

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Spookiest Home in Portage Award
2. Lung Cancer Awareness Month
3. Family Court Awareness Month 2022

A. Consent Agenda:

1. Approve the City Council Meeting Minutes of the:
 - a. Committee of the Whole of October 18, 2022
 - b. Regular Meeting of October 18, 2022
2. Approve the Accounts Payable Register of November 1, 2022 as presented.
3. Award a construction contract to Hoffman Bros., Inc. of Battle Creek, Michigan for the 2023 Local Streets Reconstruction Program in an amount not to exceed \$3,242,645.15 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
4. Set a special meeting on November 18, 2022, at 10:30 a.m. at the Portage Zhang Senior Center, 203 East Centre Avenue, for the annual City Council Goal Setting Session.
5. Minutes of Boards & Commissions:
 - a. Senior Citizen Advisory Board of September 21, 2022.
6. Materials Transmitted of October 14, 2022.
7. Calendar of Meetings:
 - Historic District Commission: November 2, 2022 - CANCELLED.
 - Park Board: November 2, 2022 at 6:30 p.m. at Portage Zhang Community Senior Center.
 - Human Services Board Public Open House: November 3, 2022 from 4:30 – 6:30 p.m. at Portage Zhang Community Senior Center.
 - Environmental Board: November 9, 2022 at 7:00 p.m. at City Hall.
 - Zoning Board of Appeals: November 14 - CANCELLED.

NOTE: All above meetings are subject to cancellation or inclusion/transition of a "virtual" aspect due to the on-going health crisis. Please monitor the City of Portage website at www.portagemi.gov for additional information. Major meetings may be viewed live on Charter channel 995 and AT&T channel 99 or live streaming at portagemi.gov/205.

B. Petitions and Statements of Citizens:

C. Communications:

D. Public Hearings:

1. Subsequent to the public hearing, consider approving Rezoning Application No. 22/23-5 to rezone 505 and 515 East Centre Avenue from OS-1 Office Service District to B-1 Local Business District.
 2. Subsequent to the public hearing, consider approving Rezoning Application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.
- E. Regular Business Agenda:
- F. Unfinished Business:
- G. Council Committee Reports:
- H. New Business:
- I. Statements of Citizens:
- J. Statements of City Council and City Manager.

Adjournment.



CITY OF PORTAGE PROCLAMATION

Lung Cancer Awareness Month

- WHEREAS,** lung cancer is the leading cause of cancer death among men and women in the United States, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined; and
- WHEREAS,** according to the Centers for Disease Control, there were 883 new lung cancer cases and 547 deaths because of lung cancer between 2015 and 2019 in Kalamazoo County; and
- WHEREAS,** the 5-year survival rate for lung cancer is 60%, yet only 24% of lung cancers are diagnosed at this stage; and
- WHEREAS,** funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities; and
- WHEREAS,** lung cancer incidence is decreasing twice as fast in men as it is in women, each year more women die from lung cancer than breast cancer and by 2035, more women will die from lung cancer than men; and
- WHEREAS,** African Americans have the highest lung cancer incidence and mortality of all races, and disparities in lung cancer screening, diagnosis, treatment, and mortality are well characterized among African Americans and other racial minorities; and
- WHEREAS,** lung cancer in individuals who never smoked is the 7th leading cause of cancer-related death and accounts for 17,000 to 26,000 deaths in the US every year, 60-70% of individuals diagnosed with lung cancer who never smoked are women, and the proportion of lung cancers diagnosed in people who never smoked is increasing in the US; and
- WHEREAS,** organizations working in Portage such as the American Lung Cancer Screening Initiative and Women's Lung Cancer Forum, are committed to educating about lung cancer, screening, and working to increase lung cancer screening rates in Portage.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, do hereby proclaim November 2022 as Lung Cancer Awareness Month in the City of Portage, and recognize the need for research in lung cancer and lung cancer health disparities, and encourage all citizens to learn about lung cancer and early detection through cancer screening.

Signed this 1st day of November, 2022.

Patricia M. Randall, Mayor



CITY OF PORTAGE PROCLAMATION

Family Court Awareness Month

- WHEREAS,** the mission of the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children, and;
- WHEREAS,** the mission at the FCAMC is fueled by the desire to create awareness and change in the family court system for the conservatively estimated, 58,000 children a year ordered into unsupervised contact with abusive parents, while honoring the hundreds of children who have been reported as murdered during visitation with a dangerous parent, and;
- WHEREAS,** the mission of the FCAMC is to increase awareness on the importance of empirically-based education and training on domestic violence and child abuse, including emotional, psychological, physical, and sexual abuse, as well as childhood trauma, coercive control, and post separation abuse for judges and all professionals working on cases within the family court system, and;
- WHEREAS,** the mission of the FCAMC is to increase awareness on the importance of using scientifically valid, evidence-based, treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value, and;
- WHEREAS,** the mission at the FCAMC is to educate judges and other family court professionals on evidence- based, peer-reviewed research. Such research is a critical component to making decisions that are truly in the best interest of children.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, as Mayor of Portage, hereby declare the Month of November to be Family Court Awareness Month in the City of Portage and encourage all residents to support our communities' efforts to prevent the harm of children in the hands of family members and honor the value and the lives of children.

Signed this 1st day of November, 2022.

Patricia M. Randall, Mayor

**MINUTES OF THE PORTAGE CITY COUNCIL
COMMITTEE OF THE WHOLE MEETING
OCTOBER 18, 2022**

Mayor Patricia Randall called the Committee of the Whole Meeting to order at 05:30 PM in Conference Room #1 at Portage City Hall. Councilmembers Lisa Brayton, Chris Burns, Victor Ledbetter, Terry Urban, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present. Councilmember Lori Knapp was absent with excuse. Also present were City Manager Pat McGinnis, Deputy City Manager Michael Carroll, City Clerk Erica Eklov, Community Development Director Kelly Peterson, and Deputy Director of Economic Development Deputy Director Hallberg Hallberg.

DISCUSSION ON THE BROWNFIELD REDEVELOPMENT INCENTIVE POLICY: Mayor Randall introduced the topic of the meeting and deferred to Deputy City Manager Mike Carroll to summarize the rationale for the session. Mayor Pro Tem Pearson asked to see how the city's revisions compare to Kalamazoo County's Brownfield Policy. Community Development Director Peterson responded, explaining how the recent updates to the policy were crafted. She noted the changes brought the Brownfield Redevelopment Policy in line with the city's strategic planning, as well as other factors. Director Peterson then introduced the new Community Development Deputy Director of Economic Development, Deputy Director Hallberg Hallberg, for the presentation.

Deputy Director Hallberg highlighted several factors involved in the Brownfield Policy update, including Standardized Application, Housing and Sustainability, State Participation, Strengthening the Local Brownfield Revolving Fund, Incentivizing Better Projects, and Alignment with Best Practices.

Mayor Pro Tem Pearson asked about the Workforce Housing Incentive of 20 percent meeting the 80-120 percent of AMI with one bedroom and whether it included utilities and functionality for other municipalities. Mayor Randall inquired whether there would be a city staff person to check with the various housing units to verify whether they are maintaining their threshold. City Manager McGinnis replied that the onus would be on the property owner to annually report for compliance to receive funding. Mayor Pro Tem asked about the monitoring success in other communities. The City Manager responded that he's not aware, nor experienced with such monitoring but has experienced issues thus far. Mayor Pro Tem Pearson asked how the City of Kalamazoo's programs fared. City Manager McGinnis stated he would research and respond. Councilmember Urban noted that the City of Kalamazoo has a Rental Registration program unlike the City of Portage. Director Peterson noted annual reporting requirements could be written into the development agreements if desired. Deputy Director Hallberg noted any costs in the revised policy should, in turn, cover city staffing or contract staffing expenditures. Councilmember Ledbetter requested further clarification regarding the calculation of the formulas and figures. Mayor Pro Tem Pearson inquired about the Tall Timbers development and its pursuit of 10 percent. Mayor Pro Tem Pearson expressed his desire for Portage to be competitive compared to other jurisdictions. Director Peterson noted that the program is structured to be more a la carte.

Deputy Director Hallberg discussed the city's current Revolving Fund but noted it is currently growing slowly. He further stated that the new proposal includes an Administrative Fee of 10 percent of the Tax Capture amount. Mayor Pro Tem Pearson highlighted the city's prior history of utilizing the County for Brownfield Developments due to a lack of a city knowledge base, which has since changed with new city expertise to host its program. Deputy Director Hallberg then further reviewed the investment criteria, including sustainability, site design, utilizing designated areas, varied transportation, job creation, and childcare facilities. There was additional discussion regarding minimum wage thresholds and issues with childcare facilities retaining both employees and clients.

Deputy Director Hallberg then spoke regarding efforts to align with best practices, including a peer review of the proposed policy updates by both local consulting firms, and fellow jurisdictions. Mayor Pro Tem Pearson inquired whether the financial transparency requirement included unpaid taxes in outside communities or just locally. Deputy Director Hallberg responded that the planned report would only inquire with local entities, while City Manager McGinnis noted a recognized bad actor would not be entertained. There was additional discussion regarding similar instances of commercial entities with tax appeals, financial disclosures, and information requests.

City Manager McGinnis asked the City Council to provide addresses for known city properties on which to focus, citing particular properties along Shaver Road. Mayor Randall highlighted the prior Kalamazoo Screw Products location. Mayor Pro Tem Pearson noted the Lake Center District area. Mayor Randall expressed concern about the city's landscaping requirements to ensure longevity and continued maintenance. There was additional discussion regarding property maintenance, code enforcement with budgeting and staff, versus the desired level of city vigilance.

Councilmember Burns asked about the timeline for launching the policy. City Manager McGinnis responded regarding the next steps based on the City Council discussion during the current meeting and replied with a recommendation for a subsequent Committee of the Whole meeting for the beginning of December. Mayor Randall asked about the level of expertise required from an interested firm to be able to navigate the city application/review process. City Manager McGinnis noted outside expertise would be needed. Councilmember Burns also inquired about sub-areas for activation and whether they related to areas designated in the city's Master Plan. Director Peterson confirmed the Master Plan currently designated the City Centre area and Lake Centre District area, with a plan to include the Crossroads Mall area in the pending Master Plan update. There was additional discussion regarding prioritizing sub-areas.

PETITIONS AND STATEMENTS OF CITIZENS: Carolyn Peshek (6745 Shoreham Street) noted her interest in the project, especially housing for mixed-income levels. She complimented the proposal for addressing workforce housing.

ADJOURNMENT: Mayor Randall adjourned the meeting at 06:34 PM.

Erica L. Eklov, City Clerk

CITY COUNCIL MEETING MINUTES FROM OCTOBER 18, 2022

Mayor Patricia Randall called the Regular Meeting to order at 07:00 PM in the Council Chambers at Portage City Hall.

ROLL CALL: Councilmembers Lisa Brayton, Chris Burns, Victor Ledbetter, Terry Urban, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: Councilmember Lori Knapp.

ALSO PRESENT: City Manager Pat McGinnis, Deputy City Manager Adam Herringa, Deputy City Manager Michael Carroll, City Attorney Catherine Kaufman, and City Clerk Erica Eklov.

At the request of Mayor Randall, the audience observed a moment of silence to reflect on the commitment to live drug-free lifestyles for Portage businesses, schools, families, and law enforcement. Following the moment of silence, the City Council recited the Pledge of Allegiance led by the Scouts of Chapel Hill Troop #287.

PROCLAMATIONS:

Red Ribbon Week: Human Services Board Co-Chair Jihan Young introduced the proclamation, which was read by various youth members of the community.

Rotary International 2022: Members of the Portage Rotary read the proclamation. Rotary member Dick Hewitt spoke regarding a \$1.2 billion donation by the Gates Foundation to eradicate polio in cooperation with the Rotarian organization.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any Councilmember or anyone in the audience would like an item removed from the Consent Agenda. Motion by Burns, seconded by Ledbetter, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 6 to 0.

Approval of Minutes: Motion by Burns, seconded by Ledbetter, to approve the City Council Meeting Minutes of the Board & Commission Interviews of October 4, 2022, and the Regular Meeting of October 4, 2022. Upon a roll call vote, motion carried 6 to 0.

Accounts Payable Register: Motion by Burns, seconded by Ledbetter, to approve the Accounts Payable Register of October 18, 2022, as presented. Upon a roll call vote, motion carried 6 to 0.

Approve the Purchase of a Pierce Velocity 100' Aerial Platform Truck: Motion by Burns, seconded by Ledbetter, to approve the purchase of a Pierce Velocity 100' Aerial Platform through the Sourcewell Cooperative Purchasing Agreement #113021-OKC-1 in the amount of \$1,777,423.00, and authorize the city manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Workers' Compensation Third Party Administrator and Excess Insurance: Motion by Burns, seconded by Ledbetter, to approve the proposed contract renewals with Michigan Claims Service, Inc. dba The ASU Group for \$9,750/year and Midwest Employers Casualty Company for \$100,555 for the first year and \$101,558 for the second year plus payroll adjustments, with \$750,000 specific excess retention for Police and Fire and \$550,000 specific excess retention for all other employee groups, for the period of December 1, 2022 - November 30, 2024, and authorize the city manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Police Vehicle Replacement Purchase: Motion by Burns, seconded by Ledbetter, to approve the purchase of five (5) 2023 Ford Interceptor AWD vehicles from Gorno Ford in the amount of

\$257,830 using the State of Michigan MiDEAL program and authorize the City Manager to execute all documents related to this purchase on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Replacement of Overhead Doors at Fire Station No. 1: Motion by Burns, seconded by Ledbetter, to award a contract to Overhead Door of Kalamazoo for the replacement of overhead doors at Fire Station No. 1 in the amount of \$106,807 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.

Kalamazoo County Urban Bird Treaty: Motion by Burns, seconded by Ledbetter, to adopt the City of Portage partnership in the Kalamazoo County Urban Bird Treaty and support the application for federal designation as the Kalamazoo County Urban Bird Treaty through the U.S. Fish and Wildlife Service. Upon a roll call vote, motion carried 6 to 0.

2023 Parks and Recreation Open Space 5-Year Plan: Motion by Burns, seconded by Ledbetter, to receive the proposed 2023 Recreation and Open Space Plan Update and approve the distribution of the plan update to the planning commissions of adjacent communities and to the Kalamazoo County Planning Commission. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards & Commissions: Motion by Burns, seconded by Ledbetter, to receive the minutes of the Environmental Board from August 10, 2022; Human Services Board from September 1, 2022; and Planning Commission from September 15, 2022. Upon a roll call vote, motion carried 6 to 0.

Calendar of Meetings: Motion by Burns, seconded by Ledbetter, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Bo Snyder (1342 Lama Road, Kalamazoo) spoke regarding Proposal 2 in the upcoming November General Election.

Carolyn Peshek (6745 Shoreham Street) noted the upcoming October 25 ISAAC meeting and invited the members of the Portage City Council to attend. City Manager McGinnis inquired about the topics planned for the meeting. Ms. Peshek responded that the Gun Violence, Racism, and Housing Task Forces of ISAAC would be posing individual questions.

PUBLIC HEARINGS:

Tentative Plan and Rezoning Application #22/23-4 - 8150 Creekside Drive: Mayor Randall opened the public hearing at 7:21 p.m. and asked City Manager McGinnis to summarize the proposal. Applicant Jim DuRussel spoke regarding the proposed development. Mayor Randall inquired about the size of the current StoryPoint facility on West Milham Road as compared to the new proposal. Mr. DuRussel noted the proposal will match the current facility in size. Councilmember Urban asked about the potential for light pollution in the adjacent residential area. Mr. DuRussel noted the light fixtures are a shoebox style to direct illumination downward and not shine outward to adjacent properties. Terry Clark, the architect for the project, noted the lighting plan was not fully designed at this stage but would follow any ordinance requirements and direct illumination inward. There was additional discussion regarding site plan situating and landscape berm placement. Motion by Burns, seconded by Ledbetter, to close the public hearing. Upon roll call vote, motion carried 6 to 0. Seeing no further discussion, motion by Brayton, seconded by Burns, to approve the Tentative Plan and Rezoning Application #22/23-4 to rezone 8150 Creekside Drive from OS-1 Office Service District and R-1C One-Family Residential District to PD Planned Development for a senior housing facility. Upon a roll call vote, motion carried 6 to 0.

REGULAR BUSINESS AGENDA:

Human Services Board Vacancies: At the invitation of the Mayor, applicants Justin Phan and Ludim Torres were interviewed for the vacant positions on the Human Services Board. They both noted their unique multicultural backgrounds and modest childhoods, which inspired them to apply for

the Board. Mayor Randall thanked both Mr. Phan and Ms. Torres for their interest and Councilmember Urban thanked the applicants for relaying their personal stories. Motion by Pearson, seconded by Burns, to appoint Justin Phan and Ludim Torres to fill the two remaining vacancies on the Human Services Board with terms ending October 1, 2023. Upon a voice vote, motion carried 6 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Brayton provided an update regarding the Kalamazoo County Environmental Health Advisory Committee (EHAC). She noted the District Director for the Michigan State University Extension Program was present and provided a presentation on the provision of unbiased education on the statewide ballot proposals.

Councilmember Burns provided an update regarding the Central County Transportation Authority (CCTA) alongside Mayor Pro Tem Pearson. Councilmember Burns relayed that the CCTA renewed its support services agreement with the City of Kalamazoo, as well as filed an OPEB Underfunding Waiver to the State of Michigan.

STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Brayton honored Kalamazoo Department of Public Safety Officer Christian Taylor Smith who had recently passed away, praising his family and community. She then spoke regarding the recent shooting of 14 officers and the dangerous work of public safety personnel. Councilmember Brayton closed with a reminder of the upcoming Monster Mash event, encouraging everyone to visit and be safe.

Councilmember Burns also highlighted Monster Mash, noting he had visited as a child and would now be taking a new generation to the event. He then commended the Human Service Board applicants for applying. Councilmember Burns closed with a reminder regarding the upcoming election and encouraged everyone to do their research and vote.

Councilmember Ledbetter expressed appreciation for the youth readers of the Red Ribbon Proclamation. He also thanked the applicants for the Human Services Board.

Councilmember Urban recognized the upcoming election, the City Clerk's Office, and the election workers who conduct the election. He then noted the expenditure of \$1.8 million on a new aerial fire truck under the Consent Agenda, providing the history of the equipment, state funding support, and the magnitude of the purchase.

City Manager McGinnis provided a brief update regarding the ongoing Winters Drive traffic safety matter. He then relayed the City Clerk's Office efforts to register new voters at the two Portage Public High Schools. Mr. McGinnis closed with a mention of the state funding assistance for the aerial fire truck and thanked the State delegation for their support.

Mayor Pro Tem Pearson spoke regarding the November General Election and encouraged voters to research the various proposals.

Mayor Randall highlighted the upcoming election, noting the new pre-processing legislation. She then spoke regarding the upcoming Monster Mash event and the Halloween holiday. Mayor Randall then noted the state funding support for the new aerial fire truck and appreciated the assistance of the local representatives. Mayor Randall closed by thanking the City Council for their earlier participation in the Committee of the Whole meeting for the updated Brownfield Policy.

ADJOURNMENT: Mayor Randall adjourned the meeting at 07:56 PM.

Erica L. Eklov, City Clerk

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Approve the Accounts Payable Register of November 1, 2022 as presented.

The City Council reviews and approves the bi-weekly Accounts Payable Register which includes automated clearing house payments, paper checks, auto-pay payments and electronic payments. The attached Accounts Payable Register covers the period October 9, 2022 through October 22, 2022 and notes \$147,816.29 in automated clearing house payments, \$572,148.33 in paper checks, \$45,624.73 in auto-pay payments and \$4,071,296.29 in electronic payments for a grand total of \$4,836,885.64.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of November 1, 2022

ACCOUNTS PAYABLE REGISTER
Check Dates From: 10/09/22 to 10/22/2022

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Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
10/14/2022	18059(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SERVICES - MULT LOCATIONS	39,123.52
10/14/2022	18060(A)	ADP, INC.	ADP PAYROLL & ETIME SERVICES	4,649.60
10/14/2022	18061(A)	AIRGAS USA LLC	JERSEY GLOVES	433.27
10/14/2022	18062(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	4,328.89
10/14/2022	18063(A)	AMAZON.COM SALES, INC.	UNIFORMS-FD, WATER FILTERS-CD, SUPPLIES-PK	1,585.48
10/14/2022	18064(A)	ANALYTICAL TESTING & CONSULTING	CDBG LEAD PAINT TEST	750.00
10/14/2022	18065(A)	BCHS-HELPNET	EMPLOYEE ASSISTANCE PROGRAM	2,020.11
10/14/2022	18066(A)	BEEBE, RONALD E.	2022 UMPIRE INCENTIVE PROGRAM	250.00
10/14/2022	18067(A)	C D W GOVERNMENT, INC.	NEW UPS FOR PARKS BLDG	89.99
10/14/2022	18068(A)	CARDINAL BUS, INC.	TRIP VENDOR PAYMENT 221004 SHIPSHEWANA	3,779.50
10/14/2022	18069(A)	CLEAN HARBORS ENVIRONMENTAL SERVICE	BLOCK STATION MAINTENANCE - ODOR CONTROL	4,151.00
10/14/2022	18070(A)	CPS HR CONSULTING	LAW ENFORCEMENT EXAMS	484.00
10/14/2022	18071(A)	DATA CONSTRUCTS LLC	MONTHLY WEBSITE HOSTING SERVICES	97.95
10/14/2022	18072(A)	EARLE, SHELIA L	FITNESS INSTRUCTION	560.00
10/14/2022	18073(A)	ENGINEERED PROTECTION SYSTEMS, INC.	NEW PARKS OFFICE ALARM MONITOR	8,125.23
10/14/2022	18074(A)	EVERETT, CHIP	REIMB FIRE PREVENTION MEMBERSHIP	150.00
10/14/2022	18075(A)	FISHBECK THOMPSON CARR & HUBER, INC	IMPACT EVALUATION - WATER WITHDRAWAL	2,900.00
10/14/2022	18076(A)	FORSHEE, MARK	2022 UMPIRE INCENTIVE PROGRAM	200.00
10/14/2022	18077(A)	GOLF CARS +	AUGUST & SEPT CONCERT GOLF CART RENTAL	310.00
10/14/2022	18078(A)	GORDON WATER SYSTEMS	WATER SERVICES	29.79
10/14/2022	18079(A)	GRAINGER INC	REPAIR AND MAINTENANCE SUPPLIES	439.76
10/14/2022	18080(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICES	277.00
10/14/2022	18081(A)	HARTFORD LIFE INSURANCE COMPANY	LIFE & LTD INSURANCE	10,323.58
10/14/2022	18082(A)	HOTRUM, ROBERT	FALL UMPIRE PAYROLL & INCENTIVE PAY	375.00
10/14/2022	18083(A)	HURLEY & STEWART, LLC	WOODHAMS AVE STORM WATER REMEDIATION	1,967.23
10/14/2022	18084(A)	HYDRO-CHEM SYSTEMS, INC.	REPAIR VEHICLE POWER WASHER	633.58
10/14/2022	18085(A)	INDUSCO SUPPLY CO., INC.	MISC CLEANING SUPPLIES	680.13
10/14/2022	18086(A)	INSIGHT PUBLIC SECTOR, INC.	WEBEX RENEWAL 1YR	2,808.00
10/14/2022	18087(A)	KATZ-SCHEINKER, SUSAN	NUTRITION COURSE	800.00
10/14/2022	18088(A)	KLOSE2U PHOTOGRAPHY, LLC	RETIREE PHOTO SESSION	175.00
10/14/2022	18089(A)	KREITNER, JAMES	FOOD ASSISTANCE	183.00
10/14/2022	18090(A)	KURZAVA, MATTHEW STEPHEN	FITNESS INSTRUCTION TAI CHI	390.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 10/09/22 to 10/22/2022

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Check Date	Check	Vendor Name	Description	Amount
10/14/2022	18091(A)	KUSHNER & COMPANY, INC.	COBRA AND FSA ADMINISTRATION	260.83
10/14/2022	18092(A)	LRE	ENGINEERING SERVICES-HAMPTON CREEK BOG	730.00
10/14/2022	18093(A)	MAPLE HILL SPRINKLING, INC.	WINTERIZE SPRINKLER SYS - CITY HALL	245.00
10/14/2022	18094(A)	MEJEUR ELECTRIC LLC	GENERATOR TESTING AND LABELING	592.00
10/14/2022	18095(A)	METRONET HOLDINGS LLC	CABLE ACCESS & INTERNET FIBER SERVICES	1,917.90
10/14/2022	18096(A)	MICHIGAN OFFICE ENVIRONMENTS	RECEPTION FILES	561.16
10/14/2022	18097(A)	MICROSYSTEMS, INC.	PLAT & BLDG PLANS ARCHIVAL	2,032.50
10/14/2022	18098(A)	MUNICIPAL EMERGENCY SERVICES INC	FIRE SCBA MAINT	1,435.00
10/14/2022	18099(A)	NASON, RICHARD	REIM EXPS-FIREHS EXPO; REG LDRSHP DEV SYMPO	795.99
10/14/2022	18100(A)	NYE UNIFORMS	FIRE OCFF UNIFORMS	93.02
10/14/2022	18101(A)	OFF THE CUFF CATERING	PCAA RECEPTION, LEGISLATIVE ROUNDTABLE	807.00
10/14/2022	18102(A)	ONSTAFF USA INC	TEMP EMPLOYEE SERVICES	2,412.99
10/14/2022	18103(A)	PECKELS, CHRISTINE	FITNESS CLASS INSTRUCTION	720.00
10/14/2022	18104(A)	PERCEPTIVE CONTROLS, INC.	SCADA-CRITICAL AUTOMATION PARTS, MAINT SVCS	6,730.33
10/14/2022	18105(A)	PHILLIPS, KIMBERLY	REIMBURSE FOR EXPENSES-SR CTR	404.11
10/14/2022	18106(A)	PLAYFORD, LOUIE	REIMB NFA-COMMAND & CONTROL INCIDENT OPS	337.64
10/14/2022	18107(A)	POWERDMS, INC.	ANNUAL SUB RENEWAL MACP STANDARD	650.00
10/14/2022	18108(A)	PRINTING SERVICES INC	PRINTING SERVICES	672.31
10/14/2022	18109(A)	QUALITY AIR HEATING & COOLING, INC.	HVAC CONTROLS HQ/ANNEX	1,400.00
10/14/2022	18110(A)	R W LAPINE INC.	HVAC PM/ON-CALL SERVICES	237.50
10/14/2022	18111(A)	RHODES, KEVIN	FALL UMPIRE PAYROLL & INCENTIVE PAY	375.00
10/14/2022	18112(A)	RIDGE AUTO NAPA	EQUIPMENT REPAIR/MAINT SUPPLIES	1,241.23
10/14/2022	18113(A)	VOID		0.00
10/14/2022	18114(A)	ROBERT LAMSON, LLC	PRE CONDITIONAL OFFFER OF EMPLOYMENT	150.00
10/14/2022	18115(A)	ROTO-ROOTER SEWER & DRAIN SERV	DRAIN CLEANING SVC CALL	225.95
10/14/2022	18116(A)	SAFETY SERVICES, INC.	LEATHER GLOVES	453.36
10/14/2022	18117(A)	SARKOZY BAKERY LLC	FOOD ASSISTANCE REIMBURSEMENTS	18.00
10/14/2022	18118(A)	SEVERANCE ELECTRIC COMPANY,INC	SPLICING OF FIBER OPTIC CABLE	1,800.00
10/14/2022	18119(A)	SNELL, DEBRA	FITNESS INSTRUCTION	410.00
10/14/2022	18120(A)	STAPERT, BRETT	TRAVEL EXPENSES, PER DIEM FOR INVESTIGATION	69.00
10/14/2022	18121(A)	STOUT, MELISSA JOY	FITNESS INSTRUCTION	445.00
10/14/2022	18122(A)	SUBSURFACE REFLECTIONS LLC	SOUTH CEMETERY- PLOT INVESTIGATION	695.00
10/14/2022	18123(A)	TMK WORLDWIDE, LLC	METER SERVICE	273.00

ACCOUNTS PAYABLE REGISTER
Check Dates From: 10/09/22 to 10/22/2022

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Check Date	Check	Vendor Name	Description	Amount
10/14/2022	18124(A)	TYLER TECHNOLOGIES, INC.	FIELD MOBILE W/ADVANCED MAPPING	550.00
10/14/2022	18125(A)	UNITED PETROLEUM	DIESEL DROP TUBE STICKING, NOZZLE SHIELD	265.51
10/14/2022	18126(A)	USA SOFTBALL OF MICHIGAN	FALL SOFTBALL REGISTRATION FEES	1,170.00
10/14/2022	18127(A)	VEOLIA WATER CONTRACT OPERATIONS	WATER METERS	2,750.84
10/14/2022	18128(A)	WEST MICHIGAN INT'L LLC	REPAIR/MAINT SUPPLIES	829.90
10/21/2022	18129(A)	CHARTER COMMUNICATIONS	CABLE TV	587.00
10/21/2022	18130(A)	COOPER, SYDNIE	REIMB - CANDY FOR MONSTER MASH EVENT	29.48
10/21/2022	18131(A)	ENVIRONMENTAL SYSTEMS RESEARCH	ARGIS ANNUAL SUBSCRIPTION/ONLINE HUB Q-2	16,400.00
10/21/2022	18132(A)	GARLOW, BARBARA	REIMB - REFRESHMENTS/DECORATIONS-PUB EVENT	145.53
10/21/2022	18133(A)	MAYHEW, BRYAN	REIMB - CANDY FOR MONSTER MASH EVENT	179.82
10/21/2022	18134(A)	METRONET HOLDINGS LLC	TELEPHONE SERVICE	2,606.79
10/21/2022	18135(A)	RUPLE, MARY	REIMB FOR PURCHASE OF CLIFTON STRENGTHS	39.99
Total ACH				147,816.29
Check Type: Paper				
10/11/2022	321934	REV X PRODUCTS, INC.	FUEL ADDITIVE - BULK TANKS	3,860.80
10/11/2022	321935	USPS	REFILL POSTAGE METER	5,000.00
10/14/2022	321936	7900 MOORSBRIDGE LLC	TEMPORARY PUMPING PERMIT	2,760.00
10/14/2022	321937	A BETTER WAY TREE CARE LLC	TREE TRIMMING/REMOVAL	3,400.00
10/14/2022	321938	ALEXANDER, COURTNEY	SCHRIER BUILDING DEPOSIT REFUND	150.00
10/14/2022	321939	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	1,110.00
10/14/2022	321940	ANDREWS, TIM	WAGON RIDES MONSTER MASH	600.00
10/14/2022	321941	ASCENSION MICH OCCUPATIONAL HEALTH	POST OFFER PHYSICAL	258.00
10/14/2022	321942	BAILEY TERRA NOVA FARMS	FOOD ASSISTANCE	236.00
10/14/2022	321943	BALDWIN, JENNIFER	PROPERTY LOSS REIMBURSEMENT	157.46
10/14/2022	321944	BAY AREA TOUCHLESS CARWASH LLC	CAR WASHES	136.00
10/14/2022	321945	BEAR CREEK FARM AND MARKET LLC	FOOD ASSISTANCE	203.00
10/14/2022	321946	BEGGS, CAROLYN	YOGA 4 LIFE REFUND	65.00
10/14/2022	321947	BORTON, MARGARET	TRAVEL REFUND 221017 GRAND HOTEL	1,685.00
10/14/2022	321948	BRONNER DISPLAY & SIGN ADVERTISING	CHRISTMAS DECORATIONS	1,442.88
10/14/2022	321949	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAW	100.00
10/14/2022	321950	BRUSH, BENJAMIN	FOOD ASSISTANCE	61.00
10/14/2022	321951	BUFFENBARGER, JUDITH	TRIP REFUND 121128 SMOKEY MNT CHRISTMAS	50.00

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Check Date	Check	Vendor Name	Description	Amount
10/14/2022	321952	CAMPBELL AUTO SUPPLY	MISC AUTO SUPPLIES	20.52
10/14/2022	321953	CHEESE PEOPLE OF GRAND RAPIDS	FOOD ASSISTANCE	91.00
10/14/2022	321954	CHICAGO TITLE OF MICHIGAN, INC.	KALAMAZOO CO TITLE SEARCH	150.00
10/14/2022	321955	CINTAS CORP.	UNIFORM RENTAL FOR INSPECTORS	7.50
10/14/2022	321956	CITY OF KALAMAZOO TREASURER	SANITARY SEWER CHARGES	330,146.07
10/14/2022	321957	CITY OF PORTAGE	2022 SUMMER TAX 1222 SCHURING RD	1,500.37
10/14/2022	321958	COCHRAN GLASS AND DOOR, LLC	RAMONA PARK-REPL RESTROOM DOOR CLOSER	301.56
10/14/2022	321959	COPPER BAY COMPANY LLC	REFUND OVERPAID FINAL WATER BILL	169.23
10/14/2022	321960	CORELOGIC CENTRALIZED REFUNDS	2022 SUMMER TAX REFUND DUE TO PRE CHANGE	1,127.33
10/14/2022	321961	COSTAR REALTY INFORMATION, INC.	COSTAR SUBSCRIPTION	396.61
10/14/2022	321962	D L GALLIVAN INC.	COPY MACHINE USAGE CHARGES	77.83
10/14/2022	321963	DAY, LAUREL	DO SOMETHING LADY-CHARCUTERIE BD CLASS	525.00
10/14/2022	321964	DEMINK, TAMORYN	HAYLOFT THEATRE DEPOSIT REFUND	150.00
10/14/2022	321965	DEVON TITLE AGENCY	OVERPAYMENT OF UTILITY BILL	130.18
10/14/2022	321966	DICK, ROBERT	FOOD ASSISTANCE	74.00
10/14/2022	321967	DRIESEN & ASSOCIATES INC	SURVEY/ENG SERVICES FIRE ST 3	1,619.20
10/14/2022	321968	EAKINS, PRESTON	BALLOON ARTIST MONSTER MASH	1,000.00
10/14/2022	321969	EMERGENCY VEHICLE PRODUCTS	POLICE VEHICLE REPAIR/MAINT	1,650.19
10/14/2022	321970	ENGINEERING SUPPLY & IMAGING	PAPER FOR KIP PRINTER	146.35
10/14/2022	321971	ENVIRONMENTAL RESOURCES GROUP, LLC	STORM WATER MONITORING PROGRAM	15,128.85
10/14/2022	321972	FLETCHER ENTERPRISES	MILLENNIUM PARK & PARKS OFFICE PAINTING	4,865.00
10/14/2022	321973	FOX, SARAH	DISC GOLF EXPERIENCE REFUND	15.00
10/14/2022	321974	FRAILEY, ZACCARI R	FOOD ASSISTANCE	5.00
10/14/2022	321975	FRENCH, STACY	FIRE PREVENTION TRAINING	475.38
10/14/2022	321976	FROST SOLUTIONS, LLC	ROAD WEATHER INFO SENSORS 2-YR CONTRACT	7,560.00
10/14/2022	321977	FUN SERVICES	GAMES AND INFLATABLES FOR MONSTER MASH	4,016.00
10/14/2022	321978	GEMMELL, ALEXANDER	TRIP REFUND 221004 DANIEL O'DONNELL	135.00
10/14/2022	321979	GORDON FOOD SERVICE	CANDY FOR MO MASH, COFFEE BAR SUPPLIES	809.19
10/14/2022	321980	GOURDNECK LAKE GOV'T LAKE BOARD	WEED CONTROL PROGRAM	3,432.00
10/14/2022	321981	GRAHAM, WILLIAM	REIMB REG FOR INCIDENT COMM SYS TR 300 & 400	500.00
10/14/2022	321982	GRAND VALLEY METRO COUNCIL	PASER RATING DATA COLLECTION	10,548.00
10/14/2022	321983	HARFIELD, CHRISTINE	SCHRIER BUILDING DEPOSIT REFUND	150.00
10/14/2022	321984	HARRISON, MARK ALLEN	FOOD ASSISTANCE	7.00

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Check Date	Check	Vendor Name	Description	Amount
10/14/2022	321985	HARWOOD, LAWRENCE	REIMB SEWER LINE CLEANING & VIDEO BACKUP	826.25
10/14/2022	321986	HOLZWARTH, SANDRA	SCHRIER BUILDING DEPOSIT REFUND	150.00
10/14/2022	321987	HOME DEPOT	REPAIR/MAINT SUPPLIES	974.05
10/14/2022	321988	VOID		0.00
10/14/2022	321989	HOME DEPOT	REPAIR/MAINT SUPPLIES	48.10
10/14/2022	321990	HOVIOUS, MARK	SCHRIER BUILDING DEPOSIT REFUND	150.00
10/14/2022	321991	HOWE PATIO & WINDOWS, INC.	CDBG-DOOR & WINDOW REPL, EGRESS WINDOW	10,455.00
10/14/2022	321992	IMAGESTREAM, INC.	CABLECASTING AND BROADCASTING SVCS	23,271.00
10/14/2022	321993	IRISH ROOFING & EXTERIORS	CDBG-REROOF & REMOVE PARTIAL CHIMNEY	10,500.00
10/14/2022	321994	IRONS, MARTHA	TRIP REFUND 230930 LAKE PLACID	50.00
10/14/2022	321995	JOHN BALL ZOO	SLITHERING WITH SNAKES WILDLIFE PROGRAM	225.00
10/14/2022	321996	JOHNSON, DENNIS	SWP SOFTBALL DEPOSIT & FEES REFUND	145.00
10/14/2022	321997	JORDAN, KYLE	HAYLOFT THEATRE DEPOSIT REFUND	150.00
10/14/2022	321998	JUSTICE FENCE COMPANY	INSTALL NEW FENCES AT POLICE	3,705.00
10/14/2022	321999	KALAMAZOO COUNTY TREASURER	OAKBROOK MOBILE HOME TAXES OCTOBER	317.50
10/14/2022	322000	KIESLER POLICE SUPPLY	SWAT RIFLE ACCESSORIES	2,853.96
10/14/2022	322001	KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE AGREEMENT	167.00
10/14/2022	322002	KSS ENTERPRISES	BATTERIES, BAG LINERS, GATOR CONTAINER	485.61
10/14/2022	322003	KZOO TIRE COMPANY	POLICE VEHICLE REPAIR/MAINTENANCE	3,042.70
10/14/2022	322004	L FARNUM INCORPORATED	LOBBY FINANCIAL REPT PREP & FILING	200.00
10/14/2022	322005	LEWIS, SARAH	STUART MANOR DEPOSIT REFUND	150.00
10/14/2022	322006	MCDONALD'S TOWING & RESCUE, INC.	POLICE TOWING & STORAGE SERVICES	7,086.50
10/14/2022	322007	MENARDS	FACILITIES SOFTENER SALT	1,132.11
10/14/2022	322008	MICH MUNICIPAL POLICE & FIRE REPAIR	VEHICLE REPAIR & MAINTENANCE	3,333.13
10/14/2022	322009	MICHIGAN CRISIS RESPONSE ASSOC.	REGISTRATION FOR ANNUAL CONFERENCE	325.00
10/14/2022	322010	MICHIGAN GARDEN CLUBS	RENTAL DEPOSIT REFUND	100.00
10/14/2022	322011	MIDWEST CUSTOM EMBROIDERY COMPANY	EMBROIDERED JACKETS	142.00
10/14/2022	322012	MIGALA, INC.	CARPET AND INSTALLATION-OLD SR CTR	4,919.86
10/14/2022	322013	MILLER, VINCENT	MUSIC AT FARMERS MARKET	100.00
10/14/2022	322014	MINGHETTI, MICHELE	FOOD ASSISTANCE	16.00
10/14/2022	322015	MLIVE MEDIA GROUP	LEGAL INVOICES	1,154.06
10/14/2022	322016	MML UNEMPLOYMENT FUND	UNEMPLOYMENT COMPENSATION 3RD QTR 2022	732.70
10/14/2022	322017	MOORLAG, JOSIE	WESTFIELD SOCCER DEPOSIT & FEES REFUND	165.00

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Check Date	Check	Vendor Name	Description	Amount
10/14/2022	322018	MORRISON LANDSCAPE SERVICES LLC	LANDSCAPING SERVICES	2,900.00
10/14/2022	322019	MOSQUITO BEATERS LLC	MOSQUITO SPRAY FOR EVENT	149.00
10/14/2022	322020	MULDER WATERPROOFING & SEALANT	NEW ENTRY DOOR/PATIO WALL REPAIR	3,240.00
10/14/2022	322021	MYERS, MICHA	GRAIN ELEVATOR DEPOSIT REFUND	150.00
10/14/2022	322022	NAPIER, PEGGY	DISC GOLF EXPERIENCE REFUND	15.00
10/14/2022	322023	O'REILLY AUTO PARTS	EQUIPMENT REPAIR/MAINTENANCE	124.15
10/14/2022	322024	OBRIEN, SAMANTHA	HAYLOFT THEATRE & TENT DEPOSIT REFUND	250.00
10/14/2022	322025	OFFICE DEPOT, INC.	OFFICE SUPPLIES	708.50
10/14/2022	322026	PAPPAS, LYNN M	FOOD ASSISTANCE	637.00
10/14/2022	322027	PAYPOOL LLC	OVERPAYMENT OF PARCEL 91111 001 U	24.22
10/14/2022	322028	PENNZAR PROMOTIONS	MAGICIAN FOR MONSTER MASH	600.00
10/14/2022	322029	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	973.82
10/14/2022	322030	PETTY CASH-MEGAN HUBER	REPLENISHMENT CHECK	1,322.32
10/14/2022	322031	PHOENIX SAFETY OUTFITTERS, LLC	KVCC POLICE ACADEMY CADET UNIFORMS	696.24
10/14/2022	322032	PIO, JODI	YOGA 4 LIFE REFUND	65.00
10/14/2022	322033	PORTAGE PUBLIC SCHOOLS (TRANS)	TRANSPORTATION - FIELD TRIP FISH CAMP	227.33
10/14/2022	322034	RATH, JOHN R.	ART IN THE PARK WORKSHOP	720.00
10/14/2022	322035	RATHCO SAFETY SUPPLY, INC.	TRAFFIC CONTROL & PARKS SIGNS/MATERIALS	423.09
10/14/2022	322036	ROCHE, CAROL	REFUND FOR DUPL PMT-SR CTR PROG	55.00
10/14/2022	322037	ROWERDINK, INC.	EQUIPMENT REPAIR/MAINT SUPPLIES	200.03
10/14/2022	322038	SAM BROWN SHIELDS INC	FIRE UNIFORMS	74.00
10/14/2022	322039	SEELYE FORD, INC.	FIRE APPARATUS MAINT	26.74
10/14/2022	322040	SEVO, MONA LISA	TRIP REFUND 220918 TIGERS WHITE SOX	140.00
10/14/2022	322041	SMART SOURCE, LLC	LANYARDS, TABLE COVERS FOR PARK EVENTS	569.28
10/14/2022	322042	SOUTHWEST MICHIGAN FIRST CHAMBER	RENTAL REFUND	100.00
10/14/2022	322043	STEENSMA LAWN & POWER EQUIPMENT	SMALL EQUIPMENT REPAIR/MAINT	1,287.31
10/14/2022	322044	STETLER, RONALD & KELLI	BD BOND REFUND	300.00
10/14/2022	322045	STEWART, BERTHA KATHERINE	FOOD ASSISTANCE	62.00
10/14/2022	322046	STEWART, JAMAL	MONSTER MASH DJ	800.00
10/14/2022	322047	STRATMAN, MARY	TRIP REFUND O'DONNELL 221004	135.00
10/14/2022	322048	THAD REEDER AUTOMOTIVE LLC	VEHICLE REPAIRS/ALIGNMENTS	215.99
10/14/2022	322049	THE POSTMAN AND CONCRETE DESIGNS	FENCE REPAIRS-MULT PARKS LOC	1,140.00
10/14/2022	322050	TITLE RESOURCE AGENCY	OVERPAYMENT OF WATER/SEWER BILL	125.45

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Check Date	Check	Vendor Name	Description	Amount
10/14/2022	322051	TRAFFIC CONTROL CORP.	BATTERY BACKUP - OAKLAND @ ROMENCE	4,568.00
10/14/2022	322052	TRUGREEN AND ACTION PEST CONTROL	LAWN CARE SVCS-MULT LOCS	725.11
10/14/2022	322053	UNITED PARCEL SERVICE	UPS WEEKLY	11.95
10/14/2022	322054	VADER BUILDERS INC	BD BOND REFUND	385.00
10/14/2022	322055	VALLEY CITY SIGN	MLK PK ENTRANCE SIGN, DIRECTIONAL SIGN CHNG	3,014.00
10/14/2022	322056	VANDENBERG, GERTRUDE	REIMBURSEMENT FOR IRRIGATION DAMAGES	1,022.70
10/14/2022	322057	VLIETSRA LANDSCAPE SERVICES LLC	BD BOND REFUND	250.00
10/14/2022	322058	WASHCO, LLC	GRAFFITI REMOVAL ON BICENTENNIAL TRAIL	350.00
10/14/2022	322059	WAYNE COUNTY APPRAISAL LLC	ASSESSING SERVICES	37,835.83
10/14/2022	322060	WEDEL'S INC.	RAISED FLOWER PLANTERS-PLANTING & MAINT	10,540.08
10/14/2022	322061	WENDLING-OSBORN, JANE	TRIP REFUND 221004 DANIEL O'DONNELL	135.00
10/14/2022	322062	WHITE, SHARON	REFUND HOLIDAY BAZAAR	40.00
10/14/2022	322063	WILD, JED	REIMB SUPPLIES FOR FIRE PREV OPEN HOUSE	126.82
10/14/2022	322064	WILLIAMS, ROBIN	TRIP REFUND 230414 CELTIC WOMAN	180.00
10/14/2022	322065	SEMI U INC.	TYLER JOHNCOCK CDL A TRAINING COURSE	2,500.00
10/21/2022	322066	AT&T	ELECTRONIC COMMUNICATIONS	1,024.54
10/21/2022	322067	FORWARD, JULIE	2022 TAX REFUND DUE TO PRE CHANGE	1,740.79
10/21/2022	322068	KLINE, MICHAEL L	HAY BALES FOR MONSTER MASH	250.00
10/21/2022	322069	ROLFE, DAN	2022 TAX REFUND DUE TO PRE CHANGE	124.84
10/21/2022	322070	VERIZON WIRELESS	CELL PHONE/WIRELESS CARD SVC	3,590.17
Total Paper Checks				572,148.33
Check Type: Auto-Pay Payments				
10/11/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	1,731.54
10/13/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	38,612.73
10/14/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	327.46
10/17/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	4,667.59
10/18/2022		CONSUMERS AUTO-PAY	GAS-ELECTRIC	285.41
Total Auto-Pay Payments				45,624.73
Check Type: Electronic Payments				
10/13/2022		COMERICA	INVESTMENT PURCHASE	500,911.46
10/14/2022		MULTIPLE	DDP TAX DISBURSEMENT 9/30/22	36,987.51

ACCOUNTS PAYABLE REGISTER
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Check Date	Check	Vendor Name	Description	Amount
10/14/2022		MULTIPLE	WEEKLY TAX DISBURSEMENT 10/7/22	58,377.83
10/14/2022		MULTIPLE	NU, IAFF, PPCOA, PPOA, & UAW PENSION PMTS	96,849.70
10/14/2022		ICMA	RETIREE HEALTH SAVINGS	41,122.33
10/17/2022		ATTORNEY	LEGAL & ARBITRATION	19,750.32
10/21/2022		ICMA	PENSION WITHHOLDINGS	41,108.37
10/21/2022		MULTIPLE	WEEKLY TAX DISBURSEMENT 10/14/22	162,676.72
10/21/2022		KALAMAZOO COUNTY	KCBRA - BROWNFIELD SUMMER 2022 DISB	2,848,444.80
10/21/2022		FIFTH THIRD	INVESTMENT PURCHASE	265,067.25
			Total Electronic Payments	4,071,296.29
			Grand Total	4,836,885.64

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: 2023 Local Streets Reconstruction Program - Bid Tabulation

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a construction contract to Hoffman Bros., Inc. of Battle Creek, Michigan for the 2023 Local Streets Reconstruction Program in an amount not to exceed \$3,242,645.15 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The Fiscal Years 2021-22 and 2022-23 Capital Improvement Program budgets provide funding for the reconstruction of the 2023 Local Street Reconstruction Program. The project involves milling and resurfacing of identified streets (see attached project area map), concrete curb and gutter at intersections, storm sewer system improvements, removal of encroached parking areas within the public rights-of-way, installation of water main on Cypress Avenue, 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 is 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, the streets in the 2023 Local Street Reconstruction Program have PASER ratings of 2 to 3 – poor condition. The resurfacing of these roadways 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 this rating and will bring this roadway to a 9 PASER rating for resurfaced streets and a 10 PASER rating for reconstructed streets when the project is complete.

On October 20, 2022, four bids were received with the low bid being submitted by Hoffman Bros., Inc. of Battle Creek, Michigan for the amount of \$3,242,645.15. If awarded, the project construction will begin in June 2023 and be completed by the fall of 2023.

It is recommended that City Council award a construction contract to Hoffman Bros., Inc. of Battle Creek, Michigan for the reconstruction of the 2023 Local Streets Reconstruction project, in an amount not to exceed \$3,242,645.15 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Sufficient funding exists in the Fiscal Years 2021-22 and 2022-23 Capital Improvement Program budgets.

