FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
MARCH 22, 2016

7:30 p.m. Call to Order.

Swearing In of Student Mayor and City Council

Invocation: Rabbi Harvey Spivak of the Congregation of Moses

Pledge of Allegiance.

Roll Call.

Proclamations:

A. Approval of City Council Meeting Minutes.

1. Approval of the Regular Meeting Minutes of March 8, 2016.

2. Approval of the Pre-Council Meeting Minutes of March 21, 2016.

* B. Approval of Consent Agenda Motions.

* C. Accounts Payable Register:

1. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of March 22, 2016 as presented.

D. Public Hearings:

1. Communication from the City Manager recommending that City Council, subsequent to the public hearing, adopt Resolution No. 5 confirming the Special Assessment Roll for the Martin Luther King, Jr. Drive Reconstruction Project #998-R and City Council accept the public dedication and deed for the parcel of land known as Martin Luther King, Jr. Drive.

2. Communication from the City Manager recommending that City Council, subsequent to the public hearing, approve Rezoning Application #15/16-2 as follows:

- 480 Admiral Avenue: rezone from I-1, light industrial, and RM-1, multiple family residential, to R-1A, one family residential;
- 514, 520, 526, 532, 606, 612 and 618 Dorset Street: rezone from R-1T, attached residential, to R-1A, one family residential;
- 6843, 422 and 426 Dorset Street (rear portions): rezone from I-1, light industrial, to R-1A, one family residential; and
- 6979 South Westnedge Avenue: rezone from I-1, light industrial and RM-1, multiple family residential, to R-1A, one family residential (except the western portion which is to remain zoned B-2, community business).

3. Communication from the City Manager recommending that City Council, subsequent to the public hearing, approve Rezoning Application #15/16-4 and rezone 1521, 1603 and 1615 East Centre Avenue from R-1B, one family residential, RM-1, multiple family residential, and OS-1, office service, to PD, planned development, consistent with the submitted tentative plan/narrative, and approve the requested modification from Section 42-374C (mixture of two housing types) with a finding that the modification satisfies the criteria outlined in Section 42-375L.

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

* 1. Communication from the City Manager recommending that City Council adopt a resolution accepting all new streets constructed within new residential plats approved by City Council during calendar year 2015 as public streets.

2. OFF CONSENT - Communication from the City Manager recommending that City Council resolve to support a Michigan Natural Resources Trust Fund grant application in the amount of $291,500 to the Michigan Department of Natural Resources for construction of the Eliason Nature Reserve Phase 2 project and authorize the City Manager to execute all documents related to the action on behalf of the city.

* 3. Communication from the City Manager regarding the February 2016 Environmental Report - Information Only.

* 4. Communication from the City Manager recommending that City Council set Tuesday, April 26, Tuesday, September 20 and Tuesday, October 18, 2016 at 6:00 p.m. as Committee of the Whole Meetings.

G. Communications:

1. Presentation by Vern Johnson, Environmental Health Director for the Kalamazoo County Health & Community Services Department and Jennifer Kosak, Kalamazoo County Household Hazardous Waste Center Manager, regarding an update on the Household Hazardous Waste program.

H. Unfinished Business:

1. OFF CONSENT - Communication from the City Manager recommending that City Council adopt an ordinance amendment to grant Selinon Park Limited Dividend Housing Association Limited Partnership a tax exemption and establish a Payment in Lieu of Taxes for Selinon Park, a proposed 74-unit multiple-family residential development to be constructed at 1521, 1603 and 1615 East Centre Avenue.

* I. Minutes of Boards and Commissions Meetings:

1. Portage Youth Advisory Committee of February 8, 2016.

2. Portage Senior Citizen Advisory Board of February 16, 2016.

J. Council Committee Reports:

K. New Business:

L. Bid Tabulations:

* 1. Communication from the City Manager recommending that City Council award a construction contract to Rieth-Riley of Kalamazoo, Michigan, in an amount not to exceed $819,169.15 for the resurfacing of:

- Constitution Boulevard from Romence Road to West Milham Avenue;
- South Westnedge Avenue from Shaver Road to West Centre Avenue;
- West Centre Avenue from Shaver Road to South Westnedge Avenue; and

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

2. OFF CONSENT - Communication from the City Manager recommending that City Council:
   1. award a construction contract subsequent to approval of Resolution No. 5 of Special Assessment District 998-R for the Martin Luther King, Jr. Drive Reconstruction Project to Hoffman Brothers, Incorporated, of Battle Creek, Michigan;
   2. approve a contract amendment with Wightman & Associates, Incorporated, in the amount not to exceed $44,300 to perform construction engineering services for Martin Luther King, Jr. Drive;

   and authorize the City Manager to sign all other documents related to this project on behalf of the city.

* 3. Communication from the City Manager recommending that City Council award a construction contract to SWT Excavating, Incorporated, of Galesburg, Michigan, in the amount of $13,211.15 with two, one-year extensions and authorize the City Manager to execute all documents related to the contract on behalf of the city.

M. Other City Matters:

1. Statements of Citizens.

2. From City Council and City Manager.

* 3. Reminder of Meetings:

a. Thursday, March 24, 4:30 p.m., Public Media Network Board of Directors, 359 S. Kalamazoo Mall, 3rd Floor, Kalamazoo.

b. Monday, March 28, 7:00 p.m., Zoning Board of Appeals, City Council Chambers.

c. Tuesday, March 29, 8:30 p.m., Board of Review, City Hall Room No. 1 and No. 2.

d. Wednesday, April 6, 8:15 a.m., Historic District Commission, City Hall Room No. 2.

e. Thursday, April 7, 6:30 p.m., Human Services Board, City Hall Room No. 1.

f. Thursday, April 7, 7:00 p.m., Planning Commission, Council Chambers.

g. Monday, April 11, 7:00 p.m., Zoning Board Appeals, City Council Chambers.

* N. Materials Transmitted.

1. Department Monthly Reports
2. Materials Transmitted of March 8, 2016.

Adjournment.

CITY COUNCIL MEETING MINUTES FROM MARCH 8, 2016

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

At the request of Mayor Strazdas, Pastor Jeff Fernandez of The Bridge Church of Portage gave the invocation and City Council and the audience recited the Pledge of Allegiance.

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

PROCLAMATIONS: Mayor Strazdas issued a March 2016 As March for Meals Month Proclamation read by Councilmember Randall.

APPROVAL OF MINUTES: Motion by Pearson, seconded by Randall, to approve the the Special Meeting Minutes of February 23, 2016, and the February 23, 2016 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

Motion by Ansari, seconded by Randall, to approve the Pre-Council Meeting Minutes of March 7, 2016, as presented. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Reid to read the Consent Agenda. Councilmember Randall asked that Item L.2, Managed Print Services Proposal, be removed from the Consent Agenda. Motion by Randall, seconded by Reid, to approve the Consent Agenda motions as amended. Discussion followed. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MARCH 8, 2016:** Motion by Randall, seconded by Reid, to approve the Accounts Payable Register of March 8, 2016. Upon a roll call vote, motion carried 6 to 0.

PUBLIC HEARING:

REZONING APPLICATION #15/16-3 (328 AND 414 WEST MILHAM AVENUE): Mayor Strazdas introduced this item and City Manager Shaffer deferred to Community Development Director Vicki Georgeau for a short presentation regarding this item. She explained the map that depicts the proposed rezoning changes and the project. Mayor Strazdas opened the public hearing for comment. There being no discussion, motion by Reid, seconded by Ansari, to close the public hearing. Upon a voice vote, motion carried 6 to 0.

Motion by Pearson, seconded by Ansari, to approve Rezoning Application #15/16-3 and rezone the northern 75-feet of 328 West Milham Avenue and the northern 100-feet of 414 West Milham Avenue from R-1A, one family residential, to OS-1, office service. Discussion followed. Since there was no discussion and no public comment, City Attorney Brown asked that the motion include, "based on the reasons provided in the staff report dated January 15, 2016." When asked by Mayor Strazdas, Councilmembers Pearson and Ansari agreed to amend the motion. Discussion followed. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: At the behest of Roy and Tricia Gooch, 4665 Brickleton Woods Drive, owners of Precision Printer Services, Mayor Strazdas heard comments from Mr. Gooch regarding consideration of a Local Preference Policy for bid situations. As a Point of Order, Mayor Strazdas asked if anyone else in the audience wished to speak at this time and, seeing no one, reminded everyone that there was another opportunity for the public to speak at the end of the meeting.

REPORTS FROM THE ADMINISTRATION:

* **FINAL PLAN FOR RAYMOND JAMES (7995 MOORSBRIDGE ROAD):** Motion by Randall, seconded by Reid, to approve the Final Plan for Raymond James at 7995 Moorsbridge Road. Upon a roll call vote, motion carried 6 to 0.

* **ADOPTION OF BOND RESOLUTIONS:** Motion by Randall, seconded by Reid, to adopt the *Resolution Approving the Capital Improvement Project and Approving Insertion of Intention of the City of Portage to Issue Capital Improvement Bonds*. Upon a roll call vote, motion carried 6 to 0.

* **MICHIGAN DEPARTMENT OF TRANSPORTATION CONTRACT #16-5012 - PORTAGE ROAD (ROMENCE ROAD TO EAST MILHAM AVENUE):** Motion by Randall, seconded by Reid, to approve Contract #16-5012 between the Michigan Department of Transportation and the City of Portage for improvements along Portage Road (Romence Road to East Milham Avenue); adopt a Resolution authorizing the City Manager to sign Contract #16-5012; and authorize the City Manager to sign all other documents related to this project on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **2016 MARCH BOARD OF REVIEW:** Motion by Randall, seconded by Reid, to appoint Lori Knapp, Patrick Buckley and Leonard Lamberson to one Board of Review and appoint Michael Quinn, Carol Eddy and Justin Gish to the second Board of Review. Upon a roll call vote, motion carried 6 to 0.

* **DIRECTOR OF HUMAN RESOURCES:** Motion by Randall, seconded by Reid, to confirm the appointment of Donald Wood as the Director of Human Resources effective March 21, 2016. Upon a roll call vote, motion carried 6 to 0.

UNFINISHED BUSINESS:

* **AMENDMENT TO CODE OF ORDINANCES - DISCHARGE OF FIREARMS:** Motion by Randall, seconded by Reid, to approve an ordinance to amend the Code of Ordinances of the City of Portage, Michigan, by amending Article 3, Offenses Against Public Safety, Section 50-81, Discharge of Firearms, of Chapter 50, Offenses and Miscellaneous Provisions. Upon a roll call vote, motion carried 6 to 0.

COMMUNICATIONS:

PRESENTATION BY KALAMAZOO COUNTY SHERIFF RICHARD FULLER AND COUNTY PROSECUTOR JEFF GETTING: Mayor Strazdas introduced Kalamazoo County Sheriff Richard Fuller, who introduced Kalamazoo County Prosecutor Jeff Getting and Kalamazoo County Administrator Terrence Neuzil.

Mr. Neuzil introduced himself and reflected he is getting to know the neighborhoods, appreciates the friendships he has developed and is looking forward to building the partnerships that will be successful in making our community even better, as expected. Discussion followed.

County Sherriff Fuller and County Prosecutor Getting reviewed the PowerPoint Presentation found in the City Council Agenda Packet regarding the proposed Law Enforcement Millage Renewal that will be submitted to the voters at the May 3, 2016 Special Election. Discussion followed.

County Prosecutor Getting pointed out that everything presented is a matter of fact and deferred to City Attorney Randy Brown. Discussion followed. In answer to Mayor Strazdas, City Attorney Brown indicated that the Michigan Finance Campaign Act prohibits the use of tax payer dollars to support or oppose and issue, but there are exceptions, and elected officials can discuss their opinion on a ballot question. Discussion followed and Mayor Strazdas thanked them for their information.

Councilmember Pearson mentioned that the Kalamazoo County Transit Authority is grappling with the same question, expressed his appreciation for their programs and asked County Prosecutor Getting, "What costs are going up, and what costs are going down?" Mr. Getting answered that costs are always going up; personnel costs are going up; private sector costs are going up; that spending money differently helps manage costs; and, he indicated that he has to have folders for 8,000 criminal cases and people to manage the folders/cases. He proudly said that his office has saved $385,000 during the 2014 and 2015 budget cycles and explained.

Councilmember Pearson indicated that the jail population in 2013 was 391, and there was a necessity to pay to house the prisoners off cite and, in 2015, the jail population was 392, so he asked Sherriff Fuller whether this meant that there was no longer a need to house the prisoners off cite. Sherriff Fuller answered in the affirmative, not on a regular basis, but mentioned that occasionally one or two prisoners may have to be housed off cite because of an operational need, not because of overcrowding. Councilmember Pearson then asked Sheriff Fuller, "What costs are going up, and what costs are going down?" Mr. Fuller responded that his main cost increases are for food and staffing. Councilmember Pearson asked whether the County Sherriff's Department is able to reduce staff as it relates to patrolling. Mr. Fuller responded that it depends on the shift. He revealed that the hours for staff have been readjusted to allow more people to work on different shifts, and indicated that one measure making the County Sherriff's Department more effective was when the Department began working in three big districts in the County instead of four equal districts to better accommodate population concentrations.

Mayor Pro Tem Ansari asked whether moving the 8th District to Crosstown Parkway has resulted in an increase in cost for Portage citizens, and Mr. Getting answered that there has not been a measurable increase in cost, except the convenience factor, but no change in the service level as it is still the same excellent service level as before.

Mayor Strazdas noted that the average citizen of Portage knows to dial 911 when they are in trouble, and asked for a summary of jurisdictional agreements as they relate to Portage. Speaking on behalf of himself, Mr. Getting indicated that the relationship with Portage is excellent with the Public Safety Department from Director White all the way through to the line officers and emphasized that the relationship among all of the Policing units in the County is excellent. He mentioned that he has a monthly meeting with all of the Heads of the County Policing Departments to talk about police issues and gave prescription drugs and drug abuse as examples and explained. He also referred to the recent shooting incident where six people were killed and two were seriously if not critically wounded as another example of the use of relationships among the Police Departments in the county as responsible for a timely end to a very difficult and dangerous situation.

In response to Mayor Strazdas, Sheriff Fuller talked about the great partnerships among the various Policing Departments in the County and cited the Portage Public Safety Department as constantly working with everyone else, and indicated that Portage has a top notch organization to help the citizens of Portage. He said that both organizations do things to help each other and cited examples he remembered as a Deputy Sherriff. Discussion followed.

Motion by Pearson, seconded by Randall, to receive the presentation by Kalamazoo County Sheriff Richard Fuller and County Prosecutor Jeff Getting regarding the upcoming Law Enforcement Millage. Upon a voice vote, motion carried 6 to 0.

THE 2016 CALENDAR YEAR CITY COUNCIL COMMITTEE APPOINTMENTS: Mayor Strazdas introduced this item and noted that the Committee of the Whole schedule is still being developed and the issues are being prioritized, so it is not addressed on the proposed committee assignments before them. He thanked City Council for their engagement and willingness to participate on these committees and asked for a motion.

Councilmember Pearson thanked Mayor Strazdas and Mayor Pro Tem Ansari for working on this and explained their effort. Motion by Pearson, seconded by Ansari, to accept the 2016 calendar year appointments to City Council committees. Councilmember Reid made mention that the Public Media Network (PMN) has four representatives from the City of Portage, and as Council has identified one from City Council, there is interest in appointing another citizen representative. She took this opportunity to ask that anyone who is watching this meeting and is interested to apply. Mayor Strazdas indicated that Council started their participation with two Councilmembers with the long range goal of bringing in more citizens, and that now is the time to have three citizens and a Councilmember. Motion by Pearson, seconded by Ansari, to amend the motion to advertise on the website the need for citizens to serve on PMN. Discussion followed. Upon a roll call vote, motion carried 6 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of the following Boards and Commissions:

Portage Historic District Commission of January 6 and February 3, 2016.
Portage Public Schools Board of Education Retreat, Organizational, and Committee of the Whole Meeting Minutes of January 11, Regular of January 25 and Committee of the Whole of February 8, 2016.
Portage Park Board of February 3, 2016.
Portage Human Services Board of February 4, 2016.
Portage Planning Commission of February 18, 2016.

BID TABULATIONS:

* **EAST OSTERHOUT AVENUE RECONSTRUCTION PROJECT – BID TABULATION:** Motion by Randall, seconded by Reid, to award a construction contract for the East Osterhout Avenue Reconstruction Project to Michigan Paving & Materials Company of Kalamazoo, Michigan, in an amount not to exceed $588,553.33 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

MANAGED PRINT SERVICES PROPOSAL: Mayor Strazdas deferred to Councilmember Randall, who summarized a letter from Roy and Tricia Gooch (addressed to Councilmember Reid via March 8, 2016 Materials Transmitted) and advocated support for local businesses which pay taxes to Portage, employ Portage residents, and support endeavors in Portage schools, parks and churches. She noted a nationwide "push" to buy locally and promote local foods and wines. She mentioned Small Business Day where people are encouraged to shop locally. As a result, she felt that the public would support the idea that Council should visit the option of setting parameters in this regard and explained. Discussion followed. Mayor Pro Tem Ansari concurred.

Councilmember Reid indicated that one of the topics she presented for review at a Committee of the Whole Meeting (COW) was to review the entire bid process which would include this topic, also. She mentioned that there has been a lot of research in this area and noted that there can be a down side for the businesses, too, since they may no longer be treated equally in other municipalities and explained. She stressed the importance of getting the research on the matter for review at the meeting as well.

Mayor Strazdas concurred that this is something Council should review and he mentioned that Portage, Kalamazoo, and many other cities have reviewed this matter in the past because all are passionate about their own local businesses. He warned that it will be problematic to define "local" and deal with other details that will need to be discussed, and he asked for comment from City Manager Shaffer after a comment from Mayor Pro Tem Ansari.

Mayor Pro Tem Ansari reviewed the City of Kalamazoo Local Preference Policy provided in March 8, 2016 Materials Transmitted and stressed the importance of checking other options as well to ensure that the citizens of Portage get the full advantage with the selected process.

Mr. Shaffer acknowledged and expressed his appreciation for Precision Printer Services, who worked very closely with the IT Department in 2009 to centralize the City printing services under one umbrella, and became service provider for the City in 2010 as low bidder and performed very, very well for four years. He said in 2014 the City went out for bid again and went with a firm that came in with a lower price with a one year contract with an option to renew and, after one year, the City decided the performance was not up to the standards of the Administration, so the City sought proposals again. He indicated that six firms responded to the Request for Proposals (RFP's) and the lowest qualified bidder was Cartridge World of Kalamazoo at $22,871 with Precision Printer Services coming in as Number Four on the list at $1,600+ more, or about 7% higher. He indicated that local preference ordinances are not unusual and many communities have them; that the story is very compelling; but, the real issue is how to define local and what to actually set as the policy. He mentioned that the City of Kalamazoo has a reasonable policy: local is anyone within the County and the bid falls within 2% of the lowest responsive bid; if so, the business has the opportunity to match the low bid. He expressed a preference that this topic be discussed at a Committee of the Whole Meeting (COW), and could not recommend Council do anything different this evening with the proposal in L.2. He explained and recommended Council accept the low bid from Cartridge World as the lowest responsive bidder. He offered that Council should begin thinking about coming back to a Committee of the Whole Meeting (COW) with some ideas regarding a local preference criteria as a result of our survey. Discussion followed.

Councilmember Pearson thanked Roy and Tricia Gooch and Precision Printer Services for their letter to Council as it caused a lot of discussion and one-way messages to our City Manager emphasizing the possibility that we do need to investigate a local preference policy. He acknowledged that Mayor Strazdas brought up some good points, such as making sure it doesn't lead to price inflation and, from the comments of Councilmembers, it seems likely Council will hold a Committee of the Whole Meeting (COW). However, in the meantime, he indicated Council has to abide by the current rules in effect.

Motion by Pearson, seconded by Randall, to approve a one-year managed print services agreement, in the amount of $22,871 with the option for two one-year renewals with Cartridge World for the provision of printer supplies and services and authorize the City Manager to execute all documents related to this action on behalf of the city. Councilmember Reid asked why the City is asking for a one-year contract with two one-year renewals when in the past the City has asked for a four year contract. IT Director Devin Mackinder indicated that a one-year contract with two one-year renewals allows the City to change providers if prices are fluctuating too much, or if the company is not providing excellent service, so four years is a little too long, and two years seems more suitable. Councilmember Urban indicated that this is not the first time the City Council of Portage has had a local preference policy discussion and, in the past, it was found that such a policy was not in the best interest of Portage. He agreed it should be reviewed, such as where the City has only one vendor, and agreed it cannot be done on an ad hoc basis at this point. Upon a roll call vote, motion carried 6 to 0.

MATERIALS TRANSMITTED:

* **MATERIALS TRANSMITTED OF FEBRUARY 19, 2016:** Motion by Randall, seconded by Reid, to receive the Materials Transmitted of Friday, February 19, 2016. Upon a roll call vote, motion carried 6 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid commented on the March 8, 2016 Presidential Primary and the record voter turnout. Councilmember Pearson concurred. Mayor Strazdas gave praise and appreciation to the City Clerk staff for reacting efficiently and effectively to the surge in voters, the shortage of ballots, and a multitude of phone calls and visits necessary to assist 40 newly trained Election Officials with questions and challenges throughout the day.

At the request of Mayor Strazdas, City Manager Shaffer announced the new "SeeClickFix" technology to report and track any issues in the City. Discussion followed.

Councilmember Randall gave kudos to the City snow removal crews and recognized the performance of the Central Ohio University Choir. Mayor Strazdas concurred and said the event was spectacular and the members of the Choir had incredible talent and sent a powerful message.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:59 p.m.

James R. Hudson, City Clerk

***Indicates items included on the Consent Agenda.**

MINUTES OF THE SPECIAL PRE-MEETING
OF THE PORTAGE CITY COUNCIL
OF MARCH 21, 2016

Mayor Strazdas called the meeting to order at 9:00 a.m. The following Councilmembers were present: Councilmember Patricia Randall, Mayor Pro Tem Nasim Ansari and Mayor Strazdas. Councilmembers Claudette Reid and Jim Pearson along with City Clerk James Hudson participated via conference call. Those not present were: Councilmembers Richard Ford and Terry Urban. Also in attendance were City Manager Larry Shaffer, Deputy City Manager Rob Boulis and Deputy City Clerk Adam Herringa.

Mayor Strazdas explained that the purpose of the meeting was to hear any questions of Council regarding the Agenda of the Regular City Council Meeting of March 22, 2016, and proceeded with questions from those present.

With regard to item F.2, Councilmember Reid questioned if the City was planning to match the $291,500 included in the Michigan Natural Resources Trust Fund grant application regarding Phase 2 of the Eliason Nature Reserve. City Manager Shaffer replied that $200,000 has been included in the Capital Improvement Program for this project.

Councilmember Randall inquired, with regard to Item G.1, a presentation by representatives of the Kalamazoo County Health and Community Services Department and the Kalamazoo County Household Hazardous Waste program, whether a visual presentation was to have been included in the agenda packet. Deputy City Clerk Herringa stated that there no attachment with this item and Councilmember Pearson responded that a presentation was being finalized and it would be approximately ten slides and ten minutes in length.

Councilmember Pearson stated that he had a couple of questions related to the report by the Department of Transportation and Utilities included in the "Monthly Reports" section of Item N. Councilmember Pearson referenced the traffic counts and speed study for the Lake Center area of Portage Road and Centre Avenue and asked if City Council could receive a copy of the completed study. City Manager Shaffer responded in the affirmative. Councilmember Pearson next inquired about the road and design work for the intersection of Portage Road and Lakeview Road and if City Council could receive additional information, such as what type of intersection is being planned, related to this project. City Manager Shaffer responded in the affirmative.

Councilmember Pearson next stated that City Council has yet to vote or formally address the policy regarding Pre-Council Meetings as proposed by City Attorney Brown. He continued by stating that he had a question for City Administration on a topic that was not on the agenda but is being actively discussed in the community. Councilmember Pearson shared that he has been receiving questions regarding the "Deer Study" and Councilmember Randall shared that there was an article about the

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topic in yesterday's *Kalamazoo Gazette* and noted that she learned in the article that Kalamazoo Christian High School students had conducted a deer survey. City Manager Shaffer indicated that this was new information to him as well. Mayor Strazdas added he had read the article and that this survey appears to be separate from the work the Environmental Board is doing on the topic. Councilmember Pearson inquired if the Environmental Board had been provided with the results of the Kalamazoo Christian High School survey. City Manager Shaffer stated that he was uncertain if the results have been shared with the Environmental Board and gave an update on the status, as he knows it, of the work of the Environmental Board on this topic.

Mayor Strazdas summarized that Councilmember Pearson is looking for information related to the Deer Study, speed study for the Lake Center area of Portage Road and Centre Avenue, the planned road improvements for Portage Road and action on the proposed Pre-Council Meeting policy. Councilmember Pearson concurred.

ADJOURN: Mayor Strazdas adjourned the meeting at 9:10 a.m.

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Adam Herringa, Deputy City Clerk

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: William Furry, Finance Director

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of March 22, 2016 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 February 28, 2016 through March 13, 2016 and notes $130,557.17 in automated clearing house payments, $1,448,236.70 in paper checks and $19,533.48 in auto-pay payments for a grand total of $1,598,327.35.

FUNDING: N/A

Attachments: 1. Accounts Payable Register

CITY OF PORTAGE ACCOUNTS PAYABLE REGISTER
Check Dates From: 2/2/2016 To: 3/13/2016

Check Date	Check	Vendor Name		Amount
02/29/16	4882(A)	FARRELL AUDIO VIDEO LLC		604.72
03/11/16	4883(A)	ABONMARCHE CONSULTANTS, INC		3,960.92
03/11/16	4884(A)	ALL CITY MANAGEMENT SERVICES, INC.		5,920.02
03/11/16	4885(A)	AMERICAN SAFETY & FIRST AID		127.03
03/11/16	4886(A)	ANIMAL REMOVAL SERVICE, LLC		1,675.00
03/11/16	4887(A)	APPLIED IMAGING		2,345.70
03/11/16	4888(A)	ARROW UNIFORM RENTAL		50.75
03/11/16	4889(A)	B & B YARDSCAPE		2,070.00
03/11/16	4890(A)	BYHOLT INC.		1,470.30
03/11/16	4891(A)	C D W GOVERNMENT, INC.		22,759.24
03/11/16	4892(A)	CAPITAL ADVANTAGE LEASING		9,172.50
03/11/16	4893(A)	CHUCK'S ELECTRICAL SERVICE INC.		200.00
03/11/16	4894(A)	DATA CONSTRUCTS LLC		97.95
03/11/16	4895(A)	EG WORKFORCE SOLUTIONS		2,230.47
03/11/16	4896(A)	ENGINEERED PROTECTION SYSTEMS, INC.		270.55
03/11/16	4897(A)	FIRE SERVICE MANAGEMENT		350.47
03/11/16	4898(A)	GLOBAL TELEMATIC SOLUTIONS LLC		800.00
03/11/16	4899(A)	GRIFFIN PEST SOLUTIONS, INC.		90.00
03/11/16	4900(A)	HOWARD PRINTING		8,116.00
03/11/16	4901(A)	HURST MECHANICAL, INC.		1,070.25
03/11/16	4902(A)	IP CONSULTING, INC.		2,256.00
03/11/16	4903(A)	JAROTH, INC		303.00
03/11/16	4904(A)	LACOSTA FACILITY SUPPORT SERVICES		3,640.70
03/11/16	4905(A)	LAND & RESOURCE ENGINEERING, INC		1,700.00
03/11/16	4906(A)	M & M CUSTOM FABRICATING INC.		123.24
03/11/16	4907(A)	MATERIALS RESOURCES		407.78
03/11/16	4908(A)	MAURER'S TEXTILE RENTAL SERVICES		7.40
03/11/16	4909(A)	MEEKHOF TIRE SALES & SERVICE INC.		480.00
03/11/16	4910(A)	MEJEUR ELECTRIC LLC		110.00
03/11/16	4911(A)	MONIFA A. JUMANNE, PH.D.		900.00
03/11/16	4912(A)	PARADIGM DESIGN, INC.		23,148.66
03/11/16	4913(A)	PECKELS, CHRISTINE		240.00
03/11/16	4914(A)	ROE-COMM, INC.		110.00
03/11/16	4915(A)	S B F ENTERPRISES, INC.		2,257.47
03/11/16	4916(A)	SECANT TECHNOLOGIES		10,213.00
03/11/16	4917(A)	THOMPSON, HELENE		648.00
03/11/16	4918(A)	TYLER TECHNOLOGIES, INC.		1,575.47
03/11/16	4919(A)	UL LLC		595.00
03/11/16	4920(A)	VANBECK ROOFING & SIDING CO.		9,100.00
03/11/16	4921(A)	W W GRAINGER INC		387.15
03/11/16	4922(A)	WIGHTMAN & ASSOCIATES, INC.		1,030.00
03/11/16	4923(A)	WOLVERINE LAWN SERVICE, INC.		3,750.56
03/11/16	4924(A)	WOLVERINE POWER SYSTEMS		4,191.87
		SUBTOTAL:	**43 CHECKS**	**130,557.17**

Check Date	Check	Vendor Name	Amount
03/03/16	296878	KALAMAZOO COUNTY TREASURER	5,063.00
03/04/16	296879	PETTY CASH-PARKS	329.29
03/11/16	296880	A T & T	130.12
03/11/16	296881	ADP, INC.	9,700.00
03/11/16	296882	ALGOMA CENTRAL RAILWAY INC	374.00
03/11/16	296883	ALLEGRA PRINT & IMAGING	1,949.24
03/11/16	296884	AMERICAN PLANNING ASSOCIATION	510.00
03/11/16	296885	ASSOCIATION CAREER NETWORK	380.00
03/11/16	296886	AUTOBODY USA - SOUTHSIDE	80.00
03/11/16	296887	BATTLE LAKE SR. CARD PROJECT	35.95
03/11/16	296888	BEL-AIRE HEATING & AIR CONDITI	316.63
03/11/16	296889	BESCO WATER TREATMENT, INC.	43.25
03/11/16	296890	BEST WAY DISPOSAL, INC.	89,981.25
03/11/16	296891	BORGESS HEALTH ALLIANCE	240.00
03/11/16	296892	BOXWOOD TECHNOLOGY, INC.	300.00
03/11/16	296893	BRANCH, JOYCE	85.00
03/11/16	296894	BRENNER, FLORENCE	85.00
03/11/16	296895	BROWNELL'S INCORPORATED	142.54
03/11/16	296896	C T S TELECOM, INC.	2,018.06
03/11/16	296897	CADWELL APPARELL	1,339.00
03/11/16	296898	CAMPBELL AUTO SUPPLY	104.46
03/11/16	296899	CAREERTRACK	198.00
03/11/16	296900	CASINO TOURS & CHARTERS	261.00
03/11/16	296901	CHARTER COMMUNICATIONS	528.70
03/11/16	296902	CITY OF KALAMAZOO (TRANS MILLAGE)	4,903.80
03/11/16	296903	CITY OF KALAMAZOO TREASURER	228,927.48
03/11/16	296904	COMFORT INN	229.50
03/11/16	296905	COMMERCIAL WINDOW COVERINGS	600.00
03/11/16	296906	CONSUMERS ENERGY	34,510.88
03/11/16	296907	CORNERSTONE OFFICE SYSTEMS	3,549.00
03/11/16	296908	COSTAR REALTY INFORMATION, INC.	307.95
03/11/16	296909	CUSTER OFFICE ENVIRONMENTS	5,200.29
03/11/16	296910	DENNY'S SAW CRIB	64.95
03/11/16	296911	DENOOYER BROTHERS, INC.	520.93
03/11/16	296912	DOUGLASS SAFETY SYSTEMS LLC	2,093.66
03/11/16	296913	EMERGENCY VEHICLE PRODUCTS	312.79
03/11/16	296914	EMERGENCY VEHICLE RESPONSE	5,700.00
03/11/16	296915	FADER EQUIPMENT, INC.	102.22
03/11/16	296916	GORDON FOOD SERVICE	22.58
03/11/16	296917	GORDON WATER SYSTEMS	86.50
03/11/16	296918	GRAHAM FORESTRY SERVICE, INC.	368.00
03/11/16	296919	GRANDSTAFF, ANNE	91.00
03/11/16	296920	GREATER KALAMAZOO COM SRV FUND	100.00
03/11/16	296921	HOME DEPOT	1,674.26
03/11/16	296923	INT'L ASSOC OF ARSON INVESTIGATORS	325.00

Check Date	Check	Vendor Name	Amount
03/11/16	296924	JACK DOHENY SUPPLIES INC.	1,031.10
03/11/16	296925	KAHLE, JOAN	85.00
03/11/16	296926	KAL-CREEK APPRAISERS, LLC	325.00
03/11/16	296927	KALAMAZOO COUNTY TREASURER	79,551.62
03/11/16	296928	KALAMAZOO GAZETTE	13.33
03/11/16	296929	KALAMAZOO NATURE CENTER, INC.	165.00
03/11/16	296930	KALAMAZOO OIL COMPANY	53.20
03/11/16	296931	KALAMAZOO REG'L EDUC SVC AGENCY	129,330.33
03/11/16	296932	KALAMAZOO VALLEY COMMUNITY COL	34,492.04
03/11/16	296933	KAR LABORATORIES	275.00
03/11/16	296934	KEANE, PEG	90.00
03/11/16	296935	KENT COUNTY DPW	91.35
03/11/16	296936	KLOSTERMAN DISTRIBUTING	211.14
03/11/16	296937	KOENIG-LAJOICE, MARY	90.00
03/11/16	296938	KOPEN, JANICE	85.00
03/11/16	296939	KZOO TIRE COMPANY	19.50
03/11/16	296940	LAND MATTERS LLC	1,625.49
03/11/16	296941	LEXISNEXIS/MATTHEW BENDE, INC.	150.00
03/11/16	296942	LOWE'S HOME CENTER	87.19
03/11/16	296943	M M R M A	242,486.00
03/11/16	296944	MCNALLY ELEVATOR CO.	119.75
03/11/16	296945	MI-TOKEN INC.	450.00
03/11/16	296946	MICH ASSOC OF CHIEFS OF POLICE	115.00
03/11/16	296947	MICH MUNICIPAL POLICE & FIRE REPAIR	740.52
03/11/16	296948	MICHIGAN KAL ELECTRONICS, INC.	261.50
03/11/16	296949	MIDWEST AIR FILTER, INC.	170.48
03/11/16	296950	MIDWEST CIVIL ENGINEERS	5,065.00
03/11/16	296951	MIDWEST ENERGY COOPERATIVE	278.05
03/11/16	296952	MLIVE MEDIA GROUP	1,440.47
03/11/16	296953	MMTA	325.00
03/11/16	296954	MONKS, SANDRA	80.00
03/11/16	296955	MULDERS LANDSCAPE SUPPLIES INC	17,224.00
03/11/16	296956	MYERS, JAMES	1,307.00
03/11/16	296957	NATIONAL COUNCIL ON THE AGING	600.00
03/11/16	296958	NATIONAL FIRE PROTECTION ASSOC	150.00
03/11/16	296959	NEW FRESH CLEANING SERVICE	1,521.00
03/11/16	296960	NYE UNIFORMS	296.09
03/11/16	296961	O'REILLY AUTO PARTS	352.10
03/11/16	296962	OAKLAND COMMUNITY COLLEGE	150.00
03/11/16	296963	OBRIEN, MELITA	18.97
03/11/16	296964	OCCUPATIONAL HEALTH CNTRS OF MI	67.00
03/11/16	296965	OFFICE DEPOT, INC.	864.16
03/11/16	296967	ONSTAFF USA INC	11,053.74
03/11/16	296968	PARISH, DORIS	80.00
03/11/16	296969	PEOPLEFACTS, LLC 740303	135.36
03/11/16	296970	PETERMAN CONCRETE CO.	87.00

Check Date	Check	Vendor Name		Amount
03/11/16	296971	PETTY CASH-CITY HALL		607.37
03/11/16	296972	PETTY CASH-DPS		285.15
03/11/16	296973	PETTY CASH-SENIOR CENTER		559.96
03/11/16	296974	PHILLIPS, GLENN & CONNIE		165.00
03/11/16	296975	POLDERMAN'S FLOWER SHOP		182.80
03/11/16	296976	PORTAGE DISTRICT LIBRARY		18,389.22
03/11/16	296977	PORTAGE PUBLIC SCHOOLS		117,141.22
03/11/16	296978	PORTAGE PUBLIC SCHOOLS		260.00
03/11/16	296979	PORTAGE PUBLIC SCHOOLS		745.00
03/11/16	296980	PROSECUTING ATTORNEYS ASSN OF MI		50.00
03/11/16	296981	PUBLIC AGENCY TRNG COUNCIL, INC		442.50
03/11/16	296982	QUADMED, INC.		150.51
03/11/16	296983	REECE, DIANE		85.00
03/11/16	296984	REPUBLIC SERVICES OF WEST MICHIGAN		651.00
03/11/16	296985	RIDGE AUTO NAPA		1,119.16
03/11/16	296987	RJ'S PRINTING & ADVERTISING, LLC.		125.00
03/11/16	296988	S A MORMAN & CO.		390.00
03/11/16	296989	SERVPRO OF EAST KALAMAZOO		2,785.77
03/11/16	296990	SEVERANCE ELECTRIC COMPANY,INC		4,680.00
03/11/16	296991	SHEELER, ELEANOR		85.00
03/11/16	296992	SIMPLIFILE LLC		119.00
03/11/16	296993	SOS TECHNOLOGIES		13,183.60
03/11/16	296994	SOUTHWEST MICHIGAN MGRS ASSOC.		100.00
03/11/16	296995	STATE OF MICHIGAN		720.00
03/11/16	296996	STATE OF MICHIGAN (DOT)		93,003.13
03/11/16	296997	STATE OF MICHIGAN (MDEQ)		200.00
03/11/16	296998	STATE OF MICHIGAN (TREASURY)		235,315.65
03/11/16	296999	STATE SYSTEMS RADIO, INC		1,887.50
03/11/16	297000	STEENSMA LAWN & POWER EQUIP		1,780.00
03/11/16	297001	T D S METROCOM, LLC		1,433.00
03/11/16	297002	T-MOBILE USA INC		29.99
03/11/16	297003	TACTICALGEAR.COM		494.45
03/11/16	297004	TRACTOR SUPPLY CORP.		110.71
03/11/16	297005	U S POSTAL SERVICE		5,000.00
03/11/16	297006	UNITED PARCEL SERVICE		23.12
03/11/16	297007	VELD, ANN		80.00
03/11/16	297008	VERIZON WIRELESS SERVICES, LLC		4,353.80
03/11/16	297009	VOGLER, MARION		90.00
03/11/16	297010	W.M.A.C.P.		25.00
03/11/16	297011	WAGGONER, MARILYN		80.00
03/11/16	297012	WAYNE STATE UNIVERSITY		495.00
03/11/16	297013	WEST MICHIGAN STAMP & SEAL,INC		59.95
03/11/16	297014	WHEELER, JOYCE		85.00
03/11/16	297015	WINTER EQUIPMENT COMPANY, INC.		3,418.38
03/11/16	297016	WMU HOMER STRYKER MED SCHOOL		155.00
		SUBTOTAL:	**136 CHECKS**	**1,448,236.70**

Check Date	Check	Vendor Name		Amount
02/29/16	2870	WATER-SEWER AUTO-PAY		5,477.37
03/08/16	2913	CONSUMERS AUTO-PAY		4,185.64
03/10/16	2923	CONSUMERS AUTO-PAY		31.92
03/11/16	2924	CONSUMERS AUTO-PAY		9,838.55
		SUBTOTAL:	**4 CHECKS**	**19,533.48**
		GRAND TOTAL:	**183 CHECKS**	**1,598,327.35**

** (A) DENOTES ACH PAYMENTS

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Martin Luther King Jr. Drive Reconstruction Project #998-R

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation and Utilities
James Hudson, City Clerk

ACTION RECOMMENDED: That City Council, subsequent to the public hearing, adopt Resolution No. 5 confirming the Special Assessment Roll for the Martin Luther King, Jr. Drive Reconstruction Project #998-R and City Council accept the public dedication and deed for the parcel of land known as Martin Luther King, Jr. Drive.

Attached is Special Assessment Resolution No. 5 for the Martin Luther King, Jr. (MLK) Project #998-R. Previous City Council action relating to this project includes:

- On December 15, 2015, City Council adopted Resolution No. 1 for this project, accepted the City Manager Report dated December 2, 2015, and requested preparation of Resolution No. 2.
- On January 12, 2016, City Council adopted Resolution No. 2 for this project, setting a public hearing of necessity on January 26, 2016.
- On January 26, 2016, City Council adopted Resolution No. 3 for this project, directing the preparation of the special assessment roll.
- On February 9, 2016, City Council adopted Resolution No. 4 for this project, setting a public hearing on the Assessment Roll on February 23, 2016.
- On February 23, 2016, City Council opened and adjourned the public hearing on the Assessment Roll to the March 22, 2016 City Council Meeting.

Therefore, it is recommended that City Council, subsequent to the public hearing, adopt Resolution No. 5 confirming the Special Assessment Roll for the Martin Luther King, Jr. Drive Reconstruction Project #998-R.

FUNDING: As per the Development Agreement, the city will not incur costs with the proposed street reconstruction project. After the street is dedicated to and accepted by the city, long-term maintenance costs will be incurred by the city and will be incorporated into the Department of Public Services departmental budget.

Attachments:

1. Resolution No. 5 for MLK Jr. Drive - No. 998-R
2. Assessment Roll for 998-R
3. MLK Drive Warranty Deed

CITY OF PORTAGE

SPECIAL ASSESSMENT RESOLUTION NO. 5

MARTIN LUTHER KING, JR. RECONSTRUCTION PROJECT #998-R

At a regular meeting of the Council for the City of Portage, Kalamazoo County, Michigan, held at the City Hall Building in said City on the ___ day of _____, 2016, at 7:30 o'clock ____ p.m., Prevailing Local Time.

PRESENT:_____

ABSENT:_____

The following resolution was offered by:

Councilmember:_____, and seconded by:

Councilmember:_____

WHEREAS, the City Council of the City of Portage, Kalamazoo County, Michigan, after due and legal notice has reviewed the Special Assessment Roll No. 998-R prepared for the reconstruction of Martin Luther King Jr, Drive from Constitution Boulevard to Ring Road. Said Special Assessment District shall consist of all of the following described lots and parcels of land;

> Commencing at the East quarter post of Section 9, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan and running thence North 00 deg. 08 min. 00 sec. West along the East line of said Section, 662.92 feet to the South line of Mall Drive; thence North 89 deg. 56 min. 30 sec. West along said line 1641.61 feet; thence South 00 deg. 08 min. 00 sec. East 583.82 feet; thence North 89 deg. 56 min. 30 sec. West 298.74 feet; thence South 00 deg. 01 min. 30 sec. East 457.00 feet to the point of beginning of this description; thence continuing South 00 deg. 01 min. 30 sec. East 36.00 feet; thence North 89 deg. 41 min. 56 sec. West 970.36 feet; thence 104.71 feet along the arc of a curve to the right, having a radius of 343.72 feet, a central angle of 17 deg. 27 min. 15 sec. and a chord bearing North 80 deg. 58 min. 19 sec. West 104.30 feet; thence North 72 deg. 14 min. 41 sec. West 66.95 feet; thence North 75 deg. 40 min. 42 sec. West 49.98 feet to the Easterly right of way of Constitution Boulevard; thence along said right of way 41.48 feet along the arc of a curve to the left having a radius of 1050.00 feet, a central angle of 02 deg. 15 min. 48 sec. and a chord bearing North 19 deg. 05 min. 03 sec. East 41.48 feet; thence South 69 deg. 21 min. 12 sec. East 48.99 feet; thence South 72 deg. 14 min. 41 sec. East 66.95 feet; thence 93.74 feet along the arc of a curve to the left having a radius of 307.72 feet, a central angle of 17 deg. 27 min. 15 sec. and a chord bearing South 80 deg. 58 min. 19 sec. East 93.38 feet; thence South 89 deg. 41 min. 56 sec. East 970.15 feet to beginning.

WHEREAS, the cost of said improvement is $474,898.00, the share of the Special Assessment District is $224,898.00, and the share of the other financing is $250,000.00.

WHEREAS, The City Council deems said Special Assessment Roll to be fair and equitable, and the assessments recorded therein to be in proportion to the benefits derived or to be derived:

NOW, THEREFORE, BE IT RESOLVED:

1. That the other financing shall be borne by Portage Centre Limited Partnership and Village Green Properties, Ltd. In accordance with the "Development Agreement Concerning The Reconstruction and Dedication of Martin Luther King, Jr. Drive, Portage Michigan" (Agreement") dated December 9, 2015 between said parties and the City of Portage.

2. That said Special Assessment Roll No. 998-R in the amount of $224,898, as prepared, filed and presented to the City Council, may be and the same hereby is confirmed.

3. That said Special Assessment Roll shall be divided into ten (10) equal installments, the first installment to be due August 1, 2016 to August 31, 2016 inclusive. The remaining nine (9) installments, with accrued interest thereon, shall be due and payable August 1st to August 31st each year thereafter and shall be spread upon the city tax roll for the year in which the same becomes due and payable. No interest shall be charged on the first installment or the total amount if paid in full by August 31, 2016. On September 1, 2016, interest at a rate not to exceed one percent (1%) above the average interest cost on the bonds sold to finance the improvements shall begin on the deferred installments and any unpaid balance of the first installment.

4. The assessments made in said Special Assessment Roll are hereby ordered and directed to be collected and the City Clerk shall deliver said Special Assessment Roll to the City Treasurer with his warrant attached commanding the Treasurer to collect the assessments

therein in accordance with the direction of this resolution with respect thereto, and the treasurer is directed to collect the amounts assessed as the same become due.

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

YEAS: Councilmember:_____

NAYS: Councilmember:_____

ABSENT: Councilmember:_____

RESOLUTION DECLARED ADOPTED:

_____
JAMES R. HUDSON, 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 _____, 2016, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereto affixed my official signature this _____ day of _____, 2016.

_____
JAMES R. HUDSON, City Clerk

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

Approved as to Form:
Date: 2/19/16
By: _____
City Attorney

Z:\Jody\PORTAGE\SPECIAL\resolutiont5.MLK.doc

Martin Luther King Drive Project - Constitution Blvd to Ring Road

Estimated Reconstruction Project Costs for Property Assessments

Commercial Assessment Rate of $88.70 per front foot plus concrete driveway @ $1960.00

Owner	Street Address	Parcel No.	Use	Class	Zoning	Actual Frontage	Benefitting Frontage	Rate	Frontage Assessment	Driveway	Total Assessment	Estimated Annual Payment
VILLAGE GREEN PROPERTIES LTD	6601 CONSTITUTION (north)	00009-045-H	VACANT	202	B-2	310.00	310.00	$ 88.70	$27,497.00		$27,497.00	$3,453.71
VILLAGE GREEN PROPERTIES LTD	6601 CONSTITUTION (south)	00009-045-H	VACANT	202	RM-1	322.00	322.00	$ 88.70	$28,561.40		$28,561.40	$3,587.10
PORTAGE CENTER LTD PARTNERSHIP	879 MALL DR	00009-015-E	VACANT-MENARDS	201	B-2	178.00	178.00	$ 88.70	$15,788.60	$5,880.00	$21,668.60	$2,721.65
PORTAGE CENTER LTD PARTNERSHIP	6500 RING ROAD	00009-015-F	VACANT	202	B-2	447.00	447.00	$ 88.70	$39,648.90		$39,648.90	$4,980.03
JACKSON ENTERTAINMENT, LLC	6600 RING ROAD	00009-015-D	CINEMA	201	B-2	870.00	870.00	$ 88.70	$77,169.00	$3,920.00	$81,089.00	$10,185.04
SIZZLIN FIVE, LLC	700 MARTIN LUTHER KING	00009-015-N	BRANN'S	201	B-2	262.00	262.00	$ 88.70	$23,239.40		$23,239.40	$2,918.94
GENERAL GROWTH PROPERTIES LP	6650 S.WESTNEDGE	00009-180-O	MALL	201	B-2	36.00	36.00	$ 88.70	$3,193.20		$3,193.20	$401.08
7 Properties						2,425.00	2,425.00				224,897.50	
							Total Estimated Project Cost				$ 474,898.00	
							Special Assessment Share				$ 224,897.50	
							M.C. Weiner Share at large				$ 250,000.50	
Last Updated 11/8/15												
	Parcel 00009-045-H :	This Parcel will be split into 2 parcels after MLK become public road.										

WARRANTY DEED

The Grantor, Village Green Properties, Ltd., a Michigan limited partnership, now known as **Village Green Properties, LLC,** a Michigan limited liability company, whose address is 700 Mall Drive, Portage, Michigan 49024, conveys and warrants to Grantee, the **City of Portage,** a municipal corporation, whose address is 7900 S. Westnedge Avenue, Portage, Michigan 49002, the following described premises located in the City of Portage, County of Kalamazoo, State of Michigan:

> Commencing at the East quarter post of Section 9, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan and running thence North 00 degrees 08 minutes 00 seconds West along the East line of said Section, 662.92 feet to the South line of Mall Drive; thence North 89 degrees 56 minutes 30 seconds West along said line, 1641.61 feet; thence South 00 degrees 08 minutes 00 seconds East 583.82 feet; thence North 89 degrees 56 minutes 30 seconds West 298.74 feet; thence South 00 degrees 01 minute 30 seconds East 457.00 feet to the point of beginning of this description; thence continuing South 00 degrees 01 minute 30 seconds East 36.00 feet; thence North 89 degrees 41 minutes 56 seconds West 970.36 feet; thence 104.71 feet along the arc of a curve to the right, having a radius of 343.72 feet, a central angle of 17 degrees 27 minutes 15 seconds and a chord bearing North 80 degrees 58 minutes 19 seconds West 104.30 feet; thence North 72 degrees 14 minutes 41 seconds West 66.95 feet; thence North 75 degrees 40 minutes 42 seconds West 49.98 feet to the Easterly right-of-way of Constitution Boulevard; thence along said right-of-way 41.48 feet along the arc of a curve to the left having a radius of 1050.00 feet, a central angle of 02 degrees 15 minutes 48 seconds and a chord bearing North 19 degrees 05 minutes 03 seconds East 41.48 feet; thence South 69 degrees 21 minutes 12 seconds East 48.99 feet; thence South 72 degrees 14 minutes 41 seconds East 66.95 feet; thence 93.74 feet along the arc of a curve to the left having a radius of 307.72 feet, a central angle of 17 degrees 27 minutes 15 seconds and a chord bearing South 80 degrees 58 minutes 19 seconds East 93.38 feet; thence South 89 degrees 41 minutes 56 seconds East 970.15 feet to beginning.

Commonly known as: **Martin Luther King Jr. Drive, Portage, Michigan**
Tax Id No.: PART OF 00009-045-H

Subject to (i) all easements, encumbrances and restrictions of record; (ii) all taxes and assessments; (iii) rights of the public and of any governmental unit in any part of the land taken, used, or deeded for street, road, or highway purposes; (iv) all building and zoning laws and ordinances and any applicable use restrictions; and (v) any provisions contained in any instruments of record that pertain to the transfer of divisions under the Land Division Act, Michigan Public Act 288 of 1967, as amended.

For the sum of One and 00/100 Dollar ($1.00). This conveyance is exempt from State and County Real Estate Transfer Taxes pursuant to MCL 207.526(a) and MCL 207.505(a), respectively.

The Grantor grants to the Grantee the right to make zero (0) divisions under section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

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

This Warranty Deed is being given pursuant to a certain Development Agreement dated on or about December 15, 2015 as entered into between Grantor and Grantee.

(signature page to follow)

GRANTOR:

Village Green Properties, Ltd.,
a Michigan limited partnership,
now known as
VILLAGE GREEN PROPERTIES, LLC,
a Michigan limited liability company

Dated: March 15, 2016

By: _____
Joshua T. Weiner
Its: Member and Authorized Agent

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

The foregoing instrument was acknowledged before me on March 15, 2016, by Joshua T. Weiner, Member and Authorized Agent of Village Green Properties, Ltd., now known as Village Green Properties, LLC, to me known to be the person who executed the same on behalf of the Company.

JENNY R GATELY
Notary Public, State of Michigan
County of Kalamazoo
My Commission Expires Apr. 23, 2017
Acting in the County of _____

_____
Jenny R. Gately, Notary Public
State of Michigan, County of Kalamazoo
Acting in the County of Kalamazoo
My Commission Expires: 4/23/2017

Drafted by:
R. Ryan McNally
Kreis, Enderle, Hudgins & Borsos, P.C.
40 Peal Street NW, 5th Floor
Grand Rapids, MI 49503
(616) 254-8400 / Fax: (616) 254-8410

When recorded return to:
City of Portage
c/o Randall L. Brown
Randall L. Brown & Associates PLC
1662 E. Centre Avenue
Portage, MI 49002
(269) 323-8812 / Fax: (269) 323-0055

No Title Opinion Rendered. This instrument has been prepared solely on information provided to the drafter who makes no warranty as to either the state of the title or correctness of the information furnished.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Rezoning Application #15/16-2 (Admiral Avenue/Dorset Street)

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council, subsequent to the public hearing, approve Rezoning Application #15/16-2 as follows:

- 480 Admiral Avenue: rezone from I-1, light industrial, and RM-1, multiple family residential to R-1A, one family residential;
- 514, 520, 526, 532, 606, 612 and 618 Dorset Street: rezone from R-1T, attached residential, to R-1A, one family residential;
- 6843, 422 and 426 Dorset Street (rear portions): rezone from I-1, light industrial, to R-1A, one family residential, and
- 6979 South Westnedge Avenue: rezone from I-1, light industrial, and RM-1, multiple family residential, to R-1A, one family residential (except the western portion which is to remain zoned B-2, community business).

Rezoning Application #15/16-2 was originally submitted by Mr. Chad Scott requesting that 480 Admiral Avenue be rezoned from RM-1, multiple family residential (southern portion) and I-1, light industry (northern portion) to R-1T, attached residential to facilitate construction of one to three two-family attached residential dwellings (duplexes) along the northern portion of the property. The property is currently a vacant parcel.

This matter received first reading by City Council at the February 23, 2016 regular meeting. Prior to that, a public hearing to consider this request was convened by the Planning Commission during its November 19 and December 3, 2015 meetings. After receiving public comment, and as recommended by staff, the Commission voted unanimously to adjourn the rezoning application until the January 21, 2016 meeting to further evaluate the application, including consideration to expand the rezoning area. During the December 17, 2015 meeting, the Planning Commission expanded the rezoning application to also consider the following properties:

1. 502-618 Dorset Street: These properties are occupied by single-family detached homes. While 502 and 508 Dorset are zoned R-1A, single-family residential consistent with the existing land

use, 514-618 Dorset Street are zoned R-1T, attached residential.

2. 6843, 422 and 426 Dorset: These lots are occupied by nonconforming duplexes, but the front portions are zoned R-1A, one family residential and the rear portions are zoned I-1, light industry.
3. 6979 South Westnedge: This vacant city-owned property is part of Bicentennial Park and the current zoning is a combination of RM-1, multiple family residential, B-2 community business and I-1, light industry.

The Comprehensive Plan designates 480 Admiral Avenue, along with the single family and multiple family residential properties located along Dorset Street, Cameo Avenue and Admiral Street, for Single-Family Detached Medium Density Residential (SFD-MD) land use. The vacant city-owned property addressed as 6979 South Westnedge Avenue is primarily identified for Park/Recreation land use, with the exception of the western portion designated for Regional Business land use. The SFD-MD land use designation is intended to provide for greater diversity in single-family housing development at higher densities (up to 6 units per acre) than allowed under the Low Density Residential designation (1-4 units per acre). Areas planned for SFD-MD land use are often located adjacent to higher intensity uses, such as the Regional Business area and generally correspond to the R-1A, one family residential and PD, planned development zoning districts.

In a report dated January 29, 2016, the Department of Community Development recommended the following:

1. 480 Admiral Avenue be rezoned from I-1, light industrial and RM-1, multiple family residential to R-1A, one family residential;
2. 514, 520, 526, 532, 606, 612 and 618 Dorset Street be rezoned from R-1T, attached residential to R-1A, one family residential;
3. 502 and 508 Dorset Street remain zoned R-1A, one family residential;
4. 6843, 422 and 426 Dorset Street (rear portions) be rezoned from I-1, light industry to R-1A, one family residential. The front portions of these properties remain zoned R-1A; and
5. 6979 South Westnedge Avenue be rezoned from I-1, light industry and RM-1, multiple family residential to R-1A, one family residential and the western portion of the parcel remain zoned B-2, community business.

The staff rezoning recommendation establishes a zoning pattern that is most consistent with the Comprehensive Plan/Future Land Use Map designations and best reflects the historic land use pattern within the Cameo Avenue/Dorset Street single family detached residential neighborhood. The recommended R-1A zoning for 514, 520, 526, 532, 606, 612 and 618 Dorset Street would not create any nonconformities and would most accurately reflect the historic use of these properties as single family detached residences. A rezoning of 480 Admiral Avenue from I-1 and RM-1 is appropriate as the current zoning is not compatible with the neighborhood, nor consistent with the Comprehensive Plan. While Mr. Scott's original request for R-1T zoning can be considered appropriate given the existing zoning pattern and would result in a reduction in intensity of land uses, R-1A zoning is recommended. This recommendation allows the property owner future single family development options, consistent with the adjacent single family detached residential land use pattern and is most consistent with the Comprehensive Plan. The recommended R-1A/B-2 zoning pattern for the city-owned parcel at 6979 South Westnedge Avenue would better reflect the park/recreation designation of

this property while protecting adjacent commercial and office uses from additional land use restrictions related to screening, setbacks and building height. Finally, no change to the R-1A zoning for 502 and 508 Dorset Street is recommended by staff, and a zoning change to R-1A for the rear portions of 6843, 422 and 426 Dorset Street would reaffirm the predominant single family detached residential zoning and land use pattern within the Cameo Avenue/Dorset Street neighborhood.

The Planning Commission convened a public hearing to formally consider the expanded rezoning application during its January 21 and February 4, 2016 meetings. Mr. Chad Scott (owner/applicant, 480 Admiral), Mr. Greg Radd (Nederveld Associates, representing Mr. Scott), Mr. and Mrs. Rick and Patricia Dueweke (606 Dorset) and Mr. and Mrs. Bryan and Alishia Cederberg (612 Dorset) were present and spoke in regards to the expanded rezoning consideration. Mr. Scott and Mr. Radd spoke in support of the original request to rezone 480 Admiral to R-1T, while Mr. and Mrs. Dueweke and Mr. and Mrs. Cederberg spoke in opposition to the R-1T zoning and indicated they support the staff recommendation of R-1A zoning for the 480 Admiral parcel and the several Dorset Street lots.

Written communications from Mr. Scott, Mr. Cederberg and Ms. Karen Gadson (520 Cameo), and a petition signed by five Dorset Street property owners have also been received in support of rezoning the 7 lots on Dorset from R-1T to R-1A. At the conclusion of the February 4, 2016 meeting, the Commission voted 6-2 to recommend to City Council approval of Rezoning Application #15/16-2 with the same zoning changes recommended by the Department of Community Development.

FUNDING: Not Applicable

Attachments:

1. February 12, 2016 Planning Commission transmital
2. November 19, December 3 and 17, 2015 and January 21 and February 4, 2016 Planning Commission minutes
3. January 29, 2016 Community Development report with attachments
4. Citizen Communications Received
5. Ordinance Amendment

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: February 12, 2016

SUBJECT: Rezoning Application #15/16-2 (expanded), Admiral Avenue-Dorset Street

The Planning Commission convened a public hearing during the January 21st and February 4th, 2016 meetings to consider expanded Rezoning Application #15/16-2, which includes properties addressed as 480 Admiral Avenue; 6979 South Westnedge Avenue; 6843, 422, 426, 502, 508, 514, 520, 526, 532, 606, 612 and 618 Dorset Street. Mr. Chad Scott (owner/original applicant, 480 Admiral Avenue), Mr. Greg Radd (Nederveld Associates, representing Mr. Scott), Mr. Rick and Mrs. Patricia Dueweke (606 Dorset) and Mr. Bryan and Mrs. Alishia Cederberg (612 Dorset) were present and spoke in regards to the expanded rezoning consideration. Mr. Scott and Mr. Radd spoke in support of the original request to rezone 480 Admiral to R-1T, while Mr. and Mrs. Dueweke and Mr. and Mrs. Cederberg spoke in opposition to the R-1T zoning and indicated they support the staff recommendation of R-1A zoning for the 480 Admiral parcel and the several Dorset Street lots. Written communications from Mr. Scott, Mr. Cederberg and Ms. Karen Gadson (520 Cameo), and a petition signed by five Dorset Street property owners have also been received.

After careful consideration, a motion was made by Commissioner Stoffer, seconded by Commissioner Dargitz, to recommend to City Council that Rezoning Application #15/16-2 the following:

- 480 Admiral Avenue be rezoned from I-1, light industrial and RM-1, multiple family residential to R-1A, one family residential;
- 514, 520, 526, 532, 606, 612 and 618 Dorset Street be rezoned from R-1T, attached residential to R-1A, one family residential;
- 502 and 508 Dorset Street remain zoned R-1A, one family residential;
- 6843, 422 and 426 Dorset Street (rear portions) be rezoned from I-1, light industry to R-1A, one family residential. Front portions of properties remain zoned R-1A;
- 6979 South Westnedge Avenue be rezoned from I-1, light industry and RM-1, multiple family residential to R-1A, one family residential and the western portion of the parcel remaining zoned B-2, community business.

The motion included a finding that the rezoning recommendation establishes a zoning pattern that is most consistent with the Comprehensive Plan/Future Land Use Map designations and that best reflects the historic land use pattern within the Cameo Avenue/Dorset Street single family detached residential neighborhood. The recommended R-1A zoning for 514, 520, 526, 532, 606, 612 and 618 Dorset Street would not create any nonconformities and would most accurately reflect the historic use of these properties as single family detached residences. A rezoning of 480 Admiral Avenue from I-1 and RM-1 is appropriate as the current zoning is not compatible with the neighborhood, nor consistent with the Comprehensive Plan. While the requested R-1T zoning can be considered appropriate given the existing zoning pattern and would result in a reduction in intensity of land uses, R-1A zoning is

recommended. The recommended R-1A zoning for this parcel allows the property owner future single family development options, consistent with the adjacent single family detached residential land use pattern, and is most consistent with the Comprehensive Plan. The recommended R-1A/B-2 zoning pattern for the city-owned parcel at 6979 South Westnedge Avenue would better reflect the park/recreation designation of this property while protecting adjacent commercial and office uses from additional land use restrictions related to screening, setbacks and building height. Finally, no change to the R-1A zoning for 502 and 508 Dorset Street, and a zoning change to R-1A for the rear portions of 6843, 422 and 426 Dorset Street would reaffirm the predominant single family detached residential zoning and land use pattern within the Cameo Avenue/Dorset Street neighborhood. The motion was approved 6-2 with Commissioners Bosch and Schimmel voting in opposition.

Sincerely,

Paul Welch
Chairman

preserving the environment and creating a natural feel for its residents that would continue with construction of Phase V.

