

7:00 p.m. Call to Order.

Invocation.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Ovarian Cancer Awareness Month
2. National Senior Center Month

A. Consent Agenda:

1. Approve the City Council Meeting Minutes of the:
 - a. Regular Meeting of August 22, 2023.
2. Approve the Accounts Payable Register of September 5, 2023 as presented.
3. Receive the Rezoning and Tentative Plan Application #23/24-1, from I-1 Light Industrial District to PD Planned Development District for a proposed residential development at 9581 Oakland Drive, and set a public hearing for October 3, 2023.
4. Approve the Final Preliminary Condominium Plan (engineering plans) for Copperleaf Planned Development Phase 6, 3800 West Milham Avenue.
5. Approve a one-year contract renewal, with the option for two additional one-year renewals, with Blue Care Network for the Blue Care Network Advantage Plan for retiree health insurance and authorize the City Manager to execute all documents related to the contract renewal on behalf of the city.
6. Award a contract to Playcraft Systems/Play Environments Design LLC in the amount of \$94,500 for playground equipment and installation services at Lexington Green Park, and authorize the City Manager to execute all documents related to these actions on behalf of the city.
7. Adopt a resolution to authorize the reimbursement of expenses from bond proceeds, not to exceed \$5,000,000, for capital improvement projects expensed in Fiscal Year 2023-2024.
8. Minutes of Boards & Commissions.
9. Materials Transmitted of August 3 and August 8, 2023.
10. Calendar of Meetings:
 - Park Board: Wednesday, September 6 at 6:30 p.m. at Eliason South Park.
 - Human Services Board: Thursday, September 7 at 5:30 p.m. at City Hall, Conf. Room 1.
 - Environmental Board: Wednesday, September 13 at 7:00 p.m. at City Hall, Conf. Room 1.

B. Petitions and Statements of Citizens:

C. Communications:

1. Communication from Councilmember Brayton resigning from City Council effective immediately.

D. Public Hearings:

E. Regular Business Agenda:

F. Unfinished Business:

1. Follow-up from Special Meeting of August 28, 2023.

G. Council Committee Reports:

H. New Business:

I. Statements of Citizens:

J. Statements of City Council and City Manager.

Adjournment.



CITY OF PORTAGE PROCLAMATION

National Ovarian Cancer Awareness Month

- WHEREAS,** Ovarian Cancer affects women between the ages 35-74 and is the fifth leading cause of cancer death in women in the United States; and
- WHEREAS,** this year, nearly 20,000 women in the United States will be diagnosed with ovarian cancer because it is hard to detect and frequently discovered in advanced stages; and
- WHEREAS,** ovarian cancer is rare with about 1.3 percent of women diagnosed with ovarian cancer at some point in their life, but because it often goes untreated until the disease has advanced, the survival rate is low, with a five-year relative survival rate of 51 percent; and
- WHEREAS,** risk factors for developing ovarian cancer include family history and the presence of inherited gene mutations (BRCA1 and BRCA2), which increase the risk of female breast and ovarian cancers, amongst others; and
- WHEREAS,** with no early detection tests for ovarian cancer, women should get annual routine check-ups minimally as the treatment works best when ovarian cancer is found in its early stages; and
- WHEREAS,** the World Ovarian Cancer Day theme is “No Woman Left Behind”, emphasizing the need to spread knowledge about screening, symptoms, and early diagnosis to every woman; and
- WHEREAS,** teal is used as the color for ovarian cancer awareness ribbons; ovarian cancer symptoms can be very subtle or unclear which makes it easy to miss, hence a bright and vibrant, teal-colored ribbon is used to bring awareness to the disease.
- NOW, THEREFORE, BE IT RESOLVED THAT** I, Mayor Patricia M. Randall, do hereby proclaim September 2023 as National Ovarian Cancer Awareness Month in the City of Portage and call upon citizens to speak with their doctors and healthcare providers to learn more about ovarian cancer and increase awareness to better detect and treat ovarian cancer.

Signed this 5th day of September, 2023.

Patricia M. Randall, Mayor



CITY OF PORTAGE PROCLAMATION

National Senior Center Month 2023

WHEREAS, older Americans are significant members of our society who invest their wisdom and experience to enrich and strengthen our community; and

WHEREAS, the Portage Zhang Senior Center acts as a catalyst for mobilizing the creativity, energy, vitality, and commitment of the older residents of Kalamazoo County and beyond; and

WHEREAS, through the wide array of services, programs, and activities, senior centers empower older citizens to contribute to their own health and well-being and the health and well-being of their fellow citizens of all ages; and

WHEREAS, during the pandemic the Portage Zhang Senior Center was a community partner in ensuring that our most vulnerable citizens – people aged fifty or older, many with underlying medical conditions – are cared for and able to stay connected, safe, and healthy; and

WHEREAS, more the 11,000 senior centers across the United States affirm the dignity, self-worth, and independence of older persons by facilitating their decisions and actions; tapping their experiences, skills, and knowledge; and enabling their continued contributions to the community; and

WHEREAS, the Portage Zhang Senior Center has achieved national recognition as the first senior center in Michigan to be accredited by the National Council on Aging and the National Institute of Senior Centers and continues to work to meet the highest standards set for senior center operations.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, do hereby proclaim September 2023 National Senior Center Month, and call upon all citizens to recognize the special contributions of the senior center participants and the special efforts of the staff and volunteers who work every day to enhance the well-being of the older citizens of our community.

Signed this 5th day of September, 2023.

Patricia M. Randall, Mayor

CITY COUNCIL MEETING MINUTES FROM AUGUST 22, 2023

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, Lori Knapp, Victor Ledbetter, Terry Urban, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: None.

ALSO PRESENT: City Manager Pat McGinnis, Chief Operating Officer Adam Herringa, Chief Development Officer Peter Dame, 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 Portage striving to be a community rich in the wisdom of its seniors and allowing all to age in place. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

Dementia Friendly Community: Sharon Ritchie, a Portage Zhang Senior Center volunteer who leads the Alzheimer's support group, read the proclamation. Karl Hokenmaier of the Senior Citizens Advisory Board also attended with Ms. Ritchie.

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 Pearson, seconded by Ledbetter, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 7 to 0.

Approval of Minutes: Motion by Pearson, seconded by Ledbetter, to approve the City Council Meeting Minutes of the Committee of the Whole of August 8, 2023, and the Regular Meeting of August 8, 2023. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Pearson, seconded by Ledbetter, to approve the Accounts Payable Register of August 22, 2023 as presented. Upon a roll call vote, motion carried 7 to 0.

South Westnedge Avenue Reconstruction Project - Tabulation of Proposals: Motion by Pearson, seconded by Ledbetter, to award an engineering services contract to Williams & Works, Kalamazoo, Michigan for an amount not to exceed \$198,325 for the South Westnedge Avenue Reconstruction Project and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Purchase of 4 AWD Police Division Vehicles: Motion by Pearson, seconded by Ledbetter, to authorize the purchase of four (4) all-wheel drive vehicles through the State of Michigan MiDEAL Extended Purchasing Program from Berger Chevrolet in the amount of \$137,350 and authorize the City Manager to execute all related documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Elijah Root Dam Removal: Motion by Pearson, seconded by Ledbetter, to authorize the City Manager to sign the Agreement between the U.S. Department of the Army and the City of Portage for the Elijah Root Dam removal, Section 506 Detailed Project Report and to execute all documents related to this Agreement. Upon a roll call vote, motion carried 7 to 0.

MDNR Grant for Lexington Green Park Improvement Project: Motion by Pearson, seconded by Ledbetter, to approve a resolution to accept the terms of the Project Agreement from the Michigan

Department of Natural Resources (MDNR) to receive a grant of \$500,000 from the Land and Water Conservation Fund (LWCF) toward the construction of the Lexington Green Park Improvement Project. Upon a roll call vote, motion carried 7 to 0.

Oktoberfest Special Liquor License: Motion by Pearson, seconded by Ledbetter, to approve a resolution to apply for a Special License Liquor Permit for the Oktoberfest event to be held on October 7, 2023. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: None.

Materials Transmitted: Motion by Pearson, seconded by Ledbetter, to receive the Materials Transmitted of August 3 and August 8, 2023. Upon a roll call vote, motion carried 7 to 0.

Calendar of Meetings: None.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Tobi Hanna-Davies (500 Revel Run #1160, Kalamazoo) spoke regarding the Kalamazoo County Housing Millage benefits, including for the City of Portage. She noted the impact of housing instability on child development and identified homelessness in all nine of Kalamazoo County's school districts. She noted 565 new housing units in the first year of the millage.
2. Mary Wielopolski (8836 East Shore Drive) expressed concern regarding the petition for a Zylman and Portage Road farmers market location. She compared the current two-day market operations of the Texas Township market and the amount of traffic brought to the area. She noted a contradiction between the petition's sponsor being the same member opposed to the Austin Landings development. She also expressed concern about transparency from the City Administration. She thanked Mayor Randall for meeting with residents from the Lake Center Area.
3. Richard Nellens (9240 East Shore Drive) spoke about single-family housing development and zoning in his area, including the Woodlands development. He expressed a desire to retain the existing single-family zoning as development proceeds and focus on high density in appropriately zoned areas, and his concerns about habitat loss for the Eastern Box Turtle.
4. Mary Zoeller (2024 Ames Drives) provided a list of questions from the Task Force that residents wanted answered by the City Administration. She provided the hard copy list to the City Clerk.
5. Mark McKeon (6825 Cromwell Street) spoke regarding recent questions concerning Councilmember Brayton's candidacy for the November election and her position on City Council. He encouraged residency verification for all candidates before the November election.
6. Leah Owens (723 W. Van Hoesen Blvd) expressed concerns with the Portage Public School system and its low standards allowing too many students to graduate. She then stated concern about the addition of computers and the effects on students' ability to read and write.
7. Dan Brayton (9336 East Shore Drive) spoke regarding he and his wife residing in and owning a business in Portage, both for many years. He expressed concern that they were being bullied by members of the Council. He further stated the length of their home construction project had been delayed by the pandemic.
8. Cathy Phason (2430 Fairfield Avenue, Kalamazoo) stated she is a lead for the Interfaith Strategy for Advocacy & Action in the Community (ISAAC) Housing Task Force. She highlighted the current housing crisis and thanked the City Council for addressing the matter in Portage. She also highlighted the effects of mixed-income communities, including improving social interaction, diversity, and equality.
9. Charlae Davis (815 Northampton Road), executive director of ISAAC, spoke regarding housing equity and the countywide housing millage contribution in the community.
10. Derek Heath (2403 Woodbine) spoke regarding his membership on the Task Force, thanking Mayor Randall and Chief Development Officer Pete Dame for communication and meeting with

Lake Center area residents. He encouraged the city to follow prescribed ordinances and procedures for all project applications, both from private citizens and developers. He echoed the earlier citizen statement regarding single-family zoning in the area of recent development proposals. He also inquired whether there is a future meeting of the Task Force and if the city has a plan to move forward. He thanked Mr. Dame for his communication with the citizens, while also expressing concern about Councilmember Ledbetter's behavior during the initial Task Force meeting.

Farmers Market Petitions: Motion by Burns, seconded by Brayton, to receive the petition regarding a Farmer's Market location at Portage Road and Zylman Road. Upon a voice vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: Councilmember Brayton provided an update regarding the Kalamazoo County Environmental Health Advisory Council (EHAC), including one case of West Nile and one case of Legionella's disease. She also provided an update regarding Discover Kalamazoo, including accommodations, transportation, and casino/attractions.

Councilmember Burns provided an update regarding the Central County Transportation Authority (CCTA), including the first reading of the bi-annual draft budget, which includes the new micro-transit service model. He highlighted the CCTA website as a source for more information.

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

NEW BUSINESS:

Closed Session: Motion by Burns, seconded by Pearson, to enter into a Closed Session to discuss legal opinions and guidance regarding challenges of a candidate's residency. Upon a roll call vote, motion carried 7 to 0.

-- Entered Closed Session at 7:48 p.m. --
-- Resumed Regular Meeting at 9:27 p.m. --

Mayor Randall resumed the meeting, stating she had listened to but not participated in the closed session, and deferred to Mayor Pro Tem Pearson. Mayor Pro Tem Pearson issued a statement of consensus from the Council following the discussions of the Closed Session. He stated the Council has no role to play in the Affidavit of Identity election issue, but citizens do have a right to challenge the Affidavit of Identity of candidates. He further noted that the City Council does have the option to explore section 3.2c of the City Charter.

STATEMENTS OF CITIZENS: None.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban spoke about the killing of Laura Ann Carleton, a California store owner, for her Pride flag display. He then relayed that the sign at his church in Portage, featuring its own version of a pride flag display, was recently shot with an arrow. Councilmember Urban issued a reminder about the city's "Hate Has No Home Here" video and the Non-Discrimination Ordinance and encouraged citizens to stand up to displays of hate.

Councilmember Ledbetter noted that a heat advisory would be in effect for Wednesday and Thursday and relayed that the Portage Zhang Senior Center would be open as a community cooling center.

Councilmember Knapp had no comment.

Councilmember Brayton noted that August 21 was National Fentanyl Awareness Day, citing a local man's recent overdose death. She encouraged parents to maintain a dialogue with their children and for others to not turn to drugs during difficult times. Councilmember Brayton then highlighted Sections 12.7 and 12.8 of the City Charter, and read the August 2023 letter from the City Clerk to Rusty Rathburn regarding her candidacy. She then spoke regarding the Council's ability to hold a hearing regarding a member of the Council and her concerns. (Brayton exited.)

Councilmember Burns spoke regarding the Council's discussion on candidate legitimacy and stated his understanding that staff had acted according to state and local election laws. He then spoke regarding the City Council's role in deciding the eligibility of the various Council members.

City Manager McGinnis highlighted the Elijah Root Dam removal project in collaboration with the U.S. Department of the Army as it was on the Consent Agenda.

Mayor Pro Tem Pearson stated that the Council's hands are tied regarding a candidate's eligibility for office; however, citizens can challenge a candidate's eligibility in court. He also stated that the Council can discuss current membership and eligibility for the City Council, but there is no procedure for doing so at this time.

Councilmember Urban made a point of order to read the last paragraph from the August 2023 City Clerk letter to Mr. Rathburn regarding legal options.

Mayor Randall echoed Councilmember Ledbetter's advisement about the Senior Center's opening as a community cooling location for the next two days. She then reminded the community regarding the start of a new school year and the return of children traveling to and from school safely. Mayor Randall closed by noting the recent opening of the new Northern Biomolecular Services location in the former State Farm building on Portage Road, welcoming their expansion and move to Portage.

ADJOURNMENT: Mayor Randall adjourned the meeting at 09:43 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 September 5, 2023 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 August 13, 2023 through August 26, 2023 and notes \$1,161,043.84 in automated clearing house payments, \$705,827.70 in paper checks, \$176,454.68 in auto-pay payments and \$5,374,800.46 in electronic payments for a grand total of \$7,418,126.68.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of September 5, 2023

ACCOUNTS PAYABLE REGISTER
Check Dates From: 8/13/2023 to 8/26/2023

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Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
08/18/2023	19880(A)	A NEW LEAF	CITY HALL PLANT CARE	108.50
08/18/2023	19881(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SVCS - MULT LOCS	122,313.65
08/18/2023	19882(A)	ADP, INC.	ADP PAYROLL & ETIME SVCS	7,060.17
08/18/2023	19883(A)	AIRGAS USA LLC	WELDING SUPPLIES	104.16
08/18/2023	19884(A)	AMAZON.COM SALES, INC.	WINDOW SHADES	1,356.55
08/18/2023	19885(A)	AMERICAN SAFETY & FIRST AID	FIRST AID SUPPLIES	65.28
08/18/2023	19886(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	737.00
08/18/2023	19887(A)	AUNALYTICS INC	MONTHLY DISASTER RECOVERY SERVICES	1,572.00
08/18/2023	19888(A)	B S & A SOFTWARE	PERMIT APPLICATION SUBMISSION	2,223.00
08/18/2023	19889(A)	BAUCKHAM, SPARKS, THALL, SEEBER AND	ATTORNEY FEES AUG 2023	19,750.86
08/18/2023	19890(A)	BEST WAY DISPOSAL, INC.	DUMPSTER FOR EMULSION	841.50
08/18/2023	19891(A)	BLOCK, MARY BETH	REIMB EXPS-3CMA CONF, CERT PUB COMM/TCU	915.17
08/18/2023	19892(A)	C D W GOVERNMENT, INC.	DOCUMENT SCANNER, MONITOR REPL	1,200.45
08/18/2023	19893(A)	CARLETON EQUIPMENT CO.	BRUSH HOG RENTAL	1,200.00
08/18/2023	19894(A)	CARRIER & GABLE	TRAFFIC DETECTION CAMERAS & APPURTENANCE	28,729.30
08/18/2023	19895(A)	CLARK, RONALD	PER DIEM-POLICE STAFF & COMMAND SCHOOL	379.50
08/18/2023	19896(A)	CLEARNETWORK, INC.	UNIFIED MONITORING SERVICES	1,950.00
08/18/2023	19897(A)	CONTINENTAL LINEN SERVICES	LINENS FOR CENTENARIAN BRUNCHEON	123.50
08/18/2023	19898(A)	COX, ELISA ROSE	PZSC ORIENTATIONS	150.00
08/18/2023	19899(A)	D & D PRINTING CO.	RAMONA NON-RESIDENTIAL PASSES	137.50
08/18/2023	19900(A)	DEER CONTRACTING & LANDSCAPE	SIDEWALK & LANDSCAPING REPAIRS/MAINT	8,660.00
08/18/2023	19901(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC REPAIRS	194.65
08/18/2023	19902(A)	EARLE, SHELIA L	FITNESS INSTRUCTION	922.50
08/18/2023	19903(A)	ED & TED'S EXCELLENT ADVENTURES	TRIP VENDOR PAYMENT 230930	80,479.00
08/18/2023	19904(A)	ENGINEERED PROTECTION SYSTEMS, INC.	ALARM MONITORING	1,031.75
08/18/2023	19905(A)	ETNA SUPPLY, INC.	REPAIR/MAINT SUPPLIES	303.29
08/18/2023	19906(A)	FIRE SERVICE MANAGEMENT	FIRE PPE REPAIRS & CLEANING	1,213.80
08/18/2023	19907(A)	FISHBECK THOMPSON CARR & HUBER, INC	WELLHEAD PROTECTION PROGRAM	8,821.04
08/18/2023	19908(A)	FOREMOST SALES COMPANY LLC	PARKS FACILITY CLEANING	6,315.00
08/18/2023	19909(A)	FULL CIRCLE FARM	FOOD ASSISTANCE REIMBURSEMENT	63.00
08/18/2023	19910(A)	GOLF CARS +	GOLF CART RENTALS	567.50
08/18/2023	19911(A)	GORDON WATER SYSTEMS	WATER SERVICE	428.31

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Check Dates From: 8/13/2023 to 8/26/2023

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Check Date	Check	Vendor Name	Description	Amount
08/18/2023	19912(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICE	247.00
08/18/2023	19913(A)	HALLBERG, JONATHON	PER DIEM-CPD MEETING	48.00
08/18/2023	19914(A)	INDUSCO SUPPLY CO., INC.	JANITORIAL SUPPLIES	112.35
08/18/2023	19915(A)	INSIGHT PUBLIC SECTOR, INC.	MICROSOFT CLOUD & IPRO SVCS, WEBEX RENW	13,926.51
08/18/2023	19916(A)	INTERNATIONAL CODE COUNCIL, INC	CODE BOOKS	128.00
08/18/2023	19917(A)	IRISH AYRES ENTERPRISES, LLC	LANDSCAPE BED MAINTENANCE	13,825.68
08/18/2023	19918(A)	J & H OIL COMPANY	FUEL PURCHASES	213.20
08/18/2023	19919(A)	JB PRINTING	AUGUST PORTAGER	3,486.52
08/18/2023	19920(A)	LAWSON PRODUCTS, INC	REPAIR & MAINTENANCE SUPPLIES	1,494.54
08/18/2023	19921(A)	MACQUEEN EQUIPMENT LLC	SWEEPER RENTAL	18,685.00
08/18/2023	19922(A)	MARTIN SPRING & DRIVE, INC.	TRUCK REPAIR	1,754.33
08/18/2023	19923(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINT & REPAIR SVC	485.07
08/18/2023	19924(A)	MEEKHOF TIRE SALES & SERVICE INC.	TIRE DISPOSAL	220.00
08/18/2023	19925(A)	MENARDS	WEST LAKE DRIVE IN PROJECT	2,372.67
08/18/2023	19926(A)	METRONET HOLDINGS LLC	PHONE & INTERNET FIBER SVC, CABLE ACCESS	4,380.50
08/18/2023	19927(A)	MICHIGAN PAVING & MATERIALS CO.	DPW PARKING LOT EXPANSION	104,300.00
08/18/2023	19928(A)	MIDDLETON, KIMBERLY	REIMB SUP-CENTENARIAN BRUNCH	315.00
08/18/2023	19929(A)	MOTOR PARTS AND EQUIPMENT CORP	EQUIPMENT REPAIR/MAINT	1,347.36
08/18/2023	19930(A)	VOID		0.00
08/18/2023	19931(A)	MUNICIPAL EMERGENCY SERVICES INC	FIRE SCBA PARTS	2,710.66
08/18/2023	19932(A)	NOTT, SARAH	WATERCOLOR INSTRUCTION	225.00
08/18/2023	19933(A)	O'BOYLE-COLWELL-BLALOCK & AS.	LAKEVIEW PARK PHASE 1 A&E SERVICES	3,125.00
08/18/2023	19934(A)	OBERHILL, KYLE JOSEPH	RAMONA LIFEGUARD RETEST & AUDIT	255.00
08/18/2023	19935(A)	ONE WAY PRODUCTS	PARKS JANITORIAL SUPPLIES	2,323.32
08/18/2023	19936(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICES	3,334.78
08/18/2023	19937(A)	OPENGOV, INC	BSA RE-INTEGRATION TO OPENGOV SYS	1,295.00
08/18/2023	19938(A)	PARIS CLEANERS	LAUNDRY SERVICES	862.86
08/18/2023	19939(A)	PETERS CONSTRUCTION CO.	EMERGENCY STORM SEWER REPAIR	17,307.83
08/18/2023	19940(A)	POWERDMS, INC.	ANNUAL SUBSCRIPTION RENEWAL	8,307.72
08/18/2023	19941(A)	PREMIER TRUCK SALES & RENTAL, INC.	PACKER RENTALS	240.00
08/18/2023	19942(A)	PRINTING SERVICES INC	PRINTING SERVICES	1,010.81
08/18/2023	19943(A)	R W LAPINE INC.	HVAC ON-CALL & PREV MAINT SVCS	2,424.13
08/18/2023	19944(A)	REPUBLIC SERVICES OF WEST MICHIGAN	WASTE SERVICES FOR CITY FACILITIES	1,645.33