Attachments:

1. Bid Tabulation 2023 Local St Reconstruction
2. Project Area Map

**2022 RFB 2023 LOCAL STREET RECONSTRUCTION
CONSTRUCTION SERVICES
BID TABULATION
BID OPENING ON OCTOBER 20, 2022 AT 3 PM**

	Total Bid
Hoffman Brothers, Inc. 8574 Verona Road Battle Creek, Michigan, 49014	\$3,242,645.15
Peters Construction Co. 3325 E. Kilgore Road Kalamazoo, Michigan, 49001	\$3,324,621.34
Nothern Construction Services, Corp. P.O. BOX 1299 Nikes, Michigan, 49120	\$3,502,924.75
Michigan Paving and Materials 2300 Glendenning Road Kalamazoo, Michigan, 49047	\$3,516,762.96


Opened by: _____
Victoria Barboza, Purchasing Manager

CITY OF PORTAGE
2023 LOCAL STREETS
RECONSTRUCTION PROJECT

SHT NO.	INDEX OF SHEETS	
	TITLE SHEET	TITLE
1	TITLE SHEET	
2	PROPOSED CROSS SECTIONS	
3	STANDARD DETAILS AND NOTES	
4	STANDARD DETAILS AND NOTES - 2	
5	SOIL BORING LOGS - 1	
6	SOIL BORING LOGS - 2	
7	SOIL BORING LOGS - 3	
8	PLAN VIEW - 1 EVERGREEN ST.	
9	PLAN VIEW - 2 EVERGREEN ST.	
10	PLAN VIEW - 3 EVERGREEN ST. DR.	
11	PLAN VIEW - 4 TROWOOD ST.	
12	PLAN VIEW - 5 TROWOOD ST.	
13	PLAN VIEW - 6 WESTCHESTER ST.	
14	PLAN VIEW - 7 WESTCHESTER ST.	
15	PLAN VIEW - 8 PRITZER AVE.	
16	PLAN VIEW - 9 TROWOOD ST.	
17	PLAN VIEW - 10 TROWOOD ST.	
18	PLAN VIEW - 11 KARAMA AVE.	
19	PLAN VIEW - 12 CYPRESS ST.	
20	PLAN VIEW - 13 CYPRESS ST.	
21	GRADING PLAN - 1	
22	GRADING PLAN - 2	
23	INTERSECTION GRADING PLAN - 1	
24	INTERSECTION GRADING PLAN - 2	
25	INTERSECTION GRADING PLAN - 3	
26	INTERSECTION GRADING PLAN - 4	

CITY OF PORTAGE - STANDARD DETAILS

- | | STANDARD 48" DRAINAGE STRUCTURE |
|--------|---|
| SD-101 | STANDARD 48" DRAINAGE STRUCTURE |
| SD-102 | STANDARD CURB |
| SD-103 | STANDARD CURB INLET CASTING |
| SD-104 | STANDARD CURB |
| SD-113 | STANDARD DRAINAGE STRUCTURE |
| SD-117 | RESIDENTIAL DRIVEWAY APPROACH WITHOUT CURBED STREET |
| SD-118 | RESIDENTIAL DRIVEWAY APPROACH WITH CURBED STREET |
| SD-120 | TYPICAL VALVEBOX |
| SD-121 | PROJECT SIGN |
| SD-127 | STANDARD DRAINAGE STRUCTURE (PERFORMED) |
| SD-133 | STANDARD DRAINAGE STRUCTURE |
| SD-138 | STANDARD DRAINAGE STRUCTURE |
| SD-144 | TYPICAL FIRE HYDRANT ASSEMBLY |
| SD-145 | TYPICAL FIRE HYDRANT ASSEMBLY |
| SD-146 | STANDARD VALVE BOX |
| SD-147 | STANDARD VALVE BOX |
| SD-184 | WAVE EXTENSION STEM (VARIABLE) |

MDOT STANDARD PLAN SERIES

- | | |
|---------|---|
| R-28-J | SIDEWALK RAMP AND DETECTABLE WARNING DETAILS |
| R-29-I | DRIVEWAY OPENINGS & APPROACHES AND CONCRETE SIDEWALKS |
| R-83-C | UTILITY TRENCHES |
| R-96-E | SOIL EROSION & SEDIMENTATION CONTROL MEASURES |
| R-100-H | SEEDING AND TREE PLANTING |

TRAFFIC AND SAFETY STANDARD PLANS

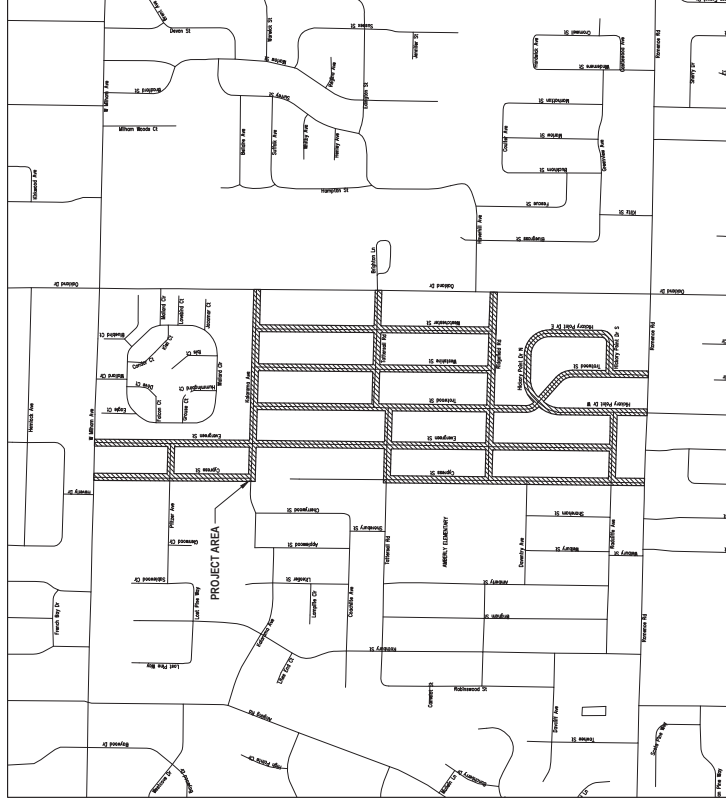
- | | GROUND DRIVEN SIGN SUPPORTS FOR TEMPORARY SIGNS |
|------------|---|
| WZD-100-A* | TEMPORARY TRAFFIC CONTROL DEVICES |
| W70-125-F* | |



COUNTY KEY

NOTES:

EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS OR IN THE PROPOSAL AND SUPPLEMENTAL SPECIFICATIONS CONTAINED THEREIN, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE 2020 MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION.



PROJECT LOCATION MAP

CITY OF PORTAGE OFFICIALS

- PATRICIA M. RANDALL
MAYOR
MAYOR PRO TEM
JOHN PASTOR
COUNCIL MEMBER
JAMES BURNS
COUNCIL MEMBER
LISA BRAYTON
COUNCIL MEMBER
LORI KNAPP
COUNCIL MEMBER
VAC LEDBETTER
COUNCIL MEMBER
TERRY R. URBAN
CITY MANAGER
PATRICK MCINNIS
DIRECTOR OF TRANSPORTATION & UTILITIES
KEDRA JAMES, P.E.
DEPUTY DIRECTOR OF TRANSPORTATION & UTILITIES
JANIE HARMON, P.E.

LOCAL UTILITIES

- SOFER & WILSON**
CITY OF PORTLAND
7719 S. WESTSIDE AVE.
PORTLAND, OR 97202
(503) 286-2166
(203) 324-9235
- ELECTRIC:**
CONSUMERS ENERGY
MARK STREET
KALAMAZOO, MI 49001
ANDRE TAYLOR
andrea.taylor@conenergy.com
- FIBEL OPTIC**
K-RESA
PORTAGE, MI 49002
(269) 709-8321
krc@a-fres.net
- ELECTRIC:**
HOMET ENERGY COOP.
NORTH AVENUE
CASSPOLIS, MI 49031
269-445-1122
nick.adam@hometmiwest.com
- GAS:**
CONSUMERS ENERGY
MARK STREET
KALAMAZOO, MI 49001
RYLE OAK
269-2166
ryle.oak@conenergy.com
- TELEPHONE:**
AT&T - NORTH ROAD
KALAMAZOO, MI 49001
CHRIS O'BRIEN
c.obrien@att.net
cc239@att.net
- CABLE TV:**
COMCAST - 89
RICHMOND, MI 49083
PORTLAND, MI 49083
(269) 203-7199
joseph.schopf@cable.comcast.com
- CHARTER COMMUNICATIONS**
PORTLAND, MI 49002
(269) 762-0638
gary_wilson@charter.com
- FIBEL OPTIC**
201 PAVA AVENUE SW
PORTLAND, OR 97205
(503) 286-2166
(616) 233-7191
correspondence@aisdnet.com
- GAS:**
CONSUMERS ENERGY
SUITE 400
SHAD PARK SQ. #5903
FREMONT, MI 49423
(269) 357-0888
fremont@conenergyservices.com
- TELEPHONE:**
SUITE 400
SHAD PARK SQ. #5903
FREMONT, MI 49085
(269) 357-0888
fremont@conenergyservices.com



CALL MISS DIG

1-800-482-7171 OR 811

Know what's below.
Call before you dig.

FOR PROTECTION OF THE UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL MISS DIG A MINIMUM OF THREE FULL WORKING DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND HOLIDAYS PRIOR TO BEGINNING CONSTRUCTION OPERATIONS. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO MAY NOT BE PART OF THE "MISS DIG" ALERT SYSTEM.



DATE: SEPTEMBER 2022
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REV	DATE
MJS	09/22/2011

ISSUED FOR BID	
PERSON DESCRIPTION:	

Engineering - Architecture - Land Surveying

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Annual City Council Goal Retreat

SUPPORTING PERSONNEL: Adam Herringa, Deputy City Manager
Michael Carroll, Deputy City Manager

ACTION RECOMMENDED: Set a special meeting on November 18, 2022, at 10:30 a.m. at the Portage Zhang Senior Center, 203 East Centre Avenue, for the annual City Council Goal Setting Session.

It is recommended that City Council set a special meeting on November 18, 2022, at 10:30 a.m. at the Portage Zhang Senior Center, 203 East Centre Avenue, for the purpose of conducting the annual City Council Goal Setting Session (Retreat). Further details will be provided to the Council in the near future.

FUNDING: Not Applicable

Attachments: None

Minutes of Boards & Commissions

Portage Senior Citizens (PSC) Advisory Board

Minutes: September 21, 2022

Call to order:

Chairperson Doug Gilchrist called the meeting to order at 2:34 PM.

In Attendance:

Doug Gilchrist (Chairperson), Larry Smith (Vice Chairperson), Joe Magalski (Secretary), Trudy Riker, Art Roberts, John Lobo, , Jean Balazs

Absent-Excused:

Bill Wieringa, Linda Zoeller, Sharon White, Linda Clampi
Genevieve Kim (Youth Advisory Committee), Ashlyn Haigh (Youth Advisory Committee)

Senior Center Staff Present:

Kimberly Middleton

Guests

None

The minutes for the August 17, 2022 meeting were approved; Art made the motion and John seconded it.

Travel Program, Trudy/Art:

- The formal fall trip review will take place on September 24, starting at 9:00 am.

Legislative Update, Art:

- Christine Morse will have another coffee hour talk at the PSC on September 23.
- On September 30, the Salvation Army will be hosting the Kalamazoo County LZ Veteran's Stand Down.
- KCASI's September 19 meeting featured Kalamazoo County Clerk Meredith Place and League of Women Voters and KCASI member, Denise Hartsough, informing about the November 8 election, its security, ballot questions, and more. There was also information on Elder Abuse and Fraud.

Friends of PSC Board Update, Trudy

- The purse sale which took place on September 17 was a big success. It raised about \$10,000. For next year, they want to form a committee to spread out the responsibilities.
- They will be having a donor event on October 20.
- They are looking for a new chairperson.

Youth Advisory Board:

- No report

Managers Report, Kimberly

- Statistics showing the attendance counts for the month of August were provided.

Old Business:

- Update on current status of Senior Center
 - Membership continues to grow, now up over 2300. The last meet and greet for new members had 96 in attendance.
 - Bobby Boyd has resigned.
 - The hours are being expanded; open until 8:30 pm on Tuesday and on Sunday from 2 pm to 5 pm to support the fitness center and pickleball. They have hired a couple of Building Coordinators to accommodate the increase in hours and want to hire more.
 - The annual holiday bazaar and bake sale will take place on November 4. They currently have 25 vendors signed up.
 - They are still in need of additional drivers. Currently, they are able to cover transportation on Monday and Wednesday.

New Business:

- N/A

Activity Reminders

- None

Citizen comments:

- N/A

Advisory Board Comments:

- Trudy - The Shepherd Center is still looking for transportation volunteers.
- Art - Thanked Kimberly for the membership information provided last month.
- Doug thanked the PSC staff for the extra hours they have had to put in over the last few months. He also announced that he is ending his term on the advisory board (after 4 years).
- Joe - announced that he is ending his term on the advisory board (after 3 years).

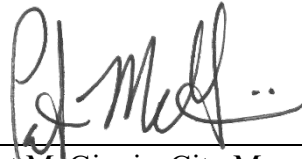
Doug adjourned the meeting at 3:11 pm.

Next meeting: Wednesday, October 19 at 2:30 PM.

MATERIALS TRANSMITTED

Friday, October 14, 2022

1. **AGENDA ITEM E.1** - Applications for the two vacancies on the Human Services Board – Information Only.



Pat McGinnis, City Manager

cc Adam Herringa, Deputy City Manager
Michael Carroll, Deputy City Manager

From: noreply@civicplus.com
To: [City Clerk](#)
Subject: Online Form Submission #9304 for Boards & Commissions Member Application
Date: Wednesday, January 5, 2022 10:35:45 AM

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

Do not click on links or open attachments unless this is from a sender you know and trust.

Boards & Commissions Member Application

Name	Bridget Lane
Street Address	6025 Angling Road
City	Portage
State	MI
Zip Code	49024-1022
Mailing address (if different)	<i>Field not completed.</i>
Home Phone	<i>Field not completed.</i>
Work Phone	<i>Field not completed.</i>
Mobile Phone	
Email Address	
Preferred Method of Contact	Mobile Phone
Education	Bachelors of Science in Psychology from Western Michigan University 2004 Masters of Science in Behavior Analysis & Therapy from Southern Illinois University-Carbondale 2006
Occupation	Behavior Analyst
Volunteer Experience	Portage Library
Please indicate experience and/or qualifications that would help make you an effective member of each board for which	I worked four years for the State of Tennessee in the Department of Intellectual and Developmental Disability Services with a large portion of my job duties focused on issues of Human Rights. I oversaw the Middle Region Human Rights Review Committee as well as 40+ Local Human Rights Committees to ensure compliance with the State's Provider Manual. I have also worked in community settings providing Behavior Analytic services to

you have applied:

clients as well as working in two different State Developmental Centers (Indiana and Tennessee). I also completed consults at various acute psychiatric units in Indiana, and on the long-term units that Middle Tennessee Mental Health Institute in Nashville, TN. I have experience working with seniors with dementia and children, teens, and young adults with autism.

Important Public Records Information

All information submitted in this application is public information and subject to disclosure to a public records request made pursuant to the Freedom of Information Act (FOIA).

Acknowledgment

I understand that appointment to a City of Portage Board or Commission requires attendance at all board meetings. Members with three (3) unexcused absences will be referred to the City Council for review and possible dismissal.

Electronic Signature Agreement

I agree.

Electronic Signature

Bridget Lane

Date

1/5/2022

(Section Break)

Boards and Commissions - Areas of Interest

Instructions: Please review the desired qualifications for each board and commission. Check the appropriate box or boxes to indicate whether you have experience or professional credentials. Rank your preferred board by first, second, or third choice.

Rank

Field not completed.

Board of Review

Members must have interest in property located in the City and experience in matters related to real estate.

Experience

Field not completed.

Rank

Field not completed.

Construction Board of Appeals

Members must be registered contractors with the City and qualified in matters relating to construction.

Experience

Field not completed.

Rank

Field not completed.

Downtown Development Authority

*A majority of members must have interest in property located in the district.
Members must have experience in matters related to redevelopment.*

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	<i>Field not completed.</i>
------	-----------------------------

Economic Development Corporation/Tax Increment Finance Authority &
Brownfield Redevelopment Authority
Members must be qualified by experience in matters related to redevelopment.

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	<i>Field not completed.</i>
------	-----------------------------

Environmental Board
*Members should have interest or qualifications in matters related to the
environment and protection of groundwater resources.*

Experience	<i>Field not completed.</i>
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Rank	<i>Field not completed.</i>
------	-----------------------------

Historic District Commission
*Members should have interest or qualifications in matters related to historic
preservation.*

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	1
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Human Services Board
*Members should have interests or qualifications in matters related to public
assistance.*

Experience	Human/Public Services
------------	-----------------------

Rank	<i>Field not completed.</i>
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Local Development Finance Authority
*Includes one (1) member appointed by the Kalamazoo County Board of
Commissioners; one (1) member appointed by Kalamazoo Valley Community
College; and two (2) members appointed by Portage Public Schools.*

Experience	<i>Field not completed.</i>
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Rank	<i>Field not completed.</i>
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Local Officers Compensation Commission
Members should have knowledge in matters related to public service.

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	<i>Field not completed.</i>
Park Board <i>Members can have interests in a variety of disciplines.</i>	
Experience	<i>Field not completed.</i>
Rank	<i>Field not completed.</i>
Planning Commission <i>Members should have experience in matters related to land use and community development.</i>	
Experience	<i>Field not completed.</i>
Rank	<i>Field not completed.</i>
Senior Citizens Advisory Board <i>Must be at least fifty (50) years of age and have an interest in the rights and abilities of older people to maintain wellbeing and independence.</i>	
Experience	<i>Field not completed.</i>
Rank	<i>Field not completed.</i>
Zoning Board of Appeals <i>Members must be qualified by experience in matters related to construction, land use planning and/or zoning.</i>	
Experience	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Clerk](#)
Subject: Online Form Submission #10583 for Boards & Commissions Member Application
Date: Wednesday, October 5, 2022 9:41:00 PM

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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Boards & Commissions Member Application

Name	Justin C Phan
Street Address	7352 Salerno Circle
City	Portage
State	MI
Zip Code	49024
Mailing address (if different)	7352 Salerno Circle
Home Phone	
Work Phone	<i>Field not completed.</i>
Mobile Phone	<i>Field not completed.</i>
Email Address	
Preferred Method of Contact	Mobile Phone
Education	Masters
Occupation	Investigator
Volunteer Experience	Habitat for Humanity Relay For Life Taste of Kalamazoo
Please indicate experience and/or qualifications that would help make you an effective member of each board for which you have applied:	In my previous role at Pfizer I worked in the Micro lab where we tested water quality. I have ran half marathons and participated in several Kal Haven relay races.

Important Public Records Information

All information submitted in this application is public information and subject to disclosure to a public records request made pursuant to the Freedom of Information Act (FOIA).

Acknowledgment

I understand that appointment to a City of Portage Board or Commission requires attendance at all board meetings. Members with three (3) unexcused absences will be referred to the City Council for review and possible dismissal.

Electronic Signature Agreement

I agree.

Electronic Signature

Justin C. Phan

Date

10/5/2022

(Section Break)

Boards and Commissions - Areas of Interest

Instructions: Please review the desired qualifications for each board and commission. Check the appropriate box or boxes to indicate whether you have experience or professional credentials. Rank your preferred board by first, second, or third choice.

Rank

Field not completed.

Board of Review

Members must have interest in property located in the City and experience in matters related to real estate.

Experience

Field not completed.

Rank

Field not completed.

Construction Board of Appeals

Members must be registered contractors with the City and qualified in matters relating to construction.

Experience

Field not completed.

Rank

Field not completed.

Downtown Development Authority

A majority of members must have interest in property located in the district. Members must have experience in matters related to redevelopment.

Experience

Field not completed.

Rank

Field not completed.

Economic Development Corporation/Tax Increment Finance Authority &

Brownfield Redevelopment Authority

Members must be qualified by experience in matters related to redevelopment.

Experience	Field not completed.
------------	----------------------

Rank	1
------	---

Environmental Board

Members should have interest or qualifications in matters related to the environment and protection of groundwater resources.

Experience	Water Quality
------------	---------------

Rank	Field not completed.
------	----------------------

Historic District Commission

Members should have interest or qualifications in matters related to historic preservation.

Experience	Field not completed.
------------	----------------------

Rank	2
------	---

Human Services Board

Members should have interests or qualifications in matters related to public assistance.

Experience	Human/Public Services
------------	-----------------------

Rank	Field not completed.
------	----------------------

Local Development Finance Authority

Includes one (1) member appointed by the Kalamazoo County Board of Commissioners; one (1) member appointed by Kalamazoo Valley Community College; and two (2) members appointed by Portage Public Schools.

Experience	Field not completed.
------------	----------------------

Rank	Field not completed.
------	----------------------

Local Officers Compensation Commission

Members should have knowledge in matters related to public service.

Experience	Field not completed.
------------	----------------------

Rank	3
------	---

Park Board

Members can have interests in a variety of disciplines.

Experience	Fitness/Recreation, Physical Education
------------	--

Rank	Field not completed.
------	----------------------

Planning Commission

Members should have experience in matters related to land use and community development.

Experience	Field not completed.
------------	----------------------

Rank	Field not completed.
------	----------------------

Senior Citizens Advisory Board

Must be at least fifty (50) years of age and have an interest in the rights and abilities of older people to maintain wellbeing and independence.

Experience	Field not completed.
------------	----------------------

Rank	Field not completed.
------	----------------------

Zoning Board of Appeals

Members must be qualified by experience in matters related to construction, land use planning and/or zoning.

Experience	Field not completed.
------------	----------------------

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [City Clerk](#)
Subject: Online Form Submission #10586 for Boards & Commissions Member Application
Date: Thursday, October 6, 2022 12:27:45 PM

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

Do not click on links or open attachments unless this is from a sender you know and trust.

Boards & Commissions Member Application

Name	Ludim Torres
Street Address	7359 Salerno cir
City	Portage
State	MI
Zip Code	49024
Mailing address (if different)	<i>Field not completed.</i>
Home Phone	269-290-9453
Work Phone	<i>Field not completed.</i>
Mobile Phone	
Email Address	
Preferred Method of Contact	Mobile Phone
Education	Bachelor's in Business Management
Occupation	Loan Officer
Volunteer Experience	United Way, Volunteer . Bronco Bash Volunteer.
Please indicate experience and/or qualifications that would help make you an effective member of each board for which you have applied:	Current Portage resident, and would like to be more involved in the community and learn about the different opportunities available for its residents.

Important Public Records Information

All information submitted in this application is public information and subject to disclosure to a public records request made pursuant to the Freedom of Information Act (FOIA).

Acknowledgment

I understand that appointment to a City of Portage Board or Commission requires attendance at all board meetings. Members with three (3) unexcused absences will be referred to the City Council for review and possible dismissal.

Electronic Signature
Agreement

I agree.

Electronic Signature

Ludim E. Torres

Date

10/6/2022

(Section Break)

Boards and Commissions - Areas of Interest

Instructions: Please review the desired qualifications for each board and commission. Check the appropriate box or boxes to indicate whether you have experience or professional credentials. Rank your preferred board by first, second, or third choice.

Rank

Field not completed.

Board of Review

Members must have interest in property located in the City and experience in matters related to real estate.

Experience

Field not completed.

Rank

Field not completed.

Construction Board of Appeals

Members must be registered contractors with the City and qualified in matters relating to construction.

Experience

Field not completed.

Rank

Field not completed.

Downtown Development Authority

A majority of members must have interest in property located in the district. Members must have experience in matters related to redevelopment.

Experience

Field not completed.

Rank

Field not completed.

Economic Development Corporation/Tax Increment Finance Authority &
Brownfield Redevelopment Authority

Members must be qualified by experience in matters related to redevelopment.

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	<i>Field not completed.</i>
------	-----------------------------

Environmental Board

Members should have interest or qualifications in matters related to the environment and protection of groundwater resources.

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	<i>Field not completed.</i>
------	-----------------------------

Historic District Commission

Members should have interest or qualifications in matters related to historic preservation.

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	1
------	---

Human Services Board

Members should have interests or qualifications in matters related to public assistance.

Experience	Human/Public Services, Public Transportation, Community Development Block Grants (CDBG)
------------	---

Rank	<i>Field not completed.</i>
------	-----------------------------

Local Development Finance Authority

Includes one (1) member appointed by the Kalamazoo County Board of Commissioners; one (1) member appointed by Kalamazoo Valley Community College; and two (2) members appointed by Portage Public Schools.

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	<i>Field not completed.</i>
------	-----------------------------

Local Officers Compensation Commission

Members should have knowledge in matters related to public service.

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	<i>Field not completed.</i>
------	-----------------------------

Park Board

Members can have interests in a variety of disciplines.

Experience	<i>Field not completed.</i>
------------	-----------------------------

Rank	Field not completed.
------	----------------------

Planning Commission

Members should have experience in matters related to land use and community development.

Experience	Field not completed.
------------	----------------------

Rank	Field not completed.
------	----------------------

Senior Citizens Advisory Board

Must be at least fifty (50) years of age and have an interest in the rights and abilities of older people to maintain wellbeing and independence.

Experience	Field not completed.
------------	----------------------

Rank	Field not completed.
------	----------------------

Zoning Board of Appeals

Members must be qualified by experience in matters related to construction, land use planning and/or zoning.

Experience	Field not completed.
------------	----------------------

Email not displaying correctly? [View it in your browser.](#)

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Rezoning Application No. 22/23-5 - 505 and 515 East Centre Avenue

SUPPORTING PERSONNEL: Kelly Peterson, Director of Community Development

ACTION RECOMMENDED: Subsequent to the public hearing, consider approving Rezoning Application No. 22/23-5 to rezone 505 and 515 East Centre Avenue from OS-1 Office Service District to B-1 Local Business District.

OVERVIEW

Craft Investments, LLC, the applicant, submitted rezoning application No. 22/23-5 from OS-1 Office Service District to B-1 Local Business District for 505 and 515 East Centre Avenue to facilitate future commercial development.

The applicant purchased the subject properties and parking lot to the immediate north (7932 Kingston Drive) in July 2021. The subject parcels under the rezoning request are both developed with on-site parking, and both share the parking lot property. Despite the parking lot being integrated with the use of the two subject properties, it is zoned P-1 'Parking' District and is not included in the subject rezoning request.

Per the submitted narrative, the applicant is currently renovating the building at 505 East Centre Avenue for their accounting business; the other property (515 East Centre Avenue) has been available for lease, but the applicant has not found an interested tenant under the current Office Service district. Without securing a lease, the applicant may instead use it for a future café business they would own. The future use as a café business is not permitted land use in the Office Service District. By rezoning both properties to B-1 Local Business, additional commercial uses would be allowed. The applicant finds that 515 East Centre Avenue will lease more easily or allow for their future café business.

If the rezoning application is approved, any future development on the site shall meet all site development standards and permitting procedures under the B-1 district. The two properties (505 & 515 East Centre Avenue) are located along the north side of East Centre Avenue, immediately west of Kingston Drive and east of the new Portage Zhang Senior Center. Properties in the neighborhood consist of commercial businesses along East Centre Avenue and single-family homes along the interior connecting streets.

According to the City Assessor's records, the building at 505 East Centre Avenue was built in 1927. The building at 515 East Centre Avenue was built in 1853 and is listed in the Portage Historic District. The lot size of 505 East Centre Avenue is 0.36 acres (15,681 square feet), and 515 East Centre Avenue is smaller at 0.24 acres (10,454 square feet) in size. The building at 505 East Centre Avenue is currently

being renovated for the applicant's accounting business.

The building at 515 East Centre Avenue is currently vacant; its last use was 'Gasaway Investment Advisors Inc.' Both buildings have unique historical architecture, originally designed for residential use. Both have prominent porch extensions supported by columns, multi-pane windows, brick chimneys, and other similarities. Both lots have tall, mature trees and various landscaping, and a short retaining wall along the East Centre Avenue sidewalk. Although both properties face East Centre Avenue, only 505 East Centre Avenue has direct access; 515 East Centre Avenue only has access off Kingston Drive.

The following table summarizes the **existing conditions** in this general area:

Existing Land Use/ Zoning	The subject properties consist of development parcels and zoned OS-1 Office Service district. • <u>North</u>: Parking lot (owned and used by applicant); 7932 Kingston Drive; Zoned P-1 'Parking'. • <u>South</u>: (across East Centre Ave.): Single Family House; 504 East Centre Ave.; Zoned OS-1 Office Service district. • <u>East</u>: (across Kingston Drive): Paragon Home Healthcare; 601 East Centre Ave.; Zoned OS-1 Office Service district. • <u>West</u>: Fred Oppel - closed dental business; 425 East Centre Ave.; Zoned OS-1 Office Service district.
Public Streets	2022 East Centre Ave. between Currier Drive and Garden Lane recorded 20,715 total AADT trip counts. (AADT - Annual Average Daily Trips) Recorded by Kalamazoo Area Transportation Study (KATS). No trips counted along interior residential neighborhood streets.
Public Utilities	City sanitary sewer and water are available along East Centre Avenue.
Environment	The two properties are developed, each with a two-story non-residential building.
Unique Conditions	No mapped wetlands or flood hazards exist on the site. No mapped or identified historic structures/ buildings exist on 505 East Centre Ave. The building at 515 East Centre Avenue is listed in the City of Portage Historic District.

ANALYSIS

The following sections apply: Chapter 42. Division 8. Subsection 651 Amendments to this Article. Procedures and regulations apply and are addressed further in this report:

- [Sec. 42-651. Amendments to this Article](#)

Under this article, the rezoning request shall file a rezoning application and fee, and be scheduled for

review during public hearings for the Planning Commission and City Council. Issues to be analyzed include consistency with the Future Land Use Map, suitability of the existing zoning classification, and the impact of the proposed zoning classification.

Current Zoning: OS-1 Office Service District

The two subject properties are currently zoned OS-1 Office Service. The intent of the OS-1 district is to accommodate office and institutional land use activities and is planned to serve as transitional areas between residential districts and commercial districts and between major thoroughfares and residential districts. Only office-related uses such as banks, medical offices, personal services (e.g. salons), accounting offices, and other similar uses are allowed. Office space and employment have been evolving in recent years due to the COVID pandemic, revealing a decrease in demand for traditional commercial office space, and a challenging market in which to retain office tenants and fill vacant office spaces. This has required property owners and landlords to re-evaluate office space needs, and the city to reevaluate related zoning and land uses. The Planning Commission recently approved Rezoning No. 22/23-2 from OS-1 to B-1 Local Business District for 377, 387, 397 West Kilgore Road to facilitate future commercial development on August 4, 2022, and it was approved by City Council on September 20, 2022.

Proposed Zoning: B-1 Local Business District

The intent of the [B-1 Local Business District](#) is designed for low-intensity commercial uses, providing convenient shopping and service needs of persons residing in neighboring residential areas or to provide a transitional zone between differing zoning districts and/or along major thoroughfares. The following uses are principally allowed in the B-1 district:

1. Any principal is permitted use in the OS-1 office service district.
2. Retail businesses supply commodities on-premises directly to consumers with a GLA of 10,000 square feet or less.
3. Key shops and film drops within parking lots, provided that the use shall not interfere with normal, planned circulation flow traffic.
4. Restaurants, 1,500 square feet UFA or less, excluding drive-in and/or drive-through services or those whose primary use is the service of alcoholic beverages.
5. Dry cleaning retail establishments, but not including central dry-cleaning plants serving more than one retail establishment.
6. Religious institutions.
7. A specialized agricultural use of land operating and in existence on the effective date (insert date) of this amendment, and land contiguous with and owned by a person operating such an adjoining parcel on the effective date of this amendment shall be considered conforming for all purposes under this article.
8. Accessory buildings and uses are customarily found in connection with the uses in this district.

Additionally, the following use (among others) is [allowed with an approved Special Land Use Permit](#) (requires Planning Commission approval): *Retail businesses supplying commodities on-premises directly to consumers with a GLA of greater than 10,000 square feet and up to 20,000 square feet.*

Comprehensive Plan

The Future Land Use Map component of the [Comprehensive Plan](#) designates 505 East Centre Avenue as 'Office' and 'City Centre'; and designates 515 East Centre Avenue as 'Office'. To the west, properties are fully designated 'City Centre' and encompass many civic uses (library, city hall, fire station, and

others). To the east along East Centre Avenue, properties are designated ‘Office’ and transition to ‘Low-Density Residential’ within the residential neighborhoods.

The ‘Office’ designation encourages office-based land uses (i.e. banks, CPAs, and service uses such as salons) and matches the current OS-1 Office Service zoning district. The ‘City Centre’ designation encourages the creation of a ‘downtown’ with core activities for public facilities, common theme design, pedestrian linkages, and complementary land uses.

Further, the Plan provides the following strategy: *“Local Neighborhood Business Strategies: Continue to encourage a range of uses associated with day-to-day neighborhood needs. The selective mixing of uses (e.g. convenience store, coffee shop, ice cream shop, and other similar uses) should be encouraged.”*
“General Business Strategies: Due to the linear development character along major streets, general business areas will likely continue to experience development pressures to expand. Appropriate locations to provide expansion opportunities should be identified and the impact of expansion should be carefully measured.”

Suitability of B-1 Zone/ Neighborhood Harmony

The proposed rezoning will create a new B-1 district within the area. A B-3 district is located nearby to the west and covers properties along East Centre Avenue such as the Dairy Queen, NAPA Auto Parts, and others. The city may explore the potential for a mixed-use zoning district to achieve or expand the City Centre designation in the upcoming Master Plan update. Any future mixed-use district is likely to be close to or encompass the two subject properties. Rezoning these properties to B-1 will allow uses that are primarily small neighborhood-scale commercial retail and restaurants, while also allowing office uses.

Access to the sites is expected to utilize the existing driveways. Further, the shared parking lot (7932 Kingston Drive) is also expected to continue to be used for both subject properties and remain zoned P-1. There is an existing fence along the northern property line of the parking lot, which buffers vehicle activity from the residence to the north (7928 Kingston Drive). Commercial activities on the two subject properties are expected to face East Centre Avenue, away from the abutting residential property. Any planned exterior work on 515 East Centre Avenue is required to be reviewed by the City of Portage Historic District Commission for historic preservation purposes.

PUBLIC HEARING

A public hearing for this rezoning application was opened at the September 15, 2022, Planning Commission meeting. During the meeting, the Commission discussed the proposed rezoning. The applicant, Sean Craft, Craft Investments LLC, was present to discuss the rezoning and future use of the site. There was no public comment on this item at the meeting. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

After careful consideration, the Planning Commission voted unanimously (8-0) to recommend to City Council the approval of rezoning application No. 22/23-5 to rezone 505 and 515 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to expand future commercial development opportunities.

RECOMMENDATION

It is therefore recommended that City Council, subsequent to the public hearing, consider approving

Rezoning Application No. 22/23-5 to rezone 505 and 515 East Centre Avenue from OS-1 Office Service District to B-1 Local Business District.

FUNDING: Not Applicable

- Attachments:**
1. Rezoning Application
 2. Project Narrative
 3. Existing Zoning Map
 4. Comp. Plan - Future Land Use Map
 5. Staff's Site Pictures; 9.1.22
 6. PC Transmittal dated September 21, 2022
 7. Proposed Ordinance
 8. Zoning Map
 9. Planning Commission Minutes dated September 15, 2022
 10. Public Comments as of 9/14/2022

ZONING MAP OR ZONING TEXT AMENDMENT INFORMATION

This information is intended to assist the applicant in the process to 1) amend the official zoning map and/or 2) change an existing or add a new Zoning Code Regulation contained in the municipal code (Article 4 of Chapter 42, Land Development Regulations) pursuant to Section 42-651. Questions regarding the amendment process should be directed to the Department of Community Development at (269) 329-4477.

Overview

The official zoning map for the City of Portage delineates the location and boundaries of the zoning districts described in the Zoning Code. A Zoning Code regulation is a provision contained in the City of Portage Municipal Code that regulates development of land including principal and permitted uses, lot size and building setbacks, site plan review, off-street parking, site lighting, among other provisions.

Periodically, the Zoning Code regulations and/or zoning map require updating as a result of changes to community goals and objectives that govern land use development, modifications to business operations, changes in construction technologies, land use patterns, improved customer service, among several others. An amendment may be proposed in conjunction with a proposal to amend to the City of Portage Future Land Use Plan Map contained in the Comprehensive Plan if the proposed zoning map or text amendment is inconsistent with the Comprehensive Plan. Regardless of whether a Comprehensive Plan amendment is involved, all zoning code and/or zoning map amendments must be submitted consistent with application process requirements.

Who May Request a Zoning Amendment?

Any person or entity (e.g., city resident, property owner, City Manager, Planning Commission, City Council) may initiate a Zoning Code text or zoning map amendment. If a zoning map amendment involves a larger area and several parcels of land, a petition signed by the effected property owners acknowledging and supporting the zoning change must accompany the application form.

Application Fee

The application fee to process a Zoning Code regulation amendment remains at \$850. A Zoning Map amendment is \$1,130 for the first acre plus \$80 for each additional acre. The review fee is intended to recover costs associated with required legal notices, public hearings and a limited amount of staff/attorney time necessary to process each application.

Review procedure

1. Application. Completion of the attached application form is the first step in the process to request an amendment to a Zoning Code regulation or Zoning Map. The application form and current Community Development Fee Schedule is available on-line at www.portagemi.gov/Departments/Community-Development/PermitsInformationalForms.aspx and at City Hall in the Department of Community Development. In addition to the application form, other related application materials that explain the request and application fee must also be submitted. A pre-application meeting with city staff is encouraged prior to submittal of a rezoning application.
2. Consistency with adopted Land Use Goals and Objectives. An application for a Zoning Amendment will be evaluated based on adopted land use goals and objectives including those contained in the Comprehensive

Plan. The applicant should become familiar with the Comprehensive Plan and in particular Chapter 4, Land Use and the Development Guidelines contained in Chapter 7, Implementation for general guidance on the appropriateness of a zoning change. The Comprehensive Plan, including the Development Guidelines, is available on-line at www.portagemi.gov. Department staff is also available to provide the applicant assistance in evaluating the proposed zoning amendment in relation to important community goals and objectives.

The Development Guidelines are intended to be used in the review of development proposals, including zoning changes. The guidelines provide direction and underpinning for regulations that affect land use, including zoning changes.

The following guidelines are intended to provide the applicant with a general indication that the proposed zoning change is (in)consistent with adopted community goals and objectives before the application is submitted:

- ✓ Have circumstances changed since establishment of the current zoning map or zoning district to warrant the proposed amendment?
- ✓ Is the request consistent with applicable policies, recommendations of the Plan and/or Future Land Use Plan Map?
- ✓ Are the uses allowed in the requested zoning district appropriate for the area given the size and character of the site and surrounding land uses?
- ✓ Can traffic associated with the project be accommodated by the existing transportation network?
- ✓ Will the effects of the proposed zoning change and/or land uses negatively impact adjacent or nearby residential neighborhoods or environmentally sensitive areas? If so, can the effects be adequately mitigated?
- ✓ Can the potential land uses allowed in the zoning district be accommodated by the existing utility infrastructure and services? Development should be in areas that are or are planned to be served by public utilities and services.
- ✓ Is there a lack of available land zoned the same or similar to the requested zoning district, including land that could be redeveloped?
- ✓ Refer to Chapter 7 for other applicable Development Guidelines related to a specific zoning request.

If the zoning change request is not consistent with the Comprehensive Plan, an amendment to the Plan can be considered

3. Public Hearing/Comment. The City of Portage will provide public notice and an opportunity for public comment. Once all required information has been received, the application will be scheduled for the next available Planning Commission meeting. The Planning Commission meets the first and third Thursday of every month and a complete application must be submitted at least 30 days in advance of the first hearing date. State law and local ordinance require 1) notification in a newspaper of general circulation and 2) notice to property owners/occupants at least 15 days before the date of the public hearing. The applicant or his/her representative must be present during the public hearing process.

4. Planning Commission and City Council Review. The Planning Commission policy regarding changes to a Zoning Code regulation or Zoning Map is to convene a public hearing over the course of two meeting dates. During this time, the Commission will evaluate the proposed amendment including public comment and the professional staff recommendation. At the conclusion of the second meeting date, the Commission will provide a formal recommendation to the City Council. Upon receipt of the Planning Commission recommendation and application materials, the City Council will set a date for a second public hearing. The entire review process will take approximately 3-4 months.

For further information regarding the zoning amendment process, please contact the Department of Community Development at (269) 329-4477.

APPLICATION FOR ZONING AMENDMENT

Application number _____

Date August 2, 2022

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. *Please note: City Staff and/or Planning Commissioners may visit the subject property while the application is under review.*

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 8, 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 505 & 515 E Centre Avenue between Kingston Street and Currier Street on the North side of the street, and is known as Lot Number(s) _____ of _____ Plat (Subdivision). It has a frontage of 198 feet and a depth of 132 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).

2. a. Do you own the property to be rezoned? Yes ☒ No ☐

b. Name of the owner of the property to be rezoned: Craft Investments, LLC

Address 1403 S Burdick Street, Kalamazoo, MI 49001

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

4. CURRENT ZONING: OS-1 Office PROPOSED ZONING: B-1 Local Bus Dist

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.

eSigned via SeamlessDocs.com
Shawn Craft
Key: 126d748702aec13d85461db6f42d734b

(Signature of Applicant)

(Signature of Applicant)

(Address)

(Address)

(Phone)

(Phone)

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

CRAFT INVESTMENTS, LLC
1403 S Burdick Street
Kalamazoo, MI 49001

July 31, 2022

City of Portage
Department of Community Development
7900 S Westnedge Avenue
Portage, MI 49002

Re: Application for Zoning Amendment Attachment

ZONING MAP AMENDMENT #3 - My Interest in the Property and Purpose for Submitting the Proposed Zoning Map Amendment:

I am the sole owner of Craft Investments, LLC and own both sites listed on the application.

505 E Centre Avenue: This site is currently being updated for the future location of Shawn Craft, PC, which is an accounting firm. I am the sole owner of Shawn Craft, PC. Although B-1 zoning is not required for my accounting firm, I desire the change to allow for expanded commercial options in the future as this section of Centre Street continues to be redeveloped.

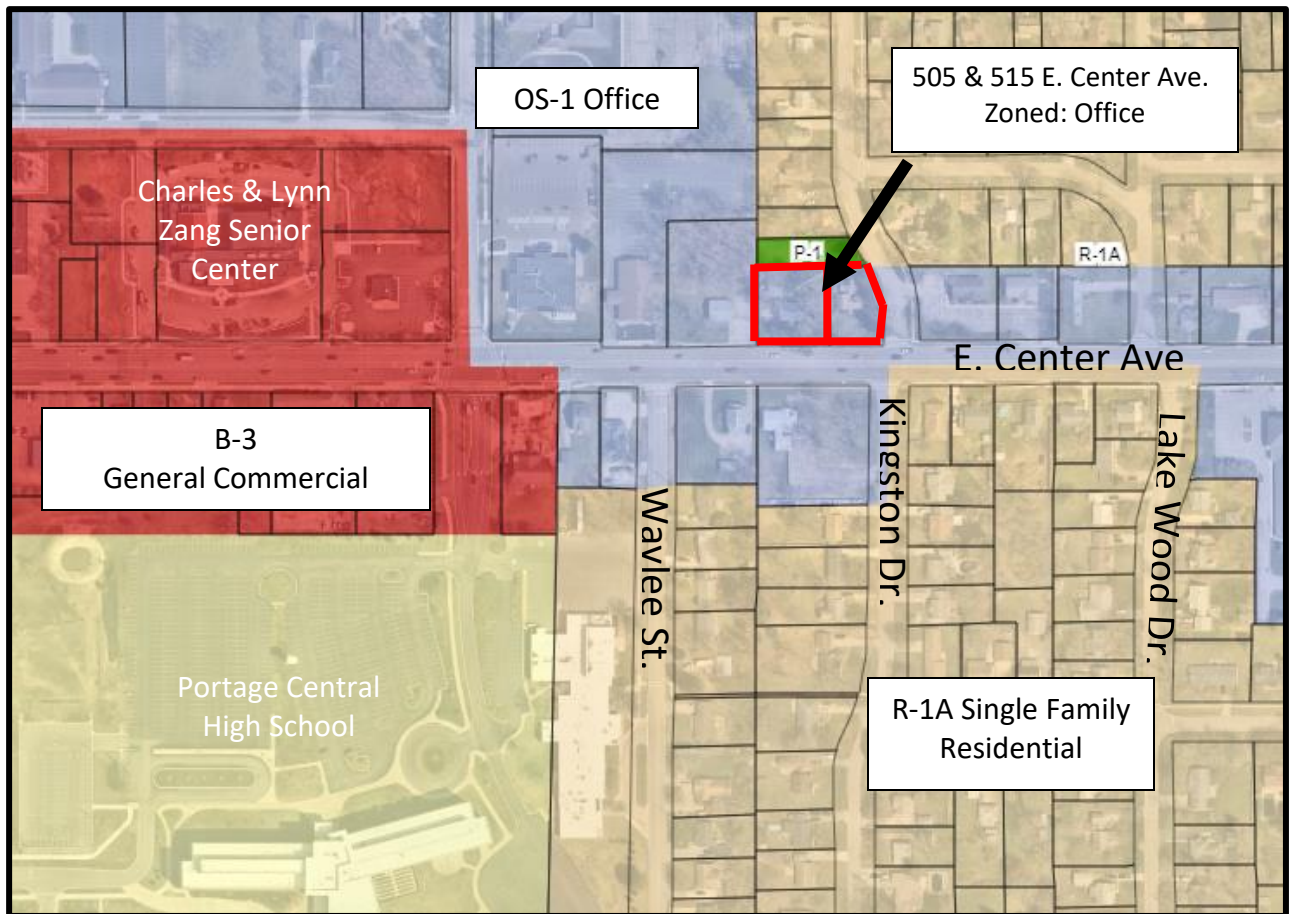
515 E Centre Avenue: This site is currently vacant, and I have struggled to rent this property given the current zoning of OS-1. I have had interested parties looking to rent this site for a salon, coffee shop, and/or internet café. I have also considered opening a such business myself if a tenant cannot be found. Following are what we believe to be positive aspects supporting our application:

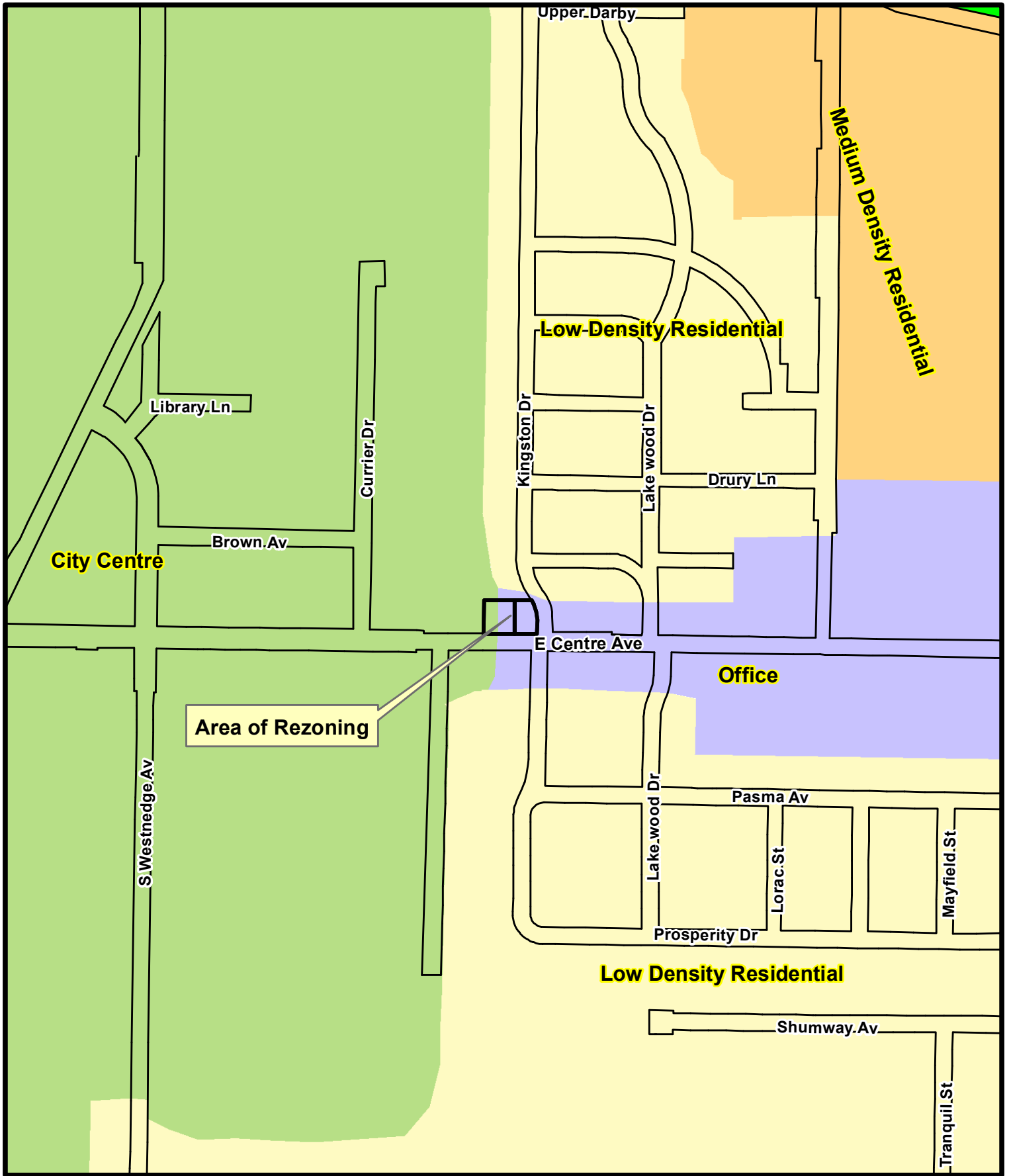
- The site is very close in proximity of various commercial uses to the West and across E Centre Avenue;
- The site is also very close to the 'City Center' Future Land Use classification which recommends a mix of commercial uses and higher density residential uses;
- Over the past 10 years, there has been a transition of land development along E and W Centre Avenue from existing low-density residential to office and high density residential, which may support future small businesses such as salons, coffee shops, and internet cafes;
- The site to the North of 505 and 515 E Centre Avenue is zoned P-1 Parking District and exists as a parking lot to serve users of those two sites. I own this property as well, and do not intend to change the current zoning classification;
- 505 and 515 E Centre Avenue front E Centre Avenue and, thus, has a commercial-market attraction/benefit;

- The proposed rezoning will re-utilize a vacant, historic building which will expect to result in continued maintenance and use of the historic value to the community;
- The site is within walking distance for residents to the North (i.e., along Kingston Drive, Beauvois Avenue, etc.); and
- The site is adjacent to other commercial uses (i.e., future accounting office at 505 E Centre Avenue, across Kingston Drive from a health clinic, etc.).

Approval of this zoning map amendment would allow a much greater portion of the community to enjoy the beauty of this historic site. My plans for rezoning would not require any exterior changes.

Existing Zoning Map





- Notification parcel
- Low Density Residential
- Single-Family Detached-Medium Density Residential
- Medium-Density Residential
- High Density Residential
- Local Business
- Regional Business
- General Business
- Office
- Shaver Road Business Corridor
- Research, Development & Technology
- General Industrial
- Park / Recreation
- Gourdneck State Game Area
- Public
- City Centre

Future Land Use Map Rezoning: 22/23 - 5 505, 515 East Centre Avenue



1 inch = 500 feet

Staff's Site Pictures – September 1, 2022



Figure 1: Façade elevation of 505 E. Centre Avenue. Built in 1927.



Figure 2: Rear elevation of 505 E. Centre Avenue. Private, common parking lot to the right (north).



