and setback requirements for the zoning district in which it is located.

   c. The application shall also include proof of sufficient buildable area outside of wetlands, floodplains and other areas where buildings are prohibited; and sufficient area to comply with required setback provisions, minimum floor area requirements, off-street parking space requirements, on-site water and sewer location (if municipal utilities are not available), and maximum area for coverage of buildings.

9. through 10. No change

Sec. 42-745. - Review of application; criteria for approval.

1. through 4. No change

5. Each resulting parcel shall meet at least one of the following street frontage requirements:

   a. Maintain a minimum of 60 feet of public street frontage, or a minimum of 50 feet of public street frontage on a cul-de-sac, to the front setback or building setback line, whichever is greater. The public street shall be paved and adequate drainage provided therefor; or

b. For a parcel that does not have the above required frontage on a public street, an access and utility easement with a width of not less than 20 feet to the front setback or building setback line, whichever is greater, shall be recorded with the Kalamazoo County Register of Deeds. Such recorded easement shall be provided to the Director simultaneously with the Register of Deeds filing. The access easement shall be a perpetual, irrevocable easement appurtenance over the burdened property, providing unobstructed access to the public street for the benefitting parcel. The utility easement shall also be perpetual, irrevocable and provide any public utility the ability and right to install all utilities on the burdened property. The 20 foot easement shall be improved with asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. If the access and utility easement is shared by more than one parcel or owner, a maintenance agreement shall also be recorded providing for the rights and obligations of the parties regarding installation, maintenance and repair as well as apportionment of costs and expense for infrastructure and/or improvement on the easement.

i. A parent parcel cannot be divided to create more than four resulting parcels without the required frontage on a public street. Each parcel shall further meet the lot width and setback requirements for the zoning district in which it is located.

6. through 8. No change

Sec. 42-803. – Streets (Subdivision Regulations).

a. through h. No change

i. Cul-de-sac. The maximum number of lots or parcels which front on a residential cul-de-sac street shall not exceed 30. The maximum length for industrial and other cul-de-sac streets may exceed 500 feet subject to the review and approval of the planning commission.

j. through k. No change

Sec. 42-805. – Utilities (Subdivision Regulations).

a. through b. No change

c. 1. through 4. No change

5. Valves shall be placed at all intersections such that not more than 30 dwelling units may be isolated. Valve spacing shall not exceed 1,000 feet.

6. Dead-end water mains serving cul-de-sac and other short street designs shall not serve more than a maximum of 30 lots or as otherwise required by the city council.

PLEASE TAKE FURTHER NOTICE that copies of said proposed amendment may be examined at the City Hall on any business day except public and legal holidays from and after publication of this Notice until the day of hearing from 8:00 a.m. and 5:00 p.m.

Dated: _____ _____

Adam Herringa, City Clerk

PREPARED BY:
Randall L. Brown (P34116)
Portage City Attorney
1662 E. Centre Ave.
Portage, MI 49002

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