ACCOUNTS PAYABLE REGISTER
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Check Date	Check	Vendor Name	Description	Amount
08/18/2023	19945(A)	ROBERT LAMSON, LLC	PRE-COE PSYCH EVAL	450.00
08/18/2023	19946(A)	ROE-COMM, INC.	MISC RADIO SERVICES	700.00
08/18/2023	19947(A)	SAFETY SERVICES, INC.	GAS SENSOR TESTERS	229.08
08/18/2023	19948(A)	SARKOZY BAKERY LLC	FOOD ASSISTANCE REIMBURSEMENTS	23.00
08/18/2023	19949(A)	SEVERANCE ELECTRIC COMPANY, INC	MISS DIG MARKINGS, TRAFFIC SIGNAL MAINT	8,891.71
08/18/2023	19950(A)	SIMPLIFILE LLC	DOCUMENT RECORDING	199.50
08/18/2023	19951(A)	SLAVIN, NATHAN	REIMB SUP-PERF TARGET BUNDLE SWAT	68.71
08/18/2023	19952(A)	SMITH DAWSON & ANDREWS, INC.	FEDERAL ADVOCACY SERVICES	5,000.00
08/18/2023	19953(A)	SYNERGISTIC ONLINE SOLUTIONS	AS400 MAINTENANCE (CACHE BATTERIES)	700.00
08/18/2023	19954(A)	TMK WORLDWIDE, LLC	METER SERVICE	446.65
08/18/2023	19955(A)	VEOLIA WATER CONTRACT OPERATIONS	UTILITY SYSTEM OPERATION	204,969.84
08/18/2023	19956(A)	VERPLANK TRUCKING CO.	LIMESTONE FOR DURAPATCHER	1,790.61
08/18/2023	19957(A)	WAYNE COUNTY APPRAISAL LLC	ASSESSING SERVICES	39,349.25
08/18/2023	19958(A)	WOLVERINE POWER SYSTEMS	BACKUP GENERATOR MAINTENANCE	225.00
08/18/2023	19959(A)	XEROX CORPORATION	XEROX COPIER FEES	181.57
08/25/2023	19960(A)	BAUCKHAM, THALL, SEEBER, KAUFMAN	MISCELLANEOUS FEES	56.95
08/25/2023	19961(A)	GARLOW, BARBARA	REIMB RETIREE COFFEE RECEPTION SUPPLIES	48.04
08/25/2023	19962(A)	HOFFMAN BROTHERS, INC.	LOCAL STREETS RECONSTRUCTION	373,799.64
08/25/2023	19963(A)	IRISH AYRES ENTERPRISES, LLC	MOWING MAINTENANCE	7,776.29
08/25/2023	19964(A)	KUSHNER & COMPANY, INC.	COBRA & FSA ADMINISTRATION	257.76
08/25/2023	19965(A)	MCGUIRE, INGRID	REIMB EXP-APT US&C PUBLIC TREASURERS CONF	867.19
08/25/2023	19966(A)	OFF THE CUFF CATERING	CATERING FOR TRAINING	1,598.75
08/25/2023	19967(A)	PLAYFORD, LOUIE	REIMB EXP, PER DIEM-STAFF/COMMAND SCHOOL	1,087.20
Total ACH				1,161,043.84

Check Type: Paper

08/18/2023	324811	3CMA	ANNUAL MEMBERSHIP	400.00
08/18/2023	324812	A-1 MECHANICAL	BD PAYMENT REFUND	650.00
08/18/2023	324813	ACE PARKING LOT STRIPING, INC.	PARKING LOT RESTRIPIING FR ST 2	400.00
08/18/2023	324814	ACME SPORTS INC	AMMUNITION	2,414.00
08/18/2023	324815	ALERT-ALL CORP.	FIRE PUBLIC ED SUPPLIES	2,765.00
08/18/2023	324816	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	371.00
08/18/2023	324817	ALTA EQUIPMENT CO.	REPAIR MAINTENANCE	1,580.45

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Check Date	Check	Vendor Name	Description	Amount
08/18/2023	324818	ANDREWS, MARY	RAMONA PARK VOUCHERS REFUND	150.00
08/18/2023	324819	ASCENSION BORGESS HOSPITAL	DOT PHYSICAL	264.00
08/18/2023	324820	AT&T	ELECTRONIC COMMUNICATIONS	94.26
08/18/2023	324821	AYERS, CHRISTINA	RENTAL DEPOSIT REFUND	200.00
08/18/2023	324822	B & H PHOTO & ELECTRONICS CORP.	DRONE PROPELLERS & BATTERIES	746.06
08/18/2023	324823	BAILEY'S MEATS	FOOD ASSISTANCE REIMBURSEMENT	37.00
08/18/2023	324824	BALKEMA EXCAVATING, INC.	W. OSTERHOUT LIFT STATION IMPROVEMENTS	68,434.41
08/18/2023	324825	BAY AREA TOUCHLESS CARWASH LLC	CAR WASHES	194.00
08/18/2023	324826	BEAR CREEK FARM AND MARKET LLC	FOOD ASSISTANCE REIMBURSEMENT	8.00
08/18/2023	324827	BERGER CHEVROLET	TAHOE 4WD POLICE PACKAGES	39,983.00
08/18/2023	324828	BLAIN SUPPLY, INC.	VEHICLE REPAIR MAINTENANCE	272.56
08/18/2023	324829	BLOOM SLUGGETT, PC	LITIGATION-S WESTNEDGE AVE STORM SEWER PRJ	116.50
08/18/2023	324830	BONAMEGO, LOUIS	FOOD ASSISTANCE REIMBURSEMENT	155.00
08/18/2023	324831	BRUBAKER, MIKE & DEBRA	REIMBURSEMENT FOR IRRIGATION REPAIRS	728.78
08/18/2023	324832	BRUCE'S TRUCK & AUTO ACCESSORIES	SPRAY IN BED LINER	615.00
08/18/2023	324833	BULLEY, DANIEL	RAMONA SOCCER DEPOSIT REFUND	100.00
08/18/2023	324834	CAMPBELL, REBECCA	SUP YOGA JULY 12 REFUND	30.00
08/18/2023	324835	CASSADA, DON	SOUTH WESTNEDGE DEPOSIT REFUND	100.00
08/18/2023	324836	CENTER FOR INTERNET SECURITY, INC.	SECURITY & NETWORK MONITORING & MGT SVCS	19,409.09
08/18/2023	324837	CINTAS CORPORATION NO. 2	BUILDING DEPARTMENT UNIFORMS	460.19
08/18/2023	324838	CITY OF KALAMAZOO TREASURER	WATER SERVICES	39.98
08/18/2023	324839	CITY OF PORTAGE	SPECIAL ASSESSMENTS	8,425.00
08/18/2023	324840	COCM	MEMBERSHIP DUES	45.00
08/18/2023	324841	COX, JABBAR	RAMONA PAVILION #2 RENTAL REFUND	110.00
08/18/2023	324842	CRASH DATA GROUP, INC.	ANNUAL SOFTWARE SUBSCRIPTION	1,500.00
08/18/2023	324843	CT ELECTRICAL SERVICES, INC.	HAVERHILL TOWER - NEW CONDUIT	3,980.00
08/18/2023	324844	DAME, PETER	REIMB EXPS-ICMA & MML ANNUAL CONFS	2,045.80
08/18/2023	324845	DELEON, DALTON	FALSE ATLAS-FRIDAY AT THE FLATS MUSIC	200.00
08/18/2023	324846	DIVERSIFIED COMMUNICATIONS	CERTIFICATION PROGRAM REGISTRATION	475.00
08/18/2023	324847	DOBRATZ, DIANNE	RENTAL DAMAGE DEPOSIT REFUND	150.00
08/18/2023	324848	DORRANCE FORD INC	VEH REPAIR/MAINT	1,148.83
08/18/2023	324849	DTN, LLC	WEATHER SERVICES	1,116.00
08/18/2023	324850	EMERGENCY VEHICLE PRODUCTS	VEHICLE REPAIR/MAINTENANCE	807.50

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08/18/2023	324851	EMPSON, MINDY JO	FOOD ASSISTANCE REIMBURSEMENT	27.00
08/18/2023	324852	ENGINEERING SUPPLY & IMAGING	T2500 PLOTTER SUPPLIES	710.51
08/18/2023	324853	IORE, KRISTIN	JULY SUP YOGA CLASSES	300.00
08/18/2023	324854	FISHER-HUBBARD AMANDA	SUP YOGA JULY 26 REFUND	30.00
08/18/2023	324855	FORMAN GLASS LLC	WINDOW REPLACEMENT FIRE ST 1	52,557.30
08/18/2023	324856	GIORDANO, KIMBERLY	SUP YOGA JULY 12 REFUND	60.00
08/18/2023	324857	GONZALES, LAKESHA	RENTAL DEPOSIT REFUND	200.00
08/18/2023	324858	GORDON FOOD SERVICE	RAMONA CONCESSION & EVENT SUPPLIES	1,365.43
08/18/2023	324859	GREAT LAKES CHEMICAL SERVICES INC	DEGREASER FOR SHOP	146.22
08/18/2023	324860	GREAT LAKES SPORT & SOCIAL CLUB	SWP SOFTBALL DEPOSIT REFUND	100.00
08/18/2023	324861	GREEN, TARA	RAMONA PARK VOUCHERS REFUND	55.00
08/18/2023	324862	GROTHAUSE, DAVID	FOOD ASSISTANCE REIMBURSEMENT	17.00
08/18/2023	324863	H & H PROPERTY MAINTENANCE, LLC	SIDEWALK AND CURB REPAIRS	25,750.00
08/18/2023	324864	HALLAHAN & ASSOCIATES, P.C.	ASSESSING LEGAL SERVICES	518.41
08/18/2023	324865	HAMBRIGHT, JARED	REIMB EXPS-MUSAR STRUCTURAL COLLAPSE TR	636.24
08/18/2023	324866	HOLCOMB, JOSHUA	UKULELE CLASSES	600.00
08/18/2023	324867	HOME DEPOT	REPAIR/MAINT SUPPLIES	1,477.51
08/18/2023	324868	VOID		0.00
08/18/2023	324869	VOID		0.00
08/18/2023	324870	HOYLE, KATHLEEN	REIMB-PARKS OFFICE COURTYARD SHRUBS	466.40
08/18/2023	324871	IMAGE MATTERS, INC.	REPLACEMENT RUG	177.00
08/18/2023	324872	INTERNATIONAL E-Z UP	FIRE PREV SUPPLIES	1,499.52
08/18/2023	324873	IRISH ROOFING & EXTERIORS	CDBG REPL ROOFING	7,045.00
08/18/2023	324874	JERGENS PIPING CORPORATION	HH TENNIS/PICKLEBALL FENCE PAINTING	1,000.00
08/18/2023	324875	JONES, NORMAN ANDRE	FARMERS MARKET MUSICIAN	100.00
08/18/2023	324876	JUNKINS, TREY	WESTFIELD SOFTBALL DEPOSIT REFUND	122.50
08/18/2023	324877	K2AVL INC	AUGUST SOUND-CONCERT	1,590.00
08/18/2023	324878	KALAMAZOO COUNTY HEALTH & COMMUNITY	HOUSEHOLD HAZARDOUS WASTE PROGRAM	2,255.38
08/18/2023	324879	KALAMAZOO COUNTY TREASURER	COLONIAL ACRES JULY 2023 MOBILE HOME TAX	452.50
08/18/2023	324880	KALAMAZOO COUNTY TREASURER	HOME REPAIR PROJECT - LOAN PAYOFF	5,992.25
08/18/2023	324881	KALAMAZOO LANDSCAPE SUPPLIES	LAWN RESTORATIONS	1,406.65
08/18/2023	324882	KALAMAZOO PICKLEBALL	PAYMENT PICKLEBALL LEAGUE SESSION 1	2,000.00
08/18/2023	324883	KARAMAT, SADIA	LAKEVIEW PARK #2 RENTAL REFUND	100.00

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08/18/2023	324884	KARLIK, SHELBY	FOOD ASSISTANCE REIMBURSEMENT	34.00
08/18/2023	324885	KIESER & ASSOCIATES, LLC	ANNUAL TESTING - COMPOST SITE	3,957.00
08/18/2023	324886	KNOX CO.	KNOW CONNECT SOFTWARE FD	576.00
08/18/2023	324887	KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE AGREEMENT	167.00
08/18/2023	324888	KSS ENTERPRISES	JANITORIAL SUPPLIES/PAPER PROD	1,147.95
08/18/2023	324889	KZOO TIRE COMPANY	VEHICLE REPAIR/MAINTENANCE	214.45
08/18/2023	324890	LAPER, SALLY	GRAIN ELEVATOR DEPOSIT REFUND	150.00
08/18/2023	324891	LEXISNEXIS RISK DATA MANAGEMENT INC	CHARGES DORS REPORTING	2,320.00
08/18/2023	324892	LONG, ALEXIS	RAMONA PARK VOUCHERS REFUND	10.00
08/18/2023	324893	LYNCH, JORDAN MICHAEL	ARBORIST SERVICES	400.00
08/18/2023	324894	M M R M A	INSURANCE PREMIUM 2ND INSTALLMENT	273,840.00
08/18/2023	324895	MCDONALD'S TOWING & RESCUE, INC.	POLICE TOWING SERVICES	60.00
08/18/2023	324896	MCWHINNIE, DAVE	RAMONA SOFTBALL DEPOSIT REFUND	100.00
08/18/2023	324897	MI ASSOC. OF CHIEFS OF POLICE	MACP MEMBERSHIP	115.00
08/18/2023	324898	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINT	2,173.88
08/18/2023	324899	MICHIGAN ASSOC. OF PLANNING	MAPS CONFERENCE REGISTRATIONS	870.00
08/18/2023	324900	MICHIGAN ASSOC. OF PLANNING	JOB ADVERTISEMENT	75.00
08/18/2023	324901	MICHIGAN CRISIS RESPONSE ASSOC.	MI CRISIS RESPONSE REGISTRATIONS	850.00
08/18/2023	324902	MICHIGAN FIRE INSPECTORS SOCIETY	FIRE INSPECTOR 1 TR - REGISTRATION	1,025.00
08/18/2023	324903	MICHIGAN URBAN SEARCH AND RESCUE	CONFINED SPACE TR - REGISTRATION	400.00
08/18/2023	324904	MICHIGAN URBAN SEARCH AND RESCUE	STRUCTURAL COLLAPSE TR - REGISTRATION	1,900.00
08/18/2023	324905	MILLER ROAD TRANSFER STATION	DISPOSAL - FIRE TRAINING AREA	43.74
08/18/2023	324906	MILLER, CANFIELD, PADDOCK & STONE	AUSTIN LAKE TRAIL LEGAL SERVICES	6,183.66
08/18/2023	324907	MILLS, CECELIA	GRAIN ELEVATOR RENTAL REFUND	310.00
08/18/2023	324908	MOSQUITO BEATERS LLC	EVENT MOSQUITO SPRAY	209.00
08/18/2023	324909	MOVATIC, INC.	BIKE SHARE LICENSING	1,440.00
08/18/2023	324910	NEBIOLO, JULIA	SUP YOGA AUGUST 2 REFUND	30.00
08/18/2023	324911	NUYEN, AMANDA	RAMONA SOFTBALL DEPOSIT REFUND	100.00
08/18/2023	324912	OFFICE DEPOT, INC.	OFFICE SUPPLIES	2,873.06
08/18/2023	324913	VOID		0.00
08/18/2023	324914	PAW PAW VETERINARY CLINIC, P.C.	K9 VET APPT	104.50
08/18/2023	324915	PETERMAN CONCRETE CO.	CONCRETE PAD FOR BENCH	179.25
08/18/2023	324916	PETITE BAKERY LLC	FOOD ASSISTANCE REIMBURSEMENT	23.00

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08/18/2023	324917	PETTY CASH-JANET GATES	REPLENISHMENT CHECK	389.64
08/18/2023	324918	PLUMMER'S ENVIRONMENTAL SERVICES	LOCAL STREETS STORM SEWER CLEANING	33,080.42
08/18/2023	324919	PORTAGE GLASS & MIRROR	GLASS SHELVES FOR DISPLAY CABINET	151.00
08/18/2023	324920	PORTAGE PUBLIC SCHOOLS (TRANS)	FISH CAMP FIELD TRIP	209.97
08/18/2023	324921	PURITY CYLINDER GASES, INC	OLD WELDER REPAIR	2,737.83
08/18/2023	324922	QUADMED, INC.	FIRE EMS SUPPLIES	1,062.70
08/18/2023	324923	RAILROAD MANAGEMENT CO. IV, LLC	RAILROAD LICENSE AGREEMENTS	1,940.22
08/18/2023	324924	RATHCO SAFETY SUPPLY, INC.	SIGN REPAIR/REPLACEMENT	198.00
08/18/2023	324925	RENEWED EARTH, INC.	LEAF AND BRUSH DISPOSAL	8,166.66
08/18/2023	324926	ROAD COMMISSION OF KALAMAZOO COUNTY	DURAPATCHER EMULSION	3,599.08
08/18/2023	324927	ROLLER, TROY	SOUTH WESTNEDGE SOFTBALL REFUND	30.00
08/18/2023	324928	ROSS, CHRIS	DOGPATCH LULLABY FRIDAY AT THE FLATS	200.00
08/18/2023	324929	SCHULTZ, GREG	SWP TOURNAMENT DEPOSIT REFUND	100.00
08/18/2023	324930	SCHURING JR CO, JOHN	NOTARY BOND FEE	50.00
08/18/2023	324931	SEMI U INC.	CDL A TRAINING	2,500.00
08/18/2023	324932	SEMI U INC.	CDL A TRAINING	2,500.00
08/18/2023	324933	SEMI U INC.	CDL A TRAINING	2,500.00
08/18/2023	324934	SEMI U INC.	CDL A TRAINING	2,500.00
08/18/2023	324935	SENIOR SERVICES, INC.	CATERING CENTENARIAN BRUNCH	1,366.40
08/18/2023	324936	SMART SOURCE, LLC	PRINTING SERVICES	39.42
08/18/2023	324937	SOUTHWEST MICHIGAN FIRST	SWMI FIRST - 2023 COUNCIL OF 100 DUES	15,000.00
08/18/2023	324938	STAFFORD-SMITH, INC.	CONVECTION OVEN-PZSC	12,575.90
08/18/2023	324939	STATE OF MICHIGAN	SOR FEES	60.00
08/18/2023	324940	STATE SYSTEMS RADIO, INC	RADIO INSTALL, RADIO SVC FEES	1,687.00
08/18/2023	324941	STOMMEN, JOAN	PICKLEBALL SESSION 2 REFUND	15.00
08/18/2023	324942	SUN TITLE AGENCY OF MI, LLC	OVERPAYMENT ON FINAL UB WINT0240301	10.18
08/18/2023	324943	T-MOBILE USA INC	MISC T-MOBILE SERVICE	25.00
08/18/2023	324944	TACTRON, INC.	FIRE OPS SUPPLIES	19.33
08/18/2023	324945	TOWN, DWIGHT A.	FENCE REPAIRS AT RETENTION BASINS	2,980.00
08/18/2023	324946	TRIFECTA NETWORKS, LLC	CISCO IP PHONE	145.00
08/18/2023	324947	U S SIGNAL COMPANY, LLC	TS - MONTHLY INTERNET FIBER SERVICES ADD	900.00
08/18/2023	324948	ULINE, INC.	RECYCLE BINS/CONTAINER	2,612.67
08/18/2023	324949	UNITED DISTRIBUTION GROUP	RAMONA CONCESSION SUPPLIES	920.71

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08/18/2023	324950	UNITED PARCEL SERVICE	UPS WEEKLY	136.98
08/18/2023	324951	USPS	REFILL POSTAGE METER	5,000.00
08/18/2023	324952	VANGUARD FIRE & SUPPLY CO., INC.	FIRE EXTINGUISHER INSPECTION & SVCS	503.33
08/18/2023	324953	VREDEVOOGD HEATING & COOLING	CDBG FURNACE & AIR COND REPL	14,458.00
08/18/2023	324954	WALKER, JEAN	REIMBURSE VETERAN LUNCH EXPENSES	294.59
08/18/2023	324955	WASHCO, LLC	POWER WASH WOODEN BRIDGES, GRAFFITI REM	2,795.00
08/18/2023	324956	WMEIA	ASSOCIATION DUES	100.00
08/18/2023	324957	WOOD BROTHERS	BD PAYMENT REFUND	55.00
08/25/2023	324958	PETTY CASH-MEGAN HUBER	REPLENISHMENT CHECK	1,322.66
08/25/2023	324959	PETTY CASH-PAULA GUSTAFSON	REPLENISHMENT CHECK	429.29
08/25/2023	324960	SCHUMANN, PIERRE A.	FARMERS MARKET MUSICIAN	100.00
08/25/2023	324961	TRUGREEN AND ACTION PEST CONTROL	HERBICIDE APPLICATIONS	9,000.00
Total Paper Checks				705,827.70

Check Type: Auto-Pay Payments

08/14/2023	CONSUMERS AUTOPAY	GAS-ELECTRIC	603.40
08/15/2023	CONSUMERS AUTOPAY	GAS-ELECTRIC	9,981.30
08/16/2023	CONSUMERS AUTOPAY	GAS-ELECTRIC	28,691.96
08/16/2023	MISSIONSQUARE	EMPLOYER RETIREMENT CONTRIBUTIONS	89,026.22
08/17/2023	CONSUMERS AUTOPAY	GAS-ELECTRIC	5,973.52
08/18/2023	CONSUMERS AUTOPAY	GAS-ELECTRIC	189.70
08/21/2023	GREAL LAKES WINE	SR CENTER PROGRAM SUPPLIES	90.48
08/25/2023	MISSIONSQUARE	EMPLOYEE RETIREMENT WITHHOLDINGS	41,898.10
Total Auto-Pay Payments			176,454.68

Check Type: Electronic Payments

08/15/2023	MULTIPLE	IAFF, PPCOA, PPOA, UAW PENSION PAYMENTS	84,579.86
08/17/2023	COMERICA	INVESTMENT PURCHASE	572,697.39
08/18/2023	MULTIPLE	WEEKLY TAX DISBURSEMENT 8/11/23	1,939,845.81
08/25/2023	MULTIPLE	WEEKLY TAX DISBURSEMENT 8/18/23	2,777,677.40
Total Electronic Payments			5,374,800.46

Grand Total **7,418,126.68**

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Rezoning and Tentative Plan Application (#23/24-1) for 9581 Oakland Drive

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Receive the Rezoning and Tentative Plan Application #23/24-1, from I-1 Light Industrial to PD Planned Development for Oakland Commons residential development at 9581 Oakland Drive, and set a public hearing for October 3, 2023.

OVERVIEW

The applicant (Mike West, representative of Green Development Ventures, LLC) proposes to establish a residential development at 9581 Oakland Drive by filing a Rezoning and Tentative Plan Application to rezone the property from I-1 Light Industrial district to PD Planned Development district.

The proposed development is called ‘Oakland Commons’ and consists of a total of 58 new homes with a mix of detached and attached units on a 12.57-acre site with new private drive, new utilities, open space, and pedestrian connections. All homes will be available to rent and will be designed with 2-stories, sized 1,440 square feet - 1,640 square feet, consisting of 3-4 bedrooms, 2-3 bathrooms, and 1-2 car garages. All common areas including the private drive, sidewalks/trail, storm water, general lawn areas, etc. will be maintained by the owner-developer (associated with the applicant).

A new left-turn lane on Oakland Drive will be provided to facilitate the project’s traffic into a proposed private drive. A common guest parking area will be provided along with a sidewalk that will be connected to all homes and linked to a new trail leading to the common open space of the development. A new stormwater basin will be constructed in the northwest corner. An emergency-only access driveway will be constructed and connected to the existing private driveway on the property to the east (Weathervane Self Storage-owned by JC Customs, LLC). These proposed development items are described and shown in the applicant’s attached narrative, site plan drawing, and concept images.

The applicant may seek development incentives for the creation of approximately 20% ‘workforce housing’ income level rental units. This has not been submitted for City’s consideration.

Below is a list of proposed home types:

- Detached Single Family homes: 26 homes
- Duplex homes: 6 homes
- 3-plexes: 18 townhomes
- 4-plexes: 8 townhomes
- Total: 58 Units

- Proposed Density: 4.6 Units/ Acre

If the proposal is approved, the applicant would purchase the property from the current landowner- JC Customs, LLC, who is the same landowner of the Weathervane Self Storage to the east. The current landowner has agreed to the proposal. A cross-access agreement with JC Customs, LLC will be established to allow the use of the proposed emergency-only access drive.

The development will avoid the existing wetlands located in the northern section of the property.

BACKGROUND INFORMATION

In 2018, the subject property was split off from the site to the east (9600 Shaver Road; Weathervane Self Storage). This results in the subject site having no access to Shaver Road, and the only access is along Oakland Drive.