After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Somers, to recommend to City Council that the Final Plan for Greenspire Apartments (Phase V), 8615 Tozer Court, be approved subject to finalization of the storm water design, and approval by the MDEQ to discharge into the wetland area. The motion was unanimously approved 7-0.

PUBLIC HEARINGS:

1. Preliminary Report; Rezoning Application #15/16-2, 480 Admiral Avenue. Mr. West summarized the preliminary staff report dated November 13, 2015 regarding a request from Chad Scott to rezone 480 Admiral Avenue from RM-1, multiple family residential and I-1, light industry to R-1T, attached residential. Mr. West indicated the applicant was requesting the rezoning to facilitate construction of a four-unit attached residential building along the northern portion of the property, at the eastern terminus of Cameo Avenue. Mr. West discussed the Future Land Use Map designation of single-family detached-medium density residential of the subject parcel and adjacent properties, along with the surrounding zoning and land use pattern. Mr. West then reviewed the split zoning of the subject parcel (RM-1, south portion and I-1, north portion), the irregular shape of the property, access limitations and the presence of potential wetland areas and poor soils, particularly along the southern portion of the property. Mr. West briefly discussed the I-1 zoning designation of the adjacent city owned parcel to the east and south and the rear portion of three parcels on Dorset Street and the inconsistency with the Future Land Use Map and existing zoning/land use pattern. In an effort not to delay the applicant, Mr. West stated it was recommended that the Planning Commission consider a possible rezoning of these properties at a later date, consistent with the approved Work Program.

Mr. Chad Scott (applicant/property owner) and Mr. Greg Radd of Nederveld Associates (applicant's consultant) were present to support the zoning change and to discuss the proposed four-unit attached residential building planned along the northern portion of the property. Mr. Radd stated a preliminary wetland delineation was performed several years ago and the southern portion of the property was found to be wetlands. Mr. Radd stated this delineation would be updated and development would be concentrated to the northern portion of the property, where higher ground and better soils are present. The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed rezoning. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to adjourn the public hearing for Rezoning Application #15/16-2, 480 Admiral Avenue, to the December 3, 2015 meeting. The motion was unanimously approved 7-0.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

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

Respectfully submitted,

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

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PLANNING COMMISSION

December 3, 2015

The City of Portage Planning Commission meeting of December 3, 2015 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Fifteen citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role and the following Commissioners were present: Richmond (yes), Schimmel (yes), Somers (yes), Dargitz (yes), Felicijan (yes), Welch (yes), Stoffer (yes), and Bosch (yes). A motion was made by Commissioner Felicijan, seconded by Commissioner Stoffer, to approve the roll excusing Commissioner Patterson. The motion was unanimously approved 8-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the November 19, 2015 meeting minutes contained in the agenda packet. Commissioner Dargitz indicated she would be abstaining from the vote since she was not present at the November 19, 2015 meeting. A motion was made by Commissioner Somers, seconded by Commissioner Richmond, to approve the minutes as submitted. The motion was unanimously approved 7-0-1.

SITE/FINAL PLANS:

None

PUBLIC HEARINGS:

1. Final Report; Rezoning Application #15/16-2, 480 Admiral Avenue. Mr. Forth summarized the staff report dated November 25, 2015 regarding a request from Chad Scott to rezone 480 Admiral Avenue from RM-1, multiple family residential and I-1, light industry to R-1T, attached residential. According to the applicant, the rezoning would facilitate construction of 1-3 duplex units along the northern portion of the property, at the eastern terminus of Cameo Avenue. Mr. Forth summarized the Future Land Use Map designation, existing zoning pattern, surrounding land uses and several inconsistencies. Mr. Forth also mentioned environmental features that may limit development such as the presence of wetlands and organic soils. Mr. Forth noted the applicant has changed the original proposal of constructing one, 4-unit building to 1-3 duplex units. Mr. Forth also noted that the Zoning Code requires at least one property line abut a major thoroughfare to permit a 4-unit building and this parcel does not meet that requirement. Mr. Forth indicated the R-1A zoning district is most consistent with the Plan designation but the R-1T district requested by the applicant can also be considered generally consistent with the Plan and surrounding area.

Ms. Kelly Cavanaugh, Nederveld Associates (applicant's consultant), was present to support the zoning change and to discuss the proposal to construct 1-3 duplex units. Commissioner Dargitz asked Ms. Cavanaugh to further explain the wetland report that had been prepared. Ms. Cavanaugh indicated a formal wetland delineation study had been prepared approximately five years ago by another company and they were requested to show the wetland boundary on a site plan. Nederveld Associates does not have a copy of

the formal report. Ms. Cavanaugh noted the wetland boundary changes where the elevation changes. Commissioner Dargitz indicated the National Wetlands Inventory map shows the entire area encumbered by wetlands. Ms. Cavanaugh indicated those maps show an assumed wetland area and showed the Commission a map of the wetland boundary prepared approximately five years ago. Ms. Cavanaugh reiterated the north end of the property is developable.

The public hearing was opened. Mr. Rick Dueweke, 606 Dorset, was present to speak against the proposed zoning change. Mr. Dueweke mentioned he has been a resident of the area for 24 years, lives close to the access point for the proposed duplex units, and is familiar with the subject property. Mr. Dueweke also mentioned the berm that was constructed to the north and the wetland area created when Romence Road Parkway was extended. The subject property borders a single-family neighborhood and multi-family uses would not be appropriate. Mr. Dueweke noted his property and several others on Dorset Street are currently zoned R-1T, but this zoning is not correct. Bryan Cedarberg, 612 Dorset, was also present to oppose the rezoning application. Mr. Cedarberg explained that when he purchased the property, he preferred the location away from the existing apartments located on Admiral Street. Mr. Cedarberg does not believe these existing apartments are very well maintained and negatively affect the value of the neighborhood. Mr. Cedarberg doesn't believe it is appropriate to construct multi-family units in an area of the neighborhood occupied by only single-family residential units. Mr. Cedarberg was concerned about an increase in noise, traffic, trash, crime and a negative impact on property values. Mr. Cedarberg also agreed with Mr. Dueweke that his property and the others that are currently zoned R-1T is not correct and should be changed to single-family residential. Ms. Theresa Rowlerehens was present to speak on behalf of her sister, Christine Rohr who lives at 619 Cameo. Ms. Rowlerehens stated Ms. Rohr is opposed to the rezoning. She mentioned her sister experiences periodic flooding in her basement which suggests the area is a wetland. Ms. Rowlerehens expressed concerns about decrease in property values and safety. Ms. Rowlerehens also mentioned a desire to purchase a portion of the adjacent property.

There being no further public comment, the public hearing was closed. Commissioner Felicijan asked if there was wetland restoration completed when Romence Road was extended. Mr. Forth stated that a wetland mitigation area was created and noted this area on the map. Commissioner Bosch asked if the triangular portion of the existing RM-1 zoned property located at the south end would remain. Mr. Forth indicated it would remain since it is located on property owned by the city that is not part of the rezoning application. Mr. Forth mentioned there are inconsistencies between the existing land uses, zoning classifications and future land use designations that should be reviewed. Commissioner Stoffer asked if the single-family home lots on Dorset were rezoned from R-1T to R-1A, would they be conforming. Mr. Forth stated the lots would be conforming if rezoned to R-1A. Commissioner Dargitz asked if any part of 480 Admiral were part of the Romence Road or Sam's Club wetland mitigation area. Mr. Forth indicated it was not impacted by Sam's Club and to his knowledge, it was not part of the Romence Road wetland mitigation area. Commissioner Dargitz also asked if the city should be considering this rezoning application without knowing if the area is in fact a designated wetland area. Mr. Forth stated the matter before the Commission involves the use of the land and whether or not the zoning the applicant is requesting is an appropriate use at this location. Mr. Forth indicated that before any development occurs on this site, either under the current I-1/RM-1 zoning districts or some other zoning district, an official wetland delineation report will need to be submitted. The developer has indicated the wetland report is approximately five years old but will have it updated. Commissioner Dargitz asked if the National Wetland Inventory (NWI) maps on the city's website might be more accurate than a five year old wetland study. Mr. Forth stated the NWI maps generally show where potential wetlands may exist and further investigative research needs to be completed. Commissioner Schimmel asked if the lots on Dorset currently zoned R-1T could be redeveloped with duplex units. Mr. Forth stated an existing dwelling could be modified into a duplex or one or more dwellings razed and a new duplex units constructed. Commissioner Stoffer asked if the three duplex units located at the south end of Dorset are conforming. Mr. Forth responded they are nonconforming since they are zoned R-1A. Chairman Welch asked Attorney Brown if the wetland designation should be an issue as part of the rezoning

consideration. Attorney Brown stated he concurs with Mr. Forth's previous comment that this is a land use issue and the developer will need to address the wetland matter with the State of Michigan. Commissioner Dargitz suggested that perhaps the city should acquire the subject property in exchange for property on Romence Road Parkway. In response to the comment about exchanging land with the developer, Mr. Forth indicated the Open Space and Recreation Plan designates the city property as parkland and the City Charter prohibits the sale of designated property without voter approval.

There being no further discussion, a motion was made by Commissioner Felicijan, seconded by Commissioner Bosch, to recommend to City Council that Rezoning Application #15/16-2 be approved and 480 Admiral Avenue be rezoned from I-1, light industry and RM-1, multiple family residential to R-1T, attached residential. The proposed zoning change is generally consistent with the Comprehensive Plan. Commissioner Stoffer stated it was difficult to conclude the proposed zoning change is consistent with the neighborhood by changing the density and won't be supporting the motion. Commissioner Stoffer said he would support a motion changing the zoning from I-1 and RM-1 to R-1A. Commissioners Dargitz and Schimmel said they would support that motion as well. Commissioner Bosch stated he agrees with Commissioner Stoffer to a certain extent. Commissioner Bosch noted that although there are single-family dwellings located in the R-1T district, the proposed R-1T district is consistent with the adjacent R-1T district. Commissioner Dargitz asked for clarification on the history of the current zoning pattern. Mr. Forth noted there is an original 1965 zoning map and believed the neighborhood was zoned R-1A in 1965 but without further research, couldn't comment on more recent changes.

Mr. Forth suggested that given the amount of discussion at the meeting which was absent at the November 19th meeting and not considered as part of the staff recommendation, the Commission could table the application and complete a more comprehensive review of this area, including the inconsistencies that exist between existing land uses, zoning classifications and Future Land Use Plan designations. Commissioner Felicijan didn't believe that tabling this matter is necessary since the Commission would likely be voting on one of two zoning districts, either R-1A or R-1T. Commissioner Dargitz commented that she believes it is important to understand the zoning history of the area and would like to look at this entire area. A zoning change should not be based on what might be an archaic zoning district. Commissioner Somers supported tabling the rezoning application based on the public comments received and the discussion among Commissioner members. Commissioner Felicijan withdrew his previous motion. Commissioner Bosch supported the withdrawal. Commissioner Felicijan then offered a motion to table Rezoning Application #15/16-2 until the January 21, 2016 meeting and that

the Commission meet on December 17, 2015 to further discuss this matter. The motion was unanimously approved 8-0.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Land Division Involving Public Improvements for Martin Luther King Jr. Drive, 6601 Constitution Boulevard. Mr. Forth summarized the report involving an application submitted by the Meyer C. Weiner Company to divide the property at 6601 Constitution Boulevard into three new parcels: one parcel defining the boundaries of Martin Luther King Jr. Drive (MLK), which is currently a private street; one new parcel to the north; and one new parcel to the south of MLK. The purpose of this project to facilitate the reconstruction of MLK Drive according to public street standards and upon completion, it is proposed that MLK Drive be accepted by the City of Portage as a public street. Mr. Forth summarized the existing conditions of the MLK Drive, proposed improvements, and method to finance the project. Mr. Forth also noted the building front yard setback will change from 30 feet to 75 feet and the property owners are aware of this change and the impact it will have on future development projects. Finally, Mr. Forth noted four

PLANNING COMMISSION

December 17, 2015

The City of Portage Planning Commission meeting of December 17, 2015 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Four citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

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

ROLL CALL:

Mr. Forth called the role and the following Commissioners were present: Bosch (yes), Stoffer (yes), Welch (yes), Felicijan (yes), Dargitz (yes), Somers (yes), Schimmel (yes), and Richmond (yes). A motion was made by Commissioner Felicijan, seconded by Commissioner Bosch, to approve the roll excusing Commissioner Patterson. The motion was unanimously approved 8-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the December 3, 2015 meeting minutes contained in the agenda packet. A motion was made by Commissioner Felicijan, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved 8-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

None

NEW BUSINESS:

None.

OLD BUSINESS:

1. Rezoning Application #15/16-2, 480 Admiral Avenue – expanded rezoning consideration. Mr. Forth summarized the staff report dated December 11, 2015 and the Planning Commission decision at the December 3, 2015 meeting to consider additional areas for rezoning consideration under Rezoning Application #15/16-2. Mr. Forth discussed the original rezoning application submitted by Mr. Chad Scott for 480 Admiral Avenue and also reviewed various maps of the surrounding area that depicted existing zoning, existing land use and future land use designations. Mr. Forth indicated the Future Land Use Map designations were intended to serve as a general guide for future development and specific zoning district boundaries need to be determined on a case-by-case basis considering several other factors. Mr. Forth reviewed the historic development pattern of the single family and multiple family residential uses located along Admiral Avenue, Cameo Avenue and Dorset Street and also discussed three rezoning decisions that occurred in this area in 1968. Mr. Forth then summarized the three specific areas identified in the staff report where additional rezoning of properties could be considered by the Commission.

Chairman Welch asked for further direction and clarification of Planning Commission expectations regarding the expanded rezoning consideration. Mr. Forth stated the original rezoning request involving 480 Admiral Avenue has been adjourned to the January 21, 2016 meeting and, if desired by the Commission, the additional properties identified in the staff report could be added to the application and noticed for joint consideration during the January 21, 2016 meeting. Attorney Brown advised the Commission to focus tonight's discussion on the additional properties that could be considered for rezoning and not specifically discuss the original rezoning request involving 480 Admiral Avenue. The Commission and staff discussed various aspects of expanding the rezoning to include other properties such as the historic development/zoning patterns in the area, nonconforming duplex properties on Dorset Street, Future Land Use Map designations and other factors.

Three people spoke in regard to the expanded rezoning consideration: Mr. Rick Dueweke (606 Dorset), Ms. Kelly Cavanaugh (Nederveld Associates, representing the applicant of 480 Admiral Avenue rezoning request) and Mr. Bryan Cedarberg (612 Dorset Street). Mr. Dueweke presented a petition signed by the owners of 514, 532, 606, 612 and 618 Dorset Street requesting the seven properties located on Dorset Street be rezoned from R-1T to R-1A. Ms. Cavanaugh discussed the historic development/zoning pattern within the neighborhood and stated she believes the purpose and intent of these past decisions was to encourage a mixed use development with commercial land use along South Westnedge Avenue and then a transition from multiple family apartments, four-unit attached residential buildings, two-unit attached residential dwellings to single family detached residential dwellings as you move inward along Admiral Avenue, Dorset Street and Cameo Avenue. Ms. Cavanaugh stated the current I-1 zoning of the northern portion of 480 Admiral Avenue was not consistent with the surrounding neighborhood and the requested down zoning of the property to R-1T and construction of two-unit attached residential dwellings would be consistent and compatible with the surrounding development/zoning pattern. Ms. Cavanaugh also restated the southern portion of 480 Admiral Avenue was identified wetlands and not planned for development. Mr. Cedarberg stated that he disagrees with Ms. Cavanaugh's statements and indicated duplexes constructed at the end of Cameo Avenue would not be compatible with adjacent single family detached residential dwellings and would change the character of the neighborhood. Mr. Cedarberg stated he would not have purchased his home if he knew duplexes would be constructed at the end of Cameo Avenue and also expressed concerns about possible negative impacts on property values in the neighborhood.

The Commission discussed potential areas for inclusion in an expansion rezoning consideration. Commissioner Felicijan suggested retaining the existing R-1T zoning on the seven lots located on Dorset Street and including the five lots to the south (including the three existing duplex lots) in an expanded rezoning consideration to R-1T to create a consistent R-1T zoning pattern along the east side of Dorset Street. Commissioner Felicijan also suggested including the city-owned parcel addressed as 6979 South Westnedge Avenue in an expanded application to change the zoning from I-1, B-2 and RM-1 to R-1A. Commissioner Bosch stated he agrees with Commissioner Felicijan. Commissioner Dargitz stated she disagrees with Commissioners Felicijan and Bosch and believes the seven R-1T zoned lots located on the east side of Dorset Street should be considered for rezoning to R-1A to more accurately reflect the single family detached residential development pattern that occurred following the 1968 rezoning. Commissioner Dargitz also stated she agrees with Mr. Cedarberg and believes an R-1T zoning and construction of duplexes at the end of Cameo Avenue would not be consistent with the surrounding single family detached residential dwellings. Commissioner Dargitz stated a R-1T zoning district involving the three duplex units located at the south end of Dorset would be consistent with the existing land use and would create a transition into the multi-family residential along Admiral Street.

Following further discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Felicijan, to expand Rezoning Application #15/16-2 to consider rezoning 6843, 422, 426, 502, 508, 514, 520, 526, 532, 606, 612 and 618 Dorset Street from R-1A, R-1T and I-1, to R-1A and/or R-1T and a set a public hearing for January 21, 2016. The motion was unanimously approved 8-0. A motion was then made by Commissioner Bosch, seconded by Commissioner Felicijan, to expand Rezoning Application #15/16-2

to consider rezoning 6979 South Westnedge Avenue from I-1, RM-1 and B-2, to R-1A and a set a public hearing for January 21, 2016. The motion was unanimously approved 8-0.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

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

Respectfully submitted,

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

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PLANNING COMMISSION

January 21, 2016

The City of Portage Planning Commission meeting of January 21, 2016 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 15 citizens were in attendance.

PLEDGE OF ALLEGIANCE:

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

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Senior City Planner; and Randy Brown, City Attorney.

ROLL CALL:

Mr. Forth called the role and the following Commissioners were present: Patterson (yes), Stoffer (yes), Welch (yes), Dargitz (yes), Schimmel (yes), and Richmond (yes). A motion was offered by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the role excusing Commissioners Bosch, Somers and Felicijan. The motion was unanimously approved 6-0.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the January 7, 2016 meeting minutes contained in the agenda packet. A motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to approve the minutes as submitted. The motion was unanimously approved 6-0.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Preliminary Report: Rezoning Application #15/16-2 (expanded), Admiral Avenue/Dorset Street.

Mr. Forth summarized the preliminary staff report dated January 15, 2016 involving the Planning Commission expanded rezoning consideration of 480 Admiral Avenue, 6979 South Westnedge Avenue and 12 properties located along the east side of Dorset Street. Mr. Forth summarized previous Planning Commission discussions regarding this application that occurred on November 19th, December 3rd and December 17th and the decision to expand the consideration beyond the original request to rezone 480 Admiral Avenue. Mr. Forth then discussed the existing zoning, existing land use and Future Land Use Map designations for the 14 properties subject to the rezoning consideration, along with surrounding properties. Mr. Forth then summarized the preliminary analysis for the rezoning area and also referred the Commission to an email communication from Mr. Bryan Cederberg (612 Dorset Street) that was included in the final agenda packet.

Chairman Welch then opened the public hearing and the following citizens spoke in regard to the expanded rezoning consideration: 1) Mr. Greg Radd (Nederveld Associates, representing the applicant of the 480 Admiral rezoning request); 2) Mr. Rick Dueweke (606 Dorset); 3) Mrs. Alishia Cederberg (612

Dorset Street); 4) Mr. Bryan Cederberg (612 Dorset Street) and 5) Mr. Chad Scott (applicant/owner of 480 Admiral). Mr. Radd discussed the existing I-11/RM-1 zoning of 480 Admiral and the original request to rezone the property to R-1T in order to construct two duplexes along the northern portion. Mr. Radd restated the presence of wetlands and poor soils along the southern portion of the parcel and the intent to only develop the extreme northern portion of the property, at the east end of Cameo Avenue. Mr. Dueweke discussed the existing R-1T zoning of the seven Dorset Street lots and the previously submitted petition to rezone these lots to R-1A to reflect the historic single family detached residential development pattern. Mr. Dueweke also reviewed the Future Land Use Map designation of these Dorset Street lots and adjacent 480 Admiral Avenue parcel stated the R-1A zoning district is most consistent with the Future Land Use Map designation of Single-Family Detached Medium Density Residential. Ms. Cederberg discussed the existing zoning/land use arrangement along the east side of Dorset Street and stated that she believes the existing R-1T zoning is inconsistent with the established single family neighborhood. Ms. Cederberg discussed potential impacts associated with multiple family residential zoning and development and stated she supports rezoning the seven Dorset Street lots and 480 Admiral to R-1A. Mr. Cederberg read from his email communication provided to the Planning Commission in the final agenda packet and stated duplexes at the end of Cameo Avenue would change the character of the single family detached neighborhood. Mr. Cederberg stated development of the 480 Admiral Avenue parcel would eliminate the tree buffer adjacent the train tracks and would disrupt wildlife in the area. Mr. Cederberg discussed concerns and potential impacts associated with duplex development at the end of Cameo Avenue including increase traffic, speeding, devaluation of property values, trash, crime, etc. Mr. Cederberg stated he supports rezoning the seven Dorset lots and the 480 Admiral Avenue parcel from R-1T to R-1A consistent with the established single family detached neighborhood. Mr. Scott spoke in support of his original request to rezone 480 Admiral Avenue to R-1T and responded to citizen concerns regarding planned duplex development on the northern portion of the property. Mr. Scott indicated the duplexes would be approximately 1,600 square feet in size with three bedrooms and attached garages and rent for between $1,200-$1,400/month. Mr. Scott stated the duplexes would be constructed as condos and could be sold in the future. Mr. Scott indicated the duplexes would be occupied by families or young professionals and would be compatible with the existing neighborhood while enhancing adjacent property values.

After a brief discussion, a motion was made by Commissioner Dargitz, seconded by Commissioner Schimmel, to adjourn the public hearing for Rezoning Application #15/16-2, Admiral Avenue/Dorset Street, to the February 4, 2016 meeting. The motion was unanimously approved 6-0.

2. Final Report; Rezoning Application #15/16-3, 328 and 414 West Milham Avenue. Mr. West summarized the final staff report dated January 15, 2016 regarding a request to rezone the northern portions of 328 and 414 West Milham Avenue from R-1A, one family residential to OS-1, office service. Mr. West discussed the split zoning of the two properties and the historic use of the northern portions for office related parking. Mr. West reviewed the Comprehensive Plan and Future Land Use Map designations, the surrounding land use/zoning pattern and discussed the suitability of the existing R-1A zone and impacts of the proposed OS-1 zone. Mr. West stated staff was supportive of the proposed rezoning and the request was consistent with the Comprehensive Plan, Future Land Use Map and surrounding zoning/land use pattern and would eliminate the nonconforming status of the existing parking lots, while allowing for future office development/redevelopment flexibility and options.

Mr. Dan Jaqua (applicant/property owner) was present to support the rezoning application. The public hearing was reconvened by Chairman Welch. No citizens spoke regarding the proposed rezoning. A motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to close the public hearing. The motion was unanimously approved 6-0. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application #15/16-3 be approved and the northern 75-feet of 328 West Milham Avenue and the northern 100-feet of 414

PUBLIC HEARINGS:

1. Height Modification: Trade Centre III Office Building, 650 Trade Centre Way. Mr. West summarized the staff report dated January 29, 2016 regarding a request from H & G, LLC to construct a five-story office building at 650 Trade Centre Way to a height of 78-feet (measured at the top of the mechanical screening wall). Mr. West discussed the 2012 conceptual plan amendment for the Trade Centre Commercial Planned Development, which included a height modification to construct a four-story Trade Centre III Office building with a maximum height of 65-feet. Mr. West stated that applicant was now requesting approval to construct the building one-story and 13-feet higher than the 2012 approval. Mr. West discussed previous developments along Trade Centre Way including the three-story and four-story office buildings to the west and the two four-story hotel buildings to the east, the presence of the City of Kalamazoo wellfield site to the north and setback and elevation differences between the proposed office building and single family residence located to the north and west. Mr. West indicated staff was recommending approval of the height modification with a finding that the request satisfies requirements contained in Section 42-350(B)(6) and Section 42-414.G.

Mr. Greg Dobson, representing H & G, LLC, was present to support the application and explain the development history of the Trade Centre Commercial Planned Development. Mr. Dobson discussed the proposed building elevation and the setback distances and elevation differences between the proposed building and the nearest single family residences located in excess of 600-feet away. The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed height modification. A motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to close the public hearing. The motion was unanimously approved 7-0. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Stoffer, to recommend to City Council that the Height Modification for Trade Centre III Office Building, 650 Trade Centre Way, be approved to allow construction of the building to five-stories and a maximum height of 78-feet (top of mechanical screening wall). The motion included a finding that the Trade Centre III Office Building will be setback at least 78-feet from the outer boundaries of the zoning lot and the location, setback distances and topographic differences will mitigate potential impacts on adjacent single family residentially zoned properties to north consistent with Section 42-350(B)(6) and Section 42-414.G of the Land Development Regulations. The motion was unanimously approved 7-0.

2. Final Report: Rezoning Application #15/16-2 (expanded), Admiral Avenue/Dorset Street. Mr. Forth summarized the final staff report dated January 29, 2016 involving the Planning Commission expanded rezoning consideration of 480 Admiral Avenue, 6979 South Westnedge Avenue and 12 properties located along the east side of Dorset Street. Mr. Forth discussed the original request from Mr. Chad Scott to rezone 480 Admiral Avenue, the petition signed by several Dorset Street property owners to rezone seven Dorset Street lots and the previous Planning Commission discussions regarding this application and the decision to expand the rezoning consideration. Mr. Forth briefly discussed the existing zoning, existing land use and Future Land Use Map designations and then explained the staff recommendation regarding the rezoning and the rationale for the recommended zoning arrangement. Mr. Forth referred the Commission to a communication and attachments from Mr. Chad Scott (owner/applicant, 480 Admiral Avenue) that was included in the final agenda packet.

Chairman Welch reconvened the public hearing and the following citizens spoke in regard to the expanded rezoning consideration: 1) Mr. Greg Radd (Nederveld Associates, representing the applicant of the 480 Admiral rezoning request); 2) Mrs. Patricia Dueweke (606 Dorset); and 3) Mr. Bryan Cederberg (612 Dorset). Mr. Radd discussed the applicant's voluntary request to down-zone the property from I-1/RM-1 to R-1T in order to construct one to two duplexes along the northern portion of the property. Mr. Radd reaffirmed the presence of wetlands and poor soils along the southern portion of the parcel and the restated development was only planned for the northern portion of the property, at the east end of Cameo Avenue.

Mrs. Dueweke discussed the Future Land Use Map designation of the Dorset Street lots and adjacent 480 Admiral Avenue parcel and stated she supports the staff recommendation of R-1A for these properties since that zoning designation is most consistent with the Future Land Use Map and established single family residential neighborhood. Mr. Cederberg indicated he also supports the staff recommendation and the R-1A zoning best represents the established single family detached residential land use pattern in the adjacent neighborhood. No additional citizens spoke regarding the proposed rezoning. A motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to close the public hearing. The motion was unanimously approved 8-0.

After a brief discussion, a motion was made by Commissioner Stoffer, seconded by Commissioner Dargitz, to recommend to City Council that Rezoning Application #15/16-2 be approved with the following changes:

- 480 Admiral Avenue be rezoned from I-1, light industrial and RM-1, multiple family residential to R-1A, one family residential;
- 514, 520, 526, 532, 606, 612 and 618 Dorset Street be rezoned from R-1T, attached residential to R-1A, one family residential;
- 502 and 508 Dorset Street remain zoned R-1A, one family residential (No change);
- 6843, 422 and 426 Dorset Street (rear portions) be rezoned from I-1, light industry to R-1A, one family residential. Front portions of properties remain zoned R-1A (No change);
- 6979 South Westnedge Avenue be rezoned from I-1, light industry and RM-1, multiple family residential to R-1A, one family residential and the western portion of the parcel remaining zoned B-2, community business.

The motion included a finding that the rezoning recommendation establishes a zoning pattern that is most consistent with the Comprehensive Plan/Future Land Use Map designations and that best reflects the historic land use pattern within the Cameo Avenue/Dorset Street single family detached residential neighborhood. The recommended R-1A zoning for 514, 520, 526, 532, 606, 612 and 618 Dorset Street would not create any nonconformities and would most accurately reflect the historic use of these properties as single family detached residences. A rezoning of 480 Admiral Avenue from I-1 and RM-1 is appropriate as the current zoning is not compatible with the neighborhood, nor consistent with the Comprehensive Plan. While the requested R-1T zoning can be considered appropriate given the existing zoning pattern and would result in a reduction in intensity of land uses, R-1A zoning is recommended. The recommended R-1A zoning for this parcel allows the property owner future single family development options, consistent with the adjacent single family detached residential land use pattern, and is most consistent with the Comprehensive Plan. The recommended R-1A/B-2 zoning pattern for the city-owned parcel at 6979 South Westnedge Avenue would better reflect the park/recreation designation of this property while protecting adjacent commercial and office uses from additional land use restrictions related to screening, setbacks and building height. Finally, no change to the R-1A zoning for 502 and 508 Dorset Street, and a zoning change to R-1A for the rear portions of 6843, 422 and 426 Dorset Street would reaffirm the predominant single family detached residential zoning and land use pattern within the Cameo Avenue/Dorset Street neighborhood. The motion was approved 6-2 with Commissioners Bosch and Schimmel voting in opposition.

3. Final Report; Rezoning Application #15/16-4, 1521, 1603 and 1615 East Centre Avenue. Mr. Forth summarized the final staff report dated January 29, 2016 regarding a request from Full Circle Communities to rezone 1521, 1603 and 1615 East Centre Avenue from R-1B, one family residential, RM-1, multiple family residential and OS-1, office service to PD, planned development. Mr. Forth summarized the proposed tentative plan for Selinon Park that would consist of 74 affordable apartment units within three buildings across the property. Mr. Forth discussed the historic district house and property located at 1521 East Centre Avenue and stated the Historic District Commission met yesterday (February 3rd) and is supportive of the

PORTAGE
A Natural Place to Move

Department of Community Development

TO: Planning Commission **DATE:** January 29, 2016

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Final Report: Rezoning Application #15/16-2 (expanded), 480 Admiral Avenue; 6979 South Westnedge Avenue; 6843, 422, 426, 502, 508, 514, 520, 526, 532, 606, 612 and 618 Dorset Street

I. INTRODUCTION:

An application has been received from Mr. Chad Scott requesting that 480 Admiral Avenue be rezoned from RM-1, multiple family residential and I-1, light industry to R-1T, attached residential. According to the applicant, the rezoning would facilitate construction of one (1) to three (3) two-family residential dwellings (duplexes) along the northern portion of the property, at the eastern terminus of Cameo Avenue.

The Planning Commission initially convened a public hearing during the November 19th and December 3rd, 2015 meetings to discuss the proposed rezoning of 480 Admiral Avenue. After receiving public comment, and as recommended by staff, the Commission voted unanimously to adjourn the rezoning application until the January 21, 2016 meeting to further evaluate the application, including consideration to expand the rezoning area. During the December 17th meeting, the Planning Commission reviewed the surrounding area and decided to expand the rezoning application to also consider rezoning 6979 South Westnedge Avenue from I-1, light industry, RM-1, multiple family residential and B-2 community business to R-1A, one family residential; and 6843, 422, 426, 502, 508, 514, 520, 526, 532, 606, 612 and 618 Dorset Street from R-1A, one family residential, R-1T, attached residential and I-1, light industry to R-1A, one family residential and/or R-1T, attached residential. A summary of the properties included in the expanded rezoning application is provided in the table below.

Applicant	Property Address	Parcel Number	Zoning	
			Existing	Proposed
Chad Scott	480 Admiral Avenue	00010-260-O	I-1/RM-1	R-1T
Planning Commission	6979 South Westnedge Avenue	00010-256-A	I-1/RM-1/B-2	R-1A
Planning Commission	6843 Dorset Street	06840-044-O	R-1A/I-1	R-1T or R-1A
Planning Commission	422 Dorset Street	06840-042-O	R-1A/I-1	R-1T or R-1A
Planning Commission	426 Dorset Street	06840-041-O	R-1A/I-1	R-1T or R-1A
Planning Commission	502 Dorset Street	06840-040-O	R-1A	R-1T
Planning Commission	508 Dorset Street	06840-039-O	R-1A	R-1T
Planning Commission	514 Dorset Street	06840-038-O	R-1T	R-1A
Planning Commission	520 Dorset Street	06840-037-O	R-1T	R-1A
Planning Commission	526 Dorset Street	06840-036-O	R-1T	R-1A
Planning Commission	532 Dorset Street	06840-035-O	R-1T	R-1A
Planning Commission	606 Dorset Street	06840-034-O	R-1T	R-1A
Planning Commission	612 Dorset Street	06840-033-O	R-1T	R-1A
Planning Commission	618 Dorset Street	06840-032-O	R-1T	R-1A
14 parcels/lots				

II. EXISTING CONDITIONS (ZONING, EXISTING AND FUTURE LAND USE):

Attached are several maps that depict the existing zoning pattern, existing land use pattern and Future Land Use Map designations for the properties included in the expanded rezoning consideration and surrounding area. Commercial land use/zoning (B-2, B-3) is present along the South Westnedge Avenue frontage properties and the west end of Admiral Avenue, while multiple family residential land use/zoning (apartments and four-unit attached buildings zoned RM-1) is present along the north and south sides of Admiral Avenue. Properties located along Cameo Avenue and Dorset Street are primarily single-family detached residential homes zoned R-1A and R-1T, with the exception of three, two-family attached dwellings (duplexes) located along the southeast side of Dorset Street. Commercial and industrial land use/zoning (B-2 and I-1) including the Portage Crossings Shopping Center, Home Depot and Consumers Energy substation are situated north and west of the homes on Cameo Avenue. The original rezoning parcel at 480 Admiral Avenue is vacant with the southern portion zoned RM-1 and the northern portion zoned I-1. Vacant land zoned I-1 and RM-1 and owned by the City of Portage and part of the Bicentennial Park is located east of 480 Admiral Avenue and south of four-unit attached dwellings on Admiral Avenue.

The Future Land Use Map component of the Comprehensive Plan identifies the commercial properties located along South Westnedge Avenue and west/north of the homes on Cameo Avenue as appropriate for Regional Business land use. The vacant city-owned property located east of the homes on Dorset Street and south of the four-unit attached dwellings on Admiral Avenue is primarily identified for Park/Recreation land use. A portion of this land south of 200 and 280 Admiral Avenue is designated for Regional Business land use. Multiple family and single family residential properties located along Admiral Avenue, Cameo Avenue and Dorset Street are designated for Single-Family Detached Medium Density Residential (SFD-MD) land use. The SFD-MD land use designation is intended to provide for a greater diversity in single-family housing development at higher densities (up to 6 units per acre) than allowed under the Low Density Residential designation (1-4 units per acre). Areas planned for SFD-MD land use are often located adjacent to higher intensity uses, such as the Regional Business area, and generally correspond to the R-1A, one family residential and PD, planned development zoning districts. Based on Zoning Code requirements, the R-1A district allows for a maximum residential development density of 4-5 units/acre (detached), while the PD district allows for up to 7 units/acre (combined single-family and multi-family units). For comparison purposes, the R-1T district allows for a maximum residential development density of 7 units/acre (attached).

While Future Land Use Map designations are intended to serve as a general guide for future development and rezoning considerations, they are not necessarily intended to be property line and/or parcel specific. Specific zoning district boundaries need to be determined on a case-by-case basis considering overall consistency with the Comprehensive Plan/Future Land Use Map, surrounding land use/zoning pattern, development/redevelopment potential, impacts on adjacent properties and other factors.

Furthermore and as cited in Chapter 4 of the Comprehensive Plan, the Future Land Use Plan is a representation of general physical features/land use activities in the city when fully developed and does not imply that all of the changes will or should occur in the near term. Development and redevelopment will proceed in a manner consistent with policies on the environment, transportation and infrastructure capacity, as examples, and other matters which help determine the appropriate timeframe. Also, zoning decisions should, over time, produce changes that gradually establish greater conformity between the Zoning Map and the Future Land Use Plan. Importantly, deviations from the Future Land Use Map and Comprehensive Plan may be appropriate when justified by more detailed information, changes to conditions, or in the case where a deviation is not contrary to the overall intent and purpose of the Plan.

III. HISTORICIAL RESIDENTIAL DEVELOPMENT/ZONING PATTERN:

Development of the multiple-family and single family residential uses located along Admiral Avenue, Cameo Avenue and Dorset Street began with approval of the Ramey Park Plat in 1958 (see attached plat map). The Ramey Park Plat includes the lots located along the north side of Admiral Avenue and along both sides of Cameo Avenue and Dorset Street. Subsequently, single family detached residential home construction began in the late 1950's and concluded in the mid-1970's. According to available city records, the three, two-family attached residential dwellings (duplexes) located at 6843, 422 and 426 Dorset Street were constructed in 1965 prior to the comprehensive rezoning of the city. Prior to the 1965 rezoning, the property was zoned "B Residence" that permitted both single-family and two-family dwellings. The 1965 zoning change to R-1A made these three duplexes nonconforming.

In 1968, City Council approved three rezoning applications (see attached map) that established the current zoning pattern and eventually facilitated construction of the apartment building located at 135 Admiral Avenue and the four-unit attached residential dwellings located along the south side of Admiral Avenue. Application #68-1 rezoned 280, 310, 340, 370, 400 and 430 Admiral Avenue from R-1A to RM-1 and 440 and 450 Admiral Avenue from I-1 to RM-1. The Woodside Ridge No. 1 plat was subsequently created in 1976, and construction of the four-unit attached residential buildings occurred in the late 1970s. Application #68-4 rezoned 135 Admiral Avenue from B-2 to RM-1 and subsequent construction of the apartment building occurred in approximately 1974. Application #68-3 rezoned 514, 520, 526, 532, 606, 612 and 618 Dorset from R-1A to R-1T, however, subsequent construction of single family detached residences occurred in the early 1970s. Application #68-3 also rezoned the rear portion of the subject rezoning parcel (480 Admiral Avenue) and a small triangular-shaped piece of the city-owned parcel located at 6979 South Westnedge Avenue from I-1 to RM-1, however, these properties have remained undeveloped.

IV. PUBLIC HEARING/COMMENTS:

The Planning Commission convened a public hearing to consider the expanded rezoning application during the January 21, 2016 meeting. Mr. Rick Dueweke (606 Dorset), Mrs. Alishia Cederberg (612 Dorset Street) and Mr. Bryan Cederberg (612 Dorset Street) spoke in opposition to the request to rezone 480 Admiral Avenue to R-1T for development of duplexes and stated that 480 Admiral Avenue and the seven existing Dorset Street lots, also zoned R-1T, should be rezoned to R-1A to reflect the historic single family detached residential development pattern of the neighborhood. Mr. Dueweke stated the R-1A zoning district is most consistent with the Future Land Use Map designation and Mr. and Mrs. Cederberg discussed potential negative impacts associated with multiple family residential zoning including increase traffic, speeding, devaluation of property values, trash, noise and crime. Mr. Chad Scott (original applicant/owner of 480 Admiral) and Mr. Greg Radd (Nederveld Associates, representing Mr. Scott) were present to support the original rezoning request of 480 Admiral Avenue to R-1T. Mr. Scott responded to citizen concerns regarding his plans to construct two duplex units along the northern portion of the property, at the eastern terminus of Cameo Avenue. Mr. Scott discussed specifics of the project and stated the duplexes would be occupied by families or young professionals and would be compatible with the existing neighborhood while enhancing adjacent property values.

V. FINAL ANALYSIS:

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

480 Admiral Avenue (original rezoning request)

- Existing Land Use: Vacant
- Existing Zoning: I-1, light industry (northern portion), RM-1, multiple family residential (southern portion)
- Future Land Use Map: Single-Family Detached-Medium Density Residential
- History: In 1968, the southern portion of this parcel was rezoned from I-1 to RM-1, in conjunction with the rezoning of the seven lots on Dorset Street from R-1A to R-1T (see below). While the current zoning permits a mix of industrial and multi-family residential land uses, the property has remained vacant largely due to location, accessibility and environmental limitations.
- Suitability of Existing Zoning/Impacts of Zoning Change: The existing I-1 zone along the northern portion of parcel and potential future industrial development would not be compatible with adjacent residential neighborhood. A zoning change to R-1T as requested by the applicant would constitute a "down zoning" and a reduction in the intensity of the land use currently allowed under the existing I-1/RM-1 zoning. However, a zoning change to R-1A would be most consistent with the Future Land Use Map designation and the historic single family detached residential development pattern in the adjacent neighborhood.

514, 520, 526, 532, 606, 612 and 618 Dorset Street

- Existing Land Use: single-family detached residential homes
- Existing Zoning: R-1T, attached residential
- Future Land Use Map: Single-Family Detached-Medium Density Residential
- History: In 1968, these seven lots were rezoned from R-1A to R-1T. While two-family attached dwellings (duplexes) could have been constructed on these lots, single-family detached homes were subsequently constructed in the late 1960's/early 1970's.
- Suitability of Existing Zoning/Impacts of Zoning Change: The existing R-1T zoning in not necessary to support the long-term use of these properties as single family detached homes. A zoning change from R-1T to R-1A would not create nonconformities at these properties. However, possible future conversion of these homes to duplexes or redevelopment of these lots with duplexes would not be permitted at these properties under an R-1A zoning designation. The R-1A zoning district also more accurately reflects the historic use of these properties and is most consistent with the Future Land Use Map designation.

502 and 508 Dorset Street

- Existing Land Use: single-family detached residential homes
- Existing Zoning: R-1A, one-family residential
- Future Land Use Map: Single-Family Detached-Medium Density Residential
- History: The single-family detached residential homes on these two lots were constructed in the early 1970s consistent with the R-1A zoning district.
- Suitability of Existing Zoning/Impacts of Zoning Change: The existing R-1A zoning for these two lots is consistent with the established single-family detached residential land use pattern and the neighborhood. While a zoning change to R-1T could be considered, it is not necessary to support the existing single-family detached residential homes. The R-1T district would not be entirely consistent with the Future Land Use Map and would allow for future conversion of these homes to duplexes, or redevelopment of the lots with duplexes. Retention of the R-1A zoning is consistent with the existing land use pattern and the Future Land Use Map.

6843, 422 and 426 Dorset Street

- Existing Land Use: two-family attached dwellings (duplexes)
- Existing Zoning: R-1A, one-family residential and I-1, light industrial (rear portions)
- Future Land Use Map: Single-Family Detached-Medium Density Residential
- History: According to city records, duplexes on these three properties were constructed in 1965 prior to the adoption of the City of Portage comprehensive zoning ordinance and map. When these three duplexes were developed, the property was zoned "B Residence", which permitted single-family and two-family residential uses. Following the comprehensive update of the city zoning ordinance and map in 1965, these three duplexes are lawfully nonconforming and governed by the nonconforming use regulations of the Zoning Code. The rear portions of these properties, which are currently zoned I-1 and vacant, appear to be a result of a lot line adjustment that occurred sometime in the 1970's.
- Suitability of Existing Zoning/Impacts of Zoning Change: Retention of the existing R-1A zoning for the front portion of these three parcels would continue the historical nonconforming status of the existing duplexes. A zoning change from I-1 to R-1A for the rear portions of these properties would be consistent with the current R-1A zoning of the front portion and the Future Land Use Map. Since the rear portions of these properties are currently vacant, a zoning change to R-1A would not affect the status of the existing duplexes located on the front portions of these properties. Alternatively, a zoning change from R-1A/I-1 to R-1T for the entirety of these properties could also be considered, which would eliminate the nonconforming use status of the duplexes on these three properties. However, and as stated previously, the R-1A zoning is most consistent with the Future Land Use Map designation of Single-Family Detached-Medium Density Residential.

6979 South Westnedge Avenue

- Existing Land Use: vacant, city owned property which is part of Bicentennial Park
- Existing Zoning: I-1, light industrial, RM-1, multiple family residential, B-2, community business
- Future Land Use Map: Park/Recreation and Regional Business (extreme western portion)
- History: This approximate 20 acre parcel is L-shaped paralleling the west side of the Grand Elk railroad tracks and fronting the north side of Romence Road Parkway with approximately 1,450 feet of frontage (a small area of this parcel is also located on the south side of Romence Road Parkway, which is zoned R-1A). The property is designated for recreation and park and is part of the Bicentennial Park system. As such, the property cannot be sold and privately developed without a change in the park designation and/or a referendum vote by the residents of Portage.
- Suitability of Existing Zoning/Impacts of Zoning Change: Given the city ownership of the property and park designation, a zoning change from I-1, RM-1 and B-2 to R-1A, or a similar low intensity residential district, could be considered and would be more consistent with the Comprehensive Plan, but would not affect future use or designation of this land area. Modifying the zoning pattern adjacent to the existing commercial/multiple family residential land uses located along South Westnedge Avenue and Admiral Avenue may impact land use restrictions related to screening, setbacks and building height apply when adjacent to single family residential zoning. To address this issue, the western portion of the parcel currently zoned B-2 could be retained.

VI. RECOMMENDATION:

Following the first public hearing involving only 480 Admiral Avenue on November 19, 2015 staff could support a zoning change to either R-1A or R-1T. Prior to or during the November 19th public hearing, no public comment had been received. As a result, staff provided the Commission with a recommendation to rezone 480 Admiral Avenue to R-1T. Although not as consistent with the Comprehensive Plan designation of Single-Family Detached-Medium Density Residential as the R-1A district, the R-1T district is a lower intensity attached residential zoning district and represents a down-zoning of the property from I-1, light industrial and RM-1, multi-family residential that would permit higher intensity land uses. During the second and what would have been the final public hearing held on December 3, 2015, several neighborhood residents attended the meeting and expressed concerns and opposition to the proposed zoning change.

In the preliminary staff report dated November 13, 2015, staff noted there were other inconsistencies between the Future Land Use Plan Map and current zoning in this area and suggested the Commission consider these inconsistences at a later date so as not to delay the applicant. However, during the December 3rd public hearing, these other zoning inconsistencies were discussed in relation to the 480 Admiral Avenue rezoning application. Two Dorset Street residents indicated the zoning of their property and several others along Dorset Street was incorrect and should be changed. After additional discussion, the Planning Commission voted to adjourn the rezoning application until the January 21, 2016 meeting to further evaluate the application, including consideration to expand the rezoning area. During the December 17th meeting, the Planning Commission reviewed the surrounding area and accepted public comment from the applicant and neighborhood residents. A petition was submitted by five of seven Dorset Street property owners requesting their lots be rezoned from R-1T to R-1A. At the conclusion of the discussion, the Commission voted to expand the rezoning application to include several additional properties adjacent to 480 Admiral Avenue and set a public hearing on January 21, 2016.

After evaluating the entire area (current zoning/land use patterns and future land use designations) and consideration of public input from both the applicant and neighborhood residents, staff is advising the Planning Commission, subject to any additional comments that may be received during the public hearing, to recommend to City Council that Rezoning Application #15/16-2 be approved with the following changes:

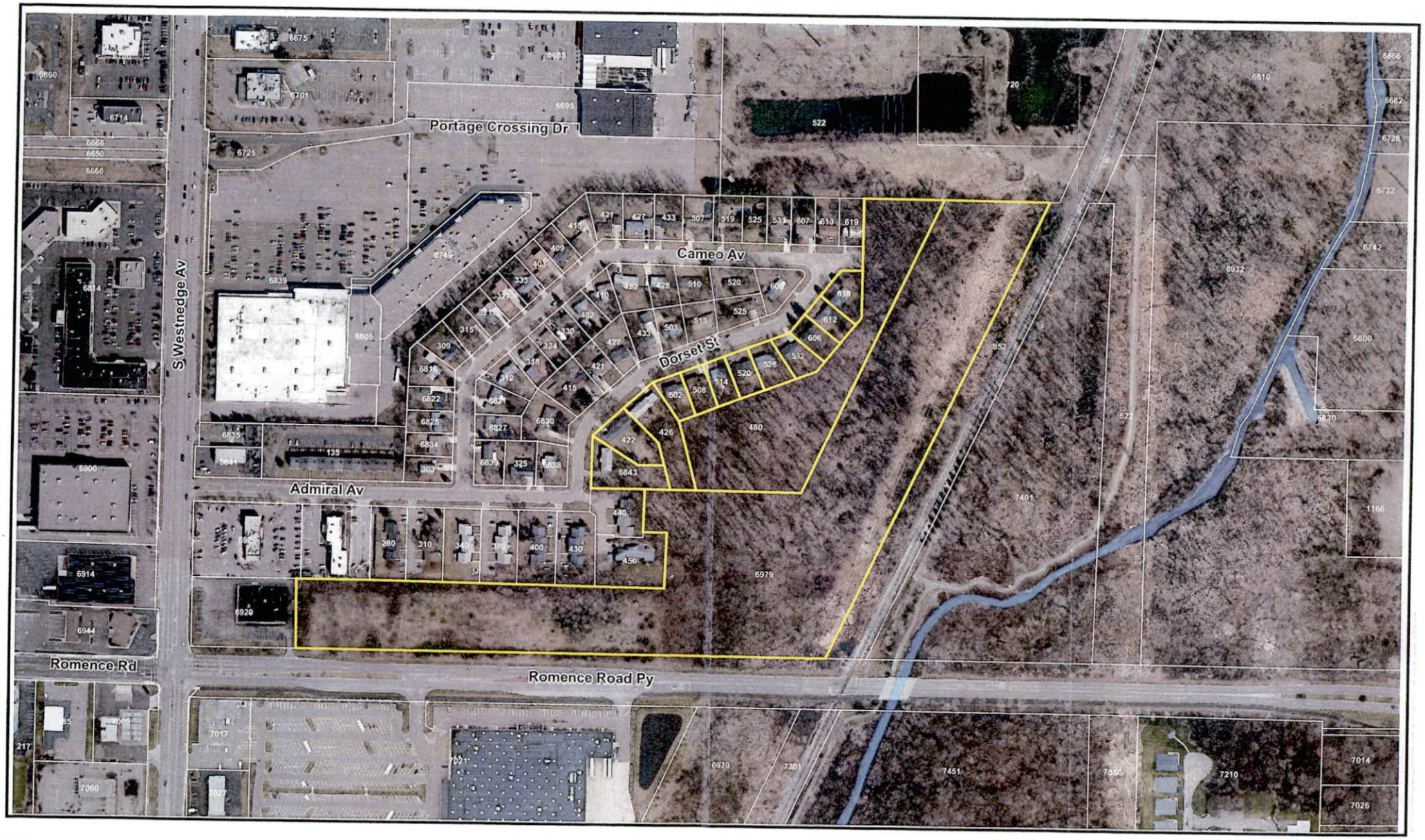
- 480 Admiral Avenue be rezoned from I-1, light industrial and RM-1, multiple family residential to R-1A, one family residential;
- 514, 520, 526, 532, 606, 612 and 618 Dorset Street be rezoned from R-1T, attached residential to R-1A, one family residential;
- 502 and 508 Dorset Street remain zoned R-1A, one family residential (No change);
- 6843, 422 and 426 Dorset Street (rear portions) be rezoned from I-1, light industry to R-1A, one family residential. Front portions of properties remain zoned R-1A (No change);
- 6979 South Westnedge Avenue be rezoned from I-1, light industry and RM-1, multiple family residential to R-1A, one family residential and the western portion of the parcel remaining zoned B-2, community business.

The rezoning recommendation establishes a zoning pattern that is most consistent with the Comprehensive Plan/Future Land Use Map designations and that best reflects the historic land use pattern within the Cameo Avenue/Dorset Street single family detached residential neighborhood. The recommended R-1A zoning for 514, 520, 526, 532, 606, 612 and 618 Dorset Street would not create any nonconformities and would most accurately reflect the historic use of these properties as single family detached residences. A rezoning of 480

Admiral Avenue from I-1 and RM-1 is appropriate as the current zoning is not compatible with the neighborhood, nor consistent with the Comprehensive Plan. While the requested R-1T zoning can be considered appropriate given the existing zoning pattern and would result in a reduction in intensity of land uses, R-1A zoning is recommended. The recommended R-1A zoning for this parcel allows the property owner future single family development options, consistent with the adjacent single family detached residential land use pattern, and is most consistent with the Comprehensive Plan. The recommended R-1A/B-2 zoning pattern for the city-owned parcel at 6979 South Westnedge Avenue would better reflect the park/recreation designation of this property while protecting adjacent commercial and office uses from additional land use restrictions related to screening, setbacks and building height. Finally, no change to the R-1A zoning for 502 and 508 Dorset Street, and a zoning change to R-1A for the rear portions of 6843, 422 and 426 Dorset Street would reaffirm the predominant single family detached residential zoning and land use pattern within the Cameo Avenue/Dorset Street neighborhood.

Attachments: Aerial Photograph Map
Existing Zoning Map
Existing Land Use Map
Future Land Use Map
Previous Rezoning Map (1968 rezonings)
Residential Structure Map (approximate construction periods)
Plat Maps (Ramey Park and Woodside Ridge No. 1)
Original Rezoning Application and Supporting Material (Chad Scott, 480 Admiral)
Expanded Rezoning Application (Planning Commission)
Citizen communications received

S:\Commdev\2015-2016 Department Files\Board Files\Planning Commission\PC Reports\Rezonings\2016 01 29 Rezoning Application #15-16-2 (expanded), Admiral-Dorset (final).doc

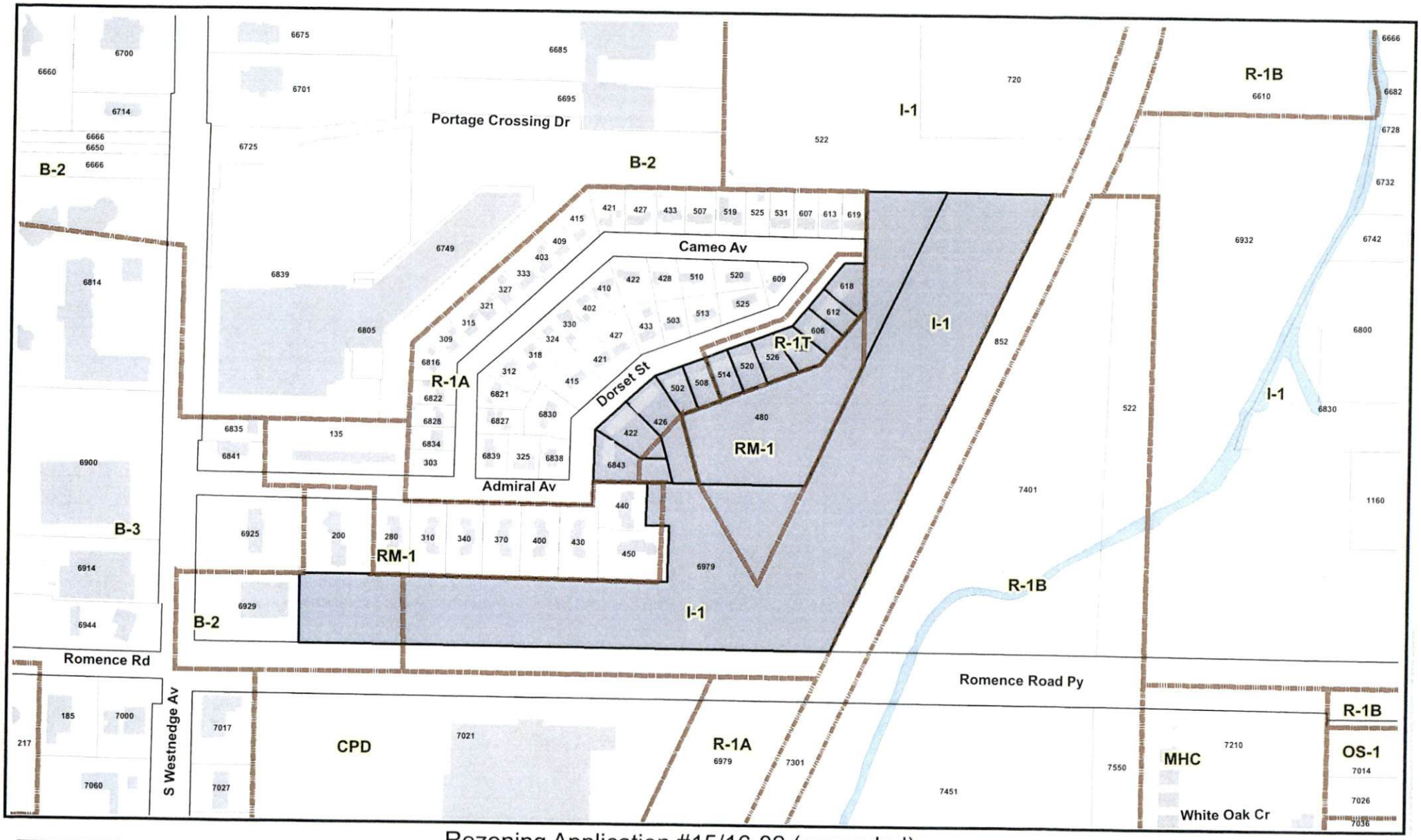


Subject Properties

Date of photography: March 2013

Aerial Photo

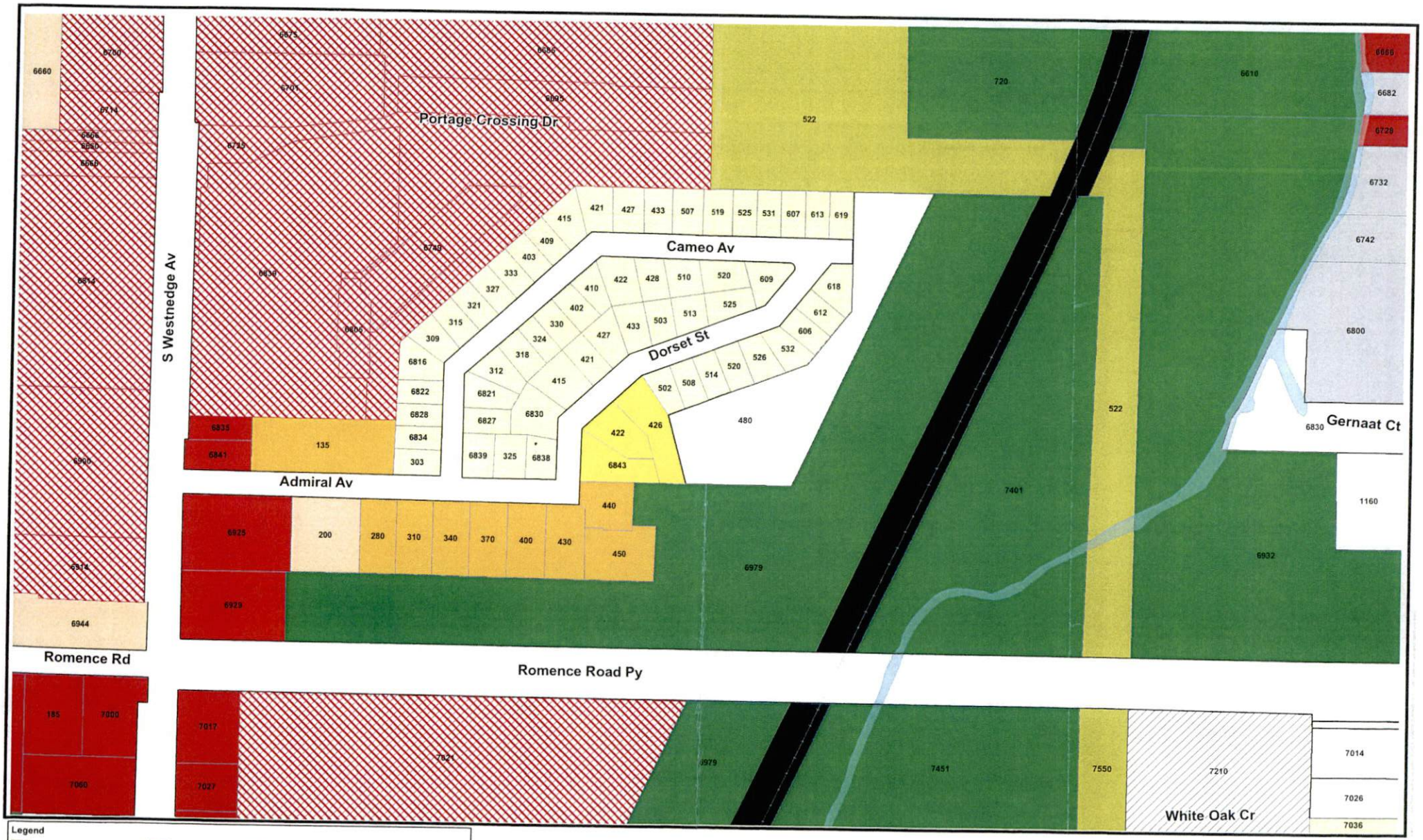
1 inch = 233 feet



Legend
Zoning Boundary
Subject Properties

Rezoning Application #15/16-02 (expanded)
480 Admiral, 6979 South Westnedge Avenue,
6843,422,426,502,508,514,520,526,532,606,612,618 Dorset Street