Figure 3: Façade elevation of 515 E. Centre Avenue. Built in 1853, listed on the City of Portage Historic District.



Figure 4: Rear elevation of 515 E. Centre Avenue. Kingston Drive to the left (East).



Figure 5: Looking west at private, shared parking lot for 505 & 515 E. Centre Avenue. Access to parking lot from Kingston Drive (not pictured).



Figure 6: Looking north at side yards between 505 and 515 E. Centre Avenue buildings.



Department of Community Development

TO: Honorable Mayor and City Council
FROM: City of Portage Planning Commission
DATE: September 21, 2022

SUBJECT: Rezoning Application No. 22/23-5 to rezone 505 and 515 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District

At the September 15, 2022 meeting, the Planning Commission reviewed and discussed rezoning application # 22/23-5 from OS-1 Office Service District to B-1 Local Business District to expand future commercial development opportunities at 505 and 515 E. Centre Avenue. The applicant, Sean Craft, Craft Investments LLC, was present to discuss the rezoning and future use of the site. There was no public comment on this item at the meeting. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

The Planning Commission voted unanimously (8-0) to recommend to City Council the approval of rezoning application No. 22/23-5 to rezone 505 and 515 E. Centre Avenue from OS-1 Office Service District to B-1 Local Business District to expand future commercial development opportunities.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION



Dan Corradini
Chairman

Attachments: September 15, 2022 Planning Commission meeting minutes.

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

THE CITY OF PORTAGE ORDAINS:

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

<u>Street Address</u>	<u>Parcel ID Numbers</u>
505 E. Centre Avenue	04200-001-O
515 E. Centre Avenue	04200-003-O

as more specifically described: LAKEWOOD HOMESITES LOTS 1-2, and LAKEWOOD HOMESITES LOT 3

From OS-1 Office Service District to B-1 Local Business District.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Patricia M. Randall, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2022.

Erica Eklov, City Clerk

Approved as to Form:

Date: 9.20.2022

By: Catherine Keefauver
City Attorney

**ADOPTION OF ZONING ORDINANCE
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 adopted by the City Council at a regular meeting held on the _____ day of _____, 2022, and will become effective _____, 2022.

NOTICE IS FURTHER GIVEN that Article 4 (Zoning) of Chapter 42, Land Development Regulations, of the Codified Ordinance of Portage, Michigan, has been amended 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:

<u>Street Address</u>	<u>Parcel ID Numbers</u>
505 E. Centre Avenue	04200-001-O
515 E. Centre Avenue	04200-003-O

as more specifically described: LAKEWOOD HOMESITES LOTS 1-2, and LAKEWOOD HOMESITES LOT 3

From OS-1 Office Service District to B-1 Local Business District.

PLEASE TAKE NOTICE that a copy of the Ordinance as amended may be purchased or inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. Further, a copy of a map showing the property rezoned is also available at the time and days noted above.

Dated: _____

Erica Eklov, City Clerk

**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 _____, 2022, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2022, at 7:00 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:

<u>Street Address</u>	<u>Parcel ID Numbers</u>
505 E. Centre Avenue	04200-001-O
515 E. Centre Avenue	04200-003-O

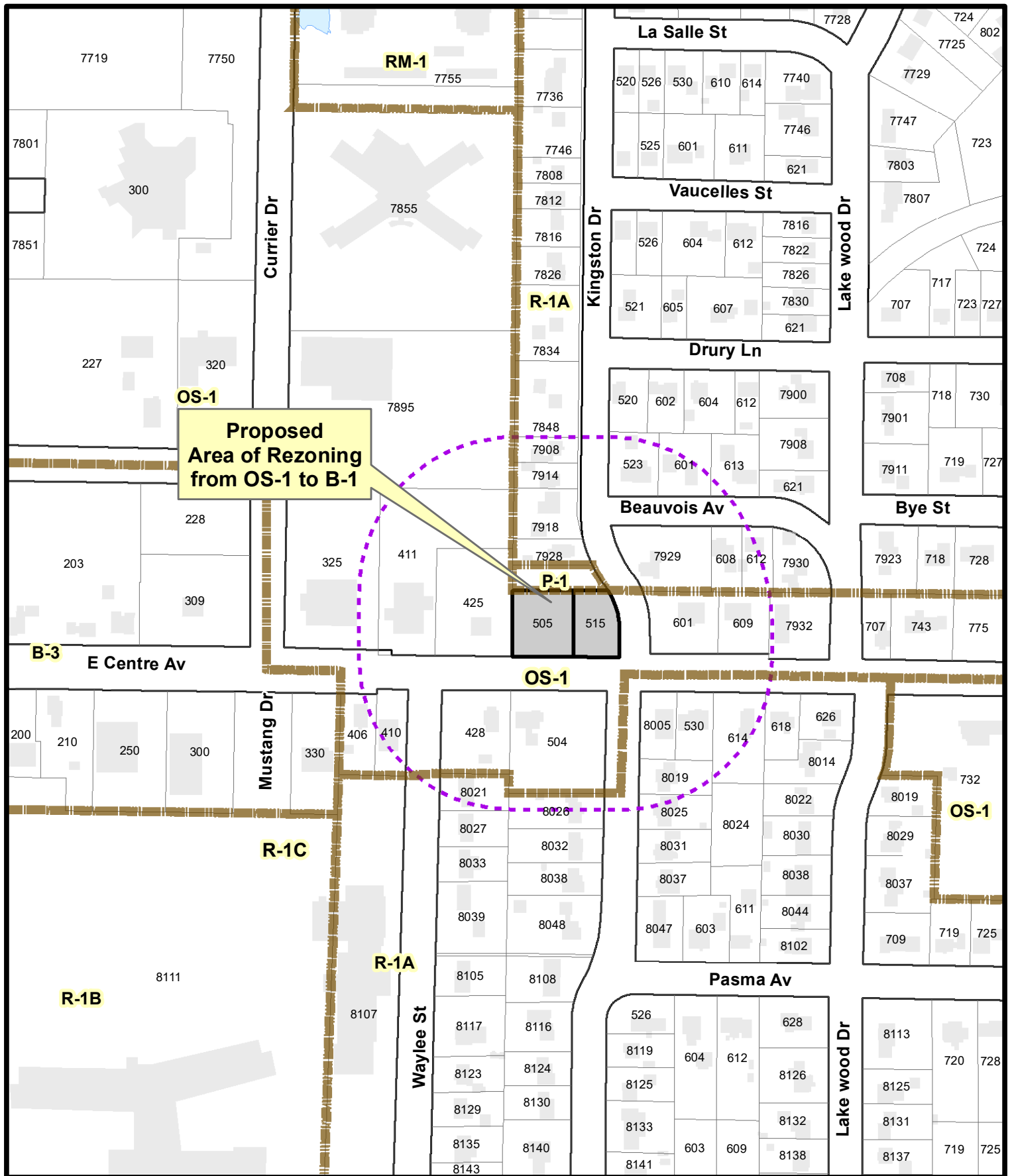
as more specifically described: LAKEWOOD HOMESITES LOTS 1-2, and LAKEWOOD HOMESITES LOT 3

From OS-1 Office Service District to B-1 Local Business District.

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: _____

Erica Eklov, City Clerk



-  Zoning Boundary
-  300' Notification Area
-  Subject Parcel

Rezoning: 22/23 - 5

505, 515 East Centre Avenue



1 inch = 250 feet

CITY OF PORTAGE PLANNING COMMISSION

Thursday, September 15, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of September 15, 2022, was called to order by Chairman Corradini at 7:00 p.m.

IN ATTENDANCE

- Eric Feldt, City Planner/Project Manager
- Catherine Kaufman, City Attorney
- Biqi Zhao, Deputy Director of Planning and Zoning
- Pat McGinnis, City Manager

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (excused); Adams (yes); Youngs (yes); Casper (yes); and Freiman (yes).

Vice Chair Joshi motioned to excuse Commissioner Baldwin; Commissioner Freiman supported the motion. Motion carried 8-0.

APPROVAL OF MINUTES

Motion by Vice Chair Joshi, seconded by Commissioner Fries to approve the Planning Commission Meeting Minutes of September 1, 2022. Motion carried 8-0.

PUBLIC HEARINGS

1. Edward Rose & Sons requests rezoning application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

Mr. Feldt indicated that this project was tabled to today's Planning Commission meeting from the August 18th meeting at the request of the applicant. Further, he stated that staff received additional public comment which is in the packet. Mr. Feldt also indicated that there have been no changes to the proposal. Staff's recommendation is if no additional public comment is requested and the Commission is supportive of the proposed rezoning request, that the Planning Commission recommend to City Council approval of the rezoning application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

Applicant, Kirsten Rimes, 6101 Newport Road, Portage Michigan, representative for Edward Rose and Sons stepped forward. She described the zoning request and addressed the concerns of traffic, property values, crime, and open space. She further assured that the proposed rezoning and future development of a multifamily would have minimal impact on the surrounding neighborhoods.

Chair Dan Corradini asked how they would guarantee that an increase of neighborhood traffic would not occur. He then opened the public hearing.

- Aimee Kirnowicz, 5306 Barrymoore Street, Portage, MI. expressed concerns about perceived traffic volume and safety issues at Milham approaching traffic circle at 12th Street and Texas Corners.
- Mohan Gullapalli, 5127 Chasemoore Court, Portage, MI. expressed concerns about perceived traffic issues and impacts to property values.
- Robert Williams, 10930 South Westnedge Avenue, Portage, MI. expressed that he felt there was an abundance of apartments in the City and voiced opposition to building more.
- Susan Hagenbarth, 4673 Chasemoor Drive Portage, MI. expressed concerns about perceived traffic issues.
- Lynnae Stankus, 4759 Chasemoor Drive Portage, MI. expressed concerns about perceived increases in traffic volume and safety concerns with the addition of new apartments.
- Ron Pelak, 5155 Chasemoor Court Portage, MI., and Fox Valley HOA President, expressed perceived concerns related to traffic and crime in relation to the rezoning, and general concern about area density.
- Matt Quardokus, 4783 Idlewood Portage Michigan. expressed the need for housing in Portage but stated he did not believe the location for the Fox Valley rezoning is appropriate.

Vice Chair Joshi motioned to close public hearing; Commissioner Pezzoli supported the motion to close the public hearing. Chair Corradini asked each Planning Commission for their comments on the proposal.

Commissioner Adams asked Attorney Kaufman if the City is opening itself up to any type of litigation by approving a project considering it is not concurrent with the City's Master Plan. Catherine Kaufman replies that "zoning that is in compliance with the Master Plan is more defensible."

Commissioner Youngs stated that he would prefer changes be made to Fox Valley area to address and mitigate traffic concerns if the project were to be developed.

Commissioner Pezzoli expressed issues of traffic flow and the current shortage of housing; stating that Portage demographics are changing and there is an increased need of apartments.

Commissioner Fries broached the issue of the City's current Master Plan (2014) being outdated, and stated that it would consider higher density living if it were updated today.

Vice Chairwoman Joshi reiterated the need for more affordable housing but expressed the opinion that the proposed site may not be a great location for the project.

Commissioner Freiman stated support for need of higher density housing but expressed his opinion that the site wasn't the most logical location for the project.

Commissioner Kasper expressed an opinion that the property is not appropriate for increased density housing.

Chair Corradini stated that he read all public comments, researched the proposal, summarized the proposal, described the neighborhood, indicated the lot is land-locked location. He expressed that he perceived that the project would result in increased traffic. He stated that he has a hard time seeing any RM-1 development on this lot. Further, Mr. Corradini indicated the use of the existing Comprehensive Plan for reviewing this proposal, and that the City will be updating the plan soon. Lastly, he summarized his comments in consistency with the current 2014 Master Plan and expressed that he was not supportive of the rezoning.

Vice Chair Joshi motioned to recommend denying rezoning application No. 22/23-3 Fox Valley Drive from R-1C Single-Family Residential to RM-1 Multifamily Residential for future multi-family housing development to City Council. The motion was seconded by Commissioner Kasper.

Attorney Kaufman clarified that the motion as presented by staff is to recommend approval. However, the motion presented by Vice Chair Joshi is to recommend denial. Attorney Kaufman helped clarified to the Commission that a 'yes' vote means that the Commission is voting to recommend against the rezoning. Upon roll call vote: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (no); Pezzoli (no); Baldwin (excused); Adams (yes); Youngs (yes); Casper (yes); and Freiman (yes). The motion to recommend denying rezoning No. 22/23-3 passed 6-2.

2. A Preliminary Plat approval for Oakland Farms No. 3 residential subdivision at 9840 Oakland Drive.

Mr. Feldt summarized the project and indicated that staff analysis found that the proposal is consistent with City of Portage subdivision regulations. Mr. Feldt indicated that staff recommends that the Planning Commission recommend to City Council for approval of preliminary plat for Oakland Farms No. 3 residential subdivision at 9840 Oakland Drive with the following conditions:

1. A minimum of 5-foot wide soft/hard surface groomed trail shall be installed within the city's water main easement area (between the new Windflower Lane cul-de-sac and Honey Creek Trail/ Oakland Farms Trail intersection.)
2. Prior to construction of the public water and sewer mains, a public utility plan shall be submitted and approved by the City of Portage.

Mr. Feldt stated that the first condition is recommended because it will provide a new trail to increase pedestrian connections and pedestrian safety within the neighborhood; it's within the existing City easement; and does not prevent future housing development. He indicated that the developer opposes this condition due to liability issues, maintenance issues, and is undesirable by future homeowners. He added that the second condition is a standard recommended for developments connecting to City utilities.

Applicant, Dan Martz, 7545 South 10th Street Portage, MI. provided a summary of the project, and stated his opposition of Condition 1, as it would interrupt the proposed and future lots and houses near the proposed trail.

Commissioner Fries asked if the proposed trail would change the setback on impacted lots/houses. Mr. Martz explains that due to the zoning, the front and side setbacks would remain the same; although it may restrict Lot 57 more than others.

Commissioner Kasper asked if these were the same conditions set for any of the other phases in the planning process. Mr. Martz answered that this is a new condition.

Chairman Corradini opened the public hearing.

- Karen Wyatt, 9944 Mozart Street Portage, MI voiced concerns of forested areas being altered due to construction of new homes.
- Judith Davidson 2604 Chopin Ave Portage, MI voiced concerns of altered nature aesthetic due to the construction of new homes.

Vice Chair Joshi motioned to close public hearing; Commissioner Fries supported. Motion passed 8-0.

Commissioner Kasper made a motion to recommend to City Council approval of preliminary plat for Oakland Farms No. 3 residential subdivision at 9840 Oakland Drive without the City's condition of adding a trail along the City's watermain easement. Commissioner Kasper added to the motion Condition 2 that prior to construction of the public water and sewer mains, a public utility plan shall be submitted and approved by the City of Portage. Chair Corradini clarified the motion from Mr. Feldt who indicated that the motion was the same as indicated in the staff report without Condition 1. Motion was seconded by Commission Pezzoli. Motion passes 8-0.

3. Craft Investments, LLC requests rezoning application No. 22/23-5 from OS-1 Office Service District to B-1 Local Business District for 505 and 515 E. Centre Avenue to facilitate future commercial development.

Mr. Feldt summarized the project, the surrounding area, presented the City's zoning map and Comprehensive Plan Future Land Use Map, and showed pictures of the two sites and adjacent properties. He stated that staff supports the proposed rezoning as it is consistent with the intent of Comprehensive Plan.

Applicant Sean Craft, 1403 South Burdick Street, Kalamazoo, MI spoke on opening zoning districts in order to conduct more business, explained difficulty of the existing office district, and possibly starting more family businesses in area.

Chairman Corradini opened the public hearing. No public testimony was received. Vice Chair Joshi motioned to close public hearing; Commissioner Fires supported. Motion passed 8-0.

Commissioner Fries motioned to recommend the City Council approve rezoning application 22/23-5 from OS-1 Office Service district to B-1 Local Business district for 505 and 515 E. Centre Avenue to facilitate future commercial development. Motion was seconded by Commission Pezzoli. Motion passed 8-0.

SITE/FINAL PLANS

None.

NEW BUSINESS

None.

OLD BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS

Commissioner Kasper asked about future rezoning and development of properties west of 505 E. Centre Avenue, and if the City would rezone properties without approval or notification of property owners. Mr. Feldt indicated that there is some support for future rezoning consistent with the City Centre Future Land Use Map within the current Comprehensive Plan and that standard notification processes would be followed.

Commissioner Pezzoli stated he would be absent for the next Planning Commission meeting (October 6, 2022).

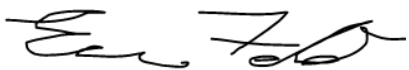
STATEMENT OF STAFF

None.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 8:59 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Eric Feldt', written in a cursive style.

Eric Feldt, AICP, CFM
City Planner/Project Manager

Eric Feldt

From: Rich Macal <richandmacal@gmail.com>
Sent: Monday, September 12, 2022 2:45 PM
To: Eric Feldt
Subject: rezoning at 505 and 515

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

Do not click on links or open attachments unless this is from a sender you know and trust.

Hello Eric,

This is Rich and Macal DeNeve from 7929 Kingston Dr, Portage, MI 49002. We are writing to express our potential concern over the rezoning of the 505 and 515 Center properties. Kingston is already a very busy road and we feel something like a cafe or coffee shop could cause a lot more traffic. We are directly across from the properties driveway and feel we could suffer due to the shape of the road. We already have issues with speeding and careless driving coming off of Center to Kingson and do not wish to make it any worse.

Thank you,

Macal DeNeve
269-377-8488

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Rezoning Application No. 22/23-3 - 4670 Fox Valley Drive

SUPPORTING PERSONNEL: Kelly Peterson, Director of Community Development

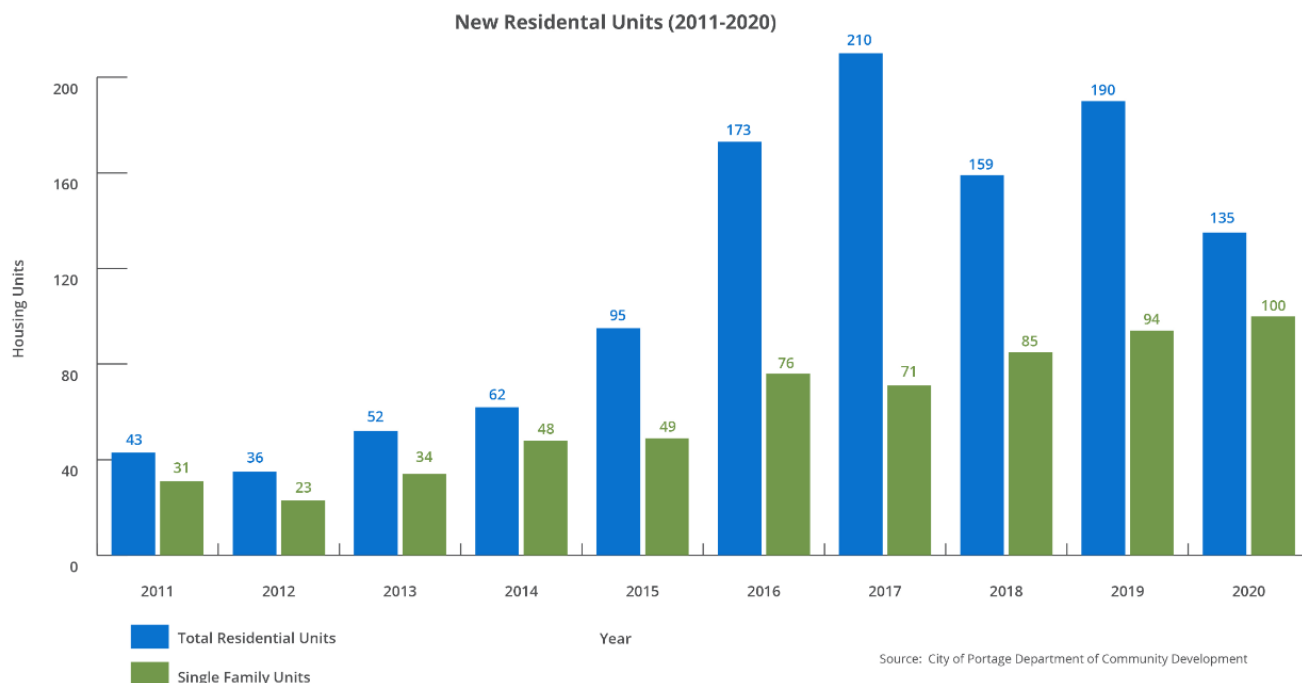
ACTION RECOMMENDED: Subsequent to the public hearing, consider approving Rezoning Application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

OVERVIEW

Edward Rose & Sons, the applicant, submitted rezoning application No. 22/23-3 to rezone a 10.01-acre site at 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development. The site is located in the northwest area of the city near the I-94 & US 131 interchange.

The applicant has submitted a conceptual plan for a future multifamily development similar to the existing Foxwood and The Hermitage apartments. The proposed multifamily residential development consists of 120 market-rate apartment units on 10.01 acres. The proposed development will have connectivity with the existing Foxwood and The Hermitage apartments and is designed to maximize the space between the development and existing single-family homes and provide for vegetative buffers.

This proposed multifamily residential project aligns with and will help achieve the City Council's goal of "attracting residential development that provides a mixture of housing for all income levels" as shown in the Fiscal Year 2022-2023 City of Portage Budget under the Strategic Priorities "Neighborhood" category. Since January 2022, the Council has approved 434 new residential units across seven developments in the City of Portage. Of those 434 new units approved, 45% were apartment/condo typology (two projects) and 55% single-family home typology (five projects). Currently, an additional 312 residential units - including the 120 apartment units in this proposed development - will be presented to the Council for consideration before December 2022. If these projects under consideration are eventually approved by the Council, the city is projected to add a total of 746 residential units this year, representing a significant and historic increase in units delivered to meet the Council's goal and address the city's growing housing needs and demand.



Source: City of Portage FY22-23 Budget, Community Profile

Council approval of the rezoning application would not result in approval of the conceptual plan. If the Council approves the rezoning application, any future development shall meet all permitting procedures and development standards under the RM-1 district. If the rezoning application is approved, the final site plan will be submitted for Planning Commission review and approval, as is standard for multifamily residential developments involving eight or more total dwelling units as proposed.

BACKGROUND INFORMATION

The site currently has a single-family house accessible via Fox Valley Avenue, which is planned for demolition to facilitate redevelopment of the site. According to City Assessor's data, the existing house was built in 2009. In 2014, a large house fire affected various rooms and the back deck. Repairs were made and occupancy continued. On November 2, 2021, the land was sold to Huron Development LLC (current owner).

Per the applicant narrative, Edward Rose & Sons owns and manages 4,000 residential units in the Portage-Kalamazoo area, which have a 97% occupancy rate. The applicant's holdings include the adjacent Foxwood and The Hermitage apartments, which comprise 252 existing residential units. These existing residential developments were approved in 1991 under the Foxwood Planned Development (PD) Tentative Plan. The Foxwood and Hermitage apartments were the last phase of the approved Foxwood Planned Development Tentative Plan. The subject site was not included in Foxwood Planned Development.

The following table summarizes **existing conditions** in this general area:

Existing Land Use/Zoning	The subject site consists of a single-family home and is zoned R-1C One-Family Residential.
--------------------------	---

	• <u>North</u>: Single Family Home; 4531 Chasemoor Dr.; Zoned Planned Development • <u>South</u>: The Foxwood and The Hermitage apartment complex; 5401 S. 12th Street; Zoned Planned Development • <u>East</u>: Vacant Land; City of Portage; 5351 S. 12th Street; Zoned R-1C One-Family Residential • <u>West</u>: Single Family Homes; 5343-5233 Fieldstone Dr.; Zoned Planned Development
Public Streets	2019 South 12th Street recorded 11,403 total Annual Average Daily Trips (AADT), as recorded by Kalamazoo Area Transportation Study (KATS).
Public Utilities	City sanitary sewer and water are available.
Environment	The site contains an existing single-family home and various natural vegetation.
Unique Conditions	There are mapped wetlands in the eastern and northeasternmost areas of the site. No mapped flood hazards or mapped or identified historical structures/buildings exist. Site topography is level along the western area but lower to the east, towards wetlands and the West Fork Portage Creek located on City of Portage property. The site contains large areas of natural vegetation, with a linear planting of mature evergreen trees along the western lot line abutting the single-family homes on Fieldstone Drive.

ANALYSIS

Applicable Zoning Regulations

The following sections of Chapter 42. Division 8. Subsection 651 Amendments to this Article procedures and regulations apply and are addressed further in this report:

- [Sec. 42-651. Amendments to this Article](#)

Under this article, the rezoning request shall file a rezoning application and fee, and be scheduled for review during public hearings for the Planning Commission and City Council. Issues to be analyzed include consistency with the Future Land Use Map and suitability of the existing zoning classification.

Existing Zoning: R-1C One-Family Residential District

Under the current [R-1C One-Family District](#), the allowed uses are limited to single-family homes, daycares, adult foster care family homes, and agricultural uses. The existing single-family home is consistent with the R-1C district. Multifamily residences such as apartments or condominium complexes are not allowed. Many surrounding lots were rezoned from R-1C to Planned Development in 1991 to facilitate the Foxwood Planned Development. The lot to the east, owned by the City of Portage, and those further northeast are zoned R-1C.

Comprehensive Plan

The Future Land Use Map component of the 2014 [Comprehensive Plan](#) designates the subject property, along with the adjacent developed properties, as 'Medium Density Residential.' The abutting City of

Portage land to the east is designated as 'public'. The Medium Density Residential designation is classified as areas for quality, medium-density residential development such as duplexes, attached condominiums, townhomes, apartment buildings, etc. at densities of 4 to 8 units per acre, and corresponds to the following zoning districts: R-1T, RM-2, and PD zoning districts. The Future Land Use Plan section of the 2014 Comprehensive Plan states: *"Importantly, deviations from the Future Land Use Map and the Comprehensive Plan may be appropriate when justified by more detailed information, changes to conditions, or in cases where a deviation is not contrary to the overall intent and purpose of the Plan."*

In addition, a community's Master Plan (Comprehensive Plan) is the policy document outlining the community's vision for the future. It should be the basis for or influence of the community's future, quality of life, land use, economic development, zoning, and other regulatory ordinances. The Michigan Planning Enabling Act 33 of 2008 requires a local government in Michigan to assess its current master plan every five years to decide if the plan requires updating. The City of Portage Comprehensive Plan was last updated in 2014, and after almost 8 years, is again in need of updating to meet the state act and to reflect the current (and future) needs of the city. A Master Plan Update commenced in early October 2022, with support from a consultant team. The Master Plan Update will include an updated Future Land Use Plan, among other planning elements, which will have significant public input and respond to the current and future needs of the City of Portage.

Suitability of RM-1 Multifamily Residential/ Neighborhood Harmony

The proposed rezoning to [RM-1 Multifamily Residential](#) would enable residential development at a density and scale similar to the apartment complexes to the south (Foxwood and The Hermitage), while also allowing lower densities and different housing types such as family homes, duplexes, and townhomes. Any future development in an RM-1 district shall meet the following development standards:

- Yard setbacks: 30' front, 30' sides, and 30' rear
- Maximum building height – 30' or 35' subject to Planning Commission approval.
- Maximum number of stories – 2 stories or 3 stories subject to Planning Commission approval
- Maximum lot coverage – 25%
- Minimum lot size – 8,000 square feet per dwelling unit
- Maximum Density:
 - o 146 1-Bedroom Units
 - o 97 2-Bedroom Units
 - o 73 3-Bedroom Units
 - o A mix of 1-, 2-, and 3-Bedroom Units is allowed

Planning Commission Request for Additional Information

At the August 4, 2022 meeting, the Planning Commission voted to continue the public hearing until August 18, 2022, in light of public testimony and concerns regarding traffic impacts. The Planning Commission requested staff to provide information on the following items:

- 1) Housing density of each portion of the Foxwood PD
- 2) Preliminary Traffic Impact and Access Review
- 3) Density Levels designated in the Future Land Use Map of the 2014 Comprehensive Plan

The information requested above was provided by staff in a memo to the Planning Commission and is

attached for the Council's review and consideration.

PUBLIC HEARINGS

A public hearing for this rezoning application was opened at the August 4, 2022, Planning Commission meeting. During the meeting, the Commission discussed the proposed rezoning. Seven members of the public provided testimony and expressed opposition to the project due to concerns about traffic safety and congestion, impacts on property values of nearby homes, and impacts on the natural environment.

The Commission requested additional information from the Administration (provided in the attachments to this agenda) and voted to continue the public hearing to the August 18, 2022 meeting. At the request of the applicant, this case was tabled until the September 15, 2022, Planning Commission meeting. Because a public hearing was publicly noticed for the August 18, 2022 meeting, a public hearing was still held as scheduled. During the public hearing on August 18, 2022, three members of the public provided testimony and expressed opposition to the project due to concerns about the project rezoning not being in alignment with the 2014 Comprehensive Plan.

During the public hearing on September 15, 2022, the applicant representative, Kirsten Rimes, Edward Rose & Sons, was present to support the proposed application and explain the project details. Seven members of the public provided testimony and expressed opposition to the project due to concerns about the impacts on traffic, crime, property values, and the natural environment. Additionally, letters of public comments were received and can be reviewed in the attachments. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

Staff noted to the Planning Commission that evaluation and approval requirements for a rezoning ([Sec. 42-651. Amendments to this Article](#)) do not include traffic impacts on a specific site or property. Traffic and impact are evaluated during the standard site plan review process, after a detailed development plan set has been submitted for review by City Departments.

After careful consideration, the Planning Commission voted 6-2 to recommend to City Council the denial of the Rezoning Application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

FURTHER STAFF REVIEW

Staff reached out to the Kalamazoo County Road Commission and the Portage Department of Public Safety, and conducted research internally, to address some of the concerns raised by the Foxwood Homeowners Association. The data showed the following:

- KCRC data lists four crashes near the subject property during a five-year period -- all on 12th Street at its intersections with Fox Valley and Old 12th Street. Three of the four crashes involved vehicles exiting the neighborhood that failed to yield to traffic on 12th Street, and one was a pedestrian walking on the shoulder at night in dark clothing being slightly injured when a mirror from a passing vehicle clipped their arm.
- PDPS data shows three accidents in the area over the last two years -- two on 12th Street and one on Old 12th Street.
- KCRC advised staff that 12th St. is both an "All Season Road" (meaning there are no weight restrictions during thaw season) and a "County Primary Road", but that the only emergency routes involving it would be for rerouting traffic from the highway when needed.

- KCRC indicates that they would not be requiring a Traffic Impact Study on 12th Street for this project if or when it goes to site plan review. They did have concerns about line of sight to the south, which would be addressed during any future site plan review process.
- PDPS has not had any calls for service within the last two years, in the adjoining neighborhoods, with complaints of speeding vehicles.
- Staff contacted Emily Petz from the Upjohn Institute who reiterated the opinion (provided to Council at a recent Committee of the Whole) that any increase of housing stock allows lower rent/cost properties' occupants to upfill into the higher priced units – causing some increase in available units at the lower levels.
- The Upjohn Institute also confirmed that Portage is not viewed (in the housing study) as 100% suburban – that there is a mix of General Urban and Urban Center in our city.
- Community Development Staff conducted further research regarding the status of rental properties in the area and their impact on adjoining single-family properties. It was discovered that area apartment complexes currently have a 96.5% occupancy rate, and 40% of the developments have wait lists ranging from two months to two years. It was further discovered that no evidence exists to support any negative impact on the value or appreciation of single-family homes due to proximity to multi-family units.
- Finally, both Foxwood and The Hermitage Apartments near the subject property were rezoned from R1-C to Planned Development by the City of Portage in 1978.

RECOMMENDATION

Per section 42-651-Amendment to this Article. [D. City Council public hearing and action.](#)

"1. Within 30 days of the receipt of the planning commission's report and recommendation, the council shall set a date for a public hearing on the requested zoning amendment. 2. The public hearing may be held at the next regularly scheduled council meeting following the meeting at which the public hearing date was established."

It is therefore recommended that City Council, subsequent to the public hearing, consider approving Rezoning Application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

FUNDING: Not Applicable

- Attachments:**
1. Rezone Application
 2. Project Narrative
 3. Vicinity Map
 4. Zoning Map
 5. Conceptual Site Plan
 6. Future Land Use Map; Comprehensive Plan
 7. Staff's Site Pictures
 8. Kalamazoo County Road Commission - initial review comments and recommendations
 9. Applicant's Concept Plan - Cross-section / Profile
 10. Additional Information Memo from City Staff to Planning Commission 08 11 2022

11. Planning Commission meeting minutes dated August 18, 2022
12. Planning Commission Meeting Minutes dated September 15, 2022
13. PC Transmittal dated September 21, 2022
14. Proposed Ordinance
15. Planning Commission - Citizen Comments (July through Sept.)
16. City Council - Citizen Comments (Oct through Nov.)
17. Fox Valley Dr Protest Petition Map
18. 2022.10.24 Rezoning Opposition Petition
19. Additional OCT2022 Foxwood Opposition Petition
20. Communication from Ron Pelak, President of Foxwood HOA, regarding analysis of housing and traffic issues

APPLICATION FOR ZONING AMENDMENT

Application number _____

Date _____

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. *Please note: City Staff and/or Planning Commissioners may visit the subject property while the application is under review.*

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 8, 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).

Parcel number: 00006-055-0 Acreage: 10.01 acres

Parcel address: 4670 Fox Valley Drive, Portage, MI 49024

2. a. Do you own the property to be rezoned? Yes ☒ No ☐

b. Name of the owner of the property to be rezoned: Huron Development L.L.C.

Address 6101 Newport Road, PO Box 3015, Kalamazoo, MI 49003-3015

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: To develop/expand the existing multi-family apartment housing complex, Foxwood and The Hermitage Apartments

4. CURRENT ZONING: R-1C One Family Residential PROPOSED ZONING: RM-1 Multiple Family Residential

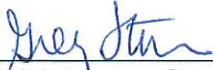
ZONING TEXT AMENDMENT

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)

6101 Newport Road, PO Box 3015, Kalamazoo, MI 49003-3015

(Address)

(Address)

269-321-7836

(Phone)

(Phone)

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



June 1, 2022

Planning Commission and City Council
Portage City Hall
7900 S Westnedge Ave,
Portage, MI 49002

Re: Zoning Map Amendment Request

Dear Planning Commission & City Council Members,

Edward Rose & Sons is a family-owned company known for providing modest to brand new luxury apartment communities throughout the Midwest and surrounding states. They handle all phases of development including land acquisition and construction of the buildings, as well as management of the communities after completion. Currently, they own and manage over 60,000 units in 16 states that they have built from the ground up.

In the Kalamazoo and Portage market, Edward Rose and Sons owns and manages over 4,000 units, in twelve communities, with a current occupancy of over 97%. Located in the northwest corner of Portage at 5401 S. 12th Street, Foxwood Apartments and The Hermitage Townhomes have 252 units and a strong rental history since its completion in 1999.

With their past success and the current housing demands, ERS is confident that the proposed 120 additional market-rate units, on 10.01-acres, located directly north of Foxwood Apartments will be a positive addition to the community.

An illustrative site plan can be found in Exhibit A. ERS is requesting an amendment to the City's Zoning Map (Effective Date: December 23, 2020) to rezone parcel number 00006-055-0 from its current zoning, *RI-C One-Family Residential*, to *RM-1 Multiple Family Residential*. The proposed development will connect to the existing, aforementioned Foxwood/Hermitage complex to the south, which is zoned *PD Planned Development*.

The City of Portage has developed specific criteria that must be met to warrant an amendment to the Zoning Map. It is our understanding that one of the most important criteria is that the Future Land Use Map is in alignment with the Zoning Map Amendment request. The current City of Portage Future Land Use Map displays the property as Medium Density Residential. This designation includes the existing apartment complex to the south, as well as the Plat of single-family homes to the west and north of the property. We understand that another important benchmark when considering a Zoning Map amendment is the impact the development will have on adjacent properties. Significant consideration has been taken regarding the adjacent single-family homes to the west and north of the property. The proposed site plan was designed to maximize the space between the proposed improvements and the existing homes. Furthermore, the use of vegetative buffering (both existing and proposed) will be utilized to reduce impact on adjacent properties.

The proposed development will connect to Fox Valley Drive, which outlets onto S. 12th Street. It is anticipated that the 3-lane S. 12th Street will be sufficient for accommodating additional traffic volumes associated with the development. It has been verified that the site is served by the appropriate utilities, including water and sewer.

We greatly appreciate your consideration of this request and look forward to the next step of this process. Thank you for your assistance on this exciting project. Please let us know if any additional information is needed to process this request.

Sincerely,
HURLEY & STEWART, LLC

Alexander J. Frazier, P.E.
afrazier@hurleystewart.com
269.492.3301

Enclosures: Exhibit A, Exhibit B, Exhibit C

CC: Kirsten Rimes, Edward Rose & Sons



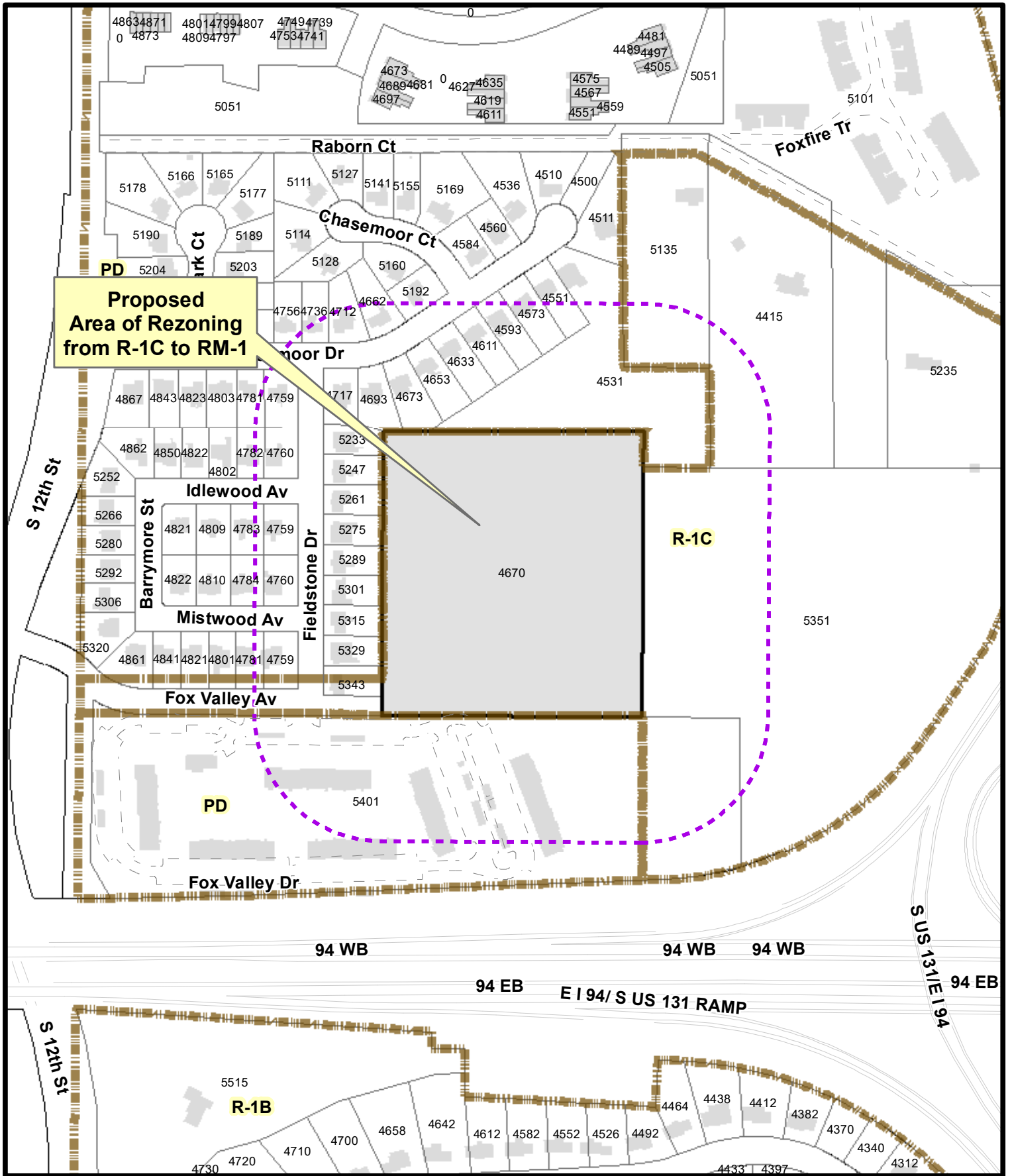


 Subject Parcel

Aerial Photography 4670 Fox Valley Drive



1 inch = 500 feet



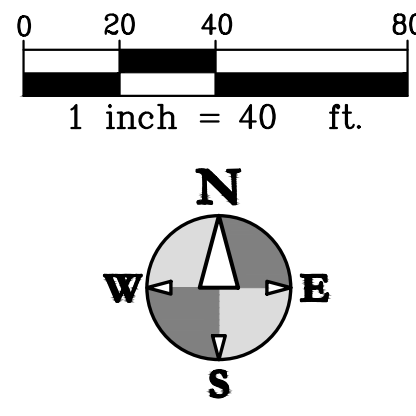
- Subject Parcels
- Zoning Boundary
- 300' Notification Area

Rezoning: 22/23 - 3

4670 Fox Valley Drive



1 inch = 300 feet



ZONING REQUIREMENTS

ZONING
ZONING: PD - PLANNED DEVELOPMENT
SETBACKS: FRONT - 50'
SIDES - 25'
REAR - 50'

PROPOSED USE
MULTI-FAMILY APARTMENTS; 3 STORIES, SLAB ON GRADE

PARKING
MULTI-FAMILY RESIDENTIAL
PARKING SPACES REQUIRED:
2 SPACES PER PROPOSED UNIT = 120 UNITS X 2 = 240 SPACES

PARKING SPACES PROVIDED:
183 SPACES + 46 GARAGES = 229 SPACES

BARRIER FREE SPACES REQUIRED: 7 SPACES
BARRIER FREE SPACES PROVIDED: 8 SPACES

ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS
TYPICAL PARKING SPACE DIMENSION = 9' x 18'
TYPICAL GARAGE PARKING SPACE DIMENSIONS = 8' x 22'

SITE STATISTICS

BUILDING INFORMATION
CONSTRUCTION TYPE - 5B
HEIGHT - NOT TO EXCEED 40 FEET PER APPROVED TENTATIVE PLAN
BUILDING OCCUPANCY - R2
SPRINKLER SYSTEM - NFPA 13R
BUILDING HEIGHT (FF TO ROOF) - 30'6"

BUILDING/UNIT SUMMARY:

- 76 ONE-BED UNITS
- 44 TWO-BED UNITS
- 120 TOTAL UNITS

VARIABLE STALL GARAGE - NOT TO EXCEED 25 FEET IN HEIGHT.

SITE INFORMATION

TOTAL AREA = 435,517 SFT (10.00 ACRES)
BUILDING AREA = 49,890 SFT (1.15 ACRES) = 11.46%
DRIVE AND PARKING AREA = 103,740 SFT (2.38 ACRES) = 23.82%
OPEN SPACE = 281,887 SFT (6.47 ACRES) = 64.72%

VEHICLE TRIP DATA

WEEKDAY MORNING PEAK-HOUR TRIPS (INBOUND & OUTBOUND): 56 TRIPS
WEEKDAY AFTERNOON PEAK-HOUR TRIPS (INBOUND & OUTBOUND): 68 TRIPS
WEEKDAY TOTAL TRIPS (INBOUND & OUTBOUND): 879 TRIPS

SOURCE: ITE TRIP GENERATION MANUAL, 10TH EDITION, LAND USE 220 MULTIFAMILY HOUSING

TENTATIVE SCHEDULE

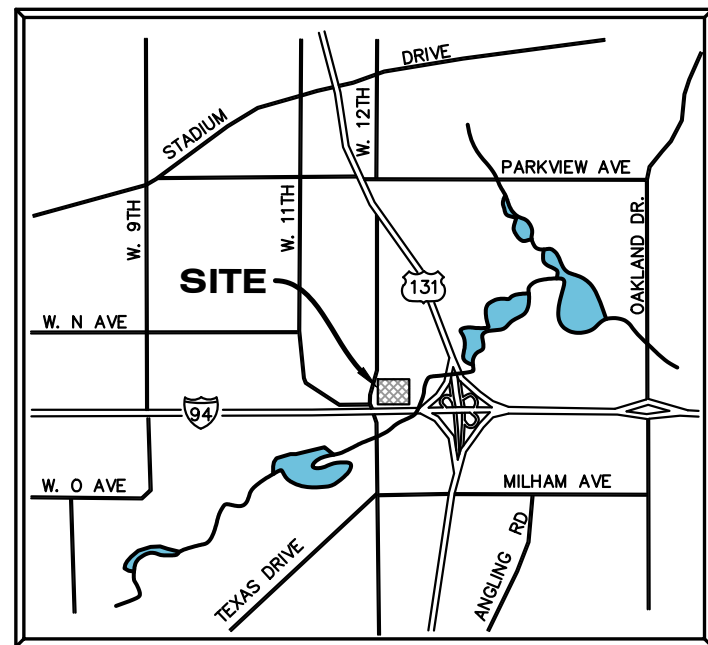
CONSTRUCTION COMMENCEMENT: FALL 2022 (DEMOLITION/SITE PREPARATIONS)
BUILDING CONSTRUCTION START: SPRING 2023
BUILDING CONSTRUCTION COMPLETION: SUMMER 2025

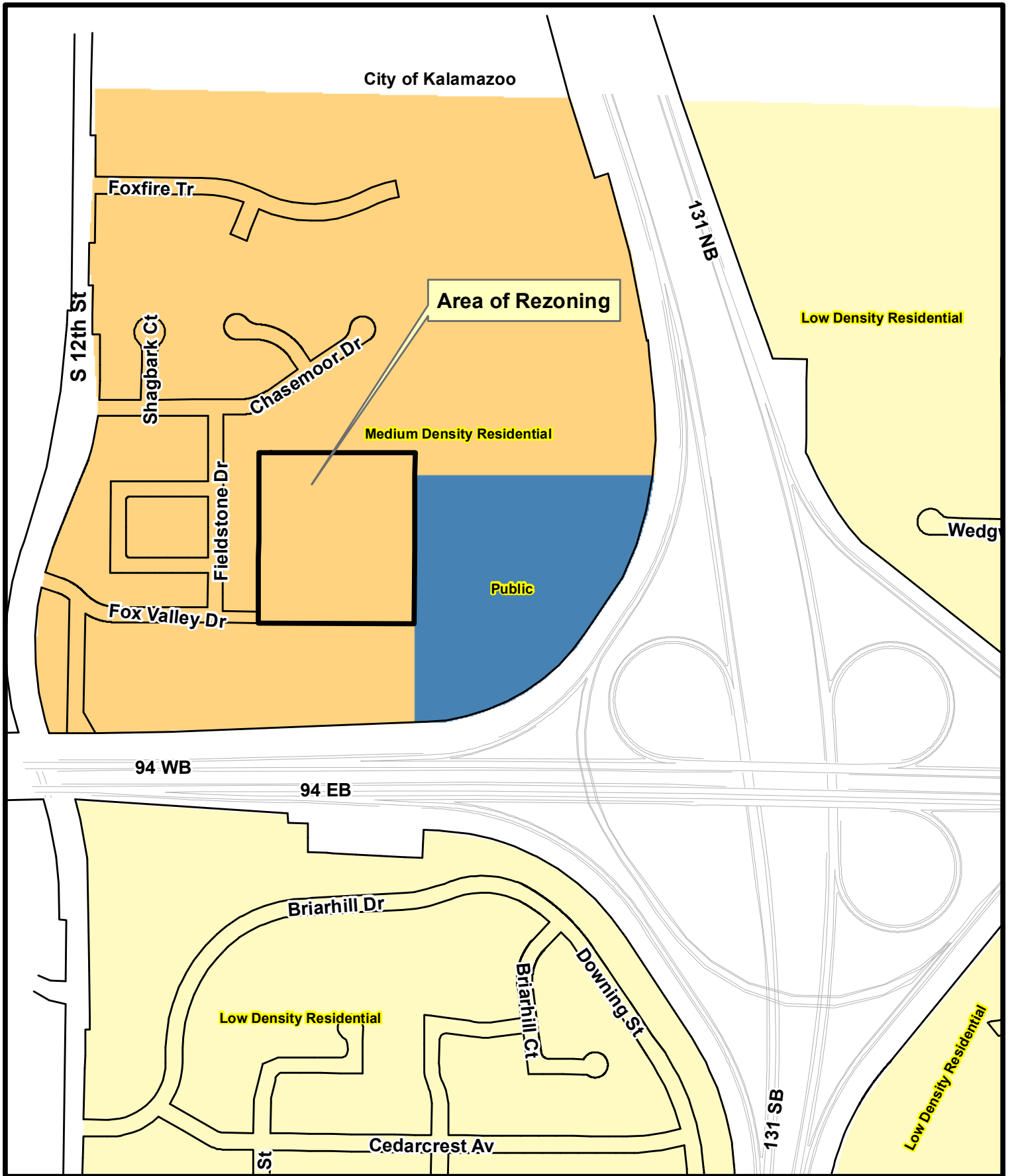
LEGEND

- PROPOSED HMA PAVEMENT
- PROPOSED BUILDING
- CONCRETE SIDEWALK
- CONCRETE CURB AND GUTTER
- TYPE VARIES

SITE LEGEND

- HMA HMA PAVEMENT
- C4 C4 CURB AND GUTTER
- IC INTEGRAL CURB WALK
- CW CONCRETE WALK
- PS PARKING STRIPING (9'x18')
- W WALL
- RB RETENTION BASIN
- DE DUMPSTER ENCLOSURE





- Subject Parcels
- Low Density Residential
- Single-Family Detached-Medium Density Residential
- Medium-Density Residential
- High Density Residential
- Local Business
- Regional Business
- General Business
- Office
- Shaver Road Business Corridor
- Research, Development & Technology
- General Industrial
- Park / Recreation
- Gourdneck State Game Area
- Public
- City Centre

Future Land Use Map

Rezoning: 22/23 - 3

4607 Fox Valley Drive



1 inch = 500 feet

Staff's Site Pictures – June 24, 2022



Existing home within subject site. Built in 2009.



Looking north within subject site. Fence along west lot line (approx.).



Looking north within subject site. Evergreen trees along west lot line (approx.). Homes located along Fieldstone Dr.



Looking east within subject site.