The following table summarizes **Existing Conditions** in this general area:

Existing Land Use/ Zoning	• The subject site is undeveloped and zoned I-1 Light Industrial. • <u>North (across wetlands)</u>: Single Family Homes (9247 Oakland Dr., 2021 Vanderbilt Ave., and 2011 Vanderbilt Ave., ‘High Performance Metal Finishing’ business; Zoned: R-1C and I-1 Light Industrial. • <u>South</u>: Romence Gardens (plant nursery), 9660 Shaver Road; Zoned I-1 Light Industrial. • <u>East</u>: Weathervane Self Storage, 9600 Shaver Road; Zoned I-1 Light Industrial • <u>West (across Oakland Dr)</u>: Single-family Homes (9520 Oakland Dr., 9526 Oakland Dr., 9590 Oakland Dr., and 9608 Oakland Dr.); Zoned R-1C Single Family Residential.
Public Streets	The surrounding roadway network: Oakland Drive – 2022 Kalamazoo Area Transportation Study (KATS) recorded 4,552 total AADT (Annual Average Daily Trips) trip counts along Oakland Drive north of Shaver Road intersection.
Public Utilities	City sanitary sewer and water are available along Oakland Drive.
Environment	The subject site is undeveloped. It has some perimeter natural vegetation along Oakland Drive. There is a wetland on the northern portion of the site but most of it is relatively level topography.
Unique Conditions	There are mapped wetlands in the northern portion of the site. There are no mapped historic buildings/ structures, or flood hazards on the site.

Applicable Zoning Regulations

The following sections of Chapter 42. Division 4. Zoning Districts and District Regulations apply and are addressed further in this report:

- [Subdivision 11](#) – PD, Planned Development District, and
- [Division 8](#) – Administration and Enforcement (for Rezoning Application)

Proposed Planned Development Tentative Plan

The applicant has submitted a Rezoning application and a Tentative Plan application seeking approval for a residential development consisting of 58 dwelling units per Sec 42-375. The Planned Development review process involves the following two steps per [Sec. 42-375](#):

Step 1) Tentative Plan review (Items A-G, Sec 42-375) identifies part(s) or whole project features; analyzes the impact on neighborhoods, streets, utilities, and the natural environment; and determines consistency with adopted local plans. The filed Tentative Plan is at this step.

Step 2) Final Plan review (Items H-M, Sec 42-375), identifies and analyzes detailed drawings of project improvements (streets, utilities, lot dimensions, etc.). A Final Plan application has not been submitted at this time, awaiting approval of the Tentative Plan.

The Planning Commission reviewed the project for consistency with Sec 42-375 Tentative Plan items A-E during a public hearing on August 17, 2023 Planning Commission meeting and recommended the proposed Rezoning and Tentative Plan to the City Council for approval. The applicant has submitted a project narrative addressing PD criteria under Sec 42-375 and generally describing the development; site drawings showing general building footprints, setback distances, parking and landscaping, and common areas; and concept renderings of the site and building elevations.

Per Sec 42-373 and -374, PD allows the developer to incorporate a variety of housing styles. The following project features are being sought under the PD district:

- The development consists of four housing types: traditional single-family detached homes, duplexes, and 3-plex and 4-plex townhomes. The entire development will be within the existing single property boundary; no land divisions or subdivisions are proposed. The applicant is proposing unique building setbacks for the specific project, as provided in the table below and explained further in the applicant's narrative.

Proposed Yard Setbacks

Unit Type	Front (to private drive)	Side (between buildings)	Outer perimeter	From Oakland Drive
Single Family detached	20'	12'	30'	30'
Duplex	25'	18'	30'	30'
3-plex	25'	30'	30'	30'
4-plex	25'	30'	30'	30'

Per Sec 42-374 of PD, there are no defined building yard setbacks under PD district. However, the Planning Commission shall review the proposed building locations to generally determine neighborhood appropriateness. Therefore, if the project is approved, the proposed setbacks as provided above would become the established yard setbacks for the subject PD project. In the typical R-1A thru R-1T (single family detached and townhouses) districts, front yard setbacks are 27' - 30' to the right-of-way, side yard setbacks are 8' - 12' to side property lines, and rear yard setback is 40' to the rear property line.

Utilities

The development will connect to City water and sewer utilities within Oakland Drive. A new private stormwater basin will be constructed in the northwest corner of the site. The basin and all other common open spaces will be maintained by the owner-developer.

Transportation

Vehicular access to the property will be provided by a new private drive connected to Oakland Drive, to be constructed and maintained by the property owner. The applicant will install a new left-turn lane into the project on Oakland Drive. This private drive will provide direct access to each dwelling unit. As required by the City Fire Department, an emergency access driveway is designed in the southeast corner connecting to an existing private parking lot to the east at the Weathervane Self Storage (9600 Shaver Road). A cross-access easement and agreement will ensure this cross-access is formalized. The agreement will be required to be recorded to ensure both existing and future property owners continue to allow for this cross-access.

Pedestrian/ bicyclist access will be accommodated throughout the project with internal and exterior pathways. A 4' wide sidewalk will be provided along one side of the internal private drive and lead directly to each dwelling unit. A 6' wide walking trail (asphalt surface) will be provided within the central common space and connect to the front of most of the single-family detached homes. This trail will also connect to a proposed 6' wide sidewalk on the entire frontage adjacent to Oakland Drive, consistent with the City's Complete Streets Policy. Further, the trail will extend along the wetlands to a proposed viewing platform area with benches. Sidewalks were required to be installed with the nearby expansion of the Prairie Edge Church (9316 Oakland Drive) in 2005.

ANALYSIS

Staff analysis has been prepared based on items A-G, Sec 42-375 PD Tentative Plan requirements, Comprehensive Plan, surrounding development patterns, and general land use considerations. Issues to be analyzed include consistency with the Future Land Use Map, preliminary evaluations from the Development Review Team (DRT), suitability of the existing zoning classification, and the impact of the proposed zoning classification.

Comprehensive Plan

Rezoning applications are reviewed for consistency with the City of Portage Comprehensive Plan which establishes long term land use goals, and the Future Land Use Map. The following goal is relevant to the proposal:

Goal LU1: Provide a range of housing opportunities to meet the needs for income levels for current and future residents.

The Future Land Use map designates the subject property as ‘Shaver Road Business Corridor’, which is generally defined as an area along Shaver Road designated for general industrial use. Properties to the north and west (across Oakland Drive) are classified as ‘Low Density Residential’, defined as residential single family detached housing development at densities between 1 and 4 units/ acre; corresponding zoning districts include R-1A thru R-1D and Planned Development. The subject site used to be combined with the site to the east (Weathervane Self Storage; 9600 Shaver Road). However, as a result of the land division, the subject site no longer has access to Shaver Road. Its only public access is from Oakland Drive. The site to the south is developed with a plant nursery (Romence Gardens). The sites to the north are developed with single family homes but are separated from the subject site by wetlands. As developable land becomes scarce and housing demand continues to increase within the Portage area, the need to facilitate higher density housing also increases. While housing demand remains high, industrial land continues to be desirable in the Portage and greater Kalamazoo region. Most industrial zoned land is located within industrial parks or fronts along industrial corridors. The subject site used to front the Shaver Road industrial corridor and continues to be classified as the Shaver Road Industrial Corridor. The subject lot, which only fronts Oakland Drive, is smaller in overall size after being split, and is partially encumbered by wetlands, might be less desirable for an industrial user. Oakland Drive is primarily developed with low- to medium-density housing and, therefore, carries mostly residential traffic. As a result of those changes and neighborhood conditions, the Future Land Use classification of industrial for the site may no longer be suitable for determining the best development on the subject site.

City Council’s Goals

The proposal of 58 detached and attached dwelling units will help meet the Council’s FY 23-24 Housing Strategies goal and the adopted Portage Attainable Housing Plan in December 2022.

Environmental Conditions

There are mapped wetlands in the northern portion of the property. The applicant’s submitted site plan indicates the limits of the wetlands were field inspected in April 2023 by Environmental Science and Planning LLC. The applicant is not proposing any development or site improvements within the existing wetlands.

Zoning Map

The subject site is zoned I-1 Light Industrial. Properties to the south and east are of the same zoning district. Properties to the north and west (across Oakland Drive) are zoned R-1C Single Family Residential. The applicant seeks a rezoning of the entire property to Planned Development for the following reasons:

- Allow for residential development and incorporate a variety of housing styles at a density of 4.6 units per acre.
- Incorporate a mix of detached and attached housing.
- Provide a variety of yard setbacks which do not specifically exist within any existing residential districts.

Neighborhood Impacts

Staff find the applicant's proposal has incorporated an overall project design and layout that will not increase the impact on the neighborhood, for the following reasons:

- The proposed use of a mix of single family detached and townhome dwellings will not result in negative impacts on the adjacent residences or commercial/ industrial users because of the perimeter landscaping, single access point, and general low residential density.
- The proposed 2-story residential building heights are allowed in the current I-1 Light Industrial district and the adjacent R-1C One-Family Residential district.
- The preserved vegetative buffer along Oakland Drive will soften the visibility of the back of the proposed single family dwelling units and keep a more natural appearance along the road.
- The general noise impact from the proposal would be lower than that of a typical industrial user and, therefore, less impact on adjacent land use.

Preliminary Evaluations from the Development Review Team (DRT)

This project was reviewed by the Development Review Team (DRT) who ensures that the proposed development is consistent with the City's infrastructure, engineering, and other requirements including streets, sewers, water mains, storm water, parking, landscaping, and others. The DRT is comprised of representatives from the Department of Transportation and Utilities, Fire Department, Department of Parks and Recreation, Office of the City Assessor, and Department of Community Development. DRT's preliminary review does not recommend any additional improvements to the Tentative Plan. The following are DRT discussion items which have been addressed in the submitted plans:

- The applicant was encouraged to create a natural buffer along Oakland Drive. The applicant is providing this through preserving existing vegetation as much as possible.
- The applicant was also encouraged to buffer the proposed homes from industrial uses to the east (Weathervane Self Storage) and south (Romence Gardens). The applicant is providing this buffer through new landscaping.
- The applicant was required to provide a left-turn lane on Oaklan Drive for south-bound traffic into the new private drive to mitigate traffic congestion along Oakland Drive. This has been incorporated into the applicant's Tentative Plan.
- A traffic impact study was not required for this proposal because Oakland Drive can accommodate additional vehicular trips with the proposed left-turn lane by the applicant.

The DRT also provided additional feedback to the applicant in preparation for the subsequent Final PD Site Plan (Permitting Step 2), which would be addressed prior to the Planning Commission's review of the Final PD Site Plan.

Planned Development - Sec 42-374 *Site Development Requirements* and Sec 42-375 *Plan review and approval (PD, planned development); Tentative Plan*

Staff find these sections are met with the submitted application and discussed earlier in the report. Sec 42-375 (D - G) indicates required public hearings by the Planning Commission and City Council.

PUBLIC HEARING(S)

A public hearing for this rezoning and tentative plan application was opened at the August 17, 2023, Planning Commission meeting at which the Commission discussed the proposed rezoning and tentative plan. The

applicant representative, Mike West of Green Development Ventures, LLC and the Director of Workforce Housing, Brian Farkas, of Allen Edwin Homes, were present to support the proposed application and explain the project details. Three members of the public who attended the hearing expressed objections about this item. While two of the nearby residents supported a residential project versus having an industrial use, they raised perceived concerns about traffic on Oakland Drive including headlights exiting the driveway as well as enhancing natural buffering along Oakland Drive. The Planning Commission heard the comments and voted to close the public hearing.

After discussion and careful consideration, the Planning Commission voted unanimously (8-0) to recommend to the City Council the approval of the Rezoning and Tentative Plan Application #23/24-1, from I-1 Light Industrial District to Planned Development for a proposed residential development at 9581 Oakland Drive.

RECOMMENDATION

It is therefore recommended that City Council receive Rezoning and Tentative Plan Application #23/24-1, from I-1 Light Industrial District to PD Planned Development for a proposed residential development at 9581 Oakland Drive, and set a public hearing for October 3, 2023.

FUNDING: Not Applicable

- Attachments:**
1. Applicant's Rezone Application
 2. Applicant's Tentative Plan Application
 3. Applicant's Project Narrative
 4. Applicant's Tentative Site Plan
 5. Applicant's Development Rendering
 6. Rezoning Notification Map
 7. City's Future Land Use Map
 8. Existing Zoning Map
 9. Location Map
 10. Staff's 8.9.23 Site Pictures
 11. Public Comment received by 8.17.23
 12. Draft Planning Commission August 17, 2023 meeting minutes
 13. Public Comment received after 8.17.23
 14. Planning Commission Transmittal Letter
 15. 1st Reading

APPLICATION FOR ZONING AMENDMENT

Application number _____

Date 5-18-23

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).
9581 Oakland Drive (Parcel #00029-425-G); 12.57 acres

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

b. Name of the owner of the property to be rezoned: JC Customs, LLC (Mike Fisher)

Address 10032 West Gull Lake Drive, Richland, MI 49083

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment:
Contingent purchaser - Letter of Authorization from Owner (attached)
Proposed "Oakland Commons Residential PD" (detached/attached units)

4. CURRENT ZONING: I-1 PROPOSED ZONING: PD

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.

 5-18-23

(Signature of Applicant)

(Signature of Applicant)

Green Development Ventures, LLC

2186 East Centre Avenue, Portage, MI 49002

(Address)

(Address)

(269) 365-8548 (Mike West)

mwest@allenedwin.com

(Phone)

(Phone)

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



DEVELOPMENT REVIEW APPLICATION

Department of Community Development
7900 South Westnedge Avenue – Portage, Michigan 49002 – (269) 329-4477

Applicant must complete all items in sections 1-9 (if applicable).

Please note: Separate applications must be submitted for Plumbing, Mechanical and Electrical Work Permits

No Work is to Start Prior to the Issuance of Building Permit

1) PROJECT INFORMATION

Project Description Oakland Commons PD Tentative Plan	Address 9581 Oakland Drive (Parcel #00029-425-G); 12.57 acres
--	--

2) IDENTIFICATION (OWNER)

Name JC Customs, LLC (Mike Fisher)	Address 10032 West Gull Lake Drive		
City Richland	State Michigan	Zip 49083	Phone (269) 280-2998

3) ARCHITECT OR ENGINEER

Name Monument Engineering	Address 1209 E. Milham Ave	City Portage
State Michigan	Zip 49002	Phone (269) 344-6165
License Number	Expiration Date	Email

4) BUILDING CONTRACTOR

Company name Allen Edwin Homes	Address 2186 East Centre Avenue	City Portage
State Michigan	Zip 49002	Phone (269) 365-8548
Email mwest@allenedwin.com	Federal Employer ID	
Builder License Number	Expiration Date	
Workers Comp Insurance Carrier	MESC Employer Number	

5) TYPE OF DEVELOPMENT PROJECT

- ☐ Site Plan ☐ Building Plan ☐ Final Plan in Planned Development
- ☐ Subdivision ☐ Condominium ☐ Land Division Requiring Public Improvements
- ☐ Landscape Plans ☐ Public Water Main ☐ Public Sanitary Sewer Main
- ☒ Other: **PD Tentative Plan** *(Note: Please provide a Portable Document Format (PDF) of the plans for the project at time of document submittal. The submitted format shall be CD/DVD or USB. If a PDF is not submitted, an additional \$25 fee plus \$1 for each plan sheet after 20 sheets will apply.)*

6) TYPE OF IMPROVEMENT

- ☐ New Building ☐ Alteration ☐ Addition ☐ Repair ☐ Demolition ☐ Foundation Only
- ☐ Relocation ☐ Special Inspection ☐ Solar ☐ Other: _____

7) DESCRIPTION OF WORK

A) **Mixed Detached/Attached Residential Community**
(see attached Project Summary Narrative)

B) Valuation of Project: \$ _____

C) Any known soil and/or groundwater contamination? ☐ Yes ☒ No

8) CHARACTERISTICS OF THE BUILDING

A) Water Meter Size

- ☐ 5/8" ☐ 3/4" ☐ 1" ☐ 1 1/2"
- ☐ Other _____ ☐ Irrigation Size _____ ☐ Fire Sprinkler Size _____

B) Electric Service Size

- ☐ 200 AMP ☐ 400 AMP ☐ 600 AMP ☐ 800 AMP ☐ 1000 AMP ☐ Other _____

C) Type of Mechanical

Air Conditioning? ☐ Yes ☐ No Fire Suppression? ☐ Yes ☐ No Hood System? ☐ Yes ☐ No

9) CONSTRUCTION PLANS SUBMITTED

Required submittals for plan review:

- Plans shall be signed and sealed when required in accordance with State of Michigan Act No.299 of Public Acts of 1980.
- All plans shall be drawn on uniform sheets no greater than 30"X42".
- All plans shall be drawn to an architectural scale.
- All plans shall be clear, legible and accurate.
- Plans shall be stapled along the left margin.

Type of Plan Submitted:

- ☐ Building ☐ Electrical ☐ Plumbing ☐ Mechanical ☐ Energy

Building Code: Site plan, foundation plan, soil bearing capacity, floor plans, building elevations, building sections, framing plan, details, roof plan, roof finish schedule, roof live and dead loads.

Electric Code: Lighting layout, circuiting, switching, conductor and raceway sizes, wattage schedule, service location and riser diagram, load calculations, and appropriate plans showing standard symbols of all electrical equipment.

Plumbing Code: Site plan, floor plans, DWV riser diagrams and water distribution system and roof plan, Show direction of flow, pipe sizes, grade of horizontal piping, elevations, drainage fixture unit loading of both stacks and drains in the DWV system, supply fixture unit load for the water system, branch supplies serving more than one plumbing fixture, appliance or hose outlet, meter locations.

Mechanical Code: Plans indicating heating equipment, air conditioning equipment, ductwork material and layout, fire dampers, ventilation of rooms and areas, location of chimneys and vents, piping layouts, kitchen equipment layout, and combustion air. (Plans for fire suppression systems may be submitted after permit issuance, but are required prior to installation.)

Energy Code: Floor plans, building sections, details, average annual degree days, exterior envelope components materials, "U" values of elements, "R" values of insulating materials, size and type of apparatus and equipment, energy calculations.

Note: Additional plan review fee(s) required of all non-concurrent plan submittals

APPLICANT INFORMATION

Applicant is responsible for the payment of all fees and charges applicable to this application and must provide the following information:

Name Green Development Ventures, LLC	Phone (269) 365-8548 Mike West
Address 2186 East Centre Avenue	City Portage
State Michigan	Zip 49002

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent, and I agree to conform to all applicable laws of the State of Michigan and ordinances of the City of Portage. All information submitted on the application is accurate to the best of my knowledge.

Signature of Applicant:  Date: 8-8-23

Oakland Commons Planned Development

9581 Oakland Drive

Project Narrative

July 21, 2023 (revised)

Project Objective

The subject property, addressed as 9581 Oakland Drive (Parcel #00029-425-G), is 12.57 acres and currently zoned I-1, Light Industry. A rezoning to PD, Planned Development is requested to accommodate a unique residential housing development concept consisting of a mixture of detached and attached residential dwellings. The objective of this project is to provide much needed, quality housing options for residents in the City of Portage in a new and creative development design. A further description of the project is provided below.

General Plan of Development

As depicted on the Tentative Plan, the Oakland Commons PD proposes a total of 58 residential dwelling units on the 12.57 acre property with a resulting development density of 4.6 units/acre. More specifically, the project includes 26 single family detached homes, three duplex dwellings (6 units), six 3-unit townhome buildings (18 units) and two 4-unit townhome buildings (8 units) accessed through a looped private roadway network from Oakland Drive, and developed and managed as an exclusive rental community. Individual homes and exterior grounds including the interior private roads will be professionally managed and maintained by the developer.

Homes within the Oakland Commons PD will be 2-story dwellings ranging between 1,440-1,640 square feet with 3-4 bedrooms, 2-3 bathrooms and 1-2 car attached and detached garages. A sample rendering package of these homes is attached with this application. Each home will be served by a private driveway with additional off-street parking (18 spaces) provided along the eastern portion of the site. Minimum building setbacks and separations are proposed as follows:

Single-Family Detached Homes

Front: 30-feet (from Oakland Drive right-of-way); 20-feet (from edge of private roads)

Rear: 30-feet (from outer perimeter of property)

Side: 12-feet (separation between homes)

Two-Family Dwellings (Duplexes)

Front: 30-feet (from Oakland Drive right-of-way); 25-feet (from edge of private roads)

Rear: 30-feet (from outer perimeter of property)

Side: 18-feet (separation between duplexes)

Townhomes (3-Unit and 4-Unit Dwellings)

Front: 30-feet (from Oakland Drive right-of-way); 25-feet (from edge of private roads)

Rear: 30-feet (from outer perimeter of property)

Side: 30-feet (separation between townhomes)

Individual homes will be leased at market rate with rents ranging between \$2,100-\$2,400/month. Contingent upon the city adopting a Payment In-Lieu of Taxes (PILOT) ordinance for a portion of this project, the developer would commit to designating a minimum of 20% of these homes (12 homes) as attainable “workforce housing” units with reduced rents based on income levels between 80-120% of the Area Median Income (AMI).

The Oakland Commons PD is proposed to be constructed in one development phase with construction activities planned to commence in the Spring of 2024.

Open Space/Natural Feature Preservation/Sidewalks & Walking Paths

As shown on the Tentative Plan, a regulated wetland/pond is located along the northern portion of the property. The boundary of this wetland was professionally evaluated and delineated by Environmental Science & Planning, LLC in April 2023 and is depicted on the Tentative Plan. Careful consideration of this valuable natural feature was taken in the design/layout of the Oakland Commons PD and no impact to this wetland area is proposed with the project. Additionally, the natural wooded area surrounding the wetland/pond, as well as the mature tree line located along the Oakland Drive frontage, will be preserved to the greatest extent possible.

In lieu of sidewalks along both sides of the internal private street network, an alternative pedestrian circulation system consisting of a network of interconnected concrete sidewalks and asphalt walking trails is proposed and has been incorporated into the Oakland Commons PD design. Four-foot wide concrete sidewalks are proposed around the outer perimeter of the looped interior private roadway (north side of Road “A”, east side of Road “D” and south side of Road “B”). Additionally, a six-foot wide asphalt walking trail is proposed within the interior courtyard area of the site (running east-west from Road “D” to Oakland Drive), along the Oakland Drive frontage and around the south side of the natural wetland area located in the northern portion of the site. Collectively, this system of interconnected sidewalks and trails will be directly accessible from the front door of each home and will create a unique walkable pedestrian circulation network within the Oakland Commons PD. A concrete patio area with benches overlooking the natural wetland, pond and wooded area is also planned within the northeast portion of the site.

Screening/Buffering & Landscaping

Since the property abuts the Weathervane Self Storage Facility to the east and Romence Gardens site to the south, screening will be installed along the eastern and southern property line to buffer homes from these adjacent land uses. Screening/buffering will consist of a mixture of deciduous and evergreen trees planted in an alternating double row along the eastern and southern property lines.

Additional street trees and supplemental landscaping will also be planted along the interior private roadway network, around the storm water management system and along the asphalt trail system within the middle courtyard area and northern portions of the site.

Access/Private Roads/Utilities

Access to the Oakland Commons PD is proposed through a single private street access point from Oakland Drive, along the southwest portion of the parcel. This access will include an ingress lane and two egress lanes (right-out/left-out). A left-turn lane into the development for southbound Oakland Drive traffic will also be constructed. Individual homes within the residential community will be served by a looped interior private roadway network: No individual home will be directly accessed to/from Oakland Drive. The project will be served by municipal water, sanitary sewer and underground franchise utilities. Storm water from the project will be collected and conveyed to a storm water treatment cell and infiltration basin located in the northwest corner of the property.

Consistency with Comprehensive Plan & Appropriateness of Proposed PD Project

The city is currently in the process of updating the 2014 Comprehensive Plan with completion of this Plan Update (Forward Together 2045 Master Plan) anticipated in the Spring/Summer of 2024. The Future Land Use Map contained in the 2014 Comprehensive Plan designates the subject parcel, along with adjacent properties to the east and north/south along Shaver Road, for "Shaver Road Business Corridor" land use. Adjacent properties to the west and north/south along Oakland Drive are designated for "Low Density Residential" land use. The existing zoning pattern closely mimics these Future Land Use Map designations. The "Shaver Road Business Corridor" classification envisioned a mixture of commercial and industrial land use along the Shaver Road frontage, while the "Low Density Residential" classification envisioned single family residential land use along the Oakland Drive frontage with a development density of up to 4 units/per acre.