1 inch = 233 feet

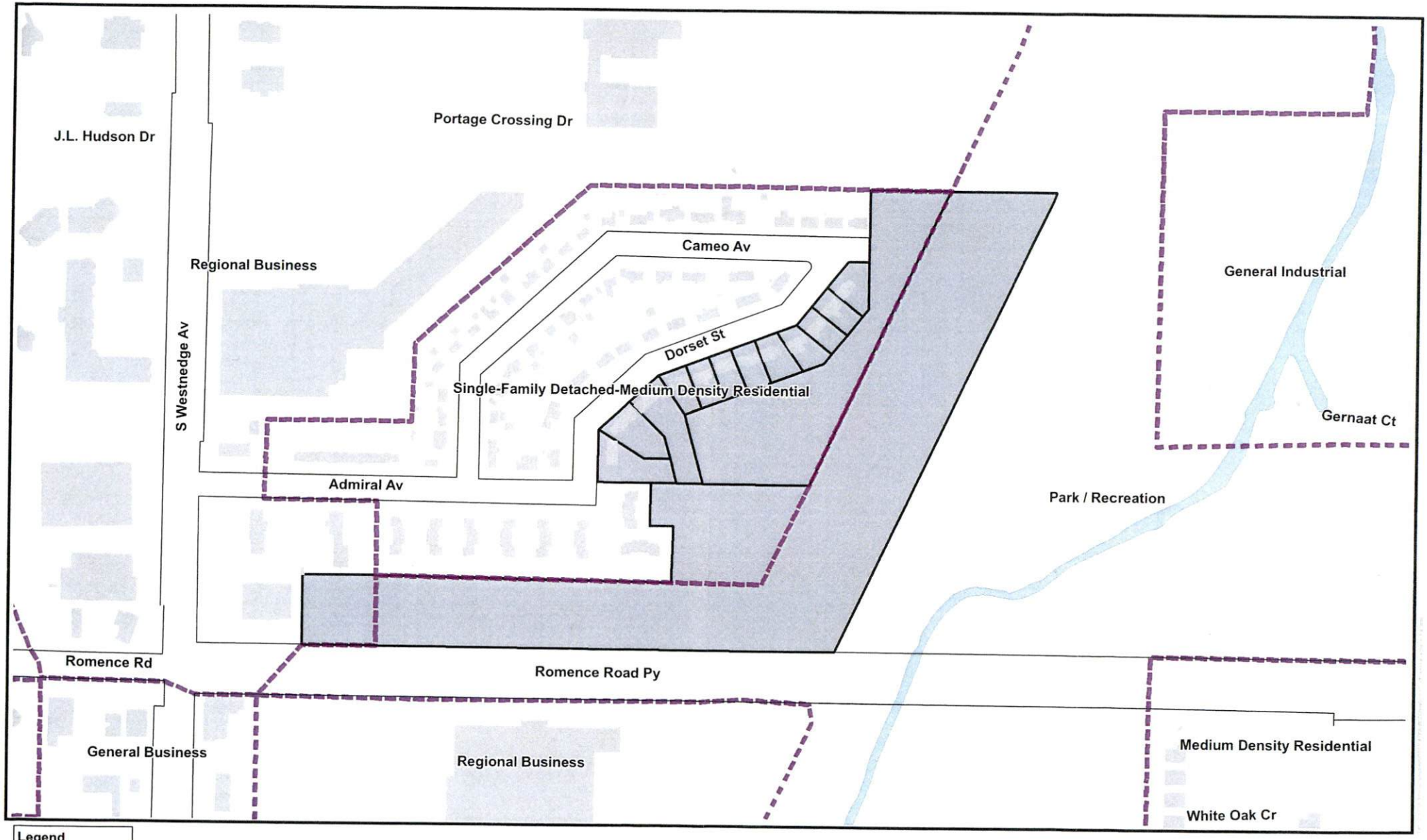


Legend

- Single-Family
- Two-Family
- MHP - Manufactured Home Park
- MFMD - Multi Family Medium Density
- MFHD - Multi Family High Density
- LB - Local Business
- GB - General Business
- OF - Office
- CP - Regional Business
- LIND -Light Industrial
- HI - Heavy Industrial
- AG - Agriculture
- AG-INT- Agriculture Intensive
- Utility
- P/I - Public Institutional
- Vacant/Undeveloped
- PRVREC - Private Recreation
- PUBREC - Public Recreation
- ROW

Existing Land Use Map

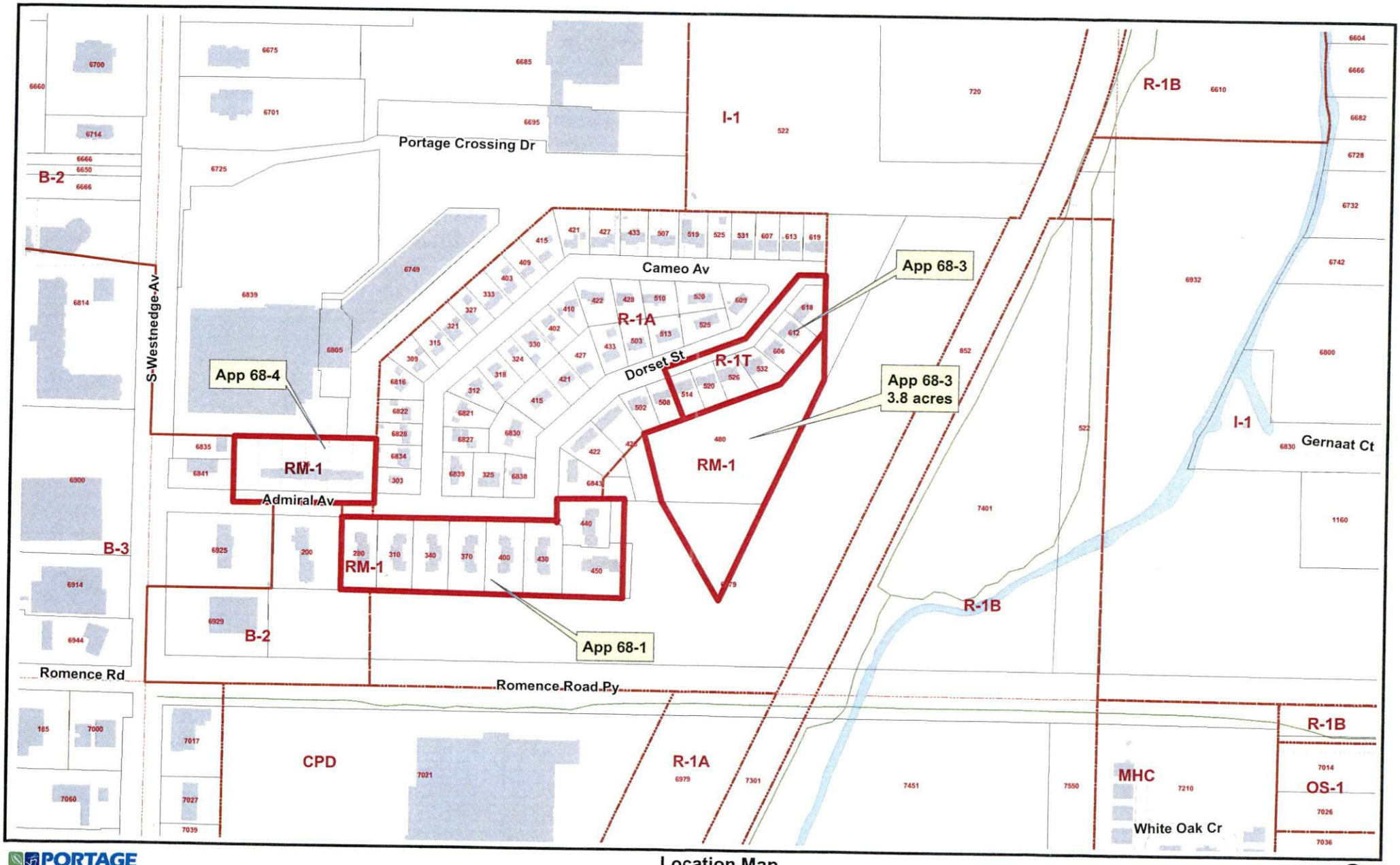
1 inch = 233 feet



Legend
Future Land Use
Subject Properties

Future Land Use Map

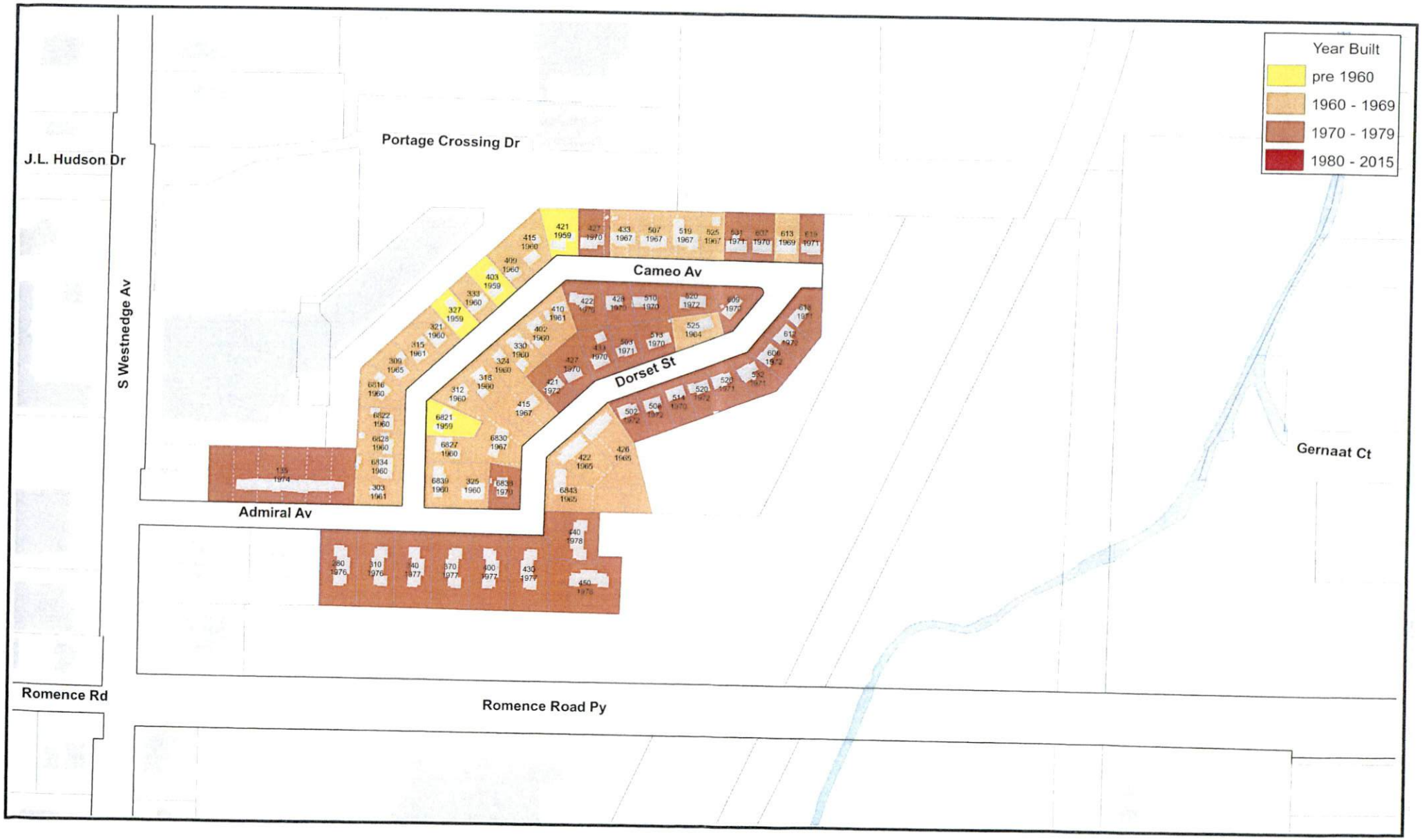
1 inch = 233 feet



PORTAGE
A Natural Place to Move

Location Map
Previous Rezonings

1 inch = 233 feet
Date: 12/18/2015



Structure Year Built

Data disclaimer:Specific construction dates taken from available city records and are considered approximate.

1 inch = 228 feet

COPY 3 SHEET 1 OF 2

PLAT OF "RAMEY PARK"

SEC.10, T.3 S., R.11 W.
TOWNSHIP OF PORTAGE
COUNTY OF KALAMAZOO
MICHIGAN

SCALE: ONE INCH EQUALS 100 FEET

25 100 300 500
0 50 200 400

ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF

N
W E
S

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That We, Harold J. Easley and Wilhelmine Easley, his wife, Richard DeBruin and Mary DeBruin, his wife, and Richard F. Early, Sr. and Nellie Early, his wife, as proprietors, have caused the land embraced in the annexed plat to be surveyed, laid out, and platted, to be known as "RAMEY PARK", Section 10, Town 3 South, Range 11 West, Township of Portage, County of Kalamazoo, Michigan and that the Drainage Easement as shown on said plat is hereby dedicated to the use of the public for the construction and maintenance of a storm sewer.

Signed and Seated in the Presence of:

ROBERT E. SMITH
ROBERT W. EASLEY
R.H. LOVE
J.W. GLASNER

Harold J. Easley
Wilhelmine Easley
RICHARD F. EARLY, SR.
NELLIE EARLY
RICHARD DeBRUIN
MARY DeBRUIN

ACKNOWLEDGEMENT

STATE OF MICHIGAN) SS
County of Kalamazoo)

On this 13 th day of September, 1959, before me, a Notary Public in and for said county, personally came the above named Harold J. Easley and Wilhelmine Easley, his wife, Richard DeBruin and Mary DeBruin, his wife, and Richard F. Early, Sr. and Nellie Early, his wife, known to me to be the persons who executed the above dedication, and acknowledged the same to be their free act and deed.

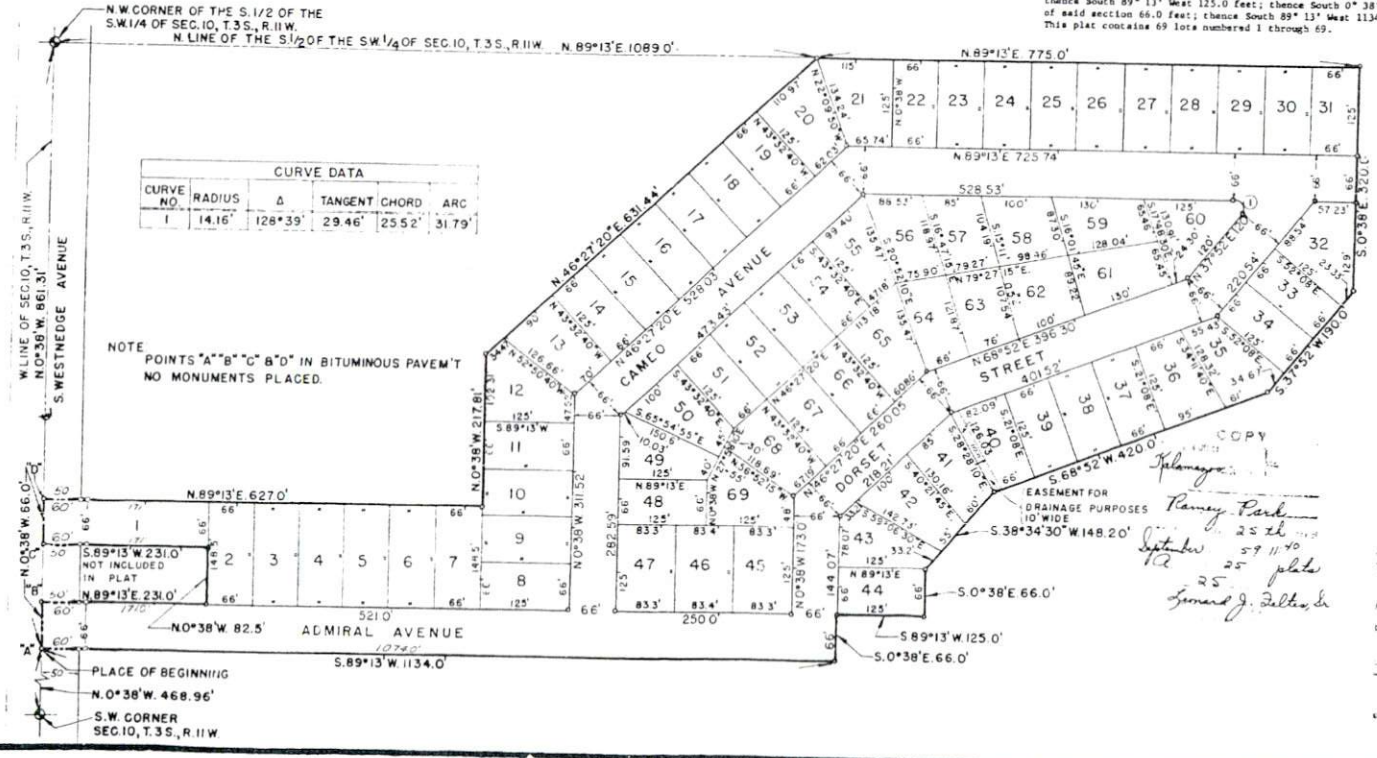
My Commission expires:
ROBERT E. SMITH
Notary Public, Kalamazoo Co., Mich.
My Commission Expires Jan. 18, 1963

Robert E. Smith
Notary Public, Kalamazoo County Michigan

DESCRIPTION

The land embraced in the annexed plat of "RAMEY PARK" is located in Southwest quarter of Section 10, Town 3 South, Range 11 West, Township of Portage, County of Kalamazoo, Michigan and is more particularly described as follows:

COMMENCING at the Southwest corner of Section 10, T. 3 S., R. 11 W.; thence North 0° 38' West along the West line of said section 468.96 feet to the place of beginning; thence continuing North 0° 38' West along said West line 66.0 feet; thence North 89° 13' East 231.0 feet; thence North 0° 38' West 82.5 feet; thence South 89° 13' West 231.0 feet to the West line of said section; thence North 0° 38' West along said West line 66.0 feet; thence North 89° 13' East 627.0 feet; thence North 0° 38' West parallel to the West line of said section 217.81 feet; thence North 46° 27' 20" East 631.44 feet to a point on the North line of the South half of the Southwest quarter of Section 10, T. 3 S., R. 11 W., 1089.0 feet North 89° 13' East from the Northwest corner of said South half of the Southwest quarter of Section 10, T. 3 S., R. 11 W., thence North 89° 13' East along the North line of the South half of the Southwest quarter of said section 775.0 feet; thence South 0° 38' East parallel to the West line of said section 320.0 feet; thence South 37° 52' West 190.0 feet; thence South 68° 52' West 420.0 feet; thence South 38° 34' 30" West 148.20 feet; thence South 0° 38' East parallel to the West line of said section 66.0 feet; thence South 89° 13' West 125.0 feet; thence South 0° 38' East parallel to the West line of said section 66.0 feet; thence South 89° 13' West 1134.0 feet to the place of beginning. This plat contains 69 lots numbered 1 through 69.



CURVE DATA					
CURVE NO.	RADIUS	Δ	TANGENT	CHORD	ARC
1	14.16'	128°39'	29.46'	25.52'	31.79'

COPY
Kalamazoo
Ramey Park
25 th
September
59 11 40
25 plats
25
Leonard J. Fulton, Sr.

September 10, 1959
September 16, 1959
September 10, 1959
D. L. MacElroy

42342

COPY NO 3
SH. 2 OF 2

PLAT OF
"RAMEY PARK"

SECTION 10, T3S, R11W
TOWNSHIP OF PORTAGE, COUNTY OF KALAMAZOO
MICHIGAN
SCALE ONE INCH EQUALS 100 FEET

ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That We, Harold J. Eesley and Wilhelmine Eesley, his wife, Richard DeBruin and Mary DeBruin, his wife, and Richard P. Early, Sr. and Nellie Early, his wife, as proprietors, have caused the land embraced in the annexed plat to be surveyed, laid out, and platted, to be known as "RAMEY PARK", Section 10, Town 3 South, Range 11 West, Township of Portage, County of Kalamazoo, Michigan and that ADMIRAL Avenue, Cameo Avenue, Dorset Avenue, and that portion of Westnedge Avenue as shown on said plat are hereby dedicated to the use of the public.

Signed and Sealed in the Presence of:

RUBY E. SMITH

JAMES H. RENWICK

JOHN EVERTS

JOAN I EVERTS

RUBY E. SMITH

JAMES H. RENWICK

Harold J. Eesley

Wilhelmine Eesley

Richard DeBruin

Mary DeBruin

Richard P. Early, Sr.

Nellie Early

ACKNOWLEDGEMENT

STATE OF MICHIGAN) SS
County of Kalamazoo)

On this 23RD day of DECEMBER, 1958, before me, a Notary Public in and for said county, personally came the above named Harold J. Eesley and Wilhelmine Eesley, his wife, Richard DeBruin and Mary DeBruin, his wife, and Richard P. Early, Sr., and Nellie Early, his wife, known to me to be the persons who executed the above dedication, and acknowledged the same to be their free act and deed.

My Commission expires: January 17, 1959

RUBY E. SMITH
Notary Public, Kalamazoo County
Michigan

SURVEYOR'S CERTIFICATE

I hereby certify that the plat hereon delineated is a correct one and that permanent metal monuments consisting of bars one-half inch in diameter and 36 inches in length, encased in a concrete cylinder 4 inches in diameter and 36 inches in depth have been placed at points marked thus (0) as thereon shown at all angles in the boundaries of the land platted, at the intersection of ADMIRAL Avenue with Westnedge Avenue, Cameo Avenue, and Dorset Avenue, at the intersection of Cameo Avenue with Dorset Avenue and at the intersection of Cameo Avenue and ADMIRAL Avenue with the boundaries of the plat, as shown on said plat

Robert M. Gove
Registered Civil Engineer #7944

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY ROAD COMMISSIONERS

This plat has been examined and was approved on the 9 day of SEPT, 1959, by the Kalamazoo County Board of Road Commissioners.

E. A. OLDS, CHAIRMAN

ALMUS MEEKINS, Member

Merle Vosburg, Member

CERTIFICATE OF TOWNSHIP APPROVAL

This plat was approved by the Portage Township Board at a meeting held on the ____ day of _____, 1959, and the width of lots is in compliance with requirements of Section 30, Act 172, of 1929, as amended.

WILMA V. SMITH, Township Clerk

CERTIFICATE OF APPROVAL BY COUNTY PLAT BOARD

This plat was approved on the 9 day of SEPT, 1959, by the Kalamazoo County Plat Board.

Leonard J. Feltes, Sr.
Register of Deeds, Chairman

Leonard Kloet, County Treasurer

Anthony Stams, County Clerk

FRED T. RIX, Drain Commissioner

COUNTY TAX CERTIFICATE

Office of County Treasurer, Kalamazoo County, Michigan

I hereby certify, that there are no tax liens or titles held by the State on the lands described hereon, and that there are no tax liens or titles held by individuals on said lands, for the five years preceding the 9 day of SEPT, 1959, and that the taxes for said period of five years are paid, as shown by the records of this office.

This certificate does not apply to taxes, if any, now in process of collection by township, city or village collecting officers.

Leonard Kloet, County Treasurer

CERTIFICATE AS TO STATE TRUNK LINE OR FEDERAL AID ROADS

We hereby certify that said plat appears to include land located on a state trunk line or federal aid road.

Leonard J. Feltes, Sr.
Register of Deeds, Chairman

Leonard Kloet, County Treasurer

Anthony Stams, County Clerk

FRED T. RIX, Drain Commissioner

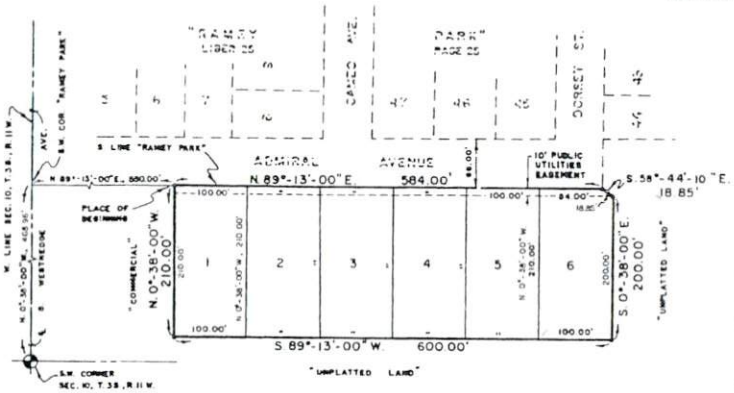
APPROVED

"WOODSIDE RIDGE NO. 1"

IN THE S.W. 1/4 OF SECTION 10, T. 3 S., R. 11 W.,
CITY OF PORTAGE, COUNTY OF KALAMAZOO, MICHIGAN

1. ALL DIMENSIONS ARE IN FEET.
2. 4" DIA. CONCRETE MONUMENTS PLACED AT ALL POINTS MARKED THUS "o".
3. ALL LOT CORNERS MARKED WITH 1/2" DIA. x 1'-8" LONG STEEL RODS.
4. BEARING ORIENTATION ESTABLISHED BY AND MATCHES ADJOINING PLAT.

0' 100' 200' 300'
SCALE: 100 FEET PER INCH



SURVEYOR'S CERTIFICATE

I, Robert L. Sauers, Surveyor, certify:

That I have surveyed, divided and mapped the land shown on this plat, described as follows: The plat of "Woodside Ridge No. 1", located in the Southwest quarter (S.W.¼), Section 10, T. 3 S., R. 11 W., City of Portage, County of Kalamazoo, Michigan.

Commencing at the Southwest corner of Section 10, T. 3 S., R. 11 W., City of Portage, County of Kalamazoo, Michigan; thence N. 0°-38'-00" W. along the West line of said Section 10, 465.96 feet to the Southwest corner of the recorded plat of "Ramey Park" as found in liber 25 of plats on page 25 in the Register of Deeds office for Kalamazoo County, Michigan; thence N. 89°-13'-00" E. along the South line of said "Ramey Park" plat, 550.00 feet for the Place of Beginning; thence continuing N. 89°-13'-00" E. along the South line of the said "Ramey Park" plat, 584.00 feet; thence S. 58°-44'-10" E., 18.85 feet; thence S. 0°-38'-00" E. parallel with the West line of said Section 10, 200.00 feet; thence S. 89°-13'-00" W. parallel with the South line of said "Ramey Park" plat, 600.00 feet; thence N. 0°-38'-00" W. parallel with the West line of said Section 10, 210.00 feet to the Place of Beginning.

This plat contains 6 lots numbered 1 through 6; being 2.89 Acres (±).

That I have made such survey, land-division, and plat by the direction of the owners of such land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.

That the required monuments and lot markers have been located in the ground or that surety has been deposited with the municipality, as required by Section 125 of the Act.

That the accuracy of survey is within the limits required by Section 126 of the Act.

That the bearings shown on the plat are expressed as required by Section 126 (3) of the Act and as explained in the legend.

April 14, 1976 (Date) ACRO ENGINEERING & SURVEYING, INC.
120 East Kilgore Road
Kalamazoo, Michigan 49001

Robert L. Sauers
Robert L. Sauers, President
Registered Land Surveyor #10069

PROPRIETOR'S CERTIFICATION - INDIVIDUAL

We as proprietors certify that we caused the land embraced in this Plat to be surveyed, divided, mapped and dedicated as represented on this plat; that the public utility easements are private easements and that all other easements are for the uses shown on the plat.

Witness

Paul Romence
Paul Romence
6914 S. Westnedge Avenue
Kalamazoo, Michigan 49002

Emma Sulka
EMMA SULKA

Thelma Romence
Thelma Romence
6914 S. Westnedge Avenue
Kalamazoo, Michigan 49002

Beatrice I. Van Weelden
BEATRICE I VAN WEELDEN

Arthur Romence
Arthur Romence
6914 S. Westnedge Avenue
Kalamazoo, Michigan 49002

Helen Romence
Helen Romence
6914 S. Westnedge Avenue
Kalamazoo, Michigan 49002

ACKNOWLEDGEMENT
INDIVIDUAL

State of Michigan } SS
Kalamazoo County

Personally came before me this 25 day of April, 1976, the above named Paul Romence and Thelma Romence, his wife and Arthur Romence and Helen Romence, his wife, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public Beatrice I. Van Weelden
Kalamazoo County, Michigan BEATRICE I VAN WEELDEN
My Commission expires: 3/6 1978

STATE OF MICHIGAN

PROPRIETOR'S CERTIFICATE - CORPORATION

Peoples Savings and Loan Association, a corporation duly organized and existing under the laws of the State of Michigan By Wendell C. Gates, II, President and D. T. Miller, Vice-President as proprietor, have caused the land to be surveyed, divided, mapped and dedicated as represented on this plat; that the public utility easements are private easements and that all other easements are for the uses shown on the plat.

Witness

Peoples Savings and Loan Association, a Michigan Corporation
2 West Michigan Mall
Battle Creek, Michigan 49016

Edwin D. Schaub
EDWIN D SCHAUB

Wendell C. Gates, II
Wendell C. Gates, II, President

Sandra S. Older
SANDRA S OLDER

D. T. Miller
D. T. Miller, Vice President

ACKNOWLEDGEMENT
CORPORATION

State of Michigan } SS
Calhoun County

Personally came before me this 28th day of APRIL, 1976, Wendell C. Gates, II, President and D. T. Miller, Vice President of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such president and vice president of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the free act and deed of said corporation, by its authority.

Notary Public Edwin D. Schaub
Calhoun County, Michigan
My Commission expires March 18, 1977

CITY TREASURER'S CERTIFICATE

The records in my office show no unpaid taxes or special assessments for the five years preceding 9-13-76, involving the lands included in this plat.

City of Portage — Catherine White, City Treasurer

COUNTY TREASURER'S CERTIFICATE

The records in my office show no unpaid taxes or special assessments for the five years preceding May 10, 1976, involving the lands included in this Plat.

Winthrop Scofield
Winthrop Scofield, County Treasurer
Kalamazoo County

COUNTY DRAIN COMMISSIONER'S CERTIFICATE

Approved on May 11, 1976 as complying with Section 192 of Act 288, P.A. 1967 and the applicable rules and regulations published by my office in the County of Kalamazoo.

Vern Smittendorf
Vern Smittendorf, Drain Commissioner

PROPRIETOR'S CERTIFICATE - CORPORATION

Martz Home Builders, Inc., a corporation duly organized and existing under the laws of the State of Michigan by Clarence Martz, Jr., President and James Gustafson, Secretary, as proprietor, have caused the land to be surveyed, divided, mapped and dedicated as represented on this plat; that the public utility easements are private easements and that all other easements are for the uses shown on the plat.

Witness

Martz Home Builders, Inc.
a Michigan Corporation
1591 West Center Avenue
Kalamazoo, Michigan 49002

Beatrice I. Van Weelden
BEATRICE I VAN WEELDEN

Clarence Martz, Jr.
Clarence Martz, Jr., President

Beverly M. Champlin
BEVERLY M CHAMPLIN

James Gustafson
James Gustafson, Secretary

ACKNOWLEDGEMENT
CORPORATION

State of Michigan } SS
Kalamazoo County

Personally came before me this 26th day of April, 1976, Clarence Martz, Jr., President and James Gustafson, Secretary of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such president and secretary of said corporation and acknowledge that they executed the foregoing instrument as such officers as the free act and deed of said corporation, by its authority.

Notary Public Beverly M. Champlin
Kalamazoo County, Michigan BEVERLY M CHAMPLIN
My Commission expires 9-15-76

CERTIFICATE OF MUNICIPAL APPROVAL

I certify that this Plat was approved by the City Council, of the City of Portage, at a meeting held July 12, 1976 and was reviewed and found to be in compliance with Act 288, P.A. of 1967.

PUBLIC WATER AND SEWER SERVICES HAVE BEEN INSTALLED AND ARE READY FOR CONNECTION.

Lois B. Johnson 6-13-76
Lois B. Johnson, City Clerk

COUNTY PLAT BOARD CERTIFICATE

This Plat has been reviewed and is approved by the Kalamazoo County Plat Board on OCT. 27th, 1976 as being in compliance with all of the provisions of Act 288, P.A. 1967, and the Plat Board's applicable rules and regulations.

Richard Langerveld
Richard Langerveld, Register of Deeds

Philip Hassing
Philip Hassing, County Clerk

Winthrop Scofield
Winthrop Scofield, County Treasurer

RECORDING CERTIFICATE

State of Michigan } SS
Kalamazoo County

This Plat was received for Record on the 24th Day of November, 1976 at 2:00 P.M. and recorded in Liber 31 of Plats on Page 19.

Richard Langerveld
Richard Langerveld, Register of Deeds

Richard L. Lemke/mjs
Deputy

Date December 6, 1976

55431

PORTAGE
A Natural Place to Move

Department of Community Development

RECEIVED
OCT 16 2015
COMMUNITY DEVELOPMENT

APPLICATION FOR ZONING AMENDMENT

Application number #15/16-2

Date 10-16-15

APPLICATION INFORMATION:

Meetings of the Portage Planning Commission are held on the first and third Thursday of each month at 7:00 p.m. in the Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. All zoning amendment applications must be properly filled out and submitted to the Department of Community Development and the zoning amendment fee paid at least 15 working days prior to the meeting at which the public hearing is held. The applicant will be notified in writing of all such public hearing/meetings.

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 2, Subdivision 2.

TO THE PLANNING COMMISSION:

I (WE), the undersigned, do hereby respectfully make application and petition the Portage Planning Commission to amend the Zoning Ordinance and/or change the Zoning Map as hereinafter requested. In support of this application, the following is submitted:

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at _____ between _____ Street and _____ Street on the _____ side of the street, and is known as Lot Number(s) _____ of _____ Plat (Subdivision). It has a frontage of _____ feet and a depth of _____ feet.

b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number).

480 Admiral Avenue, Portage, MI 49002 00010-260-O Approx. 3.86 acres

2. a. Do you own the property to be rezoned? Yes X No _____

b. Name of the owner of the property to be rezoned: Chad Scott

Address 6325 East V Ave, Vicksburg, MI 49097

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: Property owner desires to build ~~one (1) four (4)~~ unit single family, attached homes
1 to 3 2 unit duplexes

4. CURRENT ZONING: Split I-1 and RM-1 PROPOSED ZONING: R1-T

ZONING TEXT AMENDMENT

1. The proposed language to be considered is (attach additional sheets as necessary):

2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.

3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.

We attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such amendment will advance the public health, safety and welfare. An assessment of the impact of the proposal on the community and property of other persons in the vicinity of the amendment or affected by the amendment is also attached.

(Signature of Applicant)	(Signature of Applicant)
6425 East V Ave Vicksburg 49097	
(Address)	(Address)
(269) 720-7729	
(Phone)	(Phone)

A copy of all actions taken regarding this application shall be attached and shall be considered a part of this application.

ZONE CHANGE DESCRIPTION
480 ADMIRAL AVENUE

RECEIVED
DEC 02 2015
COMMUNITY DEVELOPMENT

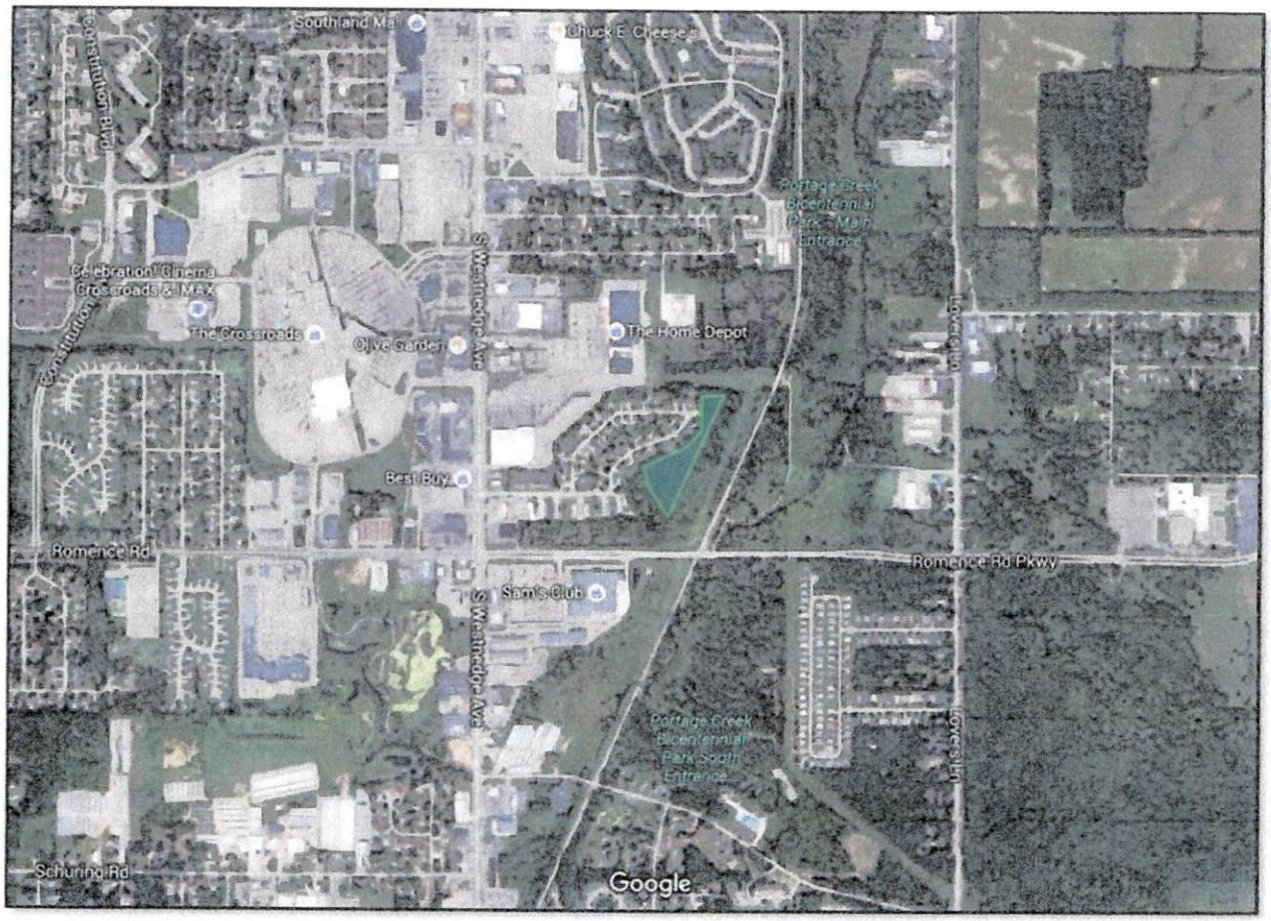
The zone change request at 480 Admiral Avenue would result in the proposed development one (1) to three (3) two-family dwellings (duplexes). The zone change request is necessary as the current site is split zoned I-1 Light Industrial on the north end of the site and RM-1 Multiple Family Residential on the south end of the site. Due to significant wetlands on the site, there is only a small, unaffected pocket at the northern end of the site, however, since that area is currently zoned I-1 Light Industrial, residential of any kind is not allowed.

In determining the most appropriate zoning district to request, many factors were considered including the impact of the wetlands on developability of the site, the Master Plan and future land use map and existing zoning trends and districts on adjacent properties. The development area of 480 Admiral is actually a small pocket of land on the Northern portion of the site off the East end of Cameo Ave. With the natural impacts and property configuration this small Northern portion is the only likely developable area. Therefore, although the property is future planned to be medium density, detached single family dwellings, the developable area of this site limits this type of development from taking place on the site at the master plan density. The southern end of the site is currently zoned RM-1, Multiple Family Residential, and other RM-1 zoned property exists west of the site. However, rezoning the entire parcel to RM-1 is least consistent with the Master Plan. Adjacent to the currently zoned I-1 portion of the site is property zoned R1-T. The R1-T zone is a down-zone from both of the current classifications of RM-1 and I-1 however more consistent with the surrounding area. Therefore, the R1-T Attached Residential zoning district was determined to be the most consistent, compatible and appropriate for maintaining property rights.

The R1-T Attached Residential zoning district allows for the construction one-family, two-family or one-family attached dwellings subject to provisions of Section 42-202, which would maximize the available developable space. In maximizing the available developable space, the property owner's rights to construct single family dwellings on the property is maintained. The R1-T is a down-zone from the current zoning classifications. Lastly, the requested zoning district is consistent and compatible with existing zoning as adjacent property to the west is currently zoned R1-T.

Page Rev. 12-2-15

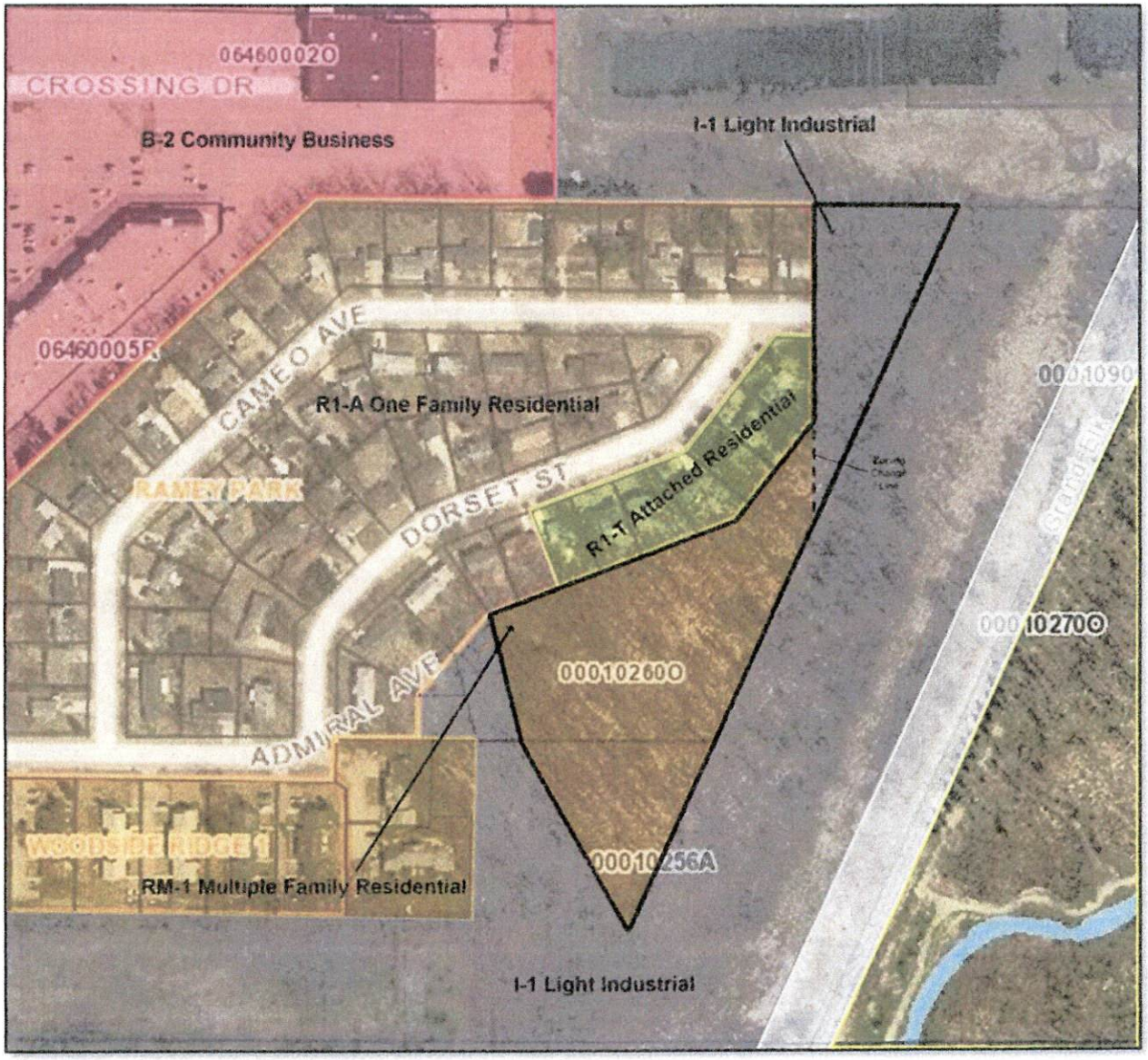
PROJECT LOCATION
480 ADMIRAL AVENUE



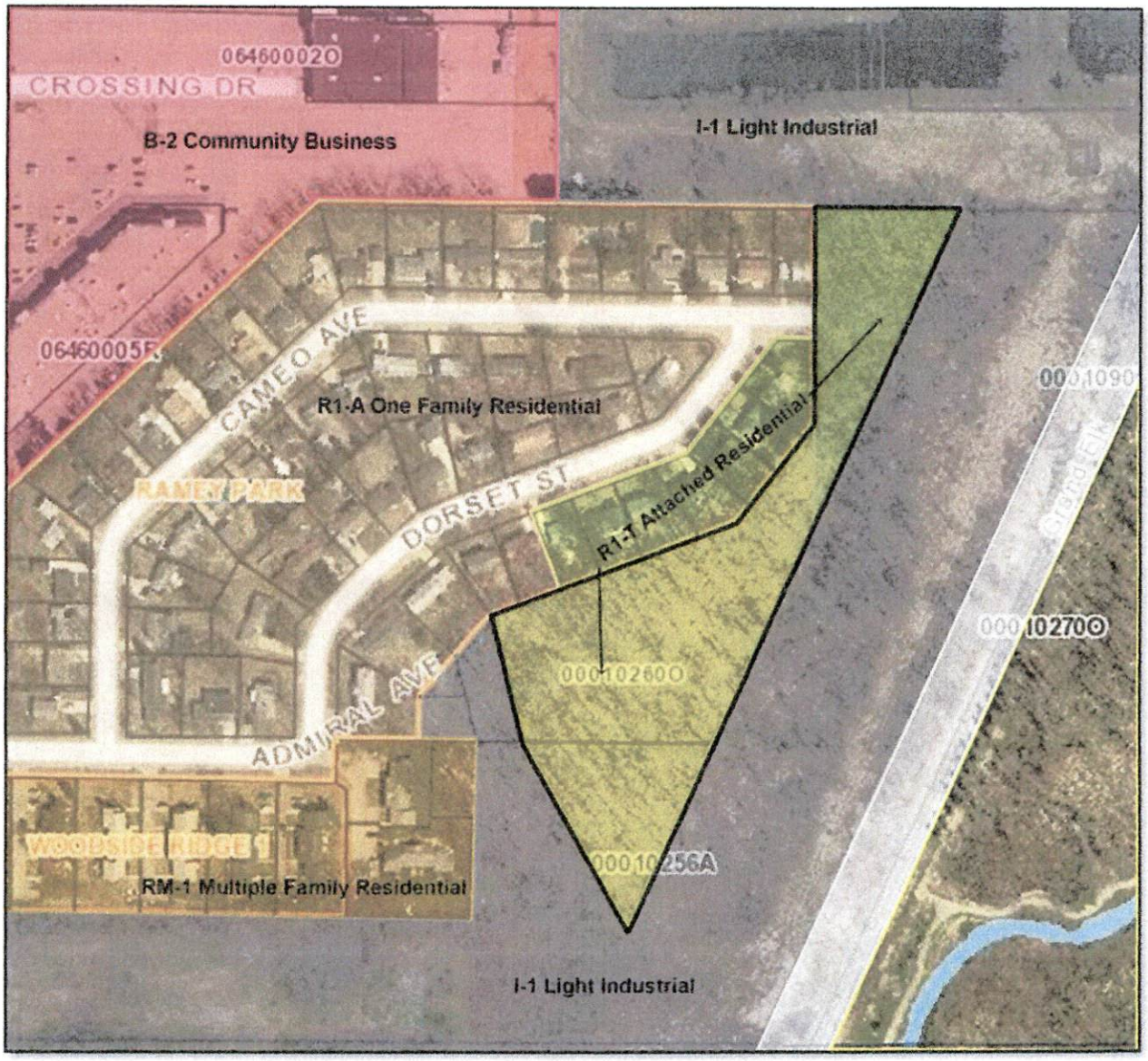
LEGAL DESCRIPTION
480 ADMIRAL AVENUE

SEC 10-3-11 BEG AT NE COR LOT 31 RECD PLAT OF RAMEY PARK TH S ALG E LI SD PLAT 320 FT TH S 37 DEG 52 MIN W 190 FT TH S 68 DEG 52 MIN W 420 FT TH SE 192.61 FT TH E 294.88 FT TH N 24 DEG 15 MIN E 869.4 FT TH S 89 DEG 13 MIN W 180 FT TO PL OF BEG.

EXISTING ZONING EXCERPT
480 ADMIRAL AVENUE

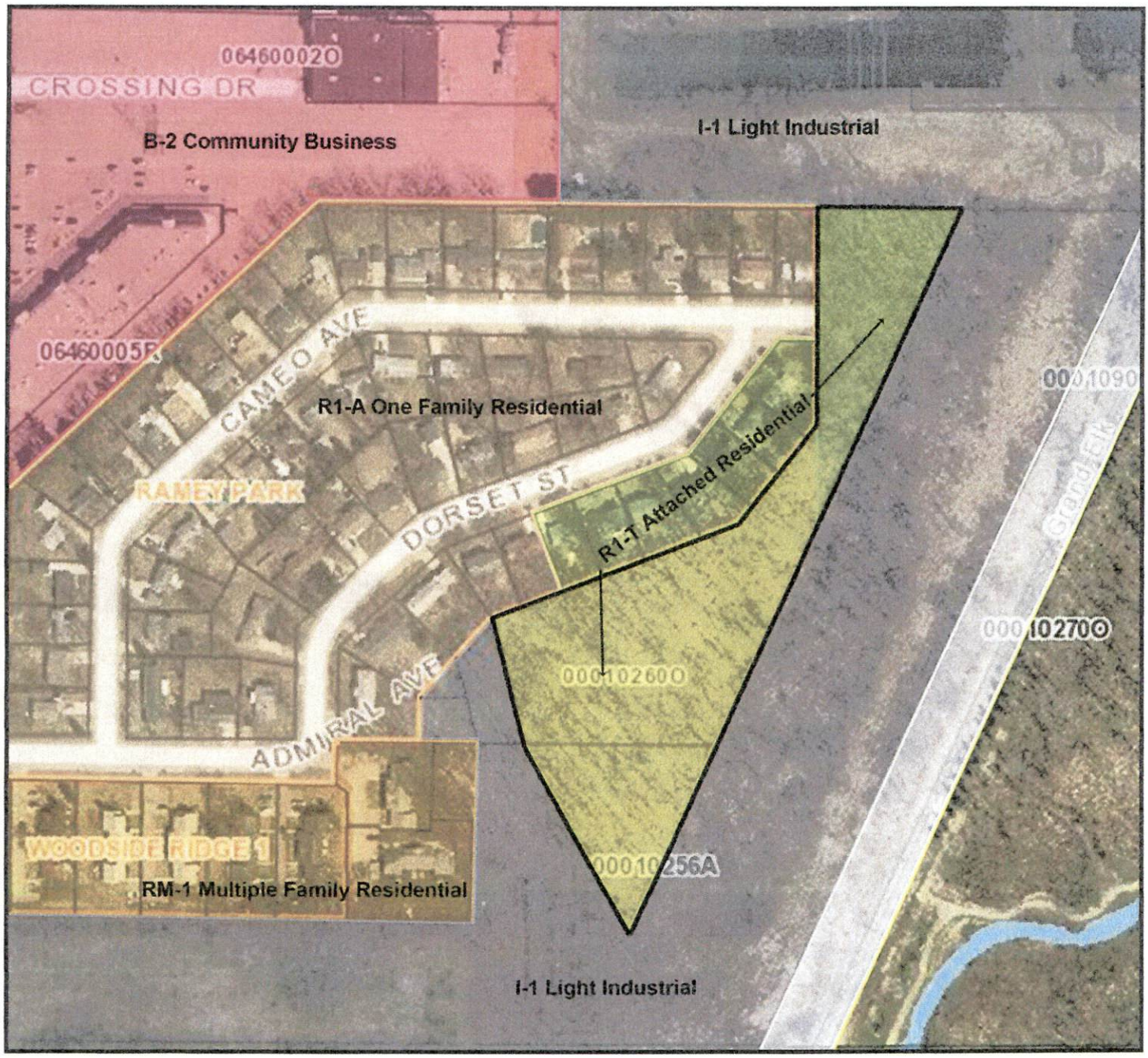


PROPOSED ZONING EXCERPT
480 ADMIRAL AVENUE



480 ADMIRAL AVENUE
ZONING AMENDMENT REQUEST

RECEIVED
OCT 16 2015
COMMUNITY DEVELOPMENT



PORTAGE
A Natural Place to Move

Department of Community Development

APPLICATION FOR ZONING AMENDMENT

Application number #15/16-2 (amended)

Date December 17, 2015

APPLICATION INFORMATION:

Meetings of the Portage Planning Commission are held on the first and third Thursday of each month at 7:00 p.m. in the Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. All zoning amendment applications must be properly filled out and submitted to the Department of Community Development and the zoning amendment fee paid at least 15 working days prior to the meeting at which the public hearing is held. The applicant will be notified in writing of all such public hearing/meetings.

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 2, Subdivision 2.

TO THE PLANNING COMMISSION:

I (WE), the undersigned, do hereby respectfully make application and petition the Portage Planning Commission to amend the Zoning Ordinance and/or change the Zoning Map as hereinafter requested. In support of this application, the following is submitted:

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: _____ Street on the _____ depth of The property sought to be rezoned is located at between _____ Street and _____ side of the street, and is known as Lot Number(s) _____ of Plat (Subdivision). It has a frontage of _____ feet and a _____ feet.

b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number).

13 parcels/lots (see attached list)

2. a. Do you own the property to be rezoned? Yes _____ No ___X___

b. Name of the owner of the property to be rezoned: _____

Address _____(see attached list)_____

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: Review existing zoning pattern for consistency with Future Land Use Map

4. CURRENT ZONING: I-1/B-2/RM-1/R-1A/R-1T PROPOSED ZONING: R-1A/R-1T

ZONING TEXT AMENDMENT

1. The proposed language to be considered is (attach additional sheets as necessary):
N/A

2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.
N/A

3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.
N/A

We attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such amendment will advance the public health, safety and welfare. An assessment of the impact of the proposal on the community and property of other persons in the vicinity of the amendment or affected by the amendment is also attached.

City of Portage Planning Commission
(Signature of Applicant) (Signature of Applicant)

7900 South Westnedge Avenue, Portage, MI 49002
(Address) (Address)

(269) 329-4477 (Community Development Department)
(Phone) (Phone)

A copy of all actions taken regarding this application shall be attached and shall be considered a part of this application.

Rezoning Application #15/16-2 (expanded)

(Planning Commission Expanded Rezoning Consideration – 13 properties)

Address	Parcel ID	Existing Zoning	Proposed Rezoning *
6979 South Westnedge Avenue	00010-256-A	I-1, light industry RM-1, multiple family residential B-2, community business	R-1A, one family residential
6843 Dorset Street	06840-044-O	R-1A, one family residential I-1, light industry	R-1T, attached residential or R-1A, one family residential
422 Dorset Street	06840-042-O	R-1A, one family residential I-1, light industry	R-1T, attached residential or R-1A, one family residential
426 Dorset Street	06840-041-O	R-1A, one family residential I-1, light industry	R-1T, attached residential or R-1A, one family residential
502 Dorset Street	06840-040-O	R-1A, one family residential	R-1T, attached residential
508 Dorset Street	06840-039-O	R-1A, one family residential	R-1T, attached residential
514 Dorset Street	06840-038-O	R-1T, attached residential	R-1A, one family residential
520 Dorset Street	06840-037-O	R-1T, attached residential	R-1A, one family residential
526 Dorset Street	06840-036-O	R-1T, attached residential	R-1A, one family residential
532 Dorset Street	06840-035-O	R-1T, attached residential	R-1A, one family residential
606 Dorset Street	06840-034-O	R-1T, attached residential	R-1A, one family residential
612 Dorset Street	06840-033-O	R-1T, attached residential	R-1A, one family residential
618 Dorset Street	06840-032-O	R-1T, attached residential	R-1A, one family residential

* Proposed zoning designation or any other zoning classification permitted by law.

Michael West

From: Christopher Forth
Sent: Thursday, January 21, 2016 3:50 PM
To: 'Bryan Cederberg'
Cc: Victoria Georgeau; Michael West
Subject: RE: Rezoning Application No. 15/16-2, 480 Admiral
Attachments: [Untitled].pdf

Good afternoon Mr. Cedarberg:

As you requested, your e-mail will be provided to the Planning Commission at tonight's public hearing. In regard to the Notice of Hearing (attached), I wanted to reiterate what you and I talked about approximately two weeks ago concerning the proposed zoning district for 480 Admiral Avenue. The applicant has requested the zoning be changed to R-1T, attached residential and the notice correctly reflects this request. The notice also includes a footnote that states " *Proposed zoning designation, or any other classification permitted by law." This language allows the Planning Commission and City Council to consider R-1T, R-1A or any other designation for 480 Admiral Avenue and the other properties now included in the rezoning application.

If you have any further questions, please contact me at your earliest convenience.

Sincerely,

Christopher Forth, AICP
Deputy Director of Planning, Development & Neighborhood Services
City of Portage Department of Community Development
7900 South Westnedge Avenue
Portage, MI 49002
269.329.4474
www.portagemi.gov

From: Bryan Cederberg [mailto:CederbergB@comstockps.org]
Sent: Thursday, January 21, 2016 11:33 AM
To: Christopher Forth <forthc@portagemi.gov>
Subject: Re: Rezoning Application No. 15/16-2, 480 Admiral

RE: Zoning Meeting Tonight

Hello,

On the Notice of Public Hearing and Public Hearing Information I noticed that the Proposed Rezoning for 480 Admiral is listed as *R-1T, attached residential.* This is incomplete. It was my understanding, given the discussion at the last meeting, that it should read *R-1T, attached residential or R-1A, one family residential.* The zoning of the whole area was to be taken into consideration.

Our Dorset Street addresses are listed as *R-1T, attached residential or R1A, one family residential.* The 480 Admiral address should be the same.

At the meeting, R-1A was mentioned as the most appropriate designation for properties similar to 480 Admiral Avenue. If the Dorset Street homes are rezoned R1-A, as desired by the neighborhood (because it is the best designation given the build pattern), wouldn't an R1-T designation for 480 Admiral be a form of spot zoning given that the designation would only be in place to justify building multi-family units in the middle of single-family homes?

My concern with the zoning process is that any designation decided will be used to justify future building projects and will also pull attention away from the reality/build pattern on the ground.

Also, I think it is important that the zoning is made right this time. Sort of right doesn't do it for me. One person's will shouldn't override the will of the neighborhood. Everyone has admitted that the most proper designation would be R1-A for the Dorset Street homes and also for 480 Admiral. I'm not understanding why this process has been drawn out as long as it has given that there hasn't been one person who lives in the neighborhood who has spoken in favor of the R-1T zoning/proposed building at 480 Admiral. On the contrary, many have spoken against it and have provided a number of reasons as to how it will devalue the neighborhood and our quality of life.

I'm worried that business concerns could take precedent over neighborhood concerns. Shouldn't the people living in an area have more say than one person who is pursuing an opportunity to make money? I'm all for people making a living, but not at the expense of the quality of live in our neighborhood, our property values/equity, and . When we moved to Portage we made the best informed decision we could given the information available to us (DEQ and City of Portage maps). A change at this point feels like a bait and switch and as a Portage resident I'm disheartened. Who is protecting my investment?

There seem to be a couple people on the Commission who I suspect are trying to ram the proposal through in favor of Mr. Scott. When the arguments during meetings support the neighborhood positions it almost feels like things are then delayed in the hope that we stop fighting. I'm not saying that's the case, but this has been a stressful and tiring process, and I'd prefer to not keep having to free up time to make the same argument over and over.

I also feel that any decision that is made needs to be paired with an explanation of why the decision was made. I haven't heard one argument explaining how the proposed zoning/multi unit development will bring value to the neighborhood. And when I have mentioned that our houses and quality of life will be negatively affected I'm not receiving any sort of feedback. We deserve an explanation for a decision regardless of which direction things might go.

Thank you,
Bryan Cederberg

PORTAGE
A Natural Place to Move

FIRST READING AND NOTICE OF HEARING
CITY OF PORTAGE, MICHIGAN
NOTICE

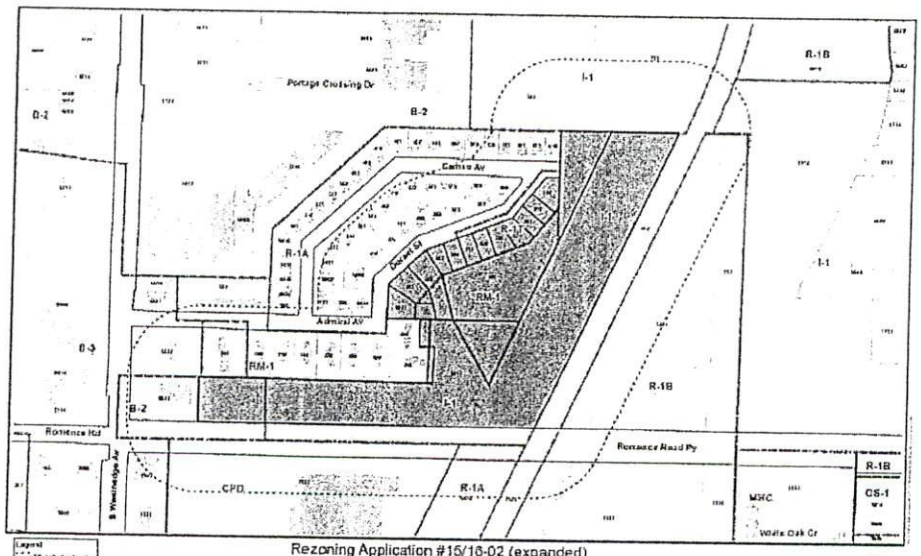
TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF PORTAGE AND ALL INTERESTED PERSONS.

NOTICE IS HEREBY GIVEN that there is before the Planning Commission of the City of Portage, Michigan, an Ordinance to amend the Code of Ordinances of the City of Portage, Michigan, amending Article 4 - Zoning of Chapter 42 of the Codified Ordinances of Portage, Michigan. The changes to be considered are presented below:

A tract of land located in Section 10, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as the following parcels:

Address	Parcel ID	Existing Zoning	Proposed Rezoning *
480 Admiral Avenue	00010-260-O	I-1, light industry RM-1, multiple family residential	R-1T, attached residential
6979 South Westnedge Avenue	00010-256-A	I-1, light industry RM-1, multiple family residential B-2, community business	R-1A, one family residential
6843 Dorset Street	06840-044-O	R-1A, one family residential I-1, light industry	R-1T, attached residential or R-1A, one family residential
422 Dorset Street	06840-042-O	R-1A, one family residential I-1, light industry	R-1T, attached residential or R-1A, one family residential
426 Dorset Street	06840-041-O	R-1A, one family residential I-1, light industry	R-1T, attached residential or R-1A, one family residential
502 Dorset Street	06840-040-O	R-1A, one family residential	R-1T, attached residential
508 Dorset Street	06840-039-O	R-1A, one family residential	R-1T, attached residential
514 Dorset Street	06840-038-O	R-1T, attached residential	R-1A, one family residential
520 Dorset Street	06840-037-O	R-1T, attached residential	R-1A, one family residential
526 Dorset Street	06840-036-O	R-1T, attached residential	R-1A, one family residential
532 Dorset Street	06840-035-O	R-1T, attached residential	R-1A, one family residential
606 Dorset Street	06840-034-O	R-1T, attached residential	R-1A, one family residential
612 Dorset Street	06840-033-O	R-1T, attached residential	R-1A, one family residential
618 Dorset Street	06840-032-O	R-1T, attached residential	R-1A, one family residential

* Proposed zoning designation or any other zoning classification permitted by law.



Rezoning Application #15/16-02 (expanded)
480 Admiral, 6979 South Westnedge Avenue,
6843,422,426,502,508,514,520,526,532,606,612,618 Dorset Street

NOTICE IS FURTHER GIVEN that a public hearing on the proposed amendment will be held on **Thursday, January 21, 2016** commencing at 7:00 p.m. or as soon after as may be heard in the City Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan, at which time the proposed amendment will be heard. A copy of the proposed amendment is on file and available for public inspection at the Department of Community Development during regular business hours.

Dated: January 6, 2016

Rezoning Application #15/16-2 (expanded)

7527720-01

Portage Planning Commission

Portage, Michigan

Petition to rezone 7 lots on north end of Dorset St, east side of street.

We, the undersigned residents of the affected properties, petition the city of Portage to correct the zoning of the 7 lots with single family homes, incorrectly zoned R-1T (multi family) to R-1A (single family). All the surrounding single family homes are on lots zoned R-1A contiguous to these incorrectly zoned lots. Please preserve the single family residence environment of this neighborhood by correcting this decades old zoning mistake.