Eric Feldt

From: Jon Fitzsimmons <jfitzsimmons@kalamazoocountyroads.com>
Sent: Wednesday, August 3, 2022 3:10 PM
To: Eric Feldt
Cc: Biqu Zhao; John Lovely; Ryan Minkus
Subject: RE: Requesting Review Comments; Proposed Apt. Complex; Foxwood Valley Ave. & S. 12th St.
Attachments: Driveway Policy.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

Do not click on links or open attachments unless this is from a sender you know and trust.

Good afternoon Eric,

Sight distance to the south is definitely of the greatest concern to us. Without having physically measured it, I do believe the sight distance to the north might achieve the minimum as shown in the attached Driveway Policy pg 66. There is already a center left turn lane for vehicles southbound on 12th St. Our other recommendation would be for a right turn / deceleration lane for northbound traffic if there is enough right-of-way; however, given the 45mph speed limit of 12th St and not knowing the specifics of the traffic study, a right turn lane might not be something we could *require* in this instance.

Thanks,

Jon Fitzsimmons, Permit Agent
Road Commission of Kalamazoo County
3801 E Kilgore Rd
Kalamazoo, MI 49001
(269)381-3170 Ext.270
Fax (269)381-1760
www.kalamazoocountyroads.com

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From: Eric Feldt <feldte@portagemi.gov>
Sent: Wednesday, August 3, 2022 1:44 PM
To: Jon Fitzsimmons <jfitzsimmons@kalamazoocountyroads.com>
Cc: Biqu Zhao <zhaob@portagemi.gov>; John Lovely <lovelyj@portagemi.gov>; Ryan Minkus <rminkus@kalamazoocountyroads.com>
Subject: RE: Requesting Review Comments; Proposed Apt. Complex; Foxwood Valley Ave. & S. 12th St.

Thank you for getting back to me, Jon.

It sounds like there are line-of-sight issues to the south viewshed, which you're department is recommending addressing by cutting back the bank. We will inform the developer of this. Is this the only concern your department has for

reviewing road-related comments for possible impacts to 12th Street/ intersection with Fox Valley Ave.? We have received many letters of opposition from residents along Fieldstone, Chasemoor, and other interior streets against rezoning this lot to multifamily with concerns about many items, one common concern is traffic impact to S. 12th Street and the intersection with Fox Valley Ave.

Sincerely,

Eric Feldt, AICP, CFM
City Planner | Project Manager
Department of Community Development
City of Portage, MI
Ph: (269) 329-4471
Email: feldte@portagemi.gov

From: Jon Fitzsimmons <jfitzsimmons@kalamazooountyroads.com>
Sent: Tuesday, August 2, 2022 2:57 PM
To: Eric Feldt <feldte@portagemi.gov>; Ryan Minkus <rminkus@kalamazooountyroads.com>
Cc: Biqi Zhao <zhaob@portagemi.gov>; John Lovely <lovelyj@portagemi.gov>
Subject: RE: Requesting Review Comments; Proposed Apt. Complex; Foxwood Valley Ave. & S. 12th St.

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Good afternoon Eric,

I apologize for the slow response; I accept full responsibility for it.

We appreciate the opportunity to provide input on this proposal. As the bank along the east side of 12th St to the south of Fox Valley Ave severely limits clear vision to the south, we recommend you evaluate it for possible requirement of excavation by the developer to improve the sight distance. Any work within the ROW of 12th St would require a permit from the RCKC, but since this would be a safety improvement we would not charge the permit fee.

Thank you,

Jon Fitzsimmons, Permit Agent
Road Commission of Kalamazoo County
3801 E Kilgore Rd
Kalamazoo, MI 49001
(269)381-3170 Ext.270
Fax (269)381-1760
www.kalamazooountyroads.com

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From: Eric Feldt <feldte@portagemi.gov>
Sent: Wednesday, June 29, 2022 4:48 PM
To: Jon Fitzsimmons <jfitzsimmons@kalamazooountyroads.com>; Rebekkah Ausbury <rausbury@kalamazooountyroads.com>; Ryan Minkus <rminkus@kalamazooountyroads.com>

Cc: Biqi Zhao <zhaob@portagemi.gov>; John Lovely <lovelyj@portagemi.gov>

Subject: Requesting Review Comments; Proposed Apt. Complex; Foxwood Valley Ave. & S. 12th St.

Hi Ryan, Rebekkah, and Jon:

The City of Portage Community Development Department is reviewing a proposed 120-unit apartment complex at the end of Fox Valley Avenue. See attached site layout plan and map below. The proposed buildings are 3-stories, consisting of 1- and 2-bedroom apartments. The traffic from this project would be going to S. 12th Street. According to their plan, the developer determined a Weekday Total Trips of 879 per the 10th Edition ITE Trip General Manual (this is noted on the attached plans). This project will be scheduled to a future Planning Commission meeting for review. Since traffic from the project will be using S. 12th Street (RCKC jurisdictional ROW) we are requesting traffic review comments from your office to determine if any needed road/ intersection improvements or traffic studies are warranted for this project. We would appreciate your feedback by next Friday, July 8th.



Feel free to contact me if you have any questions/ comments.

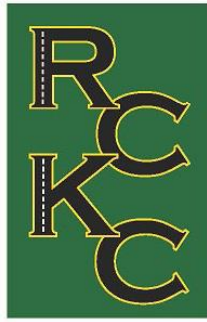
Have a wonderful 4th of July.

Sincerely,

Eric Feldt, AICP, CFM
City Planner | Project Manager
Department of Community Development
City of Portage, MI
Ph: (269) 329-4471
Email: feldte@portagemi.gov

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Road
Commission
of Kalamazoo
County

DRIVEWAY POLICY

DRIVEWAY POLICY

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I. SCOPE

In accordance with [PA 200 of 1969](#) (MCL 247.324), as amended, the highway authority is charged with the responsibility to issue driveway permits consistent with the rules promulgated by the highway authority for public safety and in the public interest. Such rules are based on traffic volumes, drainage needs, the character of adjoining land use, and other requirements. The rules prescribe rational standards for the design and location of driveways within the ROW. It is not the intent of this policy to deny reasonable access to a non-limited access highway.

II. GENERAL REQUIREMENTS

An application for a driveway permit shall be submitted in a manner prescribed on the [Application to Construct, Operate, Use and/or Maintain Remove Within the Right-of-Way or to Close A County Road](#). Application and Permit forms are available at the RCKC office located at 3801 E. Kilgore Road, Kalamazoo, Michigan, and on the RCKC web site at www.kalamazoocountyroads.com.

Any construction, reconstruction, or modification of an existing driveway providing vehicular access to or from a highway under the jurisdiction of the RCKC requires a permit. A permit is also required when the use of the land served by an existing driveway is changed or expanded (PA 200 of 1969 [MCL 247.327](#)).

Permits are to be obtained prior to the start of any construction. Failure to obtain a permit prior to the start of any construction within the ROW may be subject to additional charges. Specifications as provided on the permit shall be complied with, including modifications approved by authorized RCKC personnel. **Developers of property are encouraged to contact the RCKC during the initial planning stage so an approved preliminary site plan, satisfactory to all parties, may be agreed upon early in the development process.**

No driveway shall connect to a limited access public road or be allowed in a designated intersection clear-vision zone.

A. Fee

1. A fee is charged for the permit to cover the cost of administration and inspection. The current [Schedule of Fees](#) is available for review at the RCKC office and also on our website at www.kalamazoocountyroads.com.

B. Plans

Permit applications shall be accompanied by plans or drawings containing applicable information listed below.

1. North arrow, ROW, property lines, and existing physical features, including, but not limited to trees, shrubs, highway pavement, shoulders, ditches, utility poles, service boxes, fire hydrants, and other appurtenances.

2. Design features; including reconstructed, relocated, surfaced, resurfaced, and used or maintained drives with the following dimensions and features:
 - a. Widths of driveways and distance from property lines
 - b. Radii of driveway returns
 - c. 90 degree angle of driveway relative to the highway centerline
 - d. Dimensions of adjacent traffic lanes
 - e. Driveway surface material
3. Distance from each existing and proposed driveway on the site to:
 - a. Nearest intersecting street
 - b. Nearest driveway on adjacent properties
 - c. Street or driveway opposite the site
 - d. Property lines and the extension of property lines to the road centerline
 - e. Unobstructed sight distance from driveway to approaching road traffic
4. Drainage:
 - a. Depth of ditch
 - b. Drainage structures and culverts
 - c. Direction of surface water flow on or toward adjacent property

Commercial driveway plans shall show additional information including existing contours and proposed grades and how storm water will be retained on site. Commercial driveway plans shall be drawn on 24 inches x 36 inches sheets and to a scale of not smaller than (1 inch =50 feet) horizontal and (1 inch =5 feet) vertical.

C. Storm Water Retention and Existing Drainage Structures

No additional runoff shall be directed or diverted onto the ROW, unless specifically approved by the RCKC. Existing drainage structures including, but not limited to culverts, catch and leaching basins and impoundment areas shall be protected from physical damage and sedimentation. Failure to do so will automatically void the permit.

Provisions for SESC shall be in accordance with section VII. D., Roadside Soil/Ground Cover Disturbances, of the RCKC's [Construct, Operate, And/Or Use Within the County Road Right-of-Way](#) Policy. All debris from earth change activity shall be removed from the ROW.

No driveways shall be built on any drainage structures unless approved by County Engineer.

D. Driveway Culvert

The RCKC shall determine whether or not a culvert is required and, if required, the diameter and length of the culvert. The permittee shall furnish, install and maintain unrestricted water flow through the culvert. Permittee maintenance shall include routine debris removal from the culverts ends and adjacent ditches.

1. Culverts shall be installed in line with the road ditch. Culverts shall be determined by RCKC.
2. Unless specified larger, culverts shall be a minimum of 12 inches in diameter and a minimum of 24 feet in length.
3. Culverts shall be galvanized coated steel with wall thickness corresponding to diameter as specified below:

Diameter (inch)	Wall Thickness Gage
12-24	16
30-36	14
42-54	12
60-72	10

4. Culvert headwalls shall not be permitted.
5. Culverts over 30 inches diameter shall require steel end sections meeting current MDOT specifications.

E. Identifying Driveway at Project Site-

The driveway location shall be clearly identified at the project site by staking and flagging, or other method, so it can be easily found by the RCKC inspector making a field review. Information on stakes shall include the permittee's name, property address and, where applicable, plat lot number. Failure to provide this information will delay issuance of permit.

F. Project Inspections

To avoid later corrections, the permittee shall coordinate with the RCKC to schedule an inspection of the prepared driveway grade prior to surfacing. A final inspection of work will be made before the date of permit expiration.

G. Compliance with RCKC Policy on Insurance

No work will be permitted within any existing ROW by any contractor until the contractor has placed on file in the RCKC office proof of insurance in accordance with the Board's [Insurance Requirement Policy](#). See our web site for specific values at www.kalamazoocountyroads.com.

H. Traffic Control and Public Safety at Site

Proper traffic control devices such as, but not limited to barricade signs, etc., as may be necessary to protect the public, shall be provided by the owner or contractor during construction and shall comply with part 6 of the MMUTCD.

I. Local Government Review and Approval

The permittee shall contact the local government in which the driveway construction will occur to ensure compliance with requirements pertaining to the improvement, expansion, development or redevelopment of private property, including any access requirements, which may be applicable.

J. Other

The permittee shall be responsible for all costs associated with the relocation/removal of any existing structures (including but not limited to guardrail, signs, catch basins, etc.) required to accommodate the installation of any driveway.

Any generally accepted engineering practice or guideline, rule, or standard, not otherwise specifically provided for, shall be incorporated by this reference.

III. PERMITS

An application for a driveway permit shall be accepted from the property owner, contractor, governmental agency or its legally authorized agent. Permits shall be approved by County Engineer, or designee, prior to commencement of driveway construction, modification or reconstruction.

If the permittee fails to obtain an appropriate permit or fails to comply with any provisions of the permit, the RCKC will halt the activity for which a permit is required until adequate corrections have been made. Accomplished work may have to be removed. Costs incurred by the RCKC in correcting failure to comply with the terms and conditions of a permit, failure to obtain a permit, or for defective work or materials shall be borne by the permittee or person undertaking the activity.

A. Conditions and Limitations

A driveway permit is subject to the conditions and limitations stated on the permit form, as well as any special conditions that may be added to the permit itself:

1. Permits to construct driveways are authorized for one year only, after which time the application shall be resubmitted.
2. Altered natural drainage shall not be permitted to flow onto the ROW, unless special provisions are approved by the RCKC.
3. The permittee shall remove all surplus materials to an area outside the ROW unless the permit provides for disposal at locations within the ROW. Excavated material shall be stockpiled so it does not adversely affect the safety of traffic.
4. Work authorized by the permit shall be completed to the satisfaction of the RCKC on or before the completion date specified in the permit. A request for an extension of time for completion shall include reasons for the extension. Approval of extension of time shall be based upon extenuating circumstances and in the absence of neglect by the permittee.

5. The permit may be suspended or revoked at will. Upon the RCKC's request, and at the permittee's expense, the permittee shall surrender the permit and alter, relocate or remove the facilities for which the permit was granted.
6. The permit shall become immediately null and void if the terms of the permit are violated. The RCKC may require immediate removal of the permittee's facilities, or may remove them without notice at the permittee's expense.
7. In addition to any liability or obligation of the permit holder that may otherwise exist, permit holder shall, to the fullest extent permitted by law, identify and hold harmless the RCKC and its commissioners, officers, agents, and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the RCKC may sustain by reason of claims for allegations of the negligence or violation of the terms and conditions of this permit by the permit holder, its officers, agents, or employees, arising out of the work which is the subject of this permit.

IV. RESIDENTIAL DRIVEWAY REQUIREMENTS

In addition to the rules and standards provided under GENERAL REQUIREMENTS and PERMITS, the following specific requirements apply.

A. Location and Number of Driveways

Residential parcels with 300 feet of frontage or less shall be limited to one driveway unless a waiver of this restriction is granted by the County Engineer. Driveways shall be no closer than 115 feet from the ROW line of the nearest cross street, as measured from the nearest edge of the driveway. Residential parcels with over 300 feet of frontage shall be allowed up to two driveways. Should staff review identify a potential problem because of traffic volume, sight limitation, or other reason in the public interest, only one driveway will be permitted. Corner residential parcels may be permitted access on the cross street with lower traffic volume and lower speed.

B. Sight distance Requirements

Clear-vision area, as shown in Figure 1, shall be provided at all residential driveways entering onto a road which is under the jurisdiction of the RCKC.

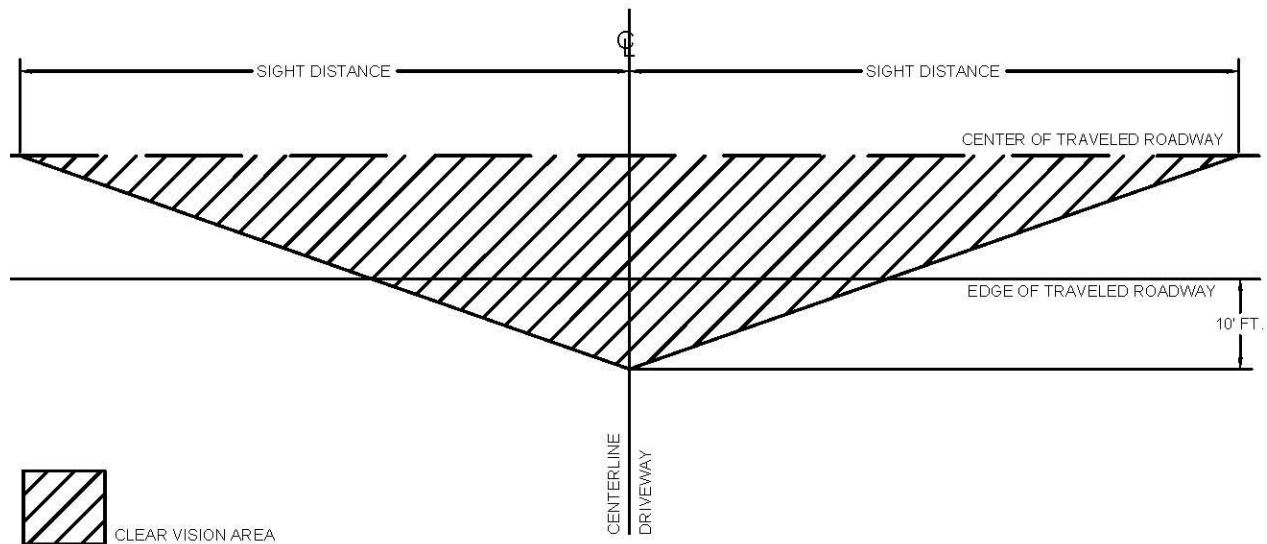


Figure 1. Clear-vision requirement for residential driveways

To provide for adequate vision, all obstructions shall be removed or minimized within the clear-vision area. Sight distance, looking each way from the driveway centerline, shall be measured from an eye height of 3 feet 6 inches to an object 3 feet 6 inches above the road centerline. The eye height at the driveway centerline shall be positioned 15 feet from the edge of the traveled road.

The following minimum sight distances are based on 0% grade roads and the regulatory speed limit. Advisory speeds shall not be used when determining sight distance. Requirements for the clear-vision area are:

Speed (mph)	Sight Distance (feet)
25	155
30	200
35	250
40	305
45	360
50	425
55	495

*Distances are based on AASHTO guidelines.

C. Driveway and Site Plans

An application for a permit shall be accompanied by plans or drawings containing the required information listed under GENERAL REQUIREMENTS, and include applicable design details. Typical residential designs are shown in Examples I, II and III.

D. Material and Quality of Work

1. Types and quality of material will be specifically approved on the permit. Residential driveway approaches may be constructed of approved concrete, gravel, or HMA. However, driveways with a grade of 4% or greater shall be hard surfaced within the

ROW. All driveways shall conform to the requirements shown in the applicable design example.

2. For the portion of the driveway within the ROW, the RCKC requires the following minimum thickness for the driveway base and surface:
Gravel – stabilized gravel compacted to a minimum thickness of 8 inches.
Hot Mix Asphalt – 6 inches of compacted gravel base with 3 inches of asphalt placed in two layers
Concrete – 2 inches of compacted gravel base with 6 inches of non-reinforced concrete or 2 inches of compacted gravel base with 4 inches of reinforced concrete.
3. When asphalt road paving projects are undertaken and paved driveways need to be replaced, they shall be replaced to the minimum requirements for HMA specified above. Property owners with concrete driveways may choose to replace their driveway with concrete at their own expense or accept replacement with HMA. The concrete driveways may be removed to the ROW. RCKC staff will assess each driveway situation to minimize the amount of concrete removed.
4. Residential driveways shall be a minimum of 10 feet and a maximum of 20 feet in width unless approved by County Engineer. These measurements do not include the radii.
5. Driveway apron shall be flush with the adjacent edge of road pavement. Apron slope from pavement edge to back edge of shoulder shall be 4% (1/2 inches/foot.) or match existing shoulder slope. Responsibility for maintenance of apron surface area rests with the property owner.
6. Shoulder grades are to be re-established so driveway apron is at same level. Shoulder gravel shall meet MDOT specifications for 23A material.
7. On roads lined with high back concrete curb, access can be provided by total replacement of curb with concrete gutter or by saw cutting the back of curb. Use of saw cutting shall be approved by the RCKC inspector. If saw cutting is permitted a 1inch high back of curb lip shall be retained and edges of the curb opening shall not exceed 45°. See Example II. Driveway slope shall conform to current MDOT standard detail R-29 series (Driveway Openings and Approaches and Concrete Sidewalks. Any inlets requiring modification shall be replaced by approved fixtures. Cause for rejection of final work product includes, but is not limited to cracks, voids, exposed reinforcement steel or damage to existing concrete.

V. COMMERCIAL DRIVEWAY REQUIREMENTS

In addition to the rules and standards provided under the GENERAL REQUIREMENTS and PERMITS, the following specific requirements apply.

A. Location and Number of Driveways

In general, one access point is adequate for a single business. If multiple access points are requested, the RCKC may require a traffic impact study from the business owner/property owner to justify the need for the multiple access points. The number of anticipated peak-

hour traffic shall be determined from the current edition of the [Institute of Transportation Engineers Trip Generation](#) manual. Corner parcels shall be permitted access on the cross street with lower traffic volume and lower speed. Property owners are strongly encouraged to consolidate their driveways with those of adjacent property owners.

A driveway, including the radii but not including the right-turn lanes and tapers, shall be located entirely within the area between the Permittee's property lines extended to the centerline of the road. A driveway radius may extend outside of that area only if a recorded easement from the adjacent property owner will permit such an extension.

Adjacent driveways on the same side of the road should be spaced according to Table 1. Table 1 shows desirable unsignalized access spacing as a function of posted speed. These distances are based on average acceleration and deceleration considered adequate to maintain good traffic operations. Driveway spacing in Table 1 is measured from centerline to centerline.

Table 1. Unsignalized Access Spacing (Adjacent)	
Design Speed (mph)	Center-to-Center of Access (feet)
25	130
30	185
35	245
40	300
45	350
50 and above	455

To minimize left turning conflicts, driveways should be either aligned with those directly across the road or offset a sufficient distance from those across the road to achieve the minimum spacing standards listed in Table 2. Table 2 provides the desirable distances between two access points on the opposite sides of the road.

Table 2. Unsignalized Access Spacing (Opposite)	
Design Speed (mph)	Center-to-Center of Access (feet)
25	255
30	325
35	425
40	525
45	630
50 and above	750

In accordance with AASHTO guidelines, driveways shall not be situated within the functional boundary of intersections. This boundary includes the longitudinal limits of auxiliary lanes. An access point may be allowed within the above boundary only if the entire property frontage is located in this boundary.

A driveway shall not be constructed along acceleration or deceleration lanes and tapers, unless no other reasonable access point is available. RCKC may require an extension of these lanes by the permittee.

Spacing between a road intersection and an access connection shall be sufficient to avoid creating conflicts between driveway traffic movements and road movements at the intersection. The corner clearance required is a function of the types of roads which intersect. In all quadrants of an intersection access points should be located according to the dimensions shown in Figure 1. Table 3 provides the minimum corner clearance dimensions. The spacing requirement in Table 3 are from the centerline of the proposed driveway to the near ROW line of the intersecting road.

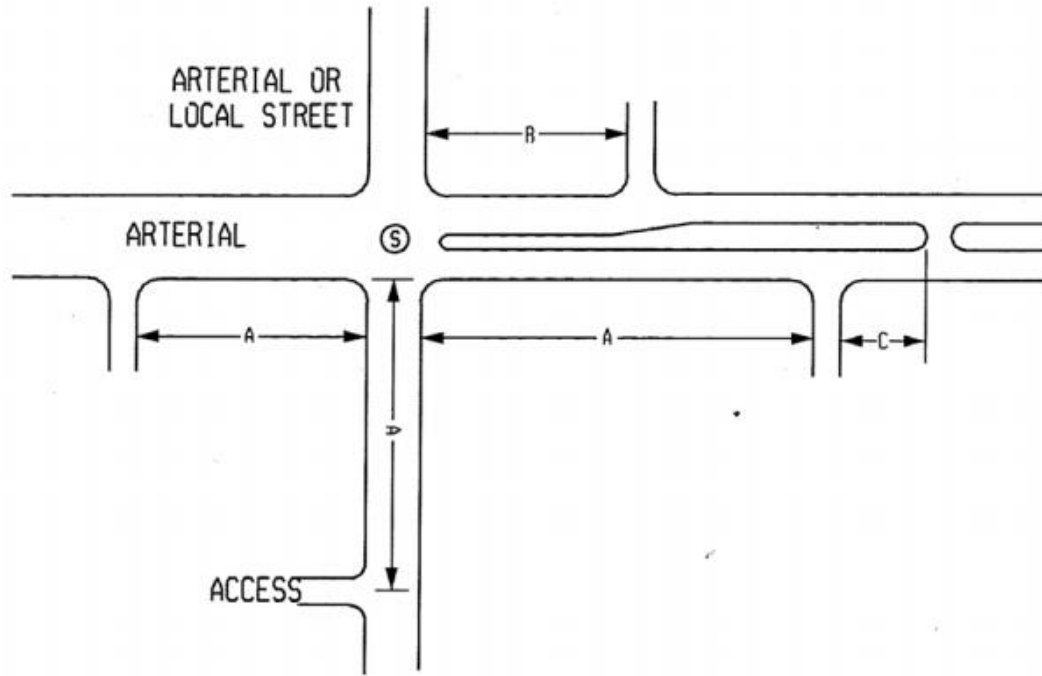


Figure 1. Corner Clearance

Table 3: Corner Clearance			
Design Speed (mph)	Dimension	Signalized Intersection Control (feet)	Stop Sign Intersection Control (feet)
25 to 35	A	230	115
	B	115	85
	C	75	75
40 to 55	A	460	230
	B	230	170
	C	150	150

In the event that a particular parcel or parcels lack sufficient frontage to maintain adequate spacing, the owner(s) may seek a variance from the RCKC.

B. Sight Distance Requirements

Acceptance of site access onto an existing public road is subject to the field review and recommendations of the County Engineer. Considerations include, but are not limited to vehicle speed, sight distance, and topography. An area of clear vision, free from obstructions and encroachments, shall be provided. Fences, trees, shrubs, poles, signs,

boulders, mailboxes, and other obstacles shall be removed or modified in this area to afford an unobstructed view in both directions of the approaching traffic.

A clear-vision area, as shown in Figure 2, shall be provided at, all commercial driveways entering onto a road under the jurisdiction of the RCKC.

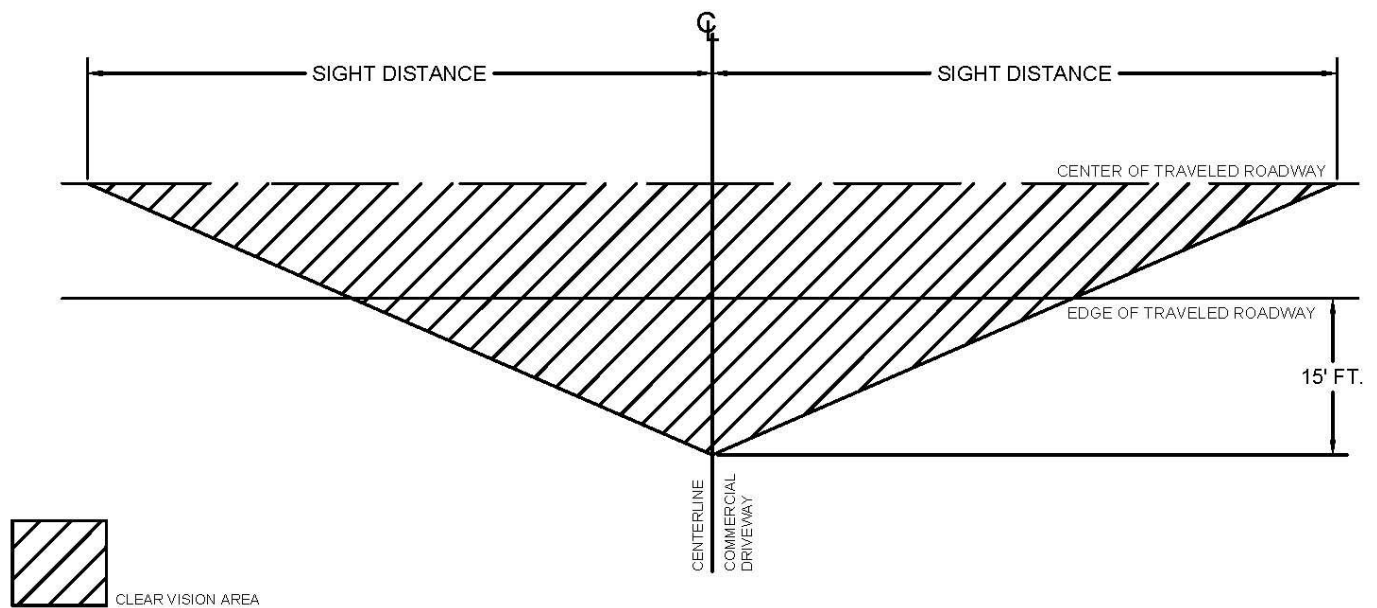


Figure 2. Clear-vision requirement for commercial driveways.

Sight distance, looking each way from the driveway centerline, shall be measured from an eye height of 3 feet 6 inches to an object 3 feet 6 inches above the road centerline. The eye height at the driveway centerline shall be positioned 15 feet from the edge of the traveled road.

The following minimum sight distances are based on 0% grade roads and the regulatory speed limit. Advisory speeds shall not be used when determining sight distance. Requirements for the clear-vision area are:

Speed (mph)	Sight Distance (feet)
25	280
30	335
35	390
40	445
45	500
50	555
55	610

*Distances are based on AASHTO guidelines.

C. Auxiliary Lanes and Taper Requirements

Driveways serving large developments frequently generate large numbers of turning movements. On two-lane public roads, this situation can disrupt traffic operations and often

makes shoulder maintenance difficult. MDOT Traffic and Safety Notes [604A](#) and [605A](#) shall be utilized (excluding any references to passing flares) in order to promote a uniform system to determine where right-turn lanes or left turn lanes shall be required as a condition of permit issuance. The RCKC reserves the right to require auxiliary lanes for safety reasons based upon crash history, traffic volumes and other data.

The permittee shall provide right-turn lanes or tapers as part of a commercial driveway system if the RCKC determines per MDOT Traffic and Safety Notes or an approved traffic impact study that such right-turn lanes or tapers are required to minimize congestion or hazard on the road caused by vehicles entering the permittee's driveways. A right-turn lane shall be preceded by a taper.

For the submittal of the application, the permittee shall provide calculations for the estimated number of peak hour trips for the development. These calculations shall be determined by using the current edition of the [Institute of Transportation Engineers Trip Generation](#) manual. Based upon these calculations and the MDOT Notes [604A](#) and [605A](#), RCKC will determine the need for auxiliary lanes.

D. Driveway and Site Plans

An application for a permit shall be accompanied by plans or drawings containing the required information listed under GENERAL REQUIREMENTS, and shall include applicable design features as illustrated in Examples IV through VII. Additionally, plans shall show internal traffic circulation, existing and proposed buildings and appurtenances and their dimensions, existing topographic contours at no more than 4 foot intervals, finish grades, and how storm water will be retained on site. After RCKC review, any required modifications shall be made and a final site plan submitted.

E. Material and Quality of Work

1. Type, thickness and specifications of materials shall be shown on plans. Commercial driveways are to be constructed of approved asphalt or concrete material. All driveways shall generally conform to requirements shown in the applicable design examples.
2. For the portion of the driveway within the ROW, surface and base shall meet material and thickness requirements to obtain the necessary bearing capacity. Minimum standards are:

Asphalt Driveway

- 2 ½ inches (275 Lbs / Syd) 13A Modified
- 2 ½ inches (275 Lbs / Syd) 13A Modified or as approved by the County Engineer
- 8 inches of compacted MDOT 22A aggregate base

Concrete Driveway

- 6 inches, MDOT Grade P1 Reinforced Concrete Pavement
- 3 inches of compacted MDOT 22A Aggregate Base

All driveways shall be constructed over approved soils. Composition of bituminous mixtures shall conform to requirements in [Section VI. C., 12., Restoring Materials](#), of the RCKC's [Construct, Operate, And/Or Use Within the County Road Right-of-Way](#) Policy.

3. Driveway apron shall be flush with or below the adjacent edge of road pavement. Apron slope from pavement edge to back edge of shoulder shall be 4% or match existing shoulder slope. Responsibility for maintenance of apron surface area rests with the property owner.
4. Commercial driveways shall be a minimum of 26 feet and a maximum of 36 feet from pavement edge to pavement edge in width. These measurements do not include the radii.
5. Shoulder grades are to be re-established so the driveway apron is at same level as the shoulder. Shoulder gravel shall meet MDOT specifications for 23A material.
6. On roads lined with high back concrete curb, access can be provided by total replacement of curb with concrete gutter or by saw cutting the back of curb. Use of saw cutting shall be approved by RCKC staff. If saw cutting is permitted, a 1inch high back of curb lip shall be retained. A commercial driveway accessing concrete curb requires the construction of curb along its taper and radii. Expansion joints shall be placed at the adjoining road curb. See Example V. Any inlets requiring modification shall be replaced by approved fixtures and driveway slope shall not exceed 4%. Cause for rejection of final work product includes, but is not limited to cracks, voids, exposed reinforcement steel or damage to existing concrete.
7. Driveway culverts shall meet specifications described under GENERAL REQUIREMENTS, Driveway Culvert.
8. Construction of auxiliary lanes and tapers may require installation of culverts to maintain ditch line flow. Clean out structures are required for every 300 feet of enclosed drainage pipe.

VI. LOW USE AND TEMPORARY DRIVEWAY REQUIREMENTS

In addition to the rules and standards provided under GENERAL REQUIREMENTS and PERMITS, specific requirements outlined below shall apply. The permit application shall be accompanied by plans or drawings containing the required information listed under GENERAL REQUIREMENTS, Plans, and include applicable design details. Example I illustrates typical design features. Driveway culverts shall meet specifications described under GENERAL REQUIREMENTS, Driveway Culvert.

A. Low Use (Agricultural or Utility) Driveway

1. Driveways designed to access cultivated or undeveloped land, or utility structures, are allowed every 1,000 feet.

2. Type and thickness of material will be specifically approved on the permit. Gravel or paved driveways may be accepted. Where SESC is a perceived problem, hard-surfaced driveway shall be required.
3. Sight distance requirements will be based on the requirements for residential driveways.

B. Temporary Driveway

1. A temporary driveway shall be allowed for a maximum 12-month period and is to service a site for a specific function or project. If a temporary driveway is removed by permittee within the allowable time, a portion of the fee may be returned to the permittee, as determined by RCKC staff. If permittee does not complete the obligations of the permit within the agreed period of time, RCKC shall remove the driveway without notice. The temporary driveway may be allowed a 12-month extension provided an additional residential driveway fee is submitted and the extension is approved by the County Engineer.
2. Type and thickness of material will be specifically approved on the permit. Gravel or paved driveways will be allowed, depending on use, erosion potential, maintenance, and other safety factors.
3. Sight distance requirements will be determined by the RCKC depending on proposed use.

VII. **DRIVEWAY ACCESS DETERMINATIONS**

Applying for a determination of accessibility is not the same as applying for a driveway permit. As outlined in the provisions of [Land Division PA 288 of 1967](#), as amended, MCL 560.109, when seeking approval of a parcel split, each resulting parcel must be accessible in order for the proposed split to be approved. The driveway access determination allows for land divisions to occur prior to having detailed plans prepared that are needed for a driveway permit approval.

Having an approved driveway access determination is not a driveway permit and does not guarantee that a driveway permit will automatically be issued. A separate application submittal must be made for a driveway permit. A determination of accessibility is not binding on the RCKC in the future, if there are changes in the law which occurs subsequent to this determination. Those changes could prohibit the issuance of a driveway permit or other use of the public and private roads if such uses or improvements are not in place prior to any such change in the law.

These procedures, guidelines and specifications for developing public roads in Kalamazoo County are the published rules adopted by the Board to carry out the provisions of the [Land Division PA 288 of 1967](#), as amended, MCL 560.101 et seq.

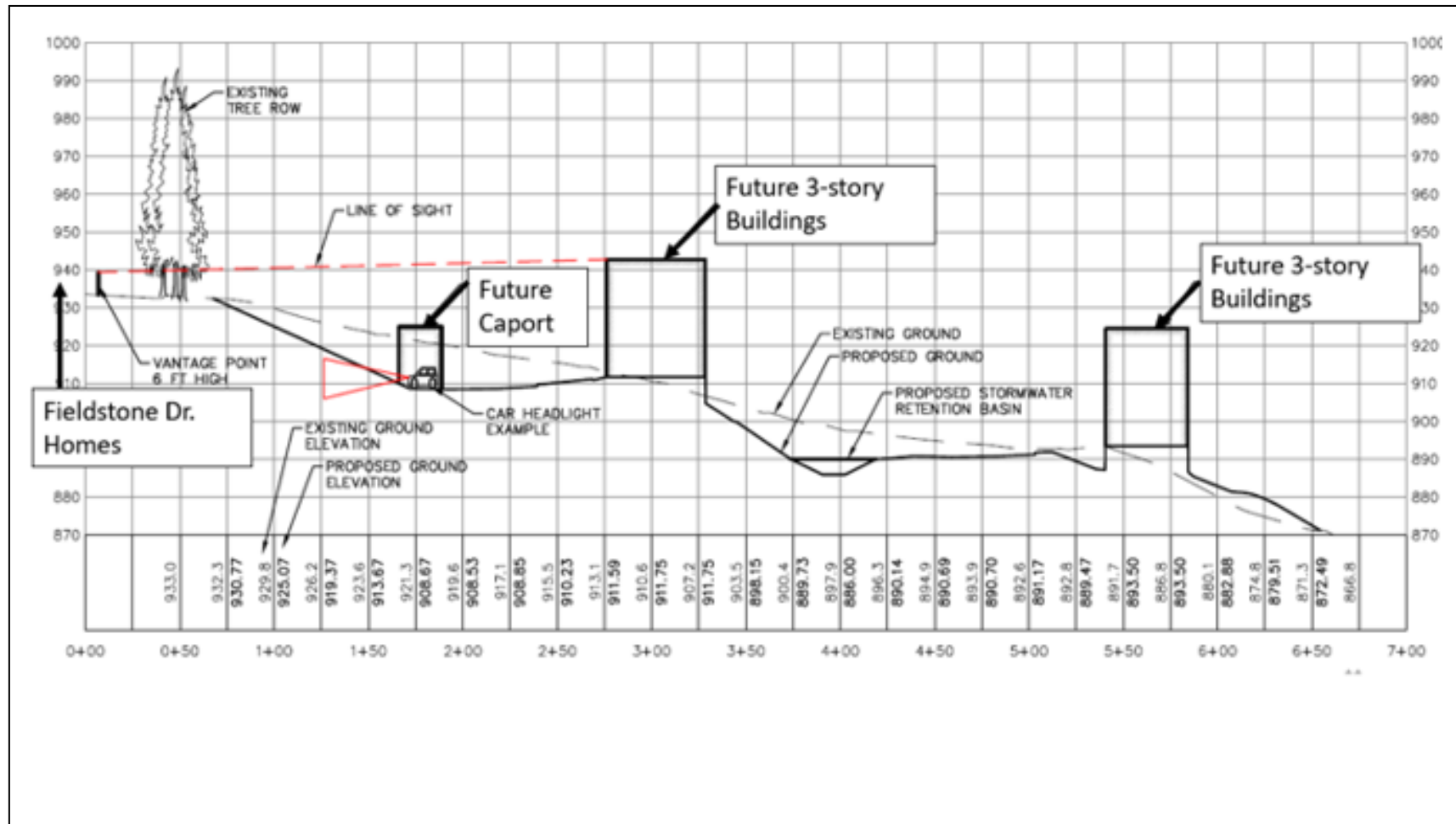
VIII. **VARIANCE CLAUSE**

All information regarding a variance is located in [Appendix G](#).

IX. SEVERABILITY CLAUSE

If any part of these requirements and specifications shall be found to be invalid, such invalidity shall not affect the validity of the remaining portions of this policy.

Applicant's Concept Plan – Profile View



TO: City of Portage Planning Commission**DATE:** August 11, 2022**FROM:** Kelly Peterson, Director of Community Development
Muhammad Arif, Traffic Engineer**SUBJECT:** Additional information requested related to the Proposed Rezoning application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential.

At the August 4, 2022, Planning Commission meeting, additional information was requested by the Commission during the discussion of proposed rezoning No. 22/23-3 'Fox Valley Rezone'. The Commission requested information from staff regarding:

- 1) Housing density of each portion of the Foxwood PD,
- 2) Preliminary Traffic Impact and Access Review, and
- 3) Density Levels designated in the Future Land Use Map of the 2014 Comprehensive Plan.

Responses by staff have been provided below for the Commission's review and consideration.

1. Housing Density of Each Portion of the Foxwood PD

The Commission requested the housing densities of each portion of the Foxwood PD. The PD consists of many phases but is made up of three distinct housing types: multifamily in the southern portion – 'Foxwood Apartments'; the single family detached homes in the middle; and the attached homes (townhouse style) in the northeast – 'Hermitage'. The total housing counts and densities of each of these are as follows:

- 'Foxwood Apartments'
 - 192 Approved Units
 - 14 total acres
 - Density = 13.7 units/ acre
- Single Family Dwellings
 - 81 Approved homes
 - 26.41 total acres
 - Density = 3 units/ acre
 - This does not include the 3 homes at east end of Raborn Ct, since they are not part of the Foxwood PD.
- East portion of Attached Housing to the north (Hermitage)
 - 60 Approved units

- 16.61 total acres
- Density = 3.6 units/ acre
- Not Part of Foxwood PD – but connected or geographically proximate to Foxwood PD
 - West portion of Attached Housing to the north – 64 units on 15.95 acres yields a density of 4.01 units/ acre.
 - The 3 homes at east end of Raborn Court
 - Current Rezone proposal – Conceptual Multifamily Development of 120 units on 10 acres yielding a density of 12 units/ acre.

2. Preliminary Traffic Impact and Access Evaluation

As noted during the August 4, 2022 Planning Commission meeting, notes that the rezoning request and approval process ([Sec. 42-651. Amendments to this Article](#)) does not include traffic impacts on a specific site or property. Traffic impacts and evaluations occur during the site plan review process, after a detailed development project has been submitted for review by City Departments. The rezoning application does however include a conceptual plan for the proposed multifamily development. Staff did request an initial review of the conceptual plan from the Road Commission of Kalamazoo County (RCKC) who provided preliminary review comments to the City in two emails with recommendations. The emails from RCKC were transmitted to the Planning Commission in the August 4, 2022 agenda packet.

Following the August 4, 2022 Planning Commission meeting, staff requested City of Portage Traffic Engineer Muhammad Arif review the RCKC emails and provide a preliminary, high-level review of traffic and access related to the proposed concept plan using the 2021 ITE Trip Generation Handbook, which is industry standard data that is used to calculate a general level of traffic using proposed land use and number of proposed dwelling units. The ITE calculations are not site specific, or geographically specific.

The ITE Trip Generation Handbook (2021) data and initial assessment provided by Mr. Arif are shown below. From the ITE Trip Generation Handbook (2021) the following inputs were used to derive the below calculations: *Land Use 220: Multifamily Housing* and *Number of Dwelling Units* of 120.

Weekday (50% In, 50% Out)

Average Rate (AR): 6.74

AR Trips: 809 (404/405)

Fitted Curve (FC): $T = 6.41(X) + 75.31$

FC Trips: 845 (422/423)

AM Peak Hour of Adjacent Traffic (24% In, 76% Out)

Average Rate: 0.40

AR Trips: 48 (12/36)

Fitted Curve: $T = 0.31(X) + 22.85$

FC Trips: 60 (14/46)

PM Peak Hour of Adjacent Traffic (63% In, 37% Out)

Average Rate: 0.51

AR Trips: 61 (38/23)

Fitted Curve: $T = 0.43(X) + 20.55$

FC Trips: 72 (45/27)

In addition to the above preliminary calculations, Mr. Arif included the following initial comments: *“It appears that there will be a sizeable traffic generated by the development. Since 12th Street is under the jurisdiction of Road Commission of Kalamazoo County, we will follow their recommendation whether a TIS [traffic impact study] is required or not. In my professional opinion, a [traffic] capacity analysis at the intersection of 12th Street/Old 12th Street should be sufficient to determine the impact of the new development. In addition, as recommended by the County, [the] developer needs to improve the line of sight to the south at this intersection too.”*

Additionally, the Commission noted that the subject property and the existing multifamily share Fox Valley Avenue with the single-family neighborhood to the immediate north. The Commission found this unique and asked if there were other scenarios in Portage where a single-family neighborhood directly shares a street with a higher density or multifamily neighborhood. Staff identified two similar existing scenarios:

- Sterling Oaks Senior Apartment shares interior residential streets with Single Family Condos multifamily building to access Bacon Ave.
- Moorsbridge Rd section between Oak Shore Dr. and MacKenzie Ln. The single-family homes along Oakshore Dr. and Cottage Oaks Dr. share Moorsbridge Rd with the attached homes along Tartan Circle and Woodbridge Ln.

3) Density Levels in Future Land Use Map of 2014 Comprehensive Plan

The proposed rezoning application was reviewed for consistency with the Future Land Use Map of the 2014 Comprehensive Plan.

- The subject site and adjacent properties are classified ‘Medium Density Residential’ having a density range of 4 - 8 units per acre.
- The Commission requested the density of the ‘High Density Residential’ classification, which is listed as 8 - 15 units/ acre.

CITY OF PORTAGE PLANNING COMMISSION

Thursday, August 18, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of August 18, 2022, was called to order by Chairman Corradini at 7:00 p.m.

IN ATTENDANCE

- Eric Feldt, City Planner
- Roxanne Seeber (in place of Catherine Kaufman - City Attorney)

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (excused); Baldwin (yes); Adams (excused); Youngs (excused); Casper (yes); and Freiman (yes).

Commissioner Baldwin motioned to excuse Commissioner Pezzoli, Commissioner Adams, and Commissioner Youngs. Commissioner Fries supported the motion. Motion carried 6-0.

APPROVAL OF MINUTES

Motion by Commissioner Baldwin, seconded by Commissioner Casper to approve the Planning Commission Meeting Minutes of August 4, 2022, as submitted. Motion carried 6-0.

PUBLIC HEARINGS

1) Edward Rose & Sons requests rezoning application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development. Chair Corradini stated that a decision for this item will be tabled until the September 15th Planning Commission meeting as requested by the applicant. Vice Chair Joshi motioned to extend the public hearing and Commissioner Baldwin supported the motion.

- Chris Welling, 4662 Chasemoor Dr, stated it is the Commission's responsibility to balance the interests of the residents, the developer, and the City. His concerns were about deviation from the City's plans.
- Joe Katarski, 4573 Chasemoor Dr, stated the rezoning is at opposition to the City's plans.
- Matt Quardokas, 783 Idlewood Ave, stated there is no other example of high density residential with a neighborhood between it and access to a major thoroughfare in Portage. He stated additional issues with adding high density to an area that already has high density.

There being no additional public comment, Vice Chair Joshi motioned to adjourn the public hearing until September 15th Planning Commission meeting and Commissioner Baldwin supported the motion. Motion passed 6-0.

SITE/FINAL PLANS

1) Tall Timbers Portage, LLC requests Final Plan approval for the previously-approved Tentative Plan amendment for Phase VII of Greenspire (Tall Timbers) Residential Planned Development at 3413 West Centre Avenue. Mr. Feldt summarized the applicant's request, site plan, and history. Staff recommended Planning Commission recommend to City Council the approval of the Final Plan with a condition that a public utility plan be submitted and approved by the City of Portage.

Applicant, Greg Dobson AVB, 4200 West Centre Ave, stepped forward and introduced the project. Commissioners asked about the EV chargers. Applicant responded with information about the chargers.

Commissioner Freiman moved to recommend to City Council the approval of the Final Plan for Tall Timbers Portage LLC, Tentative Plan Amendment for Phase 7 Greenspire Residential Planned Development at 3413 West Centre Ave with the condition recommended by staff. Commissioner Casper supported the motion. Motion passed 6-0.

NEW BUSINESS

1) A Preliminary Plat approval for Oakland Farms No. 3 residential subdivision at 9840 Oakland Drive. *At the request of the applicant, this agenda item is being tabled until the September 15, 2022 Planning Commission meeting.*

OLD BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS

Vice Chair Joshi thanked the City for paving Romence Road and appreciated the City's online permitting process. Chair Corradini reminded Commissioners to arrive on time. Commissioner Baldwin stated that she will not make the September 15, 2022 Planning Commission meeting.

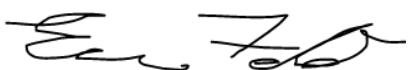
STATEMENT OF STAFF

None.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 7:45 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
City Planner/Project Manager

Planning Commission Minutes

August 18, 2022

Page 3

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CITY OF PORTAGE PLANNING COMMISSION

Thursday, September 15, 2022

7:00 PM Portage

City Hall Council Chambers

The City of Portage Planning Commission meeting of September 15, 2022, was called to order by Chairman Corradini at 7:00 p.m.

IN ATTENDANCE

- Eric Feldt, City Planner/Project Manager
- Catherine Kaufman, City Attorney
- Biqi Zhao, Deputy Director of Planning and Zoning
- Pat McGinnis, City Manager

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (yes); Pezzoli (yes); Baldwin (excused); Adams (yes); Youngs (yes); Casper (yes); and Freiman (yes).

Vice Chair Joshi motioned to excuse Commissioner Baldwin; Commissioner Freiman supported the motion. Motion carried 8-0.

APPROVAL OF MINUTES

Motion by Vice Chair Joshi, seconded by Commissioner Fries to approve the Planning Commission Meeting Minutes of September 1, 2022. Motion carried 8-0.

PUBLIC HEARINGS

1. Edward Rose & Sons requests rezoning application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

Mr. Feldt indicated that this project was tabled to today's Planning Commission meeting from the August 18th meeting at the request of the applicant. Further, he stated that staff received additional public comment which is in the packet. Mr. Feldt also indicated that there have been no changes to the proposal. Staff's recommendation is if no additional public comment is requested and the Commission is supportive of the proposed rezoning request, that the Planning Commission recommend to City Council approval of the rezoning application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

Applicant, Kirsten Rimes, 6101 Newport Road, Portage Michigan, representative for Edward Rose and Sons stepped forward. She described the zoning request and addressed the concerns of traffic, property values, crime, and open space. She further assured that the proposed rezoning and future development of a multifamily would have minimal impact on the surrounding neighborhoods.

Chair Dan Corradini asked how they would guarantee that an increase of neighborhood traffic would not occur. He then opened the public hearing.

- Aimee Kirnowicz, 5306 Barrymoore Street, Portage, MI. expressed concerns about perceived traffic volume and safety issues at Milham approaching traffic circle at 12th Street and Texas Corners.
- Mohan Gullapalli, 5127 Chasemoore Court, Portage, MI. expressed concerns about perceived traffic issues and impacts to property values.
- Robert Williams, 10930 South Westnedge Avenue, Portage, MI. expressed that he felt there was an abundance of apartments in the City and voiced opposition to building more.
- Susan Hagenbarth, 4673 Chasemoor Drive Portage, MI. expressed concerns about perceived traffic issues.
- Lynnae Stankus, 4759 Chasemoor Drive Portage, MI. expressed concerns about perceived increases in traffic volume and safety concerns with the addition of new apartments.
- Ron Pelak, 5155 Chasemoor Court Portage, MI., and Fox Valley HOA President, expressed perceived concerns related to traffic and crime in relation to the rezoning, and general concern about area density.
- Matt Quardokus, 4783 Idlewood Portage Michigan. expressed the need for housing in Portage but stated he did not believe the location for the Fox Valley rezoning is appropriate.