When the 2014 Comprehensive Plan was adopted almost 10 years old, the subject parcel (9581 Oakland Drive) and the adjacent Weathervane Self Storage parcel to the east (9600 Shaver Road) were one large vacant parcel (approximately 20 acres) with frontage on both Shaver Road and Oakland Drive. In 2019, the Weathervane Self Storage facility was constructed on the eastern portion of this previously vacant parcel and a land division was executed splitting this larger parcel into two new parcels: 9600 Shaver Road (Weathervane Self Storage parcel with frontage/access from Shaver Road) and 9581 Oakland Drive (vacant parcel with frontage/access from Oakland Drive). Based on these development activities over the past few years, it is believed the current I-1, light industry zoning designation of 9581 Oakland Drive and the current "Shaver Road Business Corridor" Future Land Use Map classification is no longer appropriate for the subject property and should be re-evaluated with the Forward Together 2045 Master Plan update.

Encouraging industrial land use on the 9581 Oakland Drive parcel with access from Oakland Drive would not be incompatible with the established residential land use pattern along Oakland Drive. Additionally, Oakland Drive is a two-lane roadway that is classified as a "Residential Conservation Corridor" and not intended for more intensive industrial traffic. The proposed Oakland Commons PD project with a mixture of detached and attached residential dwellings is a more appropriate land use for this Oakland Drive parcel that will help address a growing need and demand for housing in the City of Portage. The proposed Oakland Commons PD is also consistent with Preliminary Land

Use Framework of “Mixed Residential” which is being considered with the Forward Together 2045 Master Plan. Finally, The Oakland Commons PD with a commitment to provide a minimum of 20% of these homes as attainable “workforce housing” units is consistent with Portage Attainable Housing Plan adopted by City Council on December 20, 2022 and will help address the need for 7,750 new residential dwelling units across Kalamazoo County by 2030, as detailed in the W.E. Upjohn Institute Kalamazoo County Housing Plan published in July 2022.

Conclusion

The Oakland Commons PD has been designed with careful consideration of the natural features present on the property and proposes a unique and creative residential housing concept consisting of a mixture of detached single family homes, two family dwellings (duplexes) and townhomes (3-4 units buildings) in a professionally managed rental community. With an overall development density of 4.6 units/per acre and a mixture of housing types in a pedestrian friendly, walkable design, the Oakland Commons project is in conformance with the PD ordinance. The project is also consistent and compatible with the surrounding zoning and land use pattern and will bring much needed, quality and more attainable housing options for existing and future residents in the City of Portage.

We look forward to the opportunity to work with the City of Portage on this exciting project.

Sincerely,



Michael West, AICP
Land Planning Manager
Green Development Ventures, LLC
2186 East Centre Avenue
Portage, Michigan 49002

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TENTATIVE PLAN for Proposed "OAKLAND COMMONS"

60' 0' 60' 120' 180'

NOTE: DESIGN OF STORM SEWER SYSTEM AND STORM WATER DISPOSAL SYSTEM IS PENDING. SHOWN SIZE AND LOCATION OF STORM WATER TREATMENT CELL AND INFILTRATION BASIN IS SUBJECT TO FINAL ADJUSTMENT. SYSTEM SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTAGE'S STORM WATER DESIGN CRITERIA MANUAL. DESIGN WILL BE SHOWN ON PENDING 'FINAL PLAN'.

ADDRESS = 9581 OAKLAND DRIVE
PARCEL ID = 00029-425-G
CURRENT ZONING = I-1
PROPOSED ZONING = PD
SUBJECT PROPERTY = 12.57 ACRES
(AREA INCLUDES OAKLAND DRIVE RIGHT-OF-WAY AREA)

SITE DATA:

- PARCEL AREA = 12.57 ACRES
- # DWELLINGS = 58
- DENSITY = 4.6 DWELLINGS / ACRE

BUILDING SEPARATION & SETBACKS

SINGLE FAMILY:

- 20' SETBACK FROM BACK OF CURB
- MINIMUM 12' BETWEEN BUILDINGS
- MINIMUM 30' OFF OAKLAND DRIVE R.O.W.

DUPLEXES:

- 25' SETBACK OFF BACK OF CURB
- MINIMUM 18' BETWEEN BUILDINGS

THREE-PLEXES AND FOUR-PLEXES:

- 25' SETBACK OFF BACK OF CURB
- MINIMUM 30' BETWEEN BUILDINGS
- MINIMUM 30' REAR SETBACK
- MINIMUM 30' OFF OAKLAND R.O.W.

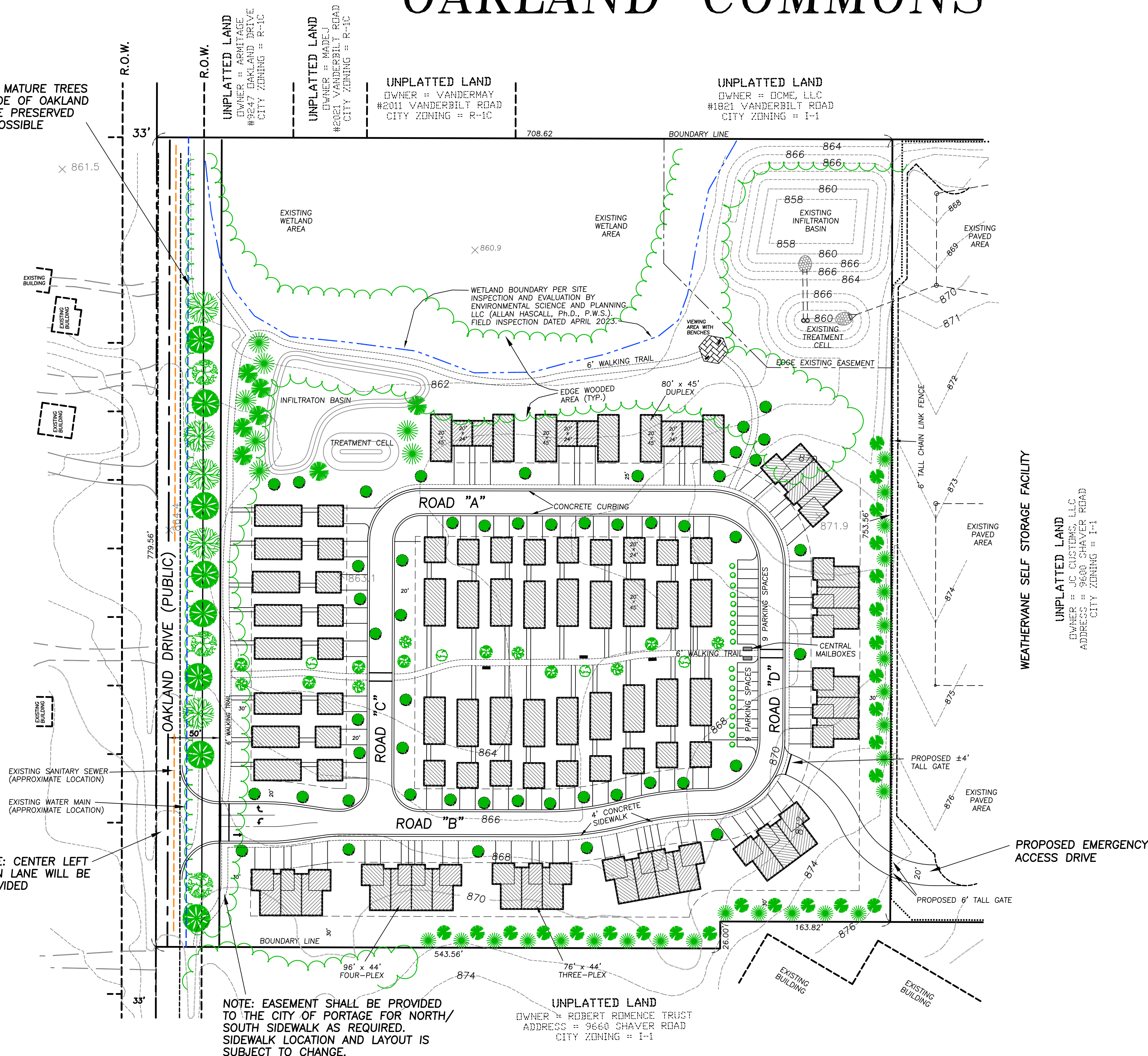
FIRE DEPT. NOTES

COMBUSTIBLE BUILDING CONSTRUCTION SHALL NOT COMMENCE UNTIL FIRE HYDRANTS ARE OPERABLE AND AN ALL WEATHER ROAD SURFACE IS IN PLACE.

THE FIRE FLOW FOR EACH BUILDING IS 1000 GPM FROM ONE HYDRANT WITHIN 400' OF ALL PORTIONS OF THE BUILDING. THIS FLOW IS BASED ON THE FLOOR AREA OF ALL FLOORS INCLUDING BASEMENT FOR A BUILDING OF TYPE V-B CONSTRUCTION. SHOULD A BUILDING EXCEED 3600 SQUARE FEET, THE MINIMUM FIRE FLOW WILL BE BASED ON THE SIZE AND TYPE OF CONSTRUCTION FOR THAT BUILDING.

FIRE APPARATUS ACCESS ROADS 26.1 TO 32 FEET WIDE SHALL BE POSTED ON ONE SIDE AS A FIRE LANE.

ALL STREETS WILL BE WIDE ENOUGH TO ALLOW PARKING ON ONE SIDE OF THE STREET PER THE FIRE CODE.



PARCEL DESCRIPTION PER CITY WEBSITE:

A PARCEL OF LAND SITUATED IN THE SE 1/4 OF SEC 29, 35, 11W COMMENCING AT THE EAST 1/4 COR OF SEC 29, 35, 11 W; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 331.47 FT ALG THE NORTH L.I. OF THE SE 1/4 OF SD SEC TO REFERENCE POINT "A"; TH SOUTH 90 DEG 50' 19" EAST (PREVIOUSLY RECORDED AS NORTH 90 DEG 55' 07" EAST) 331.47 FT ALG SD NORTH L.I. TO SD EAST 1/4 COR; TH NORTH 90 DEG 59' 23" EAST (PREVIOUSLY RECORDED AS EAST) 116.95 FT ALG THE SOUTH L.I. OF THE NW 1/4 OF SEC 28, 35, 11W TO THE NORTHWESTLY ROW L.I. OF SHAWER RD; TH SOUTH 29 DEG 38' 07" WEST (PREVIOUSLY RECORDED AS SOUTH 29 DEG 39' WEST) 182.31 FT ALG SD ROW L.I.; TH NORTH 60 DEG 21' 53" WEST 145.41 FT; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" EAST) 198.90 FT PARALLEL W SD SOUTH L.I. TH NORTH 44 DEG 50' 19" WEST 67.78 FT TO A L.I. EXTENDING SOUTH 00 DEG 05' 30" EAST FROM SD REFERENCE POINT "A"; TH NORTH 00 DEG 05' 30" WEST 12.78 FT TO SD REFERENCE POINT "A"; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 278.24 FT ALG SD NORTH L.I. TO THE ROW; TH SOUTH 00 DEG 04' 41" WEST 753.56 FT; TH NORTH 89 DEG 50' 19" WEST 163.82 FT (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) PARALLEL W SD NORTH L.I. TH SOUTH 00 DEG 04' 41" WEST 28 FT; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" EAST) 343.56 FT PARALLEL W SD NORTH L.I. TO THE WEST L.I. OF THE EAST 1/4 OF SD SEC 1/4 AS ESTABLISHED BY "OAKLAND FARMS NORTH" SUBDIVISION; TH NORTH 00 DEG 04' 14" EAST (PREVIOUSLY RECORDED AS NORTH 77.58 FT ALG SD WEST L.I. OF THE EAST 1/4 TO SD NORTH L.I. OF THE SE 1/4; TH SOUTH 89 DEG 50' 19" EAST (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) 708.61 FT ALG SD NORTH L.I. OF THE SE 1/4 TO THE ROW CONTAINING 12.57 ACRES OF LAND, THE WESTERLY PORTION BEING SUBJECT TO EASEMENT FOR OAKLAND DR. SPLIT/COMBINED ON 08/20/2016 FROM 00029-425-E, 00029-425-G.

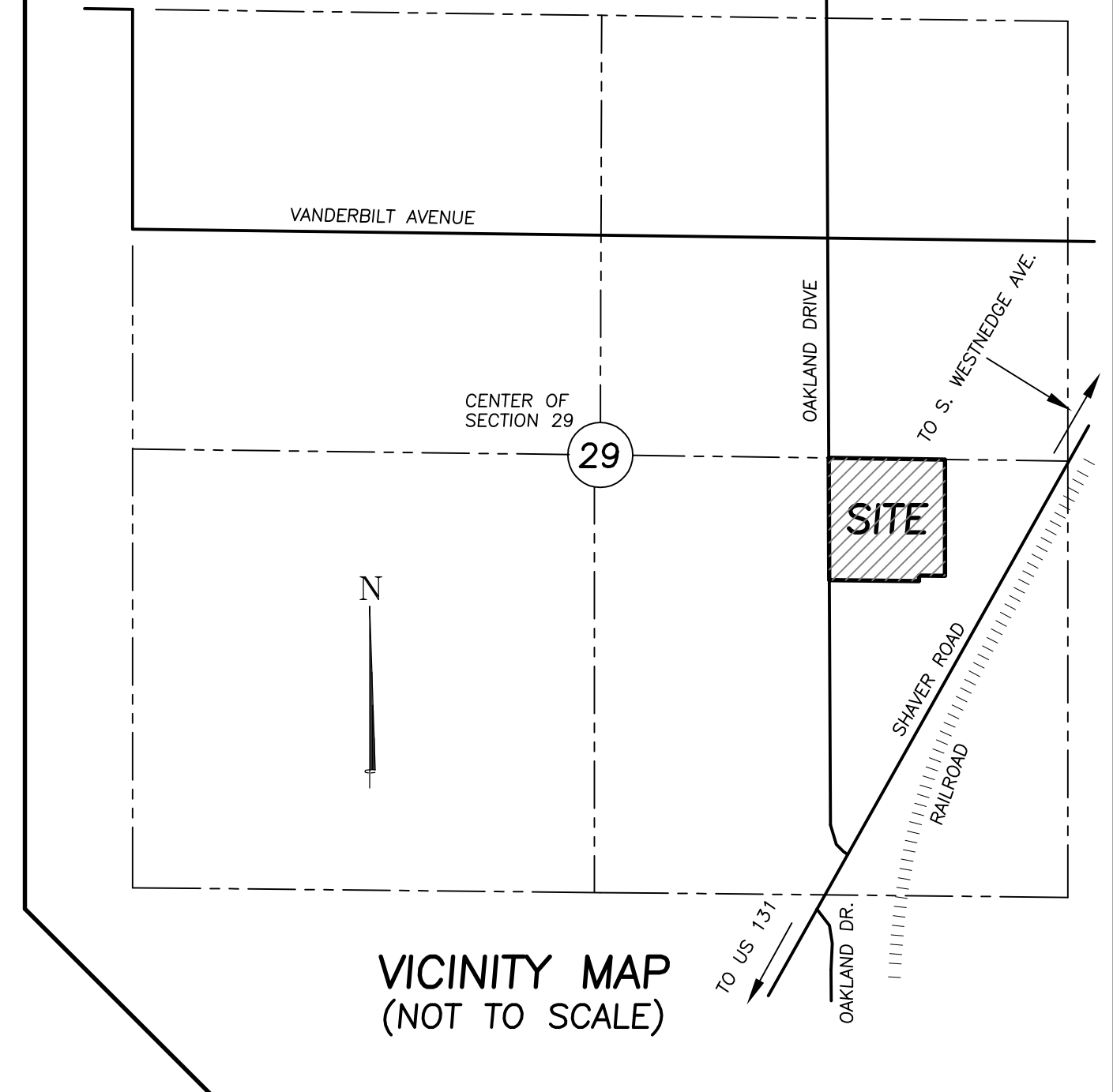
NOTE: EASEMENT SHALL BE PROVIDED TO THE CITY OF PORTAGE FOR NORTH/SOUTH SIDEWALK AS REQUIRED. SIDEWALK LOCATION AND LAYOUT IS SUBJECT TO CHANGE.

UNPLATTED LAND
OWNER = ROBERT ROMENCE TRUST
ADDRESS = 9660 SHAVER ROAD
CITY ZONING = I-1

NOTE: ON SITE WATER MAIN SYSTEM SHALL BE LOOPED. SYSTEM SHALL HAVE TWO CONNECTIONS TO EXISTING CITY WATER MAIN. WATER MAIN DESIGN IS PENDING.

NOTE: IN GENERAL, EXISTING IMPROVEMENTS HAVE BEEN SHOWN WITH A DASHED LINETYPE. PROPOSED IMPROVEMENTS HAVE BEEN SHOWN WITH A SOLID LINETYPE.

NOTE: SHOWN NUMBER OF DWELLINGS = 58.



GENERAL NOTES:

- 1) CURRENT CITY ZONING = I-1, PROPOSED ZONING = PD.
- 2) PARCEL AREA = 12.57 ACRES.
- 3) SITE IS PARTIALLY COVERED WITH TREES AND BRUSH.
- 4) SITE LANDSCAPING SHALL BE PROVIDED. SHOWN LANDSCAPING IS PRELIMINARY.
- 5) BUILDING PLANS (BY OTHERS) ARE PENDING.
- 6) ON-SITE FIRE HYDRANTS SHALL BE PROVIDED AS REQUIRED.
- 7) ALL ON-SITE WATER MAIN & SANITARY SEWER SHALL BE PUBLIC AND SHALL BE WITHIN AN EASEMENT TO THE CITY OF PORTAGE.
- 8) BUILDINGS SHALL CONNECT TO CITY WATER SYSTEM AND CITY SANITARY SEWER SYSTEM (EXCEPT GARAGES).
- 9) SHOWN LAYOUT IS SUBJECT TO FINAL ADJUSTMENT.
- 10) EXISTING WATER MAINS AND SANITARY SEWERS ARE LOCATED WEST OF THE SUBJECT PROPERTY IN OAKLAND DRIVE.
- 11) STORM SEWER SYSTEM AND STORM WATER DISPOSAL SYSTEM SHALL BE PRIVATE. DESIGN IS PENDING.
- 12) ALL NEW ROADWAYS SHALL BE PRIVATE.

APPLICANT:
**GREEN DEVELOPMENT
VENTURES, LLC**
2186 EAST CENTRE STREET
PORTAGE, MI 49002
(269) 321-2610

TENTATIVE PLAN PROPOSED "OAKLAND COMMONS" PART OF THE WEST HALF OF SEC. 29, T. 3 S., R. 11 W., CITY OF PORTAGE		DATE: 5/16/2023
MONUMENT ENGINEERING GROUP ASSOC., INC. Formerly Ingersoll, Watson & McEachen, Inc. 1209 East Milham Road, Suite B • Portage, Michigan 49002 • Phone 269 344-6165		SHEET: 1
		JOB No.: 23-039