Resident Name	Address	Signature	Date
Richard/Patricia Dueweke	606 Dorset St Portage, MI	Richard Dueweke	12/10/15
		Patricia Dueweke	12/10/15
Steven R Scheick	532 Dorset St	Steven R Scheick	12/13/15
Pamela L (Thomas) Scheick	532 Dorset St	Pamela L Scheick	12/13/15
Marcia Whipple	618 Dorset		12/13/2015
Melissa Renton	514 Dorset		12/13/15
Alisha Cederberg	612 Dorset	Alisha Cederberg	12/13/15
Bryan Cederberg	612 Dorset		12/13/15

1-12-16

Planning Commission

In regards 480 Admiral rezoning
I really dont want a property build there

520 Camie
Karen Gadson

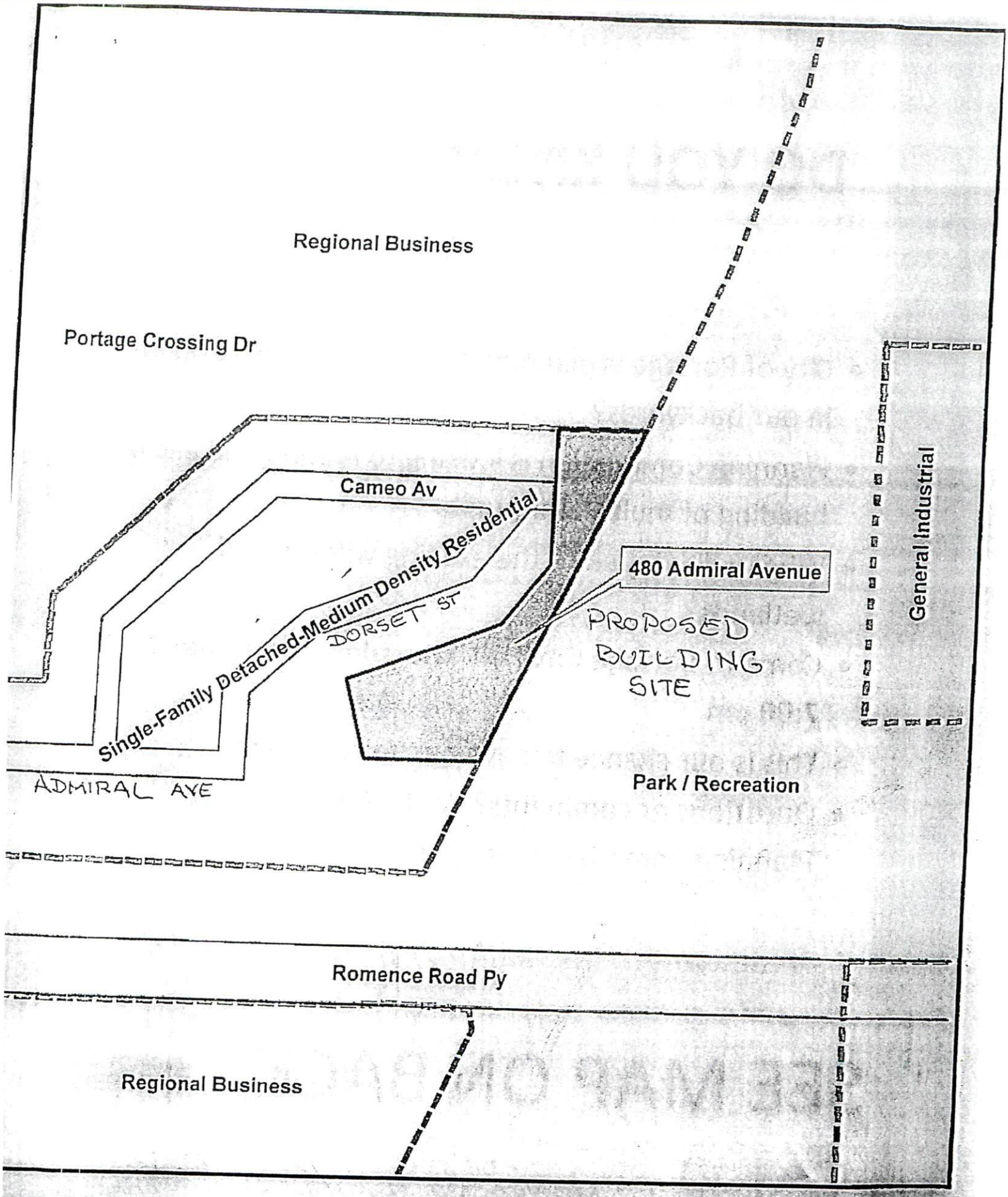
RECEIVED
JAN 13 2016
COMMUNITY DEVELOPMENT

DO YOU KNOW????????

- City of Portage is planning on rezoning the wood lot in our backyards?
- Planning Commission is looking to rezone and allow building of multi-family units
- What will happen to the existing wildlife and wetlands?
- Come to Portage City Hall **Thursday, December 3, at 7:00 pm**
- This is our chance to have our voices heard!
- Questions or comments? Contact Portage City Planning Commission at (269)329-4477.

SEE MAP ON BACK

Karen Gadson
520 Cameo



Legend
Future Land Use
Subject Property

Future Land Use Map
480 Admiral Avenue

1 inch = 300 feet

TcScott
CONSTRUCTION

6425 East V Ave Vicksburg MI 49097
269-720-7729 cell 269-679-2831Fax

February 1, 2016

RECEIVED
FEB 01 2016
COMMUNITY DEVELOPMENT

City of Portage

480 Admiral

To whom it may concern:

My name is Chad Scott. I am the builder trying to develop the condo's at 480 Admiral.

The following bullet points are facts and thoughts about the property.

- I am trying to build only (1) 2-Unit building for now with a possibility to build (1) additional 2-Unit building in the future. The additional unit would sit next to the first unit.

- The development when finished will take up less than 2% of the entire property. This includes parking. Both buildings together are smaller than a typical ranch style house footprint.

- Only 2 properties in the neighborhood will have any sight lines of the units. I have included pictures of the properties in your pamphlet. The reason I did this was to show that the buildings being built will not drive down their property values. The homes in question have mold growing on the siding. I believe that would be cleaned up if pride of neighborhood/community was really an issue.

- People who spend $1200 to $1400 on rent typically aren't a burden to neighborhoods. (They don't "speed down the roads" "leave trash everywhere" or "deal and consume drugs" like some of the members of the community are stating.

- If I do get the multiple family zoning I am requesting, I can assure you I will not touch any of the trees or properties behind any of the homes in question. I will also address the city's continued use of my land as a spill through for all of the neighborhoods street rain water.

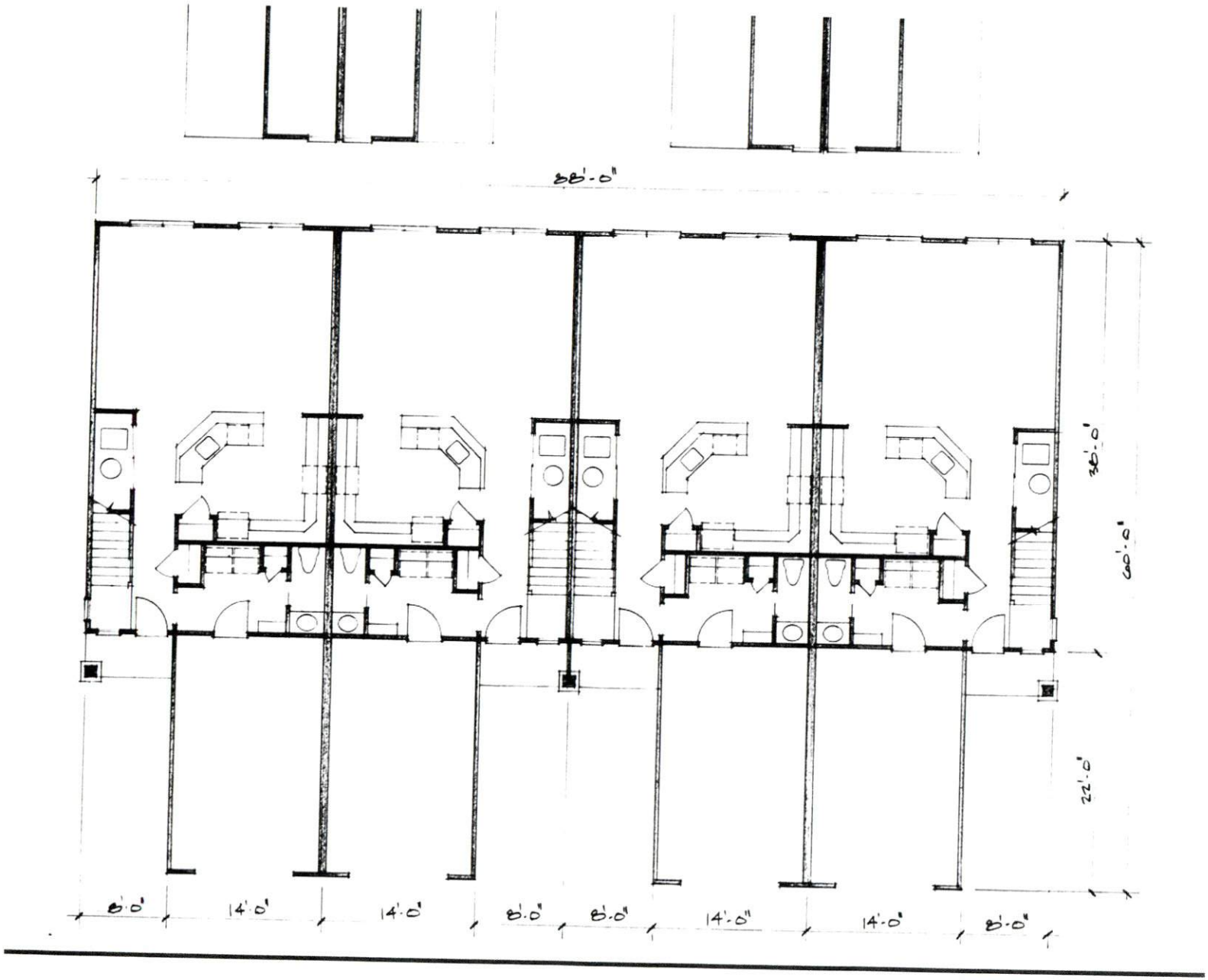
- If I do not get the multiple family zoning I am requesting, I will be forced to clear cut the trees to get back money I have spent during this process. I will also need to address the fact that the city uses my land for all street water. Please don't see this as a threat. It will be something I will have to do. Nobody wants this option but it will happen if it needs to.

- Nothing is being built in wetlands. If you want to hire an engineer to state otherwise then proceed. If not, I think we should trust the engineers I hired.

- I don't think any council member that has not made a neighborhood site visit should be voting on this matter. I think the homeowners need to be told they are all downgrading their lot to single family. In essence, they are hurting their property values. In addition, Romence Road frontage should never be anything but commercial property. It is virtually useless if not.

Thank you for your time,

Chad Scott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(82)

(83)

(84)

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

THE CITY OF PORTAGE ORDAINS:

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

Parcel of land described as follows:

Tract of land located in Section 10, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

Street Address	Parcel ID Numbers
480 Admiral Avenue	00010-260-O

From I-1, light industry and RM-1, multiple family residential to R-1T, attached residential.

502 Dorset Street	06840-040-O
508 Dorset Street	06840-039-O

No change.

514 Dorset Street	06840-038-O
520 Dorset Street	06840-037-O
526 Dorset Street	06840-036-O
532 Dorset Street	06840-035-O
606 Dorset Street	06840-034-O
612 Dorset Street	06840-033-O
618 Dorset Street	06840-032-O

From R-1T, attached residential to R-1A, one family residential.

6843 Dorset Street (rear portion)	06840-044-O
422 Dorset Street (rear portion)	06840-042-O
426 Dorset Street (rear portion)	06840-041-O

From I-1, light industry to R-1A, one family residential.

6979 South Westnedge Avenue	00010-256-A

From I-1, light industry and RM-1, multiple family residential to R-1A, one family residential and the western portion of the parcel remaining zoned B-2, community business.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

_____
Peter J. Strazdas, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2016.

_____
James R. Hudson, City Clerk

(App #15/16-2)

Approved as to Form:
Date: 2/12/16
By: _____
City Attorney

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 Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2016, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2016, at 7:30 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

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

Parcel of land described as follows:

Tract of land located in Section 10, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

Street Address	Parcel ID Numbers
480 Admiral Avenue	00010-260-O

From I-1, light industry and RM-1, multiple family residential to R-1T, attached residential, or any other classification allowed by law.

502 Dorset Street	06840-040-O
508 Dorset Street	06840-039-O
514 Dorset Street	06840-038-O
520 Dorset Street	06840-037-O
526 Dorset Street	06840-036-O
532 Dorset Street	06840-035-O
606 Dorset Street	06840-034-O
612 Dorset Street	06840-033-O
618 Dorset Street	06840-032-O

From R-1T, attached residential and R-1A, one family residential to R-1A, one family residential and/or R-1T, attached residential, or any other classification allowed by law.

6843 Dorset Street (rear portion)	06840-044-O
422 Dorset Street (rear portion)	06840-042-O
426 Dorset Street (rear portion)	06840-041-O

From I-1, light industry to R-1A, one family residential, or any other classification allowed by law.

6979 South Westnedge Avenue	00010-256-A

From I-1, light industry and RM-1, multiple family residential to R-1A, one family residential and the western portion of the parcel remaining zoned B-2, community business, or any other classification allowed by law.

PLEASE TAKE FURTHER NOTICE that if the owners of at least twenty percent (20%) of the area of land included in the proposed zoning change, or if the owners of at least twenty percent (20%) of the area of land included within an area extending outward one hundred feet (100') from any point on the boundary of the land included in the proposed change, excluding public right-of-way or other publicly owned land, file a written protest petition against the proposed amendment presented to the City Council before final legislative action on the amendment, a two-thirds vote of the City Council will be required to pass the amendment.

Dated: _____

_____
James R. Hudson, City Clerk

(App #15/16-2)

Z:\JODY\PORTAGE\ORD\REZONE\15-16-2.102815.DOCX

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Rezoning Application #15/16-4 (1521, 1603 and 1615 East Centre Avenue)

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council, subsequent to the public hearing, approve Rezoning Application #15/16-4 and rezone 1521, 1603 and 1615 East Centre Avenue from R-1B, one family residential, RM-1, multiple family residential and OS-1, office service to PD, planned development consistent with the submitted tentative plan/narrative, and approve the requested modification from Section 42-374C (mixture of two housing types) with a finding that the modification satisfies the criteria outlined in Section 42-375L.

A rezoning application and associated tentative plan/narrative have been submitted by Full Circle Communities requesting to rezone an approximate 10.7-acre tract of land that includes 1521, 1603 and 1615 East Centre Avenue. A change from R-1B, one family residential, RM-1, multiple family residential and OS-1, office service to PD, planned development is requested. Full Circle Communities proposes to construct Selinon Park, a multiple family residential development consisting of 74 affordable apartment units in three buildings. According to the applicant, one third of the units will be for residents with physical and sensory impairments and other special needs; one-third will be for under-housed, working families that are burdened with housing costs; and the remaining one-third of the units will be for households whose annual income is between 30%-60% of the area median income. The development will provide one, two, three and four bedroom units. Local, state and federal funding sources are proposed to finance the project.

The single-family residential dwelling located at 1521 East Centre Avenue is located in a Portage Historic District and the applicant intends to use the dwelling as the manager residence. Site design elements have intentionally minimized encroachment onto this historic district property. On February 3, 2016, the Historic District Commission reviewed the proposed development and is supportive of the project subject to some minor conditions.

In conjunction with the PD rezoning/tentative plan approval process, the applicant has requested a modification from Section 42-374C of the Zoning Code that requires a mixture of at least two housing types: one-family attached or detached, two-family or multi-family. The proposed plan does not include a mixture of housing types, with the exception of the historic house located at 1521 East Centre Avenue, and could be developed under either a RM-1 or RM-2 zoning designation.

The southernmost building located nearest East Centre Avenue includes a single-story component that

will incorporate community and property management space and has been designed to appear as an office building consistent with the office corridor designation of East Centre Avenue. All buildings propose varied rooflines and other building materials intended to add interest and also reflect local design. Buildings will also be constructed of high-quality, durable materials including brick, masonry and fiber cement siding in various colors and textures intended to reduce maintenance and replacement costs.

Access to the development site will be provided through a single East Centre Avenue driveway. The existing driveway to the historic home at 1521 East Centre Avenue will be retained and improved with gravel to maintain the existing character. Storm water runoff associated with the project will be collected and conveyed to a private storm water retention basin located on the north end of the site. An internal pedestrian circulation network will be provided and will connect to the existing East Centre Avenue sidewalk and proposed "East Central Trailway" planned to be constructed along the Consumers Energy transmission line located to the northeast if an easement can be obtained. Finally, a significant amount of open space (approximately 62%) is being retained by the applicant that can be used by the residents for active and passive recreation.

In a report dated January 29, 2016, the Department of Community Development recommends approval of the PD rezoning request, tentative plan/narrative and requested modification. The PD district and proposed land use is appropriate in this area of the city, is consistent with the Comprehensive Plan and will provide assurances to surrounding property owners on the specific type of development that will be built while providing design flexibility to the developer. Finally, the requested modification from Section 42-374C (mixture of at least two housing types) is also recommended with a finding that the standard is not in the best interest of the residents of the PD and is not inconsistent with the interests of the entire city as outlined in Section 42-375L.

The Planning Commission convened a public hearing during its January 21, 2016 and February 4, 2016 meetings to consider the rezoning request and tentative plan/narrative. Mr. Carl Kunda, Full Circle Communities, was present to support the request. No citizens spoke during these two meetings and no citizen communications have been received regarding the proposed rezoning. At the conclusion of the February 4, 2016 meeting, the Commission voted 8-0 to recommend approval of Rezoning Application #15/16-4 to City Council with the same findings contained in the staff report. The first reading by City Council was completed during the February 22, 2016 regular meeting.

FUNDING: Not Applicable

Attachments:

1. Ordinance Amendment
2. February 12, 2016 Planning Commission transmittal
3. February 4, 2016 and January 21, 2016 Planning Commission Minutes
4. January 29, 2016 Community Development report
5. January 3, 2016 Historic District Commission Meeting Minutes

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 Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2015, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2015, at 7:30 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

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

Parcel of land described as follows:

Tract of land located in Section 13, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

Street Address	Parcel ID Numbers
1521 East Centre Avenue	00015-570-O
1603 East Centre Avenue	00015-575-O
1615 East Centre Avenue	00015-580-O

From R-1B, one family residential, RM-1, multiple family residential and OS-1, office service to PD, planned development, or any other classification allowed by law.

PLEASE TAKE FURTHER NOTICE that if the owners of at least twenty percent (20%) of the area of land included in the proposed zoning change, or if the owners of at least twenty percent (20%) of the area of land included within an area extending outward one hundred feet (100') from any point on the boundary of the land included in the proposed change, excluding public right-of-way or other publicly owned land, file a written protest petition against the proposed amendment presented to the City Council before final legislative action on the amendment, a two-thirds vote of the City Council will be required to pass the amendment.

Dated: _____

_____
James R. Hudson, City Clerk

(App #15/16-4)

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

THE CITY OF PORTAGE ORDAINS:

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

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From R-1B, one family residential, RM-1, multiple family residential and OS-1, office service to PD, planned development.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

_____
Peter J. Strazdas, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2016.

_____
James R. Hudson, City Clerk

(App #15/16-4)

Approved as to Form:
Date: 1-25-16
By: CRB
City Attorney

TO: Honorable Mayor and City Council

FROM: Planning Commission

DATE: February 12, 2016

SUBJECT: Rezoning Application #15/16-4, 1521, 1603 and 1615 East Centre Avenue

The Planning Commission convened a public hearing during the January 21st and February 4th, 2016 meetings to consider the PD rezoning application submitted by Full Circle Communities to rezone 1521, 1603 and 1615 East Centre Avenue from R-1B, one family residential, RM-1, multiple family residential and OS-1, office service to PD, planned development. The Commission also reviewed the proposed development plan for the Selinon Park PD as detailed in the tentative plan and written narrative. Mr. Carl Kunda, Full Circle Communities, was present at both meetings to support the proposed application and explain the development project. No citizens spoke at the two meetings and no citizen communications have been received regarding the proposed rezoning.

After careful consideration, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application #15/16-4 be approved and 1521, 1603 and 1615 East Centre Avenue be rezoned from R-1B, one family residential, RM-1, multiple family and OS-1, office service to PD planned development. The motion also included a recommendation to approve the requested modification from Section 42-374.C (mixture of at least two housing types) with a finding that the standard is not in the best interest of the residents of the PD and is not inconsistent with the interests of the entire city as outlined in Section 42-375.L. The motion also included a finding that the PD district and proposed land use is appropriate in this area of the City and will provide assurances to surrounding property owners on the specific type of development that will be built on the property while providing design flexibility to the developer. The PD district and associated tentative plan/narrative submitted by Full Circle Communities for the Selinon Park Planned Development is consistent with the Comprehensive Plan/Future Land Use Map designations and surrounding zoning/land use pattern along East Centre Avenue and will provide affordable housing options for residents with low incomes, physical and sensory impairments and other special needs. The motion was unanimously approved 8-0.

Sincerely,

Paul Welch

Paul Welch
Chairman

Mrs. Dueweke discussed the Future Land Use Map designation of the Dorset Street lots and adjacent 480 Admiral Avenue parcel and stated she supports the staff recommendation of R-1A for these properties since that zoning designation is most consistent with the Future Land Use Map and established single family residential neighborhood. Mr. Cederberg indicated he also supports the staff recommendation and the R-1A zoning best represents the established single family detached residential land use pattern in the adjacent neighborhood. No additional citizens spoke regarding the proposed rezoning. A motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to close the public hearing. The motion was unanimously approved 8-0.

After a brief discussion, a motion was made by Commissioner Stoffer, seconded by Commissioner Dargitz, to recommend to City Council that Rezoning Application #15/16-2 be approved with the following changes:

- 480 Admiral Avenue be rezoned from I-1, light industrial and RM-1, multiple family residential to R-1A, one family residential;
- 514, 520, 526, 532, 606, 612 and 618 Dorset Street be rezoned from R-1T, attached residential to R-1A, one family residential;
- 502 and 508 Dorset Street remain zoned R-1A, one family residential (No change);
- 6843, 422 and 426 Dorset Street (rear portions) be rezoned from I-1, light industry to R-1A, one family residential. Front portions of properties remain zoned R-1A (No change);
- 6979 South Westnedge Avenue be rezoned from I-1, light industry and RM-1, multiple family residential to R-1A, one family residential and the western portion of the parcel remaining zoned B-2, community business.

The motion included a finding that the rezoning recommendation establishes a zoning pattern that is most consistent with the Comprehensive Plan/Future Land Use Map designations and that best reflects the historic land use pattern within the Cameo Avenue/Dorset Street single family detached residential neighborhood. The recommended R-1A zoning for 514, 520, 526, 532, 606, 612 and 618 Dorset Street would not create any nonconformities and would most accurately reflect the historic use of these properties as single family detached residences. A rezoning of 480 Admiral Avenue from I-1 and RM-1 is appropriate as the current zoning is not compatible with the neighborhood, nor consistent with the Comprehensive Plan. While the requested R-1T zoning can be considered appropriate given the existing zoning pattern and would result in a reduction in intensity of land uses, R-1A zoning is recommended. The recommended R-1A zoning for this parcel allows the property owner future single family development options, consistent with the adjacent single family detached residential land use pattern, and is most consistent with the Comprehensive Plan. The recommended R-1A/B-2 zoning pattern for the city-owned parcel at 6979 South Westnedge Avenue would better reflect the park/recreation designation of this property while protecting adjacent commercial and office uses from additional land use restrictions related to screening, setbacks and building height. Finally, no change to the R-1A zoning for 502 and 508 Dorset Street, and a zoning change to R-1A for the rear portions of 6843, 422 and 426 Dorset Street would reaffirm the predominant single family detached residential zoning and land use pattern within the Cameo Avenue/Dorset Street neighborhood. The motion was approved 6-2 with Commissioners Bosch and Schimmel voting in opposition.

3. Final Report; Rezoning Application #15/16-4, 1521, 1603 and 1615 East Centre Avenue. Mr. Forth summarized the final staff report dated January 29, 2016 regarding a request from Full Circle Communities to rezone 1521, 1603 and 1615 East Centre Avenue from R-1B, one family residential, RM-1, multiple family residential and OS-1, office service to PD, planned development. Mr. Forth summarized the proposed tentative plan for Selinon Park that would consist of 74 affordable apartment units within three buildings across the property. Mr. Forth discussed the historic district house and property located at 1521 East Centre Avenue and stated the Historic District Commission met yesterday (February 3rd) and is supportive of the

project subject to some minor conditions. Mr. Forth then reviewed the final analysis section of the report and indicated staff was recommending approval of the PD zoning and associated tentative plan/narrative and requested modification from Section 42-374.C (mixture of at least two housing types).

Mr. Carl Kunda, Full Circle Communities, was present to support the rezoning application and explain the planned development project. The public hearing was reconvened by Chairman Welch. No citizens spoke regarding the proposed rezoning. A motion was then made by Commissioner Bosch, seconded by Commissioner Stoffer, to close the public hearing. The motion was unanimously approved 8-0.

After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application #15/16-4 be approved and 1521, 1603 and 1615 East Centre Avenue be rezoned from R-1B, one family residential, RM-1, multiple family and OS-1, office service to PD planned development. Additionally, the requested modification from Section 42-374.C (mixture of at least two housing types) also be approved with a finding that the standard is not in the best interest of the residents of the PD and is not inconsistent with the interests of the entire city as outlined in Section 42-375.L. The motion also included a finding that the PD district and proposed land use is appropriate in this area of the City and will provide assurances to surrounding property owners on the specific type of development that will be built on the property while providing design flexibility to the developer. The PD district and associated tentative plan/narrative submitted by Full Circle Communities for the Selinon Park Planned Development is consistent with the Comprehensive Plan/Future Land Use Map designations and surrounding zoning/land use pattern along East Centre Avenue and will provide affordable housing options for residents with low incomes, physical and sensory impairments and other special needs. The motion was unanimously approved 8-0.

OLD BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

NEW BUSINESS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

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

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West Milham Avenue be rezoned from R-1A, one family residential to OS-1, office service. The motion was unanimously approved 6-0.

3. Preliminary Report; Rezoning Application #15/16-4, 1521, 1603 and 1615 East Centre Avenue. Mr. Forth summarized the preliminary staff report dated January 15, 2016 regarding a request from Full Circle Communities to rezoned 1521, 1603 and 1615 East Centre Avenue from OS-1, office service, RM-1, multiple family residential and R-1B, one family residential to PD, planned development. Mr. Forth discussed the two-step PD process involving the rezoning/tentative plan review and then the subsequent final/site plan review. Mr. Forth stated the PD rezoning would facilitate construction of 74 affordable apartment units within three buildings across the property. Mr. Forth discussed the historic district house and property located at 1521 East Centre Avenue and then summarized the proposed tentative plan design, layout and features and also discussed the one modification being requested from the mixture of housing type provision of the ordinance. Mr. Forth reviewed the preliminary analysis section of the report including the Comprehensive Plan/Future Land Use Plan designations and the suitability of the existing zoning and impacts of the proposed PD zoning.

Mr. Carl Kunda (applicant, Full Circle Communities) was present to support the rezoning application and explain the planned development project. Mr. Kunda stated that 1/3 of the units will be for residents with physical and sensory impairments and other special needs, and 1/3 of the units will be for households whose annual income is between 30-60% of the area median income. Mr. Kunda presented samples of building materials planned for the project and also explained the amount of needed off-street parking spaces in response to Commissioner Schimmel's inquiry.

The public hearing was opened by Chairman Welch. No citizens spoke regarding the proposed rezoning. A motion was then made by Commissioner Patterson, seconded by Commissioner Dargitz, to adjourn the public hearing for Rezoning Application #15/16-4, 1521, 1603 and 1615 East Centre Avenue, to the February 4, 2016 meeting. The motion was unanimously approved 6-0.

OLD BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

8:15 p.m. - The Commission took a short recess.
8:20 p.m. - The Commission reconvened the meeting in City Hall Conference Room No. 2

NEW BUSINESS:

1. 2016-2026 DRAFT Capital Improvement Program. Mr. Forth discussed the modified Capital Improvement Program (CIP) process for this fiscal year that began in September 2015 with extensive public outreach, a CIP web page, an on-line citizen survey and a CIP Open House. Mr. Forth referred the Commission to the results of the on-line citizen survey which were included with the January 15, 2016 Department of Community Development staff report. Mr. Forth stated that over 80% of the citizens who completed the survey indicated support for directing capital funds toward Complete Streets and local street enhancement efforts. Mr. Forth then summarized the initial draft CIP document that included a Summary Table of projected revenues and expenditures over the 10-year period, Project Summary Tables that outline proposed projects by category, Project Funding Source Tables that outline funding sources by category and Project Profiles that summarize each proposed project. Mr. Forth stated a final draft of the 2016-2026 CIP

PORTAGE
A Natural Place to Move

Department of Community Development

TO: Planning Commission **DATE:** January 29, 2016

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Final Report: Rezoning Application #15/16-4 for Full Circle Communities, 1521, 1603 and 1615 East Centre Avenue

I. APPLICATION INFORMATION:

A PD, planned development rezoning application has been received from Full Circle Communities involving a 10.7 acre tract of land that includes property located at 1521, 1603 and 1615 East Centre Avenue. Full Circle Communities has entered into tentative sales agreements to purchase the three properties and construct a multi-family residential development project. Attached is the rezoning application, narrative and tentative plan.

Applicant	Property Address	Parcel Number	Zoning	
			Existing	Proposed
Full Circle Communities	1521 East Centre Avenue 1603 East Centre Avenue 1615 East Centre Avenue	15-570-O 15-575-O 15-580-O	OS-1 & RM-1 R-1B R-1B	PD
Three parcels: 10.7 acres				

II. EXISTING CONDITIONS:

The table below summarizes the existing conditions in this general area.

Existing Land Use/ Zoning	• Rezoning Site: All three parcels of land are currently occupied by a single-family residential dwelling and detached accessory buildings. The property at 1521 East Centre Avenue is designated as a Historic District and has a single family dwelling. Although each parcel has 1,287 feet of depth, the dwelling unit and accessory buildings are situated near East Centre Avenue as shown on the attached aerial photograph. • North: Vacant property and a Consumers Energy transmission line zoned R-1B, one family residential. • South (across East Centre Avenue): Gilden Woods Child Care & Pre-school zoned R-1B, one family residential and Former Main Street Portraits/Randall L. Brown & Associates zoned OS-1, office service. • West: Nonconforming single-family residence and Centre Meadows Apartments zoned OS-1 (south 450 feet) and RM-1 (north 837 feet). • East: Vacant parcel and Corstange Greenhouses zoned R-1B.
Zoning History	• Recent zoning changes in this area of East Centre Avenue involved the south 450 feet and north 837 feet of 1405, 1419, 1425, 1503, 1511 and 1521 that were rezoned from R-1B to OS-1 and RM-1, respectively, in 2005 and 2006.
Public Streets	East Centre Avenue is classified as a 5-lane major arterial roadway with a 2011 average daily traffic count of 20,233 vehicles. The capacity of this section of East Centre Avenue is 37,100 vehicles per day (level of service "D").
Public Utilities	Sanitary sewer and municipal water are available within the East Centre Avenue to serve the proposed development project.

III. ZONING CODE/PLANNED DEVELOPMENT PROCEDURES/REGULATIONS:

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

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

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

IV. PROPOSED TENTATIVE PLAN:

As indicated by the applicant in the attached written narrative, the planned development project involves the construction of 74 affordable apartment units within three buildings. The density (units per acre) will not exceed seven units per acre as required by the Planned Development ordinance. The building nearest East Centre Avenue will primarily consist of three stories and 48 units: The southern portion of this building, nearest the East Centre Avenue frontage, will be one story in design and will provide community and property management areas with a design intended to evoke office on the southern facade. Two additional townhouse buildings to the north will be two-story containing 13 units per building. Finally, the single-family historic home at 1521 East Centre Avenue will be retained and used as the on-site manager residence. According to the applicant, one third of the units will be for residents with physical and sensory impairments and other special needs that require barrier free units; one third for under-housed, working families that are burdened with housing costs; and the remaining one third of the units will be for households whose annual income is between 30%-60% of the area median income. The development will provide one, two, three and four bedroom units. Local, state and federal funding sources will be utilized to help finance the project.

In conjunction with the plan approval process, the applicant is requesting a modification regarding the types of uses. Section 42-374.C requires the applicant to demonstrate the project cannot be developed under other sections of the Zoning Code or provide a mixture of at least two housing types: One-family attached or detached, two-family or multi-family. The proposed plan does not include a mixture of housing types, with the exception of the historic house located at 1521 East Centre Avenue that will be the manager's residence, and could be developed under either a RM-1 or RM-2 zoning designation. Section 42-375.L allows the City Council to modify standards, based on information provided by the applicant that the standard is not in the best interest of the residents of the PD and is not inconsistent with the interests of the entire city. Within the narrative, the applicant has indicated the reasons for selecting the PD district, as opposed to an alternative zoning classification. In summary, the PD district and proposed land use is appropriate in this area of the City and will provide assurances to surrounding property owners on the specific type of development that will be built on the property while providing design flexibility to the developer.

Other features of the proposed planned development project include:

- Pedestrian Walkway/Trailway – An internal pedestrian circulation network consisting of concrete sidewalks will be provided that will connect the buildings to one another and the existing sidewalk along the north side of East Centre Avenue. Also proposed is a path that will connect the residents with the proposed "East Central Trailway" planned to be constructed along the Consumers Energy transmission line located to the northeast. The applicant is aware an easement would need to be obtained from the owner of the parcel (1629 East Centre Avenue) that separates the Selinon Park project from the Consumers Energy property.

- Historic Residential Dwelling – The dwelling located at 1521 East Centre Avenue is located in a Portage Historic District. As noted previously, the applicant intends to use the dwelling as the manager residence. The applicant is aware a Certificate of Appropriateness is needed from the Portage Historic District Commission before the start of construction. Encroachment onto this historic district property has intentionally been minimized. Also, the historic barn that was accessory to dwelling recently collapsed and was subsequently removed. There is a similar type barn located on 1603 East Centre Avenue that the applicant may relocate to 1521 East Centre Avenue. Alternatively, the applicant has reserved space for a future building where the prior barn existed, with design features similar to the historic barn. As additional information, the Historic District Commission will review the narrative and tentative plan prior to the February 4th public hearing.

- Open Space – A significant amount of open space is being retained by the applicant that can be used by the residents for active and passive recreation. Included is a proposed playground, courtyard with picnic pavilions and internal pathways and a wooded area on the north end of the site. Only 8% of the property is covered by the buildings and approximately 62% of the site will be preserved as open space.

- Building Design – As noted earlier, the project involves the construction of three residential apartment buildings. Attached for Commission review are preliminary building elevations. The southern building nearest East Centre Avenue includes a single story component that will incorporate community and property management space and has been designed to appear as an office building consistent with the office corridor designation of East Centre Avenue. The buildings include varied rooflines and other building materials intended to add interest and also reflect local design. The buildings will be constructed of high-quality, durable materials intended to reduce maintenance and replacement costs. Exterior materials will include brick, masonry and fiber cement siding in various colors and textures.

- Off-Street Parking – Section 42-523 requires the applicant to provide a minimum of 150 parking spaces (i.e. two spaces per unit). Since the development is intended to serve residents with physical or sensory impairments who will likely utilize alternative transportation, and residents with lower incomes that are less likely to own more than one vehicle, the applicant has provided information that satisfactorily documents the need for only 92 off-street parking spaces. The tentative plan includes 92 off-street parking spaces but also includes designated/"deferred" areas where additional parking spaces could be added in the future, if necessary. The Zoning Code allows deferred parking to reduce unnecessary off-street parking and impervious surfaces.

- Setbacks – The southern, three-story building will be setback approximately 80 feet from East Centre Avenue and 136 feet from the historic dwelling located at 1521 East Centre Avenue. From the east property line, the single-story portion of the building will be setback 49 feet and the three-story portion 69 feet. The northern buildings will be setback approximately 60 feet from the east property line and the off-street parking lot 10 feet. From the west property line, the parking lot will be setback approximately 70 feet and the building 119 feet.

- Storm Water Management - Storm water runoff associated with the project will be collected and conveyed to a private storm water retention basin located on the north end of the site. Additional information concerning the design of the storm water system will be submitted with the final (site) plan.

- Vehicular Access – Access to the development site will be provided through a single East Centre Avenue driveway that will be aligned with an existing shared driveway on the south side of East Centre Avenue. All interior drives will be at least 26 feet in width and will maintained, together with the off-street parking spaces, by the property owner. The existing driveway to the historic home at 1521 East Centre Avenue will be retained and improved with gravel to maintain the historic character.

- Phasing – The project will be developed in one phase. Once financing has been secured, construction is expected to begin in March 2017 and conclude in March 2018.

V. PUBLIC HEARING/COMMENTS:

The Planning Commission convened a public hearing to consider the PD rezoning and tentative plan/narrative during the January 21, 2016 meeting. Mr. Carl Kunda (applicant, Full Circle Communities) was present to support the rezoning application and explain the planned development project. No citizens spoke regarding the proposed PD rezoning and development and no citizen communications have been received.

VI. FINAL ANALYSIS:

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

Comprehensive Plan

Prior to recommending a zoning amendment, a determination that the proposed change is consistent with the Comprehensive Plan is appropriate. In the case of a rezoning, consistency is evaluated based on the Future Land Use Plan Map and also the Development Guidelines.

Future Land Use Plan Map -- The Future Land Use Plan Map component of the Comprehensive Plan designates the properties being considered for rezoning as appropriate for office (southern portion) and high density residential (northern portion). This same future land use designation exists on the properties to the east and west. To the north, the property is designated for park/recreation (Consumers Energy property) and to the south across East Centre Avenue, the property is also designated for office use.

Although the East Centre Avenue frontage is designated for office use, the Comprehensive Plan suggests that high density residential development projects and non-residential uses be located on higher street classes (e.g. major or minor arterial roadways). If designed properly, desirable land use relationships can be created thereby making residential and non-residential uses more compatible and promoting complementary land uses. In keeping with the office corridor designation, the applicant designed the building with office and community room uses near East Centre Avenue, with a building façade to appear more office-like. The proposed PD district and planned multi-family residential development is not inconsistent with the split high density residential and office designations involving these parcels.

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

Suitability of Existing R-1B, OS-1, RM-1 Zones/Impacts of Proposed PD Zone

As mentioned previously, the 1521 East Centre Avenue parcel and other parcels to the west, were rezoned in 2005/2006 from R-1B to OS-1/RM-1. While redevelopment has not yet occurred on some of these parcels, the split OS-1/RM-1 zoning pattern is still suitable for this portion of East Centre Avenue. Consistent with these previous rezoning applications that were considered in 2005/2006, the suitability of the existing R-1B zone for the 1603 and 1615 East Centre Avenue parcel should be carefully considered due to 1) increasing traffic volumes along East Centre Avenue and 2) the existing multi-family residential, office and commercial land use pattern along the East Centre Avenue corridor.

Residential development density is calculated differently in the RM-1 zoning district than in the PD, planned development zoning district. In the RM-1 zone, maximum permitted development density is calculated as specified in Section 42-350.B.(7). This section establishes a sliding scale of units per acre depending on the size (number of rooms) of each unit. Based on the number and type of apartment units proposed by the applicant, 8.8 acres would be needed if developed in the RM-1 district. The PD zone and the ordinance establishes an overall development density of 7 units/acre, with no individual phase exceeding 12 units/acre

regardless of the size of units. As a result, the number of apartment units that could be developed on this 10.7 acre tract of land is limited to 75, which reduces associated impacts such as noise, lighting and traffic. Additionally, more open space is proposed to be preserved by the applicant for the benefit of the residents and community. Finally, the proposed PD zone offers flexibility for the applicant and assurances to the community on how the property will be developed (i.e. types of land uses, density, location and so forth).

Traffic Considerations

The ITE Trip Generation Manual, Eighth Edition, indicates that a 74-unit multiple-family residential development would generate a projected 572 vehicle trips vehicles on an average weekday (24 hour period). For Commission information, each car that visits a site is counted twice, once for entering and once for exiting. Therefore, the total number of vehicles over a 24-hour period is one-half vehicle trips (286). However, given the needs of the proposed residents, less vehicles per day is anticipated. East Centre Avenue can accommodate this slight increase in vehicular traffic.

Environmental Impacts

The City of Portage Natural Resources Map indicates that the rezoning site is not situated within any designated wetland and/or floodplain areas.

VII. RECOMMENDATION:

Subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #15/16-4 be approved and 1521, 1603 and 1615 East Centre Avenue be rezoned from R-1A, one family residential, RM-1, multiple family and OS-1, office service to PD planned development. Additionally, the requested modification from Section 42-374.C (mixture of at least two housing types) is also recommended to be approved with a finding that the standard is not in the best interest of the residents of the PD and is not inconsistent with the interests of the entire city as outlined in Section 42-375.L.

The PD district and proposed land use is appropriate in this area of the City and will provide assurances to surrounding property owners on the specific type of development that will be built on the property while providing design flexibility to the developer. The PD district and associated tentative plan/narrative submitted by Full Circle Communities for the Selinon Park Planned Development is consistent with the Comprehensive Plan/Future Land Use Map designations and surrounding zoning/land use pattern along East Centre Avenue and will provide affordable housing options for residents with low incomes, physical and sensory impairments and other special needs.

Attachments: Zoning Map
Future Land Use Map
Aerial Photo Map
Development Guidelines Table (PD)
Rezoning Application
Narrative and tentative plan layout received January 15, 2016

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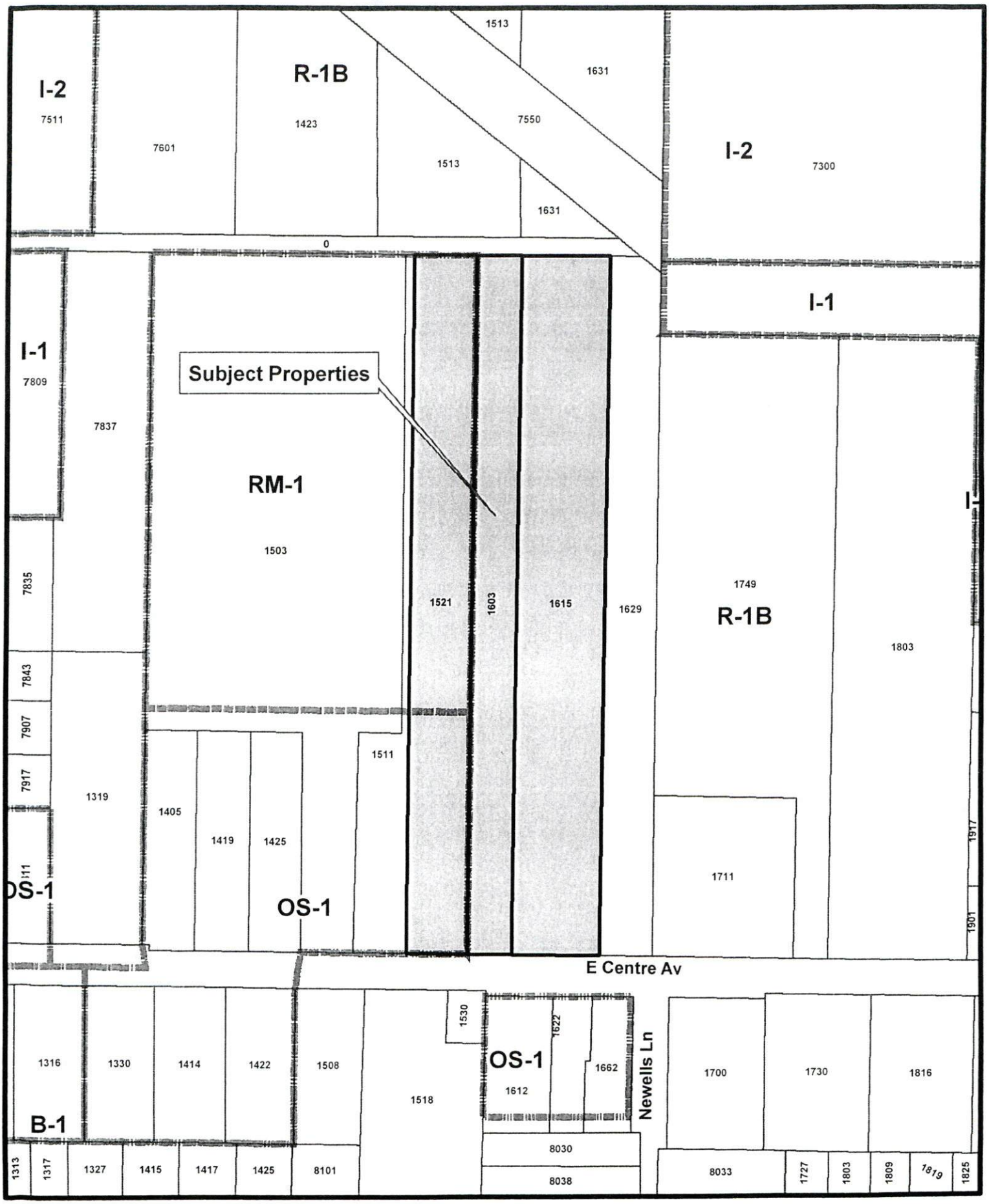
www.portagemi.gov

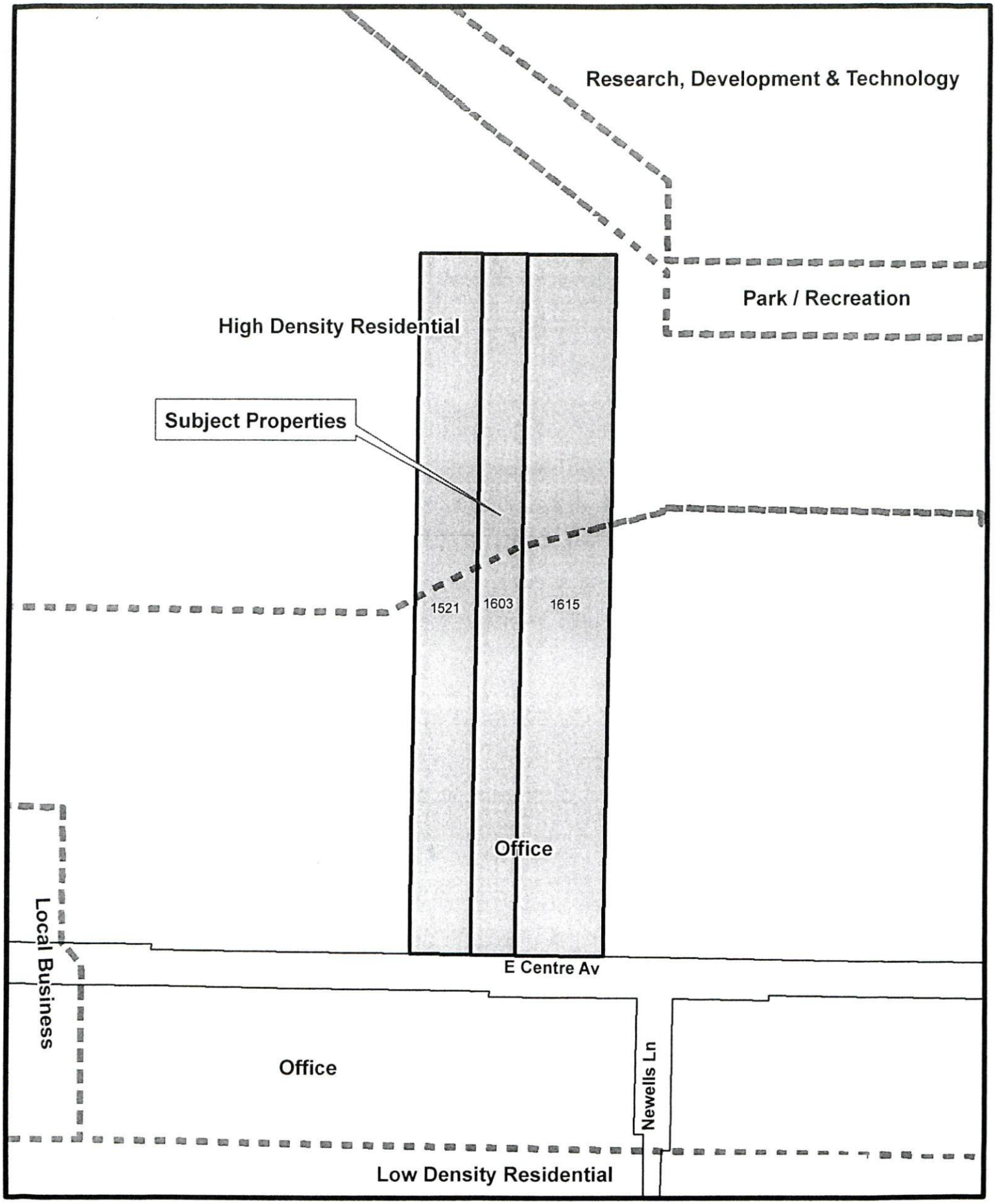


Zoning Boundary

Subject Properties

Rezoning 15/16-04
1521,1603,1615 East Centre Avenue

1 inch = 233 feet

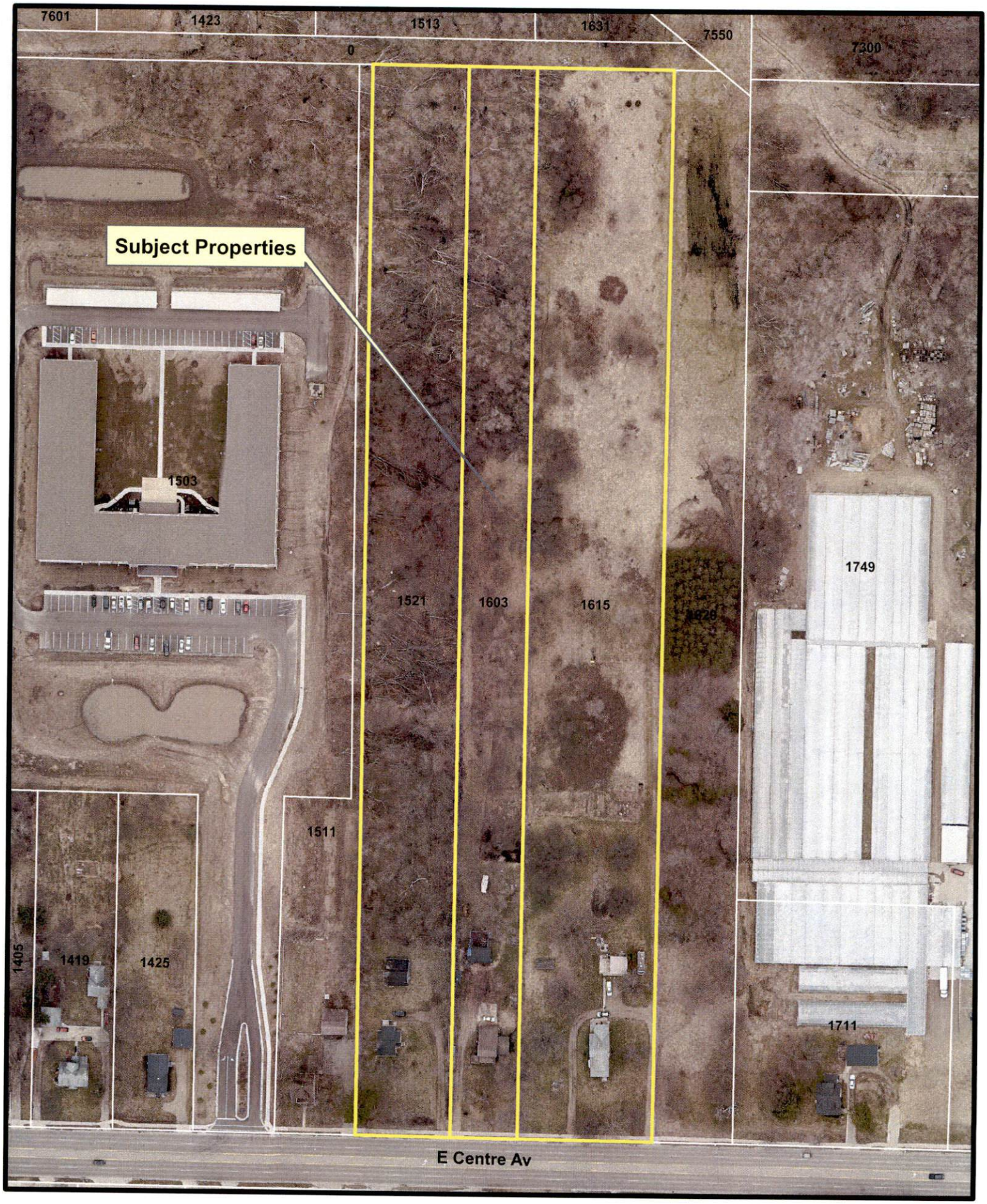


Future Land Use

Subject Properties

Future Land Use Map
1521,1603,1615 East Centre Avenue

1 inch = 233 feet



Subject Properties

Aerial Photo
1521,1603,1615 East Centre Avenue

1 inch = 150 feet

DEVELOPMENT GUIDELINES
Rezoning Application #15/16-04
(Planned Development, PD)

Guideline	Description	Consistent	Comments
Rezoning – 1	Rezoning Request	**See Comment**	Future Land Use Map designates rezoning site and adjacent properties situated to the east and west as appropriate for office land use (southern portion) and high density residential land use (northern portion). The proposed PD zone and associated tentative plan/ narrative is not inconsistent with these designations. The Comprehensive Plan suggests that high density residential development projects and nonresidential land use be located on higher street classes (major and minor arterial roadways). If designed properly, desirable land use relationships can be created making residential and nonresidential use more compatible. Applicant is designing the East Centre Avenue building façade to appear more office-like.
Residential – 1	Protection of Residential Neighborhoods	**N/A**	The Selinon Park PD multiple family residential project is not situated adjacent to a residential neighborhood.
Residential – 2	Residential Development along Arterial Roadway	**Yes**	The Selinon Park PD multiple family residential project will be situated along East Centre Avenue (major arterial) with access provided from East Centre Avenue.
Residential – 3c	Locational Criteria for Residential Uses	**Yes**	Rezoning site has locational criteria consistent with the high density residential category: Overall development density for the Selinon Park PD will be approximate 7 units/acre with access from a major arterial roadway, municipal water/sanitary sewer and underground private utilities.
Residential – 4	Compatibility with Adjacent Land Use	**Yes**	The Selinon Park PD multiple family residential project is consistent and compatible in size and scale with the adjacent Centre Meadows Apartments located immediately to the west. The Selinon Park PD is also consistent and compatible with other existing multiple family, office and commercial land use pattern along East Centre Avenue.
Residential – 5	Open Space and Natural Resource Protection	**Yes**	The Selinon Park PD will preserve approximately 6.5 acres (62%) of the overall site in open space including existing wooded areas located along the northern portion of the site.
Residential – 6	Streets and Pedestrian Systems	**Yes**	Access will be provided from East Centre Avenue, a major arterial street. An internal pedestrian circulation network of concrete sidewalks will be provided that connects the three buildings to one another and the existing sidewalk along East Centre Avenue. Additionally, a future path that will connect the project to the proposed East Central Trailway planned along the Consumers Energy property to the north is also proposed by the applicant.

Guideline	Description	Consistent	Comments
Residential – 9	Residential Planned Unit Development	**Yes**	The Selinon Park PD will provide affordable housing options for residents with low incomes, physical and sensory impairments and other special needs. No nonresidential uses are proposed with the PD.
Natural & Historic Resources – 1	Environmental Protection	**Yes**	The City of Portage Natural Resources Map indicates the PD site is not situated within any designated wetland, floodplain or other environmental sensitive area. The Selinon Park PD will preserve a large portion of the existing wooded area along the northern portion of the site as open space for use and enjoyment by the residents.
Natural & Historic Resources – 2	Floodplain	**N/A**	The rezoning site is not encumbered by floodplain areas.
Natural & Historic Resources – 3	Water Quality	**Yes**	Storm water from the planned development will be collected and conveyed to a detention basin proposed along the north side of two-story apartment buildings.
Natural & Historic Resources - 4	Noise	**N/A**	The rezoning site is not situated near excessive noise generators such as the Kalamazoo/Battle Creek International Airport or major freeway arteries.
Natural & Historic Resources - 5	Historic Resource Preservation	**See comment**	The 1521 East Centre Avenue parcel is part of a Portage Historic District. The existing dwelling is proposed to be used as a manager residence and site design for the Selinon Park PD has minimized encroachment onto this historic property. The applicant is aware that a Certificate of Appropriateness will be needed from the Portage Historic District Commission prior to commencement of construction.
Natural & Historic Resources – 6	Open Space Preservation	**Yes**	See Residential – 5 comment above
Transportation – 1	Transportation Systems	**Yes**	East Centre Avenue is a 5-lane major arterial street with 20,233 vehicles per day (2011) and a capacity of 37,100 vehicles per day (level of service D). Anticipated traffic generation from Selinon Park PD can be accommodated.
Transportation – 2	Street Design	**Yes**	Access to the development will be provided through a single full-service driveway from East Centre Avenue that will align with an existing shared driveway located along the south side of East Centre Avenue. Final design will be further evaluated with the final/site plan submittal.
Transportation – 3	Access Management	**Yes**	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	**Yes**	See Residential – 6 above.
Municipal Facilities & Services – 1	Sound Fiscal Growth	**Yes**	Existing and proposed public infrastructure is adequate to accommodate planned development.
Municipal Facilities & Services – 2	Sanitary Service	**Yes**	Sanitary sewer is available and will serve the planned development.
Municipal Facilities & Services – 3	Underground Utilities	**Yes**	Underground utilities will serve the planned development.

PORTAGE
A Natural Place to Move

Department of Community Development

RECEIVED
DEC 29 2015
COMMUNITY DEVELOPMENT

APPLICATION FOR ZONING AMENDMENT

Application number #15/16-4

Date 12/29/15

APPLICATION INFORMATION:

Meetings of the Portage Planning Commission are held on the first and third Thursday of each month at 7:00 p.m. in the Council Chambers of Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. All zoning amendment applications must be properly filled out and submitted to the Department of Community Development and the zoning amendment fee paid at least 15 working days prior to the meeting at which the public hearing is held. The applicant will be notified in writing of all such public hearing/meetings.

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 2, Subdivision 2.

TO THE PLANNING COMMISSION:

I (WE), the undersigned, do hereby respectfully make application and petition the Portage Planning Commission to amend the Zoning Ordinance and/or change the Zoning Map as hereinafter requested. In support of this application, the following is submitted:

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at 1521-1615 E. Centre Ave. between Lovers Ln. Street and Portage Rd. Street on the North side of the street, and is known as Lot Number(s) _____ of _____ Plat (Subdivision). It has a frontage of 363 feet and a depth of 1287 feet.

(1521) 00015570O
(1603) 00015575O
(1615) 00015580O

b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number).

NA

2. a. Do you own the property to be rezoned? Yes ___ No X

b. Name of the owner of the property to be rezoned: (1521) Anthony Davis, 2221 Portside Ave, Portage, MI 49002

Address (1603) Mary B. Kindt c/o Orville Smith RE/MAX Advantage, 7127 South Westnedge, Portage, MI 49002

(1615) Stephen P. Nuss c/o Orville Smith RE/MAX Advantage, 7127 South Westnedge, Portage, MI 49002

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment:

Development of quality multifamily rental property for low-income families.

4. CURRENT ZONING: (1521 E Centre) OS-1 and RM-1 (1603 and 1615 E Centre) R-1B
PROPOSED ZONING: PD

ZONING TEXT AMENDMENT

1. The proposed language to be considered is (attach additional sheets as necessary):

NA

2. The Zoning Code Chapter and Section wherein the proposed text would be modified/inserted.

NA

3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.

NA

We attach a statement hereto indicating why, in our opinion, the change requested is necessary for the preservation and enjoyment of substantial property rights, and why such amendment will advance the public health, safety and welfare. An assessment of the impact of the proposal on the community and property of other persons in the vicinity of the amendment or affected by the amendment is also attached.

(Signature of Applicant)

Joshua Wilmoth
Vice President
Full Circle Communities, Inc.
310 S Peoria Street, Suite 500
Chicago, IL 60607
847-849-5307

A copy of all actions taken regarding this application shall be attached and shall be considered a part of this application.

RECEIVED
JAN 15 2016
COMMUNITY DEVELOPMENT

SELINON PARK

Planned Development Application

Submitted to the City of Portage
by Full Circle Communities, Inc. a 501(c)(3) developer and manager of affordable housing

Project Architect: Hooker DeJong Architects & Engineers
Project Engineer: Callen Engineering, Inc.

Introduction

Selinon Park is a proposed affordable rental housing Planned Development (PD) within the City of Portage. Selinon Park provides a range of accessible housing options unified within a community-based development plan designed to maximize pedestrian circulation and maintain open spaces. This narrative responds to the requirements and conditions set forth in Sections 42-375.C., 42-374.C and 42-374.G of the City of Portage Zoning Ordinance as amended, and the City of Portage Land Development Regulations.

1. *Community Need*:

   Selinon Park responds to a demonstrated need for accessible, affordable housing in the City of Portage. Portage has a long history of inclusive, affordable housing options for low-income individuals and families, and for persons with disabilities or other complex health conditions. The City's Analysis of Impediments to Fair Housing (2011), completed as part of their 2011-2015 Consolidated Plan, however, states that there is an unmet demand for housing for populations with special needs, with over 1,100 households reporting both a disability and housing problem. Furthermore, data from the 2009-2013 American Community Survey (ACS) shows that 11.32% of the Portage's population (nearly 5,300 people) reported a disability, with over 770 of them living within the project's Census tract.

   Over 50% of Portage's renters are rent burdened, spending more than 30% of their income on housing. Over 1,200 renters in this rent burdened group earn between $20,000 and $50,000 a year. While this is below the City's median household income of $55,035, these wages ought to provide the foundation upon which workers, particularly young families, can achieve lasting economic stability - eventually saving enough to attain homeownership. But research has shown that housing cost burden can significantly delay younger families from accumulating assets, and puts some families at risk for housing insecurity or homelessness.

   Portage is a community of choice; supporting excellent schools, convenient access to several major regional and national employers, and strong institutional and healthcare anchors within the City and in neighboring Kalamazoo. Selinon Park envisions a rental community that provides vital linkages to these deep community resources, and builds resiliency through integrated supportive services and thoughtful design.

   Necessity for Planned Development (PD):

   Selinon Park will be located at 1521-1615 E Centre Ave. The City has identified this area in its Future Land Use Map for office development (OS-1) along E Centre Ave, with high-density residential (RM-1) to the north. This zoning configuration precludes development of the project under other sections of the City's zoning ordinance. While the RM-1 multifamily designation would satisfy the programmatic residential use of the site, it allows for a greater density than the city's Comprehensive Plan indicates in the Future Land Use plan. The PD process creates a legally binding mechanism that provides a project-specific rezoning that is conditioned upon

satisfying a rigorous approval process. The PD ensures conformity with the City's design and durability standards, and planning goals for this section of Portage.