Vice Chair Joshi motioned to close public hearing; Commissioner Pezzoli supported the motion to close the public hearing. Chair Corradini asked each Planning Commission for their comments on the proposal.

Commissioner Adams asked Attorney Kaufman if the City is opening itself up to any type of litigation by approving a project considering it is not concurrent with the City's Master Plan. Catherine Kaufman replies that "zoning that is in compliance with the Master Plan is more defensible."

Commissioner Youngs stated that he would prefer changes be made to Fox Valley area to address and mitigate traffic concerns if the project were to be developed.

Commissioner Pezzoli expressed issues of traffic flow and the current shortage of housing; stating that Portage demographics are changing and there is an increased need of apartments.

Commissioner Fries broached the issue of the City's current Master Plan (2014) being outdated, and stated that it would consider higher density living if it were updated today.

Vice Chairwoman Joshi reiterated the need for more affordable housing but expressed the opinion that the proposed site may not be a great location for the project.

Commissioner Freiman stated support for need of higher density housing but expressed his opinion that the site wasn't the most logical location for the project.

Commissioner Kasper expressed an opinion that the property is not appropriate for increased density housing.

Chair Corradini stated that he read all public comments, researched the proposal, summarized the proposal, described the neighborhood, indicated the lot is land-locked location. He expressed that he perceived that the project would result in increased traffic. He stated that he has a hard time seeing any RM-1 development on this lot. Further, Mr. Corradini indicated the use of the existing Comprehensive Plan for reviewing this proposal, and that the City will be updating the plan soon. Lastly, he summarized his comments in consistency with the current 2014 Master Plan and expressed that he was not supportive of the rezoning.

Vice Chair Joshi motioned to recommend denying rezoning application No. 22/23-3 Fox Valley Drive from R-1C Single-Family Residential to RM-1 Multifamily Residential for future multi-family housing development to City Council. The motion was seconded by Commissioner Kasper.

Attorney Kaufman clarified that the motion as presented by staff is to recommend approval. However, the motion presented by Vice Chair Joshi is to recommend denial. Attorney Kaufman helped clarified to the Commission that a 'yes' vote means that the Commission is voting to recommend against the rezoning. Upon roll call vote: Chairman Corradini (yes); Vice Chair Joshi (yes); Fries (no); Pezzoli (no); Baldwin (excused); Adams (yes); Youngs (yes); Casper (yes); and Freiman (yes). The motion to recommend denying rezoning No. 22/23-3 passed 6-2.

2. A Preliminary Plat approval for Oakland Farms No. 3 residential subdivision at 9840 Oakland Drive.

Mr. Feldt summarized the project and indicated that staff analysis found that the proposal is consistent with City of Portage subdivision regulations. Mr. Feldt indicated that staff recommends that the Planning Commission recommend to City Council for approval of preliminary plat for Oakland Farms No. 3 residential subdivision at 9840 Oakland Drive with the following conditions:

1. A minimum of 5-foot wide soft/hard surface groomed trail shall be installed within the city's water main easement area (between the new Windflower Lane cul-de-sac and Honey Creek Trail/ Oakland Farms Trail intersection.)
2. Prior to construction of the public water and sewer mains, a public utility plan shall be submitted and approved by the City of Portage.

Mr. Feldt stated that the first condition is recommended because it will provide a new trail to increase pedestrian connections and pedestrian safety within the neighborhood; it's within the existing City easement; and does not prevent future housing development. He indicated that the developer opposes this condition due to liability issues, maintenance issues, and is undesirable by future homeowners. He added that the second condition is a standard recommended for developments connecting to City utilities.

Applicant, Dan Martz, 7545 South 10th Street Portage, MI. provided a summary of the project, and stated his opposition of Condition 1, as it would interrupt the proposed and future lots and houses near the proposed trail.

Commissioner Fries asked if the proposed trail would change the setback on impacted lots/houses. Mr. Martz explains that due to the zoning, the front and side setbacks would remain the same; although it may restrict Lot 57 more than others.

Commissioner Kasper asked if these were the same conditions set for any of the other phases in the planning process. Mr. Martz answered that this is a new condition.

Chairman Corradini opened the public hearing.

- Karen Wyatt, 9944 Mozart Street Portage, MI voiced concerns of forested areas being altered due to construction of new homes.
- Judith Davidson 2604 Chopin Ave Portage, MI voiced concerns of altered nature aesthetic due to the construction of new homes.

Vice Chair Joshi motioned to close public hearing; Commissioner Fries supported. Motion passed 8-0.

Commissioner Kasper made a motion to recommend to City Council approval of preliminary plat for Oakland Farms No. 3 residential subdivision at 9840 Oakland Drive without the City's condition of adding a trail along the City's watermain easement. Commissioner Kasper added to the motion Condition 2 that prior to construction of the public water and sewer mains, a public utility plan shall be submitted and approved by the City of Portage. Chair Corradini clarified the motion from Mr. Feldt who indicated that the motion was the same as indicated in the staff report without Condition 1. Motion was seconded by Commission Pezzoli. Motion passes 8-0.

3. Craft Investments, LLC requests rezoning application No. 22/23-5 from OS-1 Office Service District to B-1 Local Business District for 505 and 515 E. Centre Avenue to facilitate future commercial development.

Mr. Feldt summarized the project, the surrounding area, presented the City's zoning map and Comprehensive Plan Future Land Use Map, and showed pictures of the two sites and adjacent properties. He stated that staff supports the proposed rezoning as it is consistent with the intent of Comprehensive Plan.

Applicant Sean Craft, 1403 South Burdick Street, Kalamazoo, MI spoke on opening zoning districts in order to conduct more business, explained difficulty of the existing office district, and possibly starting more family businesses in area.

Chairman Corradini opened the public hearing. No public testimony was received. Vice Chair Joshi motioned to close public hearing; Commissioner Fires supported. Motion passed 8-0.

Commissioner Fries motioned to recommend the City Council approve rezoning application 22/23-5 from OS-1 Office Service district to B-1 Local Business district for 505 and 515 E. Centre Avenue to facilitate future commercial development. Motion was seconded by Commission Pezzoli. Motion passed 8-0.

SITE/FINAL PLANS

None.

NEW BUSINESS

None.

OLD BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS

Commissioner Kasper asked about future rezoning and development of properties west of 505 E. Centre Avenue, and if the City would rezone properties without approval or notification of property owners. Mr. Feldt indicated that there is some support for future rezoning consistent with the City Centre Future Land Use Map within the current Comprehensive Plan and that standard notification processes would be followed.

Commissioner Pezzoli stated he would be absent for the next Planning Commission meeting (October 6, 2022).

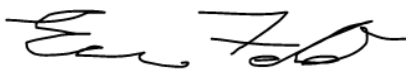
STATEMENT OF STAFF

None.

ADJOURNMENT:

There being no further business to come before the Commission, Chairman Corradini adjourned the meeting at 8:59 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric Feldt".

Eric Feldt, AICP, CFM
City Planner/Project Manager



Department of Community Development

TO: Honorable Mayor and City Council
FROM: City of Portage Planning Commission
DATE: September 21, 2022

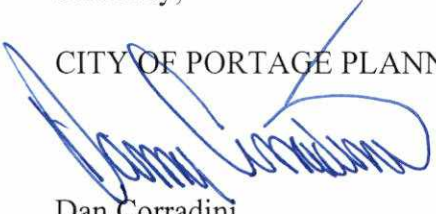
SUBJECT: Rezoning Application #22/23-3, from R-1C One-Family Residential District to RM-1 Multi-Family Residential District for a future multifamily housing development.

At the September 15, 2022 meeting, the Planning Commission reviewed and discussed the Rezoning Application # 22/23-3 from R-1C One-Family Residential District to RM-1 Multi-Family Residential District for a future multifamily housing development. The applicant representative, Kirsten Rimes, Edward Rose & Sons, was present to support the proposed application and explain the project details. Seven members of the public provided testimony and expressed opposition to the project due to perceived concerns about the impacts on traffic, crime, property value, and the natural environment. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

The Planning Commission voted 6-2 to recommend to City Council the denial of the Rezoning Application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION



Dan Corradini
Chairman

Attachments: September 15, 2022 Planning Commission meeting minutes.

**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:

Street Address

Parcel ID Numbers

4670 Fox Valley Drive

00006-055-0

as more specifically described: SEC 6-3-11 COM AT SW COR NFR1/2 NWFR1/4 SEC 6 TH N 89 DEG 32 MIN 30 SEC E ALG S LI NFR1/2 NWFR1/4 SD SEC 702.84 FT FOR PL OF BEG TH N 0 DEG 16 MIN 40 SEC W PAR TO W LI SD SEC 113 FT TH N 89 DEG 32 MIN 30 SEC E PAR TO S LI NFR1/2 NWFR1/4 SD SEC 632 FT TH S 0 DEG 16 MIN 40 SEC E PAR TO W LI SD SEC 690 FT TH S 89 DEG 32 MIN 30 SEC W PAR TO S LI NFR1/2 NWFR1/4 SD SEC 632 FT TH N 0 DEG 16 MIN 40 SEC W PAR TO W LI SD SEC 577 FT TO PL OF BEG ALSO A ROW OVER FOLL DESC PCL COM AT NW COR SFR1/2 NWFR1/4 SEC 6 TH S 0 DEG 16 MIN 40 SEC E ALG W LI SD SEC 511 FT FOR PL OF BEG TH N 89 DEG 32 MIN 30 SEC E PAR TO N LI SFR1/2 NWFR1/4 SD SEC 562.84 FT TH S 0 DEG 16 MIN 40 SEC E 6 FT TH N 89 DEG 32 MIN 30 SEC E 140 FT TH S 0 DEG 16 MIN 40 SEC E 60 FT TH S 89 DEG 32 MIN 30 SEC W PAR TO N LI SFR1/2 NWFR1/4 SD SEC 702.84 FT TO W LI SD SEC TH N 0 DEG 16 MIN 40 SEC W ALG W LI SD SEC 66 FT TO PL OF BEG 10.01A

From R-1C One-Family Residential District to RM-1 Multifamily Residential District.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Patricia M. Randall, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2022.

Erica Eklov, City Clerk

Approved as to Form:

Date: 9-20-2022

By: Colleen Kuehner
City Attorney

**ADOPTION OF ZONING ORDINANCE
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 adopted by the City Council at a regular meeting held on the _____ day of _____, 2022, and will become effective _____, 2022.

NOTICE IS FURTHER GIVEN that Article 4 (Zoning) of Chapter 42, Land Development Regulations, of the Codified Ordinance of Portage, Michigan, has been amended 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:

Street Address

Parcel ID Numbers

4670 Fox Valley Drive

00006-055-0

as more specifically described: SEC 6-3-11 COM AT SW COR NFR1/2 NWFR1/4 SEC 6 TH N 89 DEG 32 MIN 30 SEC E ALG S LI NFR1/2 NWFR1/4 SD SEC 702.84 FT FOR PL OF BEG TH N 0 DEG 16 MIN 40 SEC W PAR TO W LI SD SEC 113 FT TH N 89 DEG 32 MIN 30 SEC E PAR TO S LI NFR1/2 NWFR1/4 SD SEC 632 FT TH S 0 DEG 16 MIN 40 SEC E PAR TO W LI SD SEC 690 FT TH S 89 DEG 32 MIN 30 SEC W PAR TO S LI NFR1/2 NWFR1/4 SD SEC 632 FT TH N 0 DEG 16 MIN 40 SEC W PAR TO W LI SD SEC 577 FT TO PL OF BEG ALSO A ROW OVER FOLL DESC PCL COM AT NW COR SFR1/2 NWFR1/4 SEC 6 TH S 0 DEG 16 MIN 40 SEC E ALG W LI SD SEC 511 FT FOR PL OF BEG TH N 89 DEG 32 MIN 30 SEC E PAR TO N LI SFR1/2 NWFR1/4 SD SEC 562.84 FT TH S 0 DEG 16 MIN 40 SEC E 6 FT TH N 89 DEG 32 MIN 30 SEC E 140 FT TH S 0 DEG 16 MIN 40 SEC E 60 FT TH S 89 DEG 32 MIN 30 SEC W PAR TO N LI S FR1/2 NWFR1/4 SD SEC 702.84 FT TO W LI SD SEC TH N 0 DEG 16 MIN 40 SEC W ALG W LI SD SEC 66 FT TO PL OF BEG 10.01A

From R-1C One-Family Residential District to RM-1 Multifamily Residential District.

PLEASE TAKE NOTICE that a copy of the Ordinance as amended may be purchased or inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. Further, a copy of a map showing the property rezoned is also available at the time and days noted above.

Dated: _____

Erica Eklov, City Clerk

**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 _____, 2022, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2022, at 7:00 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:

Street Address

Parcel ID Numbers

4670 Fox Valley Drive

00006-055-0

as more specifically described: SEC 6-3-11 COM AT SW COR NFR1/2 NWFR1/4 SEC 6 TH N 89 DEG 32 MIN 30 SEC E ALG S LI NFR1/2 NWFR1/4 SD SEC 702.84 FT FOR PL OF BEG TH N 0 DEG 16 MIN 40 SEC W PAR TO W LI SD SEC 113 FT TH N 89 DEG 32 MIN 30 SEC E PAR TO S LI NFR1/2 NWFR1/4 SD SEC 632 FT TH S 0 DEG 16 MIN 40 SEC E PAR TO W LI SD SEC 690 FT TH S 89 DEG 32 MIN 30 SEC W PAR TO S LI NFR1/2 NWFR1/4 SD SEC 632 FT TH N 0 DEG 16 MIN 40 SEC W PAR TO W LI SD SEC 577 FT TO PL OF BEG ALSO A ROW OVER FOLL DESC PCL COM AT NW COR SFR1/2 NWFR1/4 SEC 6 TH S 0 DEG 16 MIN 40 SEC E ALG W LI SD SEC 511 FT FOR PL OF BEG TH N 89 DEG 32 MIN 30 SEC E PAR TO N LI SFR1/2 NWFR1/4 SD SEC 562.84 FT TH S 0 DEG 16 MIN 40 SEC E 6 FT TH N 89 DEG 32 MIN 30 SEC E 140 FT TH S 0 DEG 16 MIN 40 SEC E 60 FT TH S 89 DEG 32 MIN 30 SEC W PAR TO N LI S FR1/2 NWFR1/4 SD SEC 702.84 FT TO W LI SD SEC TH N 0 DEG 16 MIN 40 SEC W ALG W LI SD SEC 66 FT TO PL OF BEG 10.01A

From R-1C One-Family Residential District to RM-1 Multifamily Residential District.

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: _____

Erica Eklov, City Clerk

Eric Feldt

From: Foxwood HOA <foxwoodhoaboard@gmail.com>
Sent: Sunday, July 31, 2022 9:31 AM
To: Eric Feldt
Subject: Fwd: Housing Development

Follow Up Flag: Follow up
Flag Status: Flagged

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From: **Lynn Daniel** <lynnd48@outlook.com>
Date: Tue, Jul 26, 2022 at 4:51 PM
Subject: Housing Development
To: foxwoodhoaboard@gmail.com <foxwoodhoaboard@gmail.com>

We strongly disapprove of the proposed development behind the Foxwood Hills subdivision. We deal with traffic from the town homes and the apartments on a daily basis. Those that live in the apartments often run the stop sign on Fox Valley and there are several people that speed down Chasemoor to get to the town homes. The traffic in this neighborhood would be horrendous. This is a quiet family neighborhood that doesn't need added traffic and noise.

We have lived in this neighborhood for 20 years and would be heartbroken if this development becomes a reality. There is a lot of wildlife that inhabits the green space behind many of the homes and the proposed development would force them out of the area.

I would also like to know if the school district would be able to handle the influx of students to 12th Street Elementary? Would they need to redistrict again? If so, this would also be a huge disappointment.

The roundabout on 12th and Milham would also likely be even more congested during peak hours. This is already a headache for those driving to and from work in this area.

Thank you for your time and consideration.

Sincerely,
Chris and Lynn Daniel
4850 Idlewood Ave

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Eric Feldt

From: David Kulpa <davidkulpa@hotmail.com>
Sent: Monday, August 1, 2022 8:56 AM
To: Eric Feldt
Subject: Rezoning 4760 Fox Valley Drive

Follow Up Flag: Follow up
Flag Status: Flagged

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My name is David Kulpa and I live at 4510 Chasemoor Drive, Portage, Michigan.

I am writing you to NOT approve any rezoning at the 4760 Fox Valley Drive parcel in my neighborhood. This small neighborhood does NOT need any more apartments by it and most certainly not in it.

Besides the probable lost in equity and housing values the traffic is above any acceptable levels as it is now! Adding to this will only make the entire area feel like an absolutely horrible area to live.

The neighborhood has long dealt with the Condos in the back that produce probably 80-90% of the traffic thru the neighborhood.

For the last 20 years I have lived next to the "secondary" entrance that goes through my cul de sac where I am immediately next to it. We were sold on the idea that it was only a secondary access that provided emergency access. Pretty much a giant Lie.

Speed bumps once there have been stolen or removed.

A VERY large number of children are in the neighborhood and there have been some close calls over the years but no injuries or heaven forbid deaths. The traffic from back there usually flies through the neighborhood.

My wife even talked to someone at the road commission or city road planning (Not sure who). She was dismissed as, and I quote, "just a hysterical mother". So a history of the city not listening to real concerns still irks us all.

PLEASE do NOT rezone the area into another apartment complex.

The Neighborhood doesn't want it for many reasons, increased traffic and home value foremost among them!

Thank You and I hope the city actually respects their tax paying citizens and suggest you might even come out and watch traffic for a few hours in mornings or evenings and judge for yourself.

Sincerely,
David Kulpa

Eric Feldt

From: Vimala Kunjappan <vmlkunjappan@gmail.com>
Sent: Monday, August 1, 2022 2:11 AM
To: Eric Feldt
Subject: Edward Rose and sons zoning request

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I am Vimala Kunjappan. We reside at 5329 Fieldstone Dr, Portage MI. We are opposed to the zoning request of 4760 Foxvalley Dr. as are many of our neighbors living in this area. We request the planning commission of Portage to kindly consider our concerns.

Thanking you,

Sincerely,

Vimala Kunjappan

Eric Feldt

From: Martin, Janelys <janelys.martin@stryker.com>
Sent: Monday, August 1, 2022 9:56 AM
To: Eric Feldt
Cc: Foxwood HOA
Subject: 4670 Fox Valley Drive
Attachments: Foxwood Letter.pdf

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Dear Portage Planning Commission- Please see attached correspondence regarding the rezoning of 4670 Fox Valley Drive.

Regards,
Janelys Martin

Janelys Martin

Manager, Professional Affairs and Professional Relations

SOMOS Kalamazoo, Member Lead

Stryker

Instruments- Interventional Spine

C: 269.366.7081

janelys.martin@stryker.com

Achiever | Learner | Maximizer | Self-Assurance | Relator

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Eric Feldt

From: Foxwood HOA <foxwoodhoaboard@gmail.com>
Sent: Sunday, July 31, 2022 9:32 AM
To: Eric Feldt
Subject: Fwd: rezoning petition

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From: <rennieniem@gmail.com>
Date: Thu, Jul 28, 2022 at 9:27 AM
Subject: rezoning petition
To: foxwoodhoaboard@gmail.com <foxwoodhoaboard@gmail.com>

4781 Mistwood Ave

Yes we agree, there should NOT be another apartment development built on this property. We believe it will lower the values of our property. It will also cause more congestion when entering the FOXWOOD neighborhood, when there already are backups. We will sign any petition to STOP this development.

Once we heard about this project, we immediately called our realtor to put the house on the market. Unfortunately, due to recent surgery, we had to postpone the listing. Please email me the petition and instruction of what we need to do.

Thank you,
Rennie Niemi
4781 Mistwood Ave

Eric Feldt

From: Larry Stankus <larry.stankus@foxwoodhills.com>
Sent: Thursday, July 28, 2022 6:08 PM
To: Eric Feldt
Subject: Input regarding zoning change 4670 Foxvalley Drive.

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To Whom it May Concern:

I received a letter about a proposed zoning change for the property at 4670 Fox Valley Drive. I live within 300 feet of the property. I am against this zoning change. Adding multiple apartment units to this property will create traffic issues and disrupt the natural setting that the current residents enjoy.

The nearby area already has several apartment and condominium developments. The larger area that uses 12th street as its main road is becoming more and more congested with the new developments that are already in progress. The roundabout at 12th and Milham backs up significantly every day around 5pm. These additional units will only add to the congestion.

Please keep the current zoning for this property.

Thank you,

Larry Stankus
Foxwood Hills resident

Eric Feldt

From: Lynnae Stankus
Sent: Wednesday, July 27, 2022 8:38 PM
To: Eric Feldt
Subject: Do not grant zoning change: public comment (4670 Fox Valley Drive)

Follow Up Flag: Follow up
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Hello,

We do not approve of the zoning change that Edward Rose & Sons is requesting for 4670 Fox Valley Drive. Please see below for our written comments and rationale to not grant the rezoning application. We are residents within the 300 ft radius of the property.

-Our neighborhood would undoubtedly see more traffic from another multi-family unit going up around us. We already have a significant amount of traffic coming into our subdivision that feeds two other multi-family complexes. We have condos on one side of us and apartments on the other. Cars speed down our streets often and this makes it dangerous for our children who ride bikes, play and walk on the sidewalks. Much of the traffic in our neighborhood already feeds to those housing complexes around us (not our residents) and this has already been a problem in our subdivision. We do not need more traffic and worry that our children are unsafe playing outside.

-12th St already has an immense amount of traffic. Adding another multi-family unit that would need to use 12th St would create a traffic nightmare. The round-about at Milham and 12th is already very backed up often, with traffic lining the road down to I-94 from the roundabout at certain times of the day (traffic backed up for several blocks). Adding in a complex with hundreds more tenants would be a horrible mess of traffic on that main road.

-Our neighborhood is already sandwiched between other complexes. We have condos and we have apartments on either side of us. We do not wish to have more apartments around us when plenty of multi-family housing already exists in this location. There are plenty of multi-family housing units to already choose from in this area. The construction would be unpleasant and unwelcomed. We also do not want to look at a multi-family housing unit in our backyards, as we currently have abundant trees and wildlife in this area.

We urge that the zoning request be denied and that this property should NOT be re-zoned for multi-family housing.

Sincerely,
Lynnae Stankus

Foxwood Hills Resident
City of Portage Resident

Eric Feldt

From: Foxwood HOA <foxwoodhoaboard@gmail.com>
Sent: Sunday, July 31, 2022 9:18 AM
To: Eric Feldt
Subject: Fwd: Rezoning concerns - 4670 Fox Valley Dr.

Follow Up Flag: Follow up
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From: Anna Wirick <anna.m.wirick@gmail.com>
Date: Tue, Jul 26, 2022 at 12:31 PM
Subject: Rezoning concerns - 4670 Fox Valley Dr.
To: <foxwoodhoaboard@gmail.com>

Good afternoon,

Here are few of our reasons to veto the rezoning:

Increase traffic in the neighborhood - higher risk to our kid's safety (we have already complained several times about people from the condos speeding down our road)

We don't think the infrastructure for 12th st can handle another apt complex/more units to that degree, 5pm at the round about is already backed up and there's accidents often.

Our property value will decrease, which we have verified with a few realtors that this will impact us. Not as much if they're condos, as an apt building.

It's not ascetically pleasing for us, our master bath and bedroom open right up into the field.

The wildlife that lives back there is abundant. We have dozens of deer and turkeys that live within that 11 acres, not to mention the small wildlife.

We can even mention risk of increase in petty crime, break ins, theft etc. Not sure what the statistics are behind that, but it seems reasonable.

Thank you,

4693 Chasemoor Dr.

Eric Feldt

From: Marjorie Davies <mdavies926@gmail.com>
Sent: Monday, August 1, 2022 1:12 PM
To: Eric Feldt
Subject: Rezoning Request

Follow Up Flag: Follow up
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To the Portage Planning Commission:

I am writing in opposition to the request for rezoning of the property at 4760 Fox Valley Dr. to be heard at the meeting of August 4th. There are several reasons not to rezone this property, including the fact that it is mostly land-locked, but the main reason for me is the following:

There is only one road to the stated property, and it is Fox Valley. Fox Valley runs between my property on Mistwood Ave and the existing Foxwood Apartment complex. The road is paved to Fieldstone Dr., but it is currently a dirt road going down to the subject property behind the Fieldstone Dr. houses. Semi trucks have already been seen parked on Fox Valley (in preparation of the rezoning I suppose). Traffic is already busy on Fox Valley coming from the Foxwood apartment complex and from the subdivision, and the proposed added traffic from this rezoning would, I believe, create a major hazard. I therefore request that the rezoning be denied.

Marjorie Davies
4801 Mistwood Ave.
Portage, MI 49024

Ronald Pelak
President, Foxwood Homeowners Association
5155 Chasemoor Ct.

July 31, 2022

City of Portage Planning Commission:

The Foxwood Homeowners Association represents 63 homes in the Foxwood subdivision of Northwest Portage. It has come to our attention that a parcel of land at 4760 Fox Valley Dr. has been proposed to you for consideration to have its zoning designation changed from R-1A to RM-1. The Foxwood Homeowners Association and, by extension, all {#} homeowners would like to express that we are intensely opposed to this change and entreat you as our representatives to the City of Portage to reject this proposal and allow the land in question to retain its current zoning designation of R-1A. Below I will put forth some arguments that show why we oppose this change and how it would be a detriment both to the residents within our association and to the City as a whole.

Contrary to the City's Vision

Firstly, and I am sure you are cognizant of this, this change is contrary to the Future Land Use Map from the City's approved Comprehensive Plan. According to that map, all space West of I-131 and North of I-94 is either single-family detached medium-density or public space. There are reasons for this designation, and they should not be easily ignored. To make this point more clear, the Comprehensive Plan addresses your commission directly and dictates:

"Zoning decisions should, over time, produce changes that gradually establish greater conformity between the Zoning Map and the Future Land Use Plan. The Future Land Use Map should be carefully considered to ensure consistency is maintained when making decisions on planning and development matters: Community changes which directly conflict with the Future Land Use Map could undermine the long-term objectives of the City and should be avoided."

With such clear direction from the City's guiding document on the subject, it would be derelict of the commission to approve this change without powerful extenuating circumstances that provide a clear and significant benefit to the City that outweighs the detriments. To assist in balancing any as-yet undisclosed benefits, I will elaborate on some of the detriments that most concern our homeowners association.

Misguided Addition of Affordable Housing

It is a goal of the City's Comprehensive Plan to "increase the supply of decent, affordable owner-occupied housing opportunities." One might think that re-zoning the parcel in question would further that goal. However, the Comprehensive Plan is clear that efforts to increase affordable housing should be focused on the CDBG eligible blocks where the bulk of the population earns low to moderate income. The parcel in question is not in such a block. Targeting efforts in this non-eligible block only takes away from efforts that could be occurring in CDBG eligible blocks on which our HUD funding relies. Worse than that, over 60% of residents whose housing burden is greater than 30% are renters. Adding more rental property can only exacerbate that situation. Thus, approving the zoning change would work contrary to the intent of the Consolidated Plan and could, if other compensating projects in CDBG blocks are not embarked, put our HUD funding at risk.

Furthermore, even single-family homes on this parcel would qualify as affordable housing. With the City's median income of around \$66K, a low-income family making only 80% of that could afford a monthly mortgage payment of about \$1300 and still be using less than 30% of income, thus qualifying the home as affordable housing. Even at today's high mortgage rates, this could afford a home of \$260K, which is above the median home price of \$230K in Portage. Since most families purchasing in this area would earn at least moderate income, any single-family home built would qualify as affordable housing. Thus, there is no extenuating need to change the zoning designation in violation of the Comprehensive Plan in order to increase Portage's stock of affordable housing city-wide.

Environmental Risk

Per the Natural Features Map of section B of the Community + Quality of Life section of the Comprehensive Plan, some of the proposed area is national wetlands and/or wooded lot. In that same section, the Comprehensive Plan directs you, the city planners, to treat these natural spaces with care:

"Natural elements such as streams, lakes, open spaces, woodlands and wetlands are a community resource that should be celebrated and preserved."

Further, the map of Sensitive Land Areas of the Recreation and Open Space Plan designates a portion of the parcel in question as a Sensitive Area due to its containment of a noncontiguous wetland. Goal #2 of that Plan specifically directs you to:

Preserve, protect, and improve historic, natural, scenic, and environmentally sensitive areas for appropriate public use and enjoyment and habitat protection.

Even with the most responsible development, installing high-density residential as proposed would significantly increase the amount of non-permeable coverage above what would be introduced through single-family homes and lead to extensive run-off that will tax or even defeat the existing wetlands. Thus it is clear that accepting the proposed zoning change would work in opposition to both the Comprehensive Plan and the Recreation and Open Space Plan.

It is worth noting that the Storm Water Design Guide in section 3.3.5.1 specifies that:

"If the noncontiguous wetland drainage area is jointly shared by adjoining property owners, drainage agreements will need to be acquired."

The wetland on this parcel is currently the recipient of the stormwater that originates in our neighborhood and progresses through the infiltration basin that we own and maintain, making the Foxwood Homeowners Association an adjoining property owner. It is unlikely that we will be amenable to drainage agreements irresponsibly required through the addition of high-density housing.

Traffic Issues

The proposed zoning change to allow high-density residential will cause an increase in motorized traffic both locally and on 12th St., which is the only exit corridor for the neighborhood. 12th St. is designated a 'Preservation Corridor' per the Corridor Character Map of the Comprehensive Plan. The Plan provides clear guidance that zoning decisions should not be made if they might negatively impact a Preservation Corridor:

"These parcels should be reviewed with an eye toward preventing land use and thoroughfare conflicts through application of zoning and access management standards."

Adding the significantly increased traffic that comes with a high-density residential development would be in conflict with this directive of the Comprehensive Plan.

Inside the neighborhood, traffic along Fox Valley Dr. can get busy and is often well in excess of the speed limit. This traffic, even now, can overflow onto Mistwood Ave. and to Chasemoor Dr. Much of the traffic is using the single-family home neighborhood as a thoroughfare to access the existing apartments. The proposed parcel will only have access to the same roadways currently used, so all of its additional traffic will be forced into the same funnel. This negative impact on the neighborhood is one of the most mentioned concerns of the homeowners.

The Comprehensive Plan goes into considerable detail on efforts to calm neighborhood traffic. In particular, the section on Complete Streets indicates:

"Traffic calming, particularly within residential neighborhoods is also an important factor for consideration."

These efforts often require investments in changes or improvements to the road system. This neighborhood is on the verge right now of requiring such enhancements. The increase produced by allowing high-density residential would surely push it over the edge necessitating the allocation of funds that would not otherwise be needed. Such a decision would either conflict with the Comprehensive Plan or require a funding expenditure to improve the situation.

Also traffic-associated, the Comprehensive Plan has a stated goal of "Providing non-motorized transportation opportunities." This is done through Portage's renowned system of bike paths and trails that connect residents to areas of commerce and employment. Unfortunately, the area in which this parcel resides is cut off from the rest of Portage and does not benefit from this system. The only way into Portage proper is via 12th St., which has only bike-friendly signage and not even complete shoulder space. That brings a rider to the roundabout at 12th and Milham. Roundabouts, while praised for their automobile pause reduction, are notoriously unsafe for cyclists and pedestrians.

The Comprehensive Plan speaks to this particular issue:

"Continuing to provide and invest in a non-motorized transportation system is a priority for residents and city leaders."

It gives guidance that planning and zoning decision-making should encourage non-motorized transportation:

"Encourage safe and efficient non-motorized circulation between... businesses and residential neighborhoods during site plan review."

By adding high-density residential development to this land-locked area, Portage will only be increasing the percentage of the population that cannot easily partake in non-motorized transportation. This would be in conflict with the City's vision as expressed in the Comprehensive Plan.

Neighborhood Quality Degradation

The reason most cited by residents as to why they oppose this re-zoning is the impact that the ensuing development will have on the existing neighborhood. The increase in noise, congestion, safety risk, and crime that come with such developments is not imaginary. The resulting degradation of home values has been seen before. The quality of the neighborhood and the residents' quality of life will decrease if this proposal is approved. In conflict with this, both the Consolidated Housing Plan and the Comprehensive Plan state goals of maintaining and improving neighborhood quality.

The Consolidated Plan seeks to "address the statutory goals established by Federal law: Improve the safety and livability of neighborhoods and increase access to quality public and private facilities and services."

A Priority Need of the Consolidated Plan states: "Neighborhood Improvement projects received a High priority as these projects ensure a suitable living environment for residents throughout the City."

The Comprehensive Plan's Placemaking vision looks for "a continued focus on preserving and enhancing Portage neighborhoods is paramount to community and quality of life... ensuring that the city has a well maintained housing stock and attractive neighborhoods to live and play will require continued focus as the community overall matures."

The Housing + Neighborhood section clearly indicates that "Retention of high quality residential areas is a goal of this Plan."

Clearly, it is important to Portage's vision to maintain high-quality neighborhoods and high quality of life for residents. Allowing a contrary zoning decision to drive down the actual and perceived value of the adjacent single-family neighborhood will reduce the quality of life. That, in turn, will reduce the pride of ownership of those single-family homes. Soon, people won't feel the need to maintain their properties due to a lack of pride. Then they move out to be replaced by residents with less income to spend on maintenance. In time, the neighborhood will become the kind of blight-ridden community that requires Portage to allocate funds to programs that attempt to maintain the basic ordinances. The Comprehensive Plan understands this downward spiral:

"Residents who take pride in their homes contribute positively to a neighborhood's image and reinvestment opportunities. Therefore, home stewardship should be supported broadly."

A decision to allow high-density residential development would be a decision to reduce neighborhood quality, run off long-standing and well-contributing residents, and commit future funds to clean up the mess.

Conclusion

The default decision for this re-zoning request is clearly called out in the Future Land Use Map, which is to decline the request and leave the zoning designation as its current R-1A. Any decision contrary to that must have extenuating benefits that outweigh the resulting detriments. All the detriments discussed above can be considered detriments of the City of Portage through its vision and plans, not just the opinions of a small group of residents. No offsetting benefits to the City or residents have been identified.

Approving the re-zoning request and allowing high-density development will ultimately lead to congestion, environmental impact, degradation of existing neighborhoods, and commitment of additional funding in the future. Declining the request will all future low-density development that can extend and build upon the quality of the existing neighborhood without stretching its capacity to the breaking point. This produces the kind of self-sustaining, revenue-generating community that the City wants and needs.

It would, therefore, be in the best interests of the City of Portage, The Foxwood Homeowners Association, and the individual residents of nearby homes that the City declines the proposal to change the zoning of the parcel in question.

I appreciate your consideration,

Ron Pelak
President, Foxwood Homeowners Assoc.

Chris Wendling
Vice President, Foxwood Homeowners Assoc.

Ursula Juengling
Secretary, Foxwood Homeowners Assoc.

We the homeowners listed below of Foxwood, oppose the request by Edward Rose & Sons requesting to rezone the subject property from R-1C Single Family Residential to RM-1 Multifamily Residential for a future multifamily housing development at 4670 Fox Vally Drive.

	Address	Foxwood Homwner/Residents	Homeowner/Resident Signature	Pg1.
1	5111 Chasemoor Ct	Brownell, Hannah & Dakota 9-30-20	Hannah Brownell	
2	5114 Chasemoor Ct	Kamath, Sobha LLC 6-8-16 owner	Melissa Red	
3	5127 Chasemoor Ct	Gullapalli, Mohan & Saujanya 8-5-05	S. M. G. G.	
4	5128 Chasemoor Ct	Jipping, Charles & Kristina 4-14-17	Charles Jipping	
5	5141 Chasemoor Ct	Engdahl, Jane Trust 5-20-19	Jane Engdahl	
6	5155 Chasemoor Ct	Pelak, Ronald & Anita 7-25-2000	Ronald Pelak	
7	5160 Chasemoor Ct	Aminov, Nustratillo & Shahzoda 8-14-12	Nustratillo	
8	5169 Chasemoor Ct	Boda, Shiva Ram Trust 5-5-10	Shiva Ram Boda	
9	5192 Chasemoor Ct	Trieu, Ben 1-28-21	Ben Trieu	
10	4510 Chasemoor Ct	Kulpa, David & Julianna 2-15-02	David Kulpa	
11	4511 Chasemoor Dr	Lee, Kelvin & Titania 2-20-21	Kevin Lee	
12	4531 Chasemoor Dr	Juodawlakis, Michael & Amy 9-10-19	Amy Juodawlakis	
13	4536 Chasemoor Dr	Irakunda, Nadine 12-10-2020	Nadine Irakunda	
14	4551 Chasemoor Dr	Birmann, Michael & Rochelle 10-28-98	Michael Birmann	
15	4560 Chasemoor Dr	Groulx, Logan 7-21-08	Logan Groulx	
16	4573 Chasemoor Dr	Kucharski, Joe & Cheryl trust 5-18-2000	Joe Kucharski	
17	4584 Chasemoor Dr	Hoefer, Matthew & Katie 11-8-19	Matthew Hoefer	
18	4593 Chasemoor Dr	Ellis, Leon & Ellis Hutachins, Angela 5-11-18	Leon Ellis	
19	4611 Chasemoor Dr	Nearpass, Keith & Camille 5-27-21	Keith Nearpass	
20	4633 Chasemoor Dr	Mukundan, Manoj & Smitha 7-14-21	Manoj Mukundan	
21	4653 Chasemoor Dr	Martin, Janelys 7-16-21	Janelys Martin	
22	4662 Chasemoor Dr	Wendling, Chris & Kathy 8-8-12	Chris Wendling	
23	4673 Chasemoor Dr	Hagenbarth, John & Susan 5-28-98	John Hagenbarth	

We the homeowners listed below of Foxwood, oppose the request by Edward Rose & Sons requesting to rezone the subject property from R-1C Single Family Residential to RM-1 Multifamily Residential for a future multifamily housing development at 4670 Fox Vally Drive.

	Address	Foxwood Homwner/Residents	Homeowner/Resident Signature	Pg2.
24	4693 Chasemoor Dr	Gearhart, Karl 6-30-16	<i>Karl Gearhart</i>	
25	4712 Chasemoor Dr	Lonoza, Roger & Moreesa 4-30-18	<i>Moreesa Lonoza</i>	
26	4717 Chasemoor Dr	Wirtshafter & Layman Trust 1-16-12	<i>Edith B Wirtshafter</i>	
27	4736 Chasemoor Dr	Gardner, Nathan 10-29-20	<i>Nathan Gardner</i>	
28	4756 Chasemoor Dr	Boeker, Mike & Karen 1-21-99	<i>Mike Boeker</i>	
29	4759 Chasemoor Dr	Stankus, Lawrence, Lynnae Trust 5-16-08	<i>Lawrence Stankus Lynnae</i>	
30	5233 Fieldstone Dr	Kanka, Frank A 9-5-2000	<i>Frank Kanka</i>	
31	5247 Fieldstone Dr	Salas, Stephanie & Alyssa 7-26-16		
32	5261 Fieldstone Dr	Howley, John & Tricia 6-26-13	<i>John Howley</i>	
33	5275 Fieldstone Dr	Szydlowski, Richard & Stubbs, Teresa 8-32-21	<i>Signed on page 3</i>	
34	5289 Fieldstone Dr	Laird, Bret & Joy Kathleen (Katey) 6-21-18	<i>Bret Laird</i>	
35	5301 Fieldstone Dr	Gray, Catherine 8-27-21	<i>Catherine Gray</i>	
36	5315 Fieldstone Dr	John, Sunil & Jeena 5-10-17		
37	5329 Fieldstone Dr	Vimala Kunjappan, Kunjappan John 12-13-18	<i>Out of Town will send letter</i>	
38	5343 Fieldstone Dr	Pardave, Adrianna Trust 7-30-18		
39	4759 Mistwood Ave	Patterson, Armond & Burnett, Amy 9-15-20	<i>Armond Patterson</i>	
40	4760 Mistwood Ave	Mohney, David & Elizabeth Rogers	<i>David Mohney</i>	
41	4781 Mistwood Ave	Niemi, Ronald & Rennie 6-8-19	<i>Rennie & Niemi</i>	
42	4784 Mistwood Ave	Hensley, Mike & Corry 8-26-09	<i>Corry Hensley Mike Hensley</i>	
43	4801 Mistwood Ave	Darvies, Marge 9-17-03	<i>Marge Darvies</i>	
44	4810 Mistwood Ave	Feng, Bo & Maggie 7-26-01	<i>Maggie Feng & Bo</i>	
45	4821 Mistwood Ave	Juengling, Ursula Trust 4-14-09	<i>Ursula Juengling</i>	
46	4822 Mistwood Ave	Lalonde, Tim & Kristy 12-6-20	<i>Tim Lalonde Kristy Lalonde</i>	
47	4841 Mistwood Ave	Vanderwalle, Scott 2-19-21	<i>See Pg 3 signed</i>	
48	4861 Mistwood Ave	Brocklehurst, Lynn Trust 6-29-16		
49	5252 Barrymore St	Parker, Dan & Rojean 8-2-08		
50	5266 Barrymore St	Schaffer, Jeffrey & Jan-owner 11-11-21	<i>Jan Schaffer</i>	
51	5280 Barrymore St	Herron, Scott & Amanda 1-24-02		

We the homeowners listed below of Foxwood, oppose the request by Edward Rose & Sons requesting to rezone the subject property from R-1C Single Family Residential to RM-1 Multifamily Residential for a future multifamily housing development at 4670 Fox Vally Drive.

	Address	Foxwood Homwner/Residents	Homeowner/Resident Signature	Pg.3
52	5292 Barrymore St	Servis, Rob & Corinna 8-7-13		
53	5306 Barrymore St	Kornowicz, Daniel & Aimee 6-25-21	Aimee Kornowicz	
54	5320 Barrymore St	Handlogten, Lance & Sarah 1-20-99	Lance Handlogten	
55	4759 Idlewood Ave	Mandagere, Phanisha 9-11-11 owner	Michelle McParanelli Barrios	
56	4760 Idlewood Ave	Johnson, Kyla 3-21-18	Kyla Johnson	
57	4782 Idlewood Ave	Prakyath, Jaladhar & Devanga, Suma 4-2-20	Prakyath J.	
58	4783 Idlewood Ave	Quardokus, Matt & Elizabeth (Betsy) 2-10-09	Elizabeth	
59	4802 Idlewood Ave	Risselmann, Joseph & Jenni 5-6-15		
60	4809 Idlewood Ave	Liu, Jian & Yang, JL 4-21-99	James Liu	
61	4821 Idlewood Ave	Murthy, Ganapa & Shantha 5-4-13		
62	4822 Idlewood Ave	Murphy, Brent & Terese 5-11-18		
63	4850 Idlewood Ave	Daniel, Chris & Lynn 12-5-02		
64	4862 Idlewood Ave	Hall, Tamara 7-17-14		
	4781 Chaseview Dr	Stempica, Jason	Jason Stempica	
	4803 Chaseview Dr	Morse, Lindsay	Lindsay Morse	
	5216 Shagbark Ct	Kitchens, Erika	Erika Kitchens	
	5190 Shagbark		Norman	
	5178 Shagbark Ct	Sean + Kourtney O'Reilly	Sean O'Reilly	
	5165 Shagbark Ct	Mike Glib Su Algee Living	Mike Glib	
	4841 MISTWOOD	Scott & Becca V.	Becca V.	
	4415 Robert Ct	Mike + Beth Baker	Mike Baker	
5275	5275 Fox Valley Dr	Dr. Scott Szydlowski	Dr. Scott Szydlowski	

We the homeowners listed below of Foxwood, oppose the request by Edward Rose & Sons requesting to rezone the subject property from R-1C Single Family Residential to RM-1Multifamily Residential for a future multifamily housing development at 4670 Fox Vally Drive.

[illegible]

Eric Feldt

From: Susan Hagenbarth <susanhagenbarth@yahoo.com>
Sent: Tuesday, August 2, 2022 11:24 AM
To: Eric Feldt
Subject: 4760 Fox Valley Drive rezoning letter of opposition

Follow Up Flag: Follow up
Flag Status: Flagged

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August 2, 2022

Kelly Peterson, Director
Community Development Department
City of Portage
7900 South Westnedge Avenue
Portage, Michigan 49024

RE: Letter of Opposition: Proposed Rezoning of 4670 Fox Valley Drive (R-1C to RM-1)

Dear Ms. Peterson,

I have recently been made aware of a request by Edward Rose and Sons to rezone a large, single family property at 4670 Fox Valley Drive from R-1C, a ONE FAMILY Residential parcel, to RM-1 MULTIPLE Family Residential. In researching what the designation RM-1 means, I discovered that it is for **“high density residential”** land use. As a homeowner with property adjacent and directly impacted by this zoning request, I oppose this request for rezoning of this property.

We purchased our lot and built our family home in 1998 at 4673 Chasemoor Drive. We **purposely** selected this site with the view of nature this location provided. Our home borders and has been graced by our neighbor’s large, rolling property (4670 Fox Valley Drive) resplendent with trees, wild turkeys, deer, and bordered by the South Fork of the Portage Creek. It is a peaceful, natural setting and many of us who live along this property have enjoyed sitting on our decks, playing and relaxing in our backyards, and taking in the nature around us. Quite frankly, this natural setting was an immediate selling feature for us and over the years, we have added improvements to our home so that we could enjoy more and more time in our backyard. As such, our property values have continued to rise. If this lot at 4670 Fox Valley Drive becomes some sort of apartment complex, it will destroy the natural charm we’ve come to enjoy in our Portage neighborhood and potential harm the home values of the neighborhood.

Upon purchasing our lot in 1998, we were informed by Allen Edwin Homebuilders that there is also an additional parcel land-locked by US 131 and I-94 which meant this natural area would be preserved with no future development. This was a huge selling feature for us. I cannot pretend to know or

understand rezoning laws or the vision of the City of Portage's Planning Commission, but what I do know is that Portage, Michigan, has been known as Tree City USA for the last 30+ years by the Arbor Day Foundation. I am concerned that granting this request will put the ecology of this natural area, including the Portage Creek in jeopardy.

Beyond my concern for the natural and ecological impact of this rezoning request, I am also concerned with the impact of increased traffic in a very narrow corridor. The driveway for 4670 Fox Valley Drive, runs directly along the property of 5343 Fieldstone Drive. It is a narrow drive, and if this Commission grants the request to use this property for "**high density residential**" land use, I can't imagine the traffic the home owner on Fieldstone Drive will have to endure. Also, if a disaster occurs on this Fox Valley Drive property, how will residents get out, and emergency personnel get in?

I have more concerns than this one page letter can encompass. My family and I have enjoyed living in our Portage home for the last 24 years. I strongly oppose the rezoning of this Fox Valley parcel from R-1C, a ONE FAMILY Residential parcel, to RM-1 MULTIPLE Family Residential.

Please share my letter with the Portage Planning Commission and the Portage City Council. I thank you for your time and thoughtful consideration of all the impacts of this proposal and the Portage residents who live in the Foxwood Hills Neighborhood.

Respectfully Submitted,

Susan Hagenbarth
4673 Chasemoor Drive,
Portage, Michigan 49024

Eric Feldt

From: Ursula Juengling <ujuengling6140@gmail.com>
Sent: Tuesday, August 2, 2022 10:13 AM
To: Eric Feldt
Cc: Ursula Juengling
Subject: 4670 Fox Valley Drive Rezoning

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Dear Planning Committee,

I am writing to oppose the rezoning at 4670 Fox Valley Dr. to RM-1 multifamily Residential development request by Edward Rose & Sons.

These are my reasons:

Future Land Use Map from the City's approved Comprehensive Plan. According to that map, all space West of I-131 and North of I-94 is either single-family detached medium-density or public space.

Huge increase of traffic on Fox Valley Dr. and 12th street. There is already a problem with big backed up traffic at the roundabout at Milham, and Texas Dr. at certain times of the day.

Fox Valley runs past by backyard

Increase in theft to home and cars

Clearing out that area will increase the highway noise from 131, which is very loud already.

Negative effect on all the deer, turkeys and other wildlife that live there now.

We already have too many apartments around us. The houses close to the apartments past the east end of Chasemoor have been burglarized, along with their cars being broken into.

Cars speeding past our yards causing a safety issue.

Traffic increases down Fieldstone and Chasemoor.

Nobody wants a large apartment complex built in their backyard.

Sincerely,

Ursula Juengling
4821 Mistwood Ave.
Portage, MI 49024

Eric Feldt

From: Chris Wendling <chris.j.wendling@gmail.com>
Sent: Tuesday, August 2, 2022 4:40 PM
To: Eric Feldt
Subject: 4670 fox valley drive

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Department of Community Development,

This is in regard to the application that has been submitted by Edward Rose and Sons requesting to rezone the subject property from R-1C single family residential to RM-1 multifamily residential for a future multifamily housing development at 4670 Fox Valley Drive. I live at 4662 Chasemoor Dr and my family opposes this request for rezoning for the following reasons. One it will take away privacy from those who back up to the property, those owners bought those houses in part because of the privacy. Another important factor is that it will increase traffic in our neighborhood even more to those who currently do not live the HOA. This is already an issue with people speeding down Chasemoor Dr and Fieldstone when they head into the condominiums and apartments. We have called the city numerous times to make them aware of the issue but all of us homeowners are afraid for our children. The number of children has increased over the years and it is only a matter of time before someone gets hurt and that is something we would like to avoid. We have seen crime in the area increase and just recently police were searching the area for suspects who broke into cars in the apartments and our community, from my understanding other neighbors were told by police that they thought it was starting in the apartments, this could potentially mean more crime in our neighborhood, which we would all like to avoid as well. The corner of Fox Valley Ave and 12th Street is also known to have multiple motor vehicle accidents because you cannot see oncoming traffic headed North on 12th Street and this would lead to more traffic and the potential for more motor vehicle accidents. Development of the land would also lead to the dispersal of wildlife and could potentially have an impact on the water system and wetlands in the area. Finally, it would lead to a decrease in property value for the houses in the neighborhood because we would be surrounded by condominiums and apartments.

If it is going to be changed then I believe a change from an R-1C to a R-1T would be more consistent with the comprehensive plan and future land use map. This would allow for an attached residential project with a more appropriate development density that is more compatible with the adjacent single family detached residential neighborhood.

Thank you,

Chris Wendling

4662 Chasemoor Dr

Eric Feldt

From: bo feng <bo_feng@hotmail.com>
Sent: Wednesday, August 3, 2022 10:49 PM
To: Eric Feldt
Cc: yun lu; yun lu
Subject: Letter: Reconsider and Reject Rezone project by property of 4760 Fox Valley Dr.

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello, City of Portage,

This is Bo Feng's family, moved in this Foxwood neighborhood in 2001. We loved this reasonable quiet, safe living, traffic friendly, valuable subdivision.