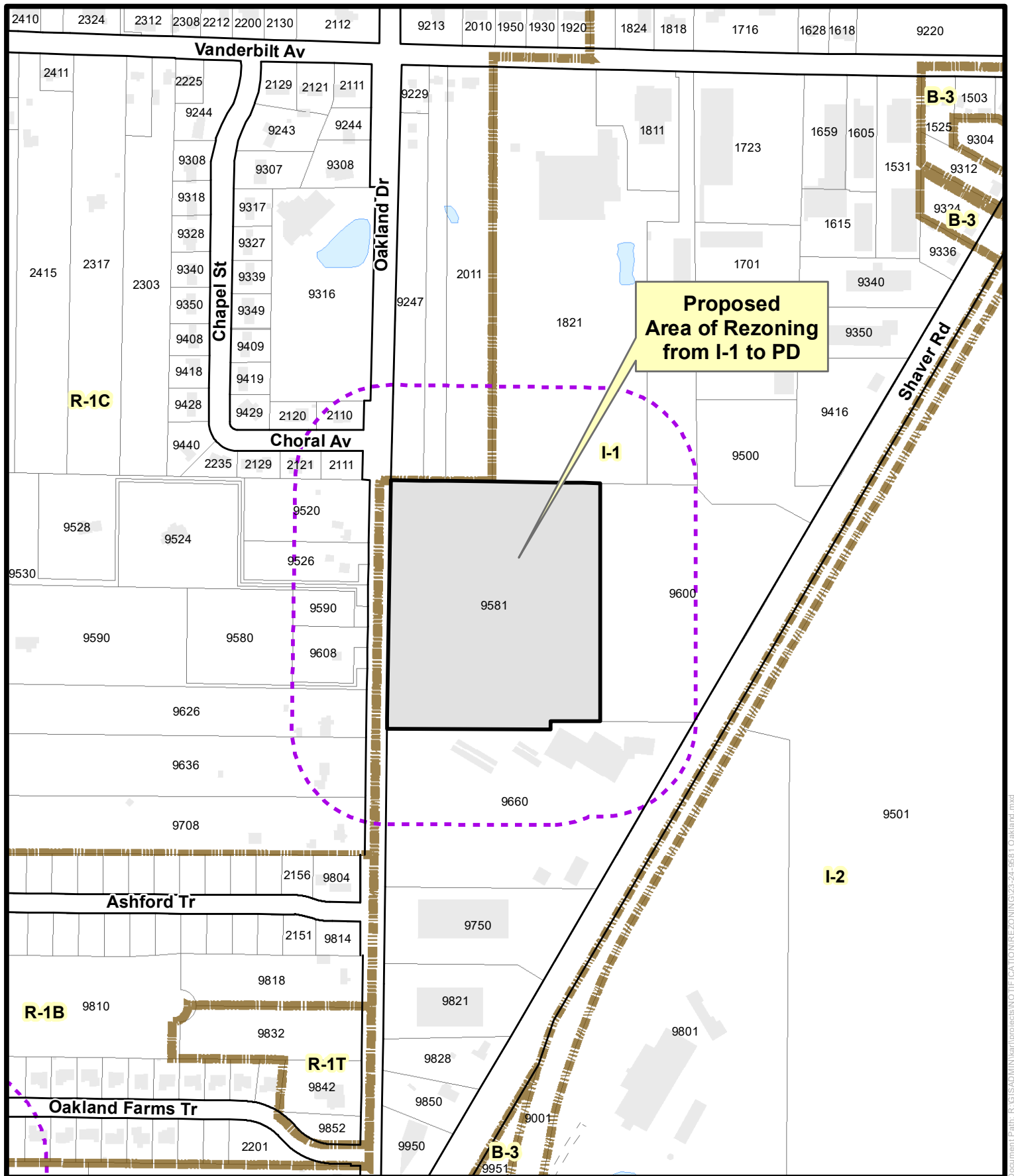












-  Zoning Boundary
-  300' Notification Area
-  Subject Parcel

Notification Map

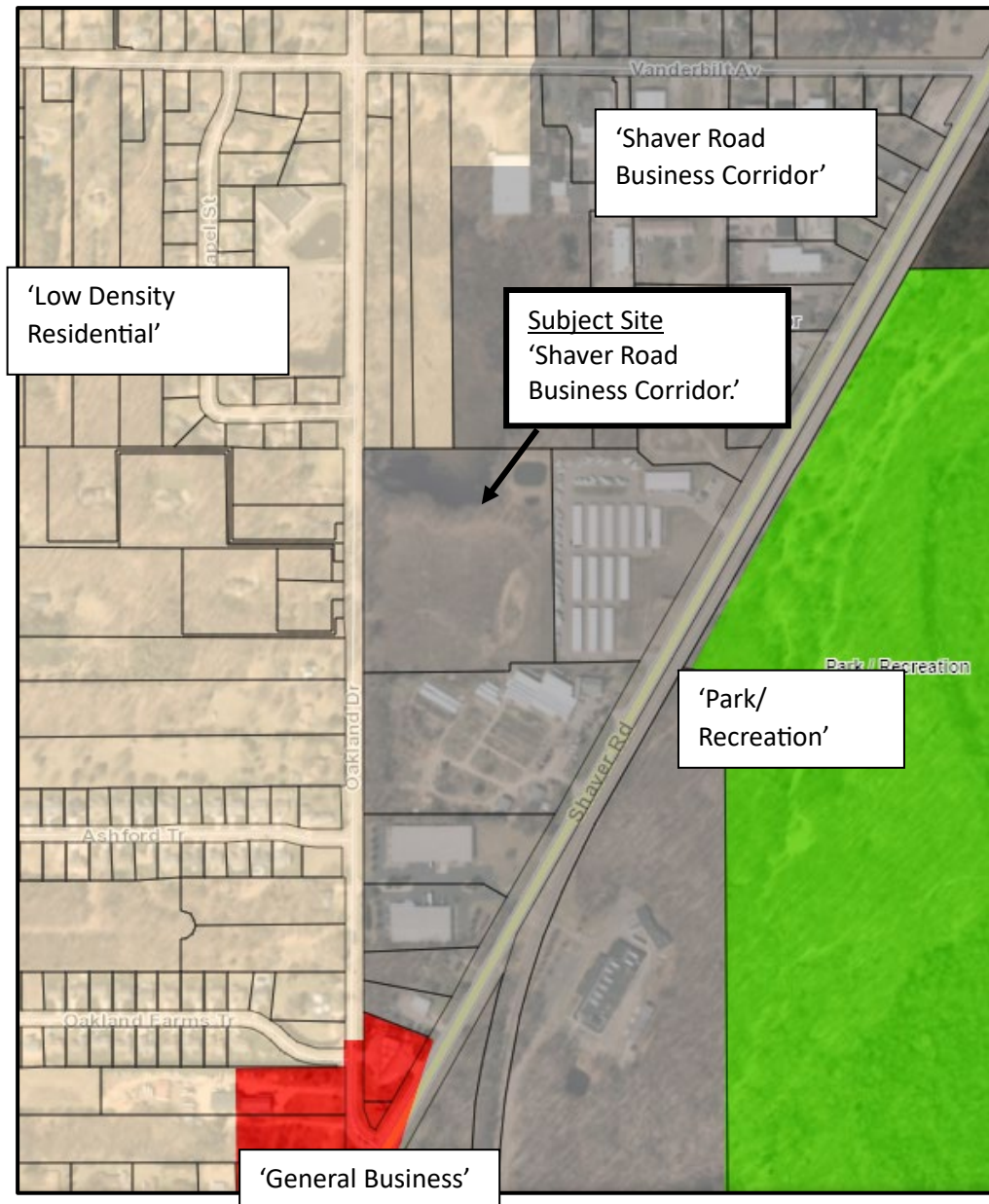
Rezoning: 23/24 - 1

9581 Oakland Drive



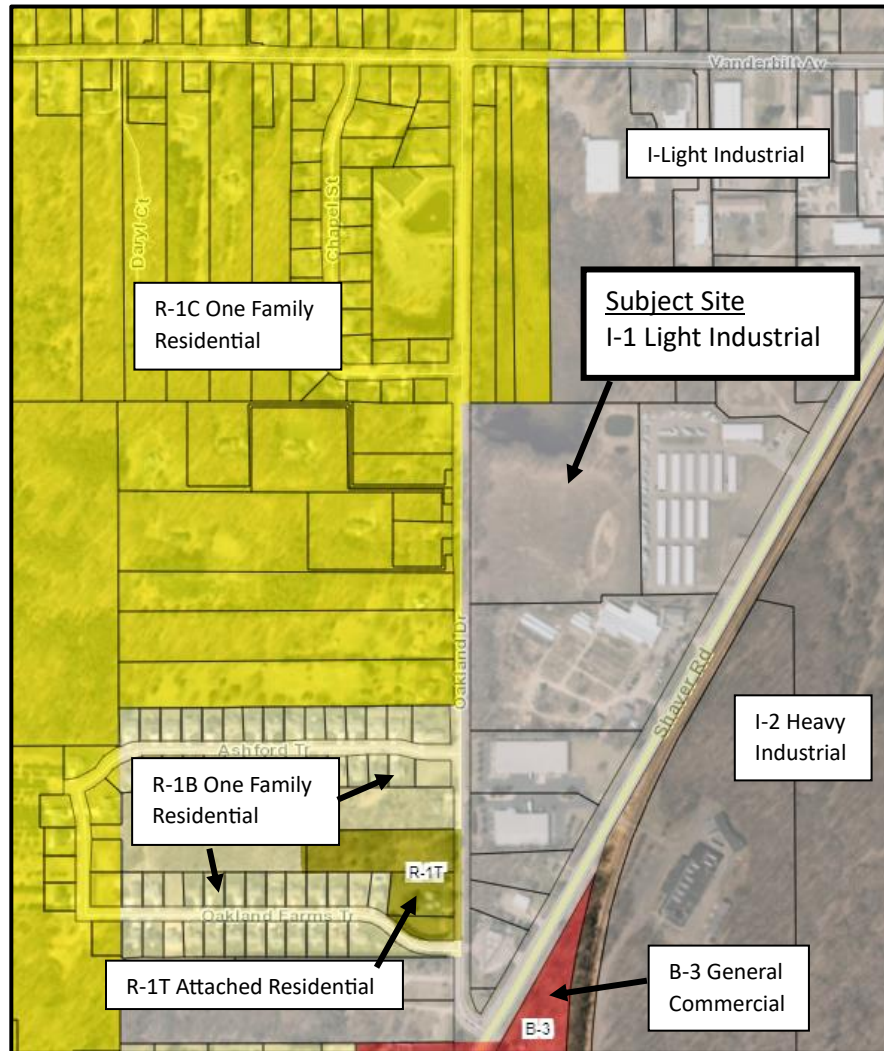
1 inch = 400 feet
Date: 7/26/2023
(42)

City of Portage
Comprehensive Plan
Future Land Use Map



City of Portage

Existing Zoning Map



Vicinity Map



Staff's Site Pictures – August 9, 2023





Figure 1: Looking south along Oakland Drive. Subject site to the left (east) and driveways to multiple houses at 9590, 9530, 9528, 9526, 9524 Oakland Drive to the right (west).



Figure 2: Looking south along Oakland Drive. Subject site to the left (east) and drive to house at 9608 Oakland Drive to the right (west).



Figure 3: Looking north from within the site. Wetlands exist beyond tall tree line in background. Proposed development planned in low-growth area.



Figure 4: Looking east into the site from Oakland Drive. Clearing beyond trees in foreground is within subject site. Proposed development planned beyond treeline.



Figure 5: Looking east into the site from edge of wetlands. Site clearing created opening beyond trees in foreground. Structures in background are on Weathervane Self Storage and Romence Gardens along Shaver Road. Proposed development planned low-growth area.



Figure 6: Looking south into the site. Trees to the right are along Oakland Drive. Recent clearing show low-growing vegetation. Proposed development planned to the left of treeline.



Figure 7: Looking north into the site toward wetlands. Proposed development located south of wetlands.



Figure 8: Looking west at 9520 and 9526 Oakland Drive (single family dwellings) located across from subject site.



Figure 9: Looking west through Weathervane Self Storage toward subject site in background. Romence Gardens is located to the left (south).

Aug 11, 2023
Portage, MI

TO DEPT of COMMUNITY DEVELOPMENT:

THIS LETTER IS A COMPLAINT FORM CONCERNING YOUR RECENT NOTICE ABOUT
REZONING THE PARCEL OF LAND @ 9581 OAKLAND DR. PARCEL NUMBER 00029-425-G.

BECAUSE OF PERSONAL INFIRMATIES I CANNOT APPEAR IN PERSON AT THE MEETING WITH
MY NEIGHBORS: THEREFORE HAVE TO USE THIS METHOD TO OFFER MY COMPLAINT.

OAKLAND DRIVE IS ALREADY A VERY BUSY ROADWAY. THE PAVEMENT DOES NOT EVEN LAST
THREE YEARS AND PORAGE ONLY REPAVES ABOUT TEN YEARS. BESIDE INTRODUCING A NEW
GLUT OF TRAFFIC TO OUR AREA. PORTAGE SHOULD UNDERSTAND THIS NEW IDEA IS A REAL
BURDEN TO US, THE PRESENT OCCUPIERS OF THIS SECTION OF OAKLAND DRIVE.

I AND MY FAMILY WERE RESIDENTS HERE BEFORE THE CITY WAS HERE IN 1957, SO DO FEEL I
HAVE A DOG IN THIS FIGHT. IT SHOULD NOT REALLY BE A FIGHT, BUT A GOOD UNDERSTANDING
BY THE CITY OF IT'S CITIZENS FEELINGS. WE SHOULD NOT BE FIGHTING EACH OTHER, BUT
COME TOGETHER FOR A 'GOOD FEELING' ABOUT THIS ISSUE.

THE MORE I PONDER ON THIS I AM REALLY ASTOUNDED THAT PORTAGE WOULD EVEN CONSIDER
SUCH A PROJECT....PUTTING HOUSES IN SUCH A DREARY SITUATION. STORAGE BUILDINGS AS A
BACKGROUND. NOT GOOD AT ALL. I SEE NO REASON FOR A CHANGE, NOT GOOD FOR THE CITY.

IN ALL SINCERETY,



MARIE N. MACKEY
9636 OAKLAND DRIVE
PORTAGE, MI 49024-7700

Dear Council,

The 'Oakland Commons' plan will have serious negative impacts on our home and property at 9626 Oakland Dr. If the plan is approved as is, our property value and quality of life will most certainly decrease. This letter details the impacts in no specific order.

1. Privacy and Noise

Currently, there are trees, bushes, and other plants between our house and Oakland Dr (See exhibits A + B). This greenery provides us with privacy and a sound barrier from the busy road. The plan mentions moving Oakland Dr 30 ft toward our house and placing the 'Oakland Commons' entrance/exit across from us. We would lose our privacy with the removal of the greenery. We would also gain a lot of noise pollution, not just from the lack of a passing-traffic sound barrier, but also from the addition of hundreds of accelerating vehicles exiting the new development per day (See exhibit C). If the entrance/exit is placed in the current spot, only an impermeable barrier between our house and Oakland Dr would maintain privacy and help noise reduction.

2. Light Pollution

We believe the map of the tentative plan to be deceiving regarding proximity. The existing water main on the east side of Oakland Dr is closer to our driveway and almost even with the north side of our house. Please see exhibit B for a photo from the east side water main. Please see exhibit C for what we believe to be a more accurate map. If the entrance/exit is placed anywhere between our house and the house to the north, cars exiting the development would shine their lights into both our windows. Even if the 30 ft of existing greenery in front of our house were to remain or be replaced by the city, LED car lights would still penetrate it. Also, seasonal changes would decrease the greenery and we would essentially have no light barrier for half of the year. If the entrance/exit is placed anywhere between our house and the house to the north, only an impermeable barrier between our house and Oakland Dr would prevent light pollution.

3. Access to our R1C Lots

We purchased this property for its location and the beautiful R1C lots behind the house. The lots require an additional Oakland Dr access that we spoke to the city about and planned to apply for soon. If 'Oakland Commons' is approved, the city will surely not allow us to have an additional access across from the new development. Before the 'Oakland Commons' plan is approved, we feel the city owes it to us and our neighbors to devise a plan to access all our back lots. It would be wildly unfair for the city to cut us off from the back of our properties and the potential income it would generate for our families.

In conclusion, we are not attempting to thwart 'Oakland Commons'. We understand Portage desperately needs more housing. What we are against is the approval of a plan that is inconsiderate of the impacts on our property and our neighbor's. Currently, we have privacy, no light pollution, and the potential to access our back lots. If this plan is approved, the city would be taking all of that away. Please, we implore you to pause the approval of 'Oakland Commons' until a resolution can be devised for the current residents of Oakland Dr. We are eager to work with the city and the developer on a plan that benefits everyone.

Taylor Brown (630) 815-2798

Exhibit A: Looking to Oakland Dr from our house.



Exhibit B: Looking to our house from the existing water main on Oakland Dr.



113.6'

18.02'

112.7'

88.8'

89'25'00" R

89'39'55" M

HOUSE #9626 (SEE DETAIL)

BLDG

110.8'

90'35'00" R

90'20'27" M

19.27'

33.0'

OAKLAND DRIVE (P)

ROAD "C"

ROAD "B"

BOUNDARY LINE

NOTE: EASEMENT SHALL BE PROVIDED TO THE CITY OF PORTAGE FOR NORTH/ SOUTH SIDEWALK AS REQUIRED. SIDEWALK LOCATION AND LAYOUT IS SUBJECT TO CHANGE.

CITY OF PORTAGE PLANNING COMMISSION

**Thursday, August 17, 2023
7:00 PM Portage
Portage City Hall Council Chamber**

The City of Portage Planning Commission meeting of August 17, 2023, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

- Peter J. Dame, Chief Development Officer
- Catherine Kaufman, City Attorney
- Eric Feldt, Senior City Planner
- Biqi Zhao, Deputy Director of Planning and Zoning

ROLL CALL

Mr. Feldt called the roll: Chairman Corradini (yes); Vice Chair Baldwin (yes); Adams (no); Pezzoli (yes); Joshi (yes); Fries (yes); Youngs (yes); Freiman (yes); and Kasper (yes).

Motion by Vice Chair Baldwin, seconded by Commissioner Fries to excuse Commissioner Adams. Motion carried 8-0.

APPROVAL OF MINUTES

1. Minutes dated August 3, 2023.

Motion by Commissioner Youngs, seconded by Commissioner Pezzoli to approve the August 3, 2023, meeting minutes, as submitted. Motion carried 8-0.

PUBLIC HEARINGS

1. A Rezoning and Tentative Plan Application (#23/24-1), from I-1 Light Industrial District to PD Planned Development District for a proposed residential development at 9581 Oakland Drive.

Mr. Feldt provided a PowerPoint presentation indicating the reasons the applicant filed the proposed rezoning and tentative plan, stated applicable zoning codes, explained the overall rezoning and Planned Development process, presented the applicant's site plan and project renderings, explained staff's analysis of various project details, showed pictures of the neighborhood and site, and indicated that the project was consistent with the Comprehensive Plan and zoning code. Mr. Feldt stated that two public comment emails expressing the perceived concerns about traffic, privacy and noise, light pollution, and access were received and included for the Commission. Mr. Feldt concluded his presentation by stating if no additional public comment is requested by and the Commission is supportive of the proposed Rezoning and Tentative Plan request, staff recommends the Planning Commission to City Council the approval of the Rezoning and Tentative Plan Application #23/24-1, from I-1 Light Industrial to PD Planned Development for Oakland Commons residential development at 9581 Oakland Drive.

Chair Corradini asked the Commission for any questions to staff.

Various Commissioners discussed and asked about the following items: resulting traffic, impacts to Oakland Drive, location of the proposed driveway, the project's required left-turn lane and impact to existing driveways nearby, rental demand in Portage, the existing nearby storm water impact on the project's proposed storm water basins, the connections of the wetlands in the area, possible industrial user, and impacts to shrinking the overall industrial districts with the proposed rezone.

Mr. Feldt indicated the following to the Commissions comments and questions: Oakland Drive can accommodate future traffic trips from the project. The left-hand turn lane is required for the project to ensure proper traffic flow and traffic safety measures. Mr. Feldt stated that he would research and discuss with the City's Transportation & Utilities about how the left-hand turn lane would impact existing driveways, storm water impact, and wetland impact in the area. Also, Mr. Feldt stated that he would research the rental demand in Portage. He stated that in the past two years, staff has not receive any filed permits nor inquiries of an industrial project proposed on the subject parcel. Lastly, he indicated that the rezone would not reduce the overall more-appropriately situated industrial-zoned parcels within Portage because the subject parcel's industrial district designation is not the best fit due to close proximity to single-family housing, access along a residential collector street, past lot split away from Shaver Road, and possible negative impacts from a future industrial user.

Chair Corradini asked for the applicant to present the project.

Applicant, Mike West, Green Development Ventures and Allen Edwin Homes, 2186 E. Centre Avenue, Portage, MI. Mr. West introduced company staff members Brian Farkas, Director of Workforce Housing, and John Lovely, Project Manager. Mr. West presented the project and explained background of the layout, house size, garage style, and rental occupancy. He stated the possibility of seeking a Payment In-Lieu of Taxes (PILOT) to establish 20% of housing to be workforce housing units associated with specific area median income levels. He mentioned the proposed buffering along the east, south, and western areas from Oakland Drive and adjacent commercial areas. Mr. West explained the proposed sidewalk and trails throughout the project. He stated the need and location of the emergency access drive connecting to Weathervane Self Storage to the east. He described the area and location of the wetlands and how the proposed trails lead to a viewing platform nearby. Mr. West explained the history and zoning of the development nearby and along Shaver Road, as well as development along Oakland Drive. He explained how he believes the property is better suited and more compatible with nearby residences for future residential development instead of the allowed industrial development as permitted in the underlying zoning district. And he indicated that the City Comprehensive Plan categorized Oakland Drive as a Residential Conservation Corridor. He addressed some of the Commissioners concerns by describing the natural buffer along Oakland Drive, the location of driveways across Oakland Drive, describing the length of the proposed left-hand turn lane, and indicated that there is a very low inventory of rental housing in the Portage area. He stated that single family detached homes rental is currently in high demand in the area. Further, he described the project's stormwater systems. He also explained the wetland system in the area. Lastly, he indicated that his engineer, Pat Flanagan, will prepare detailed drawing, calculations during the Final PD Step in the overall permitting process of this project.

Chair Corradini asked the Commission for any questions to the applicant.

Various Commissioners brought up the following concerns, questions: if the rental units could become available for purchase; if traffic resulting from project would burden Oakland Drive; if there are advantages to having detached garages vs. attached; phasing of the development; which units would be dedicated as workforce housing and how long they would be held at that price; if there would be sufficient parking for the 3- to 4-bedroom homes having only a single-car garage, if the proposal initially consisted of a site condo or plat instead of a single property with all rental units, if the side separation distance between homes accommodates exterior air compressor units, and how the property will be managed.

Mr. West responded to each of the Commissioners concerns, summarizes as the following: the overall rental management would likely establish the units in a way that they might be able to become for sale in the future, but the current proposal remains as rental units; traffic is expected to be lower than permitted industrial users; the narrowness of the homes' sites may led to a detached garage for the detached single-family homes; the project would be developed in one phase; the company has not yet determined which housing units would be dedicated as workforce housing but indicated that the workforce unit pricing would be held to for an 80% - 120% area median income-earner occupant for up to 15 years; there is additional guest parking for the project for those with additional cars, and that the market would result in an occupant's preference not seeking the single-car garage if they have high parking needs; the property size and other housing occupancy project lent this project to be operated as all rental units; all units will have air conditioning with exterior-located air compressors that will be accommodated either in the side or rear yards of each unit; and the property would be managed by a Coppery Bay, rental management company, owned by Allan Edwin Homes.

Chair Corradini opened Public Hearing.

1. Arnold Mackey, 9636 Oakland Drive, stated opposition to the project due to perceived concerns with traffic congestion, possible property tax increases, possible negative impacts to the environment and nature, and indicated a preference for the land to remain undeveloped.
2. Becky Argue, 9708 Oakland Drive, stated support of the project versus an industrial use, opposition to the project due to possible traffic congestion, and indicated the developer to keep a buffer along Oakland Drive to lessen light pollution and noise levels.
3. Taylor Brown, 9626 Oakland Drive, stated support of the project versus an industrial use, opposition to the project due to perceived headlight glare, and support of a buffer along Oakland Drive to lessen light pollution.

Chair Corradini asked for a motion to close Public Hearing. Motion by Commission Fries, seconded by Commissioner Pezzoli, to close Public Hearing. Motion carried 8-0.

Motion by Commissioner Pezzoli, seconded by Commissioner Fries to recommend the Planning Commission to City Council the approval of the Rezoning and Tentative Plan Application #23/24-1, from I-1 Light Industrial to PD Planned Development for Oakland Commons residential development at 9581 Oakland Drive. Motion carried 8-0.

SITE/FINAL PLANS

None.

OLD BUSINESS

1. FY 2022-23 Planning Commission Work Program and Proposed FY2023-24 Planning Commission Work Program.

Mr. Feldt indicated that the Commission did not seem finished with this topic during the last meeting and that a motion and vote is needed for this item.

Chair Corradini opened the topic for general Commission discussion. He asked each Commissioner which City board he/ she would be interested in attending to bring back any land use related item for discussion at a future Planning Commission meeting.

Commissioner Youngs stated that he watches the Council meetings on TV and can catch the Zoning Board of Appeals meetings to keep involved in the community.

Commissioner Pezzoli stated support of attending other City boards/ commissions and haven't thought of which one(s) to attend yet.

Commissioner Freeze stated interest in Council and zoning, changes in ordinances, and change in misconceptions of the public. He also stated that Portage needs to stay progressive in attracting young people, such examples are reducing lot and home sizes. He further indicated support of future training for Commissioners. Lastly, he supports learning and using the Michigan Association of Planning Zoning Toolkit.

Vice Chair Baldwin stated her support for attending other City boards/ commissions and especially the Council. She further provided support for training and workshops, specifically mentioned the Michigan Association of Planning Zoning Toolkit.

Commissioner Freiman stated his interest in environmental area and Parks and Recreation.

Commissioner Joshi stated her interest in attending other City boards/ commissioners within her schedule and learning about their issues. She further supported training budget for the Commissioners.

Commissioner Kasper stated her support in human services board and making Portage a great place to live for all.

Chair Corradini stated his support of the Youth Advisory Commission and their views for the community. He supports going to trainings and workshops but understands the difficulty with people's work and life schedules. However, he indicates that those who can attend to bring those training points back to the Commission during a scheduled Planning Commission meeting for a workshop and share, discuss with other Commissioners. He indicated that he would connect with Commissioner Adams to learn about his interest in attending any Commissions/ Boards.

Chair Corradini also asked Mr. Feldt if staff is still expecting the Planning Commission to have a Master Plan subcommittee for the new Master Plan update process. Vice Chair Baldwin support this idea. Ms. Zhao updated the Commission of the Master Plan updating process and informed the Commission that the Planning Commission can have a subcommittee for each chapter within the Master Plan update.

Commissioner Youngs asked the Commission if there is any interest in getting feedback from developers to assist in zoning code changes. Mr. Feldt indicated that the City did get developer feedbacks for the Master Plan updating process, and could have additional feedback on zoning code changes.

Motion by Commissioner Kasper, seconded by Commissioner Pezzoli to approve FY 2022-23 Planning Commission Work Program and Proposed FY2023-24 Planning Commission Work Program. Motion carried 8-0.

STATEMENT OF CITIZENS

None.

NEW BUSINESS

None.

STATEMENT OF COMMISSIONERS/ STAFF

Mr. Feldt stated that the next scheduled Planning Commission meeting on Thursday, September 7, 2023, may be cancelled and would inform the Commission about any cancellation.

ADJOURNMENT

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 8:47 p.m.

Respectfully submitted,



Eric Feldt, AICP, CFM
Senior City Planner

Eric Feldt

From: Linda Stempihar <lindarstemp@gmail.com>
Sent: Friday, August 25, 2023 12:08 PM
To: Eric Feldt
Subject: Fwd: Photos
Attachments: IMG-0699.jpg; IMG-0698.jpg; IMG-0697.jpg; IMG-0696.jpg

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.

Greetings Eric,

Regarding our recent conversation about the proposed rezoning for proposed residential development of Oakland Commons, I and neighbors strongly insist that evergreen trees, evergreen bushes/shrubs/hedges be planted along the Oakland Drive roadside in front of the whole length of the development property. A natural living privacy screen of well-landscaped evergreens is in keeping with the natural looking environment along Oakland Drive. I know that the proposed site design includes keeping the existing roadside trees and underlying woody plants, but these alone are insufficient, because they are old tall deciduous trees and plants.