Compatibility with City of Portage Comprehensive Plan:

The 2014 Comprehensive Plan guides the future growth and development for the City of Portage and identifies goals and implementation strategies in the areas of community, transportation, and land use. Selinon Park supports goal LU1.4 which calls for municipal cooperation in expanding housing opportunities for disadvantaged populations including people with disabilities and low-income families. Additionally, the project is in line with the Future Land Use Map referenced in the plan, which designates the area around the project's location to be a mix of office and high-density residential uses, rather than its underlying R1-B (low density, single-family residential) zoning. The project has been designed with a single-story community and property management space designed to appear like offices along Centre Ave. Higher density residential uses are recessed deeper into the site. The site plan is pedestrian-oriented, creating extensive internal pathways that link the project's three buildings and outdoor recreations spaces. The project also includes a recreational trail that will traverse the site, connecting existing sidewalks along E. Centre Ave, and winding through wooded open spaces at the northerly end of the project, to the proposed extension of the Bicentennial Trail at the northeast corner of the property. FCC will pursue an easement to be able to connect to this trail when it is created. The project's three buildings have been clustered to evoke an urban village. Parking has been intentionally tucked out of view from E. Centre Ave, and behind the townhouses to prioritize pedestrian circulation and reflect urbanist design principles. The townhouses look out onto a common green, which will foster community interaction. Following early feedback from the City, the amount of off-street parking has been reduced. The design of the buildings incorporates high-quality materials and thoughtful design, to ensure a long-term value to the City, and to catalyze future development along E. Centre Ave.

Project Description:

Selinon Park will be developed on an approximately 10.72 acre site, and will include 74 units in three residential buildings, at a density of 7 units per acre. There will be 92 parking spots, several pedestrian and recreation paths, landscaped common areas, an outdoor recreation area for children, and an existing historic home, designated by the Portage Historic District Commission. Over 4.5 acres of the site will be preserved as open space, with a strong emphasis on native vegetation.

E. Centre Avenue is an excellent location for this development, due to its proximity to community amenities and transit. The project is located within a mile and a half of several full-service grocery stores; under a mile from workforce training, youth development, and other community resources at the Portage Community Center; medical services; many rich retail and employment options in Portage; several schools; and outdoor recreation.

Selinon Park will provide affordable rental apartments designed to serve an integrated supportive housing population. All units will serve persons earning 30%, 50%, or 60% of Area Median Income (AMI). A third of the units will target Portage residents with physical and sensory impairments, and other special needs that require accessible, barrier-free units with features that allow for independent living. Another third of the units will target "under-housed" families, a term that describes rent burdened households that cope with housing costs by doubling up with other families or relatives, often in cramped conditions. Under-housed families lack stability, and are at high risk for experiencing homelessness. The remaining third of the project's units will provide affordable housing to residents without specific needs, but could benefit from additional quality affordable units in Portage. Our tenant selection plan and outreach efforts will reflect these preferences. The property manager will reside onsite, in the historic home located at 1521 E. Centre Ave.

Project Benefits:

Selinon Park provides many benefits to the community. The completed project will deliver a $15.35 MM well-constructed property, revitalizing under-utilized land. The project will create an estimated 3 permanent jobs and 90 construction jobs. The buildings will be Enterprise Green Communities certified, incorporating energy efficient design, HVAC system, and Energy Star appliances, water conserving plumbing fixtures, low- or no-VOC paints and coatings, radon mitigation, integrated pest management, and landscaping that reflects species native or adapted to the region.

The project's integrated supportive housing model delivers high-quality housing without creating an institutionalized setting for residents with disabilities or special needs, nor a cloistered environment for working families. Full Circle Communities is committing at least $550,000 up front to provide on-site services at no additional cost to residents. Many persons with disabilities do not need the full-time, around-the-clock support of an assisted living facility, but would benefit from housing that incorporates some supportive services or unit features that allow them to live independently. Full Circle typically employs a Case Manager to coordinate the service, transportation and health needs of residents. Working families do not require the same level of case management, but can benefit from the linkages to resources or programs that teach financial literacy, job training, and youth development. As a result, FCC is reducing the burden on local public services and the healthcare system. A Case Manager and tenant services are budgeted for the lifetime of this project.

Project Funding Sources:

Selinon Park will rely on equity raised through the allocation of Low Income Housing Tax Credits (LIHTCs) from the Michigan State Housing Development Authority (MSDHA), leveraged with a grant from the Federal Home Loan Bank's Affordable Housing Program (AHP), and conventional debt. The feasibility of the project is also contingent upon the receipt of Project-Based Rental Assistance on a portion of the units from MSHDA, and tax abatement in the form of a Payment

In Lieu of Taxes (PILOT) agreement, negotiated with the City of Portage. The PILOT application will be submitted under separate cover from this PD application.

2. Selinon Park will be developed on a 10.72 acre site consisting of three parcels (1521 E. Centre Ave, 1603 E. Centre Ave, and 1615 E. Centre Ave). 1603 and 1615 E. Centre Ave are currently zoned R-1B, single family residential. 1521 E Centre Ave has an OS-1, office service, and RM-1, multifamily residential, designation. The proposed zoning for the entire site is PD.

   Each parcel currently has a single-family home and some accessory structures, with open space consisting mainly of wooded areas to the north. The proposed development will demolish the homes on 1603 and 1615 E. Centre Ave, while retaining the historic property at 1521 E. Centre Ave as a residence for the property manager. The site has been carefully designed to preserve much of the open space at the northern end of the parcel. Most of the wooded areas will remain undisturbed except for the purposes of storm water management.

   The site orients the majority of the project on the southern end of the property to allow for a clustered design that reflects urbanist principles, and will foster a strong sense of community. The layout of the buildings also capitalizes on the natural topography and vegetation of the property, augments recreational opportunities with pedestrian and bike trails, and maximizes wooded views from the apartments.

3. The construction of Selinon Park will take place in a single phase over an approximate 12 month period, more fully described in the table below. The project's primary financial support will come in the form of equity raised through the allocation of low income housing tax credits (LIHTC) from the Michigan State Housing Development Authority (MSHDA). The so-called 9% LIHTCs are awarded through a competitive application process. The next funding round is due in April 2016, with award announcements made over the summer. The Federal Home Loan Bank system operates a competitive grant program, the Affordable Housing Program (AHP) that is included in the schedule. Site control agreements with the three property owners include provisions to account for this schedule.

4. The following timetable anticipates a successful award of LIHTCs in the April 2016 funding round.

Date	Milestone
04/01/16	MSHDA LIHTC application due
04/27/16	FHLB Indianapolis application due
07/01/16	MSHDA LIHTC notification
08/03/16	FHLB Indianapolis notification
03/31/17	Closing, construction start
03/31/18	End construction and initial lease up
07/31/18	Substantial occupancy

5. Selinon Park is well integrated into the existing development pattern and the City's Future Land Use Plan. To the west of the site is Centre Meadows Apartments, a large multifamily rental development. There are also a small number of single-family homes. To the east is a commercial greenhouse facility and Centre Street Village, another multi-family rental development. To the south is a diverse mix of commercial and office uses and a small number of single family homes. To the north is open green space and a proposed extension of the Bicentennial Trail. The Future Land Use Plan Map shows the area to be a mix of offices along East Centre and with high-density residential to the north. Selinon Park was designed to account for the existing and proposed development pattern. The exterior design of the community and service space of the project in the one-story section of the southernmost building has urbanist design elements. The northern portion of the site plan shows green space and pedestrian connections to the proposed trail extension, connecting residents with Portage's extensive pedestrian and bicycle network.

6. The project site is located at 1521, 1603, and 1615 East Centre Avenue in Portage on the north side of the street, in between Lovers Lane and Portage Road. Full Circle has executed letters of intent with each of the three owners, respectively: Anthony and Lin Davis, Mary Kindt, and Stephen Nuss. The property owners are in support of the PD application for the project. Upon successful receipt of LIHTCs from MSHDA, Full Circle Communities, Inc. will utilize the proceeds to purchase the land and develop the property according to this plan, pending final approval from the City.

7. The project proposes 74 new construction rental units, and a single unit in an existing home for the property's manager. The property is approximately 10.72 acres, with a residential density of 7 units per acre. The footprint of the buildings will cover 39,570 SF, or approximately 8% of the site. Landscaped community open space and preserved wooded open spaces together will comprise approximately 62% of the site.

8. Open space is located along the perimeter of the site, with significant wooded areas preserved in the central and northern portions of the site. Residents will be able to enjoy interconnectivity between residential and community space and a potential connection to the proposed extension of Bicentennial Trail for pedestrians and cyclists along the northern edge of the site. FCC will work with the City of Portage to obtain an easement to access this important recreation resource. FCC will also work with the City to provide secure access to the pedestrian paths that connect the trail system to E. Centre Ave. FCC will ensure quality management and maintenance of landscaped open spaces.

9. Selinon Park includes three, new construction multifamily apartment buildings, and preserves an historic single family home. The three new construction buildings have been designed by the award-winning, Michigan-based firm, Hooker DeJong. The building evokes an office appearance along E. Centre Ave, with building features echoed in the design of two townhome buildings located on the northerly portion of the site. The buildings include varied rooflines and building treatments that reflect the local context and inspire visual interest, along with efficient building features. The buildings will be constructed of high-quality, durable materials to provide long-term value to residents and the City of Portage, and to reduce maintenance and replacement

costs. Exterior materials include resilient fiber cement siding (Hardie board) in various colors and textures, and masonry veneer. The interior treatments reflect Full Circle Communities' firm commitment to delivering affordable housing that is equivalent or superior in terms of quality, energy-efficiency, and durability to the market. The buildings are connected via pedestrian footpaths. FCC will include street lights and other lighting features for security and safety, and to compensate for the lack of street lighting near the property on E. Centre Ave.

A three-story, elevator-served building is situated at the southern portion of the site. The southernmost section of the building includes a single story component incorporating community and property management space that has been intentionally designed to appear like offices along E Centre Ave. The building's footprint is 22,296 SF, with a total of 59,256 SF across all three floors. The building is 35 feet 5.5 inches as measured to the midpoint of the roof, and 26 feet 9.25 inches to the eave. The peak of the roof is 43 feet 5 inches. The front setback of the building is approximately 80 inches to the curb of E. Centre Ave. It is 49 feet from the single story component of the building to the eastern property line, and 69 feet from the three-story component of the building to the eastern property line. The building is 136 feet from the historic home at 1521 E. Centre Ave.

The building includes 24 one-bedroom units (averaging 731 SF), 22 two-bedroom units (averaging 947 SF), and 2 three-bedroom units (averaging 1,105 SF). All of the units will be visitable, and portion of the units will be barrier-free or adaptable. 46 parking spaces and a covered bicycle rack will serve this building. The building will include community spaces, a community kitchen, library, resource center and computer lab, and laundry room.

Twin, two-story, townhome buildings are located to the north of the three-story building. The three buildings are connected via pedestrian paths. The footprint of each townhome building is 8,637 SF, with a total of 17,274 SF per building, and 34,548 SF between the two buildings. The buildings are setback approximately 450 feet from E Centre Ave, with a minimum of 64 feet to the eastern property line, and minimum 119 feet to the western property line. The buildings face a shared a common green, set 97-111 feet from each other. The buildings are 23 feet 4.75 inches from the midpoint to the roof, and 17 feet 11.75 inches to the eave.

The buildings include 16 three-bedroom units (averaging 1,118 SF), and 10 four-bedroom townhomes (average 1,285 SF). The three-bedroom units are designed to resemble townhomes, but each second floor walk-up unit has private, enclosed stair access. The buildings overlook a landscaped common green with integrated pedestrian paths. 23 parking spots are located in the rear of each of the townhome buildings. A paved drive connects the two parking areas to conform to provisions in the City's fire code. The front of the townhomes have varied setbacks to the common green to increase visual interest. A covered bicycle rack will serve these buildings. All units will include in-unit laundry. All ground floor three-bedroom units will have accessible or barrier-free or adaptable unit features. All four-bedroom townhomes will include a visitable bedroom and bathroom on the ground floor.

1521 E. Centre Ave has a two-story single family historic home, designated by the Portage Historic District Commission. The property will be maintained as a residential dwelling for the property manager. Space for an accessory historic barn will be preserved behind the home, and a pedestrian and bike path will skirt the building. FCC will install fresh gravel to improve the

existing driveway access to E. Centre Ave. A Certificate of Appropriateness from the Historic District Commission (HDC) will be requested and must be obtained prior to receiving the requested rezoning, final approval from the City of Portage, and prior to the start of construction. FCC is committed to working with the HDC on this approval process, in maintaining the historic home, and restoring the historic barn.

10. Public Sanitary Sewer (8-inch) is available to the site, located in East Centre Avenue, and also available at the rear of the property (27-inch). We anticipate extending 8-inch public sanitary sewer in a 20-ft wide public easement to service all of the proposed buildings. We anticipate connecting to the existing sanitary manhole located in E. Centre Avenue, and extending northerly as needed to service all buildings. In the event the sanitary sewer in E. Centre Avenue is not deep enough to serve the northerly buildings, new sanitary sewer will connect to the existing 27-inch sanitary sewer that bisects the northerly portion of the property to serve the northerly buildings. FCC will repair or replace pavement in either scenario following guidelines from the City.

    Storm drainage, designed to capture building and parking lot runoff, will be conveyed via a combination of storm sewer and drainage swales and directed to a shallow depth retention and detention area located north of the proposed building areas. Based on the soil types encountered during the geotechnical analysis, the area will be sized and graded to provide for passive recreational uses. Preliminary analysis of the site revealed clean sandy soils that promote infiltration suitable for this method of storm water management. If geotechnical analysis reveal soils unsuitable for this type of storm water management, the size of the site accommodates an engineered solution, sized and graded to provide for a constructed wetland, with controlled-rate offsite discharge at the pre-development runoff rate, directed to areas that currently accept runoff from the site.

    Public water main is available to the site. A 12-inch water main is located in E. Centre Avenue, on the south side of the street. New 8-inch ductile iron water main will extend northerly into the site, loop around the proposed buildings and re-connect in E. Centre Avenue. At minimum, four new hydrants, with an average spacing of 400 feet, and located to ensure adequate fire protection will be provided at accessible locations. The as-built for plans will be submitted to the Portage Department of Public Safety, Fire Division, and Fire Marshall prior to final project approvals.

    Alternatively, the 8-inch water main may be extended to the existing 8-inch water main located west of the subject property, in lieu of reconnecting to E. Centre Avenue. This method is preferred, and FCC will work with the owners of 1511 E. Centre Ave and Centre Meadow Apartments to obtain the necessary easements.

11. All public utilities will be located in public utility easements, utilizing standard City of Portage easement grant forms. Additional easement documents will be prepared for storm water management and any other easements required. All easements will be illustrated and described on the final plans provided to the City.

12. Selinon Park will be accessed through an entrance off of East Centre Ave. The entryway has been positioned directly across from a driveway to an office property on the southern side of E Centre Ave.

All parking for the project is located off-street, and will conform to design and accessibility requirements established in Section 42-521. Section 42-523 stipulates a minimum of two parking spaces per dwelling unit, for a total of 150 parking spots. Selinon Park reflects a reduction in total parking to satisfy early feedback from the City at 92 spots. The parking reduction allows urbanist principles to be incorporated into the project's design. The following calculation draws on Full Circle's property management experience of similar projects, and local and national best practices to develop an informed parking ratio reduction.

Elevator-served building:
24 one-bedrooms x 0.75 stall = 18 stalls
22 two-bedrooms x 1 stall = 22 stalls
2 three-bedrooms x 1.75 stalls = 3 stalls

Townhomes:
16 three-bedrooms x 1.75 stalls =28 stalls
10 four-bedrooms x 1.75 stalls = 18 stalls
Subtotal Elevator-served = 43 stalls
Subtotal townhomes = 46 stalls
Employee parking = 3 stalls
TOTAL = 92 stalls

The target population of the elevator-served building are residents with physical or sensory impairments. This population often relies on specialized transport or paratransit access, rather than personal vehicles. The site plan includes a drop-off area at the entrance to the building to accommodate a range of vehicles. The building also targets low-income individuals without special needs. Residents with incomes between 30%-60% AMI are less likely to own more than one personal vehicle, and often carpool or rely on public transit more than higher income groups. The proximity to transit, pedestrian walkways, and bicycling opportunities justify a reduction in the parking ratio below 2:1 for the non-special needs, and family units. FCC is confident that 92 parking spots are more than adequate to address the parking needs of the project.

The site plan indicates several areas where the full parking requirement has been banked ("Potential Future Parking"), and could be expanded in the future, in accordance with Section 42-520.N. Although the overall ratio is 1.23 per dwelling unit, these 58 deferred parking spots can be constructed should the need arise in the future, and in consultation with the City.

An access road connects the two townhome parking lots in order to comply with fire code regulations. It is preferable that pervious pavement, or partially-vegetated pavers be used *in lieu*

of impervious pavement in this area so that it can have a dual function as open space and as an emergency vehicle access route.

13. The project includes four buildings, a three-story apartment building, twin townhome buildings, and a historic home. Although the historic home is a single-family detached dwelling, the new construction buildings are classified as attached residential. We seek a waiver from the requirement to provide a mixture of housing types as specified in Section 42-374(C). Detached residential would not provide the type of housing appropriate for the intended populations, or the plan to deliver integrated services to residents in the on-site community and case management spaces. The inclusion of smaller apartment units and townhomes provides variety within the attached residential classification.

    Although the project will not include an office use, the design has sacrificed some building efficiency to create an office-type building face along E Centre Ave, to conform to the Future Land Use Plan. This site plan is only possible through a Planned Development rezoning.

14. The project is anticipated to close in Spring 2017 with construction to begin shortly after, contingent upon successful allocation of LIHTCs from the state. Final approvals will be received prior to closing. Construction will be completed within 12 months in compliance with MSHDA regulations.

15. The project relies on competitive funding sources such as the LIHTC and AHP programs. The project will receive commitments for equity providers and conventional debt in advance of the April 2016 MSHDA application deadline. The project also requires tax abatement in the form of a PILOT from the City of Portage. An application for the PILOT request has been submitted to the City under a separate cover.

Summary

This PD proposal utilizes a thoughtful design to delivery much needed accessible, affordable housing to the City of Portage, and revitalizes and underutilized section of East Centre Ave. The site design emphasizes pedestrian networks, community interaction, and recreation opportunities. A tenant selection model which integrates families and persons with special needs creates a diverse and dynamic community that responds to demonstrated need in the community. Supportive services, funded through Full Circle Communities' innovative development model, will ensure the highest level of independent living, and can promote income mobility, potentially towards long-term homeownership in Portage. The project cannot be developed under any of the existing zoning designations, and the PD rezoning provides the flexibility to deliver a high-quality development that could spur additional investment along the East Centre Ave corridor. The development team looks forward to working with the City to deliver a signature, inclusive development with Selinon Park.

HOOKER | DE JONG ARCHITECTS & ENGINEERS

FULL CIRCLE communities

SELINON PARK

PRELIMINARY NOT FOR CONSTRUCTION

SITE AERIAL

PR-1

VICINITY MAP

PROJECT INFORMATION

SITE ADDRESS: 1521 CENTRE AVE

SITE AREA (COMBINED): 10.7 ACRES (466,010 SF)

BUILDING COVERAGE: 34,970 SF (7.5%)

PARKING / WALKS COVERAGE: 73,366 SF (15.8%)

TOTAL IMPERVIOUS: 115,436 SF (24%)

TOTAL UNDISTURBED: 116,133 SF (25%)

PARKING PROVIDED: 192 SPACES

PARKING PROVIDED WITH POTENTIAL FUTURE AS SHOWN: 251 SPACES

BUILDING INFORMATION

3 STORY APARTMENTS
FIRST FLOOR: 12,830 SF
SECOND FLOOR: 12,830 SF
THIRD FLOOR: 12,830 SF
TOTAL: 38,490 SF

2 STORY TOWNHOMES (UNITS 1-12)
FIRST FLOOR: 3,637 SF
SECOND FLOOR: 3,637 SF
TOTAL PER BUILDING: 7,274 SF

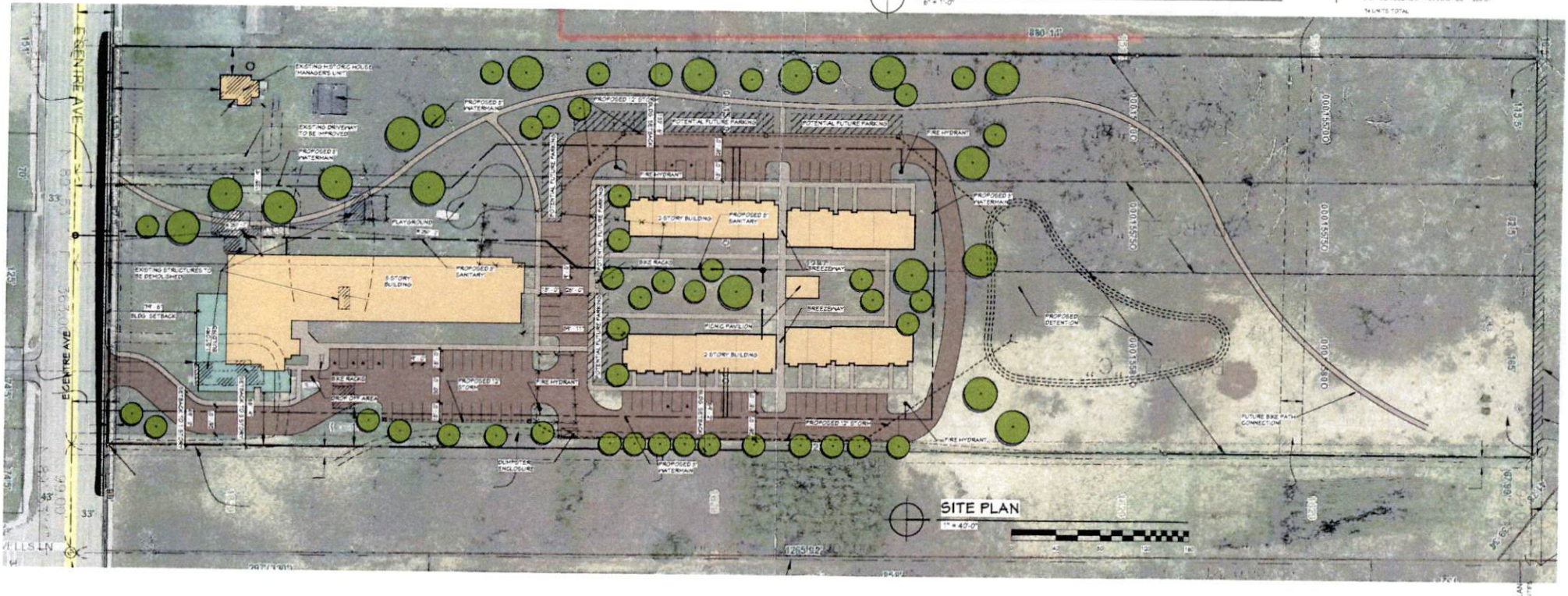
GROSS AREA: 85,204 SF

UNIT INFORMATION

3 STORY APARTMENTS (64 UNITS)
(24) ONE BEDROOM UNITS: 615 SF
(32) TWO BEDROOM UNITS: 947 SF
(8) THREE BEDROOM UNITS: 1,128 SF

2 STORY TOWNHOMES / FLATS
(8) THREE BEDROOM FLATS: 1,118 SF
(12) FOUR BEDROOM TOWNHOMES: 1,288 SF

76 UNITS TOTAL



HOOKER | DE JONG ARCHITECTS & ENGINEERS

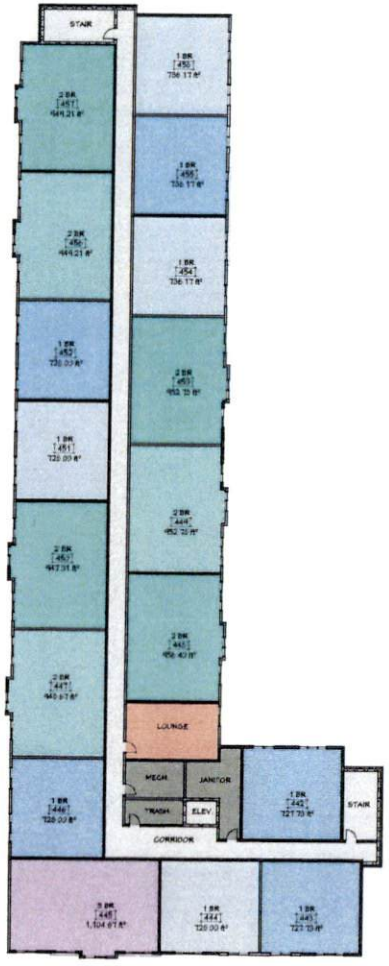
FULL CIRCLE communities

SELINON PARK

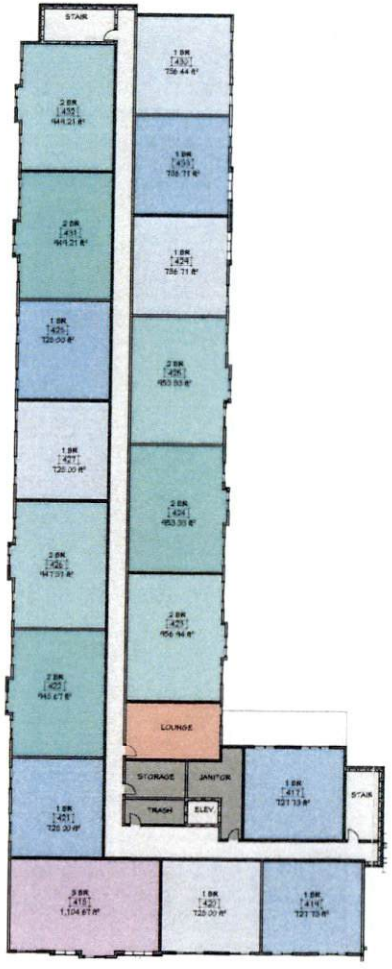
PRELIMINARY NOT FOR CONSTRUCTION

OVERALL SITE PLAN
FULL CIRCLE COMMUNITIES
1521 CENTRE AVE
1511 CENTRE AVE
1511 CENTRAL STREET
POMPTON PLAINS

PR-2



THIRD PLAN



SECOND FLOOR PLAN

FIRST FLOOR PLAN

UNIT SCHEDULE

HOOKER | DE JONG
ARCHITECTS & ENGINEERS

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communities

SELINON PARK

PRELIMINARY
NOT FOR
CONSTRUCTION

OVERALL FLOOR PLANS - 3 STORY
FULL CIRCLE COMMUNITIES
SELINON PARK
1011 SELINON STREET
PONTIAC, MI 48342

PR-3

Project # 4-0861

VIEW FROM PARKING

VIEW FROM CENTRE AVE

SOUTH ELEVATION

EAST ELEVATION

HOOKER | DE JONG ARCHITECTS & ENGINEERS

FULL CIRCLE communities

SELINON PARK

PRELIMINARY NOT FOR CONSTRUCTION

EXTERIOR ELEVATIONS - 3 STORY

FULL CIRCLE COMMUNITIES

SELINON PARK

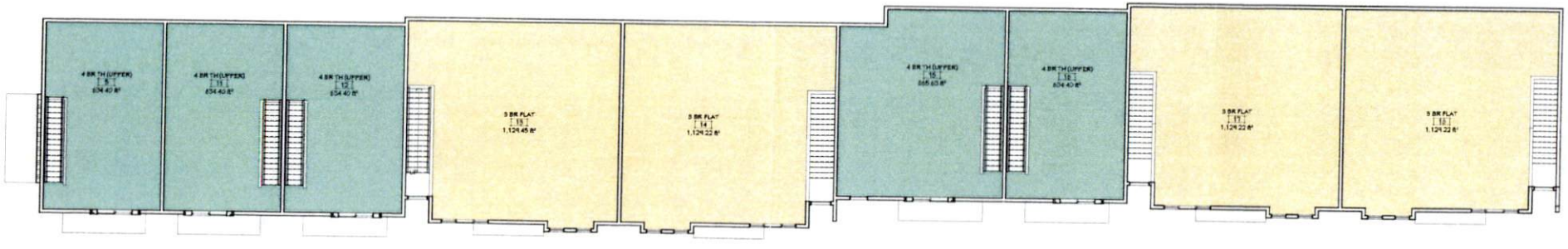
1571 CENTRE STREET

PORT ALBERNI, BC V9Y 3B2

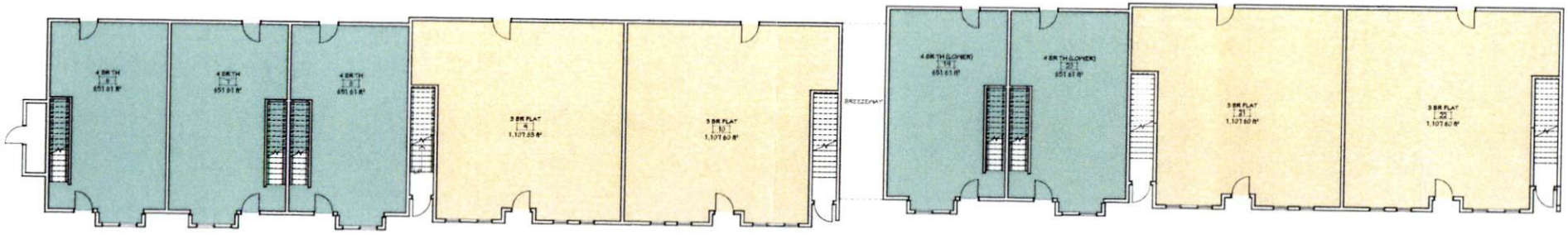
PR-4

Project # 4-0861

Date 1/19/15



SECOND FLOOR PLAN



FIRST FLOOR PLAN

HOOKER | DE JONG ARCHITECTS & ENGINEERS

FULL CIRCLE communities

SELINON PARK

PRELIMINARY NOT FOR CONSTRUCTION

FLOOR PLANS - TOWNHOUSE BUILDINGS

PR-5

Project # 4-0861

FRONT PERSPECTIVE

FRONT ELEVATION

HOOKER | DE JONG ARCHITECTS & ENGINEERS

FULL CIRCLE communities

SELINON PARK

PRELIMINARY NOT FOR CONSTRUCTION

EXTERIOR ELEVATION - TOWN-HOUSE BUILDINGS

FULL CIRCLE COMMUNITIES

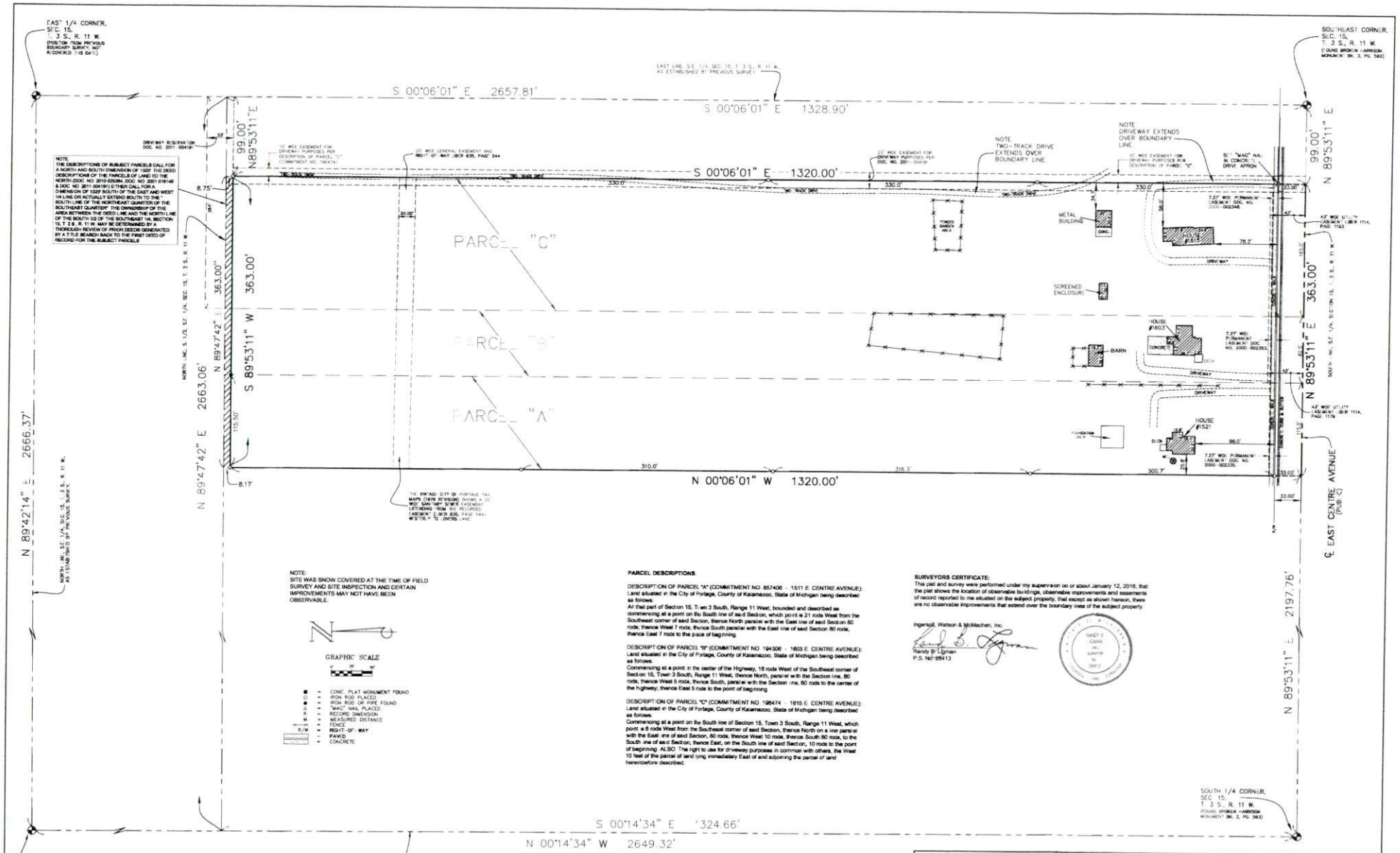
SELINON PARK

1521 CENTRE STREET
PORTAGE, MI 49002

PR-6

Project # 4-0861

Date 1.19.2016


EAST 1/4 CORNER, SEC. 15, T. 3 S., R. 11 W. (POSITION FROM PREVIOUS BOUNDARY SURVEY, NOT RECOVERED THIS DATE)
SOUTHEAST CORNER, SEC. 15, T. 3 S., R. 11 W. (FOUND BROKEN HARRISON MONUMENT BK. 2, PG. 582)
EAST LINE, S.E. 1/4, SEC. 15, T. 3 S., R. 11 W. AS ESTABLISHED BY PREVIOUS SURVEY
S 00°06'01" E 2657.81'
S 00°06'01" E 1328.90'
S 00°06'01" E 1320.00'
N 00°06'01" W 1320.00'
S 00°14'34" E 1324.66'
N 00°14'34" W 2649.32'
N 89°42'14" E 2666.37'
N 89°42'42" E 2663.06'
N 89°53'11" E 2197.76'
N 89°53'11" E 363.00'
S 89°53'11" W 363.00'
99.00'
8.75'
8.17'
119.50'
20.00'
330.0'
310.0'
316.3'
300.7'
98.0'
76.2'
33.00'
NOTE: THE DESCRIPTIONS OF SUBJECT PARCELS CALL FOR A NORTH AND SOUTH DIMENSION OF 1320' THE DEED DESCRIPTIONS OF THE PARCELS OF LAND TO THE NORTH (DOC. NO. 2010-035084, DOC. NO. 2001-018148 & DOC. NO. 2011-004191) EITHER CALL FOR A DIMENSION OF 1320' SOUTH OF THE EAST AND WEST 1/4 LINE OR ACTUALLY EXTEND SOUTH TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER. THE OWNERSHIP OF THE AREA BETWEEN THE DEED LINE AND THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4, SECTION 15, T. 3 S., R. 11 W. MAY BE DETERMINED BY A THOROUGH REVIEW OF PRIOR DEEDS GENERATED BY A TITLE SEARCH BACK TO THE FIRST DEED OF RECORD FOR THE SUBJECT PARCELS
DRIVEWAY RESERVATION DOC. NO. 2011-004191
10' WIDE EASEMENT FOR DRIVEWAY PURPOSES PER DESCRIPTION OF PARCEL "C" (COMMITMENT NO. 194474)
20' WIDE GENERAL EASEMENT AND RIGHT-OF-WAY (BER 635, PAGE 544)
20' WIDE EASEMENT FOR DRIVEWAY PURPOSES PER DOC. NO. 2011-004191
NOTE TWO-TRACK DRIVE EXTENDS OVER BOUNDARY LINE
NOTE DRIVEWAY EXTENDS OVER BOUNDARY LINE
10' WIDE EASEMENT FOR DRIVEWAY PURPOSES PER DESCRIPTION OF PARCEL "B"
SET "MAG" NAIL IN CONCRETE DRIVE APRON
PARCEL "C"
PARCEL "B"
PARCEL "A"
METAL BUILDING
CONC.
FENCED GARDEN AREA
SCREENED ENCLOSURE
BARN
CONCRETE
HOUSE #1603
HOUSE #1515
HOUSE #1521
DECK
DRIVEWAY
FOUNDATION ONLY
7.22' WIDE PERMANENT EASEMENT DOC. NO. 2000-002346
7.27' WIDE PERMANENT EASEMENT DOC. NO. 2000-002353
7.27' WIDE PERMANENT EASEMENT DOC. NO. 2000-002335
43' WIDE UTILITY EASEMENT (BER 1114, PAG. 1193)
43' WIDE UTILITY EASEMENT (BER 1114, PAG. 1179)
THE VINTAGE CITY OF PORTAGE TAX MAPS (1976 REVISION) SHOWS A 20' WIDE SANITARY SEWER EASEMENT LEADING FROM THE RECORDED EASEMENT (BER 635, PAGE 544) WEST TO "D" OVERS LANE
NORTH LINE, S.E. 1/4, SEC. 15, T. 3 S., R. 11 W. AS ESTABLISHED BY PREVIOUS SURVEY
NORTH LINE, S. 1/2, S.E. 1/4, SEC. 15, T. 3 S., R. 11 W.
SOUTH LINE, S.E. 1/4, SECTION 15, T. 3 S., R. 11 W.
℄ EAST CENTRE AVENUE (PUB. C)
SOUTH 1/4 CORNER, SEC. 15, T. 3 S., R. 11 W. (FOUND BROKEN HARRISON MONUMENT BK. 2, PG. 583)
CENTER 1/4 CORNER, SEC. 15, T. 3 S., R. 11 W. (POSITION FROM PREVIOUS BOUNDARY SURVEY, NOT RECOVERED THIS DATE)
WEST LINE, S.E. 1/4, SEC. 15, T. 3 S., R. 11 W. AS ESTABLISHED BY PREVIOUS SURVEY
NOTE: SITE WAS SNOW COVERED AT THE TIME OF FIELD SURVEY AND SITE INSPECTION AND CERTAIN IMPROVEMENTS MAY NOT HAVE BEEN OBSERVABLE.
GRAPHIC SCALE
■ = CONC. PLAT MONUMENT FOUND
○ = IRON ROD PLACED
● = IRON ROD OR PIPE FOUND
△ = "MAG" NAIL PLACED
R = RECORD DIMENSION
M = MEASURED DISTANCE
= FENCE
R/W = RIGHT-OF-WAY
= PAVED
= CONCRETE
PARCEL DESCRIPTIONS:
DESCRIPTION OF PARCEL "A" (COMMITMENT NO. 857406 - 1511 E. CENTRE AVENUE): Land situated in the City of Portage, County of Kalamazoo, State of Michigan being described as follows.
All that part of Section 15, Town 3 South, Range 11 West, bounded and described as commencing at a point on the South line of said Section, which point is 21 rods West from the Southeast corner of said Section, thence North parallel with the East line of said Section 80 rods; thence West 7 rods, thence South parallel with the East line of said Section 80 rods, thence East 7 rods to the place of beginning.
DESCRIPTION OF PARCEL "B" (COMMITMENT NO. 194306 - 1603 E. CENTRE AVENUE): Land situated in the City of Portage, County of Kalamazoo, State of Michigan being described as follows.
Commencing at a point in the center of the Highway, 18 rods West of the Southeast corner of Section 15, Town 3 South, Range 11 West, thence North, parallel with the Section line, 80 rods, thence West 5 rods, thence South, parallel with the Section line, 80 rods to the center of the highway, thence East 5 rods to the point of beginning.
DESCRIPTION OF PARCEL "C" (COMMITMENT NO. 195474 - 1615 E. CENTRE AVENUE): Land situated in the City of Portage, County of Kalamazoo, State of Michigan being described as follows.
Commencing at a point on the South line of Section 15, Town 3 South, Range 11 West, which point is 6 rods West from the Southeast corner of said Section, thence North on a line parallel with the East line of said Section, 80 rods, thence West 10 rods, thence South 80 rods, to the South line of said Section, thence East, on the South line of said Section, 10 rods to the point of beginning. ALSO The right to use for driveway purposes in common with others, the West 10 feet of the parcel of land lying immediately East of and adjoining the parcel of land hereinbefore described.
SURVEYORS CERTIFICATE:
This plat and survey were performed under my supervision on or about January 12, 2016; that the plat shows the location of observable buildings, observable improvements and easements of record reported to me situated on the subject property, that except as shown hereon, there are no observable improvements that extend over the boundary lines of the subject property.
Ingersoll, Watson & McMachen, Inc.
Randy B. Lipman
P.S. No. 25413
RANDY B. LIPMAN
PROFESSIONAL SURVEYOR
No. 25413
STATE OF MICHIGAN
DATE
REVISION
BOUNDARY SURVEY REPORT
FULL CIRCLE COMMUNITIES, INC.
PROPERTY IN THE S.E. 1/4, SECTION 15, CITY OF PORTAGE, MICHIGAN.
Ingersoll, Watson & McMachen, Inc.
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS
1120 East Milham Road • Portage Michigan 49002 • Area 269-344-6190 • Fax 269-344-0666
DATE 1/12/2016
JOB No. 36478
SHEET No. 1
36478.dwg LG

City of Portage – Historic District Commission
Wednesday- February 3, 2016
Portage City Hall – Conference Room #2

Meeting Called to Order at 8:30 AM

Present: Katie VanLonkhuyzen, Suzanne Nemeth, Collin Forrest, John Lotz, Jesse Duniphin, Erica Eklov, Martha Maytnier

Absent: Russell Randall, James Ebert, Fred Grunert

Guests: Carl Kunda and Jordan Bartle from Full Circle Communities

Old Business:
Minutes from regular meeting of January 6, 2016 approved without changes.

New Business:
Presentation and discussion of Selinon Park, a new development proposed by Full Circle Communities that includes properties located at 1521, 1603, and 1605 E. Centre.

- **1521 East Centre Avenue is a single-family historic home. It is proposed that this home will be retained and used as the on-site manager residence.**
- Local, state and federal funding sources will be used to provide for residents with (1) physical and sensory impairments and other special needs that require barrier free units, (2) for under-housed, working families burdened with housing costs, and (3) for households with annual incomes between 30-60% of area median income.
- The building nearest East Centre Avenue frontage will be three stories and consist of 48 units. The southern portion of this building will be one-story and provide community and property management areas. In addition, the one-story portion of the building incorporating the community and property management space has been designed to appear as an office building to be consistent with the office corridor designation of East Centre Avenue.
- Two additional townhouse buildings to the north will be two-story and contain 13 units per building.
- All buildings include varied rooflines and other building materials intended to add interest and also reflect local design.
- Buildings will be constructed of high-quality, durable materials designed to reduce maintenance and replacement costs.
- Exterior materials will include brick, masonry, and fiber cement siding in various colors and textures.
- **The project will be developed in one phase. It is expected that construction will begin in March 2017 and conclude in March 2018.**

1521 East Centre Avenue Historic Residential Building and Barn

- Full Circle Communities is aware that a Certificate of Appropriateness is needed from the Portage Historic District Commission before the start of construction.
- Encroachment onto this historic property has intentionally been minimized.
- Full City Communities is aware that in addition to the home, an historic barn accessory to the property recently collapsed and has been removed from the property.
- Prior to this proposal from Full Circle Communities, HDC was negotiating replacement of the barn with Davis, the current property owner.
- Full City Communities is aware that receiving a Certificate of Appropriateness from the Historic District Commission is contingent on replacement of the prior barn with a structure similar in design to the original structure or the possible relocation to the historic property of a barn currently located at 1603 East Centre Avenue that is of the appropriate age and design of the barn that has been removed from the property.

Old Business:

3221 W. Milham (Nieuwenhuis)/ barn:

- On January 30, 2016, a letter was sent to the Nieuwenhuis' outlining items of concern and clarification that were discussed during a conference call to Matt Nieuwenhuis at the December 16th, 2015 HDC meeting.
- HDC has nothing to review, there has been no further communication from the property owners.

5720 Oakland (Vergunst)/barn and outbuildings:

- Noted that property owners had removed a pool, fence and poured concrete foundation to the property.
- No further communication about the barn and outbuildings.

2663 Mandigo (Kiley)/ house & outbuildings:

- Code enforcement still on-going.

8007 Cox Drive (Kasten)/ building designation

- No news

New Business:

10234 East Shore (Giem) / property status

- Nothing has been done.
- Airstream still parked on property.
- Windmill needs maintenance.
- Original house is gone. Current house using the foundation.
- Entire barn is NOT original. Only the part facing the house. The Garage and silo were added to original structure.

Train Barn (on same property)

- City Manager toured the property to explore how the concept could be preserved.
- There has been no public access to the barn for 7-8 years.
- Downstairs there is a retail shop with merchandise stock still in place. Upstairs there are model train displays.
- Structure is not compatible with ADA access guidelines.
- There has been some slight damage to the building that would need repairs, and other possible safety issues.
- If the city were to take over the project, code infringements would have to be addressed.
- Question about whether the property could be run privately without adherence to current codes under the "grandfather" designation.

Non-historic Property Development Inquiry

- 12 acres
- House is historical but does not have an HDC designation. (Note* about 16 properties originally identified by the HDC – not part of original designation.)
- Owned by trust – owner passed.
- Property owners would like to move the house.
- Property has a barn built in the 1880's.
- Property also has several other out-buildings that may have historic value. Fellow district property owners might be interested in possibly moving some of the out-buildings to their properties.

Other Business:

On-going discussions:

- Should HDC have a newsletter?
- Should HDC hold an annual event highlighting something to do with historic preservation?
- Property assignments for committee members to be on the agenda for March meeting.
- Proposed amendment to 1970 Public Act 169, the law that allows local Michigan communities to protect their history throughout local historic districts.

On January 27, 2016, the Michigan Historic Preservation Network issued a press release informing citizens that Rep. Chris Afendoulis, R-Grand Rapids and Sen. Peter McGregor, R-Rockford, planned to introduce legislation that would weaken protection afforded to Michigan's historic districts.

Significantly, the proposed amendment would: (1) dispose of current process for dissolving historic districts, allowing local legislative bodies to eliminate local historic districts without guidelines or justification or community input. (2) Change the appeals process for an aggrieved property owner within a district, removing review by a third party, the State Historic Preservation Review Board. (3) Automatically dissolves historic districts after 10 years.

A letter **against** support for this amendment was sent (on behalf of the City Manager) to Senator Margaret O'Brien and Representative Brandt Iden.

Meeting adjourned at 9:30 AM.
Submitted by Martha Deming Maytnier

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Resolution Accepting New Public Streets - Act 51 Mileage Certification

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation and Utilities

ACTION RECOMMENDED: That City Council adopt a resolution accepting all new streets constructed within new residential plats approved by City Council during calendar year 2015 as public streets.

The Annual Act 51 Mileage Certification Report requires that all streets constructed during the preceding calendar year be accepted for public use through the adoption of a resolution by the jurisdiction's governing body. In the case of new streets constructed within the confines of new residential development, although these streets are technically accepted through the plat approval process, Act 51 requires the governing body to adopt one inclusive resolution accepting these streets incorporated in the new development, which merely need to be listed in the resolution. This action certifies that the new streets conform to city specifications and can be dedicated for public use, which qualifies these streets for annual roadway maintenance funding in accordance with the provisions of Act 51, Public Act 1951, as amended. The previous Annual Act 51 Mileage Certification Report for the year of 2014 was adopted by Council in April 2015.

Streets constructed and platted for the 2015 calendar year include:
• Copperleaf Trail
• Byram Circle
• Riley Ridge

All of these streets are located in the "Copperleaf" Development situated north of West Milham Avenue near US-131.

With this certification, a total of 0.32 centerline miles of local streets will be added to the city street network, bringing the total centerline miles of local streets to 148.42 miles. Coupled with the 72.04 centerline miles of major streets, a total of 220.46 centerline miles of streets will make up the City of Portage street system.

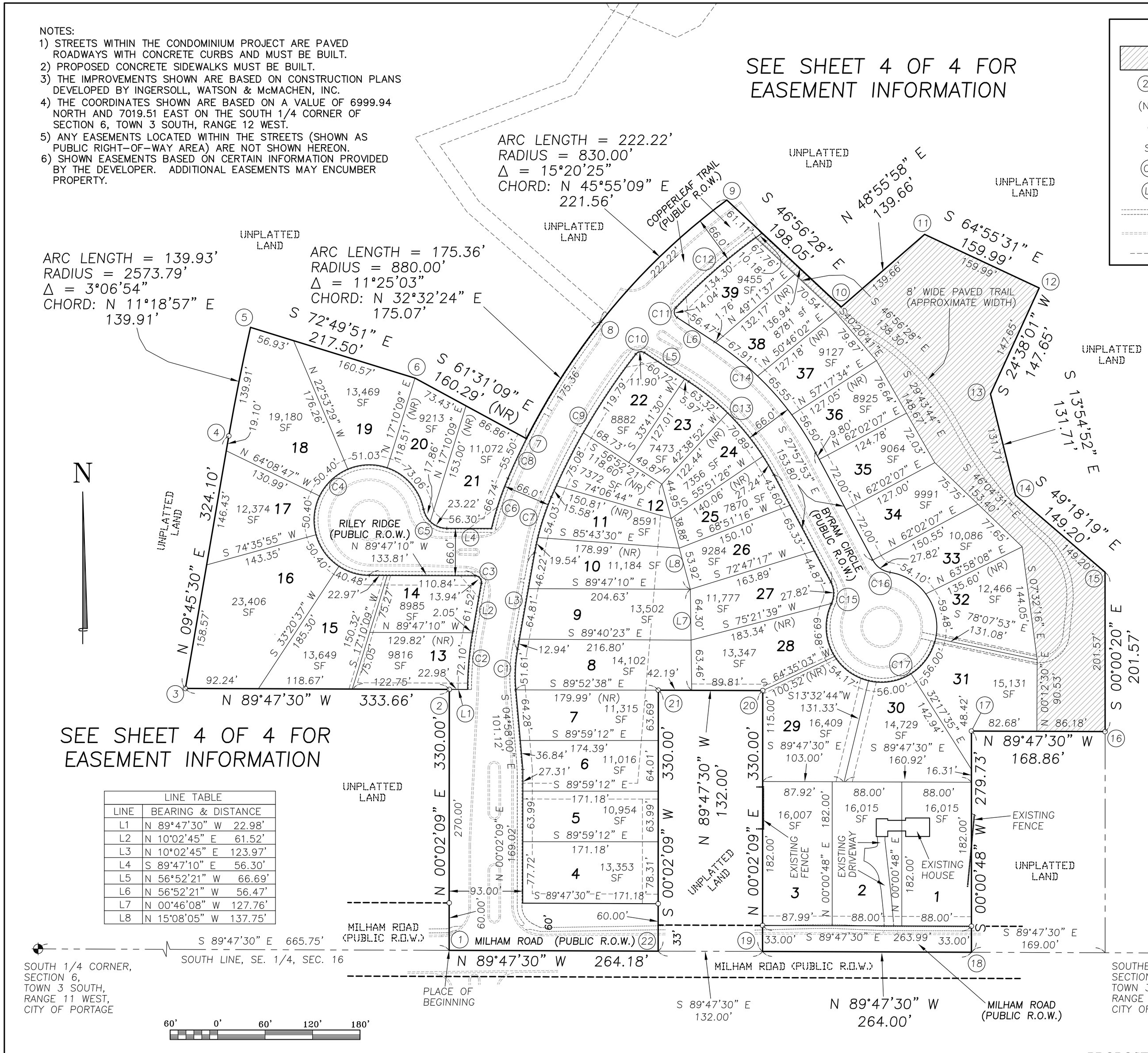
Therefore, it is recommended that the resolution accepting all streets constructed within new plats for calendar year 2015 be adopted by City Council.

FUNDING: N/A

Attachments: 1. Plat Map

2. Resolution

NOTES:
1) STREETS WITHIN THE CONDOMINIUM PROJECT ARE PAVED ROADWAYS WITH CONCRETE CURBS AND MUST BE BUILT.
2) PROPOSED CONCRETE SIDEWALKS MUST BE BUILT.
3) THE IMPROVEMENTS SHOWN ARE BASED ON CONSTRUCTION PLANS DEVELOPED BY INGERSOLL, WATSON & McMACHEN, INC.
4) THE COORDINATES SHOWN ARE BASED ON A VALUE OF 6999.94 NORTH AND 7019.51 EAST ON THE SOUTH 1/4 CORNER OF SECTION 6, TOWN 3 SOUTH, RANGE 12 WEST.
5) ANY EASEMENTS LOCATED WITHIN THE STREETS (SHOWN AS PUBLIC RIGHT-OF-WAY AREA) ARE NOT SHOWN HEREON.
6) SHOWN EASEMENTS BASED ON CERTAIN INFORMATION PROVIDED BY THE DEVELOPER. ADDITIONAL EASEMENTS MAY ENCUMBER PROPERTY.



LEGEND

- GENERAL COMMON ELEMENT (HATCHED)
- (2) COORDINATE LOCATION
- (NR) INDICATES UNIT LINE IS NON-RADIAL
- ○ CONCRETE SURVEY MONUMENT
- SF SQUARE FOOT
- (C9) CURVE NUMBER
- (L5) LINE NUMBER
- CONCRETE SIDEWALK OR PAVED TRAIL
- CONCRETE CURB
- EDGE OF EASEMENT

SCHEDULE OF COORDINATES

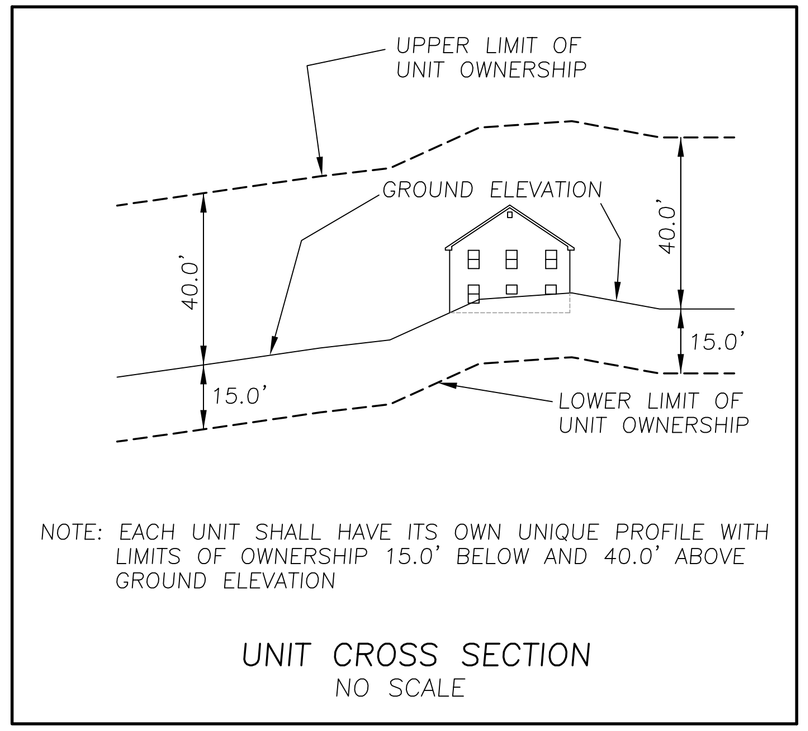
#	NORTHING	EASTING
1	6997.52	7685.26
2	7327.52	7685.46
3	7328.74	7351.80
4	7648.15	7406.74
5	7785.34	7434.19
6	7721.14	7642.00
7	7644.70	7782.89
8	7792.29	7877.06
9	7946.42	8036.22
10	7811.20	8180.93
11	7902.95	8286.22
12	7835.14	8431.13
13	7700.94	8369.59
14	7573.09	8401.27
15	7475.81	8514.38
16	7274.24	8514.40
17	7274.85	8345.49
18	6995.12	8345.43
19	6996.08	8081.43
20	7326.08	8081.64
21	7326.56	7949.64
22	6996.56	7949.43

CURVE TABLE

CURVE	LENGTH	RADIUS	CENTRAL ANGLE	CHORD
C1	51.61'	196.97'	15°00'45"	N 02°32'23" E 51.46'
C2	74.15'	430.00'	9°52'48"	N 05°06'21 E 74.06'
C3	13.94'	8.00'	99°49'55"	N 39°52'12" W 12.24'
C4	315.77'	70.00'	258°27'47"	N 39°26'43" E 108.44'
C5	41.08'	30.00'	78°27'47"	N 50°33'17" W 37.95'
C6	66.74'	380.00'	10°03'45"	N 18°11'12" E 66.65'
C7	73.57'	320.00'	13°10'20"	N 16°37'55" E 73.41'
C8	55.50'	880.00'	3°36'48"	N 25°01'29" E 55.49'
C9	210.45'	820.00'	14°42'16"	N 30°34'13" E 209.87'
C10	11.90'	8.00'	85°12'19"	N 80°31'30" E 10.83'
C11	14.04'	8.00'	100°32'31"	N 06°36'05" W 12.31'
C12	144.48'	770.00'	10°45'03"	N 49°02'42" E 144.27'
C13	161.45'	320.00'	28°54'27"	N 42°25'07" W 159.74'
C14	191.72'	380.00'	28°54'27"	N 42°25'07" W 189.70'
C15	27.82'	30.00'	53°07'48"	N 01°23'59" W 26.83'
C16	27.82'	30.00'	53°07'48"	N 54°31'47" W 26.83'
C17	349.73'	70.00'	286°15'37"	N 62°02'07" E 84.00'

LINE TABLE

LINE	BEARING & DISTANCE
L1	N 89°47'30" W 22.98'
L2	N 10°02'45" E 61.52'
L3	N 10°02'45" E 123.97'
L4	S 89°47'10" E 56.30'
L5	N 56°52'21" W 66.69'
L6	N 56°52'21" W 56.47'
L7	N 00°46'08" W 127.76'
L8	N 15°08'05" W 137.75'



Copperleaf

in the City of Portage, Kalamazoo County, Michigan

SITE PLAN

DATE 6/1/2015
JOB No. 36273
SHEET No. 3

Ingersoll, Watson & McMachen, Inc.
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS
1133 East Milham Road * Portage, Michigan 49002 * Area 269-344-6165 * Fax 269-344-0555

PROPOSED 06/1/2015

(133)

CITY OF PORTAGE

RESOLUTION ACCEPTING NEWLY CONSTRUCTED
PLATTED STREETS AS PUBLIC STREETS

At a regular meeting of the Council for the City of Portage, Michigan, Kalamazoo County, Michigan, held at the City Hall on the ___ day of _____, 2016, at 7:30 p.m., local time.

PRESENT:_____

ABSENT:_____

Resolution offered by: _____

Seconded by _____

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place platted streets within the City Local Street System for the purpose of obtaining funds under Act51, P.A. 1951 as amended:

AND WHEREAS, streets were constructed and final plat and site acceptance was granted to certain site condominiums during the 2015 calendar year.

NOW, THEREFORE, BE IT RESOLVED: that the public right-of-way of said streets are described in the following:

A public right-of-way for streets described as Copperleaf Trail, Byram Circle and Riley Ridge (public right-of-way) situated in the Southeast quarter of Section 6, Town 3 South, Range 11 West, City of Portage, Michigan, Kalamazoo County, Michigan, being more particularly described as follows:

Commencing at the South quarter corner of Section 6, Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan; thence S. 89°47'30" E. 665.75 feet along the South line of the Southeast quarter of said Section 6 to the Place of Beginning; thence N. 00°02'09"E. 330.00 feet to the North line of the South 330.00 feet (perpendicular measure) of said Southeast quarter; thence S. 89°47'30" E. 22.98 feet along said North line;

thence Northerly 74.15 feet along the arc of a non-tangent curve to the right having a radius of 430.00 feet, a central angle of 9°52'48", and a chord of N. 05°06'21"E. 74.06 feet;

thence N. 10°02'45" E. 61.52 feet; thence Northwesterly 13.94 feet along the arc of a curve to the left having a radius of 8.00 feet, a central angle of 99°49'55" and a chord of N. 39°52'12" W. 12.24 feet; thence N. 89°47'10" W. 133.81feet;

thence Westerly, Northerly, and Easterly 315.77 feet along the arc of a curve to the right having a radius of 70.00 feet, a central angle of 258°27'47", and a chord of N. 39°26'43" E. 108.44 feet;

thence Southeasterly 41.08 feet along the arc of a reverse curve to the left having a radius of

30.00 feet, a central angle of 78°27'47", and a chord of S. 50°33'17" E. 37.95 feet; thence S. 89°47'10" E. 56.30 feet;

thence Northeasterly 66.74 feet along the arc of a non-tangent curve to the right having a radius of 380.00 feet, a central angle of 10°03'45", and a chord of N. 18°11'12" E. 66.65 feet; thence Northeasterly 230.86 feet along the arc of a compound curve to the right having a radius of 880.00 feet, a central angle of 15°01'51", and a chord of N. 30°44'00" E. 230.20 feet; thence Northeasterly 222.22 feet along the arc of a compound curve to the right having a radius of 830.00 feet, a central angle of 15°20'26", and a chord of N. 45°55'09" E. 221.56 feet; thence S. 46°56'28" E. 61.11 feet;

thence Southwesterly 144.48 feet along the arc of a non-tangent curve to the left having a radius of 770.00 feet, a central angle of 10°45'03", and a chord of S. 49°02'42" W. 144.27 feet; thence Southeasterly 14.04 feet along the arc of a compound curve to the left having a radius of 8.00 feet, a central angle of 100°32'31", and a chord of S. 06°36'05" E. 12.31 feet; thence S. 56°52'21" E. 56.47 feet;

thence Southeasterly 191.72 feet along the arc of a curve to the right having a radius of 380.00 feet, a central angle of 28°54'27", and a chord of S. 42°25'07" E. 189.70 feet; thence S. 27°57'53" E. 153.80 feet;

thence Southeasterly 27.82 feet along the arc of a curve to the left having a radius of 30.00 feet, a central angle of 53°07'48", and a chord of S. 54°31'47" E. 26.83 feet;

thence Easterly, Southerly, and Westerly 349.73 feet along the arc of a reverse curve to the right having a radius of 70.00 feet, a central angle of 286°15'37", and a chord of S. 62°02'07" W. 84.00 feet;

thence Northerly 27.82 feet along the arc of a reverse curve to the left having a radius of 30.00 feet, a central angle of 53°07'48", and a chord of N. 01°23'59" W. 26.83 feet; thence N. 27°57'53" W. 153.80 feet;

thence Northwesterly 161.45 feet along the arc of a curve to the left having a radius of 320.00 feet, a central angle of 28°54'27", and a chord of N. 42°25'07" W. 159.74 feet; thence N. 56°52'21" W. 66.69 feet;

thence southwesterly 11.90 feet along the arc of a curve to the left having a radius of 8.00 feet, a central angle of 85°12'19", and a chord of s: 80°31'30" *w:* 10.83 feet;

thence Southwesterly 210.45 feet along the arc of a compound curve to the left having a radius of 820.00 feet, a central angle of 14°42'16", and a chord of S. 30°34'13" W. 209.87 feet; thence Southwesterly 73.57 feet along the arc of a compound curve to the left having a radius of 30.00 feet, a central angle of 13°10'20", and a chord of S. 16°37'55" W. 73.41 feet;

thence S. 10°02'45" W. 123.97 feet; thence southwesterly 51.61feet along the arc of a curve to the left having a radius of 196.97 feet, a central angle of 15°00'45", and a chord of S. 02°32'23" W. 51.46 feet;

thence S. 04°58'00" E. 101.12 feet; thence S. 00°02'09" W. 169.02 feet to the North line of the South 60.00 feet (perpendicular measure) of the Southeast quarter of said Section 6; thence S. 89°47'30" E. 171.18 feet along said North line of the South 60.00 feet; thence S. 00°02'09" W. 60.00 feet to said South line of the Southeast quarter of Section 6; thence N. 89°47'30" W. 264.18 feet along said South line to the Place of Beginning of said centerline, intending to describe the right-of-way areas for the City of Portage public roadways within Phase One of the "Copperleaf". Site Condominium.