Surprisingly notified by our HOA that there is a rezone development by the property of 4760 Fox Valley Dr. It definitely raises our concerns:

1. The rezone will cause tree removal near US 131. Those growing trees are currently blocking the noise from busy US 131 traffic now. Rezone could raise the noise level of our quiet subdivision;
2. Rezone brings more traffic to our driving friendly subdivision, and raises the safety concerns;
3. Uncertain rezone development plus above-mentioned concerns could devalue our subdivision, cause valuable neighbors moving out, eventually impact this valuable stable neighborhood.

Please take our concerns seriously, appreciate if city can reject this rezone development by 4760 Fox Valley Dr.

Regards

Maggie & Bo
4810 Mistwood Ave
Portage, MI 49024

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

Eric Feldt

From: John Hagenbarth <uofm_wolverines_rock@yahoo.com>
Sent: Thursday, August 4, 2022 11:54 AM
To: Eric Feldt
Subject: Letter of Opposition: Proposed Rezoning of 4670 Fox Valley Drive (R-1C to RM-1)

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello Ms. Peterson,

Over the course of the last few weeks, information and talk in the Foxwood Hills neighborhood has revolved around the potential rezoning and development of 4670 Fox Valley Drive. It has been a worry for both myself, my family, and the surrounding community. To that point, our family has chosen to live here for nearly twenty-five years, and subsequently have grown fond of and appreciative of the largely land-locked (according to Allen Edwin Homebuilders) pieces of property between US-131 and I-94 (including this property). It has provided plenty of nature, beauty, and wildlife to the surrounding neighbors. In that, the rezoning to, and then development of Multiple Family residential (i.e. for high density residential use) is staunchly opposed by myself and my family.

With this new proposed rezoning, we will see a drastic decrease in the wildlife and natural beauty of the area, as well as considerably higher levels of traffic. That coupled with increased environmental and safety risks (most especially in the case of emergency vehicles needing access to the narrow corridor into the property) is all cause for concern. Additionally, the natural part of the property at 4670 Fox Valley Drive has been (in my opinion) a partial cause for the appreciation in home value, and desire of prospective homebuyers for lots surrounding this ground.

To that extent, it is hardly a fair, sensible, or realistic expectation to make the surrounding neighborhood of Foxwood Hills suffer potential value losses, increased traffic, and loss of natural beauty and wildlife for the gain of a single home-building company, Edward Rose and Sons. I understand the need to stay in business, make a profit, and grow a company. I also understand the need for housing growth in Portage. However, this piece of property is NOT the property to utilize in this manner.

As such, this single family property at 4670 Fox Valley Drive is opposed by myself and family from changing from R-1C, a ONE FAMILY Residential parcel, to RM-1 MULTIPLE Family Residential. In researching what the designation RM-1 means, I discovered that it is for **“high density residential”** land use. With property adjacent and directly impacted by this zoning request, I oppose this request for rezoning of this property.

Please share my letter with the Portage Planning Commission and the Portage City Council. I appreciate your thoughtful consideration of all the impacts of this proposal and therefore the impacts on Portage residents who live in the Foxwood Hills Neighborhood.

Thank you for your time,

John Hagenbarth
uofm_wolverines_rock@yahoo.com
4673 Chasemoor Drive
Portage, Michigan 49024

Eric Feldt

From: rentfrowherron@gmail.com
Sent: Wednesday, August 3, 2022 8:53 PM
To: Eric Feldt
Subject: Oppose rezoning foxwood

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello,

My husband and I oppose the rezoning in foxwood.

Please vote no on rezoning. Please listen to those that live here. Please learn from other mistakes made by the city in this same vain.

Thank you,

Amanda Herron
5280 Barrymore st portage mi 49024
Sent from my iPhone

Eric Feldt

From: Joe Kucharski <unogear@gmail.com>
Sent: Wednesday, August 3, 2022 7:28 PM
To: Eric Feldt
Subject: August 4, 2022 Planning Commission Agenda Item

Follow Up Flag: Follow up
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Good Evening Feldt,

Please attach our written comments to the agenda.

Thank you.

Joseph and Cheryl Kucharski
4573 Chasemoor Drive

August 3, 2022

Dear City of Portage Planning Commission:

This correspondence is in response to the request to rezone 4670 Fox Valley Drive from R1-C Single Family Residential to RM-1 Multifamily Residential by Edward Rose & Sons.

We reside at 4573 Chasemoor Drive and have owned the property since the home was built by Allen Edwin in 2000. We chose the property due to the unique and beautiful surrounding scenery – particularly the view from the windows and deck out the back of our home.

The background information provided by Ms. Peterson to the Commission in her memo regarding Existing Land Use/Zoning is not accurate. She refers to one single family home to the north of 4670 Fox Valley Drive; however, there are actually three properties to the north of 4670 Fox Valley Drive which physically border the property in question, and 5 additional homes on Chasemoor Drive that overlook the property. The topography of the land places 4670 Fox Valley Drive directly within view of all 8 of the properties immediately to the north of 4670 Fox Valley.

The property is located in the northwest quadrant of the I-94 and US Highway 131 interchange. There are three other interchange locations to the northeast, southeast, and southwest of the highways which also fall within the City of Portage. All four interchanges are bordered by the major highways on two sides which creates congestion and lack of traffic mobility in each area. The northwest quadrant was designated Medium Density Residential while the other three quadrants were designated Low Density Residential within the Portage 2014 Comprehensive Plan. It must be noted that

allowing a High Density Residential development within the northwest interchange allows a deviation to the Comprehensive Plan that will create a significant difference in traffic patterns, congestion, and quality of life in the area when compared to our neighbors in the other three similar interchanges.

The Comprehensive Plan is a policy document created by the City of Portage Planning Commission to guide the future growth and development of the city and lay out intended land usage for the future. The plan specifically states it, "shows how land is to be used in the future; while the Zoning Ordinance regulates the use of land at a particular point in time." (page 2) Presumably, when this plan was approved, the intent was that any changes to existing zoning would be in line with the Comprehensive Plan.

The request from Edward Rose and Sons to rezone the property at 4670 Fox Valley Drive should be denied based upon the Comprehensive Plan document alone. However, there are several other reasons for a denial.

The proposed development would create a significant traffic issue on Fox Valley Drive, Fieldstone Drive, Chasemoor Drive, and 12th Street. The document prepared by Hurley and Stewart suggests total daily trips on 12th Street would increase by 879 trips, resulting in an almost 8 percent increase in traffic volume on 12th Street. While traffic trip usage on Fox Valley Drive was not provided, it can be assumed that a 40 percent increase in tenants would increase traffic volume by at least 40 percent. The intersection at Fox Valley Drive and 12th Street is already a dangerous intersection, and residents living in the community know that danger. In order to avoid the dangerous intersection, the current residents at 5401 Fox Valley Drive choose to speed down Fieldstone Drive and Chasemoor Drive for access to and from the community. With increased traffic, one could only assume this practice would increase.

Of particular interest from a traffic standpoint, the only access point for the proposed 120 units is a single, two-lane roadway that passes alongside of, and within approximately 20 feet of, the home located at 5343 Fieldstone Drive. With proposed parking spaces for 240 vehicles, employees and maintenance, visitors, school buses, emergency vehicles, and the other traffic potentially generated by a high density development, we believe the applicant has failed to adequately evaluate the impact of this many people filtering in and out of a small, single-entry point. Convenience aside, in the event of an emergency situation, there is simply not enough room for a response.

The proposed development would have a negative impact on the local wildlife, green space, and watershed. The 10 acres are home to an abundance of deer, turkey, crane, and dozens of smaller wildlife. In addition, the land is located on the West Fork of the Portage Creek and increased population in the immediate area will inevitably lead to a negative impact along the waterway. With the ever-shrinking greenspace, it is important that we protect the land we currently have and not allow contaminants to enter our water system.

Edward Rose & Sons owns and manages 4000 units in the area at a 97% occupancy. Mathematically, they have capacity, and there is no demonstrable need for 120 additional units at 4670 Fox Valley Drive.

It appears, based upon public record, Ms. Peterson consistently sides in favor of the applicant in issues regarding rezoning applications. It is our hope that the entire commission will review the application in conjunction the Portage Comprehensive Plan, the Zoning Ordinances, the unique features of the area in question, and the intense opposition of the impacted families, and not solely rely upon her recommendation.

In closing, this is nothing more than a request driven by greed that is not consistent with the current Zoning Ordinances or Comprehensive Plan, and, frankly, is not in the best interest of the City of Portage or the local residents most impacted by this request. We respectfully expect this request to be denied by the City of Portage Planning Commission.

Sincerely,

Joseph and Cheryl Kucharski

Eric Feldt

From: Kelvin Lee <kelvinlee87@hotmail.com>
Sent: Thursday, August 4, 2022 1:08 PM
To: Eric Feldt
Cc: Titania Lee
Subject: Letter to Oppose Edward Rose & Sons Rezoning Request

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Dear Planning Commission:

We are residents of the Foxwood Community, and we are strongly opposed to this rezoning, because this development plan is out of character and scale with our community. Foxwood needs to keep some areas that illustrate its past, and building an apartment block in addition to what is already in proximity would be, in our opinion, the thin end of the wedge as far as our neighborhood goes.

Rezoning this area will greatly compromise the heritage character and quality of life of our foxwood residents. The negative impact it will have on our immediate and broader community far exceeds the limited impact it will have on temporary housing. The possibility of this development going forward is highly distressing for the local residents, and its implementation will incur a significant, irreversible community cost.

Additionally, the rezoning will bring traffic that will overwhelm our neighborhood, as well as put our children in danger due to heavy traffic and speed limit violations, which often happens in these communities. There is also the issue of potential noise violations. This said, the rezoning offers no benefit to the residents now living in the vicinity. We chose to lay our roots in the foxwood community as we appreciate the diverse family structure that is integral to the livability of our neighborhood. The low density, quiet and peaceful atmosphere, attractive architecture, and natural landscaping of the neighborhood are very important to us.

Livability of our neighborhood is found in its unique character, with its diverse types of housing, streets lined with trees, and cared-for gardens. Our community is walkable, and residents are keenly aware and appreciative of the physical features of the area, with its beautiful views, open spaces, and wildlife.

Our view is that the proposed development will significantly distort our neighborhood's identity and will pave the way for a dense apartment-spread. It will transform the personality of the neighborhood and erase its history, reshaping our cohesive and community-oriented neighborhood into a disconnected living environment. In whole, the rezoning would unduly impede on the well-being of its neighbors and broader community's residents. This will eventually lead to scope creep in the area and open the door for the developers to tear down houses and erect more buildings. This also takes away from any aspect of community. For these reasons we are against this proposed rezoned development. Thanks!

Sincerely,

Kelvin Lee, Ph.D
757-705-8959

Eric Feldt

From: Sneha Badinehal <priyabsr@gmail.com>
Sent: Monday, August 15, 2022 4:14 PM
To: Eric Feldt
Subject: Request re: rezoning

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi,

I'm current resident on Chasemoor Dr and we've been living there for last 12 years.

I just wanted to let you know that I'm opposed to the rezoning in Foxwood subdivision due to various reasons like increased traffic, reduced safety and quality of life for current residents in the area etc. Kindly accept my request

Thanks

Sneha Priya Boda

Eric Feldt

From: totisviribis the <totisviribis@hotmail.com>
Sent: Monday, August 15, 2022 11:16 AM
To: Eric Feldt
Subject: Foxwood Hills zoning change

Follow Up Flag: Follow up
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As a resident in Foxwood Hills subdivision I strongly oppose the zoning change that will allow high-density apartments to be built behind Fieldstone.

Mike Boedeker

Eric Feldt

From: John Hagenbarth <uofm_wolverines_rock@yahoo.com>
Sent: Friday, August 12, 2022 10:34 AM
To: Eric Feldt
Subject: Re-zoning application from Edward Rose and Sons

Follow Up Flag: Follow up
Flag Status: Flagged

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Good morning, Mr. Feldt.

Reiterating, and adding to previous communication:

Over the course of the last few weeks, information and talk in the Foxwood Hills neighborhood has revolved around the potential rezoning and development of 4670 Fox Valley Drive. It has been a significant worry for myself, my family, and the surrounding community. Our family has chosen to live here for nearly twenty-five years, and subsequently have grown fond of and appreciative of the largely land-locked (according to Allen Edwin Homebuilders) pieces of property between US-131 and I-94 (including this property). The potential rezoning to, and then development of Multiple Family residential (i.e. for high density residential use) is staunchly opposed by myself and my family.

With this new proposed rezoning, I am certain we will experience considerably higher levels of traffic - the majority leading to the **single-available egress point to the south on 12th street - the I-94 bridge**. That coupled with increased environmental and safety risks (most especially in the case of emergency vehicles needing access to the narrow corridor into the property) is all cause for concern. Additionally, the natural part of the property at 4670 Fox Valley Drive has been (in my opinion) a partial cause for the appreciation in home value, and desire of prospective homebuyers for lots surrounding this ground.

To that extent, it is hardly a fair, sensible, or realistic expectation to make the surrounding neighborhood of Foxwood Hills suffer potential value losses, increased traffic, for the gain of a single home-building company, Edward Rose and Sons. I understand the need to stay in business, make a profit, and grow a company. I also understand the need for housing growth in Portage. However, this piece of property is NOT the property to utilize in this manner.

As such, this single family property at 4670 Fox Valley Drive is opposed by myself and family from changing from R-1C, a ONE FAMILY Residential parcel, to RM-1 MULTIPLE Family Residential. In researching what the designation RM-1 means, I discovered that it is for **"high density residential"** land use. With property adjacent and directly impacted by this zoning request, I oppose this request for rezoning of this property. **If the applicant would overtly change the proposal to low-density, or possibly medium-density use, we would likely soften our position of opposition.**

Please share my letter with the Portage Planning Commission and the Portage City Council. I appreciate your thoughtful consideration of all the impacts of this proposal and therefore the impacts on Portage residents who live in the Foxwood Hills Neighborhood.

Thank you for your time,

John Hagenbarth
uofm_wolverines_rock@yahoo.com
4673 Chasemoor Drive
Portage, Michigan 49024

Ronald Pelak
President, Foxwood Homeowners Association
5155 Chasemoor Ct.

August 15, 2022

City of Portage Planning Commission:

The Foxwood Homeowners Association would like to express its preference that Planning Commission reject the request to change the zoning of 4760 Fox Valley Dr. from R-1A to RM-1.

I would like to point out again that we believe that it is the Commission's responsibility and expectation to only make recommendations that properly balance the competing interests of the developer, the existing residents, and the City.

The existing residents and the City are well-served by the City's visions and plans that it has put in place. These guide the city's growth so that its character develops as we as a whole desire it to. Failure to follow the current plans risks allowing the city to develop chaotically into something that just happens rather than something that is guided. We all benefit when the Commission takes seriously its role in upholding this stewardship.

Recommendation of this zoning change would act contrary to the City's plans in a few ways:

- It is pretty much the opposite of the zoning specified by the Future Land Use Map of the Comprehensive Plan.
- It deviates from the guidance of the Consolidated Plan to develop low-income affordable housing in CDBG-eligible blocks.
- It fails to preserve, protect, and improve environmentally sensitive areas, as the Recreation and Open Space Plan dictates.
- It negatively impacts a traffic Preservation Corridor, 12th St., which is to be protected according to the Comprehensive Plan.
- It ignores neighborhood traffic calming as called out in the Comprehensive Plan.
- It fails to encourage safe and efficient non-motorized circulation as desired in the Comprehensive Plan.
- It flaunts the Comprehensive Plan's appeal to preserve and enhance Portage neighborhoods, ensure attractive neighborhoods, and retain high-quality residential areas.

Balanced against the negative impacts of deviating from Portage's vision, the proposed development is touted as bringing affordable housing to a city with a need for it. On the surface, this appears to be a good argument in favor of recommendation. The city does have a need for housing, especially low-income affordable housing. While re-zoning this parcel may superficially improve those statistics, it would not address our underlying reasons for wanting their improvement.

We want to add housing to Portage because it will bring more people to our community. People who will work in Portage, shop in Portage, eat and buy services in Portage, and support Portage programs.

But this location's unique attributes cut it off from the city proper. Residents here are more likely to spend time in the more accessible regions of Kalamazoo, Oshtemo, and Texas. It will not bring in the benefits one would desire from high-density residential. Mainly, it will attract residents who consume city services but spend their income elsewhere. Single-family homeowners, conversely, are more likely to be professionals who won't shy away from making the extra effort to visit Portage proper. Thus the perceived benefit of changing the zoning to increase residency would actually work against the City and the existing residents. No doubt this is why the Comprehensive Plan directs us to maintain the current zoning.

Similarly, adding low-income affordable housing sounds attractive but fails to achieve the reasons why we want it. Having a supply of such housing isn't just a requirement to meet HUD funding goals. It serves the community. It gives an important swath of the population a feasible way to live, work, and enjoy our City. But for that to be the case, it must be located where it will be utilized. Low-income affordable housing should first and foremost be located where people with low income live and work. These CDBG-eligible areas are designated in the Comprehensive Plan. These areas don't exist by accident. They are located near shops, restaurants, and businesses that support those of low income. They are in areas that are walkable, eliminating the additional expense of owning an automobile. They are situated in clusters where culturally-similar groups can maintain a sense of family and community within community. That is where the people we expect to live in low-income, affordable housing want to be. To be effective, that is where such housing must be built. The parcel under consideration is not one of those places. It is not in a CDBG block. It is physically distant from most such businesses and communities. It is cut off from non-motorized access. It simply doesn't serve the purpose. While it may improve the statistic, it won't achieve the desired result. Again, a thought-out vision has already considered this when it designated the future zoning to remain as is.

So to conclude, I would implore the Commission to take its role seriously. Don't just act as a rubber stamp for developers' interests. Don't take lightly the work done before you to lay out a vision for the City. Don't blindly follow aggregated statistics without examining the underlying impact. Don't push the issue off on the City Council, who expects your recommendation to be meaningful. Instead, consider the facts, see that the cons outweigh the pros, and reject this request to override the Comprehensive plan and recommend this zoning change.

Thank You,

Ron Pelak
President, Foxwood Homeowners Assoc.

Chris Wendling
Vice President, Foxwood Homeowners Assoc.

Ursula Juengling
Secretary, Foxwood Homeowners Assoc.

Eric Feldt

From: Jeena.Sunil <jeena.sunil@gmail.com>
Sent: Thursday, August 11, 2022 9:03 PM
To: Eric Feldt
Subject: Proposed Rezoning of Foxwood subdivision in Portage

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear City of Portage Planning Commission,

Our family lives in the Foxwood subdivision in Portage on 5315 Fieldstone Drive.
We are opposed to rezoning from medium to high density.

Sincerely,

Sunil and Jeena John

Dear Planning Commission,

I live on Mistwood, and Fox Valley Dr. runs right by my backyard and along with six other homes. There are two entrances into the Fox Valley Apartment Complex. The first one lines up with my house and the second one lines up with Fieldstone Dr. I have spent a lot of money planting trees in my backyard to try and block the sight of the road and complex when I first moved in to my house in 2004. It helped with not having to see the buildings but not the noise. Depending on the year and who's moved in there how much noise we have to tolerate. I'm talking specifically about noise from cars and motorcycles. Very loud cars that need new mufflers or are just old and radially to a Kawasaki motorcycle that races through our neighborhood at full throttled, and we can hear him all the way down 12th street. Wake up to that every morning!! After contacting the complex manager, we are told there is nothing they can do. This is just a small sample of what we have to endure in our "nice quiet neighborhood" that we all thought we were moving into. The people living on Chasemoor and Fieldstone have a lot of other issues they've had to deal with due to the Apartment/Condo's that is at the end of Chasemoor, and on Fieldstone.

A few things we have learned about the City's Comprehensive Plan are as follows: The Comprehensive Plan says to avoid negatively impacting a traffic Preservation Corridor, of which 12th St is one.

The Comprehensive Plan calls for neighborhood traffic calming, while this change would make it worse.

The Comprehensive Plan encourages safe and efficient non-motorized circulation, but any residents located here will not have that due to lack of pedestrian and bicycle access. Even the bus route doesn't go directly to Portage shopping.

The Comprehensive Plan puts importance on preservation and enhancement of Portage neighborhoods, ensuring attractive neighborhoods, and retaining high-quality residential areas-this change would degrade our existing neighborhood.

Then there is the Low-income housing issue:

Increases home values by 6.5% per year when placed in lower-income neighborhoods, but reduces home values by 2.5% per year when placed in higher-income neighborhoods. Placing it here would reduce our home values by 2.5% (approx. \$6000) per year. (per Bloomberg)

Rubber-stamping developer's applications without full consideration of the impact is a disservice to the city's population.

I love my neighbor and this neighborhood. We would welcome single family homes with open arms!

Please, I beg you, please don't approve this rezoning request by Edward s Rose and Sons!

Sincerely,

Ursula Juengling
4821 Mistwood Ave.
Portage, MI 49024

Eric Feldt

From: Aimee Kornowicz <onepass200@yahoo.com>
Sent: Thursday, August 11, 2022 9:58 PM
To: Eric Feldt
Subject: Foxwood Hills Rezoning

Follow Up Flag: Follow up
Flag Status: Flagged

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I oppose the change in rezoning from medium to high density. One of my main concerns is traffic. The traffic in that area is already dangerous and heavy now. I cannot imagine the complete chaos additional apartment tenants would bring. Also we are already not considered priority for plowing in the winter. I often look out the window of my home office and watch people repeatedly get stuck in the snow going up that hill on Fox Valley Trail.

If this rezoning goes through, my husband and I are planning on putting our house up for sale and moving out of Portage. I know we are not the only ones that feel this way. Several of our neighbors are already exploring this option.

We are not against progress or additional housing. This is just not the right space did this kind of development. We are already land locked here. Please go not make it worse than it is already.

Sincerely,
Aimee and Dan Kornowicz

Sent from my iPhone

Eric Feldt

From: rennieniemi@aol.com
Sent: Thursday, August 11, 2022 9:54 PM
To: Eric Feldt
Subject: re-zoning 22/23 - 3

Follow Up Flag: Follow up
Flag Status: Flagged

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4670 Fox Valley Drive
I oppose the re-zoning from medium density to high density.
4781 Mistwood Ave
Portage, Mi 49024

Eric Feldt

From: Lynnae Stankus <stankusl79@gmail.com>
Sent: Friday, August 12, 2022 10:15 AM
To: Eric Feldt
Subject: re-zoning comments for 4670 Fox Valley Drive

Follow Up Flag: Follow up
Flag Status: Flagged

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Good Morning,

This email is in response to the re-zoning proposal for 4670 Fox Valley Drive.

We live within 300 ft of the property in question and I attended the first planning meeting.

I would like to express my opposition to this rezoning request for many reasons. At the planning meeting on 8/4, one of the members of your team spoke about people not liking change and wanting to keep their "green space" with regards to why we could be upset about this re-zone request.

This is not what this is about at all. We are fine with the property being developed, if it needs to be. We simply do not want it developed into "high density" multi family housing. We already have high density multi-family housing in our neighborhood already with the apartment complex that already exists. This complex creates significantly more traffic in our subdivision and it is difficult to access this complex. Traffic has to come directly through our subdivision in order for residents to access their apartments. A good majority of the traffic comes down our street, Chasemoor Drive, as there is a blind corner at the end of Fox Valley Avenue and 12th St, making it dangerous to turn onto 12th St from that location.

With the current proposal, this would add ANOTHER multi-family housing complex that would be land-locked by a subdivision of residential housing. This is illogical, poorly thought out and would create many traffic concerns.

It has been stated that Portage needs more multi-family housing. If so, that is fine but this is not the location for it. Adding a high density housing complex that is only accessible by going through a subdivision of homes with children playing outside is unsafe and unnecessary. There are plenty of locations that would likely make more sense for high-density housing. Specifically, a location that is accessible from a major or main road (not a subdivision of residential homes). Again, we already have an apartment complex that feeds through our subdivision. We do not need an additional one with hundreds more cars going through our subdivision multiple times per day.

We urge you to **not recommend** a re-zoning of this land and keep it for the current type of housing it zoned for. That is all that we ask. We are not opposed to change. **We are opposed to change that is illogical, unsafe, and creates more problems for residents of the City of Portage.**

Thank you for your time.

Lynnae Stankus
4759 Chasemoor Drive

Eric Feldt

From: Larry Stankus <ra1lef@yahoo.com>
Sent: Friday, August 12, 2022 3:28 PM
To: Eric Feldt
Subject: Please do not recommend zoning change for 4670 Fox Valley Drive.

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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Good Afternoon,

I would like to again express my opposition to the rezoning request for the property located at 4670 Fox Valley Drive.. I am against this property being zoned for "high density" multi family housing because of the traffic issues it will cause. The only access point for this development will go through our subdivision, creating a safety issue (we already have an apartment complex that feeds through our subdivision). Our neighborhood has many children who play in their yards and, inevitably, they end up going into the street to retrieve a ball or a toy. Many people in our neighborhood also walk and ride bikes down the street. Adding 100 + cars a day coming and going through our neighborhood streets increases the chances of a tragic accident.

I understand the property will be developed and I don't have an issue with that as long as it is not rezoned. I urge you to **not recommend** a rezoning of this land and keep it for the current type of housing it zoned for.

Larry Stankus
4759 Chasemoor Dr.

Eric Feldt

From: Anna Wirick <anna.m.wirick@gmail.com>
Sent: Monday, August 15, 2022 11:03 AM
To: Eric Feldt
Cc: Karl Gearhart; foxwoodhoaboard@gmail.com
Subject: Rezoning concerns - 4670 Fox Valley Dr.
Attachments: 20220815_105749.jpg; 20220815_105902.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

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Good morning,

Here are few of our reasons to oppose the rezoning:

Increase traffic in the neighborhood - higher risk to our kid's safety (we have already complained several times about people from the condos speeding down our road)

Mentioned was adding 10-12 units per acre, 12 per acre = 120 total units. Say there's 2 cars per until we're adding 240 cars to our current traffic. High density in a single family home neighborhood.

We don't think the infrastructure for 12th st can handle another apt complex/more units to that degree, 5pm at the round about is already backed up and there's accidents often.

Our property value will decrease, which we have verified with a few realtors that this will impact us. Not as much if they're condos, as an apt building.

It's not ascetically pleasing for us, our master bath and bedroom open right up into the field.

The wildlife that lives back there is abundant. We have dozens of deer and turkeys that live within that 11 acres, not to mention the small wildlife.

Mentioned in the meeting was adding diversity to this area. Unsure what is meant by that, ethnic diversity? Our neighborhood is diverse, we have several ethnicities and tons of culture in our neighborhood. Financial diversity? We did not purchase this home in this neighborhood to live next to a mass amount of apartments, near those who do not even pay the \$5300/year property taxes. There is ownership and pride for your community that comes with that high property tax bill, we care for where we live, we maintain our properties, we watch out for each other. There will not be the same sense of pride from those who do not even contribute to our neighborhood. And we surely did not purchase this home to live next to income based properties (that was what we heard was potentially being developed).

We can even mention risk of increase in petty crime, break ins, theft etc. Not sure what the statistics are behind that, but it seems reasonable.

I understand the need for more apartment housing, however this is not the property to do so. There are several other lots available in Portage and Kalamazoo for development. Now if Edward Rose wanted to break up the land and sell it for single family homes, that's a different story.

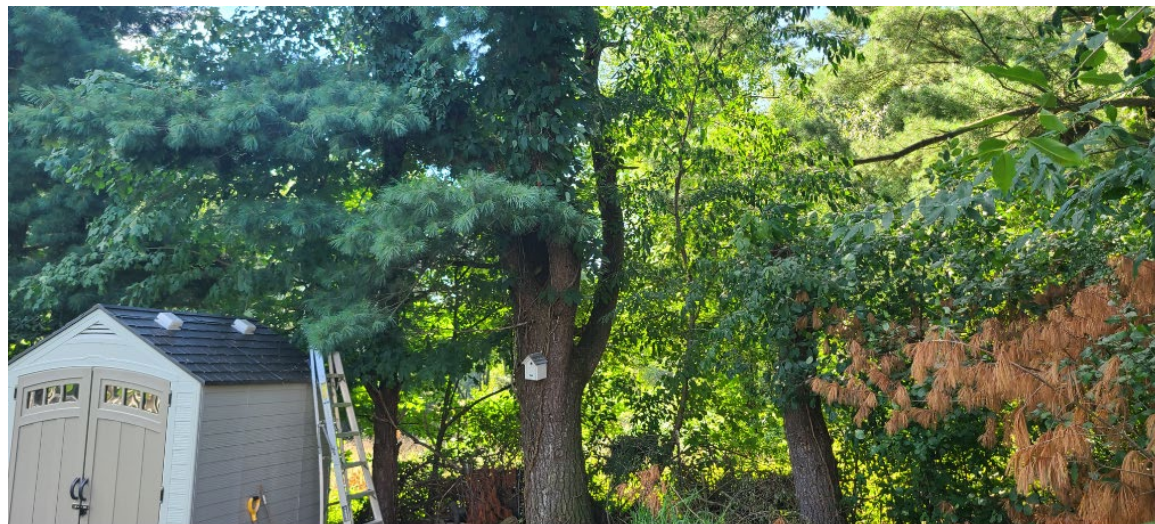
I have included photos to this email as well, there's a view from my master bedroom/bath, a 3 story unit would absolutely be able to see into my home. There's also a photo from my back yard near the property line, as you can see the trees are not thick, once they clear out the property we will be losing all privacy. It is not fair to us as home owners and tax payers to give up our privacy, love for our home, and equity in our property simply so a greedy company can build apartment units when there is other property available in this area.

Thank you,

Anna Wirick
4693 Chasemoor Dr.

Wirick Emailed Pictures

Received 11:03am, 8/15/22



Eric Feldt

From: Jeffrey Schaffer <js002400@hotmail.com>
Sent: Monday, August 15, 2022 10:30 PM
To: Eric Feldt
Subject: Proposed Re-Zoning of land near Foxwood

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Mr. Feldt,

I am sending you this email to express my strong opposition to the proposal to re-zone the area behind Fieldstone Drive. It appears to me after reading the many talking points that the only winners of this proposal are developers who would profit from it. In addition to a significant adverse affect on the Foxwood residents, the people who occupy apartments in high-density zones would be much better served if more apartments are built in other areas that are much more suitable for them.

Please do what is best for the vast majority of people who are directly impacted by zoning including those who live in established residential areas and those who live in high-density apartments who would be best served if more apartments are built in more suitable areas near public transportation, medical facilities, shopping, entertainment options, etc.

Thank you, for your time and consideration.

Jeffrey and Jan Schaffer

5266 Barrymore Street

Eric Feldt

From: Corinna Servis <corinnaservis@gmail.com>
Sent: Monday, August 15, 2022 8:40 PM
To: Eric Feldt
Subject: Rezoning Issue

Follow Up Flag: Follow up
Flag Status: Flagged

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To Whom It May Concern,

I am a homeowner in the Foxwood neighborhood, and I oppose the rezoning of 4670 Fox Valley Drive.

Please do not recommend this zoning change.

Sincerely,
Corinna Servis
5292 Barrymore St.

Eric Feldt

From: Amy Burnett <amy.burnett@yahoo.com>
Sent: Friday, September 2, 2022 2:56 PM
To: Eric Feldt
Subject: Non Resident Parking in Foxwood

Follow Up Flag: Follow up
Flag Status: Flagged

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Good afternoon Mr. Feldt -

My name is Amy Burnett, my family and I reside in the Foxwood community, we're pretty new to this community just shy of two years. I had a situation occur last night that I brought to the attention of our HOA board seeking some guidance. As you're probably aware the community is opposing the re-zoning of 4670 Valley Dr. It was suggested to me by one of the board members that I inform you so that you may give it to the commissioners for review of what occurred to substantiate one of a multitude of reasons why we oppose the request to re-zone. Please feel free to reach out to me via email with any questions or response.

Thank you for your time!
Amy

--- Forwarded Message ----

From: Amy Burnett <amy.burnett@yahoo.com>
To: rap18one@gmail.com <rap18one@gmail.com>
Sent: Friday, September 2, 2022, 10:34:39 AM EDT
Subject: Non Resident Parking in Foxwood

Good morning Ron -

I'm not sure if you're the correct point person on this, my apologies if you're not and maybe you can direct me or forward this to the correct person. We reside at 4759 Mistwood Ave and I encountered a situation last night, I'm not sure if this situation could be example/used to support the Foxwood's argument of potential issues we could face if the re-zoning of additional apartments is approved. I came home from work yesterday and there was a vehicle parked in front of our house, right in front of our son's car almost bumper to bumper. I didn't think anything of at the time, I thought it was a car of someone at the neighbors house. I left home again was gone for quit some time, when I returned the vehicle was still there, still didn't think anything of it at this time. I was going over our security footage and seen a gentleman that got out of that vehicle come to our house knocking on the door several different times yesterday but we were not home. Later on in the evening, I was upstairs and my daughter came running upstairs she was very frightened saying that a man was looking into the window of our front door and banging on the door. I came down to see what was going on and he was gone but the car was still there. It was dark outside at this time and I myself was a little frightened at this point so I called the police. The police came, ran the plate of the car, they were able to locate the owner of the vehicle, turns out he lives in Foxwood apartments. He told the police he's parking his car in our community (just so happens to be right in front of our home) because his plates/tags are expired and Foxwood apartments keeps towing his car, apparently they don't allow their residents to park there if they have expired tags, he told the police he's parking in our neighborhood so that his car doesn't get towed, I gathered this is the reason he's parking bumper to bumper with my son's car to try to hide his expired plate/tags. The police did advise him that he shouldn't be parking any street with expired tags but didn't really press this issue with him. I doubt the police will be back to enforce that as they have more important matters to deal with. If they can't park where they pay rent because they don't have the proper registration, I surely don't think we want them parking on the streets of the community when they don't reside here. If you could share your thoughts on this or any guidance as to how we can address this, we'd appreciate it! Sorry for such a lengthy email but I was trying to include as much detail as possible.

Thank you!
Amy

Eric Feldt

From: shiva ram boda <bodoshiva@gmail.com>
Sent: Tuesday, August 16, 2022 3:35 PM
To: Eric Feldt
Subject: Foxwood development

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I oppose and not recommend the zoning change that will allow high-density apartments to be built behind Fieldstone. It simply increases traffic congestion and devalues the neighborhood independent home prices. Thank you,
Shiva Ram Boda

Eric Feldt

From: Amy Burnett <amy.burnett@yahoo.com>
Sent: Friday, September 2, 2022 2:56 PM
To: Eric Feldt
Subject: Non Resident Parking in Foxwood

Follow Up Flag: Follow up
Flag Status: Flagged

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Good afternoon Mr. Feldt -

My name is Amy Burnett, my family and I reside in the Foxwood community, we're pretty new to this community just shy of two years. I had a situation occur last night that I brought to the attention of our HOA board seeking some guidance. As you're probably aware the community is opposing the re-zoning of 4670 Valley Dr. It was suggested to me by one of the board members that I inform you so that you may give it to the commissioners for review of what occurred to substantiate one of a multitude of reasons why we oppose the request to re-zone. Please feel free to reach out to me via email with any questions or response.

Thank you for your time!
Amy

--- Forwarded Message ----

From: Amy Burnett <amy.burnett@yahoo.com>
To: rap18one@gmail.com <rap18one@gmail.com>
Sent: Friday, September 2, 2022, 10:34:39 AM EDT
Subject: Non Resident Parking in Foxwood

Good morning Ron -

I'm not sure if you're the correct point person on this, my apologies if you're not and maybe you can direct me or forward this to the correct person. We reside at 4759 Mistwood Ave and I encountered a situation last night, I'm not sure if this situation could be example/used to support the Foxwood's argument of potential issues we could face if the re-zoning of additional apartments is approved. I came home from work yesterday and there was a vehicle parked in front of our house, right in front of our son's car almost bumper to bumper. I didn't think anything of at the time, I thought it was a car of someone at the neighbors house. I left home again was gone for quit some time, when I returned the vehicle was still there, still didn't think anything of it at this time. I was going over our security footage and seen a gentleman that got out of that vehicle come to our house knocking on the door several different times yesterday but we were not home. Later on in the evening, I was upstairs and my daughter came running upstairs she was very frightened saying that a man was looking into the window of our front door and banging on the door. I came down to see what was going on and he was gone but the car was still there. It was dark outside at this time and I myself was a little frightened at this point so I called the police. The police came, ran the plate of the car, they were able to locate the owner of the vehicle, turns out he lives in Foxwood apartments. He told the police he's parking his car in our community (just so happens to be right in front of our home) because his plates/tags are expired and Foxwood apartments keeps towing his car, apparently they don't allow their residents to park there if they have expired tags, he told the police he's parking in our neighborhood so that his car doesn't get towed, I gathered this is the reason he's parking bumper to bumper with my son's car to try to hide his expired plate/tags. The police did advise him that he shouldn't be parking any street with expired tags but didn't really press this issue with him. I doubt the police will be back to enforce that as they have more important matters to deal with. If they can't park where they pay rent because they don't have the proper registration, I surely don't think we want them parking on the streets of the community when they don't reside here. If you could share your thoughts on this or any guidance as to how we can address this, we'd appreciate it! Sorry for such a lengthy email but I was trying to include as much detail as possible.

Thank you!
Amy

Eric Feldt

From: Adriana Pardave <adypardave@gmail.com>
Sent: Monday, September 12, 2022 10:41 PM
To: Eric Feldt
Subject: Rezone R-1C Single Family Residential to RM-1 Multifamily Residential

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Planning commission,

My name is Adriana Pardave and I live at 5343 Fieldstone drive. I am very concerned about this proposed development and strongly opposed to it as my house is the home adjacent to Fox Valley Avenue where all traffic would exit. I am unable to attend the 9/15 meeting but am sending this email to document some of my concerns. Please respond acknowledging receipt of my email before the 9/15 meeting.

I was not aware of the neighborhood petition but would like to add my name to that petition.

I bought my home in large part because the zoning did not allow such a development and for the large beautiful natural wooded green space area with lots of wildlife behind my home and it being a quiet family neighborhood. A development of this size should have multiple roads to exit and those exit paths should all exit to different roads to ease traffic congestion. I am especially concerned about all the traffic and noise so very close to my home due to all the new traffic exiting Fox Valley avenue which is very narrow and extremely close to my house. This will disproportionately negatively impact my home's property value since I live right next to Fox Valley ave.

There will also undoubtedly be huge traffic safety and congestion issues exiting onto 12th street due to the poor visibility looking south. The roundabout near Wedels and nearby roads will also be very overcrowded as they are already too busy.

Allowing so many people to start living in this small area will overwhelm the neighborhood, have a large negative ecological impact, degrade our quiet neighborhood quality of life and negatively impact my property value. Please reject this proposal.

Sincerely, Adriana Pardave

Eric Feldt

From: Susan Hagenbarth <susanhagenbarth@yahoo.com>
Sent: Thursday, August 18, 2022 10:07 AM
To: Eric Feldt
Cc: John Hagenbarth; Brenna; Bryan Hagenbarth; Kahlia Morgan
Subject: Continued Opposition to the rezoning of Fox Valley property

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello Portage Planning Commission Members,

I am a resident of the Foxwood Hills neighborhood (4673 Chasemoor Drive) and am a homeowner whose property is adjacent to 4670 Fox Valley and directly impacted by this rezoning request. I have already written to express my opposition to the rezoning of the property at 4670 Fox Valley on August 2 (copy below). I am writing to express my **continued opposition** to this rezoning request from Edward Rose and Sons to change the designation of this property from single family to high density.

I wonder if any of you have walked the property mentioned in this proposal? If so, you'll note the steep grade of the wooded landscape, leading down to the wetlands and creek on the property. One of you wondered at the last meeting why the proposed rendering of the buildings was terraced so, and it is because of this steep grade. **Construction within this natural space will impact the environment and the ecology of this whole area and is in opposition of the Open Space Plan which demands that we protect, preserve and improve sensitive areas like the wetlands on this parcel.**

If you have traveled to this property, then you should have also noticed that there is only one way in and one way out of that property as it is landlocked and surrounded by I-94 and US 131, by the Foxwood Hills neighborhood and the Fox Valley Apartments. Have you driven onto the narrow driveway back to this property which will serve as the only thoroughfare for these residents? Have any of you attempted to turn left onto 12th Street from Fox Valley Drive, particularly in the morning, or evening hours? Likewise, have you attempted to turn left onto Fox Valley during these same timeframes? On the same token, have you attempted to walk your dogs along the sidewalks on Chasemoor Drive, or watch your kids playing basketball in the driveway, only to experience the multitude of cars racing down the road at speeds far above what is reasonable, heading to the townhomes located at the end of Chasemoor Drive, and the apartment complex at Fox Valley. Our neighborhood is and has been used by these nonresidents, making it a dishearteningly, busy thoroughfare. **The Comprehensive Plan calls for neighborhood traffic calming, for plans promoting safe and efficient non-motorized circulation, and puts an importance on preserving and enriching all Portage neighborhoods, in promoting attractive neighborhoods, and retaining high-quality residential areas. By approving this rezoning to high density, it will only make our current situation worse and be in direct opposition to the Comprehensive Plan.**

I could go on, but I will end with this, that you, as a Planning Commission, have the responsibility to act thoughtfully and reasonably and to do your own investigation before making decisions sight unseen. You have the responsibility to imagine and care about how the decisions you make will impact the residents you serve. If you have not actually traveled this route (12th Street to Fox Valley or even Chasemoor Drive) most particularly during the times mentioned, visited the property and seen it with your own eyes...If you have not imagined what it is like to be a resident in Foxwood Hills neighborhood to understand how you might be impacted....imagine your children or

grandchildren playing, or walking your dog with the traffic zooming by...I challenge you to do so, as you cannot possibly make an informed decision without it.

Respectfully Submitted,

Susan Hagenbarth
4673 Chasemoor Drive
Portage, Michigan 49024
269-744-1503

August 2, 2022

Kelly Peterson, Director
Community Development Department
City of Portage
7900 South Westnedge Avenue
Portage, Michigan 49024

RE: **Letter of Opposition: Proposed Rezoning of 4670 Fox Valley Drive (R-1C to RM-1)**

Dear Ms. Peterson,

I have recently been made aware of a request by Edward Rose and Sons to rezone a large, single family property at 4670 Fox Valley Drive from R-1C, a ONE FAMILY Residential parcel, to RM-1 MULTIPLE Family Residential. In researching what the designation RM-1 means, I discovered that it is for **“high density residential”** land use. As a homeowner with property adjacent and directly impacted by this zoning request, I oppose this request for rezoning of this property.

We purchased our lot and built our family home in 1998 at 4673 Chasemoor Drive. We **purposely** selected this site with the view of nature this location provided. Our home borders and has been graced by our neighbor's large, rolling property (4670 Fox Valley Drive) resplendent with trees, wild turkeys, deer, and bordered by the South Fork of the Portage Creek. It is a peaceful, natural setting and many of us who live along this property have enjoyed sitting on our decks, playing and relaxing in our backyards, and taking in the nature around us. Quite frankly, this natural setting was an immediate selling feature for us and over the years, we have added improvements to our home so that we could enjoy more and more time in our backyard. As such, our property values have continued to rise. If this lot at 4670 Fox Valley Drive becomes some sort of apartment complex, it will destroy the natural charm we've come to enjoy in our Portage neighborhood and potential harm the home values of the neighborhood.

Upon purchasing our lot in 1998, we were informed by Allen Edwin Homebuilders that there is also an additional parcel land-locked by US 131 and I-94 which meant this natural area would be preserved with no future development. This was a huge selling feature for us. I cannot pretend to know or understand rezoning laws or the vision of the City of Portage's Planning Commission, but what I do know is that Portage, Michigan, has been known as Tree City USA for the last 30+ years by the Arbor Day Foundation. I am concerned that granting this request will put the ecology of this natural area, including the Portage Creek in jeopardy.

Beyond my concern for the natural and ecological impact of this rezoning request, I am also concerned with the impact of increased traffic in a very narrow corridor. The driveway for 4670 Fox Valley Drive, runs directly along the property of 5343 Fieldstone Drive. It is a narrow drive, and if this Commission grants the request to use this property for **“high density residential”** land use, I can't imagine the traffic the home owner on Fieldstone Drive will have to endure. Also, if a disaster occurs on this Fox Valley Drive property, how will residents get out, and emergency personnel get in?

I have more concerns than this one page letter can encompass. My family and I have enjoyed living in our Portage home for the last 24 years. I strongly oppose the rezoning of this Fox Valley parcel from R-1C, a ONE FAMILY Residential parcel, to RM-1 MULTIPLE Family Residential.

Please share my letter with the Portage Planning Commission and the Portage City Council. I thank you for your time and thoughtful consideration of all the impacts of this proposal and the Portage residents who live in the Foxwood Hills Neighborhood.

Respectfully Submitted,

Susan Hagenbarth
4673 Chasemoor Drive,
Portage, Michigan 49024

Eric Feldt

From: Amy & Mike Juodawlkis <juodkzoo1@gmail.com>
Sent: Thursday, August 18, 2022 8:23 AM
To: Eric Feldt
Subject: Re-zoning of 4670 Fox Valley Dr

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Mr Feldt,

We are writing to oppose the re-zoning of 4670 Fox Valley Drive from a single family property to multi-family apartments. We are home owners of property that borders the proposed re-zoning property. Our fellow neighbors and HOA have extensively researched and found many reasons why this re-zoning should not take place and we fully support all of them. A few that we feel particularly strong about are traffic safety on 12th St as well as through the Foxwood Hills neighborhood. The blind curve on 12th St North creates a dangerous intersection with Fox Valley Ave and more traffic could lead to more accidents. For people wanting to avoid this intersection they will opt to drive through the neighborhood to exit off of Chasemoor Dr, creating more traffic flow where our children play and ride their bikes and neighbors walk their dogs. Secondly, the thing we love most about our property is the natural environment and wildlife. The Portage creek and marsh surrounding it attracts animals of all species and the trees offer a welcome buffer from the sight and sounds of the I94-131 interchange. Lastly, we feel this would effect the value of our property and deter any future potential buyers from the neighborhood. There is already multi-family housing on both sides of our small neighborhood and adding more to this small, natural space does not align with the Portage City's comprehensive plan for future land use and the preservation and enhancement of Portage neighborhoods. This change would degrade our existing neighborhood. Please consider rejecting the proposal of re-zoning 4679 Fox Valley Drive.

Sincerely,
Michael and Amy Juodawlkis
4531 Chasemoor Dr

Eric Feldt

From: Joe Kucharski <unogear@gmail.com>
Sent: Tuesday, August 16, 2022 10:33 PM
To: Eric Feldt
Subject: August 18, 2022 Planning Commission Agenda Item

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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Good Evening Mr. Feldt,

Please attach our written comments to the agenda.

Thank you.

Joseph and Cheryl Kucharski

4573 Chasemoor Drive

August 18, 2022

Dear City of Portage Planning Commission:

This correspondence is in response to the request to rezone 4670 Fox Valley Drive from R1-C Single Family Residential to RM-1 Multifamily Residential by Edward Rose & Sons.

Please accept this correspondence in addition to our previously submitted email and comments at the meeting on August 04, 2022. We continue to oppose the rezoning application, as the property in question is land locked and has many unique characteristics previously identified which limit the development of the property.

At the request of the planning commission, the City of Portage identified "two similar existing scenarios."

The Sterling Oaks Senior Apartment complex is a 28-unit, single story, single building, senior apartment setting which targets those age 55 and older. This property is located within a medium density residential area on the Future Land Use Map. While this complex does require access via a residential area, this is hardly comparable to a three story, multi-building, high-density development with a very different target market as presented by the applicant.

The Moorsbridge Road section identified appears to reference attached homes located within a medium density residential area on the Future Land Use Map. There are no three story, multi-building, high-density developments in the identified area.

Neither area identified by the City of Portage is an adequate comparison to this rezoning application. In fact, both scenarios support the position of those residents opposing this rezoning application.

As previously noted, the Kalamazoo County Road Commission indicated "sight distance to the south is definitely of the greatest concern to us." The planning commission requested input from Traffic Engineer Muhammad Arif. Mr. Arif agrees with the Kalamazoo County Road Commission that the developer "needs to

improve the line of sight to the south at this intersection.” Further, he states “It appears that there will be a sizable traffic generated by the development. Since 12th Street is under the jurisdiction of the Road Commission of Kalamazoo County, we will follow their recommendation whether a TIS [traffic impact study] is required or not.” He further suggests that a traffic capacity study at the intersection of 12th Street/Old 12th Street on Fox Valley Drive should be sufficient to determine the impact of the new development. Arguably, this is not an appropriate approach to determine traffic impact in the area, as residents already avoid travel via that intersection due to the aforementioned danger associated with the Fox Valley Drive/12th Street intersection. The “sizeable traffic” generated by a high density, multi-family development on this property will route through the residential area, as existing residents routinely do now. It should be noted that there are no sidewalks along 12th Street, Old 12th Street, or Fox Valley Drive.

This rezoning application is irresponsible and should be denied. It is inconsistent with the current zoning of the property and the Future Land Use Map and common sense.

Perhaps the applicant should consider a more appropriate request. There would be less opposition to single family homes or attached homes which would be much more appropriate and responsible given the characteristics of the property.

Sincerely,

Joseph and Cheryl Kucharski

Eric Feldt

From: Titania Lee <mrs.leedst06@gmail.com>
Sent: Wednesday, August 17, 2022 8:21 PM
To: Eric Feldt
Subject: Foxwood Rezoning

Follow Up Flag: Follow up
Flag Status: Flagged

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Good evening,

My name is Titania Lee and I, along with my husband and children, reside at 4511 Chasemoor Drive, Portage. I am writing in regard to the rezoning proposal in the Foxwood neighborhood and I want to express that I highly oppose the rezoning from medium density to high density. My family has lived in the area since 2013. We were once residents of The Hermitage at Foxwood (owned by Edward Rose) before moving into our home at 4511 Chasemoor Drive last September 2021. I have always admired the Foxwood neighborhood and the warm feeling I felt and received each time my family would walk or ride our bikes from our condo through the neighborhood. Due to the close proximity from our old residence to our new residence, my children continued to ride the same bus and associate with the same children they did when we lived in the condos owned by Edward Rose. After renting from Edward Rose for so many years until we were able to purchase our home, I can tell you that we have not always been pleased with the service we received through their management office. They went through several office managers, maintenance men, and grounds keepers, during the time in which we resided at The Hermitage. This often resulted in a delay in work being completed in our unit and other projects around the premises. I say this, because I don't know how the company would be able to keep up with three different properties if they are having trouble servicing the two properties they have in the same area.