Additionally, there should minimal roadside signage that is setback from the road. Longtime Portage residents of Oakland Drive near the proposed rezoning site have well established standards for the quality of their property and the neighborhood community.

Attached are exemplar photos of other nearby development communities on Oakland Drive, specifically Oakland Hills and Whispering Rock which have quality landscaped roadside frontage including evergreens, evergreen shrubs, flowers/flowering shrubs, and rock/hardscapes. For numerous years, these communities have successfully maintained the expected quality standards of their roadside frontage as well as their whole property.

Preferrably, the entrance to the proposed site would be on Shaver Road which can better handle the increased residential density and associated traffic.

It is imperative for the development owner and the property management company maintain the development property to quality standards and in a timely manner. I am aware that Green Development Ventures will be the development owner. Please provide me with the name of the associated property management company.

I know that the Portage City Council will meet on Septebmer 5 to review the Planning Commission recommendation for this site. Please pass my concerns to the City Council.
When in October is the public hearing?

I appreciate your assistance and the City Council's consideration of my and neighbors concerns.

Respectfully,

Dr. Linda Stempihar







Department of Community Development

TO: Honorable Mayor and City Council
FROM: City of Portage Planning Commission
DATE: August 28, 2023

SUBJECT: A Rezoning and Tentative Plan Application #23/24-1, from I-1 Light Industrial District to PD Planned Development for a proposed residential development at 9581 Oakland Drive.

At the August 17, 2023 meeting, the Planning Commission reviewed and discussed a Rezoning and Tentative Plan Application #23/24-1, from I-1 Light Industrial District to PD Planned Development for a proposed residential development at 9581 Oakland Drive. The applicant representative, Mike West of Green Development Ventures, LLC, and the Director of Workforce Housing, Brian Farkas, of Allen Edwin Homes, were present to support the proposed application and explain the project details. Three public expressed perceived concerns on this project at the meeting, and two of them supported the project versus having an industrial use.

The Planning Commission voted unanimously (8-0) to recommend to City Council the approval of the Rezoning and Tentative Plan Application #23/24-1, from I-1 Light Industrial District to PD Planned Development for a proposed residential development at 9581 Oakland Drive.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION

A handwritten signature in blue ink, appearing to read 'Dan Corradini', written over the printed name and title.

Dan Corradini
Chairman

Attachments: August 17, 2023 Planning Commission meeting minutes.

**FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE**

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2023, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2023, 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
9581 Oakland Drive

Parcel ID Numbers
00029-425-G

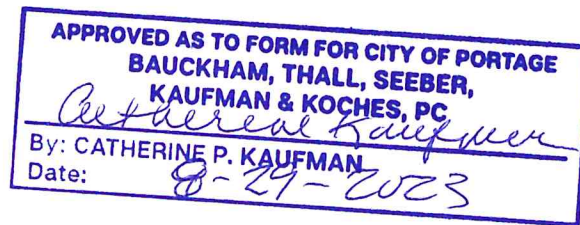
A PARCEL OF LAND SITUATED IN THE SE ¼ OF SEC 29, 3S, 11W: COMMENCING AT THE EAST ¼ COR OF SEC 29, 3S, 11 W; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 331.47 FT ALG THE NORTH LI OF THE SE ¼ OF SD SEC TO REFERENCE POINT "A"; TH SOUTH 90 DEG 50' 19" EAST (PREVIOUSLY RECORDED AS NORTH 90 DEG 55' 07" EAST) 331.47 FT ALG SD NORTH LI TO SD EAST ¼ COR; TH NORTH 90 DEG 59' 23" EAST (PREVIOUSLY RECORDED AS EAST) 116.95 FT ALG THE SOUTH LI OF THE NW ¼ OF SEC 28 3S, 11W TO THE NORTHWESTERLY ROW LI OF SHAVER RD; TH SOUTH 29 DEG 38' 07" WEST (PREVIOUSLY RECORDED AS SOUTH 29 DEG 39' WEST) 152.31 FT ALG SD ROW LI; TH NORTH 60 DEG 21' 53" WEST 145.41 FT; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) 198.90 FT PARALLEL W SD SOUTH LI; TH NORTH 44 DEG 50' 19" WEST 67.78 FT TO A LI EXTENDING SOUTH 00 DEG 05' 30" EAST FROM SD REFERENCE POINT "A"; TH NORTH 00 DEG 05' 30" WEST 12.78 FT TO SD REFERENCE POINT "A"; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 278.54 FT ALG SD NORTH LI TO THE POB; THN SOUTH 00 DEG 09' 41" WEST 753.56 FT; TH NORTH 89 DEG 50' 19" WEST 163.82 FT (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) PARALLEL W SD NORTH LI; TH SOUTH 00 DEG 09' 41" WEST 26 FT; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 543.56 FT PARALLEL W SD NORTH LI TO THE WEST LI OF THE EAST ½ OF SD SE ¼ AS ESTABLISHED BY "OAKLAND FARMS NORTH" SUBDIVISION; TH NORTH 00 DEG 04' 14" EAST (PREVIOUSLY RECORDED AS NORTH) 779.56 FT ALG SD WEST LI OF THE EAST ½ TO SD NORTH LI OF THE SE ¼ ; TH SOUTH 89 DEG 50' 19" EAST (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) 708.61 FT ALG SD NORTH LI OF THE SE ¼ TO THE POB, CONTAINING 12.57 ACRES OF LAND. THE WESTERLY PORTION BEING SUBJECT TO EASEMENT FOR OAKLAND DR. SPLIT/COMBINED ON 08/20/2018 FROM 00029-425-E, 00029-425-C;

From I-1Light Industrial District to PD Planned Development 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



**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 _____, 2023, and will become effective _____, 2023.

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
9581 Oakland Drive

Parcel ID Numbers
00029-425-G

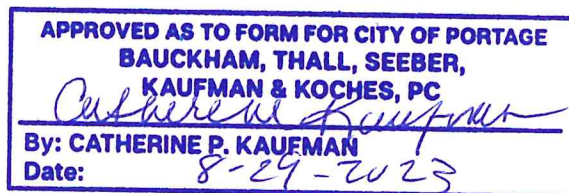
A PARCEL OF LAND SITUATED IN THE SE ¼ OF SEC 29, 3S, 11W: COMMENCING AT THE EAST ¼ COR OF SEC 29, 3S, 11 W; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 331.47 FT ALG THE NORTH LI OF THE SE ¼ OF SD SEC TO REFERENCE POINT "A"; TH SOUTH 90 DEG 50' 19" EAST (PREVIOUSLY RECORDED AS NORTH 90 DEG 55' 07" EAST) 331.47 FT ALG SD NORTH LI TO SD EAST ¼ COR; TH NORTH 90 DEG 59' 23" EAST (PREVIOUSLY RECORDED AS EAST) 116.95 FT ALG THE SOUTH LI OF THE NW ¼ OF SEC 28 3S, 11W TO THE NORTHWESTERLY ROW LI OF SHAVER RD; TH SOUTH 29 DEG 38' 07" WEST (PREVIOUSLY RECORDED AS SOUTH 29 DEG 39' WEST) 152.31 FT ALG SD ROW LI; TH NORTH 60 DEG 21' 53" WEST 145.41 FT; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) 198.90 FT PARALLEL W SD SOUTH LI; TH NORTH 44 DEG 50' 19" WEST 67.78 FT TO A LI EXTENDING SOUTH 00 DEG 05' 30" EAST FROM SD REFERENCE POINT "A"; TH NORTH 00 DEG 05' 30" WEST 12.78 FT TO SD REFERENCE POINT "A"; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 278.54 FT ALG SD NORTH LI TO THE POB; THN SOUTH 00 DEG 09' 41" WEST 753.56 FT; TH NORTH 89 DEG 50' 19" WEST 163.82 FT (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) PARALLEL W SD NORTH LI; TH SOUTH 00 DEG 09' 41" WEST 26 FT; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 543.56 FT PARALLEL W SD NORTH LI TO THE WEST LI OF THE EAST ½ OF SD SE ¼ AS ESTABLISHED BY "OAKLAND FARMS NORTH" SUBDIVISION; TH NORTH 00 DEG 04' 14" EAST (PREVIOUSLY RECORDED AS NORTH) 779.56 FT ALG SD WEST LI OF THE EAST ½ TO SD NORTH LI OF THE SE ¼ ; TH SOUTH 89 DEG 50' 19" EAST (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) 708.61 FT ALG SD NORTH LI OF THE SE ¼ TO THE POB, CONTAINING 12.57 ACRES OF LAND. THE WESTERLY PORTION BEING SUBJECT TO EASEMENT FOR OAKLAND DR. SPLIT/COMBINED ON 08/20/2018 FROM 00029-425-E, 00029-425-C;

From I-1 Light Industrial District to PD Planned Development 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



**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
9581 Oakland Drive

Parcel ID Numbers
00029-425-G

A PARCEL OF LAND SITUATED IN THE SE ¼ OF SEC 29, 3S, 11W: COMMENCING AT THE EAST ¼ COR OF SEC 29, 3S, 11 W; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 331.47 FT ALG THE NORTH LI OF THE SE ¼ OF SD SEC TO REFERENCE POINT "A"; TH SOUTH 90 DEG 50' 19" EAST (PREVIOUSLY RECORDED AS NORTH 90 DEG 55' 07" EAST) 331.47 FT ALG SD NORTH LI TO SD EAST ¼ COR; TH NORTH 90 DEG 59' 23" EAST (PREVIOUSLY RECORDED AS EAST) 116.95 FT ALG THE SOUTH LI OF THE NW ¼ OF SEC 28 3S, 11W TO THE NORTHWESTERLY ROW LI OF SHAVER RD; TH SOUTH 29 DEG 38' 07" WEST (PREVIOUSLY RECORDED AS SOUTH 29 DEG 39' WEST) 152.31 FT ALG SD ROW LI; TH NORTH 60 DEG 21' 53" WEST 145.41 FT; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) 198.90 FT PARALLEL W SD SOUTH LI; TH NORTH 44 DEG 50' 19" WEST 67.78 FT TO A LI EXTENDING SOUTH 00 DEG 05' 30" EAST FROM SD REFERENCE POINT "A"; TH NORTH 00 DEG 05' 30" WEST 12.78 FT TO SD REFERENCE POINT "A"; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 278.54 FT ALG SD NORTH LI TO THE POB; THN SOUTH 00 DEG 09' 41" WEST 753.56 FT; TH NORTH 89 DEG 50' 19" WEST 163.82 FT (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) PARALLEL W SD NORTH LI; TH SOUTH 00 DEG 09' 41" WEST 26 FT; TH NORTH 89 DEG 50' 19" WEST (PREVIOUSLY RECORDED AS SOUTH 89 DEG 55' 07" WEST) 543.56 FT PARALLEL W SD NORTH LI TO THE WEST LI OF THE EAST ½ OF SD SE ¼ AS ESTABLISHED BY "OAKLAND FARMS NORTH" SUBDIVISION; TH NORTH 00 DEG 04' 14" EAST (PREVIOUSLY RECORDED AS NORTH) 779.56 FT ALG SD WEST LI OF THE EAST ½ TO SD NORTH LI OF THE SE 1/4 ; TH SOUTH 89 DEG 50' 19" EAST (PREVIOUSLY RECORDED AS NORTH 89 DEG 55' 07" EAST) 708.61 FT ALG SD NORTH LI OF THE SE ¼ TO THE POB, CONTAINING 12.57 ACRES OF LAND. THE WESTERLY PORTION BEING SUBJECT TO EASEMENT FOR OAKLAND DR. SPLIT/COMBINED ON 08/20/2018 FROM 00029-425-E, 00029-425-C;

From I-1 Light Industrial District to PD Planned Development 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 _____, 2023.

Erica Eklov, City Clerk

Approved as to Form:

Date: 8/29/2023

By: Catherine Kuyfner
City Attorney

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Final Preliminary Condominium Plan (engineering plans) for Copperleaf Planned Development Phase 6, 3800 West Milham Avenue

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Approve the Final Preliminary Condominium Plan (engineering plans) for Copperleaf Planned Development Phase 6, 3800 West Milham Avenue.

The developer (Westview Capital, LLC) has submitted for review and approval of a Final Preliminary Condominium Plan (engineering plans) for the development of Copperleaf Planned Development Phase 6 located at 3800 West Milham Avenue in the northwest area of Portage near the highway interchange of Interstate I-94 and US 131. The proposal consists of 38 condominium lots for future single-family detached homes on 15.1 acres with a density of 2.52 units/acre.

The Copperleaf Condominium Planned Development was originally approved in 2013, consisting of a total of 204 single-family detached homes of 1- and 2-story floor plans across 74 acres with a density of 2.5 units/acre. Five construction phases of the Copperleaf Development were approved, detailed as the following:

- Phase 1, final approval by City Council on November 3, 2015, for 39 new homes

Construction of all homes is complete.

- Phase 2, final approval by City Council on August 8, 2017, for 32 new homes

Construction of all homes is complete.

- Phase 3, final approval by City Council on August 28, 2018, for 27 new homes

Construction of all homes is complete.

- Phase 4, final approval by City Council on December 3, 2019, for 30 new homes

Construction of all homes is complete.

Phases 1- 4: 128 homes were constructed.

- Phase 5, final approval by City Council on March 22, 2022, for 38 new homes

New roads are finished, and new homes are under construction.

City Council approved the Preliminary Condominium Plan for Phase 6 of Copperleaf on December 6, 2022, subject to the condition that a letter or document from the school board or school board superintendent indicating awareness of the proposal shall be submitted, per Sec. 42-883. (3).i. A letter from the Portage Public School acknowledging the proposed development (see the attachment) was submitted and complies with the City Council's condition from the Preliminary Plan approval. The developer, Westview Capital, LLC, is now requesting that the City Council approve engineering design and construction plans that include the following public improvements:

- Phase 6 will be accessed through a southerly extension of Landrum Court and a northerly/westerly extension of Byram Circle. Islands and other improvements proposed within the public street right-of-way will be owned and maintained by the condominium association with an appropriate maintenance/ indemnification agreement provided to the city.
- Four-foot-wide concrete sidewalks will be constructed along the eastern side of the Landrum Trail connecting to the existing paved trail. Additionally, an eight-foot-wide paved walking trail will be extended along the western side of the property (between the existing ramp for northbound US-131 and the lots on the western side of Landrum trail) to the existing paved trail, which connects to Harbors West Park. Construction of this recreational trail extension as part of Phase 6 will provide a complete pedestrian connection from West Milham Avenue to Harbors West Park, consistent with the approved PD tentative plan for this development.
- Per section 42-808(c) of the City's Land Development Ordinance, screening trees are shown on the plan. Additional trees may need to be planted along the MDOT ROW line in certain locations to screen the exit ramp for northbound US-131. The existing healthy mature trees shall be reserved to the extent possible on the western side of the proposed eight-foot-wide paved walking trail. The Department of Community Development will evaluate the adequacy of the buffering/screening located between the residential lots and the highway both prior to construction of the trail and after construction of the trail, to determine whether supplemental buffering/screening will need to be installed by the developer to satisfy this subdivision regulation requirement.
- The sanitary sewer and water system will connect to the existing city sewer and water system.
- Stormwater will be collected and conveyed to an existing infiltration basin located in the middle portion of the overall property. The infiltration basin is owned and maintained by the condominium association. The condominium association documents and maintenance/indemnification agreement will be revised to include Phase 6, as may be necessary.

The Development Review Team consisting of the departments of Community Development, Transportation and Utilities, the Fire Division of Public Safety, the Department of Parks and Recreation, and the Office of the City Assessor, have reviewed the construction drawings and have determined that the plans are in conformance with city requirements. Based on the administrative review, it is recommended that Final Preliminary Plan (detailed engineering plans) approval be granted.

This action will allow the developer to proceed with the construction of the infrastructure improvements. When construction is complete, the developer will request final approval from City Council and acceptance of the water and sanitary sewer mains as public facilities.

It is therefore recommended that City Council approve the Final Preliminary Condominium Plan (detailed engineering plans) for Copperleaf Planned Development Phase 6, 3800 West Milham Avenue.

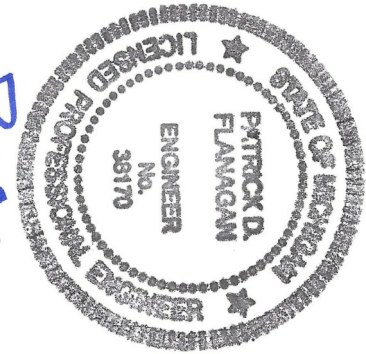
FUNDING: Not Applicable

Attachments:

1. Copperleaf Phase 6 Final Preliminary Plan (detailed engineering plans) 230828
2. Letter from Portage Public School for Copperleaf Phase 6

FIRE DEPT. NOTES

- 1) CONSTRUCTIBLE BUILDING CONSTRUCTION SHALL NOT COME WITH FIRE HOBRANTS ARE OFFERABLE AND AN ALL WEATHER ROAD SURFACE IS IN PLACE.
- 2) THE FIRE FLOW FOR EACH BUILDING IS 1000 GPM FROM ONE HOBRANT WITHIN 400' OF ALL PORTIONS OF THE BUILDING. THIS FLOW IS BASED ON THE FLOOR AREA OF ALL FLOORS INCLUDING BASEMENT FOR A BUILDING OF TYPE SCB CONSTRUCTION. SHOULD A BUILDING EXCEED 6000 SQ. FT. OF FLOOR AREA, THE FIRE FLOW SHALL BE BASED ON THE SIZE AND TYPE OF CONSTRUCTION FOR THAT BUILDING.
- 3) FIRE APPARATUS ACCESS ROADS LESS THAN 260' WIDE SHALL BE POSTED ON BOTH SIDES AS A FIRE LANE.
- 4) "NO PARKING" SIGNS SHALL BE INSTALLED AS REQUIRED BY THE CITY.
- 5) TEMPORARY STREET SIGNS SHALL BE PROVIDED AS REQUIRED BY THE CITY.
- 6) WIDTH OF IMPROVED STREETS SHALL BE A MINIMUM OF 26.0 FEET (BETWEEN BACKS OF CURBS).
- 7) AN ELECTRONIC COPY OF THE APPROVED SITE PLAN SHALL BE PROVIDED TO THE FIRE DEPARTMENT (PDF FORMAT).



Pat Flan

CONSTRUCTION PLANS for
PHASE SIX of 'COPPERLEAF'

NOTE: 'COPPERLEAF' IS A SITE CONDOMINIUM AND PLANNED DEVELOPMENT WITH CITY OF PORTAGE PUBLIC STREETS

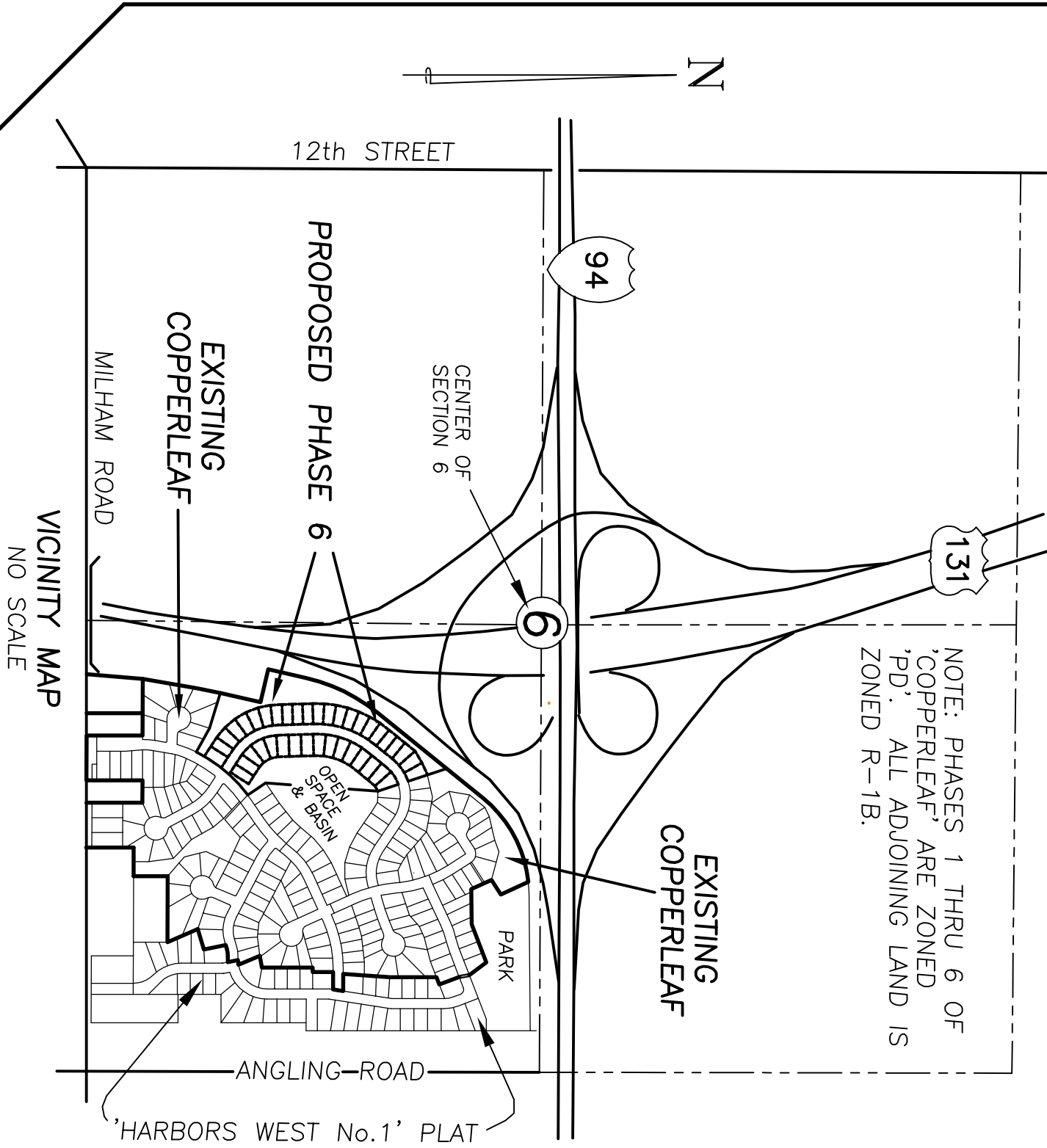
EXISTING STORM WATER BASIN VOLUME
(FROM 878 TO 888) = ±584,428 CF

AREA WITHIN 878 CONTOUR = 14,195 SF	VOLUME = 137,412 CF
AREA WITHIN 882 CONTOUR = 62,601 SF	VOLUME = 281,542 CF
AREA WITHIN 886 CONTOUR = 78,338 SF	VOLUME = 166,474 CF
AREA WITHIN 888 CONTOUR = 87,168 SF	TOTAL = 584,428 CF (878-888)

SITE DATA:

- ZONING OF PROPERTY = "PD"
- PHASE SIX AREA = 15.1 ACRES
- # OF UNITS IN PHASE SIX = 38
- DENSITY WITHIN PHASE SIX = 2.52 UNITS/ACRE
- DENSITY WITHIN PHASES ONE THRU SIX = 2.76 UNITS/ACRE