BE IT FURTHER RESOLVED that said streets are located within city rights-of-way and are under the control of the City of Portage; that said streets are public streets and are for public street purposes; and that said streets are accepted into the City Local Street System.

That all resolution or parts of resolutions insofar as they conflict with this provision of this resolution are hereby rescinded.

Dated: _____, 2016 _____

James R. Hudson, City Clerk

YEAS: _____

NAYS: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED.

_____

James R. Hudson, City Clerk

STATE OF MICHIGAN)

)SS

COUNTY OF KALAMAZOO)

I, the undersigned, the 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 _____, 2016, the original of which resolution is on file on my office.

_____

James R. Hudson, City Clerk

APPROVED AS TO FORM
DATE 3/17/2016

CITY ATTORNEY

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Eliason Nature Reserve Phase 2 (South Central Trail)

SUPPORTING PERSONNEL: Kendall Klingelsmith, Director of Parks, Recreation and Senior Citizen Services

ACTION RECOMMENDED: That City Council resolve to support a Michigan Natural Resources Trust Fund grant application in the amount of $291,500 to the Michigan Department of Natural Resources for construction of the Eliason Nature Reserve Phase 2 project and authorize the City Manager to execute all documents related to the action on behalf of the city.

The City of Portage was fortunate to receive 123 acres of land from Linda Eliason in memory of her husband David. The intent of the land is to be a Nature Reserve with passive recreational opportunities. Phase 1 construction, which is currently underway, includes construction of a non-motorized trail from Osterhout Avenue to Portage Industrial Drive and a parking lot. This work is expected to be complete in late July 2016.

Planning of a Phase 2 project is underway and will include construction of nature trails, decking and connection to the Bishop's Bog Preserve trail, which will enhance linkage for park users. This project, being designed with assistance from the Kalamazoo Nature Center, will provide opportunities for additional educational opportunities. The addition of the trails to Bishop's Bog will allow the city enhanced access to manage invasive species.

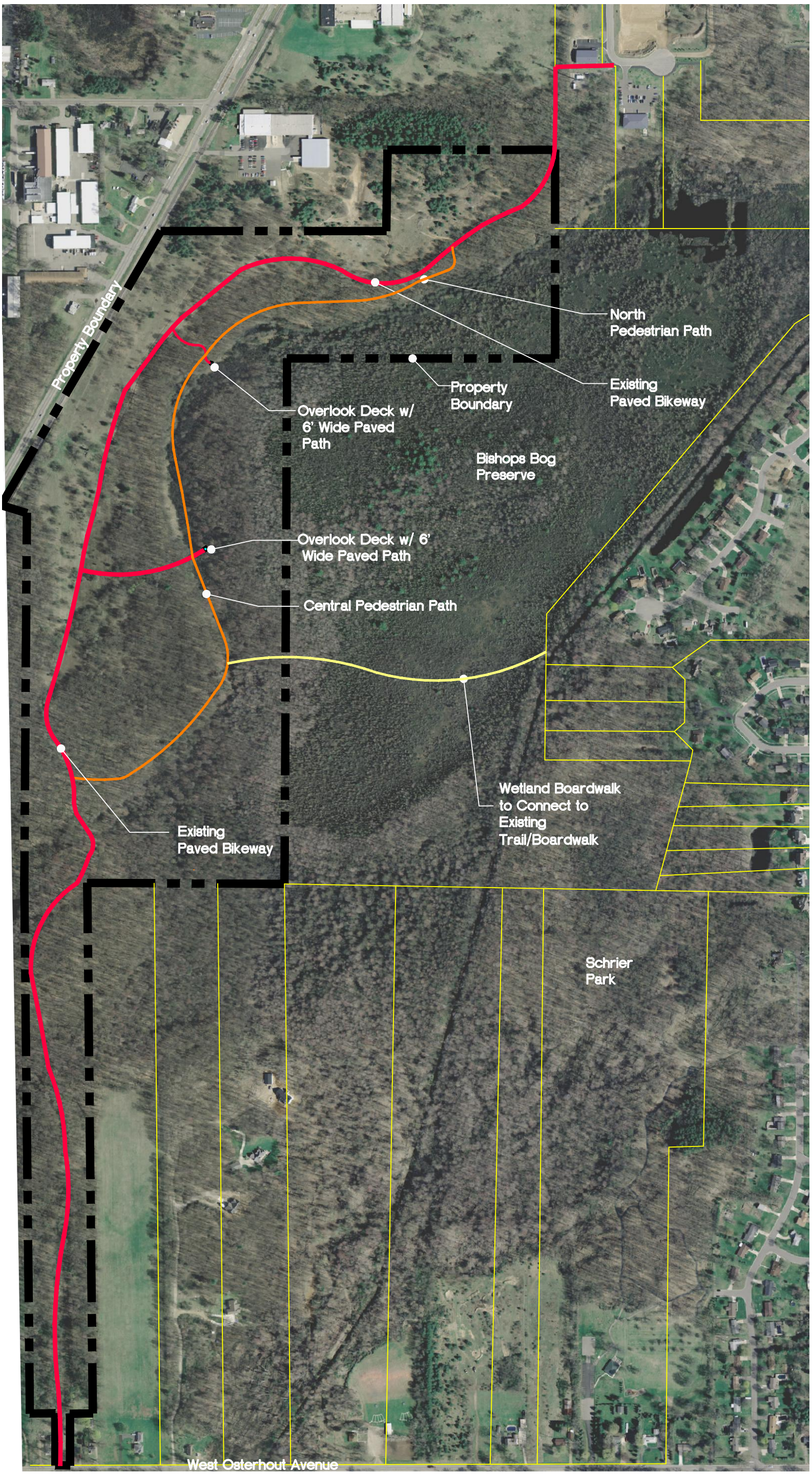
The Michigan Natural Resources Trust Fund (MNRTF) grant program provides funds for the development of community parks and recreation facilities. Governmental units in the state may apply for matching funds through an application process coordinated by the Michigan Department of Natural Resources (MDNR). Projects submitted must have a resolution of support from the local unit of government to be eligible for funding. The City Council supported a similar resolution for Phase 1 of this project in March 2014 and is being asked to support a resolution to request funding for construction of Phase 2. Subject to receipt of funds, the project will be completed during the 2017 construction season.

Therefore it is recommended that City Council resolve to support submission of a MNRTF grant application in the amount of $291,500 to the MDNR and authorize the City Manager to execute all documents related to the action on behalf of the city.

FUNDING: The total cost for the Eliason Nature Reserve Phase 2 project is estimated to

be $491,500. Fiscal Year 2016-2017 of the Capital Improvement Program includes $200,000 for this project. The funding request to the MDNR is for the remaining $291,500.

Attachments:
1. Eliason Nature Reserve Phase 2
2. Resolution



Portage South Central Trail + Trail Head

March 2016

Portage, Michigan

0 250 500 1000
Scale in Feet

ocba landscape architects

RESOLUTION FOR
SOUTH CENTRAL PORTAGE BIKEWAY PHASE 2

At a regular meeting of the City Commission for the City of Portage, Michigan held at the City of Portage City Hall, Portage, Michigan on March 22, 2016

Present:
Absent:

The following resolution was offered by Commissioner_____ and supported by Commissioner_____.

WHEREAS, the City of Portage supports the submission of an application for South Central Portage Bikeway Phase 2 to the Michigan Natural Resources Trust Fund (MNRTF) for development of a nature trail, two overlook decks and boardwalk connecting to Bishop's Bog at the Eliason Nature Reserve; and,

WHEREAS the proposed application is supported by the community's 5 year approved parks and recreation plan; and,

WHEREAS, the City of Portage has made a financial commitment to the project in the amount of $200,000 through the Capital Improvement Program, in matching funds; and,

NOW, THEREFORE, BE IT RESOLVED that the City of Portage city commissioners hereby authorizes the submission of a Michigan Natural Resources Trust Fund Application for $291,5000, and further resolves to make available its financial obligation of $200,000 (41%) of a total $491,500 project cost, during the 2016-2017 fiscal year.

Total Estimated Cost:	$491,500
MNRTF Funds: (capped at)	$291,500
Local Match: (City of Portage)	$200,000

1. The City Manager is hereby directed to file said report and recommendation with the City Clerk as soon as the same has been prepared.

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

ADOPTED: YEAS:_____

NAYS:_____

ABSENT:_____

_____

CITY CLERK

STATE OF MICHIGAN)

): SS

COUNTY OF KALAMAZOO)

I, the undersigned, the 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 _____meeting of the City Council of said City, held on the ___ day of _____, 2016, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this _____ day of _____, 2016.

_____

CITY CLERK

APPROVED AS TO FORM
DATE 3/16/16

CITY ATTORNEY

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: February Environmental Summary Report

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation and Utilities

ACTION RECOMMENDED: Information Only

Attached please find the February 2016 Summary Environmental Activity Report from Department of Transportation & Utilities Director, W. Christopher Barnes, P.E. New material or material of specific interest to City Council is presented in italics.

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

FUNDING: N/A

Attachments: 1. February 2016 Summary Environmental Activity Report

SUMMARY ENVIRONMENTAL ACTIVITY REPORT
February 2016 (*updates in italics*)

Project/Activity	**Description**	**Status**
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-Beginning in 1991, South Westnedge Park (landfill) has been monitored for on-site and off-site contamination. On July 23, 2013, City Council approved a three-year contract with American Hydrogeologic Corporation (AHC) to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. Initial groundwater and methane results indicate no off-site impact. AHC currently compiling MDEQ sampling requirement costs necessary for closure at the former landfill site. Weekly methane sampling is continuing on-site to collect base line data. AHC is completing the installation of private methane detection devices at several adjacent properties. Soil boring installation was completed on May 28, 2014. Current methane readings have been below detection levels. The 2nd year of AHC's contract is underway with annual testing ongoing.
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. *-Review of 4 site/building plan and/or plats completed in February 2016.*
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	*-Sanitary sewer hookup permits issued in February 2016*: *15 residential; 0 commercial.*
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions. Special emphasis on weed control and non-point source pollution reduction.	-Five Year Lake Management Assessment District process was approved by City Council. The West Lake Improvement association has completed a five year plan for a new special assessment district. Special assessment process for 2015-2019 began on August 26, 2014. Resolution No. 5 completing the assessment was adopted October 21, 2014. Year-end report by the consultant is complete. The Association has selected to use

		Restorative Lake Sciences, LLC for consulting services for 2015. Treatment application completed in mid-June. Follow-up inspection of treatment will be done by Restorative Lake. The 2015 weed treatment bids were received on February 24, 2015. City Council approved weed treatment contract with Professional Lake Management Company on April 10, 2015. Weed treatment was completed in June. The Association has requested to renew the contract with Restorative Lake Science for 2016. *Weed treatment is on schedule for 2016.*
Retention Basin Sampling Program (Groundwater Elevation)	Investigation regarding potential impact of retention basins on groundwater levels.	-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to storm water infiltration. Alternative road salt practices continue to be considered and evaluated. Bids were received for a new four year program on April 16, 2014. The low bidder, Nova Consultants, was awarded a four-year contract by City Council on April 29, 2014. Monitoring performed in October 2014 and July 2015. Monthly sampling at two retention basins continues. Current findings show groundwater levels of approximately the same as 2015 levels.
Wellhead Protection Program (WHPP)	Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.	-Current Wellhead Protection was originally approved in 2001. Staff participated in a MDEQ Water Supply Emergency planning roundtable on June 10, 2013. Update of the program has been initiated as part of the Water Reliability Study in conjunction with Fishbeck, Thompson, Carr & Huber update work is complete. Final report preparation was submitted to the Michigan Department of Environmental Quality for review and approval. Letter of approval received from MDEQ on June 15, 2015. Program implementation is ongoing.
Leaf Compost Monitoring Program	Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.	- City Council awarded contract on August 21, 2001 to Soil & Materials Engineers for monitoring and analysis of groundwater impact of the new compost operation. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi-annual sampling was performed from 2002 to 2008 in June and January. Sampling and analysis results continue to show negligible groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater

		quality. Sampling completed in June 2015, with report submitted. No significant change in groundwater impacts.
National Pollution Discharge Elimination System (NPDES) Permit Implementation	Five year plan to implement the current NPDES stormwater permit.	-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Storm Water Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) completed December 11, 2009. Received a notice from MDEQ rescinding the 2008 permit due to a recent court case ruling. MDEQ reinstated the 2003 permit for implementation. Information on new permit requirement was received in February 2011. MDEQ expected to issue new permit in 2014. MDEQ scheduled an audit of the program on July 12, 2012. Audit completed with satisfactory results. City website updated in February to provide education of Illicit Storm Water Discharge. Program implementation is ongoing. Annual 2012-13 report was submitted on December 24, 2013. Comments received back have been reviewed by staff and response submitted to MDEQ. MDEQ concurred with city staff response. New permit application process announced in November 2014. New permit application was submitted in March 2015. Semi-annual report submitted to MDEQ on December 21, 2015. Implementation is ongoing.
National Pollution Discharge Elimination System (NPDES) Permit Implementation	Kalamazoo River Mainstream Watershed Management Plan	- Proposals for completing the watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Watershed council completed a watershed update in November, 2011. No new developments.

Portage River Watershed Management Plan	-Original proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Interest has been raised by local conservation groups to update the Watershed Plan using grant funds. Grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan in 2012. Grant for watershed update was awarded to Calhoun County Conversation District. A meeting was held on March 12, 2013 to discuss the designated uses of the Portage River/Little Portage Creek watershed, the total maximum daily load of E-coli from samples taken and a review of community ordinances and policies that help protect the Watershed. Meeting held on June 11, 2013 to discuss identified water quality problems in the watershed. Meeting held on December 11, 2013 to inform stakeholders of progress on data collection. Canoe trip inspection was held on September 13, 2014. No new developments.
Plan to implement and maintain an Illicit Discharge Elimination Program (IDEP) Storm Sewer Outfall Testing.	-On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections." Program implementation is ongoing. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDEQ on June 25, 2010, and part of the SWIPPI. Completed an area-wide brochure to educate the public on Illicit Storm Water Discharges in conjunction with the Kalamazoo County Drain Commissioner. On April 29, 2014 City Council awarded a contract to Nova Consultants, Inc., to perform annual investigations of storm outfalls and investigate all outfalls on a four-year cycle. Investigations scheduled for 2014 were completed in July with summary report received. Report submitted to MDEQ as part of the annual report. Next report due in June 2016.

Garden Lane Arsenic Removal Facility	*Native Prairie Restoration*	Staff currently working with the Environmental Board on informative signs and long-term maintenance plans for the native planting landscape design in front of the Garden Lane Treatment Plant. New informational signs are complete and maintenance is ongoing. Native prairie burn is being planned for 2016.
Environmental Incident/Spill Clean Up Notification	Environmental Protection Program to assist Portage Police/Fire Departments with spill containment and spill cleanup.	Emergency spill response contract for 2014-15 with Terra Contracting has been renewed. *The number of environmental incident/spill investigations performed in February – 0. Number of environmental cleanups in February – 0.*
Southwest Michigan Regional Sustainability Covenant	Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.	On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to MDEQ for a greenhouse gas inventory study of the area. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs. No new developments.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Committee of the Whole Meeting Dates

SUPPORTING PERSONNEL:

ACTION RECOMMENDED: That City Council set Tuesday, April 26, Tuesday, September 20 and Tuesday, October 18, 2016 at 6:00 p.m. as Committee of the Whole Meetings.

Following review of topics identified and submitted by Council, it is recommended that Committee of the Whole meetings be established as noted below:

1. Tuesday, April 26 at 6:00 p.m. - Economic Development / Branding
2. Tuesday, September 20 at 6:00 p.m. - Bid Process / Purchasing
3. Tuesday, October 18 at 6:00 p.m. - Debt Reduction

FUNDING: N/A

Attachments: 1. N/A

Household Hazardous Waste Center

Jennifer Kosak, Facility Manager

Drive Up Service

- Open year round
- One of only a few permanent collection sites in MI

“What do you take?”

- Batteries - Alkaline and lithium, lead acid and rechargeable

- Fluorescent bulbs (CFL, U-shaped, halo, 2 ft, 4 ft and 8 ft)

What else?

Chemicals

- Aerosols – empty or full, including inhalers
- Flammable materials (liquid solvents)
- Lab packed materials (acids-low pH, ammunition, black powder, PCB ballasts, bases-high pH, cleaners, 1 lb propane tanks, lighters, unused sharps, fireworks, flares)
- Oil-based paints and other flammable materials
- Antifreeze
- Fire Extinguishers
- Printer Ink/Toner
- Oil and Oil Filters

- Mercury (mainly thermometers, thermostats)

And… Pesticides (liquid and solid)

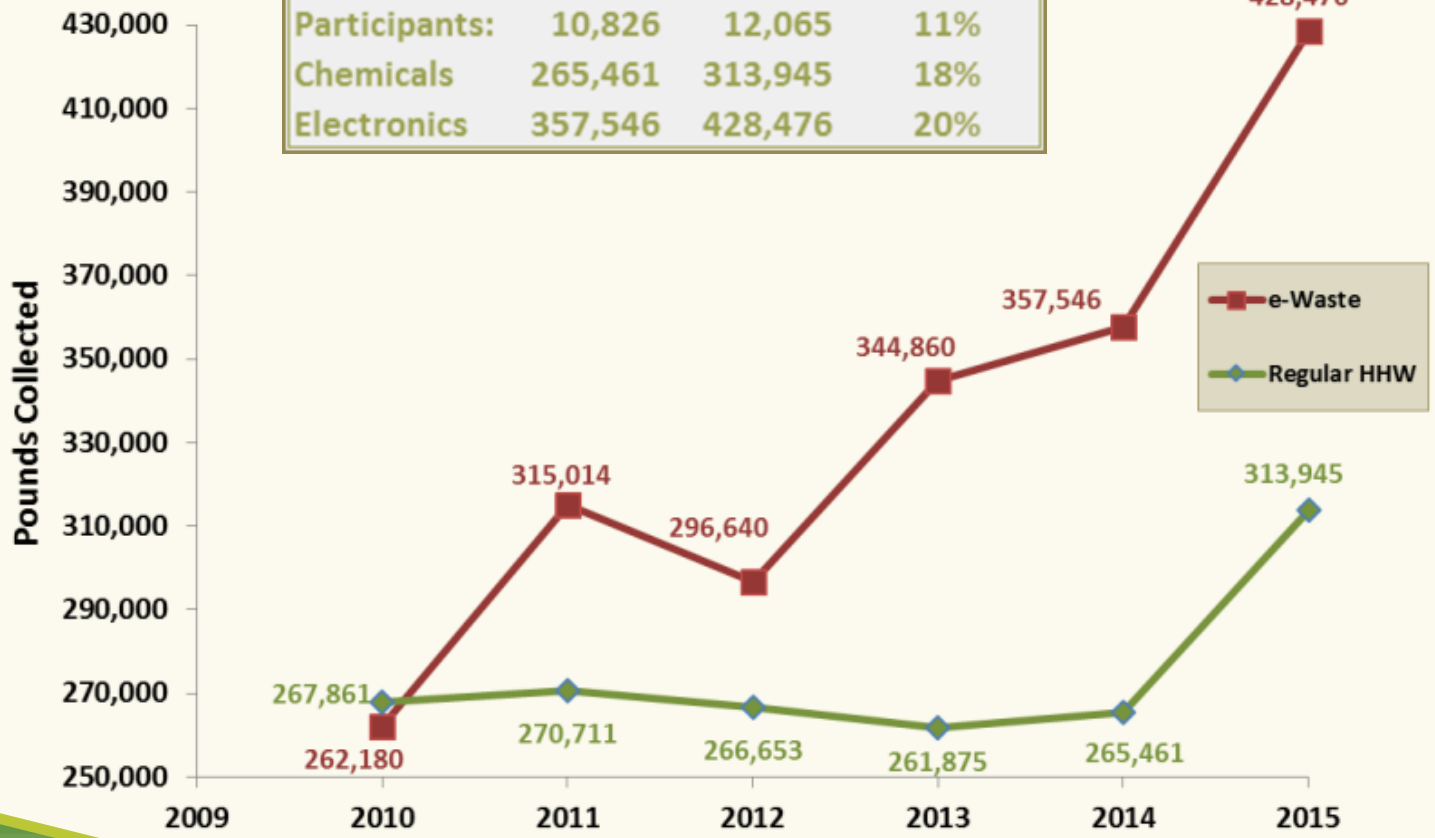
Michigan Clean Sweep Site

Electronics

- Cell phones
- CPUs/Laptops Computers
- Monitors
- Printers
- Televisions: all sizes
- Scrap Metal & Wire
- Miscellaneous: DVD players, keyboards, mice, cables and power cords, eReaders, iPads, cable TV equipment, satellite equipment, stereo equipment, cordless phones, scanners, fax machines and VCRs

Increased Growth

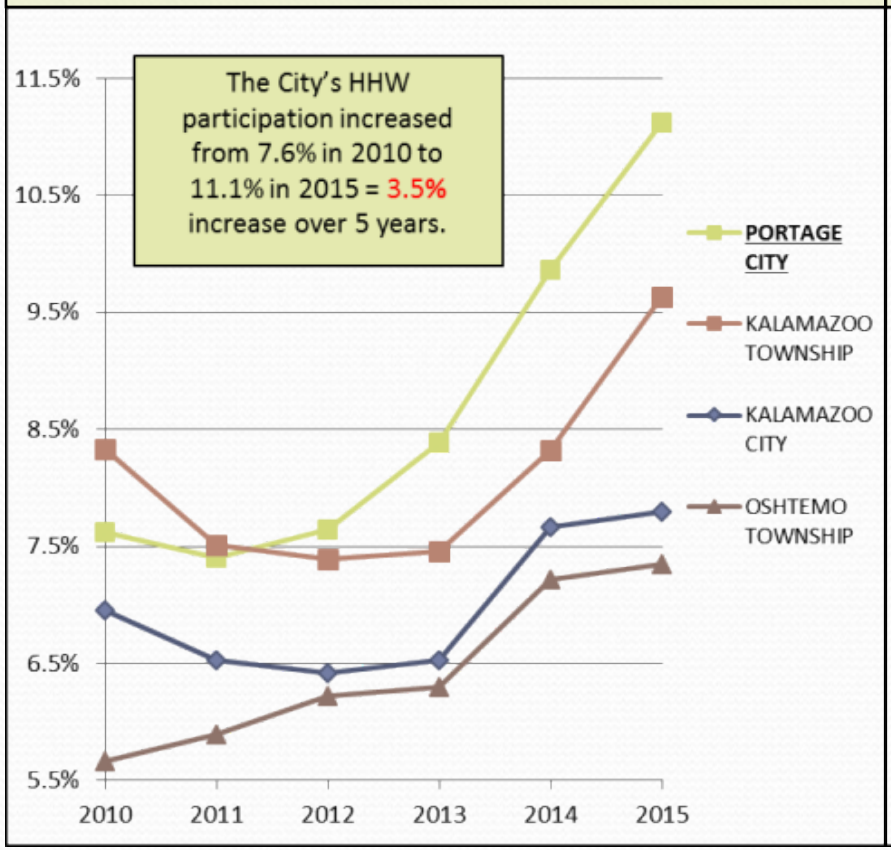
Year:	2014	2015	Increase
Participants:	10,826	12,065	11%
Chemicals	265,461	313,945	18%
Electronics	357,546	428,476	20%

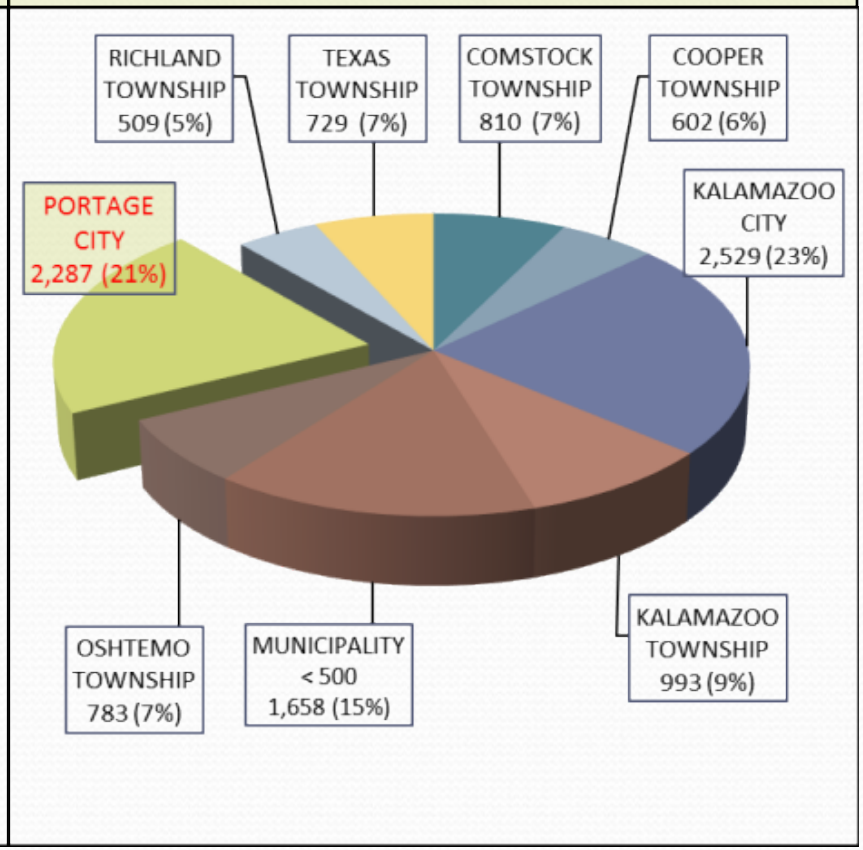


742,421 lbs

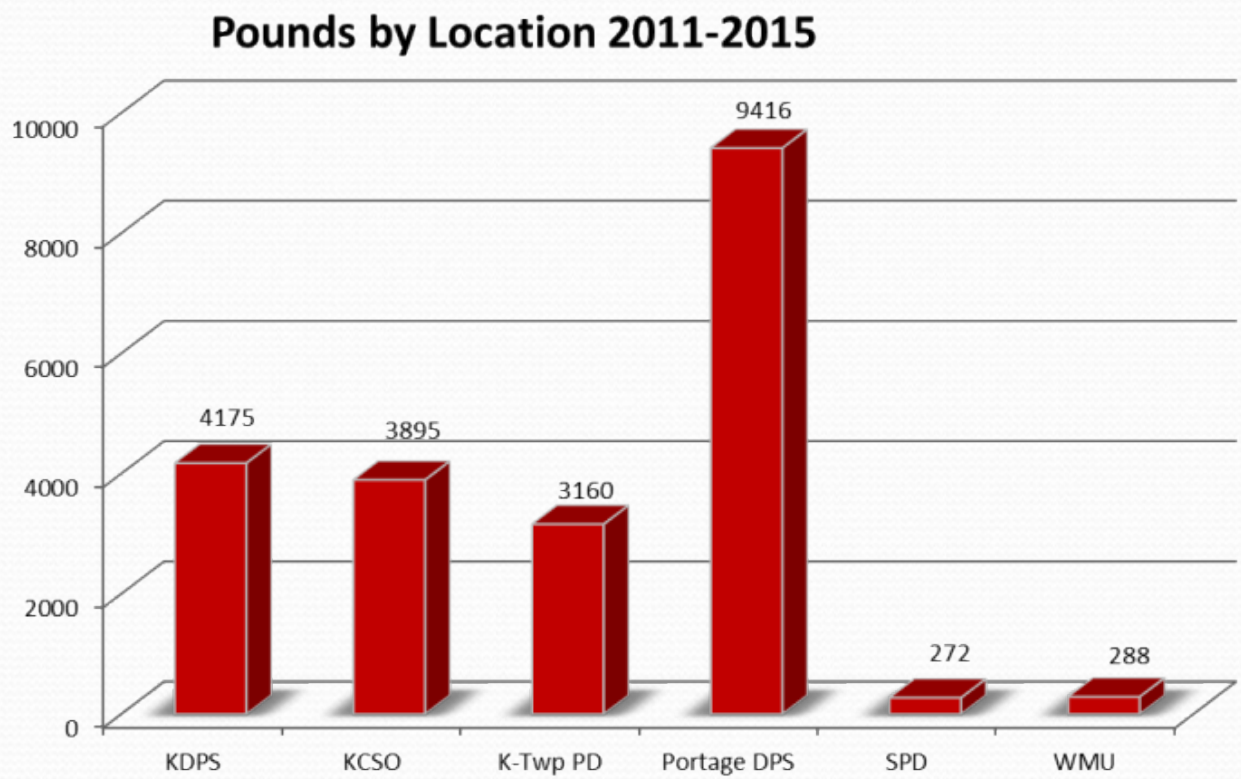
City of Portage

Participation By Residential Housing Units (US Census Bureau 2010)	2015 HHW Participants = 10,900





Red Med Boxes



Over 20,000 pounds collected !
(1st opened Dec 2011)

Two Events for City of Portage Residents

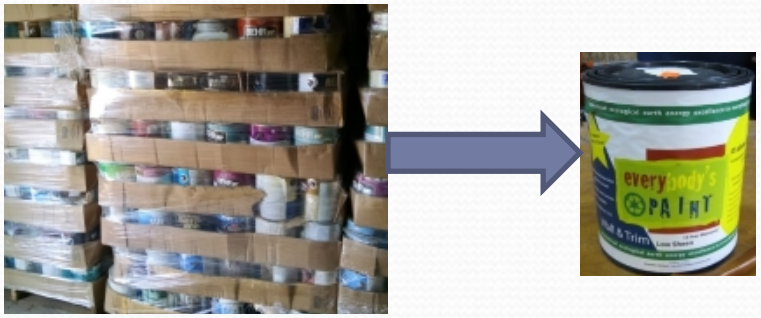
Electronics Collection

- April 16th
- 10:00am - 2:00pm
- Schupan & Sons Inc.

Plastic, steel, aluminum, copper, gold and silver are recovered and reused.

Latex Paint Recycling

- May 14th
- 9:00am - 2:00pm
- e-Paint Recycling



TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Tax Exemption (Payment in Lieu of Taxes) for Selinon Park Apartments

SUPPORTING PERSONNEL: Vicki Georgeau, Director of Community Development

ACTION RECOMMENDED: That City Council adopt an ordinance amendment to grant Selinon Park Limited Dividend Housing Association Limited Partnership a tax exemption and establish a Payment in Lieu of Taxes for Selinon Park, a proposed 74-unit multiple-family residential development to be constructed at 1521, 1603 and 1615 East Centre Avenue.

Full Circle Communities has an option to purchase 1521, 1603 and 1615 East Centre Avenue and has concurrently requested a rezoning (Rezoning #15/16-4) of these properties from R-1B, one family residential, RM-1, multiple family residential and OS-1, office service to PD, planned development, which must be approved prior to final action on the requested Payment in Lieu of Taxes (PILOT). As shown on the attached tentative plan, the development will provide one, two, three and four bedroom units. Local, state and federal funding sources are proposed to finance the development.

As background information, Portage offers a wide variety of housing opportunities for residents, and consistent with the 2014 Comprehensive Plan and Community Development Block Grant (CDBG) Program 2011-2015 Consolidated Plan, the City of Portage has acknowledged a need to facilitate affordable housing for persons with disabilities and/or low income households. As a result the city has approved several tax exemptions over the years to facilitate such housing in the form of a PILOT for various apartment developments. Specifically, PILOT ordinances have been adopted for the Spring Manor, the Hearthside, The Crossings II, Centre Street Village, Barrington Woods, Milham Meadows and a single-family affordable rental dwelling at 1506 Schuring Road (owned by the Kalamazoo Family Non-Profit Housing Corporation).

As outlined in the correspondence from Full Circle Communities, the development will involve the construction of an approximate $12 million, 74-unit affordable supportive housing development within three buildings (with the use of the existing historic house at 1521 East Centre Avenue for the residence of an on-site manager). One hundred percent of the housing units will be rented at affordable rates and rents will be restricted to no more than 30% of household income. In particular, 32 housing units will be made available to households with an income at or below 30% of the Area Median Income (AMI), and 42 units will be made available to households with incomes between 30-60% of the AMI. The 48-unit three-story building will be constructed with barrier-free access and universal design features. Within the two townhome buildings, the four-bedroom units will include a first-floor accessible bedroom and bathroom, with the remaining first floor units incorporating designs that are visitable and adaptable for persons with disabilities. Full Circle Communities estimates that one-third

of the units will be occupied for persons with disabilities and other special needs. While the housing will provide independent living options, Selinon Park will provide an on-site case manager to provide links to community-based services and assistance.

The primary funding source for the proposed development will be derived from the Low Income Housing Tax Credit (LIHTC) Program administered by the Michigan State Housing Development Authority (MSHDA). In addition, a $500,000 Affordable Housing Program Grant from the Federal Home Loan Bank of Indianapolis is proposed, and if the LIHTC is awarded by MSHDA, additional Project Based Rental Assistance from MSHDA is anticipated. Finally, to demonstrate financial feasibility for the competitive LIHTC program, MSHDA requires a PILOT from the local unit of government, which has been requested by Full Circle Communities, Inc.

Tax exemptions such as PILOTS are authorized by PA 346 of 1966 for certain housing developments. Act 346 stipulates that: 1) a tax exemption granted for eligible housing developments remains in effect for as long as the authority or federally-aided mortgage is outstanding; 2) any payments in lieu of taxes received by the city must be distributed to the affected taxing units in the same proportion as the property tax in the previous calendar year; and 3) the city establish a service charge to be paid in lieu of taxes in order to implement the tax exemption for the eligible housing development. The service charge is negotiable, but may not exceed the property tax that would be paid without a service charge.

Consistent with other, more recent PILOT ordinance amendments, the city requested and the applicant has agreed to an increased PILOT of 6.5% of annual shelter (contract) rents with a minimum annual PILOT payment of $34,071. The proposed PILOT is for 35-years, which will coincide with the term of the federally-aided mortgage (MSHDA LIHTC award) and associated "affordability period" for the rental housing units reserved for low income persons and households.

Project Benefits and Costs

- The proposal will fulfill goals of the 2011-2015 Consolidated Plan approved by City Council, as part of the Community Development Block Grant program;
- The proposal will fulfill the goal to partner with for-profit and non-profit developers by providing a Payment in Lieu of Taxes incentive to help meet financing requirements for affordable housing;
- Approval of the proposal will demonstrate the continued commitment on the part of the city to enhance the range of housing choices for low income and special needs residents;
- Based on data included in the Consolidated Plan, approximately 4,350 low income households in Portage have a housing cost burden, are paying over 30 percent of their income on housing expenses. Among low income renters, 60 percent of these households have a housing cost burden;
- The proposal is consistent with the Comprehensive Plan and the development represents a $12 million investment, which will also create and retain jobs.

Based on information submitted by Full Circle Communities, the City Assessor has estimated the annual taxes without the requested PILOT in comparison to the proposed PILOT. The table below

provides the estimated annual foregone tax revenue for all taxing units, compared to the average revenue (over 35 years) that would be received from the proposed PILOT.

Taxing Unit	Estimated Annual Taxes Without Tax Exemption/PILOT	Estimated Average Annual PILOT Payment[1]
City of Portage	$13,575	$8,495
State Education	$7,455	$4,665
School Operating	$22,365	$13,995
School Building/Debt	$7,206	$4,510
Portage District Library	$1,864	$1,166
KVCC	$3,496	$2,188
KRESA	$7,960	$4,981
Kalamazoo County	$7,624	$4,771
County Transit	$497	$311
County Juvenile	$314	$197
County Housing Fund	$124	$78
Total	$72,479	$45,356

[1]It is noted that over the 35-year period of the PILOT, the average payment to all taxing jurisdictions is estimated at $45,356, while the minimum PILOT payment would be $34,071. The PILOT payment is projected to increase to $59,950 by the end of the PILOT period.

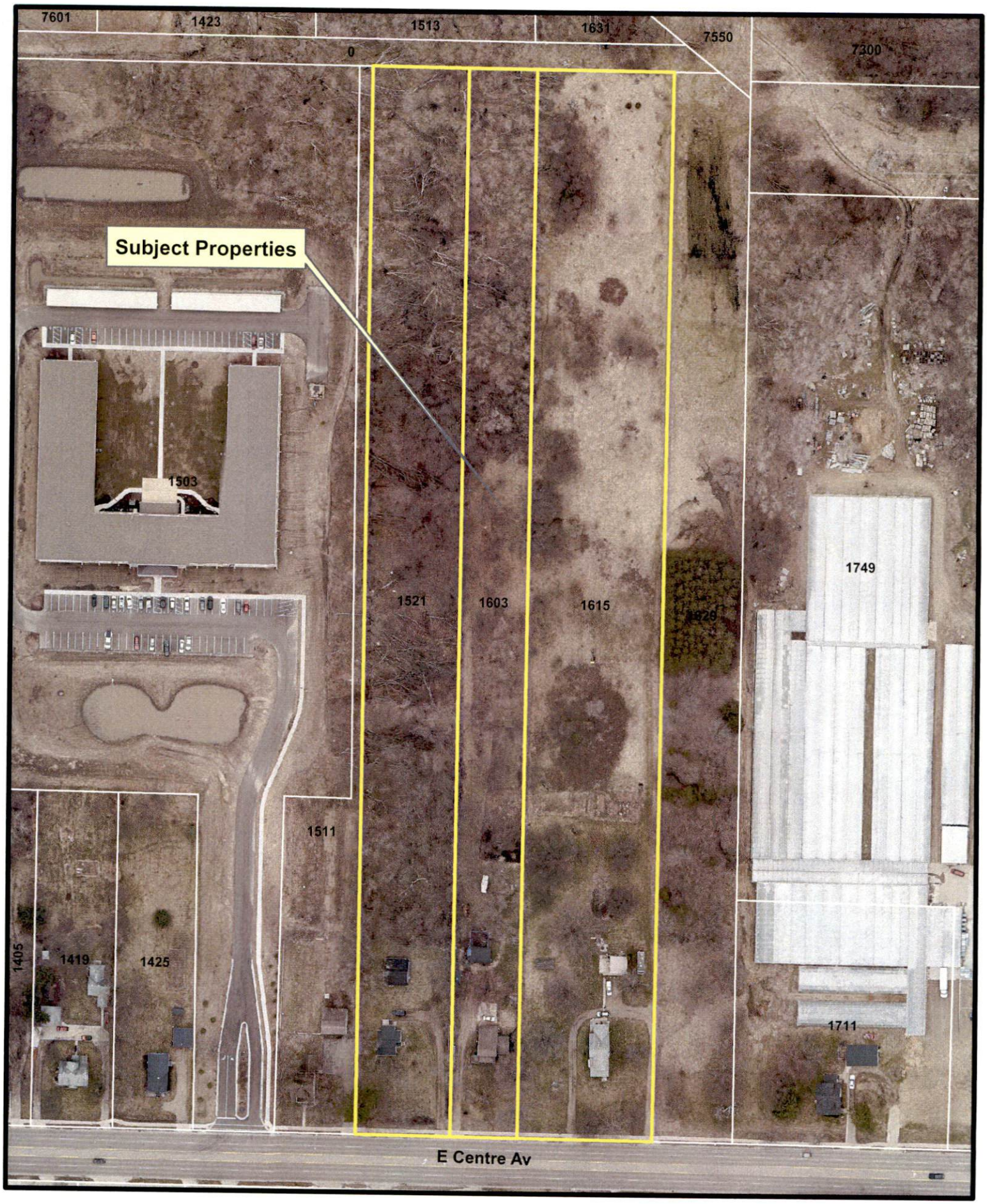
The City Administration has carefully reviewed the application with the applicant and the City Attorney. In addition, the City Attorney has approved the proposed ordinance amendment establishing a tax abatement and PILOT for City Council review and consideration. A tax exemption with a 6.5% PILOT is recommended as referenced in the attached amendment to Chapter 70, Article 2, Division 12 of the Code of Ordinances. The proposed ordinance, if adopted, would become effective only after the acquisition of the property by Full Circle Communities and receipt/closure of the federally-aided mortgage.

The City Council completed the first reading of this ordinance amendment, as well as Rezoning Application #15/16-4, during its February 22, 2016 regular meeting.

Therefore, it is recommended that City Council adopt an ordinance amendment to grant Selinon Park Limited Dividend Housing Association Limited Partnership a tax exemption and establish a Payment in Lieu of Taxes for Selinon Park, a proposed 74-unit multiple-family residential development to be constructed at 1521, 1603 and 1615 East Centre Avenue.

FUNDING: Tax exemption and minimum annual PILOT of $34,071.

Attachments:
1. Aerial Photo Map
2. Tentative Plan
3. Correspondence from Full Circle Communities
4. PILOT Ordinance Amendment



Subject Properties

Aerial Photo
1521,1603,1615 East Centre Avenue

1 inch = 150 feet

VICINITY MAP

PROJECT INFORMATION

SITE ADDRESS: 521 CENTRE AVE

SITE AREA (COMBINED): 10.7 ACRES (466,092 SF)

BUILDING COVERAGE: 34,570 SF (7.4%)

PARKING / WALKS COVERAGE: 77,466 SF (16.6%)

TOTAL IMPERVIOUS: 112,036 SF (24%)

TOTAL UNDISTURBED: 116,100 SF (25%)

PARKING PROVIDED: 192 SPACES

PARKING PROVIDED WITH POTENTIAL FUTURE AS SHOWN = 152 SPACES

BUILDING INFORMATION

3 STORY APARTMENTS
FIRST FLOOR: 12,830 SF
SECOND FLOOR: 12,830 SF
THIRD FLOOR: 12,830 SF
TOTAL: 38,490 SF

2 STORY TOWNHOMES (QTY = 12)
FIRST FLOOR: 2,637 SF
SECOND FLOOR: 2,637 SF
TOTAL PER BUILDING: 5,274 SF

GROSS AREA: 93,504 SF

UNIT INFORMATION

3 STORY APARTMENTS (64 UNITS)
(24) ONE BEDROOM UNITS: 1,013 SF
(32) TWO BEDROOM UNITS: 1,417 SF
(8) THREE BEDROOM UNITS: 1,728 SF

2 STORY TOWNHOMES / FLATS
(8) THREE BEDROOM FLATS: 1,113 SF
(12) FOUR BEDROOM TOWNHOMES: 1,205 SF

76 UNITS TOTAL

HOOKER | DE JONG ARCHITECTS & ENGINEERS

FULL CIRCLE communities

SELINON PARK

PRELIMINARY NOT FOR CONSTRUCTION

OVERALL SITE PLAN
FULL CIRCLE COMMUNITIES
SELINON PARK
521 CENTRE AVE
POMPTON LAKES, NJ 07442

PR-2

VIEW FROM PARKING

VIEW FROM CENTRE AVE

SOUTH ELEVATION

EAST ELEVATION

HOOKER | DE JONG ARCHITECTS & ENGINEERS

FULL CIRCLE communities

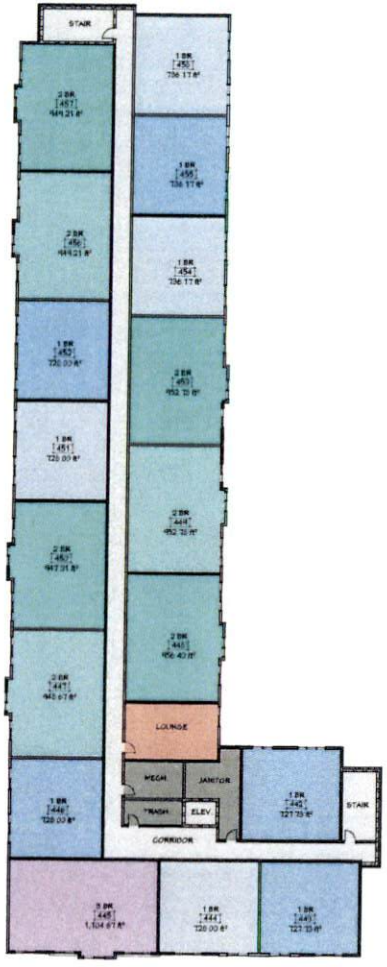
SELINON PARK

PRELIMINARY NOT FOR CONSTRUCTION

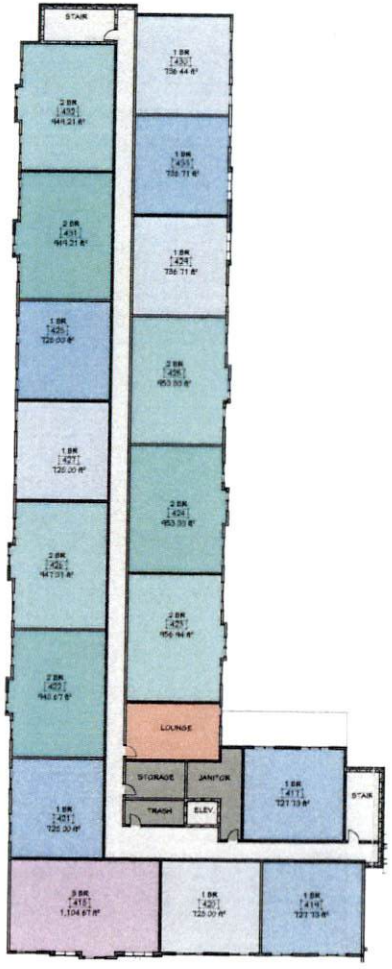
EXTERIOR ELEVATIONS - 3 STORY
FULL CIRCLE COMMUNITIES
SELINON PARK
1 SELINON PARK STREET
FOUNTAIN, COLORADO

PR-4

Project # 4-0861
Date 1-19-16



THIRD PLAN



SECOND FLOOR PLAN

FIRST FLOOR PLAN

UNIT SCHEDULE

HOOKER | DE JONG
ARCHITECTS & ENGINEERS

FULL CIRCLE
communities

SELINON PARK

PRELIMINARY NOT FOR CONSTRUCTION

OVERALL FLOOR PLANS - 3 STORY

PR-3

Project # 4-0861

FRONT PERSPECTIVE

FRONT ELEVATION

HOOKER | DE JONG ARCHITECTS & ENGINEERS

FULL CIRCLE communities

SELINON PARK

EXTERIOR ELEVATION-TOWN-HOUSE BUILDINGS

FULL CIRCLE COMMUNITIES

SELINON PARK

7427 CENTRE STREET

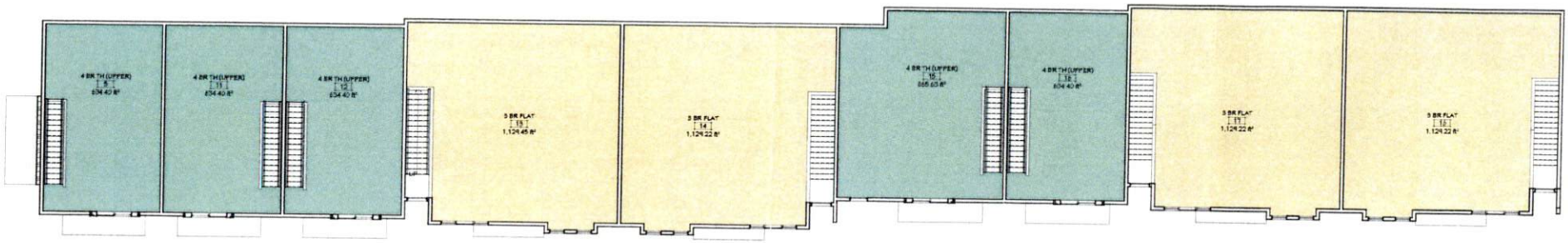
PORTAGE IN 46368

PRELIMINARY NOT FOR CONSTRUCTION

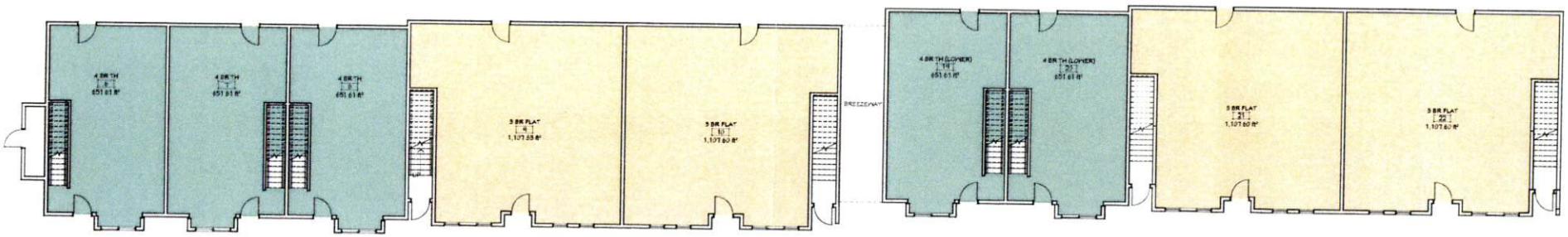
PR-6

Project # 4-0861

Date 1/19/2016



SECOND FLOOR PLAN



FIRST FLOOR PLAN

HOOKER | DE JONG ARCHITECTS & ENGINEERS

FULL CIRCLE communities

SELINON PARK

PRELIMINARY NOT FOR CONSTRUCTION

FLOOR PLANS - TOWNHOUSE BUILDINGS

PR-5

Project # 4-0861

FULL CIRCLE
communities

RECEIVED
FEB 11 2016
COMMUNITY DEVELOPMENT

Ms. Victoria Georgeau
Director, Department of Community Development
City of Portage
7900 S Westnedge Avenue
Portage, MI 49002

Re: PILOT Ordinance Request – Selinon Park

Dear Ms. Georgeau:

The following summarizes the general framework between Full Circle Communities, Inc. or its affiliate ("**FCC**") and City of Portage ("**Portage**") for Payment in Lieu of Taxes ("**PILOT**") Ordinance for the proposed Selinon Park apartment project ("**Project**"), in accordance with guidelines established by the Michigan State Housing Development Authority ("**MSHDA**").

Project: The proposed Project would entail the construction of a 75-unit multi-family, integrated supportive housing in Portage, MI.

Ownership Structure: The owner of the Project ("**Owner**") will be a limited dividend housing association limited partnership (LDHA LP). The non-member manager of the Owner will be FCC.

Developer: FCC will be the developer for the Project and will be entitled to receive any developer fee, and will be utilized as outlined below in "Available Service Funds".

Population Served: The Project has been designed to serve an integrated population, with an intentional design that responds to the needs of residents with special needs and working families.

Supportive Services: FCC will dedicate funding to provide services at the Project including a Case Manager to coordinate access to services for residents of the Project. FCC will work in coordination with property management to ensure sustainable service delivery and occupancy.

Available Service Funds: FCC will use a minimum of 75% of all developer fees in excess of $250,000 that FCC receives from the Project to fund a Service Reserve. FCC will use a minimum of 75% of all cash flow distributed to it to fund tenant services and case management.

Requested Assistance: PILOT exemption set at the greater of 6.5% of Contract Rents or the minimum payment, as established with the City, for a period of 35 years, in compliance with MSHDA standards.

310 south peoria street • suite 500 • chicago, il 60607 • 847.849.5300 • www.fccommunities.org

housing is the foundation

Executive Summary

Selinon Park is a proposed new construction, 100% affordable apartment project that will be developed on a large, wooded site along East Centre Ave in Portage, Michigan. The Project will include 74 units in three residential buildings, with pedestrian and recreation paths, landscaped common areas, an outdoor recreation area for children, and an existing historic home, maintained as a residence for the Property Manager.

Selinon Park will provide affordable rental apartments designed to serve an integrated supportive housing population. In response to perceived community need, the buildings have been designed to serve a diverse population. Selinon Park provides a flexible continuum of housing and services to both individuals with special needs and working families through a unique combination of one-, two- and three-bedroom units and four-bedroom townhomes.

The project's primary funding source will be tax credit equity from the Low Income Housing Tax Credit (LIHTC) program, managed by the Michigan State Housing Finance Agency (MSHDA). The LIHTC program has strict guidelines for affordability. Tenants of LIHTC-funded projects must have verified incomes that comply with the program's income restrictions. 13 of the units (17%) will be at 50% of Area Median Income (AMI). 29 units (40%) will be at 60% AMI. 32 of the units (43%) will be income restricted to 30% AMI. The LIHTC program requires rents to be set at no more than 30% of household income (for 30%, 50% and 60% income thresholds, respectively).

At the heart of Full Circle's mission is the understanding that housing and supportive and social services are intertwined. As a result, FCC commits at least 75% of cash flow and developer's fee to the provision of services for our residents. This service-rich housing model provides stability and independence to residents, and serves as the foundation for opportunity and enrichment.

Act 346 of the Michigan State Housing Development Authority (MSHDA) Act of 1966 recognizes the "payment in lieu of taxes" exemption (PILOT) as an important tool that facilitates the development of affordable housing for persons with low- to moderate-incomes and special needs. A PILOT provides eligible affordable housing projects with an annual service charge, calculated as a percentage of annual contract rents, *in lieu* of standard property taxes. The PILOT is designed to reduce the tax burden on the property owner, creating operational savings that enables the project to support reduced rents. MSHDA anticipates municipal support to LIHTC projects in the form of a PILOT exemption, and includes it in their program criteria. A project which does not receive a PILOT exemption is at a significant disadvantage in receiving a LIHTC award through the competitive funding process.
annua
As there are no other municipal or county funding sources available to the project, and given the income restrictions on the property, Selinon Park is not financially feasible without a PILOT. Financial feasibility has been modeled following underwriting guidelines established by MSHDA. We respectfully request a PILOT set at the greater of 6.5% of Contract Rents, or the minimum payment for a period of 35 years.

Sincerely,

Joshua Wilmoth
Vice President

Community Need

Special Needs

Selinon Park responds to the demonstrated need for accessible, affordable housing in the City of Portage. Portage has a long history of inclusive, affordable housing options for low-income residents and families, and for persons with disabilities and other complex health conditions. The City's Analysis of Impediments to Fair Housing (2011), completed as part of their 2011-2015 Consolidated Plan, however, states that there is an unmet demand for housing for populations with special needs, with over 1,100 households reporting both a disability and housing problem. Furthermore, data from the 2009-2013 American Community Survey (ACS) shows that 11.32% of the Portage's population (nearly 5,300 people) reported a disability, with over 770 of them living within the project's Census tract.

Historically, people with physical disabilities lived at home as long as their parents were able to care for them. These people were routinely institutionalized in state-funded facilities when it became too difficult for family to care for them. Market rate housing stock often has an inadequate design to accommodate independent living, and there is also an insufficient stock of affordable options. The result is a strain on accessible living solutions of any kind, which leads many people into the last alternative of state-run or funded institutions.

The population of disabled adults is not homogenous. Some disabled adults can function relatively independently in an apartment with minimal physical accommodations like grab bars, wider doorways, and lower light switches and electrical outlets that can be reached by a person in a chair. These people are able to transfer into bed or onto a toilet independently and can live in an ADA compliant, affordable properties where physical adaptations allow them to thrive in their units. Other disabled adults who cannot transfer into or out of a bed, toilet or wheelchair independently need housing units with more customized adaptations. Many need lifts operated with remote controls that allow them to get themselves out of bed and into a wheelchair, or specialized features such as roll-in showers. Because most seriously disabled adults have difficulty engaging in the work force, many depend on social security for their basic needs. They require a housing solution that is both accessible and affordable. Selinon Park is a vastly superior and cost effective solution for low-income adults with special needs who need and want some level of personal care and can direct their own care.

Rent Burdened Families

Selinon Park also addresses the needs of working families in Portage through the provision of affordable, larger units. There are numerous reasons that families, particularly those just starting out, have lingering financial problems despite the improvement in the economy. The legacy of the housing crisis can still be felt, and many households have lived and worked their way through foreclosures and reduced housing prices. As a result, the demand for affordable rental housing has grown. Furthermore, young families, many of them recent college graduates, have more student debt than any generation in history. This additional financial stress may disqualify many younger workers from taking on mortgage debt.

According to Census data, over 50% of Portage's renters are rent burdened, spending more than 30% of their income on housing. Over 1,200 renters in this rent burdened group earn between $20,000 and $50,000 a year. While this is below the City's median household income of $55,035, these wages ought to provide the foundation upon which workers, particularly young families, can achieve lasting economic stability - eventually saving enough to attain homeownership. Research has shown that housing cost burden can significantly delay young working families from accumulating assets, and puts some families at risk for housing insecurity or homelessness. Moreover, the housing stock has not had time to adjust to these new

trends. According to the Census, less than 19% of the rental stock in Portage are units with three bedrooms or more, while Kalamazoo County has 25%, and Michigan has 30%.

Project Design and Marketing

Selinon Park's flexible design and tenant selection preferences create a diverse and inclusive community. Often persons with special needs end up in secluded living situations. Their lives are maintained, but their isolation limits the amount they can be enriched. FCC's philanthropic development model will provide integrated case management and targeted services for the project's tenants that responds to their health needs, as well as their financial, educational, and career goals.

The project envisions a dynamic community where roughly a third of the units will be targeted for persons with physical, mobility or sensory impairments and other special needs. Another third of the units will target working families that struggle to find affordable accommodations or are "under-housed", a term used to identify conditions where families double-up with other families or relatives, or have other temporary housing situations that put them at risk for homelessness. This group will have incomes ranging from 30-60% AMI and will benefit from the larger units. The final third of the units will be affordable for persons making 30-60% of AMI and impart flexibility to the project's marketing preferences. This model has been developed from Supportive Housing best practices, namely research from the national nonprofit, the Corporation for Supportive Housing (CSH). The Illinois Director of CSH is a director on the FCC Board, and the organization provides technical assistance to supportive housing projects across the county. These preferences will be further articulated in our tenant selection plan, and will conform to fair housing rules.

Selinon Park provides in-unit features that allow independent living for adults with special needs, particularly mobility impairments. The project includes 48 units in a three-story, elevator-served building. All of these units will be visitable, and significant portion will be barrier-free or adaptable, and will include universal design elements and customized features like roll-in showers and adjustable height countertops. The two townhome buildings will include ground floor three-bedroom units that are visitable and adaptable. The four-bedroom townhomes will include an accessible bedroom and bathroom on the first floor. The inclusion of accessible units across three buildings on the Selinon Park campus seamlessly integrates the supportive housing population into the larger project. It also adds much needed affordable rental stock to the community, particularly the 28 units (almost 40% of the total project) that are three or four bedrooms.

Service-rich Housing

Full Circle Communities

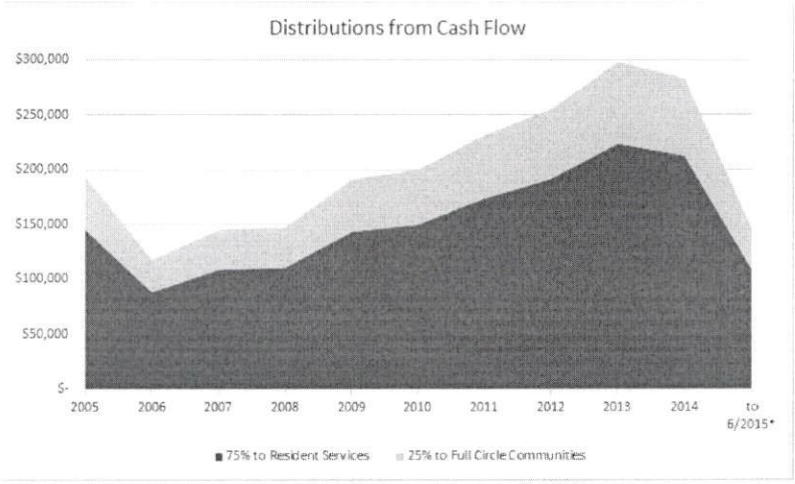
Full Circle Communities is a nonprofit developer, owner, and manager of affordable housing, headquartered in Chicago, IL. Like other affordable housing developers, FCC creates and preserves affordable housing. But FCC's mission goes deeper, recognizing that building a community requires a "full circle" of possibilities for its residents: not only decent, safe, affordable housing, but an array of services through which the residents can improve their access to opportunity and enhance their independence. In providing housing and services, low-income and special needs populations are empowered; not just through writing a check, but through physical sites and support networks through which they can be strengthened, and in turn strengthen others.

Full Circle was formed in 1999, and in 2002 acquired a 250-unit, affordable apartment community for persons 62 years of age or older, located in Naples, Florida. The model worked: where once seniors were homebound, or isolated from the larger community, they now had access to free van and transportation

services. An on-site service Case Manager paired residents with needed services like housekeeping, meal delivery, medical screenings, and physical and social recreation activities, all at little or no cost to the residents. And where the need for more affordable rents were most pressing, Full Circle committed its own funds to keeping residents in place. The company now owns more than 715 units in three states. FCC recently completed construction on 32 units of supportive housing in partnership with the Over the Rainbow Association in Chicago. In 2016, FCC will be under construction on three projects in Illinois and Iowa. Selinon Park will be Full Circle's first project in Michigan.

Service Funding Model

Full Circle employs a model where 75% of the net Developer Fee, and 75% of ongoing cash flow goes towards providing services for residents. Typically that upfront portion generated by the net Developer Fee would go towards establishing what we call a Service Reserve. Some or all of the Service Reserve will be invested in interest-bearing accounts. Full Circle will also commit at least 75% of distributed cash flow at the property. Between these two sources the Case Manager's salary and additional services (e.g. financial literacy classes, health screenings, parent training, youth development) are included in the annual service budget. As currently projected, the project supports a full-time Case Manager for the life of the project. Exhibit A. provides a sample of this distribution model. The following graph shows the actual distributions over the past ten years from one of our larger properties.