Another issue that we have had, is the over crowded school buses that my children ride, which often resulted in them not wanting to ride the bus on most days. There are a lot of children that ride the bus between the Foxwood Apartments, Foxwood neighborhood, and The Hermitage at Foxwood condos. The children from all three areas ride the same bus and adding high density housing in the area proposed off of Fieldstone Drive will exacerbate this issue for our children.

We live right next to the road that leads back to the condos owned by Edward Rose and the speed at which the residents come past our house when children are playing outside is a safety issue. Fox Valley Drive and 12th Street, the road that leads to the area in which Edward Rose is trying to build high density housing, is not a safe intersection. I have witnessed an accident in this area and many people having trouble exiting the neighborhood, especially during poor road conditions. The exit to 12th Street sits right in a curve that already has a lot of traffic, and again, this will only get worse if there is more traffic traveling in and out of the proposed zoned building area.

There are many other reasons that I highly oppose this rezoning proposal and I'm sure you have already heard many from the concerned residents of this neighborhood. I hope that you and your committee will highly consider and reject the Foxwood rezoning proposal submitted by Edward Rose. Thank you for your time.

Regards,
Titania Lee
757-849-2858 (cell)

--

Titania R. Lee

Eric Feldt

From: Therese Murphy <therese_murphy@att.net>
Sent: Wednesday, August 17, 2022 3:45 PM
To: Eric Feldt
Subject: Rezoning of 4670 Fox Valley Drive

Follow Up Flag: Follow up
Flag Status: Flagged

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Mr. Feldt,

We live in the Foxwood Hills Subdivision. We wanted to let you know we strongly oppose the rezoning of 4670 Fox Valley Drive to RM-1 Multifamily Residential.

While we understand that we need more housing in the City of Portage, what Edward Rose & Sons proposes is not appropriate for the property at 4670 Fox Valley Drive. We already have traffic issues in our neighborhood due to Foxwood Apartments and the neighboring townhomes. Many of the current residents at The Foxwood Apartments already drive down Fieldstone Drive and turn left onto Chasemoor Drive to go to 12th Street rather than using Fox Valley Drive (this is also a safety issue as well for the families living in the subdivision, most of us with children who play in the neighborhood). The apartment residents find out quickly that turning either right or left onto 12th Street from Fox Valley Drive is extremely difficult and dangerous because it is hard to see any oncoming traffic. This is a common occurrence at Foxwood Valley Drive and 12th Street. If a new multi-story apartment complex is built those traffic issues will worsen.

Another concern is the traffic congestion we already have during the morning and afternoon commute at the roundabout at 12th Street, Milham Road and Texas Drive. Just the other day, I was heading north on 12th Street at 5:18 pm and the traffic heading south on 12th Street was backed up past Briarhill Drive. You need to realize by adding this new development will lead to more congestion in that area.

We appreciate your time and consideration with this matter.

Sincerely,

Brent and Therese Murphy
Foxwood Hills Subdivision residents

Eric Feldt

From: Camille Nearpass <clnearpass@gmail.com>
Sent: Wednesday, August 17, 2022 12:37 PM
To: Eric Feldt
Subject: Foxwood neighborhood re-zoning proposal

Follow Up Flag: Follow up
Flag Status: Flagged

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To whom this may concern,

I am writing this letter on behalf of the Foxwood neighborhood. My current address is 4611 Chasemoor Dr. Portage, MI 49024. My family is writing in regards to the new zoning proposal behind our street and we vehemently oppose this new re-zoning proposal for many reasons including the preservation and enhancement of our Portage neighborhoods. While we understand the need for more housing options in the City of Portage, a high- density, RM-1 zoning is not appropriate for this particular parcel. A multi-story apartment development with a development density of 10-15 units per acre is inconsistent with the city's adopted Master Plan and incompatible with the adjacent single family neighborhood located immediately to the west and north. An alternative R- 1T zone would allow for construction of attached townhomes and duplexes at an appropriate development density that is consistent with the city's adopted Master Plan and compatible with the adjacent single-family neighborhood.

I thank you for taking the time to read this and for your consideration of all the families in the surrounding area.

Keith and Camille Nearpass
4611 Chasemoor Drive

Eric Feldt

From: Kelly Peterson
Sent: Friday, August 19, 2022 12:21 PM
To: Eric Feldt
Cc: Tamara Stephens
Subject: FW: Online Form Submission #10379 for Contact Us

Follow Up Flag: Follow up
Flag Status: Flagged

Eric,
Please file with Fox Valley comments received.
Thank you,
Kelly

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Friday, August 19, 2022 10:05 AM
To: Tamara Stephens <stephent@portagemi.gov>; Kelly Peterson <petersok@portagemi.gov>; forthc@portagemi.gov
Subject: Online Form Submission #10379 for Contact Us

Contact Us

DO NOT USE THIS FORM TO REPORT A POLICE, FIRE OR MEDICAL EMERGENCY - DIAL 9-1-1. To report a non-emergency crime, please call non-emergency dispatch at (269) 488-8911.

Which department do you wish to contact?	Community Development
--	-----------------------

Your First Name	Rennie
-----------------	--------

Last Name	Niemi
-----------	-------

Email Address	rennieniemi@aol.com
---------------	--

Subject	Re-zoning 4670 Fox Valley Drive, Portage
---------	--

Your Message	Good Morning, My name is Rennie Niemi, 4781 Mistwood Ave, Portage. I wanted to send you my comments, since I was unable to attend the Planning Commission Meeting scheduled Aug 18th. I hope to attend the rescheduled meeting in September. As a resident of Foxwood Subdivision, and within 300 feet of the subject parcel, I wanted you to know why this rezoning would not be good. My back yard butts up to Fieldstone, the road used as an entrance by Foxwood Community as well as the Current
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apartment community built just South of our community. I see the traffic everyday pass by my back yard. And I wanted you to know how busy this stretch of road can be at certain times of the day. I see the tenants of the apartments, with cars, motorcycles, trucks, visitors, service people, pets, emergency vehicles....etc.

Fieldstone entrance/exit has a bit of a hill when entering. Once you reach the top of the hill, you turn left into Foxwood, or Right into the Apartment complex.....however when you want to exit, it becomes very dangerous. The corner of Fieldstone and 12th street has a blind spot just to the south of the intersection.

When you use this intersection to exit, you are taking a big chance, because the vehicles heading North from the roundabout at the corner of 12th Street and Milham drive pretty fast on 12th Street, and there is a curve just before Fieldstone. Our vehicles become slingshots pulling out onto 12th. It can be very dangerous. There are no turning lanes currently available on 12th, so we are forced to do our best to enter and exit from this location. And between our community and the Apartment Complex community using this intersection, it can become quite congested. Again, I see the traffic, because its in my backyard. I support progress to the Portage Area, and feel privileged to live here. I am very concerned about the re-zoning of the parcel located at 4670 Fox Valley Drive to include multi family 3 story apartments because of the number of additional vehicles, which will increase the dangerous conditions already there. I realize it is currently zoned for single family, and there are going to be additional vehicles eventually, but to increase the number of vehicles it would be if the parcel is re-zoned to RM-1 I am afraid would be a disaster waiting to happen. Please hear me when I say this is a bad idea, and a dangerous one. Thank you. If you have any questions, feel free to contace me.

Email not displaying correctly? [View it in your browser.](#)

Eric Feldt

From: Elizabeth Quardokus <quardokuse@gmail.com>
Sent: Wednesday, August 17, 2022 10:49 PM
To: Eric Feldt
Cc: Ron Pelak
Subject: Letter to Planning Commission for consideration at 8/18/22 meeting

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear City of Portage Planning Commission,

We are opposed to the application to rezone 4670 Fox Valley Drive from R-1C Single-Family Residential to RM-1 High-density Multifamily Residential. Our home is within 300 feet of the property. There is a need for more housing in the City of Portage (the "City"). That need does not outweigh the unsuitability of that use due to the unique characteristics of this parcel of land, and the negative impacts that rezoning to RM-1 High-density Multifamily Residential would have on the surrounding properties.

We attended the previous meeting on August 4, 2022; the following topics were discussed. The presence of any existing similarly situated neighborhoods within the City of Portage, The Future Land Use Map, traffic considerations, and the applicability of the proposed site plan.

At the previous meeting, a question was raised as to whether there were other areas in Portage with a similar setup of high-density residential sharing access with single-family homes. The Commission found it unique that the subject property and the existing high-density multifamily share Fox Valley Avenue with the single-family neighborhood to the immediate north. The Commission asked if there were any other examples of this situation in the City of Portage. Based on the examples provided by the city in the packet, the answer is no. The City provided two examples of medium-density residential sharing an access street with single-family residential. The City was unable to provide an example of RM-1 high-density residential with shared access to a major thoroughfare via a single-family residential area. Of the two examples provided by the City, only one of those two examples consisted of rented units. Specifically, Sterling Oaks Senior Apartments is a 28-unit, single-story building on 5.46 acres, a density of 5.12 units/acre. At 5.12 units/acre, this development is at the low-end of medium density residential (4-8 units per acre). The area in Moorsbridge mentioned by the City as another example, does contain attached homes. However, these homes are privately owned condominiums. This development is also not high-density residential and is on the low-end of medium-density. If the application was for a Medium-density residential (R-1T) rezoning for 4670 Fox Valley Drive, that would allow for a comparable development to these two areas that the City has used as examples. If either of these examples were provided by the developer for this parcel with a request to rezone as medium-density residential, we would not be opposed. Furthermore, we would welcome privately owned condos to be developed, similar to the development in Moorsbridge that the City has used as an example. Simply put, the examples provided by the City are inconsistent with the current proposal to rezone to RM-1 High-density Residential. This is another example of the City being deceptive with the information it chooses to provide to this Commission. Given the clear distinction between the examples provided and the proposed rezoning we urge the Commission to consider the unique aspect of this proposal as a negative to the rezoning application.

The Future Land Use Map component of the Comprehensive Plan designates the subject property as "Medium Density Residential." Some discussion at the previous meeting suggested that the current Future Land Use map is out of date, but it would be improper for this commission to consider what a new map might look like. If this commission believes that the Future Land Use Map may change, they should direct the applicant to withdraw their application and reapply at

such time that the Future Land Use Map aligns with the proposed rezoning. The Master Plan update, including an updated Future Land Use Plan, is expected to commence in September 2022. According to the City, that update will have significant public input. For this Commission to opine what a specific section of the Future Land Use Map might be changed to could lead to a decision that is arbitrary and capricious. At this stage, the commission must deal with the facts as they currently are in August 2022, which includes the current Future Land Use Map. The deviation currently under consideration is not justified by any positive factors that outweigh the negatives.

With regard to traffic, we looked at the City's preliminary "high-level" review of the traffic impact. We noted that the tentative site plan was used to generate anticipated traffic impacts. At the previous meeting, the commission clearly pointed out that the site plan is not under consideration at this stage and should not be the basis for discussion regarding proposed rezoning. However, the City chose to use this plan when making its "high-level" assessment on the traffic impact. The example plan submitted by the developer consists of 120 units on 10 acres; or 12 units/acre. The application to rezone this parcel is for RM-1 High-density which would allow for 150 units or 15 units/acre. An appropriate traffic study would consider the allowed units per acre for the rezoning application designation and not be based on an example plan (which is not under review). Notwithstanding this error, the preliminary analysis concludes that even based on the less-than-maximum 12 units/acre plan "there will be sizeable traffic generated by the development,". The actual unit allowance for a RM-1 high-density residential zone is 25% higher than the initial "high-level" traffic study assumes. In the initial recommendation to the Commission, the City mentions that "the proposed rezone is not approving or reviewing a specific project's traffic impact." Putting that analysis off until after rezoning is inappropriate as one of the key factors to consider when rezoning is the impact of the proposed zoning reclassification on surrounding properties. When the commission is considering nonresidential rezoning, they clearly consider traffic patterns and ingress/egress as it applies to the rezoning, without regard to a site-specific development plan (what if this OS1, Office Service, became B-3, General Business? How would that traffic impact the surrounding parcels?). RM-1 High-density Residential rezoning should be no different. The preliminary high-level review of traffic states that "a traffic capacity analysis at the intersection of 12th Street/Old 12th Street should be sufficient to determine the impact of the new development." We disagree. While we do agree that 12th Street traffic is a consideration for this project as a whole, at this stage the impact to the neighborhood traffic is also of great significance and should not be discounted as insignificant. It is common for residents entering or exiting Foxwood Apartments to travel through the neighborhood via Chasemore Dr. to Fieldstone Dr. bypassing Fox Valley and adding additional traffic to the single-family home neighborhood. Adding an RM-1 High-Density Residential area will additionally adversely impact neighborhood traffic along those single-family residential streets.

At the previous meeting, it was mentioned more than once by the Commission that the outcome of this meeting is only a recommendation to City Council. However, the City Council relies on the Commission to weigh the factors before them, when making a recommendation. It is the duty of the Commission to carefully consider those factors and make an honest, measured recommendation to the Council. The Commission would serve no purpose if they simply approved every application based on the reasoning that it is only a recommendation. If this were the case, every proposal by City administration would be approved without additional consideration, because after all, it is just a recommendation. In this case, we urge you to look at each factor as it applies to this unique parcel. Rezoning this parcel to RM-1 High-density Residential is inconsistent with the Future Land Use Map, would create a tremendous traffic burden, and is not supported by any other examples in our community. The need for additional housing in Portage does not outweigh these considerations. Alternatively, to meet the need of additional housing and use for this unique parcel, rezoning to Medium Density Residential may be appropriate. Unfortunately, that is not the application before the commission. Ignoring, or dismissing, the negative aspects of this rezoning application through reasons such as "we will deal with traffic later" or "this is just a recommendation" undermines the role of the Planning Commission in our community. We ask you to deny this application and suggest to the applicant to reapply for medium density residential with a plan more appropriate to the unique aspects of this parcel.

Sincerely,
Matt and Betsy Quardokus
4783 Idlewood Ave.

September 14, 2022

Re: Edward Rose & Sons rezoning request
for 4670 Fox Valley Drive

Dear Planning Commission,

Since I live at 4821 Mistwood Ave., Fox Valley runs right past my backyard.

I moved into this neighborhood in 2004. I love living in this neighborhood, and I love my neighbors. I would just like to remind you that we are your people, residents of Portage. You as a planning Commission are here to make Portage greater, and a very nice place to live, we all want that.

I ask you to please consider this, how this rezoning will disrupt our lives in a very big way, the neighborhood we love so much.

There will be many transient strangers driving through and around our homes on a daily basis. The safety that we have all felt and need in our neighborhood will be gone. Especially for those with small children riding their bikes, playing in the yards, walking their dogs, and running to a neighbor's home to play with their friends. This will all change and will be traumatic for all families, our neighbors, our friends.

We have already had to deal with home theft, cars being broken in to, cars being hit when parked in the street, all happening on Chasemoor Dr and Chasemoor Court, the homes closest to FoxFire Apartments. Not to mention the speeding down Chasemoor coming from those apartments, and the city won't help us with that at all.

Do you think any of this matters to Edward Rose and Sons? I think not, but it should matter to you. Please be do not approve the rezoning of 4670 Fox Valley Drive to a RM-1 High Density Multifamily housing development.

Thank you,

Ursula Juengling
4821 Mistwood Ave.
Portage, MI. 49024

Eric Feldt

From: Chris Wendling <chris.j.wendling@gmail.com>
Sent: Tuesday, August 16, 2022 9:51 PM
To: Eric Feldt
Subject: City of Portage Planning Commission

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Dear City of Portage Planning Commission,

I am against the rezoning of 4670 Fox Valley Drive from a RC-1 single family residential to a RM-1 multifamily residential for a future multifamily housing development. This is the opposite of all the neighboring land locked corners of I-94 and 131 as they are all low density allowing for this change would make this a high density area. We already have an apartment complex on one end and condos on the other end which is different from any other neighborhood in Portage already. The amount of traffic that comes through the neighborhood is already high and has all of us very concerned for our children. Now I understand the need for more housing in the city of Portage and that the current green space is going to be developed but a high density RM-1 zoning is not appropriate for this area. A multi story apartment development with a development density of 10-15 units per acre is inconsistent with the city's adopted master plan and incompatible with the adjacent single family neighborhood located immediately to the west and north. An alternative to this would be a R-1T zone which would allow for construction of attached townhouses and duplexes at an appropriate development density that is consistent with the city's adopted master plan and compatible with the adjacent single family neighborhood.

At the last meeting on August 4, 2022 it was brought up that there is a need for low income housing and that may be true but that does not mean that it has to be put in this area, Edward Rose and Sons already owns an apartment complex in the neighborhood and they mention that it would be for low income families. I looked up the pricing for a two bedroom apartment and it was between \$1501-\$1733 a month that is not for low income families. Also walkability was mentioned but the neighborhood is not walkable and there is one sidewalk on one side of the street and it is landlocked by the highways and one cannot walk down 12th street. My children can not walk to 12th St. Elementary. So putting in low income housing and not having public transportation and the walkability factor will not help those individuals as they need to have access to these amenities.

Would you like for a 3 story 120 unit apartment complex to be built in your backyard, after you have been living in your home for 5 to 10 years. As mentioned earlier we understand that something is going to be built but let's keep it consistent with the current neighborhood. In conclusion I hope the commission takes everything into account when making this decision.

Thank you,
Chris Wendling

From: rennieniemi@aol.com
To: [Erica Eklov](#)
Subject: re-zoning application Fox Valley Drive Portage
Date: Monday, October 17, 2022 3:16:20 PM

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Ronald and Rennie Niemi
4781 Mistwood Ave
Portage, Michigan 49024
269-743-7274

I am writing because I believe this would be so incredibly dangerous. Our home backs up to Fox Valley Drive, and I am retired, so I see the traffic. We rarely use that entrance/exit because of the blind spots, hills, traffic. There are hills on each side of 12th street at this intersection. People heading north from the 12th street/Milham circle have enough time to increase speeds before reaching Fox Valley Drive. There is no turning lane provided for those turning right. This is a problem, because speeds are increased, going around a curve and down a hill just prior to Fox Valley Drive. Even though our house backs up to Fox Valley Drive, we use the second entrance because of this. And leaving the neighborhood is just as dangerous. There are hills on each side of the exit, traffic coming at high speeds, and you have to hope you are going fast enough to avoid accidents. I understand there will be additional traffic with single family homes build on this parcel, but to double or triple the amount of traffic scares me. Not to mention the additional commercial, postal, delivery services....etc. Please understand this is going to be difficult for everyone involved once this additional traffic starts. Between our neighborhood, the current apartment complex, townhouses already using this entrance, it is going to be dangerous. My husband has already come close to a head on collision a few times with vehicles pulling out of the parking lot at the apartment complex just on the other side of Fox Valley. So please do not even consider changing the zoning.

Thank you,
Ron and Rennie Nlemi
4781 Mistwood Ave
Portage, Mi 49024

From: [Sarah Handlogten](#)
To: [Erica Eklov](#)
Subject: Proposed Re-zoning: 4670 Fox Valley Drive
Date: Tuesday, October 18, 2022 11:02:01 AM

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Dear Ms. Eklove,

My name is Sarah Handlogten. My husband and I reside at 5320 Barrymore St, Portage, MI 49024. We were one of the first homeowners to build in this subdivision when it was being developed and have lived here since June of 1999, raising our three children. We have watched as the neighborhood formed and evolved over the last 23 years. I'm reaching out to express our concern related to the proposed development rezoning for 4670 Fox Valley Drive.

While we acknowledge that affordable housing is needed in Kalamazoo County, the proposed apartments are inappropriate for this area due to the type, price, and location proposed. This location is already zoned for single-family homes and these would be fitting for this suburban area. Lower-income housing (for those earning less than \$50,000), however, is more appropriate and needed in more urban areas where families would be better served with access to sidewalks, bus routes, and easily accessible community offerings such as shopping, etc.

Our biggest concern is the amount of traffic that will be added to the subdivision and 12th Street. We have numerous new drivers and children in the neighborhood who already face excessive speeding traffic from the apartments down Fieldstone to access the northern entrance/exit of the subdivision. This is largely due to the danger of the southern entrance (kitty corner to our backyard from Fox Valley Drive). There is a limited view to the south and coupled with speed, most residents in the subdivision and apartments choose to use the northern entrance due to safety concerns and the risk of accidents. This leads to the apartment residents often cutting through our subdivision at high rates of speed often not observing the stop sign placed at the eastern exit of the apartments, leading to many close calls at that intersection (Fox Valley and apartments) and danger on Fieldstone. We also continue to experience excessive high-speed traffic up and down Chasemoor from Fox Valley condos, that has never been resolved despite our homeowner association's numerous attempts with the city to address and resolve the issue. This proposed rezoning would potentially add an additional 50 automobile trips in and out per hour during peak times which will directly impact the safety of our subdivision's children, school bus stops, foot traffic, and car traffic. Additionally, traffic already backs up from the roundabout on 12th Street to the north past the northern entrance/exit of our subdivision making it difficult and dangerous to enter 12th Street. Adding this number of apartment residents and cars would only add to the already overloaded roundabout, overabundant traffic on 12th Street, and dangerous traffic in our subdivision.

The Planning Commission voted against recommending approval for good reasons. I'm asking you to trust your commission's findings, and take into consideration the information I've outlined here as a long-term resident, as well as the input of the rest of my fellow homeowners who will be directly impacted by the rezoning, the residents of our subdivision.

Thank you for your time and attention to this important matter.

Sincelerly,
Sarah M Handlogten
269-743-9740

From: [Jeffrey Schaffer](#)
To: [Erica Eklov](#)
Subject: Re: Fox Valley Comment
Date: Wednesday, October 19, 2022 11:04:58 AM

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Email sent to Portage City Planner, Mr. Eric Feldt on 8/15/22



Jeffrey Schaffer

To: eklove@portagemi.gov

Sun 10/16/2022 7:51 PM

Dear Ms. Eklove,

I sent the email that is copied below to Portage City Planner, Mr. Eric Feldt on 8/15/22. I am all for developers making profits, but not by changing the rules (rezoning after many people have moved to a neighborhood with the expectations that the zoning rules would not be changed) to make profits at the expense of the vast majority of people who are directly affected (including apartment renters who would be better served by building new apartments in locations that are more suitable for them).

Thank you, for your time a consideration.

Jeffrey Schaffer

5266 Barrymore Street

From: Erica Eklov <eklove@portagemi.gov>
Sent: Wednesday, October 19, 2022 8:55 AM
To: 'js002400@hotmail.com' <js002400@hotmail.com>
Subject: Fox Valley Comment

I am sending you this email to express my strong opposition to the proposal to re-zone the area around the Fieldstone Drive. It appears to me after reading the many talking points that the only winners of this proposal are developers who would profit from it. In addition to a significant adverse affect on the Foxwood residents, the

people who occupy apartments in high-density zones would be much better served if more apartments are built in other areas that are much more suitable for them. Please feel free to respond back to this message so I can get your comments on the record for City Council.

Please do what is best for the vast majority of people who are directly impacted by zoning including those who live in established residential areas and those who live in high-density apartments who would be best served if more apartments are built in more suitable areas near public transportation, medical facilities, shopping, City Clerk

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

~~Thank you, for your time and consideration.~~

Jeffrey and Jan Schaffer

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From: [Lynnae Stankus](#)
To: [Erica Eklov](#)
Subject: Public comments for public hearing for 4670 Fox Valley Drive: 11/1 hearing
Date: Thursday, October 20, 2022 2:38:13 PM

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To: Erika Eklov
From: Lynnae Stankus
Date: 10/20/22
Regarding: Rezone application for 4670 Fox Valley Drive (11/1 public hearing written comments)

Dear Council Members:

I do not approve of the zoning change that Edward Rose & Sons is requesting for 4670 Fox Valley Drive. Please see below for written comments and rationale to deny the rezoning application. We are residents within the 300 ft radius of the property. Our address is below.

Specifically, adding multi-family high density housing behind a subdivision that **ALREADY HAS** a high-density complex in it is not logical. Our neighborhood is already a thoroughfare for a condominium community and an apartment complex. We do not need an additional apartment complex feeding through our streets. There is a similar issue already happening with Winters Dr, as it has become a thoroughfare for other traffic. Adding apartments in the 4670 Fox Valley location to try to solve a Portage housing issue will only create a multitude of additional issues for the city and residents as soon as these apartments are built. Why would we knowingly create a similar problem in another Portage neighborhood by making an additional subdivision a thoroughfare? No other subdivision in Portage has this set-up, that we are aware of (multiple high-density apartments feeding through it), and now Edward Rose is proposing an **ADDITIONAL** complex for our subdivision. This is not the right choice for current and future residents of Portage.

My concern for this rezone is also personal and focuses on **SAFETY**. We live on the corner where everyone needs to turn to get to their apartment housing. We already have countless cars per day pass by and turn in front of our home. Our vehicle has been hit while parked on the side of Fieldstone Drive in a hit and run accident. Fox Valley Ave is not a safe outlet for this complex, as that is a blind corner to turn onto 12th St. I invite you to try to make a turn from Fox Valley onto 12th St, if you have not experienced it. It is dangerous and difficult and often results in accidents. Thus, the traffic routes down Chasemoor and onto Fieldstone. That is where our house sits. That is where our children play baseball outside and ride their bikes. This is where our children's bus stop is located. Edward Rose feels the traffic is not a huge concern and that is untrue. It is a significant concern that jeopardizes the safety of our children. Edward Rose also feels that apartment traffic will use Fox Valley to enter/exit. That is also not true, as that is currently not happening for the other

apartment complex that is accessible only through our subdivision. Much of the traffic feeds through Chasemoor and Fieldstone, as the corner of Fox Valley and 12th street is dangerous and unsafe. This would double (or more) the traffic we are currently experiencing.

12th St. already has an immense amount of traffic. Adding another multi-family unit that would need to use 12th St. would create a traffic nightmare. The round-about at Milham and 12th is already very backed up often, with traffic lining the road down to I-94 from the roundabout at certain times of the day (traffic backed up for several blocks). Adding in a complex with hundreds more tenants, service vehicles, delivery drivers, guests, etc. would be a horrible mess of traffic on that main road.

The City of Portage zoning commission already agreed that this is NOT the place for multi-family housing and recommend a denial of the rezone application. Please take their recommendation seriously and deny this application. There are better and more logical places to put multi-family housing in Portage. Placing these units in an inaccessible location is inappropriate, illogical and unsafe. We are not asking to retain our "green space." We are asking for a common sense, accessible and safe location for a large, high-density apartment complex. This is not that location.

Sincerely,

Lynnae Stankus
4759 Chasemoor Drive
Foxwood Hills Resident

From: [Elizabeth Quardokus](#)
To: [Erica Eklov](#)
Subject: Letter to City Council for consideration at 11/1/22 meeting
Date: Tuesday, October 25, 2022 8:46:56 PM

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To: Portage City Council
From: Matthew and Elizabeth Quardokus, 4783 Idlewood Ave
Regarding: Opposition to the application to rezone 4670 Fox Valley Drive from R-1C to RM-1 High-density Multifamily Residential

Dear Mayor Randall and Portage City Council,

We are opposed to the application to rezone 4670 Fox Valley Drive from R-1C Single-Family Residential to RM-1 High-density Multifamily Residential. Our home, located at 4783 Idlewood Ave, is within 300 feet of the property. There is a need for more housing in the City of Portage (the "City"). That need does not outweigh the unsuitability of that use due to the unique characteristics of this parcel of land, and the negative impacts that rezoning to RM-1 High-density Multifamily Residential would have on the surrounding properties. During the applicable Portage Planning Commission meetings, several topics were discussed, these included the presence of any existing similarly situated neighborhoods within the City of Portage, The Future Land Use Map, traffic considerations, and the applicability of the proposed site plan.

The City of Portage has a goal of "attracting residential development that provides a mixture of housing for all income levels" as pointed out by Mr. McGinnis in the information he has provided to the City Council. It is important that the parcel of land and surrounding areas support the proposed residential development. At a Planning Commission meeting, it was discussed as to whether there were other areas in Portage with a similar setup of high-density residential sharing access with single-family homes. There are no other developments or neighborhoods in Portage with a similar setup of high-density residential sharing access with single-family homes. It is important to note that the parcel of land in question is land-locked, the only access to the parcel is shared access with single-family homes. The access to this parcel of land off a residential street, immediately adjacent to a single family home.

The Future Land Use Map component of the Comprehensive Plan designates the subject property as "Medium Density Residential." It has been noted that the Future Land Use Map is out of date, but it would be improper for the City Council to consider what a new map might look like. If this Council believes that the Future Land Use Map may change, they should direct the applicant to withdraw their application and reapply at such time that the Future Land Use Map aligns with the proposed rezoning. The Master Plan update, including an updated Future Land Use Map, is expected to commence this fall. According to the City, that update will have significant public input. For the Council to opine what a specific section of the Future Land Use Map might be changed to could lead to a decision that is arbitrary and capricious. At this stage, the Council must deal with the facts as they currently are, which includes the current Future Land Use Map. The deviation that would come under

consideration is not justified by any positive factors that outweigh the negatives.

With regard to traffic concerns, we looked at the City's preliminary "high-level" review of traffic impact. We noted that the tentative site plan was used to generate anticipated traffic impacts. The example plan submitted by the developer consists of 120 units on 10 acres; or 12 units/acre. The application to rezone this parcel is for RM-1 High-density which would allow for 150 units or 15 units/acre. An appropriate traffic study would consider the allowed units per acre for the rezoning application designation and not be based on an example plan (which is not under review). Despite this error, the preliminary analysis concludes that even based on the less-than-maximum 12 units/acre plan "there will be a sizable traffic generated by the development." The preliminary high-level review of traffic also states that "a traffic capacity analysis at the intersection of 12th Street/Old 12th Street should be sufficient to determine the impact of the new development." We disagree. While we do agree that 12th Street traffic is a consideration for this project as a whole, at this stage the impact to the neighborhood traffic is also of great significance and should not be discounted as insignificant. It is common for residents entering or exiting Foxwood Apartments to travel through the neighborhood via Chasemore Dr. to Fieldstone Dr. bypassing Fox Valley and adding additional traffic to the single-family home neighborhood. Adding an RM-1 High-Density Residential area will additionally adversely impact neighborhood traffic along those single-family residential streets.

We urge you to look at each factor as it applies to this unique parcel. Rezoning this parcel to RM-1 High-density Residential is inconsistent with the Future Land Use Map, would create a tremendous traffic burden, and is not supported by any other examples in our community. The need for additional housing in Portage does not outweigh these considerations. Alternatively, to meet the need of additional housing and use for this unique parcel, rezoning to Medium Density Residential may be appropriate. Unfortunately, that is not the application before the commission. We ask you to deny this application and suggest to the applicant to reapply for medium density residential with a plan more appropriate to the unique aspects of this parcel.

Sincerely,
Matt and Betsy Quardokus

From: [Larry Stankus](#)
To: [Erica Eklov](#)
Subject: Opposition to the rezoning request for the property located at 4670 Fox Valley Drive
Date: Thursday, October 27, 2022 9:18:37 AM

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To: Portage City Council

From: Lawrence Stankus 4759 Chasemoor Dr.

Regarding: Opposition to the rezoning request for the property located at 4670 Fox Valley Drive

Good Afternoon,

I would like to express my opposition to the rezoning request for the property located at 4670 Fox Valley Drive. I am against this property being zoned for "high density" multi family housing because of the traffic issues it will cause. The only access point for this development will go through our subdivision, creating a safety issue (we already have an apartment complex that feeds through our subdivision). Our neighborhood has many children who play in their yards and, inevitably, they end up going into the street to retrieve a ball or a toy. Many people in our neighborhood also walk and ride bikes down the street. Adding 100 + cars a day coming and going through our neighborhood streets increases the chances of a tragic accident.

There has been talk of how there is a lack of land in Portage to fill the need for high density multi family housing and how this property is needed to address this. There are other options in Portage. The property near the 1800 block of E. Centre Ave has had a for sale sign on it for the past few months. It is a seven acre lot that is available for development that has direct access to Centre Ave. This and other properties would be better suited to address the high density housing needed in Portage.

I understand the property at 4670 Fox Valley Drive will be developed and I don't have an issue with that as long as it is not rezoned. I urge you to please follow the recommendation of the planning commission and do not vote to rezone this property for high density housing. .

Lawrence Stankus

4759 Chasemoor Dr.

From: [Adriana Pardave](#)
To: [Erica Eklov](#)
Subject: Rezoning Proposal 4670 Fox Valley Drive
Date: Thursday, October 27, 2022 7:01:00 PM

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To: Portage City Council
From: Adriana Pardave, 5343 Fieldstone Drive
Date: 10/27/2022

My name is Adriana Pardave and I live at 5343 Fieldstone drive. I am very concerned about the Edward Rose & Sons rezoning application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential and am strongly opposed to it. Please respond acknowledging receipt of my email before the 11/1 City Council meeting.

My home is located at the intersection of Fieldstone Drive and Fox Valley Drive and consequently is the home most affected by this proposed development since all this traffic would enter and exit this development driving this road which is extremely close to my home. The traffic and noise from the people living there when combined with all the visitors, Fedex/UPS, and food deliveries would be too extreme for this quiet family neighborhood. This will have a negative impact on all the home values in our neighborhood but disproportionately negatively impact my home's property value due to where my home is located.

I bought my home in large part because the zoning did not allow any development and for the large beautiful natural wooded green space wetland area with lots of wildlife behind my home and it being a quiet safe family neighborhood. This proposal would eliminate all the main reasons I bought my home.

There will also undoubtedly be increased traffic congestion and car accidents exiting onto 12th street due to the large increase in traffic and the poor visibility looking south on 12th street. The roundabout near Wedels and other nearby roads will be even more crowded and they are already too busy in my opinion. A development of this size should have multiple roads for cars to exit and those exit paths should all exit to different main roads to ease traffic congestion.

Allowing so many people to start living in this small area will overwhelm the neighborhood, have a large negative ecological impact on these beautiful wetlands, likely result in increased crime, make our neighborhood less safe and degrade our quiet neighborhood quality of life and negatively impact my property value.

It is also my understanding that Portage does not have a current long term land use master plan. I do not think any large development such as this should proceed until an updated master plan is in place.

I understand Portage needs more affordable housing but this location is 'like putting a square peg in a round hole'. Apartments in this location will be priced at market pricing which will not be affordable for those seeking affordable housing. The Portage Planning Commission studied this proposal very thoroughly and wisely chose not to recommend it. Please trust your Planning Commission and reject this proposal.

Sincerely, Adriana Pardave

From: [Corinna Servis](#)
To: [City Clerk](#)
Subject: Rezoning 4670 Fox Valley Dr.
Date: Sunday, October 30, 2022 5:52:26 PM

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To The City Council:

I am a homeowner in the Foxwood neighborhood, and I oppose the rezoning of 4670 Fox Valley Drive from R-1C to RM-1 high-density multi-family development.

In the late '50s, Section 6 was cut in half by the construction of I94, and by 1970 it was quartered when US131 was built. Three of the four quadrants of Section 6 are zoned low density residential. Whereas, our NW corner—the most isolated of the four quarters—has been saddled with high-density development, namely the Foxwood apartments.

The original PD established back in the 1990s was flawed when it placed RM-1 housing in the midst of R1 residents without 1) any direct access to the main thoroughfare of 12th Street and 2) any regard or consideration for just how cut off from the City of Portage this section is.

This original plan created a traffic problem on 12th Street. Accepting this rezoning application will throw fuel on the fire and exacerbate this under-serviced, small corner. 4670 Fox Valley Drive is not the right place for additional apartment buildings.

You also need to look at the fact that there are four separate municipalities that are making development decisions in this corner: Portage, Texas Township, Oshtemo Township, and Kalamazoo. It seems to me that no one is looking at the big picture and how the convergence of all four jurisdictions are impacting the traffic in our area and making the state of the 12th Street traffic untenable.

Let's not forget that this 10-acre parcel is home to mapped wetlands, which needs to be protected from over-development.

The Planning Commission voted against recommending this zoning change for good reasons. Please listen to those of us who will be most affected by this application.

Thank you for your time and consideration.

Sincerely,
Corinna Servis
5292 Barrymore St

From: [Marjorie Davies](#)
To: [Erica Eklov](#)
Subject: A message for the City Council
Date: Sunday, October 30, 2022 2:02:01 PM

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My name is Marjorie Davies and I live at 4801 Mistwood Ave. The back of my property is adjacent to the road on the south side of our subdivision, on Fox Valley Drive.

I would like to recommend that the City of Portage consider not taking the risk of rezoning the 10 acre parcel at 4670 Fox Valley to high density, and thus over-riding the decision of the planning commission in their denial for the request for rezoning.

The land in question is land-locked, and has only one road accessing this parcel and this road dumps into the subdivision in question. *And* this road is only one car wide. If there were a fire, not only would a fire truck have a problem entering this narrow dirt road, but I would imagine there would be traffic from these 130 or so apartments trying to exit it. If it were a serious fire, the damage lawsuits to the City of Portage and to the owners of this property would be unimaginable. Since my home backs up to Fox Valley from 12th street where the fire truck would be trying to respond to a fire, I have nightmares thinking of the people living in those apartments not being able to get out to safety.

For this reason, along with the high traffic involved with adding so many apartments, I would recommend that the City of Portage deny the rezoning of this property.

Thank you.
Marjorie Davies
4801 Mistwood Ave
269 353-3523

From: [Sneha Badinehal](#)
To: [Erica Eklov](#)
Subject: Re-zone 4670 Fox Valley Drive
Date: Tuesday, November 1, 2022 9:13:39 AM

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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Hearing date: Nov 1st 2022
To: City Council
From Shiva Ram Boda
5169 Chasemoor Ct, Portage, MI 49024

I'm not in favor of rezoning the 4670 Fox Valley drive agreeing to my friends in my neighborhood who oppose this proposal. I would like to add 1 other point to the argument. Housing prices have gone unreasonably high due to high demand in Portage. Portage and Kalamazoo are in the top 5 cities that will experience a huge housing collapse in next 1 to 2 years according to some sources. It is in the best interest of the city to keep the demand high to weather through the crisis to come and stabilize the values of the home. As this housing collapse is unavoidable due to inflation and slowed growth. It is in the best interest of the city to not allow a multi unit housing which would drag the housing values down. Henceforth I request the council to decline this proposal for this development in this area. Thank you

From: [Susan Hagenbarth](#)
To: [Erica Eklov](#)
Subject: Letter of Opposition Fox Valley Drive
Date: Tuesday, November 1, 2022 11:59:59 AM

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RE: Letter of Opposition: Proposed Rezoning of 4670 Fox Valley Drive (R-1C to RM-1)

Dear Sirs,

I have recently been made aware of a request by Edward Rose and Sons to rezone a large, single family property at 4670 Fox Valley Drive from R-1C, a ONE FAMILY Residential parcel, to RM-1 MULTIPLE Family Residential. In researching what the designation RM-1 means, I discovered that it is for **“high density residential”** land use. As a homeowner with property adjacent and directly impacted by this zoning request, I oppose this request for rezoning of this property.

We purchased our lot and built our family home in 1998 at 4673 Chasemoor Drive. We **purposely** selected this site with the view of nature this location provided. Our home borders and has been graced by our neighbor's large, rolling property (4670 Fox Valley Drive) resplendent with trees, wild turkeys, deer, and bordered by the South Fork of the Portage Creek. It is a peaceful, natural setting and many of us who live along this property have enjoyed sitting on our decks, playing and relaxing in our backyards, and taking in the nature around us. Quite frankly, this natural setting was an immediate selling feature for us and over the years, we have added improvements to our home so that we could enjoy more and more time in our backyard. As such, our property values have continued to rise. If this lot at 4670 Fox Valley Drive becomes some sort of apartment complex, it will destroy the natural charm we've come to enjoy in our Portage neighborhood and potential harm the home values of the neighborhood.

Upon purchasing our lot in 1998, we were informed by Allen Edwin Homebuilders that there is also an additional parcel land-locked by US 131 and I-94 which meant this natural area would be preserved with no future development. This was a huge selling feature for us. I cannot pretend to know or understand rezoning laws or the vision of the City of Portage's Planning Commission, but what I do know is that Portage, Michigan, has been known as Tree City USA for the last 30+ years by the Arbor Day Foundation. I am concerned that granting this request will put the ecology of this natural area, including the Portage Creek in jeopardy.

Beyond my concern for the natural and ecological impact of this rezoning request, I am also concerned with the impact of increased traffic in a very narrow corridor. The driveway for 4670 Fox Valley Drive, runs directly along the property of 5343 Fieldstone Drive. It is a narrow drive, and if this Commission grants the request to use this property for **“high density residential”** land use, I can't imagine the traffic the home owner on Fieldstone Drive will have to endure. Also, if a disaster occurs on this Fox Valley Drive property, how will residents get out, and emergency personnel get in?

I have more concerns than this one page letter can encompass. My family and I have enjoyed living in our Portage home for the last 24 years. I strongly oppose the rezoning of this Fox Valley parcel from R-1C, a ONE FAMILY Residential parcel, to RM-1 MULTIPLE Family Residential.

Please share my letter with the Portage Planning Commission and the Portage City Council. I thank you for your time and thoughtful consideration of all the impacts of this proposal and the Portage residents who live in the Foxwood Hills Neighborhood.

Respectfully Submitted,

Susan Hagenbarth
4673 Chasemoor Drive,
Portage, Michigan 49024

Honorable Mayor, Mayor Pro Tem and Portage City Council:

My name is Mary Balkema and I serve as the Housing Director for Kalamazoo County. My comments are in regard to item D. 2. to consider approving Rezoning Application No. 22/23-3 to rezone 4670 Fox Valley Drive from R-1C One-Family Residential to RM-1 Multifamily Residential for a future multifamily housing development.

As you know, most cities across America are experiencing a housing crisis. In fact, a recent County Wide Housing Study performed by the W.E. Upjohn Institute stated, "the population in the county is growing, and housing construction is not keeping pace; it is anticipated that 7,750 new units are needed to appropriately house the new households forming or looking to locate in the county. We are encouraging the construction of diverse types of housing to attract new residents to the area. This development would do just that. It would attract residents to a very desirable area in the County, the city of Portage.

Housing is a top priority for the County of Kalamazoo as well as the State of Michigan. The housing millage was passed by the voters of the city of Portage in 2020.

The [Home Builders Association of Southeastern Michigan](#) has named [Edward Rose & Sons](#) the 2022 Multifamily Construction Builder of the Year! The company is being honored for promoting the best interests of the home building industry and the objectives of the association in regards to multifamily construction. They have over 100 years of creating life experiences.

They are no stranger in creating apartment complexes in Kalamazoo County. They own and manage over 10 apartment complexes ranging from modest to brand new luxury apartments. They contribute to the tax base and are in fact in the top 5 taxpayers in Kalamazoo County. Ahead of them are Consumers Energy, Pfizer, Stryker and Zoetis. We need housing, we need tax base. They are not asking for millage dollars or a tax break. They are asking for a rezoning to fill a critical need in the County. I urge you to grant them their request.

Thank you

Sent from my iPad

Begin forwarded message:

From: "Fran B. Melgar" <Fran.Melgar@kalamazoo.com>
Date: November 1, 2022 at 10:45:39 AM EDT
To: Patricia Randall <randallp@portagemi.gov>
Subject: housing development

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Dear Mayor Patricia Randall, Mayor Pro Tem, and Portage City Council,

My name is Fran Bruder Melgar, and I serve as Kalamazoo County Commissioner for District 11. I am writing to express my support for the proposed rezoning of 4670 Fox Valley Drive for the development of a multifamily apartment complex. As a resident of Portage, I am grateful for and proud of the many benefits Portage has to offer. I also recognize that Portage has very limited area for future growth. Easily developed parcels of land have already been developed. The 4670 Fox Valley Dr parcel is a far more complicated area for development, and will require a significant investment in our community. Without this zoning change, it would be unlikely that this development could move forward, and we would miss this opportunity to increase housing options in Portage.

Overwhelming passage of the housing millage in 2020 suggests housing as a priority for all. The county commission continues its efforts to address the existing housing shortage with those millage dollars. We also acknowledge the research that shows that we will need an additional 7,750 new units at all price points to meet that need in the coming years. The city of Portage contributes approximately 23% of the entire housing millage dollars, and yet has received very limited disbursements of those dollars for housing, due to the lack of new construction in Portage, and few applications for project funding. For those of us who live in Portage, we know what a desirable community it is, but a lack of

available housing affects our ability to attract a work force for our businesses. Additionally, this housing developer is not asking for a tax break. They will contribute to the tax base of the city and add to the already desirable services available in Portage. I urge you to support this zoning application.

Sincerely,

Kalamazoo County Commissioner Fran Bruder Melgar

Sent from my iPhone

Begin forwarded message:

From: "Mike D. Quinn" <Mike.Quinn@kalcounty.com>
Date: November 1, 2022 at 3:37:16 PM EDT
To: Patricia Randall <randallp@portagemi.gov>
Subject: Rezoning Decision 4670 Fox Valley Drive

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Dear Mayor Patricia Randall, Mayor Pro Tem, and Portage City Council,

My name is Mike Quinn, and I serve as Chairman of the Kalamazoo County Commission and represent District 10 on that board. I reside since 1985 at 7025 Rockford Street in Portage.

I urge the Portage City Council to approve the proposed rezoning of 4670 Fox Valley Drive for the development of a multifamily apartment complex. We are facing a severe and increasing shortage of high-quality, affordable housing, not only in Portage, but in our county at large. This development will be an important step toward addressing that shortage. Given the outstanding track record of the developer, I find it almost inconceivable that the project would detract from the peace or valuation of adjacent properties. I thank the Council members in advance for their serious consideration of this rezoning issue.

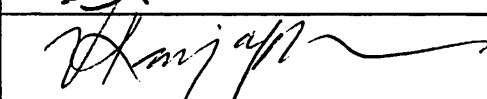
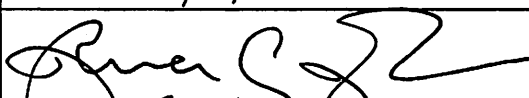
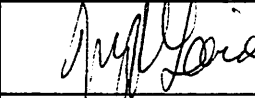
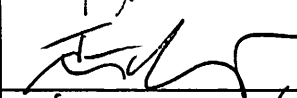
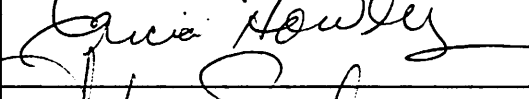
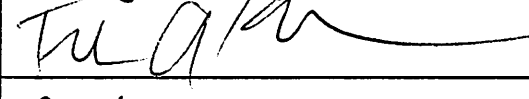
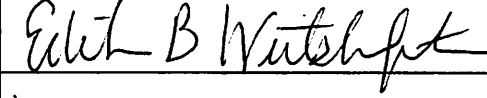
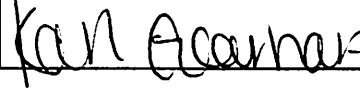
Sincerely,

Mike Quinn

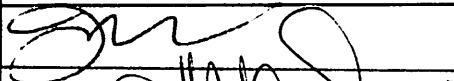
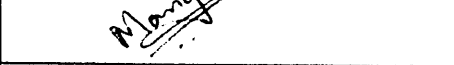
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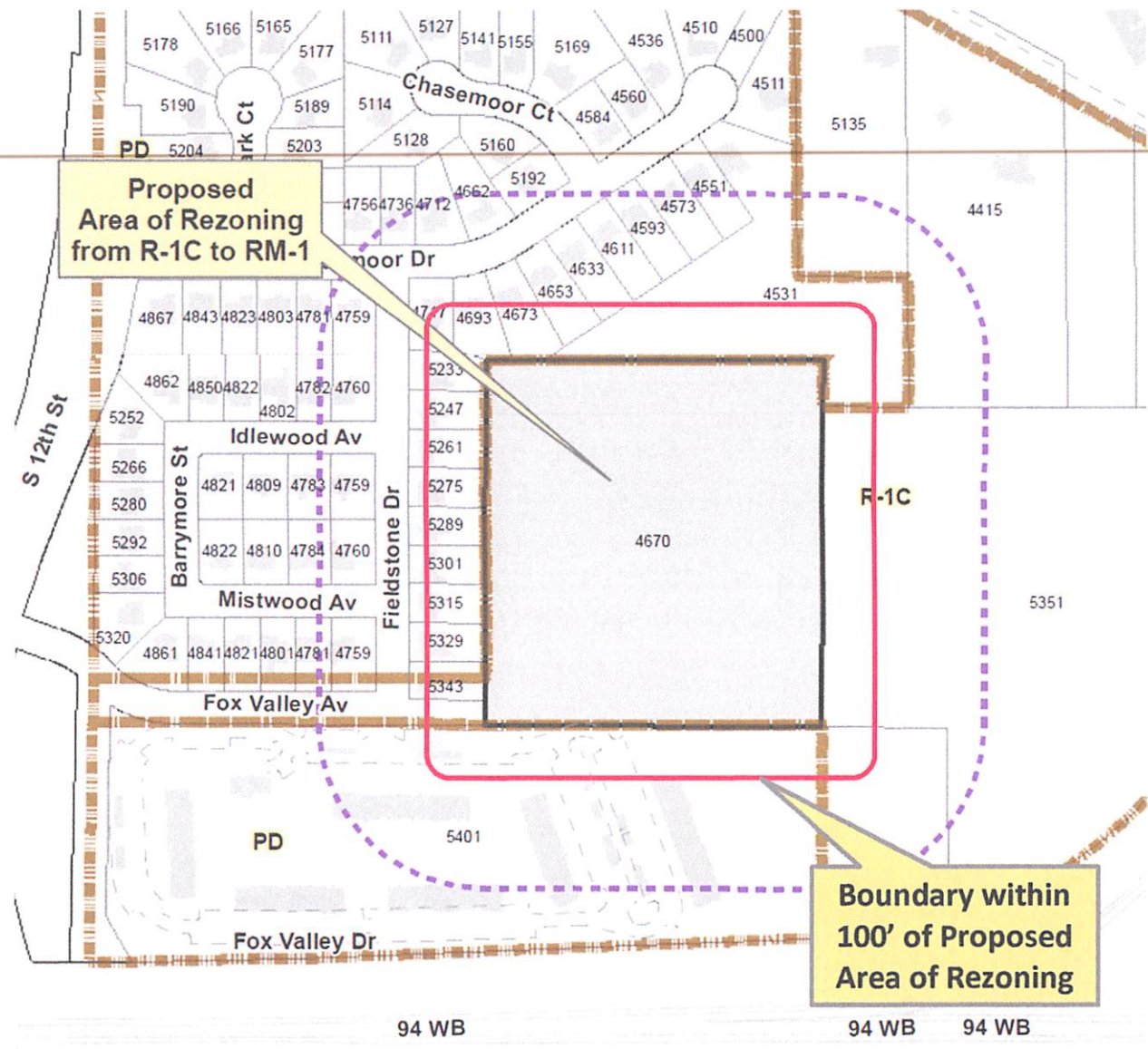
I, the undersigned, reside within 100 feet of the property at 4670 Fox Valley Drive. My signature on this protest petition indicates that I am opposed to the proposed rezoning of that property from R-1C to RM-1.