← 204 UNITS / 74.02 ACRES



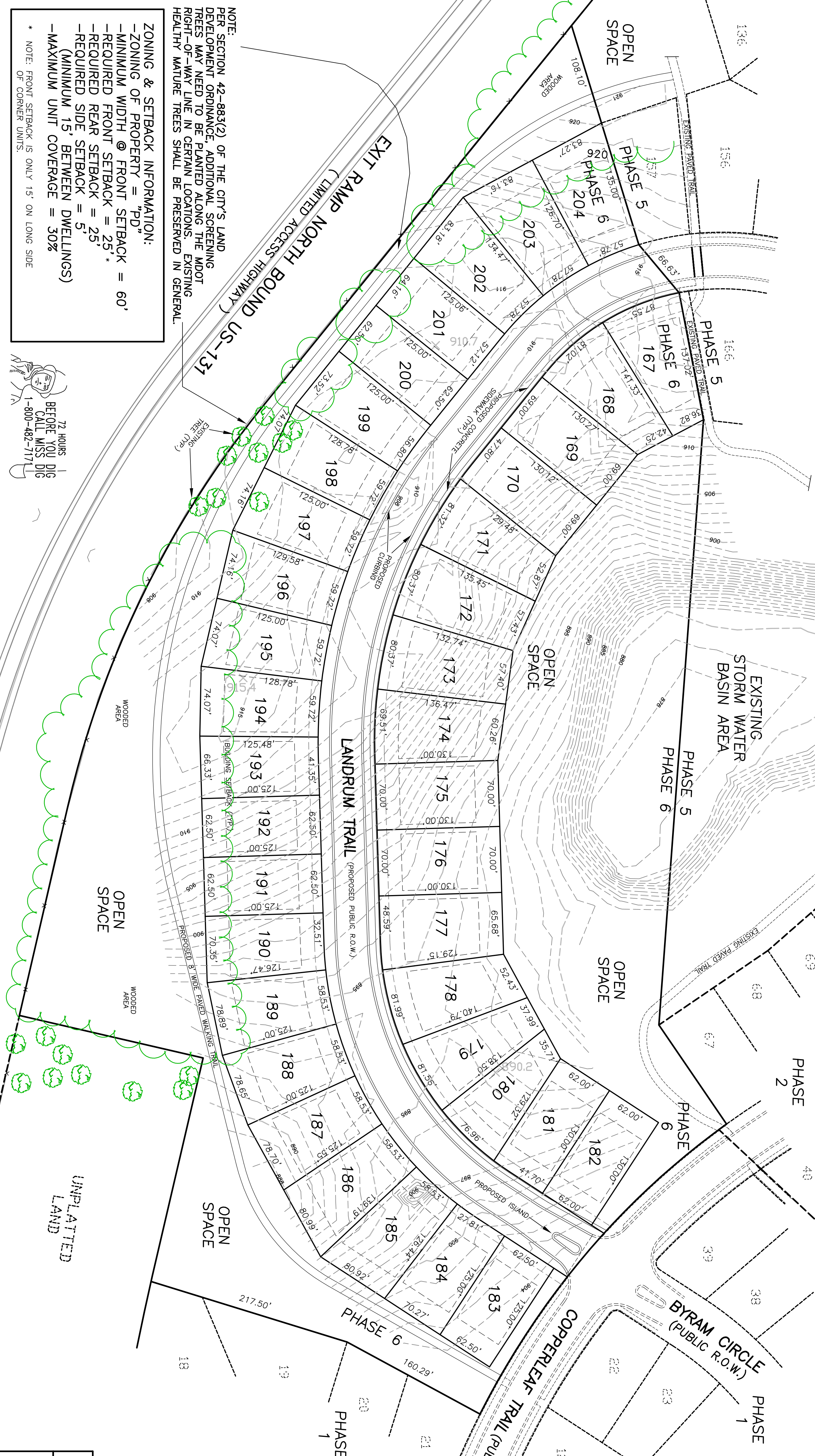
GENERAL NOTES

- 1) PROPERTY IS CURRENTLY ZONED "PD".
- 2) PUBLIC WATER MAIN SHALL BE AN 8 INCH DUCTILE IRON MAIN WITHIN A PUBLIC ROAD OR COOPER AND SHALL EXTEND FROM WATER MAIN TO CURB BOX.
- 3) PUBLIC SANITARY SEWER SHALL BE 8" P.V.C. SEWER WITHIN A PUBLIC ROAD OR WITHIN AN EASEMENT TO THE CURB OR PORTAGE. SEWER LEADS SHALL BE 6 INCH P.V.C. AND SHALL BE INSTALLED TO THE CURB OR PORTAGE.
- 4) STORM WATER DISPOSAL SHALL BE THROUGH SOLID WALL STORM SEWER PIPE WITH POSITIVE OUTLET TO THE DISPOSAL AREA. SYSTEM SHALL COMPLY WITH CITY SPECS FOR STORM SEWER SYSTEMS.
- 5) STORMWATER RUN-OFF SHALL DRAIN TO THE EXISTING BASIN AREA LOCATED TO THE SOUTH OF THE PROPOSED PHASE SIX.
- 6) STORM BASIN SHALL BE PUBLIC. STORM SEWER OUTSIDE OF PUBLIC ROADS & STORM BASIN SHALL BE PRIVATE. STREETS SHALL BE PUBLIC. PAVED AND HAVE A MINIMUM WIDTH OF 32 FEET FROM EDGE OF PAVEMENT TO EDGE OF PAVEMENT. (36' BETWEEN BACKS OF CURB)
- 7) STREET LIGHTS, STREET SIGNS, AND HOBRANT SIGNS SHALL BE INSTALLED PER CITY.
- 8) SITE IS COVERED WITH TREES AND BRUSH.
- 9) ELEVATION DATUM IS U.S.G.S. DATUM AS FURNISHED WITHIN THE CITY OF PORTAGE.
- 10) PROPERTY AND EASEMENT RECORDS SHALL BE OBTAINED FROM THE CITY OF PORTAGE PRIOR TO ANY ON SITE GRADING ACTIVITIES.
- 11) LOT DIMENSIONS SUBJECT TO FINAL ADJUSTMENT WITHIN 10' OF FLOORPLANS.
- 12) LOT DIMENSIONS SHALL BE SUBJECT TO CITY APPROVAL AND COUNTY APPROVAL.
- 13) SHOWN STREET NAMES ARE SUBJECT TO CITY APPROVAL AND COUNTY APPROVAL.
- 14) MINIMUM HOUSING SIZES WITHIN THIS SITE CONDOMINIUM ARE 1400 SQUARE FEET FOR SINGLE-FAMILY HOMES AND 1200 SQUARE FEET FOR TOWNHOMES.
- 15) A MAINTENANCE AND INDEMNIFICATION AGREEMENT SHALL BE CREDITED FOR THE LANDSCAPED ISLANDS WITHIN THE PUBLIC ROAD RIGHT-OF-WAYS AND ALSO FOR THE STORM WATER CONDOMINIUM DOCUMENTS.

SHEET INDEX:

- 1) COVER SHEET
- 2) PLAN & PROFILE SHEET (NORTH HALF)
- 3) PLAN & PROFILE SHEET (SOUTH HALF)
- 4) GRADING PLAN / EROSION CONTROL PLAN
- 5) EROSION CONTROL DETAILS
- 6) CONSTRUCTION DETAILS & NOTES

OWNER & APPLICANT:
WESTVIEW CAPITAL, LLC
2186 EAST CENTRE STREET
PORTAGE, MI 49002
(269) 321-2610



NOTE:
PER SECTION 42-883(2) OF THE CITY'S LAND DEVELOPMENT ORDINANCE, ADDITIONAL SCREENING TREES MAY NEED TO BE PLANTED ALONG THE MDOT RIGHT-OF-WAY LINE IN CERTAIN LOCATIONS. EXISTING HEALTHY MATURE TREES SHALL BE PRESERVED IN GENERAL.

ZONING & SETBACK INFORMATION:
-ZONING OF PROPERTY = "PD"
-MINIMUM WIDTH @ FRONT SETBACK = 60'
-REQUIRED FRONT SETBACK = 25'
-REQUIRED REAR SETBACK = 25'
-REQUIRED SIDE SETBACK = 5'
(MINIMUM 15' BETWEEN DWELLINGS)
-MAXIMUM UNIT COVERAGE = 30%

* NOTE: FRONT SETBACK IS ONLY 15' ON LONG SIDE OF CORNER UNITS.

72 HOURS
BEFORE YOU DIG
CALL MISS DIG
1-800-462-7177

COVER SHEET	
COPPERLEAF (PHASE 6)	
PART OF SECTION 6, T. 3 S., R. 11 W., CITY OF PORTAGE, Kalamazoo County, MI	SHEET: 1 OF 6
MONUMENT ENGINEERING GROUP ASSOC., INC. Formerly Ingersoll, Watson & McEachen, Inc.	JOB No.: 36273-6

REVISED: 8/28/2023
REVISED: 7/31/2023

Z

- 1) LIGHT LINES AND ANY UTILITY POLE/RAIL SHALL BE LOCATED TO THE EAST SIDE OF THE BLOCK OF CURB, 5' FROM TOP TO BOTTOM OF ACTUAL SIGN, AND PLACED ABOVE SIGN(S).
- 2) ALL PLACEMENT MARKINGS AND ALL TRAFFIC SIGNAL SHALL BE LOCATED TO THE WEST SIDE OF THE BLOCK OF CURB (CURRENT EDITION)
- 3) SOIL EROSION & SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
- 4) PERMITS SHALL BE OBTAINED FROM THE CITY OF PORTLAND.
- 5) PORTAGE AS REQUIRED.
- 6) PUBLIC WATER MAINS AND PUBLIC SANITARY SEWER PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.
- 7) NO PARKING OR USE OF STREET SIGN SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.
- 8) FIRE HOBS, STOPS, AND FIRE ALARMS SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.
- 9) FIRE HOBS, STOPS, AND FIRE ALARMS SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.
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- 20) FIRE HOBS, STOPS, AND FIRE ALARMS SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.
- 21) FIRE HOBS, STOPS, AND FIRE ALARMS SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.
- 22) FIRE HOBS, STOPS, AND FIRE ALARMS SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF UTILITY INSTALLATION.

- 1) SIDEWALK RAMPS SHALL BE AT LEAST 5.0' WIDE
- 2) SIDEWALK RAMPS SHALL BE AT LEAST 5.0' WIDE AT THE TOP OF EACH RAMP
- 3) THAN 5.0%, THEN A LANDING IS REQUIRED AT THE TOP OF THE RAMP
- 4) THE MAXIMUM SLOPE OF A RAMP SHALL BE 3.3%
- 5) THE MAXIMUM SLOPE FOR 10' OR LONGER RAMP OR SIDEWALK SHALL BE 2.0%
- 6) SIDEWALK SHALL BE 2.0%
- 7) ACCORDANCE WITH MOI DETAIL R-28-1, WITH THE EXCEPTION THAT THE DETECTABLE WARNING PLATES MUST BE CAST IRON WITH BLACK ASPHALT COATINGS
- 8) ANY RAMPS AND LANDINGS THAT DO NOT COMPLY MAY NEED TO BE REMOVED AND REPLACED

NOTE: MAXIMUM SLOPE WITHIN LANDINGS SHALL BE 2.0%.
MAXIMUM RAMP CROSS SLOPE SHALL BE 2.0%.
RUNNING SLOPE SHALL BE 5%-7% OR LESS (8.3% MAX.)
RAMP WIDTH AT CURBING SHALL BE 5.0' MINIMUM.

4"x8"x2" THICK SHEETS OF
DOW CHEMICAL HI-LOAD
60 INSULATION BOARD INSTAL
LED OVER SEWER LEAD
(TYP.) |

	EXISTING PUBLIC SANITARY SEWER
PROPOSED 8" PUBLIC SANITARY SEWER OR PRIVATE 6" STERIL LEAD	
EXISTING PUBLIC STORM SEWER	
PROPOSED PUBLIC STORM SEWER	
EXISTING PUBLIC WATER MAIN	
PROPOSED 8" PUBLIC WATER MAIN OR PRIVATE 1.25" COPPER WATER SERVICE	
PROPOSED 4.0" WIDE CONCRETE SIDEWALK	
PROPOSED CROSSWALK WITH PEDESTRIAN CROSSING SIGNS (IF REQUIRED) & 1.0' WIDE PAINTED CROSSWALK STRIPES	
PROPOSED 2.0' WIDE CONCRETE CURB	

SEE ADDITIONAL LANDSCAPING & TRAIL
INFORMATION ON SHEETS 1 AND 4.

COPPERLEAF

CAUTION: U/G UTIL'S

AS 1

STA 18+00 TO STA 2

910

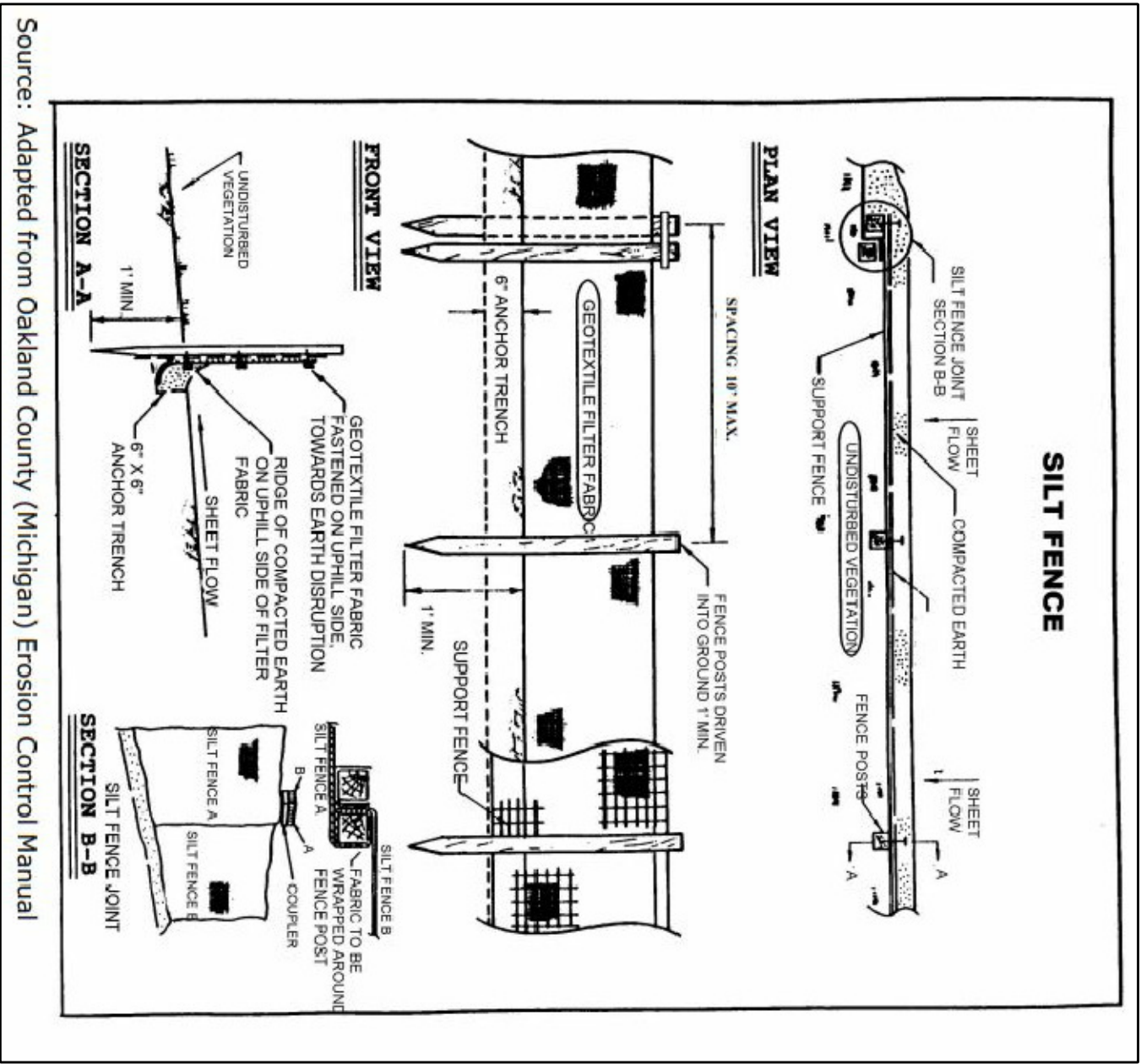
(ASTM C 76). 24" DIAMETER PIPE AND SMALLER MAY BE H.D.P.E. OR R.C.P. EXCEPT ANY STORM PIPE WITH 3.0' OF COVER OR LESS SHALL BE R.C.P. PIPE (ASTM C 76). SEE BELOW REQUIREMENTS FOR R.C.P. PIPE.

NOTE: ALL PUBLIC STORM SEWER PIPE SHALL BE TELEVESECT IN ACCORDANCE WITH SECTION 208.2.6 (TELEVEISING) OF THE CITY'S SPECIFICATIONS.

72 HOURS
BEFORE YOU DIG
CALL MISS DIG
1-800-482-7171

- IF SOIL AND/OR GROUNDWATER CONTAMINATION IS ENCOUNTERED OR SUSPECTED DURING CONSTRUCTION THE FOLLOWING STEPS SHALL BE FOLLOWED:
- 1) CONTRACTOR SHALL STOP WORK IMMEDIATELY AND NOTIFY THE CITY.
- 2) OWNER'S REPRESENTATIVE REPRESENTATIVE SHALL NOTIFY THE CITY.
- 3) OWNER SHALL ENGAGE THE SERVICES OF A QUALIFIED ENVIRONMENTAL CONSULTANT.
- 4) CONSULTANT SHALL CONDUCT A SITE ASSESSMENT AND REPORT TO
- 5) CONSULTANT.
- 6) WHICH MAY BE FOUND DURING CONSTRUCTION.
- 7) THE CONSULTANT, IN CONJUNCTION WITH THE DESIGN ENGINEER SHALL COMPLETE THE NECESSARY PERMITS FOR REMEDIATION AND/OR TREATMENT OF THE STORMWATER INFILTRATION FACILITIES AT WACANT PLOTS AND BROWNTIED SITES (EPA 401.3) TO DETERMINE IF THE STORMWATER MANAGEMENT SYSTEM REQUIRES OWNER AND/OR OWNER'S REPRESENTATIVE SHALL SUBMIT TO THE CITY SUPPORTING DOCUMENTATION OF THE SITE EVALUATION PROCESS, A REQUEST TO CHANG THE DESIGN OF THE STORMWATER MANAGEMENT SYSTEM, AND A REQUEST TO CHANGE THE DESIGN OF THE STORMWATER MANAGEMENT SYSTEM.
- 8) MICRON DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY (ELE) APPROVED REMEDIATION DIVISION (RD) STATE SHALL BE NOTIFIED AS APPLICABLE.

NOTE: WATER MAINS SHALL MAINTAIN AT LEAST 18" OF VERTICAL SEPARATION WHEN CROSSING A SANITARY SEWER MAIN OR A STORM SEWER PIPE. ALL WATER SERVICES SHALL MAINTAIN AT LEAST 12" OF VERTICAL SEPARATION WHEN CROSSING A SANITARY SEWER MAIN OR A STORM SEWER PIPE. WATER MAINS AND WATER SERVICES SHALL ALSO MAINTAIN AT LEAST 5.0' OF EARTH COVER (BASED ON FINAL GROUND GRADE).



Source: Adapted from Oakland County (Michigan) Erosion Control Manual

NOTE: SOIL EROSION CONTROL PERMIT SHALL BE OBTAINED FROM THE STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES. AN APPLICATION FORM AND FEES SHALL BE SUBMITTED AS REQUIRED. PERMIT SHALL BE OBTAINED PRIOR TO ANY EARTHMOVING OPERATIONS.

NOTE: EROSION CONTROL BLANKETS SHALL BE PROPERLY INSTALLED ON ANY DISTURBED SLOPE AS SHOWN ON THIS SHEET.

GRADING NOTE: DURING HOUSE CONSTRUCTION, FINAL GRADING NEAR HOUSE (& WITHIN LOT) SHALL BE COMPLETED SUCH THAT RUN-OFF WATER WILL NOT BE DIRECTED TOWARDS ANY HOUSE AND WILL NOT BE DIRECTED ONTO ADJOINING PROPERTIES.

NOTE: SPOILS PILE(S) SHALL BE SEEDED AND ENCRUSTED WITH SILT FENCE IF SOIL PILE WILL NOT BE DISTURBED FOR A PERIOD OF 30 DAYS OR MORE.

NOTE: SILT FENCE AND OTHER TEMPORARY SESC MEASURES MAY BE REMOVED FROM SITE ONLY AFTER SITE HAS BECOME STABILIZED WITH VEGETATION RELATED TO UTILITY & ROADWAY CONSTRUCTION.

NOTE: THE OWNER AND/OR SILENT FENCE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTINUED MAINTENANCE OF ALL ON-SITE TEMPORARY EROSION CONTROL MEASURES. INSPECTIONS SHALL OCCUR AT LEAST ONCE PER YEAR. COMPANY THAT HAS BEEN AUTHORIZED BY THE OWNERS BOARD ASSOCIATION.

N

NOTE: SILT SACKS, OR OTHER MEASURE APPROVED BY THE CITY OF PORTAGE, SHALL BE USED AT EVERY CATCH BASIN AND EACH DRAIN LOCATION.

NOTE: PROPOSED SILT FENCE LOCATIONS SUBJECT TO CITY OF PORTAGE REVIEW. ADDITIONAL SILT FENCE MAY BE REQUIRED ON-SITE.

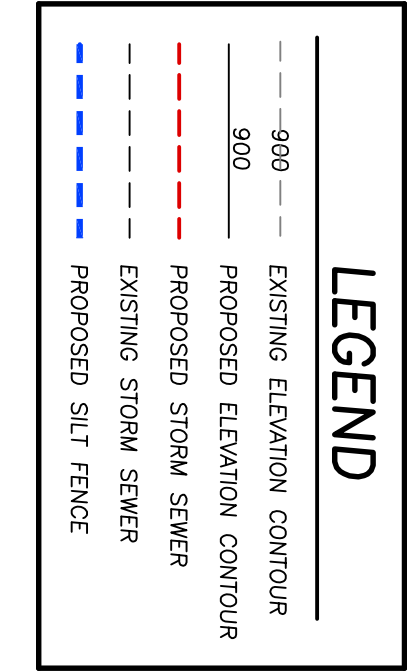
OWNER/APPLICANT:
WESTVIEW CAPITAL, LLC
2186 EAST CENTRE STREET
KALAMAZOO, MI 49009
269-321-2610

SEE M.D.O.T. EROSION CONTROL DETAILS ON SHEET 5. ALL SESC MEASURES SHALL COMPLY WITH MDOT SESC DETAILS.

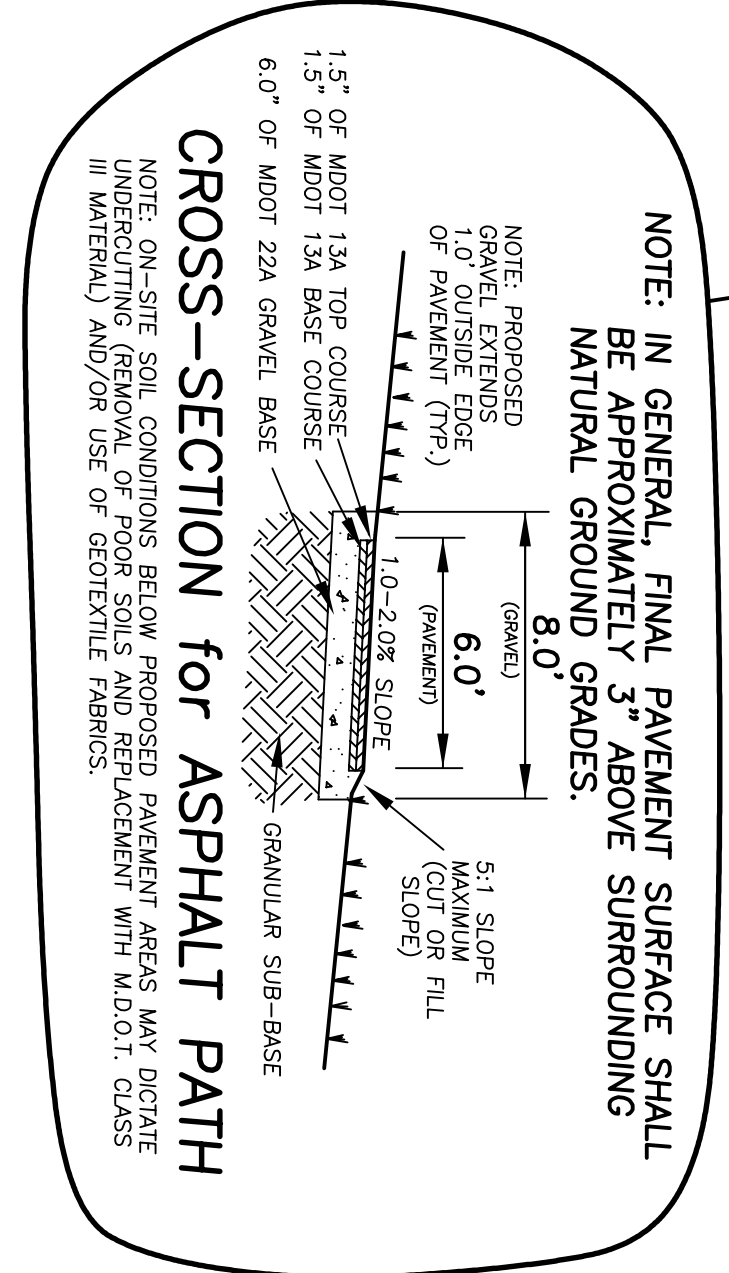
SOILS ON SITE ARE SHOWN AS **OSC** (OSHTIMO SANDY LOAM) IN THE USDA'S SOIL SURVEY OF KALAMAZOO COUNTY.