Case Management

FCC has developed the service model in concert with research from the Corporation for Supportive Housing (CSH) and in partnership with the Over the Rainbow Association, a nonprofit Illinois company that provides services, case management, and housing options for persons with mobility and sensory impairments and other special needs. FCC envisions a partnership with Over the Rainbow Association to staff the full-time Case Manager at the project. FCC will build other connections in the community to service providers and resources such as the Portage Community Center, and service providers that are part of the Kalamazoo County Continuum of Care.

The Case Manager will provide advocacy, service linkages and support for the residents. Where households are already receiving community-based services or assistance, the Case Manager may work in conjunction with the existing service partner to provide additional support or linkages. Services are voluntary, and are not a condition of residency. However, the Case Manager can be a valuable tool for residents. Every applicant for the proposed development will be invited to an intake interview, where the household can

meet with the Case Manager and together come up with a service plan. This plan will guide the services and referrals that we will offer, and will be revised as often as is necessary to ensure the success of the household.

Through on-site staff and community referrals, the Case Manager can provide the residents with services including but not limited to:

- Advocacy
- Case Management
- Coordinating Primary Care Attendants
- Medicare/Medicaid and Social Security assistance
- Meals
- Reasonable Modifications or Accommodations
- Transportation
- TANF and LIHEAP
- Health Awareness

The Case Manager can coordinate community linkage and transportation, which will allow the residents to shop, attend theaters, concerts or sporting events, or visit friends and neighbors as they please. They can take classes at local community colleges, attend churches or temples or volunteer in their community. The Case Manager will be responsive to the Selinon Park's integrated population. Residents with special needs will be well served by the service plan, but families can expect the same level of attention and support from the Case Manager. Family services are anticipated to focus on financial literacy, parenting, youth development, and job skills.

Public Savings through Service-Rich Housing

Many people with significant physical disabilities have the capacity and the desire to live self-reliant, self-directed lives. The Over the Rainbow Association estimates that the average cost to taxpayers for the integrated housing and service model for a tenant with special needs is approximately $32,791 per year.[1] This figure represents the sum of the annual cost of the rent subsidy and the approximately 34.5 hours of personal care a week. Although it varies dependent on the type and degree of impairment, and by state, state-funded institutions or private facilities can cost in excess of $140,000 per year.[2] Many disabled people do not need nor want the full-time, around-the-clock support offered by a nursing home, but rely on that more costly system because there are few affordable, independent housing options. There are also tremendous costs associated with families at risk for homelessness. Families forced into homelessness cost the system as much as $20,000 for first time users, according to a HUD-sponsored report from 2010. The report found that in Kalamazoo, the average cost was $3,184 per family.[3]

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[1] Estimate from Over the Rainbow Association. Available from http://www.otrassn.org/docs/OTR_Marketing_Piece.pdf.

[2] State of Illinois. 2009. Report of the Tax Payer Action Board. http://www3.illinois.gov/PressReleases/Documents/TAB%20Report%20FINAL.pdf.

[3] Spellman, B., Khadduri, J., Sokol, B., Leopold, J., and Abt Associates. 2010. Prepared for the U.S. Department of of Housing and Urban Development. Costs Associated With First-Time Homelessness for Families and Individuals. Available from http://www.huduser.gov/publications/pdf/Costs_Homeless.pdf.

SOURCES	11% Capitalization Rate 50% Assessment Ratio	9.5% Capitalization Rate 50% Assessment Ratio	With PILOT (6.5%)
Maximum Conventional Debt	$ 2,500,000	$ 2,415,000	$ 2,775,000
FHLB Indianapolis AHP Grant	$ 500,000	$ 500,000	$ 500,000
Tax Credit Equity	$ 12,075,996	$ 12,075,960	$ 12,082,438
TOTAL	**$ 15,075,996**	**$ 14,990,960**	**$ 15,357,438**
USES			
Acquisition	$ 866,000	$ 866,000	$ 866,000
Hard Costs	$ 11,227,300	$ 11,227,300	$ 11,227,300
Soft Costs	$ 808,471	$ 808,471	$ 808,471
Financing Costs	$ 220,634	$ 219,776	$ 223,413
Interest Expense	$ 431,169	$ 431,200	$ 431,328
Operating Reserve	$ 301,842	$ 305,517	$ 300,926
Developer Fee	$ 1,500,000	$ 1,500,000	$ 1,500,000
TOTAL	**$ 15,355,416**	**$ 15,358,264**	**$ 15,357,438**
GAP	$ (279,420)	$ (367,304)	$ -

Table 1. Estimated Sources and Uses. The value of the project was estimated using the income capitalization method, relying on capitalization rates (cap rate), the 2015 millage rate, and the assessment ratio used by the Portage City Assessor to evaluate multifamily apartment buildings. In this example two scenarios were explored for the value of the property without the PILOT exemption, utilizing the range of cap rates described by the City Assessor for similar projects.

Need for PILOT

Project Finance

Table 1 shows estimated sources and uses for Selinon Park. The majority of the project will be financed through equity raised through the allocation of Low Income Housing Tax Credits (LIHTC) through a competitive application from MSHDA. Full Circle will apply for LIHTCs for Selinon Park in the April 2016 funding round. Awards for the project should be announced over the summer. If the project receives an award, the due diligence, environmental review, and closing period should be completed by the spring of 2017. Construction will begin upon project close with an anticipated 12 month construction period. The project will be placed in service at the end of 2017 or the beginning of 2018.

The LIHTC program includes many requirements that restrict the amount of income a project can generate, and the amount of debt a developer can support, along with intensive environmental reviews which extend the closing period well beyond market rate developments. Projects must be financially feasible according to underwriting criteria provided by MSHDA. The period of the exemption, 35 years, accounts for any debt financing that MSHDA may contribute to the deal, once tax credits have been awarded to the project.

A $500,000 Affordable Housing Program (AHP) grant from the Federal Home Loan Bank (FHLB) of Indianapolis, which covers Michigan, is included in the project's sources. AHP grants are awarded through a separate competitive process.

Maximum Debt Payments

As *Table 1*. indicates, without a PILOT exemption, the project will require additional soft funding sources. The "gap" has been estimated utilizing underwriting guidelines from MSHDA and the tax credit equity provider (most likely the National Equity Fund [NEF]). The operating expenses, of which real estate taxes are a significant part, constrain the amount of debt a project can support. As operating expenses increase, the ability to cover debt payments with the income from the project decreases. The project cannot support as much conventional mortgage debt in the two scenarios representing estimated *ad valorem* real estate taxes.

Long-term Predictability

MSHDA requires the project underwrite a 5% increase in annual tax payments to be financially feasible. This form of "stress testing" the project is standard for most housing finance agencies. The PILOT exemption has been structured to increase along with the project's income, as shown in *Table 3*. MSHDA strongly encourages developers to pursue this source of municipal support because of this predictability, ensuring better project underwriting at the project's inception. Projects that do not receive the PILOT exemption are not only at a financial disadvantage, but also receive less points in the competitive review criteria MSHDA uses in order to allocate this scarce resource.

Development Proforma			Total	Per Unit
ACQUISITION COSTS				
Land Cost			856,000	11,413
Legal Fees - Acquisition			10,000	133
Subtotal Acquisition			*866,000*	11,547
HARD COSTS				
New Construction Costs			9,461,632	126,155
General Requirements	6% of	New Construction Costs	567,698	7,569
General Contractor's Profit and Overhead	5.5% of	New Construction Costs	553,813	7,384
Construction Permits and Fees			40,000	533
FFE			75,000	1,000
Construction Contingency	5% of	Hard Costs Above	529,157	7,055
Subtotal Hard Costs			*11,227,300*	149,697
SOFT COSTS				
Architect's Fee - Design & Supervision	4.25% of	Hard Costs Less Permits and Contingency	452,971	6,040
Legal			75,000	1,000
Engineering			25,000	333
Accounting			35,000	467
Survey			15,000	200
Appraisal			5,000	67
Marketing Study		MSHDA Standard	6,000	80
Environmental Report (Phase I, Sound, Radon Assessment)			13,000	173
Lender's Cost Estimate			4,000	53
Lender's Architectural Review/Inspections			20,000	267
Green Certification			25,000	333
Materials Testing			20,000	267
Title & Recording			22,500	300
Marketing and Leasing			40,000	533
Contingency			50,000	667
Subtotal Soft Costs			*808,471*	10,780
FINANCING COSTS				
Loan Origination Fees - Construction	1.00% of	Construction Loan	99,975	1,333
Loan Origination Fees - Permanent	1.00% of	Permanent Loan	27,750	370
Tax Credit Application Fee		MSHDA Standard for projects over 55 units	2,500	33
Tax Credit Reservation Fee(s)	6.00% of	Anticipated Credit Award	73,188	976
Lender's Legal Fees (Construction)			20,000	267
Subtotal Financing Costs			*223,413*	2,979
INTEREST COSTS				
Construction Period Interest			386,328	5,151
Construction Period Real Estate Taxes		Estimate from Current Tax Bills	10,000	133
Construction Period Insurance			35,000	467
Subtotal Interest Costs			*431,328*	5,751
RESERVES				
Real Estate Tax Escrow	55% of	annual PILOT payment	23,785	317
Insurance Escrow	105% of	annual Insurance Cost	23,625	315
Rent-Up Reserve/IOD	1	month's Operating Expenses and Debt	50,703	676
Operating Reserve (Multifamily)	4	months' Operating Expenses and Debt	202,813	2,704
Subtotal Reserves			*300,926*	4,012
DEVELOPER FEE				
9% Developer Fee		MSHDA Standard Calculation	1,500,000	20,000
TOTAL DEVELOPMENT COSTS			**15,357,438**	204,766

Table 2. Development Proforma. Construction Debt is estimated at 4%, and Conventional Debt at 6% for 30 years based on current market rates. The credit pricing is a net cent raise of $0.99, quoted by NEF.

Operating Proforma (Year 1)			Total	Per Unit
Gross Potential Rent			665,304	8,871
Laundry			4,992	67
Vacancy Loss (7%)			(53,624)	(715)
Effective Gross Income			*616,672*	8,222
Administrative			(60,400)	(805)
Management Fee			(49,334)	(658)
Operating Expenses			(7,095)	(95)
Maintenance			(73,640)	(982)
Utilities			(92,500)	(1,233)
PILOT	6.5% of	Contract Rents	(34,071)	(454)
Insurance			(22,500)	(300)
LIHTC Compliance Fee*			(35,625)	(475)
Replacement Reserve			(22,500)	(300)
Total Annual Expenses			*(397,665)*	(5,302)
Net Operating Income			219,007	2,920
Debt Service			(201,601)	(2,688)
Cash Flow After Debt Service			**17,406**	**232**

Table 3. Operating Proforma. Contract Rent is calculated as the Effective Gross Income - Utilities. Utilities are subtracted because FCC covers utilities, rather than the tenants. 7% Vacancy Loss is the required underwriting guideline from NEF.

Year	Gross Potential Rents	Other Residential Income (Laundry)	Vancancy Loss (7 %)	Site Utility Costs	Net Shelter Rents	6.5% PILOT Payment	(per unit)
1	665,304	4,992	(53,624)	(92,500)	524,172	34,071	454
2	671,957	5,042	(47,390)	(95,275)	534,334	34,732	463
3	678,677	5,092	(47,864)	(98,133)	537,772	34,955	466
4	685,463	5,143	(48,342)	(101,077)	541,187	35,177	469
5	692,318	5,195	(48,826)	(104,110)	544,577	35,398	472
6	706,164	5,299	(49,802)	(107,233)	554,428	36,038	481
7	720,288	5,405	(50,798)	(110,450)	564,444	36,689	489
8	734,693	5,513	(51,814)	(113,763)	574,628	37,351	498
9	749,387	5,623	(52,851)	(117,176)	584,983	38,024	507
10	764,375	5,735	(53,908)	(120,692)	595,511	38,708	516
11	779,663	5,850	(54,986)	(124,312)	606,214	39,404	525
12	795,256	5,967	(56,086)	(128,042)	617,096	40,111	535
13	811,161	6,086	(57,207)	(131,883)	628,157	40,830	544
14	827,384	6,208	(58,351)	(135,839)	639,401	41,561	554
15	843,932	6,332	(59,518)	(139,915)	650,831	42,304	564
16	860,810	6,459	(60,709)	(144,112)	662,449	43,059	574
17	878,027	6,588	(61,923)	(148,435)	674,256	43,827	584
18	895,587	6,720	(63,161)	(152,888)	686,257	44,607	595
19	913,499	6,854	(64,425)	(157,475)	698,453	45,399	605
20	931,769	6,991	(65,713)	(162,199)	710,848	46,205	616
21	950,404	7,131	(67,027)	(167,065)	723,443	47,024	627
22	969,412	7,274	(68,368)	(172,077)	736,241	47,856	638
23	988,801	7,419	(69,735)	(177,240)	749,245	48,701	649
24	1,008,577	7,568	(71,130)	(182,557)	762,457	49,560	661
25	1,028,748	7,719	(72,553)	(188,033)	775,881	50,432	672
26	1,049,323	7,873	(74,004)	(193,674)	789,518	51,319	684
27	1,070,310	8,031	(75,484)	(199,485)	803,372	52,219	696
28	1,091,716	8,192	(76,994)	(205,469)	817,445	53,134	708
29	1,113,550	8,355	(78,533)	(211,633)	831,739	54,063	721
30	1,135,821	8,522	(80,104)	(217,982)	846,257	55,007	733
31	1,158,537	8,693	(81,706)	(224,522)	861,002	55,965	746
32	1,181,708	8,867	(83,340)	(231,257)	875,977	56,939	759
33	1,205,342	9,044	(85,007)	(238,195)	891,184	57,927	772
34	1,229,449	9,225	(86,707)	(245,341)	906,626	58,931	786
35	1,254,038	9,409	(88,441)	(252,701)	922,305	59,950	799
TOTAL	32,041,451	240,418	(2,266,434)	(5,592,743)	24,422,693	1,587,475	21,166

Table 4. Estimated PILOT Payment. MSHDA and NEF set underwriting guidelines for vacancy loss, and the rate at which expenses and income increases for the life of the project. Gross Potential Rents in this calculation include an estimated number of units that will receive Project Based Rental Assistance (PBRA) from MSHDA. The amount of PBRA will not be known until after the project has received an allocation of LIHTCs. The project must demonstrate financial feasibility without the PBRA at the time of application. It must also reserve against the possibility that PBRA no longer receives funding from the state or HUD.

PROPERTY INFORMATION

Location:	Selinon Park is located along Centre Avenue between Lovers Lane and Portage Road, one mile east of central Portage and six miles south of central Kalamazoo.
Property Type:	74 units of quality, service-rich affordable rental housing in three new construction buildings. Units will be targeted to low-income families and individuals along with people with special needs. There is an additional manager's unit located in an existing historic home.
Address:	1521-1615 East Centre Avenue Portage, MI 49002
Site Description:	The project site is on approximately 10.7 acres in a mixed residential/commercial neighborhood with convenient access to transportation and retail. Selinon Park is well integrated into the existing development pattern and the City's Future Land Use Plan. To the west of the site is Centre Meadows Apartments, a large multifamily rental development. There are also a small number of single family homes. To the east is a commercial greenhouse facility and Centre Street Village, another multifamily rental development. To the south is a diverse mix of commercial uses and a small number of single family homes. To the north is open green space and a proposed extension of the Bicentennial Trail.
Construction:	Selinon Park will be constructed with wood framing on a concrete slab foundation. Exteriors will be masonry and fiber cement siding.
Site Layout:	A three-story, elevator-served building is situated at the southern portion of the site. The southernmost section of the building includes a single story component incorporating community and property management space. Twin, two-story, townhome buildings are located to the north of the three-story building. The three buildings are connected via pedestrian paths. An existing two-story single family historic home is located in the southwest portion of the site and will be maintained as the manager's unit.
Building Components:	Foundation – Concrete Framing – Wood construction Exterior – Masonry and fiber cement siding Roofing – Architectural asphalt roof shingles Parking Surface – Asphalt and permeable pavers
Unit Mix:	

Unit Mix	**Units**	**Average Square Footage**
1 Bed/1 Bath (Apartment)	24	731
2 Bed/1 Bath (Apartment)	22	947
3 Bed/1 Bath (Townhome)	16	1,118
3 Bed/1 Bath (Apartment)	2	1,105
4 Bed/2 Bath (Townhome)	10	1,285
Manager's Unit	1	*existing historic property
Total	**75**	

Flood Zone:	Zone X – outside floodplain area
Square Footage:	Total – 466,092 SF (10.7 acres) New Construction Buildings – 39,570 SF footprint, 93,804 SF total

	Parking/Walks – 73,866 SF Undisturbed – 116,100 SF
Project Amenities:	Amenities include: • Community room with kitchen • Case management offices • Storage space for residents • Computer room • Library and Resource Center • Laundry room • Bike racks • Playground • Picnic area • Abundant green and open space • Pedestrian and bike trail system

Unit Amenities:	Amenities include:
	• In-unit laundry (townhomes only)
	• Barrier-free, accessible, or visitable design features
	  o All doorways greater than 32" clear
	  o Minimum 5' radius in all rooms
	  o Roll-up / roll-under kitchen cabinets, cook tops and appliances
	  o Roll-in showers
	  o Transfer lifts in each bedroom and living room, as needed
	  o Outlets and switches at wheelchair accessible heights
	  o Auditory or lighting signals
	• Furnished appliances
	• Central AC

Exhibit A.

Sample Service Budget Distribution:

For a hypothetical deal with a $650,000 developer fee and $40,000 per year in distributable cash flow:

Paid Developer Fee:	$	650,000	(excluding deferred fee paid out of cash flow)
Less Initial FCC Fee:	($	250,000)	(costs of guarantees and development staff)
Net Developer Fee:	$	400,000	
75% split to Service Reserve:	$	300,000	

FCC would encourage that some or all of the Service Reserve be invested in interest-bearing accounts, or reinvested in other development opportunities as an above-market interest loan. Assume that at least 50% of the Reserve is invested at an average of 7% return:

Service Reserve:	$	300,000
50% reinvestment:	$	150,000
7% annual return:	$	10,500

FCC will also commit at least 75% of distributed cash flow for services at the property:

Cash Flow distributed to FCC:	$	40,000	
75% for services:	$	30,000	
Total annual service dollars:	$	40,500	(includes investment return from above)

These service dollars will be paid to the Over the Rainbow Association and other community service providers in the Kalamazoo County Continuum of Care for services and market-based administration costs associated with said service provision.

While it should be understood that these service dollars will not cover the entire cost of service provision, by working with FCC, the service provision partners can ensure that they have a capable partner, and will still receive a significant portion of the project economics to use for service provision.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING ARTICLE 2 OF CHAPTER 70, TAXATION, TO ADD DIVISION 12, SELINON PARK PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES

THE CITY OF PORTAGE ORDAINS:

That Article 2 of Chapter 70, Taxation, is hereby amended to add Division 12, Selinon Park:

Sec. 70-300. - Preamble and intent.

(a) It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act. The City of Portage is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for the Act. It is further acknowledged that such housing for low income persons and families is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of all *ad valorem* taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of the housing projects that are constructed or rehabilitated with financing extended in reliance on such tax exemption.

(b) The City of Portage acknowledges that Selinon Park Limited Dividend Housing Association Limited Partnership ("Sponsor") has offered, subject to receipt of an allocation under the LIHTC Program by the Michigan State Housing Development Authority, to acquire and construct, own and operate a housing development identified as Selinon Park on certain property located at 1521-1615 E Centre Avenue in the City of Portage to serve persons or families of low income, and that the Sponsor has offered to pay the City on account of this housing development an annual service charge for public services in lieu of all *ad valorem* property taxes.

Sec. 70-301. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act means the State Housing Development Authority Act of 1966, as amended, (1966 PA 346) being (MCL 125.1401 et. seq.).

Contract Rents means the total contract rents (as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to Section 8 of the U.S. Housing Act of 1937, as amended) received in connection with the operation of a housing project during an agreed annual period, exclusive of Utilities.

Authority means the Michigan State Housing Development Authority.

Housing development means a development which contains a significant element of housing for persons of low and moderate income and such elements of other housing, commercial, recreational, industrial, communal and educational facilities as the Authority determines improve the quality of the development as it relates to housing for persons of low and moderate income.

LIHTC Program means the Low Income Housing Tax Credit program administered by the Authority under Section 42 of the Internal Revenue Code of 1986, as amended.

Mortgage Loan means a loan that is Federally-Aided (as defined in Section 11 of the Act) or a loan or grant made or to be made by the Authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a housing project, and secured by a mortgage on the housing project.

Persons of low income or families shall mean households which are at or below 60 percent of area median income ("AMI") eligible to move into a housing development. With respect to this housing development 74 units will be reserved for persons or families of low income. Specifically, 32 units for households at or below 30 percent of AMI, and 42 units for households at or below 60 percent of AMI, in all instances adjusted for household size.

Property means the real property described commonly known as 1521, 1603 and 1615 E. Centre Avenue, Portage, MI 49002, being tax ID numbers 00015-570-O, 00015-575-O, 00015-580-O and legally described as follows:

> Property located in the City of Portage, Kalamazoo County, State of Michigan, described as:
>
> All that part of Section 15, Town 3 South, Range 11 West, bounded and described as commencing at a point on the South line of said Section, which point is 21 rods West from the Southeast corner of said Section, thence North parallel with the East line of said Section 80 rods; thence West 7 rods; thence South parallel with the East line of said Section 80 rods; thence East 7 rods to the place of beginning.
>
> And commencing at a point in the center of the Highway, 16 rods West of the Southeast corner of Section 15, Town 3 South, Range 11 West; thence North, parallel with the Section line, 80 rods; thence West 5 rods; thence South, parallel with the Section line, 80 rods to the center of the highway; thence East 5 rods to the point of beginning.
>
> And commencing at a point on the South line of Section 15, Town 3 South, Range 11 West, which point is 6 rods West from the Southeast corner of said Section; thence North on a line parallel with the East line of said Section, 80 rods; thence West 10 rods; thence South 80 rods to the South line of said Section; thence East on the South line of said Section, 10 rods to the point of beginning. ALSO, the right to use for the driveway purposes in common with others, the West 10 feet of the parcel of land lying immediately East of and adjoining the parcel of land hereinbefore described.

Sponsor means Selinon Park Limited Dividend Housing Association Limited Partnership, its successors in interest, which has applied (or is about to apply) to the authority for a mortgage loan (an allocation of Low Income Housing Tax Credits) to finance the housing development.

Utilities means charges for fuel, water, sanitary sewer service, and electrical service which are paid by the housing development, during the calendar year.

Sec. 70-302. - Exemption of low income housing developments only.

It is hereby determined that the class of housing developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing for persons and families of low income, which are financed or assisted pursuant to the Act. With respect to the property, a total of 74 units will be reserved for persons of low income or families and, specifically 32 units for households at or below 30 percent of AMI, and 42 units for households at or below 60 percent of AMI, in all instances adjusted for household size. It is further determined that Selinon Park is of this class.

Sec. 70-303. - Amount of service charge.

The housing project identified as Selinon Park and the property on which it will be located shall be exempt from all *ad valorem* property taxes from and after the commencement of construction. The City acknowledges that the Sponsor and the Authority have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of this division and the qualification of the housing development for exemption from all property taxes and a payment in lieu of taxes as established in this division. In consideration of the Sponsor's acquisition of the property and offer to construct and operate the housing development, the City hereby agrees to accept the payment of an annual service charge for public services in lieu of all property taxes. The annual service charge shall be equal to 6.5% of the annual contract rents for 15 years of operation after the acquisition of the property, its receipt of an allocation of low income housing tax credits from the Authority and its commencement of its proposed construction but in any event not less $34,071.00. Thereafter, for the 16th through 35th year, the annual service charge and minimum payment stated in this section shall be reviewed, and if the mortgage loan is still in effect and the housing development remains subject to income and rent restrictions under the LIHTC program, the annual service charge and minimum payment stated in this section shall not change.

Sec. 70-304. - Payment of service charge.

The service charge in lieu of taxes, as determined according to this division, shall be payable, enforceable and, if not paid timely, collectible in the same manner as general property taxes are payable to the City, except that the annual payment for each operating year shall be made as follows:

(1) The minimum payment of $34,071.00 is due on or before December 31 of each year.

(2) All additional amounts owing from the December 31 payment of the previous year, as determined to be owing based on an audit, is due on or before by July 1 of each year.

Sec. 70-305. - Verification of contract rent.

The Sponsor shall verify annual contract rent revenues to the City with a statement of profit and loss as reported to the Authority or other form of financial deemed suitable to the City.

Sec. 70-306. - Effective period of division.

This division shall:

(1) Become effective only after Sponsor acquires the property and receives and closes a mortgage loan; and

(2) Shall remain in effect and shall not terminate so long as a mortgage loan remains outstanding and unpaid, and the housing development remains subject to income and rent restrictions under the LIHTC program, but not to exceed thirty-five (35) years.

Sec. 70-307. - Contractual effect of division.

Notwithstanding the provisions of Section 15(a)(5) of the Act (MCL 125.1415a(5), to the contrary, a contract between the City and the State Housing Development Authority with the Sponsor as third party beneficiary under the contract to provide tax exemption and accept payments in lieu of taxes, as described in this division is effectuated by enactment of this division.

Sec. 70-308. – Limitation on the Payment of Annual Service Charge

Notwithstanding Section 70-303, the service charge to be paid each year in lieu of taxes for the part of the housing project that is tax exempt but which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

Sec. 70-309. - Severability.

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

Sec. 70-310. – Inconsistent ordinances.

All divisions or parts of divisions inconsistent or in conflict with the provisions of this division are repealed to the extent of such inconsistency or conflict.

_____
Peter J. Strazdas, Mayor

FIRST READING: _____
SECOND READING: _____
ORDINANCE #: _____
EFFECTIVE DATE: _____

CERTIFICATION:

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing ordinance was adopted by the City of Portage on the _____ day of _____, 2016.

_____
James R. Hudson, City Clerk

Approved as to Form:
Date: 2/17/2016
_____
City Attorney

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Youth Advisory Council Meeting February 8th, 2016

I. Call to Order
   a. Meeting was called to order at 6:32 pm.
II. Introductions and Attendance
III. Approval of Minutes from the last Meeting
IV. Reports from Liaisons to Other Advisory Boards and Commissions
   a. Substance Abuse Task Force (Sticker Shock): Focusing on sticker shock and the location
   b. The Environmental Board: Danny unable to make meeting
   c. Lindy reported that the Human Services Board is reviewing grant funding
   d. Molly reported that there is an online Parks support group.
V. Discussion of the Success of the Annual Snow Party
   a. Discussion surrounding images from the party and what went well – free hot chocolate and donuts
   b. Discussion of additions or changes to make to next year's Snow Party
      i. Decided to keep things as they are but to limit event to 3 hours
   c. Considering the weather, it was a success – over 200 attendees.
VI. Teen Movie Night
   a. A representative from the Portage District Library visited YAC to discuss Teen Movie Night for YAC and TAG (Teen Advisory Group)
   b. Possible movies were discussed including Force Awakens, Batman vs. Superman
   c. Suggestions for this year included toning down the Nerf War
   d. Possible date: Friday, July 15, 2016 after the library closes
   e. All YAC members approved the motion to have another Teen Movie Night
VII. Martin Luther King Jr. Concert to celebrate Black History Month by the CSU Chorus
   a. Friday, February 26, 2016
   b. Approx. 7-8:30 p.m.
   c. Dinner provided
   d. Email confirmation from YAC members
VIII. Green-a-thon Earth Day Festival
   a. April 23, 2016
   b. Thoughts on organizations or vendors?
   c. Tree Selection – 250 trees – 100 White Pine, 50 Black Gum, 50 Eastern Redbud, 50 White Dogwood
   d. Food Vendors: Indian Cuisine; ChocolaTea and if they can't do the festival, then we will ask Water Street
   e. Ad in the Portager
   f. Activities such as face painting, fish toss, corn hole?
   g. Live music?
IX. Sticker Shock
   a. April 16th Sticker Shock
   b. Contest for design is open on the Youth Substance Abuse Task Force website
X. City Attorney Internship/Assistantship Opportunity
XI. Next Meeting: March 14th, 2016

Portage Senior Citizens Advisory Board

Meeting Minutes – February 16, 2016

Present: Bill Wieringa, Art Roberts, Ruth Ann Meyer, Gloria Padilla-Carlson, Ann Perkins, Kathy Mishler, Sharon White, Mary Lou Petrulio.

Absent Excused: Ali Arif, Trudy Riker, Jean Wentz

Absent Unexcused: Monifa A. Jumanne

Guest: Chris Barnes, Director of Transportation & Utilities and Muhammad Arif, Traffic Engineer

Staff: Kim Phillips, Senior Citizen Services Manager & Sonya Evans, Program & Trip Coordinator

Chair Bill Wieringa called the meeting to order at 2:30p.m. The chairperson changed the order of the agenda due to the guests in attendance from the City of Portage Department of Transportation & Utilities

Presentation by T&U Staff:

Muhammad Arif and Chris Barnes were in attendance to address concerns regarding the how pedestrian crossings work, the timing of crosswalks and the impact on pedestrians. Muhammad explained how the crosswalks worked, including how many seconds an individual has to cross once the light has changed. When the signal changes to "walk," individuals at the edge of the walk can begin to cross. If the "do not walk" begins to blink, an individual should still have time to complete their walk. However an individual should not begin to cross when the signal is blinking. The signal depends on the width of the street and the traffic light time, as well as assuming that an individual can walk 4 feet per second. (A 60 foot road crossing should be completed in 15 seconds.) Chris and Muhammad also explained traffic light cycles, and addressed what you can do if the light changes when you are in the middle of the street, including making eye contact with drivers and waving so that they are aware that you are walking. If there are any specific concerns regarding the set timing of specific crosswalks, citizens can contact the Transportation & Utilities Department.

The cameras that are mounted at intersections do not record or photograph traffic infractions. Michigan law requires an officer to visually observe an infraction in order to ticket an offense. Any concerns regarding this law should be addressed with a state representative as this is a state issue. Concerns about vehicles not observing traffic laws should be addressed with the Department of Public Safety, possibly at upcoming "Coffee with a Cop" programs. Muhammad also indicated he is willing to make personal appointments to discuss traffic concerns.

Minutes Approval:

The chair asked for approval of the February minutes. Mary Lou Petrulio requested that, going forward, pages of minutes be numbered. Kim indicated that she will format them to meet that request. Ann Perkins moved and Art Roberts seconded the motion that the minutes be approved.

Management (Kim):

January is a very quiet month, nothing really major to report. Taking appt. for taxes – appointments taking place at the Portage District Library. There was a cooking demonstration with WMU Dietetics students. Recently, there was also a "Mystery" cooking demonstration with Chef Roger from MediLodge.

Program and Service (Gloria and Sonya):

Gloria met with Sonya to brainstorm new monthly events. She encouraged members to check out the craft display in the lobby for Easter and St. Patrick's Day crafts. The event is scheduled for March 2, for both crafts in a single session. They will continue to brainstorm new ideas for programs. Gloria stated that the center does such a great job with actively programming that it can be a challenge to find new opportunities. She would like to expand her program focus and not be pigeon-holed on wellness. Wellness programs are already doing well at the PSC.

Travel Program (Art):

January was a light month for travel. However, the Trip Committee had a great January meeting and is working to plan out trip opportunities for the year. Be sure to mark April 18 on your calendar for the Spring Trip Preview. Art said to be sure to check out the new master list of trips available at the Reception Desk. Sonya is updating with trip status items.

Upcoming trips:

- 3/24 Thirsty Village Tour – almost full, 3 or 4 seats left
- 3/31 Local Treasures
- 4/8 Magic of Neil Diamond
- 4/15 The Home Game
- 7/24 Cubs vs Brewers

Friends of PSC Board update:

Due to Trudy's absence, Kim briefly reported on Friends. Kim stated that on Monday, May 23, the Friends Annual Golf Outing will take place at Gull Lake Country Club. Plans for the purse sale are moving forward. She also stated that Friends will be granting up to 6,000.00 to remodel the restrooms and possibly the kitchen area.

Legislative update (Ruth Ann):

Ruth Ann attended the KCASI legislative meeting. KCASI distributed a list of legislative issues being pursued in the upcoming year. She also encouraged everyone to vote in the Presidential Primary Election on March 8. Art distributed a flyer from Brandt Iden with additional dates for public coffee meetings. Kim said a date had been requested for Brandt Iden to meet at the PSC and they were working on setting something up. Ruth Ann encouraged everyone to continue to stay in touch and communicate with representatives.

Old Business:

Fragrance free policy – Kim reinforced that she would still like suggestions and feedback from members. Art referred to the Fragrance language in the trip brochure. Kim said that similar language could be included in the membership manual. Ann said she liked the wording listed in the trip brochure. Kim will draft something up and send it out to the board for review. Ruth Ann likes the wording, suggesting people limit fragrances rather than outright banning it. She said education on the impact of fragrance on people's health would be appropriate. Bill reminded the group that the board does not set policy but can make recommendations to the staff.

New Business: No new business covered.

Activities Reminder:

- New Member "Meet & Eat," Thursday, Feb 25 at 9:00 AM – Kim encouraged Advisory Board members to attend if possible; please RSVP if you can make it
- Travels with Mr. Lincoln, Feb 23 at 6:30 PM – registration is going very well, already over 30 people signed up
- Garden Talk (weekly series) by Schram's starts March 8, 6:30 PM
- Valentine's Day Lunch (Feb 18, sold out) & St Patrick's Day Lunch (March 17) – food prepared by Chef Roger at MediLodge
- Casino Trip to Four Winds on March 22 – trip is sold out but Kim is taking a waiting list with the possibility of taking a second bus.

Advisory Board Comments:

Ruth Ann asked Kim to speak about the Black History Month dinner. Kim said that Sharon White did an excellent job with food. It was good and plentiful. One attendee gave it high praise saying it was “almost as good” as his grandmother’s. Unfortunately due to a scheduling conflict, the program did not happen. However there was good fellowship. The City Manager and the Deputy City Manager were both in attendance.

Art commended Kim and the rest of the staff on all the work that they do. They work hard and their efforts are appreciated, as well as the work of the volunteers. Art also mentioned that he will not be at the March meeting as he will be traveling in Vietnam.

Citizen Comments: NONE

The next PSC Advisory Board meeting will be held on Wednesday, March 16, 2016 at 2:30 PM

Reminder: If you are unable to attend an Advisory Board meeting. Please call or e-mail the chairperson.

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Resurfacing of portions of Constitution Boulevard, South Westnedge Avenue, and West Centre Avenue

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation and Utilities

ACTION RECOMMENDED: That City Council award a construction contract to Rieth-Riley of Kalamazoo, Michigan in an amount not to exceed $819,169.15 for the resurfacing of:

- Constitution Boulevard from Romence Road to West Milham Avenue;
- South Westnedge Avenue from Shaver Road to West Centre Avenue;
- West Centre Avenue from Shaver Road to South Westnedge Avenue; and

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

The 2015-2016 Capital Improvement Program provides funding for the resurfacing of Constitution Boulevard from Romence Road to West Milham Avenue, South Westnedge Avenue from Shaver Road to West Centre Avenue, and West Centre Avenue from Shaver Road to South Westnedge Avenue. The project entails resurfacing these streets, minor drainage improvements, Americans with Disability Act (ADA) upgrades at intersections, replacement of river rock in narrow sections of the median on Constitution Boulevard with stamped concrete and decorative crosswalks at the trail crossing on Constitution Boulevard and around City Hall. The project will also coordinate with the replacement of the Grand Elk Railroad grade crossing on West Centre Avenue.

In the State of Michigan, street conditions are rated using the PASER (Pavement Surface Evaluation Rating) system. The standard breakdown for the PASER ratings with a general description are as follows:

Rating	Description
9-10	Excellent (new pavement)
8	Very Good (little to no maintenance required)
6-7	Good (sound structural condition with crack seal maintenance)
4-5	Fair (candidates for pavement overlay)
3	Poor (needs patching and repair to remove failed areas prior to an overlay)
2	Very Poor (severe deterioration, needs reconstruction with total base repair)

1	Failed (requires total reconstruction)

On a scale of 1-10, Constitution Boulevard has a PASER rating of 4, South Westnedge Avenue has a PASER rating of 3-4 and West Centre Avenue has a PASER rating of 5, which places all these streets primarily in fair condition. The resurfacing of these sections of roadway will improve the structural strength of the pavement, add longevity to the pavement life and provide a smooth driving surface. This project meets standard asset management strategies for these ratings and will bring these roadways back to a 9-10 PASER rating when the project is complete.

On September 8, 2015, City Council awarded a contract in the amount of $87,950 to Paradigm Design, Incorporated, for the design and construction engineering of the project. Project design is complete and on March 10, 2016, bids for the construction portion of the project were received from two contractors with the low bid being submitted by Rieth-Riley of Kalamazoo, Michigan in the amount of $819,169.15. Rieth-Riley has successfully completed many similar projects for the city. If awarded, project construction will begin in June 2016 and be completed by August 2016.

Therefore, it is recommended that City Council award a construction contract to Rieth-Riley of Kalamazoo, Michigan for the resurfacing of Constitution Boulevard from Romence Road to West Milham Avenue, South Westnedge Avenue from Shaver Road to West Centre Avenue, and West Centre Avenue from Shaver Road to South Westnedge Avenue in an amount not to exceed $819,169.15 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: The Constitution Boulevard, South Westnedge Avenue and West Centre Avenue project is part of the larger Major Street Reconstruction program in the 2015-2025 CIP, with the total appropriation for this and the four other projects at $2,094,000. Of that amount, $1,589,423 is encumbered, including the $819,169 for this project. Of the total, $504,577 remains available.

Attachments: 1. Bid Tabulation

BID TABULATION
RESURFACING OF CONSTITUTION BLVD.,
WEST CENTRE AVE. AND SOUTH WESTNEDGE AVE.

Bidder	Bid
Rieth-Riley Construction Co., Inc. 911 Hatfield Ave. Kalamazoo, MI 49001	$819,169.15
Michigan Paving & Materials 2300 Glendenning Kalamazoo, MI 49001	$824,301.62

Bids Opened 3/10/2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Martin Luther King Jr. Drive Reconstruction Project Bid Tabulation

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation and Utilities

ACTION RECOMMENDED: That City Council:

1. award a construction contract subsequent to approval of Resolution No. 5 of Special Assessment District 998-R for the Martin Luther King, Jr. Drive Reconstruction Project to Hoffman Brothers, Incorporated, of Battle Creek Michigan in an amount not to exceed $379,920;
2. approve a contract amendment with Wightman & Associates, Incorporated, in the amount not to exceed $44,300 to perform construction engineering services for Martin Luther King, Jr. Drive;

and authorize the City Manager to sign all other documents related to this project on behalf of the city.

As requested by the adjoining property owners, the City Administration initiated the reconstruction of Martin Luther King, Jr. Drive from Constitution Boulevard to Ring Road to bring the existing private street up to city standards for conversion to a city street. The project is being funded through a special assessment to the benefiting parcels adjacent to Martin Luther King, Jr. Drive and entails the reconstruction of the entire project length, curb and gutter replacement, storm drainage improvements and restoration.

In the State of Michigan, street conditions are rated using PASER (Pavement Surface Evaluation Rating) system. The standard breakdown for the PASER ratings with a general description are as follows:

Rating	Description
9-10	Excellent (new pavement)
8	Very Good (little to no maintenance required)
6-7	Good (sound structural condition with crack seal maintenance)
4-5	Fair (candidates for pavement overlay)
3	Poor (needs patching and repair to remove failed areas prior to an overlay)
2	Very Poor (severe deterioration, needs reconstruction with total base repair)
1	Failed (requires total reconstruction)

Although Martin Luther King, Jr. Drive is not yet a city street and has not previously been evaluated for a PASER rating, on a scale of 1-10, it would receive a PASER rating of 1, which means it is in very poor condition and in need of major reconstruction. The rehabilitation of this section of roadway will address structural breakdown and strengthen the base material prior to new asphalt being applied. Existing curb and gutter that has deteriorated or does not drain properly will be replaced and storm drainage improvements will be constructed. This project meets standard asset management strategies for this rating and will bring the road back to a 9-10 PASER rating when the project is complete.

On November 13, 2015, a contract in the amount of $19,150 was awarded to Wightman & Associates for the design engineering of the project. Project design is now complete and to provide project continuity, a proposal from the firm was solicited to administer the required construction engineering. A proposal in the amount of $44,300 was received and is considered favorable with the amount of work needed for the size and the complexity of the project. Wightman & Associates has successfully performed similar type of engineering services in the past for the city with the most recent being Oakland Drive from Vincent Avenue to Kilgore Road.

On February 25, 2016, bids for the construction work were received. Six contractors bid on the project with the low bid submitted by Hoffman Brothers, Incorporated, of Battle Creek, Michigan in the amount of $379,920. Hoffman Brothers, Incorporated, has successfully completed many similar projects for the city, including the South Westnedge Avenue project completed last summer. If awarded, the project construction will begin in the spring 2016 and be completed by July 2016.

Therefore, it is recommended that upon acceptance of Special Assessment Resolution No. 5, City Council award a construction contract to Hoffman Brothers, Incorporated, for the Martin Luther King, Jr. Drive Reconstruction Project in the amount not to exceed $379,920, approve a contract amendment to Wightman & Associates, Incorporated, in the amount not to exceed $44,300 to perform construction engineering services for Martin Luther King, Jr. Drive and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: The project will be funded through special assessment to adjacent property owners and developer contributions per the Development Agreement approved December 15, 2015.

Attachments: 1. Bid Tabulation

BID TABULATION
MARTIN LUTHER KING JR. DRIVE RECONSTRUCTION

BIDDER	BID
Hoffman Brothers, Inc. 8574 Verona Rd. Battle Creek, MI 49014	$379,920.00
Balkema Excavating, Inc. 1500 River Street Kalamazoo, MI 49048	$398,505.65
Cripps Fontaine Excavating, Inc. 7729 Douglas Ave. Kalamazoo, MI 49009	$417,925.60
Peters Construction Co. 3325 E. Kilgore Rd. Kalamazoo, MI 49001	$429,510.72
Weick Brothers, Inc. 3029 Weicks Drive Hopkins, MI 49328	$454,457.75
James E. Fulton & Sons 2516 Miller Road Kalamazoo, MI 49001	$492,488.33

Bids Opened 2/25/2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Sanitary Sewer Call-in Services - Bid Tabulation

SUPPORTING PERSONNEL: W. Christopher Barnes, Director of Transportation and Utilities

ACTION RECOMMENDED: That City Council award a construction contract to SWT Excavating, Incorporated, of Galesburg, Michigan in the amount of $13,211.15 with two, one-year extensions and authorize the City Manager to execute all documents related to the contract on behalf of the city.

Section 82-306 of the Portage Code of Ordinances requires that the city investigate and determine responsibility for blockages and defective sanitary sewer service leads. By ordinance, the property owner is responsible for maintenance and repair of the sanitary sewer service lead from the property building to the sanitary sewer main, typically located in the street.

Originally, the problem sewer lead account was used to correct defective sewer leads before residents connected to the sewer system. As the city sewer system has matured, the typical problem today consists of sewer blockages in an active sewer lead. Such a blockage can lead to severe sewer backups and unsanitary conditions.

Typically, when a customer has a problem in the sewer plumbing such as water backing up in the basement, the customer contacts Suez Environmental to check the sewer main. If the sewer main is clear, the customer is advised to contact a plumber to clean the private sewer lead. If the plumber finds a blockage located in the public right-of-way, city staff is contacted and an investigation is initiated as to the cause of the blockage. Usually, this investigation leads to excavation of the sewer lead in the street and repair of the problem. The cause of the problem is ascertained and responsibility is determined per City Ordinance 82-306. The city is responsible when it is found that the initial installation of the sewer lead was defective or if tree roots from trees in the right-of-way were the cause of the blockage. A contract to perform this type of emergency repair service was first bid in 2009 and again in 2012. Annual expenditures for this work vary from year to year depending on the number of cases and for the last five years. The expenditure history is as follows:

2010	$14,509.37
2011	$34,090.32
2012	$6,287.92
2013	$25,746.20
2014	no charges

Having an experienced on-call contractor has greatly improved customer service and response times

associated with sewer blockage issues. The contract has only been used on an as-needed basis. Typically, the city has experienced three to five emergency incidents per year. Staff developed a bid proposal utilizing construction items typically associated with repair of sanitary sewer leads within the public right-of-way including excavation, fill material, sewer pipe, asphalt pavement replacement, etc. Quantities for each bid item were based on the previous contract experience in emergency sewer lead repairs. Unit prices and quantities can then be used for the purpose of determining the lowest bidder. A contract was last awarded to the lowest bidder in 2012 and has been renewed annually since this time. The current contract expires on April 1, 2016 and can no longer be extended.

On March 10, 2016, bids for the construction work were received from two contractors with the low bid being submitted by SWT Excavating, Incorporated of Galesburg, Michigan in the amount of $13,211.15. SWT Excavating is a local contractor who has successfully completed sanitary sewer projects for the city. The bid prices received represents typical repair unit prices for items such as six-inch sanitary sewer replacement, asphalt pavement restoration and lawn restoration. Due to the private owner aspect of the sanitary sewer lead repair, this is not part of the Suez Environmental contract and is best performed by a separate excavation contractor.

Therefore, it is recommended that City Council award a construction contract to SWT Excavating, Incorporated, for Sanitary Sewer Call-in services in the amount of $13,211.15 with two, one-year extensions and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: The annual sewer fund budget includes funds to investigate and/or repair the problem sewer leads that are determined to be city's resonsibility.

Attachments:
1. Bid Tabulation - Sanitary Sewer Call-in Services
2. Bid Tab Detail

BID TABULATION
SANITARY SEWER CALL-IN SERVICES

Bidder	Bid
SWT Excavating, Inc. 8936 E. K Ave. Galesburg, MI 49053	$13,211.15
Peters Construction Co. 3325 E. Kilgore Kalamazoo, Mi 49001	$19,889.99

Bids Opened 3/10/2016

BID TABULATION
SANITARY SEWER REPAIR CALL-IN SERVICE

				SWT Excavating, Inc. 8936 E. K Ave. Galesburg, MI 49053		Peters Construction Co. 3325 E. Kilgore Kalamazoo, Mi 49001	
Item	Description	Unit.	Quantity	Per Unit	Total	Per Unit	Total
1	Sanitary sewer service replacement, 6" PVC SDR 35, 0-10' depth	L.F.	50	$13.82	$691.00	$34.35	$1,717.50
2	Sanitary sewer service replacement, 6" PVC SDR 26, 10'-16' depth	L.F.	50	$15.05	$752.50	$42.71	$2,135.50
3	Water main replacement, 8", DIP class 52	L.F.	50	$35.62	$1,781.00	$46.04	$2,302.00
4	Video tape existing sanitary sewer service	L.F.	50	$3.39	$169.50	$6.91	$345.50
5	Bituminous pavement removal & replacement, major street	S.Y.	40	$48.47	$1,938.80	$71.46	$2,858.40
6	Bituminous pavement removal & replacement, local street	S.Y.	30	$41.54	$1,246.20	$62.83	$1,884.90
7	Concrete curb & gutter removal & replacement	L.F.	80	$35.41	$2,832.80	$37.19	$2,975.20
8	Dewatering service, trench, 0'-2' vertical drawdown	V.F.	2	$159.09	$318.18	$354.17	$708.34
9	Dewatering service, trench, 2'-4' vertical drawdown	V.F.	2	$323.37	$646.74	$826.42	$1,652.84
10	Lawn restoration, Class A	S.Y.	25	$9.57	$239.25	$12.25	$306.25
11	Construction signage & traffic control (lane shift w/arrow board)	E.A.	1	$1,003.56	$1,003.56	$590.30	$590.30
12	Drainage structure reconstruction	E.A.	3	$530.54	$1,591.62	$804.42	$2,413.26
	Grand Total				$13,211.15		$19,889.99

Bids Opened 3/10/16

City of Portage

MONTHLY REPORTS
February 2016

Assessing Department
City Clerk's Office
City Manager's Office
Community Development Department
Finance Department
Human Resources Department
Parks, Recreation and Senior Citizen Services
Public Safety
Public Services Department
Purchasing Department
Technology Services
Transportation & Utilities Department

CITY OF PORTAGE **COMMUNICATION**

TO: Laurence Shaffer, City Manager **DATE:** March 1, 2016

FROM: John Baumann, Deputy City Assessor

SUBJECT: February 2016 Department Operations Report

The following information summarizes the operations of the City Assessor's Office during February 2016:

- **Assessment Roll Preparation:** The 2016 City of Portage assessment roll has been completed by the City Assessor's Office. This annual project consists of the completion and coordination of several sizable sub-projects: property splits and combinations, numerous individual appraisals (of new construction improvements), the mass appraisal of 17,000 properties to account for appreciation or depreciation, and the processing of 1,900 personal property filings. The 2016 assessment roll is now subject to change by the Board of Review.

- **Assessment Change Notices:** On February 12th an assessment change notice for each residential parcel of taxable property was prepared and mailed to the property owner. On February 25th notices for the remaining commercial, industrial and personal property parcels were prepared and mailed. Assessment change notices have been mailed in accordance with state statute and the City Charter. These notices detail relevant assessment information and provide property owners with the dates and times of Board of Review sessions as established by City Council. Beginning 2011, charter modification allows resident citizens to file valid property assessment appeals by letter without the former requirement of making a personal appearance before the Board.

- **Board of Review Preparations:** Preparations were completed in February for the upcoming Board of Review sessions. In February, the City Assessor's Office prepared legal notice of the sessions and made arrangements for publication of this notice in the *Kalamazoo Gazette* as required by the City Charter. The Board of Review will meet March 9th for a seminar on Commercial Valuation and Income Approach with David Rice of Edward Rose & Sons. The Board of Review will have their scheduled meetings March 14th through March 17th and again on March 29, 2016. An informational summary of 2016 Board of Review activity will be presented to you in early April after the assessment roll is certified.

- **Customer Service:** The staff of the City Assessor's Office provided a high level of customer service during the month of February. Prompt and courteous service was provided in response to numerous telephone calls and personal visits from realtors, private appraisers, title companies, and citizens.

Please contact me if you have any questions concerning the information presented above.

CITY OF PORTAGE **COMMUNICATION**

TO: Laurence Shaffer, City Manager **DATE:** March 12, 2016

FROM: James R. Hudson, City Clerk DJH (for)

SUBJECT: February Monthly Report

AGENDA PREPARATION AND FOLLOW-UP

Prepared City Council electronic and paper meeting agenda packets. Worked with BoardSync on implementing the video aspect of the agenda management program.

Prepared Minutes, Resolutions and Ordinances for permanent records and indexed approved minutes of City Council Meetings.

Provided follow-up communications, Resolutions and Ordinances on Agenda items passed by City Council at the February City Council Meetings. Distributed public notices as necessary.

ELECTION PREPARATION AND EXECUTION

Issued and processed 3,060 absentee and military applications and ballots for the March Presidential Primary.

Developed and began training election workers for the March Primary. Close to 40 new workers were trained on election legal requirements, equipment and procedures. Reviewed and prepared materials needed to conduct elections at 19 voting precincts and the Absentee Counting Board.

Conducted the Public Accuracy Test for the March Presidential Primary.

Continued processing additions, changes, deletions from the QVF In-Box, for new voters and continued process of manually recording QVF changes/updates (addresses, DOB, ID numbers, etc.) on in-house Master Voter Cards and filing.

CEMETERIES

Processed three (3) grave openings/closings, including the preparation of invoices and Burial Rights Certificates and entry on the BS&A Cemetery Software module. Researched availability of lots for citizens and assisted with burials. Worked with the Department of Community Development on mapping of gravesites.

PUBLIC INFORMATION AND CITIZEN ASSISTANCE

Supported the Youth Advisory Committee Meeting on February 8, 2016, and discussed upcoming YAC events and activities.

Along with representatives of the Youth Advisory Committee, supported the concert in celebration of Black History Month at Portage Northern High School.

Attended the February Meeting of the Portage Public Schools District Advisory Council.

Attended a meeting of the Coordinating Council of the Kalamazoo County Substance Abuse Task Force.

Coordinated FOIA requests and liquor license requirements.

Provided help to citizens for over-the-counter requests including voter information, guidance to appropriate departments and miscellaneous assistance. Responded to requests for Notary service.

Prepared transmittals for documents, resolutions, deeds, solicitor permits, etc. to be sent to the City Attorney and citizens. Performed research for city departments on a variety of topics.

Responded to request(s) from Police Department for copies of Police Reports required during an investigation (reports are on microfilm).

RECORDS

Assisted City Departments with records retention, storage and disposal requirements. Retrieved documents for various departments and assisted with the search and printing of various microfilm documents.

Reviewed recently scanned and microfilmed documents for completeness and accuracy.

PUBLICATIONS

Published public and legal notices in the *Kalamazoo Gazette* and on *MLive* as necessary for meetings and public hearings.

CITY OF PORTAGE **COMMUNICATION**

TO: Honorable Mayor and City Council **DATE:** March 1, 2016

FROM: Laurence Shaffer, City Manager

SUBJECT: Monthly Report – February 2016

The following summarizes some of the activities in which staff of the Office of the City Manager were involved during the month of February 2016.

1. **City Council:**
   - Coordinated and/or prepared agenda and other materials for the following meetings:
     – City Council Regular Meetings on February 9 and 23.
     – Pre-Council meetings on February 8 and 22.
     – Board of Review member interview on February 23.
     – Investment Committee meeting on February 24.

2. **Represented the City of Portage in the following activities, among others:**
   - Reviewed a matter of mutual concern with a resident on February 1 and 12.
   - Met with Mayor Pro Tem Ansari on February 4 and 18.
   - Met with representatives of the medical marijuana regulations community on February 4 and 12.
   - Interviewed finalist candidates for the Human Resource Director position during the month of February.
   - Met with a representative from AVB regarding matters of mutual interest on February 9.
   - Hosted the reception for former Mayor Betty Lee Ongley's 90th birthday on February 9.
   - Met with Vern Johnson from the Kalamazoo County Health & Community Services Department discussing paint and electronics recycling on February 10.
   - Met with Councilmember Randall on February 11.
   - Attended the Kalamazoo County Consolidated Dispatch Authority Board meeting on February 11.
   - Met with Tom Danielson of Gryphon Place on February 16.
   - Attended the Southwest Managers Association monthly meeting on February 16.
   - Met with Councilmember Pearson on February 22.

- Met with a resident regarding right-of-way encroachments on February 23.
- Met with Phil Harbor of Old National Bank on February 24.
- Met with Terrence Neuzil, Kalamazoo County Administrator and Jim Ritsema, Kalamazoo City Manager on February 25.
- Met with the representatives of the PPCOA on February 26.
- Hosted the Central State University Choir on February 26 for a public concert in honor of Martin Luther King, Jr. and Black History month.

3. Projects - Completed and Ongoing:

- Continued management and planning for the 2016-2026 Capital Improvement Program and 2016-17 FY Budget.
- Launched the replacement program for the city's ReportIt system – SeeClickFix.
- Continued oversight of planning, design and construction for various city projects and developments.
- Consulted with city staff regarding Information Technology projects as well as current Community Development, Finance, Transportation & Utility and Assessing matters.
- Continued training and assistance for the new electronic agenda software with staff and City Council.
- Prepared for the Historic District Commission monthly meeting on February 3.

4. Public Information and Citizen Assistance:

- Coordinated production of the March *Portager* newsletter.
- Continued oversight of the Portage*Alert* system and notifications for those who registered through the portal for updates.
- Coordinated responses to citizen concerns/requests regarding a variety of matters, including the Quarterly Brush Pickup, lead water levels and snow removal.
- Updated and approved changes to the city website and city publications.
- Provided informational packets on Portage to citizens, realtors and businesses, as requested.
- Continued to collect and monitor Citizen Comment Card responses and submissions to the Online Customer Service Survey.

CITY OF PORTAGE **COMMUNICATION**

TO: Laurence Shaffer, City Manager **DATE:** March 14, 2016

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Monthly Customer Service Report for February 2016

Staff performed research, conducted reviews, and developed recommendations and information necessary for the efficient and effective delivery of community planning and development services, construction permitting and neighborhood programs. All areas involved considerable commitment of staff resources necessary to ensure appropriate customer service, the protection of the public health, safety and welfare and the provision of community development programs. These services were provided together with processing and responding to citizen information requests performed on a continuous basis.

PLANNING, DEVELOPMENT AND NEIGHBORHOOD SERVICES

Planning Commission

February 4, 2016 meeting:

1. Reviewed and then recommended to City Council approval of the Final Plan for Whisper Rock (Phase I), 2275 West Centre Avenue.
2. Convened a public hearing and then recommended to City Council approval of the Height Modification for Trade Centre III Office Building, 650 Trade Centre Way, to allow construction of the building to five-stories and a maximum height of 78-feet.
3. Reconvened a public hearing and then recommended to City Council approval of Rezoning Application #15/16-2 (expanded), Admiral Avenue/Dorset Street with the following changes:
   - 480 Admiral Avenue be rezoned from I-1, light industry and RM-1, multiple family residential to R-1A, one family residential;
   - 514, 520, 526, 532, 606, 612 and 618 Dorset Street be rezoned from R-1T, attached residential to R-1A, one family residential;
   - 6843, 422 and 426 Dorset (rear portions) be rezoned from I-1, light industry to R-1A, one family residential: Front portions to remain zoned R-1A (no change);
   - 6979 South Westnedge Avenue be rezoned from I-1, light industry and RM-1, multiple family residential to R-1A, one family residential with the western portion of the parcel remaining zoned B-2, community business.
4. Reconvened a public hearing and then recommended to City Council approval of Rezoning Application #15/16-4, 1521, 1603 and 1615 East Centre Avenue, with a zoning change from R-1B, one family residential, RM, multiple family residential and OS-1, office service to PD, planned development.

February 18, 2016 meeting:

1. Reviewed and then approved a Specific Plan for Trade Centre III Office Building, 650 Trade Centre Way, subject to City Council approval of the Height Modification request.
2. Reviewed and then recommended to City Council approval of the Final Plan for Raymond James Woodbridge Office, 7995 Moorsbridge Road.

Zoning Board of Appeals

February 8, 2016 meeting

1. Convened a public hearing, reviewed and then approved a variance to divide 10513 Sudan Street into two 80-foot wide lots, which would result in the existing house being setback 7½ feet from the south/side property line, where a minimum 10-foot setback is required.
2. Convened a public hearing, reviewed and then approved a variance for 4415 Raborn Court to retain a 13-foot by 13-foot two-story accessory building in the east/side yard that is 16-feet in height where a maximum 14-foot height is permitted. The Board also postponed consideration of the second variance request involving a 58-foot by 19-foot (1,102 square foot) two-story, 19½-foot tall accessory building until the April 11, 2016 meeting.
3. Convened a public hearing, reviewed and then approved a variance for 6527 Naomi Street to allow construction of a 24-foot by 48-foot detached accessory building 18-feet from the west/front property line where a minimum 75-foot setback is required.

Human Services Board

February 4, 2016 meeting:

1. The Board conducted a public hearing regarding the 2016-2020 Consolidated Plan – Needs Assessment and Market Analysis
2. Continued review of the applications for FY 2016-2017 Human/Public Service funding and recommended the following rankings: CDBG - 1. PCC (177); General Fund- 1. PCC (183), 2. Housing Resources, Inc. (181), 3. YWCA (174), 4. Catholic Charities (164), 5. Gryphon Place (153), 6. Lending Hands (132), 7. Goodwill Industries (126).
3. Received an update concerning the Kalamazoo Transit Authority and expanded bus services.

OTHER BOARD ACTIVITIES

- Local Development Finance Authority - The Authority did not meet in February 2016.
- Economic Development Corporation/Tax Increment Finance Authority/Brownfield Redevelopment Authority - The Authority did not meet in February 2016.
- Downtown Development Authority - The Authority did not meet in February 2016.

Citizen Information Requests:

During the month of February 2016, a total of 204 cases/violations were inspected or identified in response to citizen service requests or staff field observations: 99 sidewalk snow; 52 vehicle parked in yard; 17 inoperable vehicles; 10 debris/refuse; 8 building maintenance; 6 sign; 5 housing maintenance; 5 zoning; 1 property maintenance; 1 safety, sanitation and health.

BUILDING AND HOUSING SERVICES

Construction Board of Appeals: The Board did not meet in February 2016.

Issued permits and conducted required building, electrical, plumbing and mechanical inspections to ensure compliance with local codes/ordinances. The following list shows major permits:

Type of Permit/Application	Number of Permits	Project Valuations
Single-family Houses Detached	4	$880,503
Residential Additions, Interior Remodels, Garages, Sheds, etc.	7	$182,303
Commercial Additions, Interior Remodels, etc.	6	$326,300
Permits Not on Report (i.e., demolition, electrical, plumbing, mechanical, driveway, sign, water use/sewer use, etc.).	126	N/A
Totals	**143**	**$1,389,106**

CDBG Housing Assistance Programs

CDBG PROGRAMS				
Activity	Housing Rehabilitation	Water / Sewer	Emergency Repair	Down Payment Assistance
New Applications	1	0	0	1
Applications Approved	0	0	0	1
New Loan Closings	0	0	N/A	0
Monthly Projects Completed	0	0	0	0
Projects Underway	3	0	0	0
FY YTD Projects Completed	**5**	**0**	**0**	**0**

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CITY OF PORTAGE COMMUNICATION

RECEIVED
MAR 15 2016
CITY MANAGER'S OFFICE
PORTAGE, MI

TO: Laurence Shaffer, City Manager

DATE: March 16, 2016

FROM: William Furry, Director of Finance WKF

SUBJECT: Monthly Report-February 2016

ACCOUNTING /PAYROLL

- Issued 274 accounts payable checks totaling $1,084,702.30 and 102 automated clearinghouse payments totaling $551,438.43, for a total expenditure of $1,636,140.73.
- The number of payments via the automated clearinghouse system increased from February 2015 by 67%. The ACH payment option offers vendors a faster liquidity and eliminates the need for paper check handling.
- Processed 2 payrolls, creating 460 checks and deposit advices for 230 employees, with a total monthly payroll expenditure of $967,369.84.
- Completed annual overtime audit per Fair Labor Standards Act (FLSA) and made subsequent pay adjustments in the second pay of February.
- Paid college incentive bonuses to eligible members of Firefighter Union (IAFF) and Police Union (PPOA).
- Payroll changes for deductions and annual goal limits were made as required following annual benefits open-enrollment period, effective February 1st.
- Continued working with ADP on implementation of Enhanced Time and Attendance. Began development of training plan and materials.

TREASURY

- Continued collection of the 2015 winter tax bills through February 16, 2016, without penalty. Taxes collected after February 16 through February 29, 2016 included a three-percent penalty.
- Began organizing resources to gather information for 2015 tax settlement with the Kalamazoo County Treasurer.
- Mailed out 152 past due personal property tax notices on February 17, 2016.
- Mailed out 35 utility to tax preliminary notices to property owners for unpaid finaled out water/sewer accounts.
- Sold Kalamazoo County Dog Licenses as a service to Portage residents from December 1, 2015 thru February 29, 2016. This year 684 dog licenses were sold, this is in comparison to 469 in the prior year.
- Prepared and issued the following utility billing statements:
  - 4,715 regular quarterly bills (cycle 2)
  - 88 final billing statements.