Street Address	Assessed Name	Printed Name	Signature	Date
5343 Fieldstone Dr	PARDAVE, ADRIANA E TRUST	Adriana Pardavé		10-8-22
5329 Fieldstone Dr	KUNJAPPAN, JOHN & VIMALA	VIMALA KUNJAPPAN		10-8-22
5315 Fieldstone Dr	JOHN, SUNIL & JEENA S	JEENA JOHN		10-12-2022
5301 Fieldstone Dr	GRAY, CATHERINE L	Catherine Gray		10/24/22
5289 Fieldstone Dr	LAIRD, BRET M & JOY K	Joy K Laird		10/12/2022
5275 Fieldstone Dr J. Buris	SYDEWSKI, RICHARD &	Justin Buris		10/8/22
5261 Fieldstone Dr	HOWLEY, JOHN & TRICIA	Tricia Howley		10-11-22
5247 Fieldstone Dr	SALAS, STEPHANIE R & ALYSSA A	Alyss Salas		10/11/22
5233 Fieldstone Dr	KANKA, FRANK A	Frank A Kanka		8 OCT 2022
4717 Chasemoor Dr	WIRTSHAFTER & LAYMAN TRUST	Edith B Wirtshafter		10-8-22
4693 Chasemoor Dr	GEARHART, KARL	Karl Gearhart		10/8/22

I, the undersigned, reside within 100 feet of the property at 4670 Fox Valley Drive. My signature on this protest petition indicates that I am opposed to the proposed rezoning of that property from R-1C to RM-1.

Street Address	Assessed Name	Printed Name	Signature	Date
4673 Chasemoor Dr	HAGENBARTH, JOHN	JOHN HAGENBARTH		10-8-22
4653 Chasemoor Dr	MARTIN, JANELYS	Janelys Martin		10-22-22
4633 Chasemoor Dr	MUKUNDAN, MANOJ B	MANOJ B MUKUNDAN		10-19-22
4531 Chasemoor Dr	JUODAWLKIS, MICHAEL & AMY	Amy Juodawlkis		10-22-22

Map of Affected Area



Transmittal

To: Portage City Council

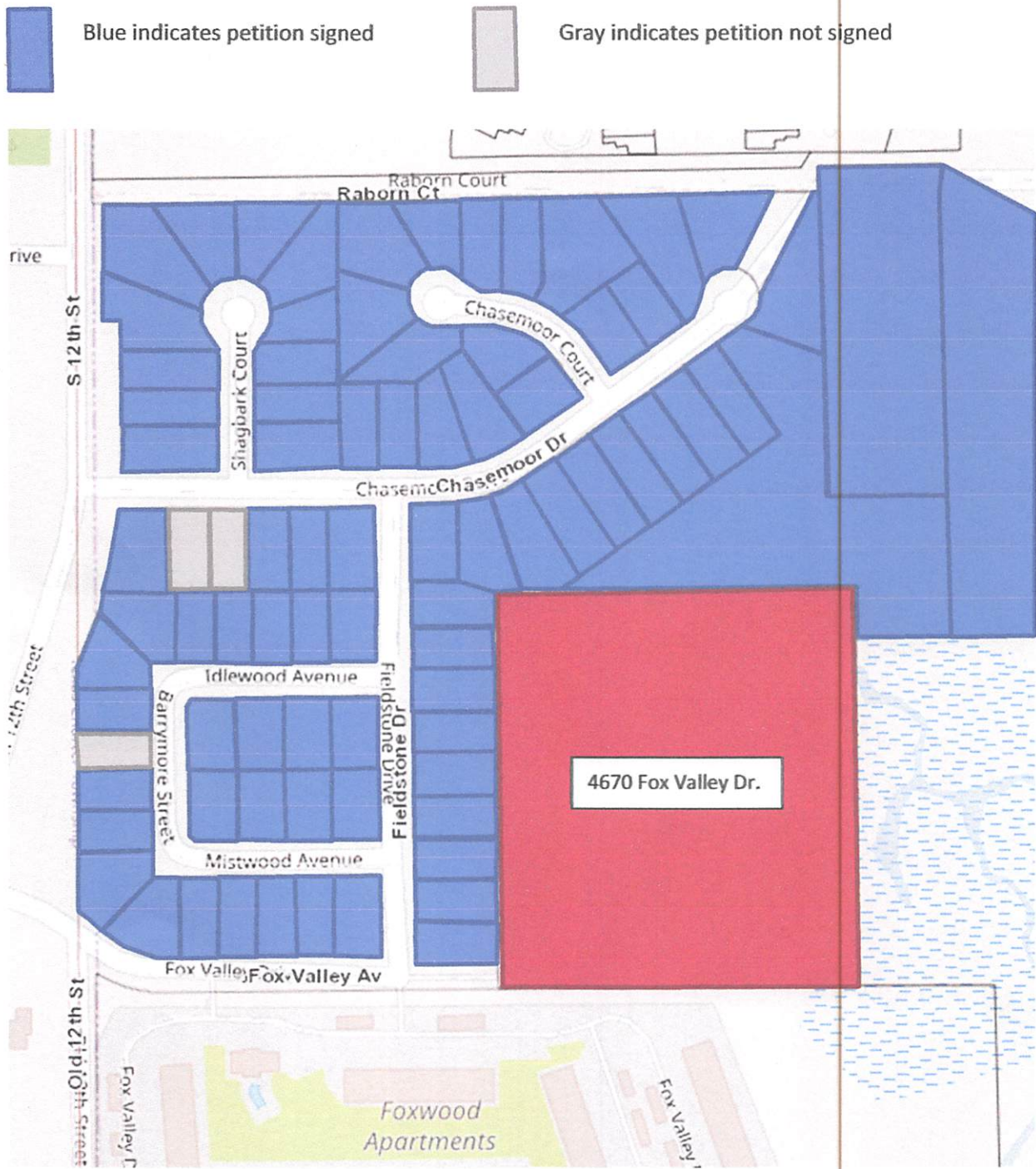
From: Ron Pelak, President Foxwood HOA,

5155 Chasemoor Ct.

Date: 30 October 2022

RE: 01 November 2022 Agenda Item D.1 (Fox Valley)

Petition of Opposition of surrounding neighborhood



80 of 83 homeowners in the immediate neighborhood signed to indicate their opposition to rezoning. The 3 who did not sign were not in favor of it, they just could not be reached.

We the homeowners listed below of Foxwood, oppose the request by Edward Rose & Sons requesting to rezone the subject property from R-1C Single Family Residential to RM-1 Multifamily Residential for a future multifamily housing development at 4670 Fox Vally Drive.

	Address	Foxwood Homwner/Residents	Homeowner/Resident Signature	Pg1.
1	5111 Chasemoor Ct	Brownell, Hannah & Dakota 9-30-20	Hannah Brownell	
2	5114 Chasemoor Ct	Kamath, Sobha LLC 6-8-16 owner	Melissa Red	
3	5127 Chasemoor Ct	Gullapalli, Mohan & Saujanya 8-5-05	S. U. G. G.	
4	5128 Chasemoor Ct	Jipping, Charles & Kristina 4-14-17	Charles Jipping	
5	5141 Chasemoor Ct	Engdahl, Jane Trust 5-20-19	Jane Engdahl	
6	5155 Chasemoor Ct	Pelak, Ronald & Anita 7-25-2000	Ronald Pelak	
7	5160 Chasemoor Ct	Aminov, Nustratillo & Shahzoda 8-14-12	Nustratillo	
8	5169 Chasemoor Ct	Boda, Shiva Ram Trust 5-5-10	Shiva Ram Boda	
9	5192 Chasemoor Ct	Trieu, Ben 1-28-21	Ben Trieu	
10	4510 Chasemoor Ct	Kulpa, David & Julianna 2-15-02	David Kulpa	
11	4511 Chasemoor Dr	Lee, Kelvin & Titania 2-20-21	Kevin Lee	
12	4531 Chasemoor Dr	Juodawlakis, Michael & Amy 9-10-19	Michael Juodawlakis	
13	4536 Chasemoor Dr	Irakunda, Nadine 12-10-2020	Nadine Irakunda	
14	4551 Chasemoor Dr	Birmann, Michael & Rochelle 10-28-98	Michael Birmann	
15	4560 Chasemoor Dr	Groulx, Logan 7-21-08	Logan Groulx	
16	4573 Chasemoor Dr	Kucharski, Joe & Cheryl trust 5-18-2000	Joe Kucharski	
17	4584 Chasemoor Dr	Hoefer, Matthew & Katie 11-8-19	Matthew Hoefer	
18	4593 Chasemoor Dr	Ellis, Leon & Ellis Hutachins, Angela 5-11-18	Leon Ellis	
19	4611 Chasemoor Dr	Nearpass, Keith & Camille 5-27-21	Keith Nearpass	
20	4633 Chasemoor Dr	Mukundan, Manoj & Smitha 7-14-21	Manoj Mukundan	
21	4653 Chasemoor Dr	Martin, Janelys 7-16-21	Janelys Martin	
22	4662 Chasemoor Dr	Wendling, Chris & Kathy 8-8-12	Chris Wendling	
23	4673 Chasemoor Dr	Hagenbarth, John & Susan 5-28-98	John Hagenbarth	

We the homeowners listed below of Foxwood, oppose the request by Edward Rose & Sons requesting to rezone the subject property from R-1C Single Family Residential to RM-1 Multifamily Residential for a future multifamily housing development at 4670 Fox Vally Drive.

	Address	Foxwood Homwner/Residents	Homeowner/Resident Signature	Pg2.
24	4693 Chasemoor Dr	Gearhart, Karl 6-30-16	<i>Karl Gearhart</i>	
25	4712 Chasemoor Dr	Lonoza, Roger & Moreesa 4-30-18	<i>Moreesa Lonoza</i>	
26	4717 Chasemoor Dr	Wirtshafter & Layman Trust 1-16-12	<i>Edith B Wirtshafter</i>	
27	4736 Chasemoor Dr	Gardner, Nathan 10-29-20	<i>Nathan Gardner</i>	
28	4756 Chasemoor Dr	Boeker, Mike & Karen 1-21-99	<i>Michael Boeker</i>	
29	4759 Chasemoor Dr	Stankus, Lawrence, Lynnae Trust 5-16-08	<i>Lawrence Stankus Lynnae</i>	
30	5233 Fieldstone Dr	Kanka, Frank A 9-5-2000	<i>Frank Kanka</i>	
31	5247 Fieldstone Dr	Salas, Stephanie & Alyssa 7-26-16	<i>Stephanie Salas</i>	
32	5261 Fieldstone Dr	Howley, John & Tricia 6-26-13	<i>John Howley</i>	
33	5275 Fieldstone Dr	Szydlowski, Richard & Stubbs, Teresa 8-32-21	<i>Signed on page 3</i>	
34	5289 Fieldstone Dr	Laird, Bret & Joy Kathleen (Katey) 6-21-18	<i>Bret Laird</i>	
35	5301 Fieldstone Dr	Gray, Catherine 8-27-21	<i>Catherine Gray</i>	
36	5315 Fieldstone Dr	John, Sunil & Jeena 5-10-17	<i>Signed on 100% petition</i>	
37	5329 Fieldstone Dr	Vimala Kunjappan, Kunjappan John 12-13-18	<i>Vimala Kunjappan</i>	
38	5343 Fieldstone Dr	Pardave, Adrianna Trust 7-30-18	<i>Adrianna Pardave</i>	
39	4759 Mistwood Ave	Patterson, Armond & Burnett, Amy 9-15-20	<i>Armond Patterson</i>	
40	4760 Mistwood Ave	Mohney, David & Elizabeth Rogers	<i>David Mohney</i>	
41	4781 Mistwood Ave	Niemi, Ronald & Rennie 6-8-19	<i>Ronald Niemi</i>	
42	4784 Mistwood Ave	Hensley, Mike & Corry 8-26-09	<i>Corry Hensley</i>	
43	4801 Mistwood Ave	Darvies, Marge 9-17-03	<i>Marge Darvies</i>	
44	4810 Mistwood Ave	Feng, Bo & Maggie 7-26-01	<i>Bo Feng & Maggie</i>	
45	4821 Mistwood Ave	Juengling, Ursula Trust 4-14-09	<i>Ursula Juengling</i>	
46	4822 Mistwood Ave	Lalonde, Tim & Kristy 12-6-20	<i>Tim Lalonde Kristy Lalonde</i>	
47	4841 Mistwood Ave	Vanderwalle, Scott 2-19-21	<i>Scott Vanderwalle</i>	
48	4861 Mistwood Ave	Brocklehurst, Lynn Trust 6-29-16	<i>Lynn Brocklehurst</i>	
49	5252 Barrymore St	Parker, Dan & Rojean 8-2-08	<i>Dan Parker</i>	
50	5266 Barrymore St	Schaffer, Jeffrey & Jan-owner 11-11-21	<i>Jan Schaffer</i>	
51	5280 Barrymore St	Herron, Scott & Amanda 1-24-02		

We the homeowners listed below of Foxwood, oppose the request by Edward Rose & Sons requesting to rezone the subject property from R-1C Single Family Residential to RM-1 Multifamily Residential for a future multifamily housing development at 4670 Fox Vally Drive.

	Address	Foxwood Homwner/Residents	Homeowner/Resident Signature	Pg.3
52	5292 Barrymore St	Servis, Rob & Corinna 8-7-13	Corinna Servis	
53	5306 Barrymore St	Kornowicz, Daniel & Aimee 6-25-21	Aimee Kornowicz	
54	5320 Barrymore St	Handlogten, Lance & Sarah 1-20-99	Lance Handlogten	
55	4759 Idlewood Ave	Mandagere, Phanisha 9-11-11 owner	Nichelle Mandagere	
56	4760 Idlewood Ave	Johnson, Kyla 3-21-18	Kyla Johnson	
57	4782 Idlewood Ave	Prakyath, Jaladhar & Devanga, Suma 4-2-20	Prakyath	
58	4783 Idlewood Ave	Quardokus, Matt & Elizabeth (Betsy) 2-10-09	Elizabeth Quardokus	
59	4802 Idlewood Ave	Risselmann, Joseph & Jenni 5-6-15	Jenni Risselmann	
60	4809 Idlewood Ave	Liu, Jian & Yang, JL 4-21-99	Jian Liu	
61	4821 Idlewood Ave	Murthy, Ganapa & Shantha 5-4-13	Ganapa Murthy	
62	4822 Idlewood Ave	Murphy, Brent & Terese 5-11-18	Brent Murphy	
63	4850 Idlewood Ave	Daniel, Chris & Lynn 12-5-02	Chris Daniel	
64	4862 Idlewood Ave	Hall, Tamara 7-17-14	Tamara Hall	
	4781 Chasewood Dr	Stempica, Jason	Jason Stempica	
	4803 Chasewood Dr	Morse, Lindsay	Lindsay Morse	
	5216 Shagbark Ct	Kitchens, Erika	Erika Kitchens	
	5190 Shagbark		Norman	
	5178 Shagbark Ct	Sean + Kourtney OLeilly	Sean OLeilly	
	5195 Shagbark Ct	Michelle G. & Son Nguyen Ling	Michelle G.	
	4841 MISTWOOD	Scott & Becca V.	Becca V.	
	4415 Raborn Ct	Mike + Beth Baker	Beth Baker	
5275	5275 FOX VALLEY DR.	DR. BOB SZTOLOWSKI	Bob Sztolowski	
	5135 Raborn Ct	Martinez, Melissa & Garza	Martinez	

We the homeowners listed below of Foxwood, oppose the request by Edward Rose & Sons requesting to rezone the subject property from R-1C Single Family Residential to RM-1 Multifamily Residential for a future multifamily housing development at 4670 Fox Vally Drive.

Address	Foxwood Homwner/Residents	Homeowner/Resident Signature	Pg. 4-4
4342 Foxfire Trail	Rick + Dianne Moberg	Dianne Moberg	
5230 Shagbark	Bacon, Barry + Pamela	Barry B. Bacon	
5204 Shagbark	Mondagele, Phanisha	Divia Mondagele	
5166 Shagbark	Vasudeva, Monish	Monish Vasudeva	
5177 Shagbark	Packer, Adam + Belinda	Adam Packer	
5189 Shagbark	Bloomberg, Ed + Michelle	Michelle Bloomberg	
5205 Shagbark	Saha, Shantanu + Sumona	Shantanu Kenmar Saha	
5215 Shagbark	Laxoti, Mahendra + Geeta	Geeta Laxoti	
5229 Shagbark	Lewis-Broussard, Kathryn	Kathryn L. Broussard	
5135 Raborn Ct	Garza, Melissa + Gustavo	Melissa Garza	
4867 Chasemear	Randle, Armond + Brown, Jennifer	Armond Randle	
4843 Chasemear	Mukakizma, Cecile	Cecile Mukakizma	
4823 Chasemear	Perkins, Robert	Robert Perkins	

Transmittal

To: Portage City Council

From: Ron Pelak, President Foxwood HOA,
5155 Chasemoor Ct.

Date: 17 October 2022

RE: 01 November 2022 Agenda Item D.1 (Fox Valley)
Analysis of housing and traffic issues

Summary

This study uses existing documentation and data to review the positive and negative impact of re-zoning 4670 Fox Valley to high-density residential.

Much of the perceived value of committing to this re-zoning is tied to the 2022 Kalamazoo Housing Survey which indicates a county-wide need for 7750 new units by the year 2030. But a more in-depth review of that same study, augmented with data from the 2020 City of Portage Residential Market Analysis shows that the nature of the units proposed for the property do not align with what is needed.

- The report calls for affordable housing for low to moderate income earners. The price point of the market-price apartments will only be affordable to upper-middle to high income earners.
- The affordable housing that is needed is needed in urban areas, not the suburban location of this property.
- Apartment housing, affordable or not, is not in demand in the Northwest region of Portage where this property is located.
- Housing demand is for single-family homes and detached rental units, not large apartment complexes. The current zoning already supports single-family homes.
- The total housing need from the Kalamazoo Housing Survey for the suburban area is for 2300 single-family detached homes and only 200 for low and mid-rise apartments. The current zoning already supports the majority of the need.
- None of the specific goals listed in the Housing Survey would be furthered by approval of this re-zoning.

In addition to not providing the perceived value of improving the housing situation, approval of the requested re-zoning would also lead to negative impact to the existing area and residents, most notably in the area of traffic.

- The already overburdened roundabout at 12th and Milham will become even more congested with the additional traffic generated by 120-146 apartment units. This will lead to doubling of the current traffic backups that cause long delays on 12th Street and Milham and, potentially, replacement of the roundabout.
- The backed up traffic encourages further short-cutting through the adjacent Westfield neighborhood, leading to Winter Drive type problems.
- The added apartment traffic will lead to more accidents at the Fox Valley and 12th St. intersection which has extremely poor sight lines. This will require significant improvements to 12th St to alleviate.
- Much of the added traffic will detour through Foxwood Homes on Fieldstone and Chasemoor, creating yet another Winter Drive type issue and the investment in traffic calming improvements.

Thus, it is concluded that while the proposed re-zoning will not achieve City of Portage or Kalamazoo County housing goals, it will result in dangerous, inconvenient traffic issues that will require investment to control. With no net benefit of approval, rejection is recommended. Better to keep the zoning as it is which already allows for the most needed and wanted housing and won't create as many problems or alienate as many residents.

Following is more detail on each topic including references to applicable sources such as the 2022 Kalamazoo County Housing Survey, the 2020 City of Portage Residential Analysis, the City of Portage Comprehensive Plan, City of Portage traffic counts, and the USDOT Roundabout Guidebook.

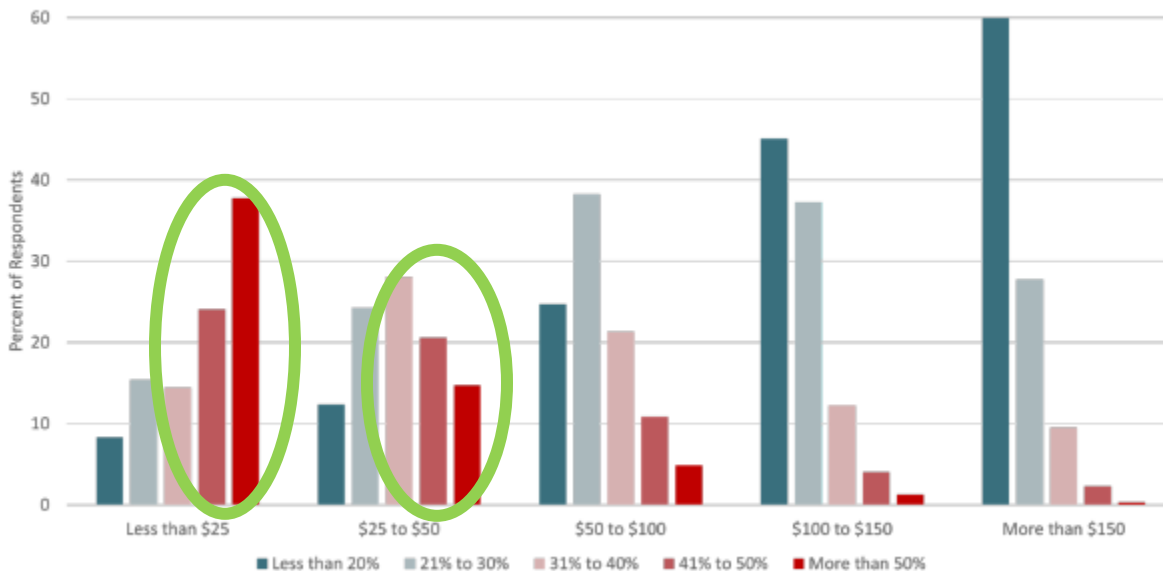
The need for affordable housing

Affordable means less than 30% of income is spent on housing

- That's \$1250 per month for a \$50K earner
- And \$635 per month for a \$25K earner

We need affordable housing most for those with incomes < \$50K

Chart 15: Percent of Income That Goes to Housing Expenses, by Income Level (in Thousands)



Source: Kalamazoo Housing Survey

ER&S will be charging market rate for their apartments

- The current rent for the over 20-year old Foxwood Apartments is ~\$1300 for a 2-bedroom and ~\$1900 for a 3-bedroom
- The market rate for the new apartment complex would likely be in the \$1500 to over \$2000 range, depending on size.

The Conclusion, page 6, 18 SEP 2020 Portage Residential Market Analysis

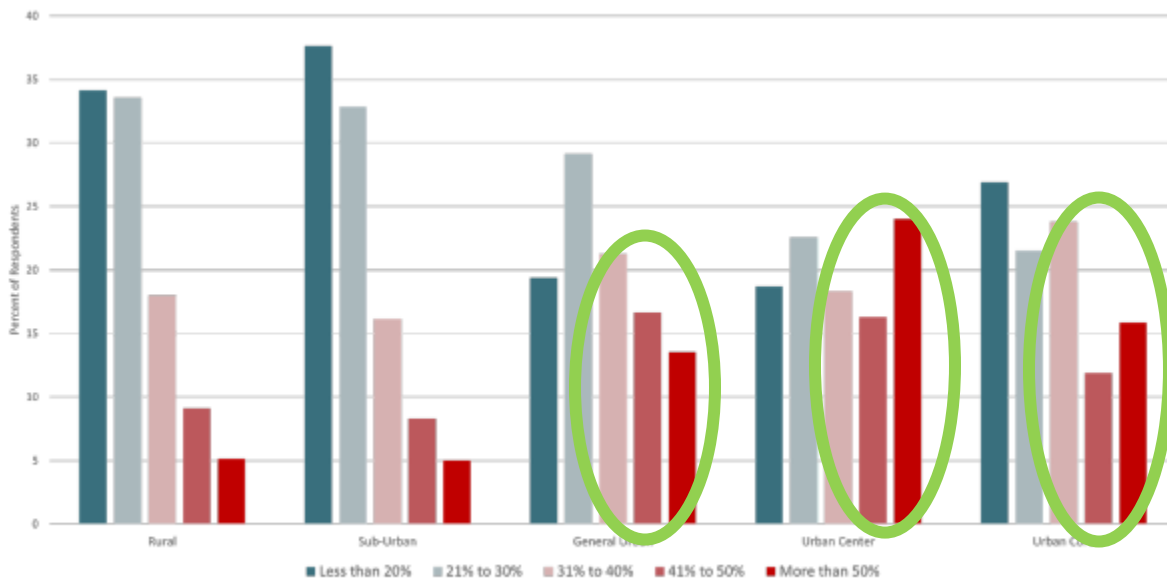
In general, the need for right-sized, compact, and moderately-priced units far overshadows the need for large units with price premiums. Smaller units will have higher values and rents per square foot; and larger units will have lower prices per square foot. This relationship is important for right-sizing new units and offsetting high construction costs per square foot. It is also designed to ensure that new developments meet the needs of moderate-income, market-rate, and worker households; and not just luxury home buyers and renters.

Market-priced apartment complexes are not what are needed

The proposed apartments would not provide affordable housing in the needed income ranges.

The need affordable housing is most in urban areas

Chart 17: Percent of Income That Goes to Housing Expenses, by Location



Source: Kalamazoo Housing Survey

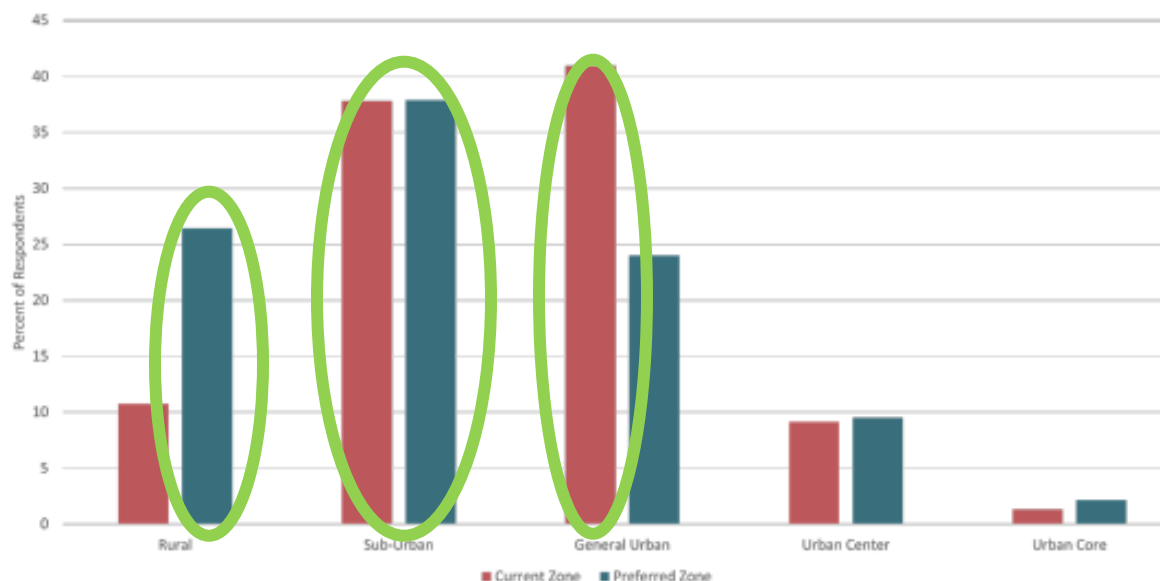
Urban transect definitions can be found on page 110.

The proposed property is in a Suburban location

The proposed apartments would not provide affordable housing in the locations where it is needed.

The need to add housing where it is demanded

Chart 21: Housing Location, Current vs. Preferred



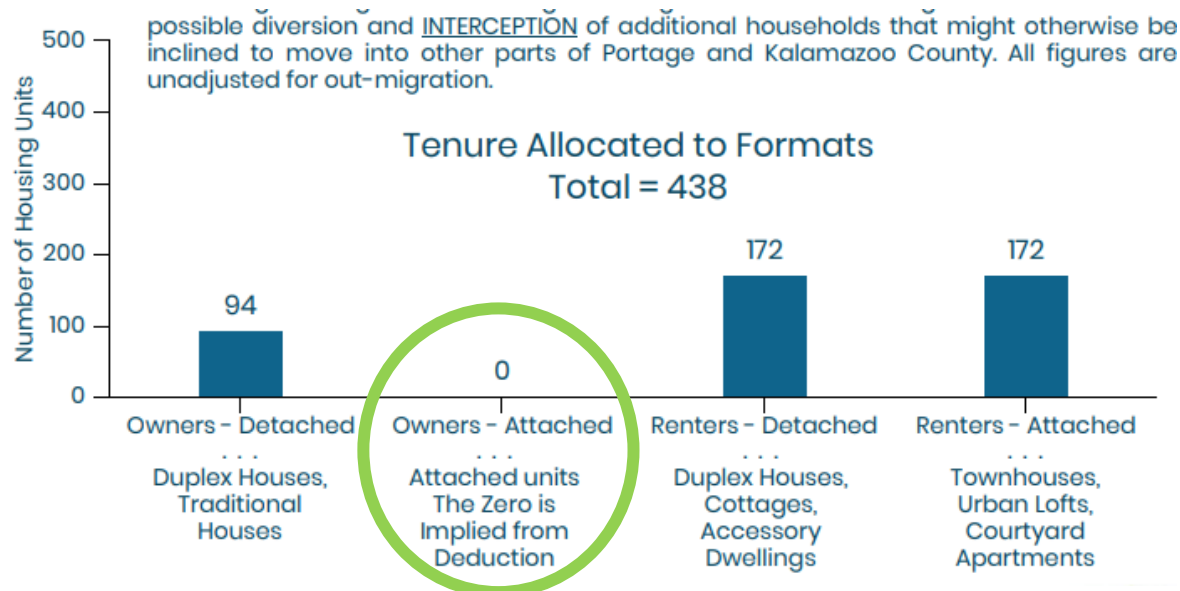
Source: Kalamazoo Housing Survey

Urban transect definitions can be found on page 110.

The number of people living in suburban locations is matched by those who want to live there

- There is no particular demand to move to suburban areas
- People want to move to rural areas and out of general urban areas

Annual Market Potential | Northwest, Section B, 18 SEP 2020 Portage Residential Market Analysis

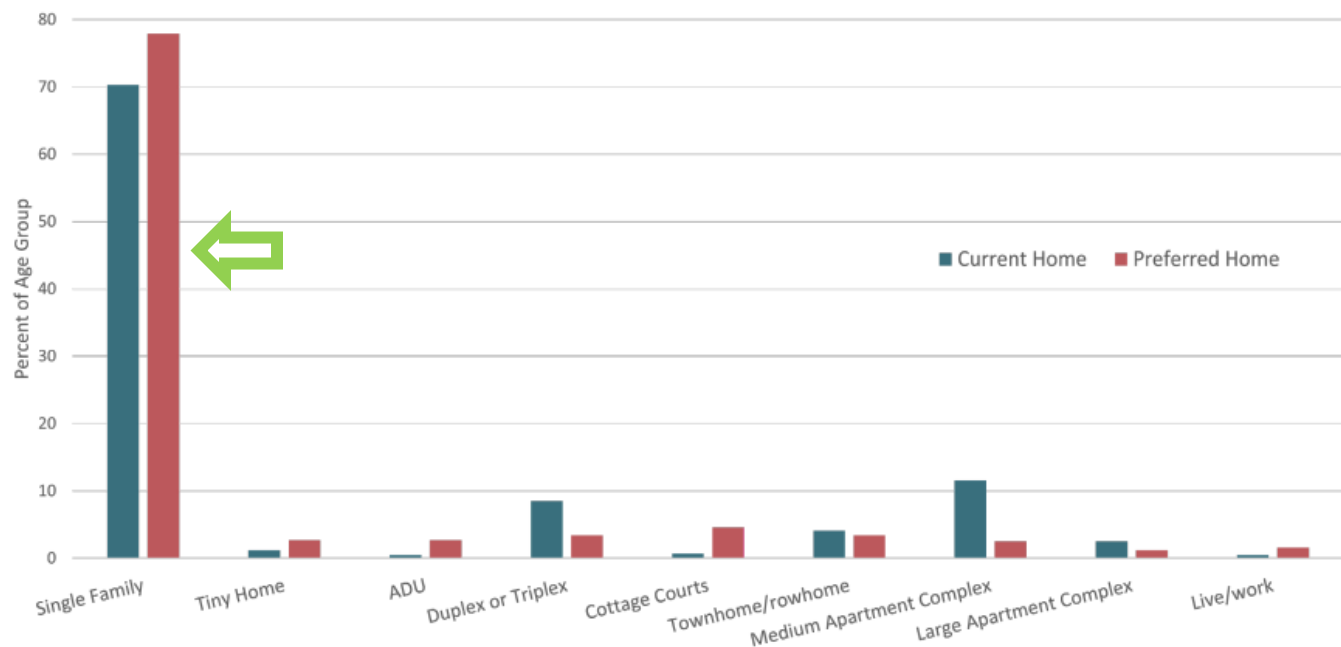


High-Density Attached Units have no market potential in the Northwest area

The proposed apartments would not provide housing where it is desired

We need to add housing of the type that is demanded

Chart 33: Housing Preferences and Existing Housing Stock

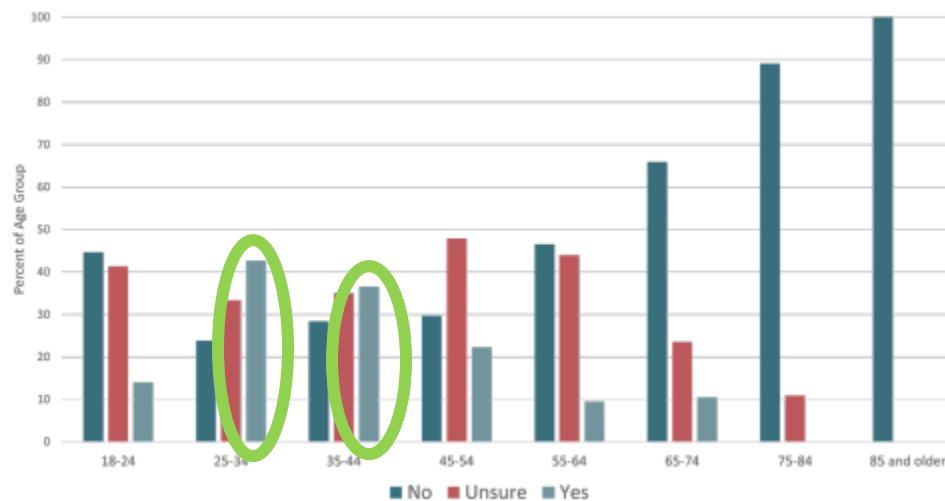


Source: Kalamazoo County Housing Survey

Far and away, people want and do live in single-family homes

Many of those living in apartment complexes would rather not

Chart 36: Renters Planning on Buying a House in the Next Three Years by Age



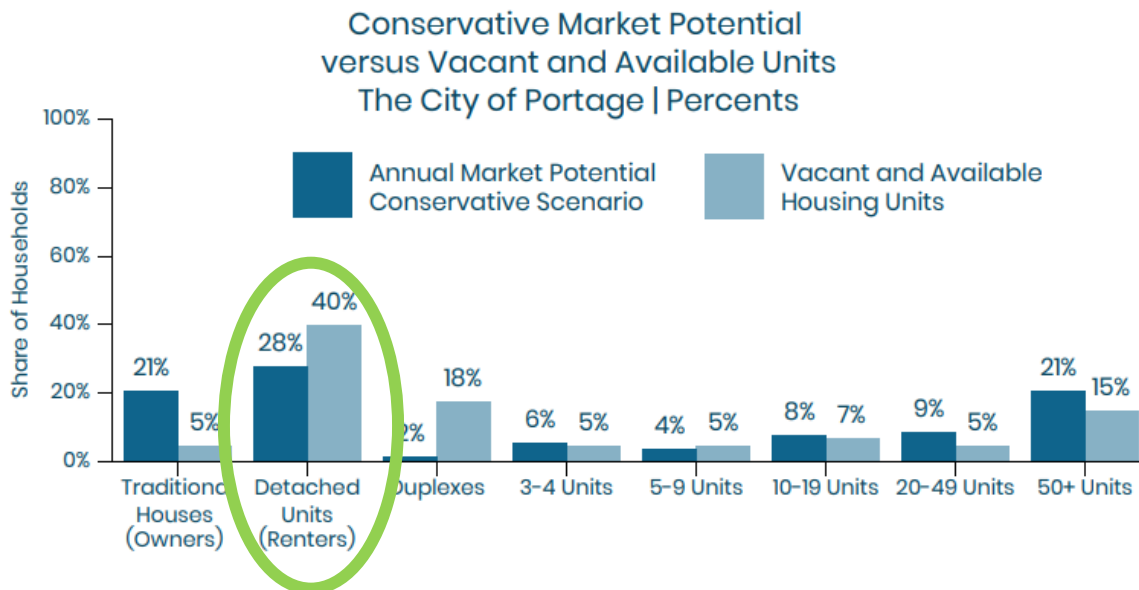
Source: Kalamazoo County Housing Survey

Younger people (age 25-44) want to move out of apartments and into houses

These are the people who make up the majority of employees in our major industries

In general, the need for right-sized, compact, and moderately-priced units far overshadows the need for large units with price premiums. Smaller units will have higher values and rents per square foot; and larger units will have lower prices per square foot. This relationship is important for right-sizing new units and offsetting high construction costs per square foot. It is also designed to ensure that new developments meet the needs of moderate-income, market-rate, and worker households; and not just luxury home buyers and renters.

Market-priced apartment complexes are not what are needed



There are already enough rental units available for the potential market demand

The proposed apartments would not provide housing of the type that people want

We need to provide housing of the right type in the right places

Table 13: Units Needed to Meet Demand from Growth Over the Next Eight Years

		Single Family Detached	Single Family Attached	Mid-Sized Multi Family	Low and Mid Rise Apartments	Accessory Dwelling Units	
		1 Unit	2-4 Units	5-25 Units	25+ Units	+1 Unit	Total
Location	Rural/Small Town	600	125	100	50	125	1,000
	Suburban	2300	275	250	200	50	3,075
	General Urban	700	350	425	300	100	1,875
	Urban Center	300	200	300	250	150	1,200
	Urban Core	0	25	150	400	25	600
	Total	3,900	975	1,225	1,200	450	7,750
	Estimated Cost to Build per Unit (\$)	350,000	200,000	175,000	150,000	75,000	
	Total Cost By Type (\$)	1,365,000,000	195,000,000	214,375,000	180,000,000	33,750,000	1,988,125,000

The suburban location of the proposed development needs considerably more single family detached homes than it does apartments

Single family detached homes in suburban areas are by far the most needed.

The current zoning already allows for single family detached homes in this suburban area.

The proposed apartments would not provide the housing that will be in demand and would take away a space already suited to that which is.

We want to achieve the goals of Kalamazoo County

Goal 1: Increase Rental Opportunities

“Increase the number of affordable rental units through support of profit and nonprofit developers.”

The goal is to increase availability of affordable rental opportunities.

This goal is not furthered by the proposed apartments which would not add any affordable rental units.

Goal 2: Ensure Housing Supply is Built to Meet Demand

“Increase housing types such as duplexes, cottage courts, accessory dwelling units, tiny homes, townhomes, affordable condos, etc.”

There is little demand for high-density apartments in suburban locations.

This goal is not furthered by the proposed apartments which are not of the type that this location needs.

Goal 3: Remove Barriers to Acquiring and Keeping Homes

This goal is not really impacted by this project one way or the other

Goal 4: Rehab Existing Housing Stock

“Help homeowners maintain and improve their homes”

Apartments will bring reduced quality of life and loss of character. This will reduce pride of ownership. This will lead to reduced maintenance, influx of homeowners who don’t care as much, and conversion to rentals.

This goal is worked against by the proposed apartments which will ultimately result in more need for financial support

Goal 5: Embrace Housing as a Workforce Development Strategy

“Expand training for construction industry”

The younger people that would populate the workforce don’t want suburban apartment living.

This goal is not furthered by the proposed apartments that would attract a different demographic

Goal 6: Increase and Coordinate Supportive Services

This goal is not really impacted by this project one way or the other

Goal 7: Advocate for Housing for All

“Work with neighborhood associations and other community stakeholders to promote the development and preservation of affordable and supportive housing”

These apartments will not be priced to be considered affordable for anyone considered low-income or below.

This goal is not furthered by the proposed apartments which would be unaffordable by low-income earners.

Roundabout Traffic

The additional traffic from the proposed development will most impact the roundabout at 12th and Milham. Traffic counts from Kalamazoo TCDS show the Annual Average Daily Trips (AADT) and Design Hour Volume for the 30th busiest hour of the year (DHV-30), a representation of “Peak” traffic.

12th St., North of the Roundabout (ID 5713): South-bound: AADT: 5717, DHV-30: 703

STATION DATA								
Directions: 2-WAY NB SB ?								
AADT ?								
	Year	AADT	DHV-30	K %	D %	PA	BC	Src
	2022	5,717				5,562 (97%)	154 (3%)	
	2019	5,642	703	12				
	2016	5,653	783	14				
	2013	4,517				4,455 (99%)	61 (1%)	

Milham East of Roundabout (ID 401450): West-bound: AADT: 6076, DHV-30: 627

STATION DATA								
Directions: 2-WAY EB WB ?								
AADT ?								
	Year	AADT	DHV-30	K %	D %	PA	BC	Src
	2022	6,076				5,718 (94%)	357 (6%)	
	2017	5,462	627	11				
	2010	3,564						

12th St., South of the Roundabout (ID 8101): North-bound: AADT: 3521, DHV-30: 362

STATION DATA								
Directions: 2-WAY NB SB ?								
AADT ?								
	Year	AADT	DHV-30	K %	D %	PA	BC	Src
	2022	3,521				3,432 (97%)	88 (2%)	
	2019	2,976	362	12				
	2016	3,213	401	12				
	2013	2,788				2,723 (98%)	64 (2%)	

Texas Drive, Southwest of the Roundabout (ID 5703): Northeast-bound: AADT: 3174, DHV-30: 393

STATION DATA

Directions: **2-WAY** **NE** **SW** ?

AADT ?								
	Year	AADT	DHV-30	K %	D %	PA	BC	Src
	2022	3,174				3,121 (98%)	52 (2%)	
	2019	2,923	393	13		2,878 (98%)	44 (2%)	
	2016	2,754	413	15		2,712 (98%)	41 (1%)	
	2013	2,573				2,542 (99%)	30 (1%)	

This can be used to make an estimate of the circulatory traffic volume that opposes entry from 12th St. into the Roundabout:

Source	Peak Entries	% Opposing 12 th St. N	Circulatory Volume
Westbound Milham Ave	627	75%	470
Northbound 12 th St	362	50%	181
Northeastbound Texas Dr	393	25%	98
			749

US DOT Roundabout Guidebook

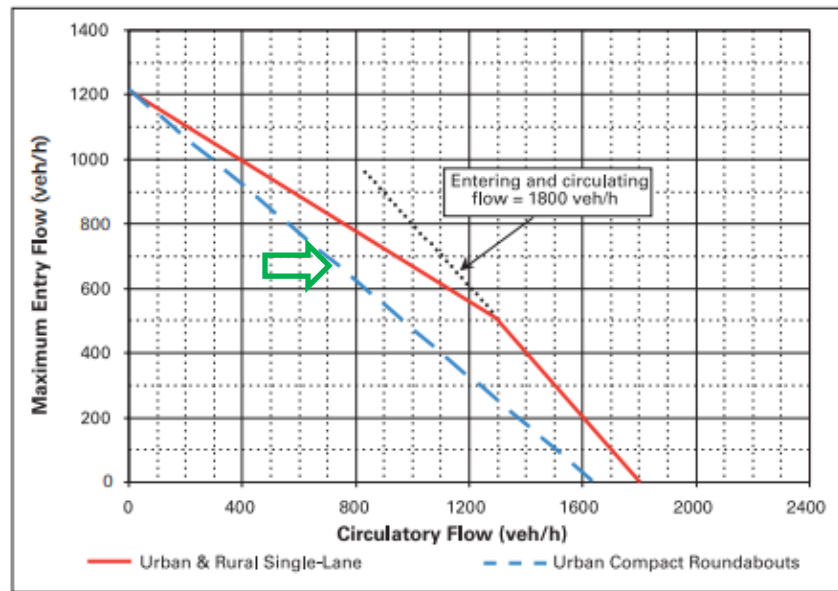


Exhibit 4-3. Approach capacity of a single-lane roundabout.

The slope of the upper line changes because circulating flow downstream from a roundabout entry should not exceed 1,800 veh/h.

Maximum entry flow of a compact roundabout at the 30th highest hour of the year (peak) for entry from the North would be about 675 cars/hour.

Current Southbound peak flow is over 700 cars/hour.

With a 700 car input exceeding the 675 car capacity, we expect that at the end of an hour, 25 cars will be backed up. That many 15' long cars with 5' gaps will back up 500 feet. More if the high volume conditions persist for more than an hour, which is likely.

Traffic engineer's estimate is that some 45 cars/hour will be added at peak by the proposed 120 unit development (more if the 146 units allowed by RM-1 are built). Assume half of those going South to the roundabout.

AM Peak Hour of Adjacent Traffic (24% In, 76% Out)

Average Rate: 0.40

AR Trips: 48 (12/36)

Fitted Curve: $T = 0.31(X) + 22.85$

FC Trips: 60 (14/46)

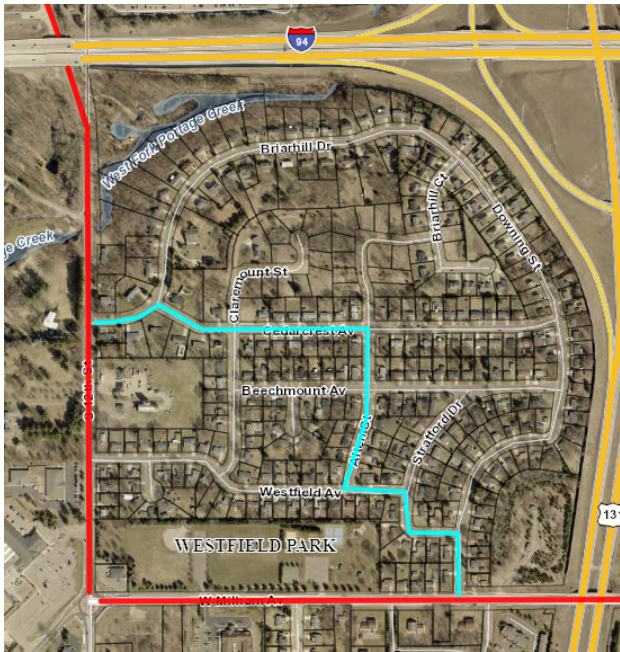
This additional volume will nearly double the backup, putting the North entry to the roundabout at 48 cars over capacity. The resulting backup will then extend 960 feet. And that's on the 30th worst day of the year and assuming that peak traffic lasts only one hour.

Conservative estimate of current(blue) and proposed(red) backups



This is a conservative estimate. In reality, we've seen backups on 12th St to North of the I-94 overpass and backups on Milham to East of Angling road. When this happens, drivers start to self-regulate by speeding through the Westfield neighborhood, creating neighborhood calming issues.

Actual backups (red) and the shortcuts taken by motorists (blue)



The additional traffic generated by the proposed development would further congest the already overloaded roundabout and surrounding areas.

Sight Lines

- The intersection of Fox Valley and 12th St. is one that will be used by most of the residents of the proposed development.
- This is a particularly dangerous intersection due not only to traffic volume and speed on 12th St, but to very poor sight lines coming off of Fox Valley.

Preliminary Traffic Impact and Access Evaluation, Muhammad Arif

We appreciate the opportunity to provide input on this proposal. As the bank along the east side of 12th St to the south of Fox Valley Ave severely limits clear vision to the south, we recommend you evaluate it for possible requirement of excavation by the developer to improve the sight distance. Any work within the ROW of 12th St would require a permit from the RCKC, but since this would be a safety improvement we would not charge the permit fee.

Any development of significant density at the proposed site will require costly improvements to 12th St. in order to maintain traffic safety at an acceptable level.

The proposed rezoning will make traffic safety go from bad to worse

Neighborhood Traffic

Increase in traffic will put more volume on Fieldstone Dr. and Chasemoor Dr.

- This is the logical way to head North on 12th St.
- Many current apartment drivers do not obey the 25mph speed limit.
- Having an apartment complex open onto a neighborhood street is virtually unheard of in Portage.



Comprehensive Plan, Context Sensitive Streets

Neighborhood Traffic Calming

Related to corridor character and context sensitive streets, traffic calming, particularly within residential neighborhoods is also an important factor for consideration. Residents expect low volumes of traffic and low speeds within neighborhoods. The width of streets, the existence or absence of street trees, on-street parking, sidewalks and other factors influence how fast people drive through neighborhoods. Traffic calming is a way to visually and physically impede speeding in residential areas.

Successful commercial corridors should be free of unsightly clutter and easy to navigate. Streets in residential areas should intuitively encourage a lower speed. In some cases, the road design elements in the city reinforce the desired image: In other cases, improvements need to be considered. This Plan relies on a wide range of concepts to help ensure the future transportation system operates safely and efficiently, but also in context with the character of the city.

The Comprehensive Plan recognizes the need for traffic calming to the point of recommending improvements be made to achieve it, if necessary. We don't need the City to spend money on these improvements now, but add the traffic of this proposed development and we will.

Comprehensive Plan, Transportation Goals and Objectives

Goal T2: Maintain context sensitive streets that are designed to complement the desired character of a district or neighborhood or as a catalyst for change

- T2.1: Improve aesthetics within the right-of-way and in the private property along it to emphasize the city's image as a vibrant place. This also includes views from I-94.
- T2.2: Use appropriate traffic calming measures so traffic speeds fit the character of the surroundings.

The comprehensive plan dictates the use of traffic calming measures where needed.

Adding the traffic from the proposed rezoned property will make investment in such measure necessary.

Comprehensive Plan, Context Sensitive Streets

- **"Residential Conservation Corridors"** are streets which are generally lower-intensity and residential in character, even though there may be some non-residential uses along the street. The quality and capacity of these streets need to be conserved through regular maintenance. Improvements to these corridors should include aesthetic features to complement the adjoining residential area such as landscaping, streetscape amenities, and pedestrian crossings at key locations. Land use or other changes which would alter the current balance of activity and/or physical characteristics by increasing the intensity of use should be discouraged.

The preferred method of avoiding degradation of residential corridors is to make zoning decisions that don't exacerbate the situation.

The proposed rezoning will increase traffic and speeding in the neighborhood