- Prepared and issued the following utility billing delinquency notices:
  - 868 delinquent notices (cycles 1 and 4)
  - 380 disconnect notices (cycle 1)
  - 69 delinquent notices to customers with terminated water/sewer services.
  - Shut off water services to 41 customers for non-payment
- Sent 88 accounts for "pre-note" related to the automatic payment / direct debit program.
- Processed 146 requests to initiate or terminate water/sewer services to residences or businesses in the City of Portage.
- Staff handled 1,012 phone calls during February 2016. Since July 1, 2015, 9,126 phone calls have been handled, averaging 54 per business day.
- During February 2016, staff worked with 138 customers at the Treasury Counter who came to the counter for information only, not to pay a bill. On average, staff works with 9 such customers per day.

FINANCE/BUDGET

- Compiled and reviewed budget requests for 2016/2017 Budget, followed up with departments on questions.
- Cashed in maturing investments, analyzed cash position and reinvested called bonds.
- Prepared monthly investment scorecard, input investment activity and balances into SymPro software and generated monthly SymPro reports for the investment committee.
- Assisted in final revisions to the 2016-2026 Capital Improvement Program.
- Attended preliminary budget team meetings with the City Manager and Deputy City Manager.
- Calculated and entered wage and benefit costs into BS&A.
- Reviewed and processed budget amendment requests for 2015/2016.
- Collected completed cell phone budget forms and budget narratives and service indicators.
- Entered and verified the values shown in the BS&A systems for utility cost, telephone and cell phone budgets.
- Entered and reviewed department changes to budget narratives and service indicators into the budget document draft.
- Worked with the Director of Transportation and Utilities on the annual utility rate study.
- The monthly meeting with the Department of Public Services and Department of Parks, Recreation and Senior Services on their 2015/2016 budget status was cancelled; however, monthly reports were provided to all parties via email.
- Prepared and posted the leaf and brush pick-up overtime journal entry.
- Prepared and mailed annual audit services request for proposal.
- Prepared for and attended Investment Committee meeting.
- Approved accounts payable invoices and invoices with a purchase order prior to payment.
- Handled various questions and requests from departments.

BENEFITS/COMPENSATION

- Continued to monitor, research, and implement requirements of the Affordable Care Act (ACA).
- Continued to track city share of health insurance premium limits as provided for by PA-152.
- Calculated health insurance taxes and fees required under the ACA.
- Calculated and approved monthly payments for employee fringe benefit plans (medical, vision, dental, life and long-term disability insurance, flexible spending accounts, pension contributions, etc.).
- Continued to administer Defined Benefit Plan, including locating and coordinating benefit payments for terminated vested participants.
- Established UAW Retiree Health Savings Plan as provided for in the labor agreement.
- Administered contractual wage adjustments per applicable labor agreements.
- Administered contractual bonus payments per applicable labor agreements.
- Responded to various employment verifications for employees.
- Attended Kalamazoo Area Human Resources Association (KHRMA) Fair Labor Standards Update presented by Attorney Rebecca Strauss of Miller Johnson.

WORKERS' COMPENSATION

- Continued with aggressive case management on a number of work related injury claims. Special attention continues to be directed toward high reserve cases. Focus also directed toward lost-time cases with emphasis placed on returning employees to restricted duty assignments.
- Continued to assist supervisory personnel with employees in restricted duty assignments.
- Provided information to the city third party administrator for the processing of workers' compensation claims.
- Provided direction to third party administrator in regard to workers' compensation claims.
- Updated the OSHA 300 Log.

CITY OF PORTAGE **COMMUNICATION**

TO: Larry Shaffer, City Manager **DATE:** March 14, 2016

FROM: Robert Sames, Acting Director of Human Resources Department RAS/jl

RECEIVED
MAR 14 2016
CITY MANAGER'S OFFICE
PORTAGE, MI

SUBJECT: Human Resources Department Monthly Report – February 2016

RECRUITING

The following positions were filled in February:

- Firefighter (Bubble) (1)
- Police Records Clerk (PT)
- Park Rangers (2)
- Election Workers (122)

The following positions have candidates identified:

- Police Reserve Officers (7 in backgrounds)
- Umpire Coordinator
- Park Ranger (1)
- Administrative Fire Division Chief Training/Safety
- Director of Human Resources

The following positions are open and/or recruitment efforts are ongoing:

- Property Appraiser
- Police Officer (PT)
- Deputy Director Human Resources
- Adult Softball Coordinator
- Seasonal Recreation Attendants (2)
- Lifeguards/Senior Lifeguards (11)
- Ramona Park Supervisors (3)
- On-Call Firefighters
- Dispatch/Radio Operators

Employment applications, assessments and recruitment activities:

- 278 Applications processed and screened
- 87 In person and phone interviews conducted
- 104 Testing and other assessments conducted

SAFETY, TRAINING AND DEVELOPMENT

December activities to promote the education, development, training and safety of employees included the following:

- Randomly tested 2 participants for drug testing program.
- Conducted annual written test for Police Division Detective candidates.
- Conducted orientation sessions for 8 new employees.

HEALTH MANAGEMENT PROGRAM

- Continued to administer Health Management Program (HMP) for Department Head, Non-Union, PPCOA, PPOA and UAW employee groups.

BENEFITS

- Provided benefit consultation to employees terminating, retiring and beginning employment Assisted employees and retirees with various benefit matters, including claim resolution and dependent eligibility.
- Processed benefit changes as necessary, including calculation and submission of payroll deductions including changes made during open enrollment.
- Began making benefit changes and wage updates to 4myBenefits on-line web-based benefit site based on open enrollment information.
- Issued retiree health insurance invoices to 8 retirees and 2 unions.
- Monitored Flexible Spending Account (FSA) reimbursements processed by Kushner & Company for 24 participants for the 2015-2016 plan year. Processed enrollments for 2016-2017 FSA plan year for 25 participants.
- Performed administrative requirements to meet legal compliance in regard to the Family Medical Leave Act (FMLA). Processed 15 notifications for employees.
- Preformed administrative requirements to meet legal compliance in regards to the Consolidated Omnibus Budget Reconciliation Act (COBRA).
- Documented and monitored sick leave usage.
- Submitted the 2016-2017 Disclosure of Creditable Coverage to CMS.

CITY OF PORTAGE **COMMUNICATION**

TO: Laurence Shaffer, City Manager **DATE:** March 11, 2016

RECEIVED
MAR 14 2016
CITY MANAGER'S OFFICE
PORTAGE, MI

FROM: Kendall Klingelsmith, CPRP, Director of Parks, Recreation and Senior Citizen Services

SUBJECT: Monthly Operations Report for February 2016

PARKS & RECREATION:

PARK RESERVATIONS

Schrier Park	1
	Total: 1

RECREATION EVENTS

Valentines Skate	42 Participants
Winter Blast	900 Participants

SENIOR CITIZEN SERVICES:

ATTENDANCE AND ACTIVITIES

Total participations for the month of February were 2,161.

MEMBERSHIP

Total active memberships for the month of February were 1,278. There were 19 new members who signed up in February, and 68 membership renewals.

VOLUNTEERISM

Total numbers of PSC volunteer hours for February were 1,404 representing the contributions of 152 volunteers whose combined work is valued at over $33,424.

FEBRUARY PROGRAM HIGHLIGHTS

- Appointments for AARP Tax Assistance began in February.
- A Nutritional Cooking demonstration was put on by WMU students.
- A special Black History Month dinner was held, featuring a Soul Food menu.

TRAVEL PROGRAM

- Total Participation for travel was 18, with one trip to Florida in February.

FUNDRAISING

Income for the month of February was $2,720 and includes transportation donations, memberships, fundraising and rentals.

OTHER SENIOR CENTER HIGHLIGHTS

- With the loss of the Congregate Meal Site program, the food for the Valentine's Luncheon was provided by the staff at MediLodge of Portage.
- "Teen Tech Tuesday" was launched in February, allowing members to work with teen volunteers to get assistance with their electronic devices.

CITY OF PORTAGE **COMMUNICATION**

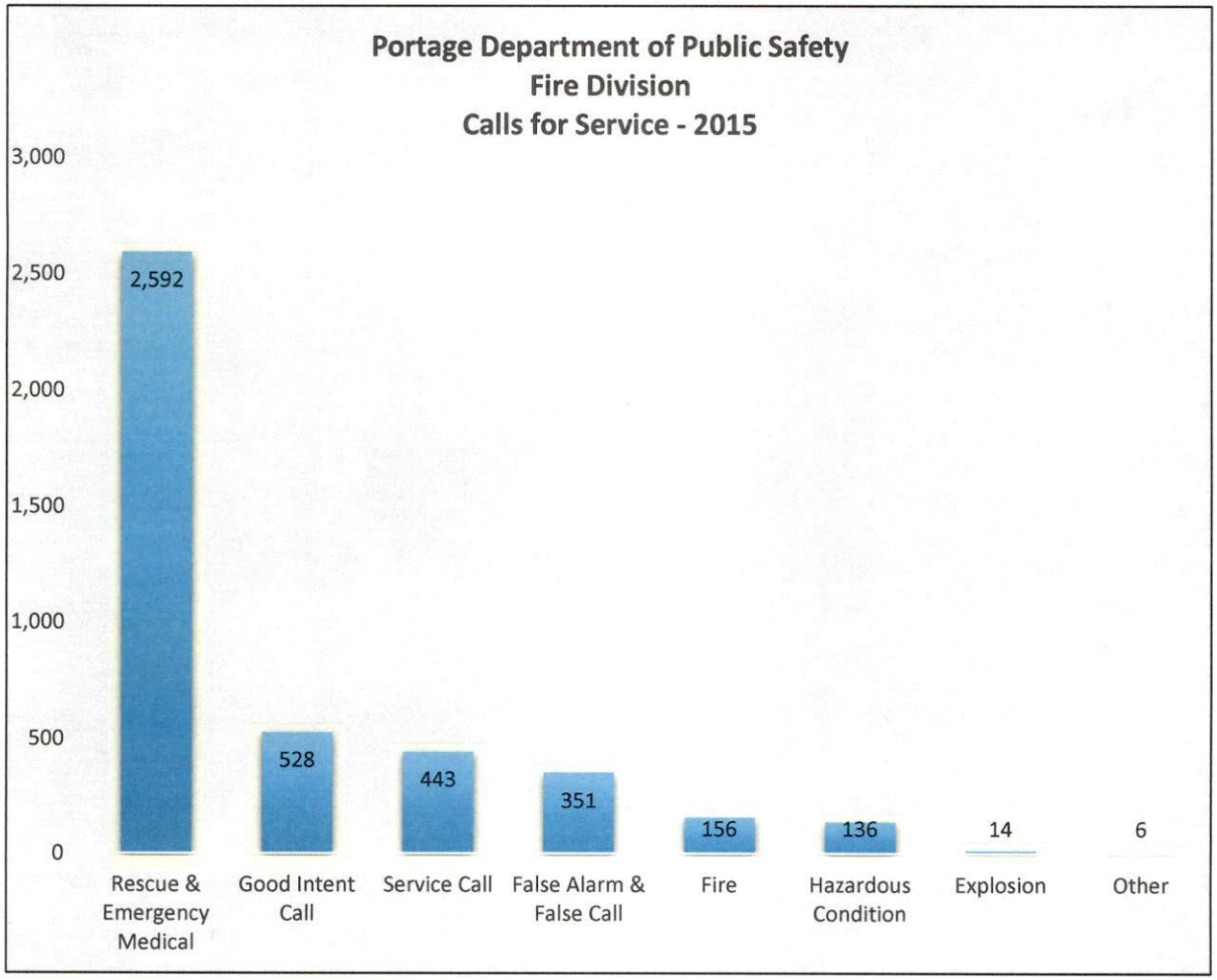
TO: Laurence Shaffer, City Manager **DATE:** March 14, 2016

RECEIVED
MAR 14 2016
CITY MANAGER'S OFFICE
PORTAGE, MI

FROM: Richard J. White, Public Safety Director – Police/Fire Chief RJW

SUBJECT: Monthly Report for February 2016

The Fire Division received 4,226 calls for service in 2015, which is an increase of approximately 9% over 2014. The greatest call volume is for rescues, including household medical calls, approximately 61%. Technical rescues require highly specialized expertise and equipment and include confined space rescue, trench rescue, rope rescue, structural collapse rescue, industrial machine rescue, and water/ice rescue. Over 56% of all calls occur between the hours of 8:00 a.m. and 5:00 p.m.



POLICE DIVISION STATISTICAL SUMMARY

Police Incidents Dispatched:	1,562
Fire Incidents Dispatched:	377
Gun Registrations:	169
Warrants Obtained:	97
Expressway Incidents Handled:	107
9-1-1 Calls Received	2,194

ARRESTS

Total Adult Arrests: 364

Major Charges:

- Aggravated/Felonious Assault-Family
- Obstructing Police
- Carrying Concealed Weapon
- Delivery/Manufacture of Marijuana

Total Juvenile Arrests: 10

Major Charges:

- Criminal Sexual Conduct
- Assault & Battery
- Larceny
- Retail Fraud

JANUARY CRIME STATISTICS

Violent Crimes:	61
Non-Violent Crimes:	274

Reported Crimes - January 2016 Compared to January 2015:

Part I Crimes:	- 7.0%
Part II Crimes:	- 16.7%

Year-to-Date Comparison:

Part I & II Crimes Total YTD:	- 14.1%

TRAINING

Topics:
- Michigan Association of Chiefs of Police Conference
- Taser - Legal Aspects
- Tactical Officers - Breaching

VOLUNTEER HOURS		EMPLOYEES INJURED	
February:	97	February:	1
YTD:	193	YTD:	6

FIRE DIVISION STATISTICAL SUMMARY

Calls for Service		Count
Fire		7
Overpressure Rupture		9
Rescue & Emergency Medical Service Incident		216
Hazardous Condition (No Fire)		24
Service Call		29
Good Intent		73
False Alarm and False Call		14
Special Incident Type		2
Total Calls		**374**
Total Property Loss		**$282,525.00**

Inspections		Count
Annual Attempt & Inspection		16
Reinspection Attempt & Inspection		6
Key Box		2
Fire Protection Inspection/Plan Review		3
Plan Review		13
Final or Move-in		3
FOIA		5
Other		3

Auto/Mutual Aid		Count
Mutual Aid Received - Comstock		3
Mutual Aid Given - Comstock		2
Automatic Aid Given - KDPS		1
Mutual Aid Given - KDPS		1
Mutual Aid Received - KDPS		1
Automatic Aid Received - Oshtemo		4
Mutual Aid Given - Oshtemo		1
Mutual Aid Given - Pavilion		1
Mutual Aid Received - Pavilion		1
Mutual Aid Received - South County		1
Mutual Aid Given - South County		2
Mutual Aid Received - Texas Twp.		3
Automatic Aid Given - Texas Twp.		1

Public Education	Adult	Child
Car Seats	26	17
		Installed
Smoke Detectors		4
Car Seats		23

Training		Count
Business Writing		30
CPR		34
Vehicle Extrication		30
Ice Rescue		32
EMS - Altered Mental Status		31

FEBRUARY 2016 SIGNIFICANT EVENTS

Portage police had contact with an elderly gentleman who was the victim of a fraud. He received three phone calls regarding his grandson, who had supposedly been in an accident and needed money. After sending $4,600 to an address in Massachusetts, as instructed, the victim received another call requesting money. When the victim went to Walmart to transfer the money, the store employees advised him that he was most likely the victim of a scam and to not send any more money and to contact police. The case has been forwarded to the detective bureau for possible further investigation.

Fire and police units were dispatched to a two-car personal injury crash at the intersection of S. Sprinkle Road and Meredith Street. A Ford Ranger was traveling east on S. Sprinkle Road through the intersection, when a Toyota RAV4 failed to obey a traffic signal and attempted to turn left onto southbound Meredith Street from S. Sprinkle Road. The Ford Ranger was unable to avoid the Toyota RAV4 and struck the passenger side of the vehicle. The backseat passenger in the RAV4 was critically injured. A charge against the driver of the RAV4 for Operating While Intoxicated Causing Serious Physical Injury has been sought from the Kalamazoo County Prosecuting Attorney's Office.

Fire and police responded to the report of a house fire. Police arrived first and reported smoke showing from the rear of the home. Firefighters located the fire in the basement and quickly extinguished the fire. The investigation revealed the fire originated in a gas clothes dryer. A load of laundry had been put in the dryer, and the residents then left the home. A son, who was still at the home, reported smelling smoke. Firefighters' actions included searching the home for a pet, which was later found uninjured. The homeowners' insurance secured lodging for the residents.

Fire units were dispatched to an apartment fire on Meredith. The 9-1-1 caller reported a saucepan on the stove with flames showing. An on-call firefighter arrived three minutes later and reported heavy black smoke from the rear of a two-story, multi-family apartment complex. Firefighters extinguished the fire, which was contained to four apartments.

Police officers investigated two separate complaints that occurred on the same day, which involved subjects making threats with weapons. Both subjects were identified, and one of the subjects was charged in connection to the threats. An assault weapon was recovered, along with military body armor. The subject was arrested after being released from the Battle Creek VA Medical Center.

Police and fire were dispatched to Belle Tire for a car fire in the back parking lot. Firefighters quickly extinguished the fire; however, the vehicle sustained extensive burn damage. Contact was made with the owner of the vehicle, who advised he had been having problems with the vehicle, and it had been parked at Belle Tire for approximately one month. Personnel from the Fire Division determined the fire to be suspicious. A detective working with the Fire Marshal later examined the vehicle, and it appeared two separate fires were intentionally set in the vehicle. This incident is still being investigated.

Officers and detectives investigated three separate incidents, which occurred within a span of one week, regarding the larceny of wallets. The first incident occurred when the victim hung her purse over the back of her chair while eating at a restaurant. When the victim attempted to pay her bill, she realized her wallet was missing. She also learned that someone had already attempted to use a credit card that was in the wallet. The second victim was leaving a store after completing her shopping. As she was exiting the store, one of the suspects walked in front of her, causing her to slow down; then, another suspect bumped into her. When she got into her car, she realized her wallet was missing from her purse. Before the victim was able to cancel a credit card, the card had been used to withdraw over $2,000 from the bank. The third victim also hung her purse over the back of her chair while at a restaurant. Before the victim realized the wallet had been stolen, the suspect attempted to use a credit card to purchase $3,000 worth of merchandise. However, that purchase was declined. As detectives investigated these incidents, they learned that the same suspects had committed similar crimes in the City and County of Kalamazoo. Photographs of the suspects were sent to area agencies from Detroit to Chicago. A detective in the Chicago area was able to identify two out of the three suspects. The investigation is being worked jointly with other law enforcement agencies.

The victims of a larceny reported that, upon returning to their home after having been away for an afternoon, they discovered their jewelry to be missing. The total value of the items taken was over $7,000. Possible suspects have been developed, and detectives are continuing the investigation.

In November 2015, two different home invasions were investigated wherein the homes had been ransacked. At that time, no suspects could be located or identified. In February of this year, information was received from the Michigan State Police laboratory that they had completed DNA analysis on a sample that a Portage officer had obtained from one of the residences. Detectives learned that the DNA sample matched one that the Kalamazoo County Sheriff's Office (KCSO) had obtained at one of their crime scenes in 2001. Upon contacting KCSO, detectives were able to identify a suspect. Detectives are continuing the investigation in conjunction with the case from KCSO.

CRIME PREVENTION

The Police Division is receiving a substantial number of calls from victims of scams. The most prevalent scam occurs when the victim receives a phone call from a subject identifying himself as the IRS. The scammer advises the victim that they owe money, and the scammer may also threaten legal action. To protect the citizens of Portage, the Community Policing Officer began posting signs in various locations. The signs indicated, "WARNING – Scam Alert – IRS Phone Calls!" The signs described the scam and what a citizen should and should not do if they should receive such a phone call.

RJW:JMH:jh

CITY OF PORTAGE **COMMUNICATION**

TO: Laurence Shaffer, City Manager **DATE:** March 11, 2016

FROM: Rod Russell, Director of Public Services

SUBJECT: Monthly Operations Report for February 2016

STREET MAINTENANCE ACTIVITIES

- Removed 23.5 inches of snow from major and local streets
- Repaired mailboxes damaged from snow removal operations
- Provided mechanic support for the DPS Equipment Division
- Replaced damaged or faded street signs
- Performed interior & exterior modifications to the Ramona Beach House
- Finished trimming brush on Romence from Lovers Lane to South Westnedge Avenue
- Mixed salt with a liquid additive called Boost for deicing streets in colder temperatures
- Removed snow from the four bridge sidewalks for pedestrian access
- Repaired potholes located on the major & local street systems
- Plowed snow from the park trail system
- Hauled repaired picnic tables to the parks
- Removed snow and ice in preparation for the Winter Blast 1/2 marathon
- Delivered message boards for detour signage for the Winter Blast 1/2 marathon
- Removed roots along Millennium bikeway

Weekly Curbside Recycling Program - The following summarizes total weights of recyclable materials collected during the month of February 2016 as well as Fiscal Year-to-Date totals:

WEEKLY CURBSIDE RECYCLING PROGRAM COLLECTION SUMMARY
TOTAL WEIGHT OF RECYCLABLE MATERIALS COLLECTED

Date	Fiber Collected (tons) (Paper/Cardboard)	Rigids Collected (tons) (Glass/Plastics)	Single Stream Recycling (tons)	Totals (tons)
February 2016	0	0	186.82	186.82
FY 2015-16	161.25	73.9		1264.01

Note: There were 30 new requests for recycling services in the month of January.

HOUSEHOLD HAZARDOUS WASTE PROGRAM – The following tables shows the number of residents that disposed items at the Kalamazoo County Household Hazardous Waste Facility at 1301 Lamont Avenue.

Household Hazardous Waste Participants
From 2008 through December 2015

PORTAGE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Year End Total
2008	53	43	58	135	138	116	147	63	84	117	89	47	**1090**
2009	63	70	94	142	121	143	173	107	118	126	128	73	**1358**
2010	68	48	107	208	192	147	165	131	119	157	152	72	**1566**
2011	78	59	145	102	171	198	145	124	125	131	151	93	**1522**
2012	93	93	117	124	158	168	141	135	130	156	152	104	**1571**
2013	109	66	90	156	232	162	200	130	149	178	170	86	**1728**
2014	97	70	86	220	256	219	264	182	174	226	134	101	**2029**
2015	117	91	118	186	212	280	276	192	210	226	205	174	**2287**
TOTAL	**678**	**540**	**815**	**1273**	**1480**	**1433**	**1511**	**1064**	**1109**	**1317**	**1181**	**750**	**13151**

PARKS MAINTENANCE ACTIVITIES

- Supported 3 burials in the cemeteries
- Removed snow and ice from city properties, major & local streets, and the trail system
- Ensured entrances to city buildings were free of ice and snow
- Continued the repairs to picnic tables with damaged wooden boards
- Continued the refurbishing of park trash barrels
- Continued removal of dead trees from Lexington Green Park & the Portage Creek Bicentennial Park Trail
- Prepared park facilities for upcoming rentals
- Removed trash and debris from cemeteries, parks and car pool lots
- Repaired inoperable lights in the parks
- Repaired damage split rail fencing in the parks
- Supported Winter Blast 1/2 marathon activities
- Repairing gates and fencing at Stuart Manor at Celery Flats (in process)

FLEET & FACILITIES DIVISION

The Fleet & Facilities Division generated 125 work orders for the month of February 2016. A total of $14,873.66 was spent on billable labor hours while the parts costs were $7,621.43. The outside contracted work was $6,966.00.

February 2016	February 2015	
125	147	Work Orders
$7,621.43	$3,722.65	Parts Cost
$14,873.66	$12,131.03	Labor Cost
27	33	Preventative Maintenance (P.M.) Work Orders Completed
$87.45	$49.57	Average Cost per P.M
$2,361.36	$1,635.78	Total P.M. Cost
$2,890.00	$0.00	Contracted Repairs-Body & Painting
$6,966.00	$5,539.37	Contracted Repairs (Not Including Body & Paint)
$3,726.19	$1,728.99	Building Renovations

BUILDING MAINTENANCE

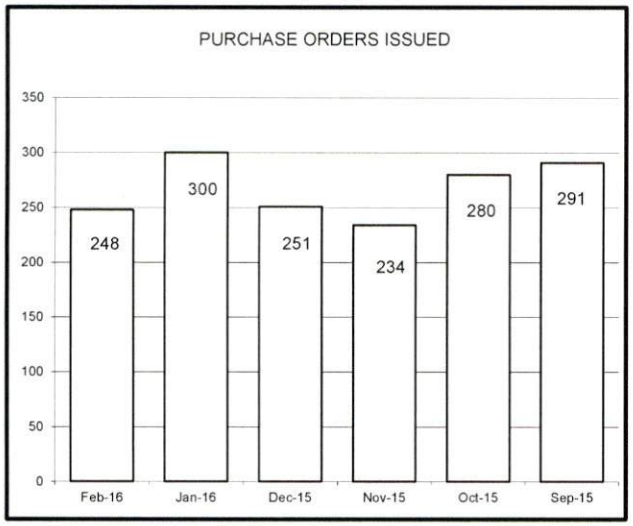
1. Custodial Operations
2. City Hall, Police, and Senior Center support services

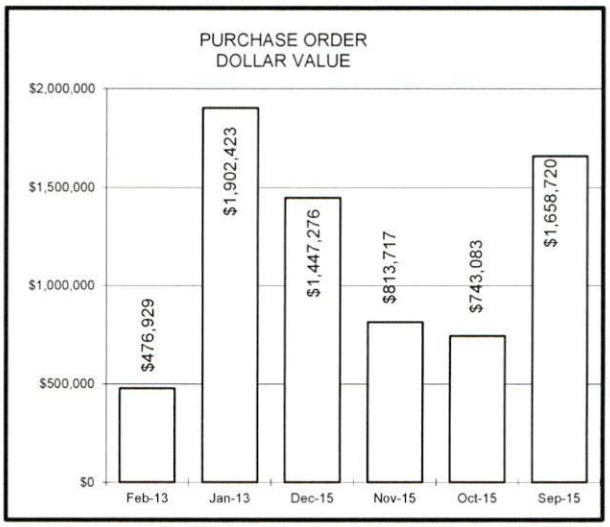
CITY OF PORTAGE **COMMUNICATION**

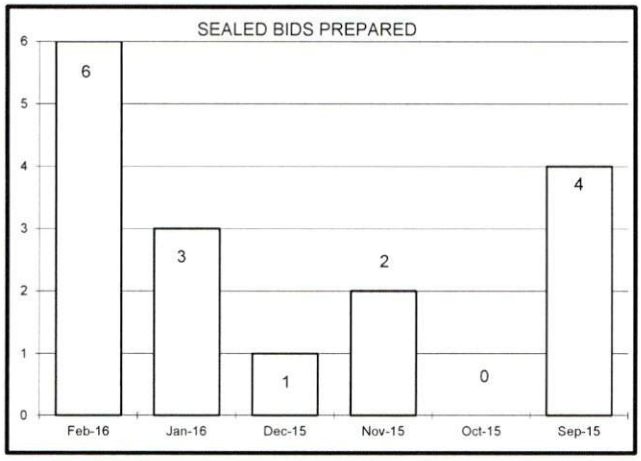
TO: Laurence Shaffer, City Manager **DATE:** March 1, 2016

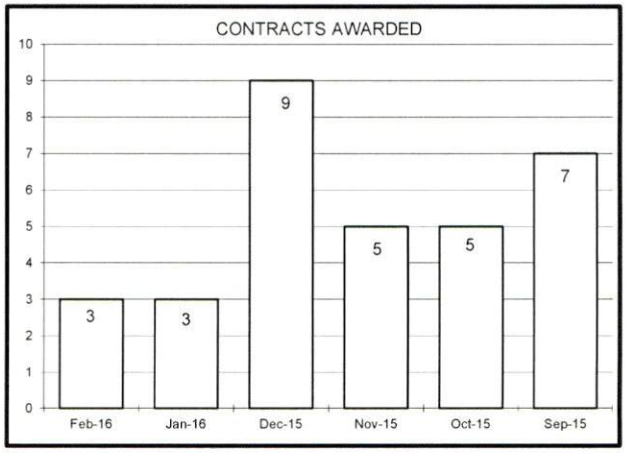
FROM: Rob Boulis, Deputy City Manager

SUBJECT: Purchasing Monthly Report - February 2016









SEALED BIDS OPENED / CONTRACTS AWARDED

VMWare Software Maintenance & Support
Liability, Property & Auto Fleet Insurance
Microsoft Licensing Renewal

SEALED BIDS PREPARED

MLK Drive Reconstruction
E. Osterhout Reconstruction
Sanitary Sewer Repair Call-In Service
Reconstruction - Constitution, Shaver & S. Westnec
Financial Audit
Local Streets Reconstruction

- Five new claims were filed with MMRMA, eight claims were settled.
- Purchasing staff added five new vendors to the purchasing software vendor file.

CITY OF PORTAGE **COMMUNICATION**

TO: Laurence Shaffer, City Manager **DATE:** March 16, 2016

FROM: Devin Mackinder, Director of Technology Services & Community Marketing

SUBJECT: Department Monthly Report – February, 2016

The following summarizes some of the public information and technology activities for the month of February.

Cable Access
Continued administration of the Cable Communications Franchise Agreement with Charter Communications, AT&T and the Cable Television Access Agreement with Public Media Network:

Significant Activities:
- Continued taping various special programs (HMP, Lunch & Learn, etc)
- Continued working with Director Haasch on emergency broadcast protocols.
- Several audio/video issues continue. Continue working with PMN to resolve

Internet/Intranet Web Site
Continued with daily updates to city Internet and Intranet web sites as well as preparing for future updates and upgrades and compiling monthly statistics.

Significant Activities:
- Researching municipal website development vendors for updating the city internet/intranet sites to make them more user/mobile friendly.

Telecommunications
- Started working on the Fibertech ROW permit process

Contract Administration
- Continued printer management services bid process
- Completed Microsoft Office licensing renewal
- Continued VM Ware licensing renewal

Information Technology
Continued with several technology projects, supervising Technology Services Department staff and researching new technology opportunities that work toward city goals of providing efficient and cost-effective services.

Significant Activities:

- Continued working with the City of Kalamazoo and CTS Telecom to install a fiber run between the two City IT networks
- Continued Portage*Alert* mass notification system for emergency initiatives
- Completed electronic Council agenda system demo activities
- Continued installation of Wi-Fi at Celery Flats
- Continued updating the Firehouse application to .net
- Continued researching city website rebuild vendors
- Continued investigating options for upgrading the inadequate decades-old multi-mode fiber ring
- Continued implementation of the ADP time and attendance system
- Continued researching various new technologies
- Continued researching posting live snow plow location tracking on the city website
- Continued researching new citywide keyless entry and camera system project
- Continued new World system migration
- Completed implanting new Report It system
- Began implementing the new Streets work order system
- Continued conversation with Portage Public Schools to access school cameras and entry systems
- Completed installation of the new Report it! system and MI.Portage application upgrade
- Began migration of Suez inventory data into BS&A
- Began working on a new GIS layer for fiber assets

Marketing Activities

- Continued oversight and management of all city marketing activities

CITY OF PORTAGE **COMMUNICATION**

TO: Laurence Shaffer, City Manager **DATE:** March 16, 2016

FROM: W. Christopher Barnes, Director of Transportation & Utilities

SUBJECT: Transportation & Utilities Department Monthly Report for February 2016

The month of February 2016 was a busy month for both Transportation & Utilities staff and the Suez Environmental staff. The business name change from United Water to Suez Environmental was completed nationwide and in Portage. The name change has had no impact on the personnel or operations. Suez has named a new Project Manager, Robert Miller, and began his employment in February 2016. As to the Suez Environmental operations, emphasis during the month continued to be directed at ensuring the various activities related to the utility operation were being completed professionally and in a manner to ensure that service levels committed to under the Suez Environmental contract with the city are completed in a timely manner.

Major accomplishments involving the Suez operations during the month include:

1. Inspections continued on sewer lift stations and water wells. During February, 682 inspections were made by Suez personnel.

2. Suez personnel received 20 customer service calls during February.

3. Suez personnel responded to 17 after-hour panel alarms as indicated on the SCADA control panel monitoring the city's water and sanitary sewer facilities.

4. Approximately 96 million gallons of water were produced/pumped during February. Production averaged around 3.3 million gallons of water per day during the month. Five hundred forty-two water quality analyses were completed during the month.

5. Five new meters were installed and one new service lead was required to be tapped during the month of February.

6. Miss Dig stakings were completed at 123 locations.

7. One water main break occurred during the month of February at 521 West Van Hoesen Boulevard. Repairs were made promptly without issue.

In the transportation and utility areas, the following activities in February were either completed or ongoing at month's end.

1. Review of new development plans from a transportation and utility standpoint continued during the month. Four development and building plan were reviewed.

2. The city and Suez Environmental are currently in the 4th year of a five-year contract renewal approved by City Council on December 6, 2011. The Utility Contract Administrator was very busy overseeing the Suez Environmental operations, addressing customer concerns, inspecting public and private utility construction and inspecting city-owned stormwater and utility facilities. Recent focus by Suez has been sanitary sewer cleaning and maintenance on the water utilities. Lead and copper testing at no cost to Portage utility customers has continued through the month with the Utility Contract Administrator managing the program. Approximately 40 samples have been analyzed. No samples contained lead levels above 0.1 ppb. The action level is 15.0 ppb.

3. The Traffic Engineering section was very active during the month of February investigating complaints/concerns regarding operation of traffic signals, performing traffic volume/accident analyses and reviewing new streetlight installations. Traffic counts for a traffic speed study for the Lake Center area of Portage Road and Centre Avenue were completed. The results indicate that posted speeds on Portage Road are enforceable and speed limits on Centre Avenue warrants changes. Much effort was expended on analysis and modifications for traffic operations city-wide and traffic analysis for the various traffic signal installations scheduled for 2016.

4. Beginning in 1994, the city has administered a Stormwater Retention Basin and Stormwater Outfall Testing and Monitoring. Annual results showed declining groundwater table levels throughout the city along with stable storm water monitoring results. Report finalized and received in November 2013. Annual results indicate a 1 to 3 feet decrease in groundwater table since 2012, but generally a 6-inch increase due to recent rainfall. New "request for proposals" were solicited in February with proposals received on April 16, 2014. The low bid in the amount of $22,756.04 for 2014 to 2018 was awarded to Nova Consultants on April 29, 2014. Sampling was completed in July and December. No new developments.

5. In association with the Community Development Department, staff prepared a "Request for Proposals" for consultant services to update the Storm Water Design Criteria Manual and the Sensitive Land Inventory Map. Proposals were received in January 2010 and reviewed by staff. City Council awarded a contract to Fishbeck, Thompson, Carr, and Huber in the amount of $45,000 to complete the project. Sensitive Land Inventory is complete. Draft storm water manual submitted to staff by the consultant for staff review. Final approval is pending changes to the city stormwater discharge permit issued by the State of Michigan.

6. City traffic signal maintenance is performed under contract to a specialized electrical traffic signal contractor. City staff initiated a new bid package for traffic maintenance with bids received July 23, 2015. Sole bid in the amount of $176,300 submitted by Severance Electric. City Council approved on August 11, 2015. Severance Electric, Inc., began new contract on September 1, 2015. Recent work has focused on fiber optic signal interconnection maintenance, school flasher maintenance and signal timing revisions.

Implementation of the Capital Improvement Construction Program was also an ongoing activity as the construction season was completed. Accomplishments during the month of February included the following:

1. In August 2015, the City Administration was awarded $195,000 by the State of Michigan for the implementation of a Storm Water Basin Asset Plan. The plan will provide an assessment of the functionality and operation of the 73 city-maintained storm water basins. Engineer proposals were received on January 15, 2015. Nine proposals were received. After review, it was determined that three of the proposals best matched the needs of the city. Appointments were scheduled in March to interview the three firms and select the top proposal. On March 24, 2015 City Council awarded the contract to Hurley & Stewart, LLC, in the amount of $209,000. Work is ongoing.

2. In September 2014, the city was awarded $300,000 in Congestion Mitigation and Air Quality (CMAQ) federal funding for the upgrade and interconnection of traffic signals on Kilgore Road from Woodmont Drive to Lovers Lane and from Lovers Lane to East Centre Avenue. The project will incorporate coordinated signal timing and video detection into the city traffic operation scheduling. Engineering proposals were received on January 15, 2015. An award to Abonmarche Consultants in the amount of $33,480 was approved by City Council on February 10, 2015. Design work is complete and the project has recently been obligated with FHWA funding. Bids opened by in December 2015. Low bid submitted by Severance electric in the amount of $388,447. Construction is tentatively scheduled for spring 2016.

3. The 2015-16 Capital Improvement Program includes a project for the reconstruction of East Osterhout Avenue from South Westnedge Avenue to Portage Road. In addition to the road reconstruction on East Osterhout Avenue, improvements will also include localized storm drainage improvements, necessary curb and gutter or paved shoulder replacement/repair, and lawn restoration as appropriate. This project will be designed to include "complete street" enhancements including widened bike lanes as part of the "Natural Place to Move" initiative. The city received consultant proposals for the necessary engineering services from six consultants on August 11, 2015. On August 25, 2015, City Council awarded the contract to Abonmarche Consultants, Inc., in the amount of $62,905. Engineering is complete. Bids were received on February 25, 2016. Local bid of $833,533 was submitted by Michigan Paving & Materials.

4. The 2015-16 Capital Improvement Program includes a project for the reconstruction of Portage Road from Romence Road Parkway to East Milham Avenue. This project is included in the 2016 Kalamazoo Area Transportation Improvement Program (TIP) and will be bid by the Michigan Department of Transportation. Improvements include widening from four to five lanes from Ramona Avenue to approximately 500 feet north, necessary concrete gutter repair and storm drainage improvements as needed. The project also includes the design of a non-motorized trail along the east side of Portage Road from Romence Road Parkway to East Milham Avenue, utilizing trail easements granted to the city by the Air Zoo and Kenco Logistics Company. The city received consultant proposals for the necessary engineering services from five consultants on

August 4, 2015. On August 25, 2015, City Council awarded the contract to Wightman & Associates, Inc., in the amount of $67,300. Engineering is complete. Bidding by MDOT is scheduled for March 2016.

5. The 2015-16 Capital Improvement Program includes a project for the reconstruction of Constitution Boulevard from Romence Road to Milham Avenue. In addition to pavement resurfacing, the project also includes Americans with Disability Act (ADA) upgrades, curb and gutter replacement as needed, the replacement of median landscaping with stamped concrete and installation of traffic signal fiber optic cable through an existing conduit located in the median. Also, included in the design services is the reconstruction of South Westnedge Avenue from Shaver Road to East Centre Avenue and East Centre Avenue from Shaver Road to South Westnedge Avenue. The city received consultant proposals for the necessary engineering services from six consultants on August 20, 2015. Low bid in the amount of $87,950 was submitted by Paradigm Design. City Council approved a contract to Paradigm Design on September 8, 2015. Engineering complete. Bids scheduled to be received in March

6. The 2015-16 Capital Improvement Program includes a project for the reconstruction of South Westnedge Avenue from Shaver Road to East Centre Avenue. In addition to pavement resurfacing, the project also includes Americans with Disability Act (ADA) upgrades, curb and gutter replacement as needed, pedestrian lighting design, stamped concrete and enhanced pedestrian crossings as part of the City Centre. Also, included in the design services is the reconstruction of Constitution Boulevard from Romence Road to Milham Avenue and East Centre Avenue from Shaver Road to South Westnedge Avenue. The city received consultant proposals for the necessary engineering services from six consultants on August 20, 2015. Low bid in the amount of $87,950 was submitted by Paradigm Design. City Council approved a contract with Paradigm Design on September 8, 2015. Engineering complete. Bids scheduled to be received in March.

7. The 2015-16 Capital Improvement Program includes a project for the reconstruction of East Centre Avenue from Shaver Road to South Westnedge Avenue. In addition to pavement resurfacing, the project also includes a new concrete Grand Elk railroad grade crossing, Americans with Disability Act (ADA) upgrades, curb and gutter replacement as needed, pedestrian lighting design, stamped concrete and enhanced pedestrian crossings as part of the City Centre. Also, included is the design services is the reconstruction of South Westnedge Avenue from Shaver Road to East Centre Avenue and Constitution Boulevard from Romence Road to Milham Avenue. The city received consultant proposals for the necessary engineering services from six consultants on August 20, 2015. Low bid in the amount of $87,950 was submitted by Paradigm Design. City Council approved a contract with Paradigm Design on September 8, 2015. Engineering complete. Bids scheduled to be received in March.

8. The 2015 -16 Capital Improvement Program includes a project for a Local Street Neighborhood Calming Program. A budget of $10,000 was established for professional services and the remaining $15,000 will be used for implementation of the program. The city received letter proposals from six consulting firms on August 11, 2015 and has

chosen to award the project to OHM in the amount of $10,000 based on experience and their proposed approach to developing a project plan that will best meet the City's needs. Development of the program is underway. Draft Program under review.

9. The 2015-16 Capital Improvement Program includes the design and construction of new traffic signals and associated street improvements on West Centre Avenue at the intersections of Old Centre Road and Cooley Drive. Included in the project are modifications to the existing driveways on West Centre Avenue within the influence of the Greenspire Retail Drive/Cooley Drive intersection to promote use of the new protected left-turn phase at the traffic signal and limit left turns out of driveways close to the intersection. The project will consist of the minor turn lane construction, along with sidewalk modifications to meet Americans with Disability Act (ADA) requirements. On August 11, City Council awarded an engineering contract to Abonmarche Consultants, Inc., in the amount of $75,160. Engineering is complete. Bidding is scheduled for April.

10. The 2015-16 Capital Improvement Program includes the design and construction of new traffic signal equipment at South Westnedge Avenue and Kilgore road and design work for the intersection of Portage Road and Lakeview Road. Proposals were received on September 10, 2015, with the low proposal of Abonmarche Consultants awarded a contract in the amount of $46,835 on September 22, 2015. Engineering underway.

11. The 2015 - 2016 Capital Improvement Program was awarded on September 22, 2015 to include the traffic signal replacement at South Westnedge Avenue and Romence Road. As part of a federal safety program, $261,000 of federal grant monies was secured for the project. On September 22. 2015, City Council awarded a contract to Abonmarche consultants in the amount of $47,840 for engineering design and construction administration. Grade inspection completed for January 13, 2016 with MDOT and a May 2016 bid letting is anticipated.

12. The 2015 – 2016 Capital Improvement Program includes a project for installation of sanitary sewer and replacement of water main on South Shore Drive, South Westnedge Avenue to West End Drive. The sanitary sewer portion of the project is scheduled to be financed using property owner special assessments in addition to utility bonding. Special Assessment Resolution 1 was adopted by City Council on November 3, 2015. Special Assessment Hearing Resolution No. 2 was adopted by City Council on November 17, 2015 and an engineering contract to Midwest Civil Engineering in the amount of $42,500 was approved. Special assessment Resolution No. 3 is scheduled for January 12, 2016. Special assessment Resolution No. 4 was approved January 22, 2016 and Resolution No. 5 approved on February 9, 2016 meeting. Bids scheduled to be received in March.

13. In July 2015, City Administration began discussion as to the requirements necessary to convey Martin Luther King, Jr., Drive (MLK) to the City of Portage as a public street. Stakeholders meeting was held on November 9, 2015 to discuss financing and construction costs. On December 15, 2015 a development agreement, special assessment Resolution No. 1 and land division of MLK were all approved by City Council. A contract agreement in the amount of $19,500 was processed with Wightman &

Associates for design engineering. Special assessment Resolution No. 2 and No. 3 were approved in January 2016. Resolution No. 4 is scheduled to be approved at the February 9, 2016, meeting. Resolution No. 5 scheduled for a public hearing on March 22, 2016. Bids received on February 25, 2016 with the low bid received from Hoffman Bros. in the amount of $379,920. Tentative award scheduled for March 27, 2016.

PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED

Tuesday, March 08, 2016

1. Communication from the City Manager regarding the Appointment of the Director of Human Resources (Agenda Item F.5) – Information Only.

2. Communication from the City Manager regarding the Managed Printer Services Proposal (Agenda Item L.2) – Information Only.

3. Communication from the City Manager regarding HB 5232 I SB 720 - Historic District Modernization Act (March 7, 20 16 Pre-Council Meeting Response) – Information Only.

Laurence Shaffer, City Manager

cc: Rob Boulis, Deputy City Manager

PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED
MARCH 8, 2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Appointment of the Director of Human Resources (Agenda Item F.5) – Information Only

SUPPORTING PERSONNEL: Rob Boulis, Deputy City Manager

Donald Wood has been recommended by the City Manager to be confirmed as Human Resource Director for the City of Portage. Mr. Wood has a Master of Arts Degree in Labor and Industrial Relations from Michigan State. He also holds a Bachelor of Arts in Public Administration from Michigan State. He has been a human resources department head for Ypsilanti Schools, City of Allen Park, City of Ecorse and the City of Taylor. He was the Assistant Vice President of Human Resources and Director of Employee Relations for three (3) years for Eastern Michigan University. He has significant experience with leading negotiations with public unions. Mr. Wood has ten (10) years of experience negotiating contracts on behalf of public unions prior to entering public service. Mr. Wood has significant workers' compensation experience and involvement with wellness programs. Mr. Wood's reference checks include a Director of City Administration that called him a "superstar" and a City Administrator that called his performance "excellent."

Rob Boulis, Deputy City Manager, conducted eleven (11) telephone interviews with qualified candidates for the Human Resource Director position. Six (6) of those candidates were interviewed by Mr. Boulis and Tracy Schmitt, the city's expert with workers' compensation. Two (2) candidates were brought forward and interviewed by myself and Mr. Boulis, along with the city's labor attorney, Kevin McCarthy. Mr. Wood's performance at the interview was very impressive. A current city employee expressed an interest in the position but subsequent to the advertising, withdrew his name from consideration.

At the end of the process, inconsideration of Mr. Wood's resume, interview performance and reference checks, it is clear that Mr. Wood is the best candidate for the position. Consequently, it is with confidence that I bring Don Wood forward to the City Council seeking your confirmation of the appointment. Thank you.

PORTAGE

MATERIALS TRANSMITTED
MARCH 8, 2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: Managed Printer Services Proposal – Agenda Item L.2 – Information Only

SUPPORTING PERSONNEL: Devin C. Mackinder, Director of Technology Services
Judy Johnson, Purchasing Manager

In 2009, the city began exploring a managed printer services program and initiated a pilot program with Precision Printer Services. Upon the successful completion of the pilot program the city entered into a four-year contract with Precision Printer Services in August 2010. At the conclusion of the four-year contract, the city issued a Request for Proposals (RFP) to continue the program. In December 2014, Applied Imaging of Kalamazoo, MI was awarded a one-year contract with two one-year renewal options. At the conclusion of the first year, the city allowed the contract with Applied Imaging to lapse due to unsatisfactory service issues. On January 21, 2016, the city issued a Request for Proposals (RFP). The specifications, which have not changed since 2010, included the timely maintenance and repair of existing printers and the provision of cartridges.

Six firms responded to the RFP and all respondents were deemed qualified to provide the service, with the exception of the firm from Mineola, New York. The lowest responsive bidder, Cartridge World of Kalamazoo, MI, provided an annual cost estimate of $22,871. Precision Printer Services of Portage, MI, provided a cost estimate of $24,491.96. Out of a total of six responses, Precision Printer Services provided the fourth lowest bid.

Firm	Bid		
Cartridge World, Kalamazoo	$22,871.00		
Precision Printer, Portage	$24,491.96	+$1,623.96	+7.1%

The attached communication from Roy and Tricia Gooch dated March 7, 2016 provides a compelling perspective and providing preference to our local taxpayer is an opinion that has merit. However, in the absence of a local preference policy or ordinance, any attempt to override the typical purchasing process would appear to be arbitrary.

The City of Kalamazoo has adopted a local preference policy (copy attached) which allows the firm or individual whose bid falls within two percent (2%) of the low bid to match the low bid. Also, those entities deemed qualified to be considered local are any businesses located within Kalamazoo County. If the City of Portage had adopted such a policy, Precision Printers still would not have been qualified to match the low bid because its cost was seven percent (7%) greater than the low bid. In addition, Cartridge World, the low bidder is located in Kalamazoo County and would be considered a local business, along with the second lowest bidder, Cornerstone Office Systems.

I look forward to answering any additional questions you may have.

Attachments: Communication from Roy and Tricia Gooch dated March 7, 2016
City of Kalamazoo Local Preference Policy and Certification

precision
PRINTER SERVICES INC.

800 : 598.0346 :: 269.384.5729 :: 269.384.4164 :
9185 Portage Industrial Drive :: Portage, MI 49024 :: www.precisionprinterservices.com

March 7, 2016

Councilmember Claudette Reid
7900 S. Westnedge Ave
Portage, MI 49002
Claudette.reid@portagemi.gov

Re: Managed Print Services Contract, Dated March 8, 2016

Hello, my name is Roy Gooch and together with my wife Tricia, we own and operate Precision Printer Services, Inc. (PPS), located at 9185 Portage Industrial Dr., approximately one mile from City Hall. PPS will be 25 years old this June, and have called our building in Portage home for the last eight years. We have been very pleased with our decision to move from Kalamazoo to the City of Portage.

Together with Devin Mackinder, Director of Information Technology, in 2012 we developed the Managed Print Services (MPS) program. As you know, this program provides toner and service to all the laser printers within the City of Portage. PPS secured the business from 2012-2014 after the current vendor was not providing the necessary service and supplies the City needed. We felt really a great about our working relationship with the City and the IT Department staff, Devin Mackinder and Maurice Hudson. At the end of the contract term in 2014, the City put the program out for RFP and it was awarded to another vendor. However, the vendor did a poor job and the City was forced to rebid the RFP one year later. We understood the frustrations the City was under with the last vendor so we made sure that all our bases were covered on the City's needs, and then sharpened our pencils to give the City the best pricing, and turned in our response to the RFP on time. From what I understand from Devin, PPS lost the contract by $1,700; not even 10% of the yearly contract. Furthermore, we understand the RFP may be awarded to the vendor that PPS originally took the business from in 2012, and that they are not located in the City of Portage.

There are many reasons why PPS should be awarded this contract, none of which are based on money. Below are just a few:

1. PPS is a local manufacturer of toner cartridges in the City of Portage. We currently employ 30 City of Portage taxpayers at our facility. Our gross payroll is over $1,000,000. Much of that money stays in Portage via employee spending on local services including; lunches, gasoline, car repairs, groceries at Meijer, Wal-Mart, and so on.
2. The toner cartridges we manufacture are 100% made by our Portage employees – not by workers in China or Mexico. No other vendor offers that.

3. Precision Printer Services pays $20,000 per year in property taxes in the City of Portage, which is basically the yearly cost of the MPS program. The company who is being recommended for this award doesn't have a facility in Portage.
4. My wife and I live in the City and pay property taxes on our home as well.

Awarding this contract to the lowest-priced vendor seems shortsighted, and a savings of $1,700 a year to the City doesn't seem enough to outweigh the fact these types of decisions hurt the local economy and have long term effects on the business environment in the City.

My request is that you revisit the Managed Print Services RFP decision to make sure the long term effect of your decision is good for your tax base.

Respectfully,

Roy and Tricia Gooch
Owners, Precision Printer Services
Portage Residents

CITY OF KALAMAZOO
LOCAL PREFERENCE POLICY AND CERTIFICATION

The lowest responsive Kalamazoo County bidder whose bid is not low but falls within 2% of the lowest responsive bid is afforded the opportunity to become the successful bidder if it agrees to reduce its bid to match the lowest responsive bid. The City of Kalamazoo is the sole determiner whether a bidder is responsible, qualifies as a Kalamazoo County bidder, and if its bid is responsive to the City's specifications, terms and conditions.

If the lowest Kalamazoo County bidder chooses not to match the lowest bid, the next lowest responsive Kalamazoo County bidder whose bid falls within 2% of the lowest bid, is given the opportunity to match the lowest responsive bid.

To qualify as a Kalamazoo County bidder, the bidder must meet both the following criteria:

1. Have a physical presence in Kalamazoo County by maintaining a permanent office, factory or other facility in Kalamazoo County with employees working in Kalamazoo County.

2. Have paid real or personal property taxes related to said business to the City of Kalamazoo, County of Kalamazoo or other municipal corporation within Kalamazoo County in the previous tax year, except that a non-profit entity need not meet this requirement.

This local preference policy applies only to purchases for materials, supplies, capital outlay, and services for maintenance, repair or operation of City facilities that are over $25,000. If more than 50% of the contract is sub-contracted to firms located outside of Kalamazoo County that bid does not qualify for the local preference policy outlined above. The local preference policy will not apply if prohibited by law. The Purchasing Manager has the authority to finally determine if the bidder qualifies as a Kalamazoo County bidder as set forth herein. The Purchasing Manager may take into account the permanency of the business in Kalamazoo, and whether the business appears to be claiming to be a Kalamazoo County business solely or primarily to qualify as a Kalamazoo County business under this Resolution, and any other material factors.

CERTIFICATION

If you qualify as a Kalamazoo County bidder and wish to be considered for the local preference provisions as provided above please certify that fact by providing the information requested below and attesting to its accuracy.

Firm Name: _____

Street Address of Business: _____

City, State, and Zip Code: _____

Number of employees working in Kalamazoo County: _____

Name the city or township to which business real and/or personal property taxes are paid or provide non-profit status:

_____

The above information is accurate:

Signature: _____ Date: _____

Title: _____

Revised April 2008

PORTAGE

MATERIALS TRANSMITTED
MARCH 8, 2016

TO: Honorable Mayor and City Council

FROM: Laurence Shaffer, City Manager

SUBJECT: HB 5232 / SB 720 Historic District Modernization Act
(March 7, 2016 Pre-Council Meeting Response)

The attached communication regarding the recent Michigan historic preservation legislation was requested by Council during the March 7, 2016 Pre-Council meeting. Subsequent to the February 1, 2016 e-mail, a substitute bill was introduced which removed the original 10-year sunset clause provision and the vote of the entire community at a general election requirement. However, the substitute bill now includes a clause requiring a two-thirds vote of the local governing body to approve a new, amended or eliminated historic district and modified the process for eliminating a district to be the same as the process for establishing a district. All other aspects between the original and amended bills remain the same.

Attachments: 2016 02-01 E-mail communication to Senator O'Brien & Representative Iden
Michigan Historic Preservation Network Advocacy Alert
Michigan Historic Preservation Network "one-pager" update

From: Erica Eklov
Sent: Monday, February 01, 2016 2:34 PM
To: 'senmobrien@senate.michigan.gov'; 'brandtiden@house.mi.gov'
Cc: Laurence Shaffer
Subject: Urgent Request to Oppose HB 5232 and SB 720

Good afternoon, Representative Iden and Senator O'Brien.

On behalf of Portage City Manager Laurence Shaffer and the City of Portage Historic District Commission, the following is an urgent request to **oppose** House Bill 5232 and SB 720 (same language). These bills threaten the existing local historic district legislation in Public Act 169 — the state law that allows local Michigan communities to protect their history through local historic districts.

These bills could effectively eliminate historic districts in the State of Michigan – including the one currently in Portage. Portage structures you may be familiar with will be threatened -- the VanRiper/Cully Gage homestead (3821 W. Milham), the Train Barn, the schoolhouses at 8009 Cox's Drive and 6235 Oakland Drive, as well as the preserved farmstead at 6638 Angling Road.

The current bills will:

- **Remove the ability for regulation from municipalities.** Allows private property owners to choose whether they follow regulations, removing the constitutional power from municipalities and putting local landmarks at risk.
- **Protect slumlords.** The amendment includes a clause that requires a historic district commission to seek local government's approval before demanding repairs on a property being demolished by neglect.
- **Automatically dissolve historic districts after 10 years.** Under the amended legislation, historic districts will disband every 10 years unless they are re-approved in a general election. No other local law must follow such a provision or potentially expire without voter re-approval.
- **Remove the neutral 3rd party in appeals decisions.** Under the current law, owners who don't like the decisions made by historic district commissions appeal to the State Historic Preservation Review Board, a neutral third party. Under the bills, the appeal is made instead at the local level — for example the City Council — introducing local political and development pressures into the process.

The Michigan Historic Preservation Network and the Michigan Association of Planning also oppose this legislation - "Historic Preservation is the foundation of many community's economic revitalization efforts, and is one of the most important tools to protect our history and culture, create a sense of place, and is relevant to community development efforts." The City of Kalamazoo also opposes this new legislation with numerous neighborhoods threatened by its passing.

Removing historic district protections will erase the varied and unique representations of Portage's beginnings for future generations of Portage children.

The City of Portage urges its state lawmakers for support in opposing House Bill 5232 and SB 720.

Thank you,

Erica Eklov
Portage Historic District Commission Staff Liaison

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Advocacy Alerts

The Local Government House Committee at their meeting Wednesday, February 24th unanimously voted in favor of introducing a substitute House Bill 5232. The bill was **not** voted out of committee. This version of the bill is similar to its first iteration. Two clauses have been removed from the substitute: the 10-year sunset on local historic districts and the general electorate vote of the public in establishing a local historic district. However, other language was introduced that is in many ways more problematic than the first bill. Please see our one-pager addressing some of these issues available under the 'Learn More" heading of this webpage.

MHPN has been working in partnership with several municipalities, individuals, and organizations on suggestions to the bill language and we continue to provide these alternate provisions to legislators so we can seek further improvements. **We are still opposing the substitute bill outright and strongly encourage you to do the same.**

Please continue to contact your legislators. It is important that we specifically reach those on the Local Government Committees in the House and Senate and let the Governor's office know of our concerns. You can reach Governor Snyder's office by phone, fax, mail, or online submission.
It's also important to reach out to Representative Afendoulis, who introduced the bills, and Senator MacGregor, who is sponsoring the bills, and Rep. Lee Chatfield, who is the Chair of the House Local Government Committee.

Rep. Afendoulis: (517) 373-0218, ChrisAfendoulis@house.mi.gov
Sen. MacGregor: (517) 373-0797, SenPMacGregor@senate.michigan.gov
Rep. Lee Chatfield: (517) 373-2629, LeeChatfield@house.mi.gov

We thank those who were able to make it to the meeting on Wednesday with such short notice and messy weather; we hope you can be at future meetings where testimony will be taken. We continue to work diligently on this issue and greatly appreciate your continued support!

Proposed House Bill Guts Local Protection of Historic Properties in Michigan

LANSING, MI: On Jan. 27, the House Local Government Committee heard testimony on House Bill 5232. Sponsored by Rep. Chris Afendoulis, R – East Grand Rapids, the bill makes significant changes to Michigan's current Local Historic Districts Act.

Since Public Act 169 was enacted in 1970, 78 communities have chosen to establish historic districts. "Community residents know districts increase the tax base of traditional downtowns and neighborhoods, attract investment and tourism dollars, and spur growth and job creation," said Nancy Finegood, Executive Director of the Michigan Historic Preservation Network (MHPN). "More than 90 percent of the applications for work done in historic districts are approved the first time, and few appeals go to the State Review Board."

More than 25 historic preservationists from around the state attended the hearing to testify in opposition to the bill which creates roadblocks for communities committed to protecting historic properties locally.

"Public Act 169 has been the cornerstone of preservation in the city, and our celebrated Heritage Hill Historic District would have been lost to parking lots without it," testified Suzanne Schulz, Managing Director of Design, Development and Community Engagement at City of Grand Rapids. "If a vote had been required to study an emerging neighborhood like the Cherry Hill Historic District, speculators could have purchased properties and voted down protections. And with the proposed sunset every ten years, I could see the elimination of all historic districts because of the cost and confusion of repeated votes."

"As it stands today, PA 169 protects historic properties that benefit the entire community, ensuring that citizens are at the table during decision-making but safeguarding the local government's mandate to govern," said Janet Kreger, a founder of the MHPN.

LEARN MORE ABOUT THIS ISSUE:

National Trust For Historic Preservation, Benefits of Historic Districts Key Messages

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Myth v Facts (PA 169 of 1970)

UPDATED! One-page MHPN Statement Against HB 5232/SB720 (2.23.2016)

Advocacy Alert

MICHIGAN HISTORIC PRESERVATION NETWORK

HISTORIC RESOURCES IN MICHIGAN JEOPARDIZED BY HOUSE BILL 5232

Michigan's historic places drive economic development, attract businesses, draw tourists and new residents, create a sense of place, and enhance our quality of life. Keeping these historic places is so important that historic preservation has been upheld as a public purpose under the U. S. Constitution—preserving historic resources is a valid governmental goal and local historic district ordinances have been upheld as an appropriate means to secure that goal. Local historic districts are the only way for communities to manage and protect their historic assets, and Michigan enables local historic districts through Public Act 169 of 1970. ***78 communities to date have chosen to enact ordinances to protect their historic assets*** at the local level, under current state law. House Bill 5232 seeks to drastically change Public Act 169, jeopardizing the efficient and fair process for establishing local historic districts already in place, reducing protection given to resources in local historic districts, and diminishing the authority of local historic district commissions and local legislative bodies.

Weakens Protection for Historic Resources & Reduces Local Control

- This bill would make it exponentially more difficult for a community to establish a local historic district by requiring a 2/3 majority consent from property owners within the boundaries of a proposed district before the district could even be studied. It would then later require that 2/3 majority of the local legislative body vote in favor of the district. Property owners currently have a voice in the process through meetings and public hearings and a local legislative body typically will not vote in a favor of a district if there is not broad community support.

- This bill would make it impossible for local legislative bodies to act quickly to head off a sudden development threat. Currently, in municipalities with a historic district ordinance, a local legislative body can place threatened resources under study for local designation and delay development or demolition in that area for up to 6 months. Requiring a petition of local property owners to obtain a 2/3 majority consent before a historic district study committee could even be appointed would eliminate the local body's ability to act quickly under threat.

- This bill would reduce reliance on accepted, best-practice Standards used nationwide for historic district commission decision-making, introducing uncertainty into the process. The Secretary of the Interior's Standards for Rehabilitation that commissions currently use across the state would be optional, jeopardizing how federal rehabilitation tax credit projects could be successfully completed and potentially impacting the ability of Certified Local Government communities to receive state grant funds.

- This bill would change the appeals process for an aggrieved property owner within a local historic district. Instead of appealing to a neutral state board, which has appellate jurisdiction because of its expertise, appeals would be heard at the local level where political and development pressures could affect the outcome. Local appeals could also be costly to a municipality.

KEY IMPLICATIONS OF HOUSE BILL 5232:

Loss of local government authority. Owner consent for establishing a local historic district places a community's ability to protect what it finds important in the hands of a few private property owners.

Loss of neutral appeals process. Currently, over 95% of applications for work that historic district commissions review are approved and fewer than eight appeals are heard per year—there was only one appeal in the past year.

Loss of reliable review standards. Allowing for optional standards that are "in the best interest of the community" is extremely vague and might have nothing to do with historic preservation.

Loss of the Certified Local Government program. Since 2003, nearly $1.5 million in grant funds have been awarded to rehabilitation and other preservation projects in communities with local historic districts. The proposed changes to the law could jeopardize this program.