NOTE: GRASS SEED SHALL BE PLANTED NO MORE THAN 10 WORKING DAYS AFTER TOPSOIL HAS BEEN RESPREAD AND FINE GRADED.

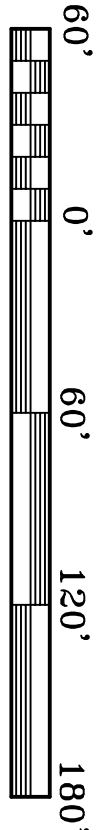
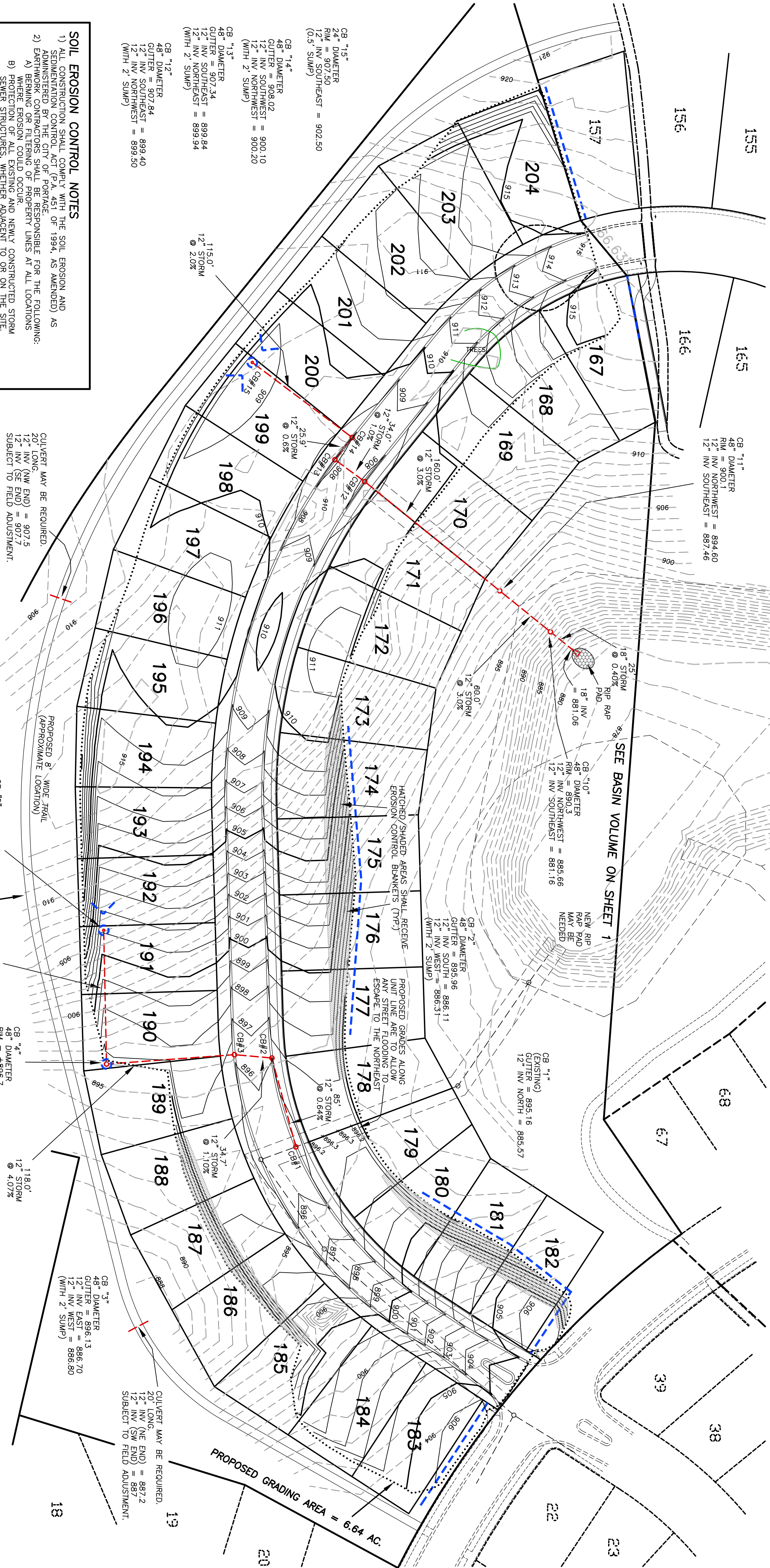
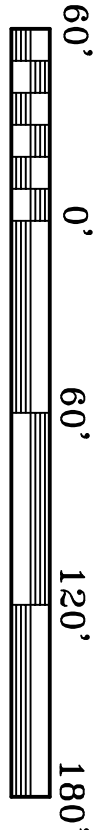
NOTE: PLAN REVISIONS MAY BE REQUIRED DURING THE SESC PERMITTING PROCESS.



NOTE: All work must comply with the provisions of Part 91 of the Erosion and Sedimentation Control Act of the Natural Resources and Environment Department and the Michigan Department of Environmental Quality Act P.A. 451 of 1994 and as administered by the City of Portage.



NOTE: DISTURBED AREAS SHALL RECEIVE 'KALAMAZOO LANDSCAPE SUPPLY' VALUE MIX GRASS SEED AT A RATE OF AT LEAST 5 POUNDS PER 1000 SQUARE FEET.



NOTE: GRAVING AND EARTH MOVING IN AREAS OUTSIDE LOT LINES SHALL BE LIMITED TO THE MINIMUM REQUIRED TO STABILIZE SO THAT AN AREA CAN BE STRIPPED SHAPED, TOPSOILED, AND SEEDED IN A MINIMAL AMOUNT OF TIME. THE AMOUNT OF DISTURBED GROUND SHALL BE KEPT TO A MINIMUM DURING THE CONSTRUCTION PROJECT. DISTURBED AREAS SHALL BE RESTORED BY THE CONTRACTOR AS SOON AS CONVENIENTLY POSSIBLE.

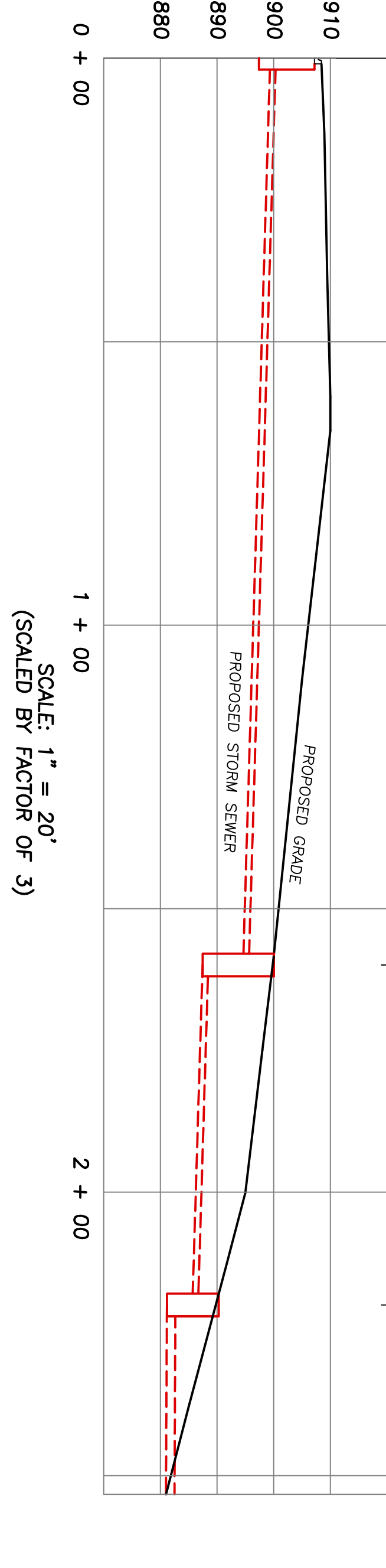
SOIL EROSION METHODS WILL BE MONITORED DURING CONSTRUCTION OF THE INFRASTRUCTURE AND THE RESIDENTIAL UNITS. IF LARGE AMOUNTS OF DIRT AND SEDIMENT ARE TRACKED ONTO THE ROADWAYS DURING CONSTRUCTION, THE STORM WATER TREATMENT SYSTEM MAY NEED TO BE CLEANED PRIOR TO ASSURE PROPER FUNCTION.

NOTE: DISTURBED AREAS SHALL RECEIVE 'KALAMAZOO LANDSCAPE SUPPLY' VALUE MIX GRASS SEED AT A RATE OF AT LEAST 5 POUNDS PER 1000 SQUARE FEET.

NOTE: DISTURBED AREAS SHALL RECEIVE 'KALAMAZOO LANDSCAPE SUPPLY' VALUE MIX GRASS SEED AT A RATE OF AT LEAST 5 POUNDS PER 1000 SQUARE FEET.

- SOIL EROSION CONTROL NOTES**
- 1) ALL CONSTRUCTION SHALL COMPLY WITH THE SOIL EROSION AND SEDIMENTATION CONTROL ACT OF 1994, AS AMENDED, AS ENFORCED BY THE CITY OF PORTAGE.
 - 2) EARTHWORK CONTRACTORS SHALL BE RESPONSIBLE FOR THE FOLLOWING:
 - A) BERMING OR SLOTTING OF PROPERTY LINES AT ALL LOCATIONS
 - B) PROTECTION OF ALL EXISTING AND NEWLY CONSTRUCTED STORM SEWER STRUCTURES, WHETHER ADJACENT TO OR ON THE SITE
 - C) SWEETING & CLEANING OF ADJACENT STREETS AS NECESSARY.
 - D) PROPERTY OWNER SHALL OBTAIN SOIL EROSION & SEDIMENTATION CONTROL PERMIT.
 - 3) RESTORATION NOTES
 - 1) ALL DISTURBED AREAS SHALL BE RESTORED WITH MINIMUM 4" TOPSOIL, GRASS SEED AND MULCH OR COVER REQUIRED TO RE-establish VEGETATION.
 - 2) EXISTING STREETS SHALL BE RESTORED TO ORIGINAL OR AT LEAST EQUAL TO THAT WHICH EXISTED PRIOR TO CONSTRUCTION.
- TEMPORARY SOIL EROSION CONTROL MEASURES**
- 1) EARTH GRADING AROUND ALL NEW SANITARY SEWER AND STORM SEWER MANHOLE/CATCH BASINS SHALL BE SUCH THAT RAIN WATER/EROSION SHALL NOT BE DIRECTED TOWARDS ADJACENT PROPERTIES.
 - 2) TALL EARTH BERM SHALL ENCLOSE EACH MANHOLE/CATCH BASIN.
 - 3) ONCE GAVE IS INSTALLED ON STORM SEWER STRUCTURE, A SILT SACK, DEEP EROSION OTHER THAN STORM SEWER STRUCTURE SHALL BE USED TO PROTECT EROSION OTHER THAN STORM SEWER STRUCTURE.
 - 4) ALL STREETS SHALL BE KEPT CLEAR OF SOIL AND MUD. CONTRACTOR SHALL SWEEP CLEAN NEARBY STREETS AS NECESSARY.
 - 5) ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR AS NEARLY AS POSSIBLE. EROSION CONTROL MEASURES SHALL BE MAINTAINED BY CONTRACTOR, INVOLEMENT BY ENGINEER AND/OR CITY OF PORTAGE MAY BE NECESSARY. NOT BE ALLOWED ONTO ADJOINING PROPERTIES OR ONTO NATURAL AREAS OUTSIDE OF PROPOSED CONSTRUCTION AREA.
 - 6) SITUATION FENCING SHALL BE PLACED AS SHOWN.
- PERMANENT SOIL EROSION CONTROL MEASURES**
- 1) ALL NEW ROADWAYS SHALL BE PAVED.
 - 2) STORM SEWER SYSTEM SHALL CONVEY WATER RUN-OFF TO ON-SITE CONSTRUCTION PLANS.
 - 3) ALL DISTURBED AREAS SHALL RECEIVE TOPSOIL AND SEEDING PER THE PROJECT CONSTRUCTION PLANS.
- MAINTENANCE REQUIREMENTS (AFTER CONSTRUCTED):**
- 1) ALL PUBLIC STREETS AND ALL PUBLIC STORM SEWER SHALL BE MAINTAINED BY THE CITY OF PORTAGE.
 - 2) ALL PRIVATE STORM SEWER SHALL BE MAINTAINED BY THE CONDOMINIUM ASSOCIATION.
 - 3) TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED ONLY AFTER ENTIRE SITE HAS BEEN STABILIZED.

PROPOSED STORM SEWER OUTFALL



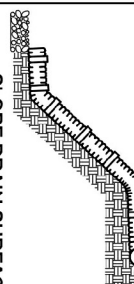
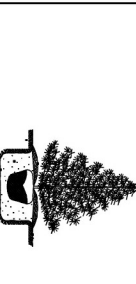
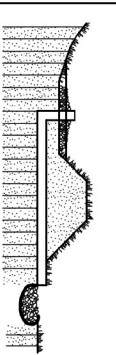
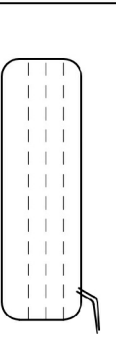
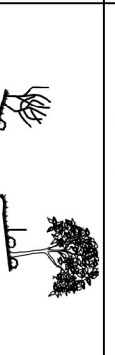
ESTIMATED CONSTRUCTION SCHEDULE:

DATE/TIME	12/23	01/24	02/24	03/24	04/24	05/24
STORM SEWER						
WATER MAIN						
CURBING & PAVING						
PRIVATE UTILITIES						
RESTORATION						

NOTE: CONSTRUCTION SCHEDULE SUBJECT TO CHANGE BASED ON MARKET CONDITIONS, WEATHER, AND OTHER FACTORS.

NOTE: THIS SESC PLAN IS ONLY FOR ROADWAY & UTILITY CONSTRUCTION. IT IS NOT FOR ANY FUTURE HOUSE CONSTRUCTION.

EROSION CONTROL DETAILS		DATE: 8/21/2023
PHASE 6 of "COPPERLEAF"		
PART OF THE SOUTHWEST 1/4 OF SEC. 6, T35N, R11W, CITY OF PORTAGE, ADAMS CO., WIS., MICH.		
MONUMENT ENGINEERING GROUP ASSOC., INC.		SHEET: 5
Formerly Ingersoll, Watson & McEachen, Inc.		
1209 East William Road, Suite B • Portage, Michigan 49802 • Phone 888 344-6165		JOB No.: 36273-6

KEY	DETAIL	CHARACTERISTICS									
		A	B	C	D	E	F	G	H	I	J
15	 SLOPE DRAIN SURFACE	Excellent device for carrying water from slopes without creating an erosive condition. Currently a used in conjunction with DIVERSION DITCH (KEY 10), SEDIMENT TRAP (KEY 11), and SEDIMENT BASIN (KEY 12) to direct flow to a stable discharge area or SEDIMENT TRAP (KEY 20).	•	•	•	•	•	•	•	•	•
16	 TREE TRUNK AND ROOT SYSTEMS	Tree, shrubs and perennials can provide low maintenance erosion control. Tree trunks and roots may be particularly useful where site activities are important along the roadside slopes.	•	•	•	•	•	•	•	•	•
17	 PIPE DROP	Effective way to allow water to drop in elevation very rapidly without causing an erosive condition. Any use of this device is a permanent erosion control device.	•	•	•	•	•	•	•	•	•
18	 DEWATERING WITH FILTER BAG	It may be necessary to dewater from behind a cofferdam or trench to allow construction to proceed. Discharged water must be pumped to a filter bag. A GRAVEL FILTER BERM (KEY 13) may be placed downstream of any trench or additional filtration prior to entering any stream or wetland.	•	•	•	•	•	•	•	•	•
19	 ENERGY DISSIPATORS	A device to prevent the erosive force of water from eroding soils. Used in a variety of culverts, drainage pipes or other conduits to reduce the velocity of flow. Prevent the erosive scouring and undermining.	•	•	•	•	•	•	•	•	•
20	 SEDIMENT TRAP	Used to intercept concentrated flows and prevent sediments from being transported to tail of run or into a wetlands or wetlands. The size of a Sediment Trap is cubic yards or less. Walls wet where used any OTHER DRAIN (KEY 27).	•	•	•	•	•	•	•	•	•
21	 SEDIMENT BASIN	A sediment basin is used to trap sediments from an upstream construction site. Sediment basins, traps and catchment ponds are used to settle sediment. Sediments should be contained on site. A sediment basin should be the last choice of sediment control. The size of a Sediment Basin is greater than 1 cubic yards.	•	•	•	•	•	•	•	•	•
22	 VEGETATIVE BUFFER AT WATERCOURSE	The practice is used to maintain a vegetative buffer adjacent to a watercourse. Vegetative buffers are used to stabilize stream banks under normal circumstances, prevent sediment from leaving the construction site.	•	•	•	•	•	•	•	•	•

MICHIGAN DEPARTMENT OF TRANSPORTATION
BUREAU OF HIGHWAY DEVELOPMENT STANDARD PLAN FOR
SOIL EROSION & SEDIMENTATION
CONTROL MEASURES

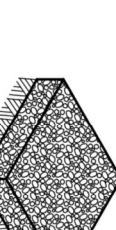
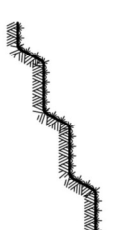
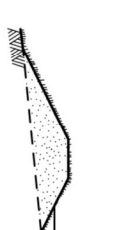
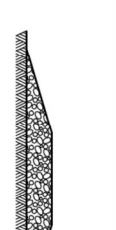
1-11-2010
T.M. HARRIS

1-1-2010
J.M. HARRIS

R-96-E

3 OF 6

SHEET

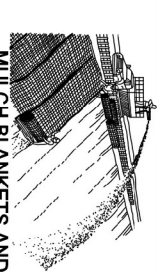
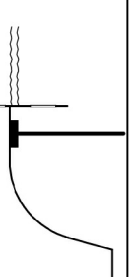
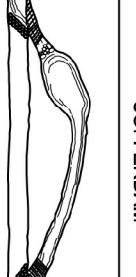
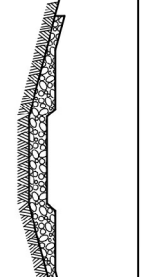
KEY	DETAIL	CHARACTERISTICS	CHARACTERISTICS					
			A	B	C	D	E	F
6		Used where vegetation cannot be established. Very effective in protecting against high velocity flows. Should be placed over a geotextile liner.	•	•	•	•	•	
7		Can be used in dry area where a stable condition is needed. Reduces erosion, equipment damage or in heavy traffic areas. Reduces potential soil erosion and fugitive dust by stabilizing new areas.	•	•	•	•	•	
8		Reduces sheet flow velocities preventing filling and gullying. Provides scores for stabilizing slopes.	•	•	•	•	•	
9		Assists in the diversion of runoff to a stable outlet or sediment control device. Reduces sheet flow velocities preventing filling and gullying. Collects and diverts runoff to properly stabilized drainage ways. Works well with INTERCEPTING DITCH (KEY 11).	•	•	•	•	•	
10		Assists in the diversion of runoff to a stable outlet or sediment control device. Reduces sheet flow velocities preventing filling and gullying. Works well with DIVERSION DITCH (KEY 10).	•	•	•	•	•	
11		Assists in the diversion of runoff to a stable outlet or sediment control device. Reduces sheet flow velocities preventing filling and gullying.	•	•	•	•	•	
12		Assists in the diversion of runoff to a stable outlet or sediment control device. Reduces sheet flow velocities preventing filling and gullying.	•	•	•	•	•	
13		Useful in filtering flow prior to its entry into a lake, stream or wetland. Reduces sheet flow velocities preventing filling and gullying. Works well with SEDIMENT TRAP (KEY 20) and TERRACED BYPASS CHANNEL (KEY 35). Not to be used in lieu of a CHECK DAM (KEY 37) in a ditch.	•	•	•	•	•	
14		Provides a stable surface to roadways minimizing fugitive dust and tracking of materials onto roads, streets and highways.	•	•	•	•	•	

MICHIGAN DEPARTMENT OF TRANSPORTATION
BUREAU OF HIGHWAY DEVELOPMENT STANDARDS PLAN FOR

SOIL EROSION & SEDIMENTATION
CONTROL MEASURES

3-10-2010	6-1-2010	R-96-E	SHEET
T.T.A. APPROVAL	E.A. DATE		2 OF 6

[illegible]

	KEY	DETAIL	CHARACTERISTICS	A	B	C	D	E	F
31			An inlet Protection Segment Trap is a temporary device that can be used in areas where medium flows are anticipated. Disposal in rippling small quantities of sediment prior to water release is permitted. Can be used in areas such as median and side ditches.						
32			A simple and economical way to reduce soil erosion by wind and water. Can be accomplished by handworking with a stick, back blading, or treading with a dozer perpendicular to the slope.						
33			Mutch blankets provide an immediate and effective cover over any erodible slopes affording excellent protection against rain. High velocity mutch blankets work well for stabilizing the bottom of ditches in watersheds.						
34			Used to create a dry construction area and protect the stream from erosion. Must be pumped dry or de-watered according to DEWATERING WITH FILTER BAGS (KEY 18).						
35			Isolates stream flows from any erodible areas minimizing erosion during construction. Can incorporate SEGMENT BASIN (KEY 21), CHECK DAM (KEY 37) and GRAVEL FILTER BERM (KEY 13) to remove construction equipment of events may be necessary.						
36			Used to isolate dry or wet areas from construction. Isolates the stream from any non-erodible materials such as SAND AND STONE DUMPS (KEY 24). A gravelled site with clay core or plastic liner, never placed on topsoil.						
37			Can be constructed across ditches or any area of concentrated flow. Provides ventilation in early stages of growth. Construction must be completed before seedlings become established. It is intended to reduce water velocities and capture sediment. A Check Dam is not a filtering device.						

MINNESOTA DEPARTMENT OF TRANSPORTATION
Bureau of Highway Development IMPROVED PLAN FOR
SOIL EROSION & SEDIMENTATION CONTROL MEASURES

6-10-2010	TOTAL SHEETS	SHEET NO.	R-96-E	SHEET NO.
5 OF 5				

[illegible][illegible]



Mark T. Bielang
Superintendent
Phone: 269.323.5147
Fax: 269.323.5149
mbielang@portageps.org

December 1, 2022

Mr. Patrick D. Flanagan, P.E.
Monument Engineering Group Associates, Inc.
1209 E. Milham Road, Suite B
Portage, MI 49002

Re: Proposed Phase 6 of Copperleaf Condominiums

Dear Mr. Flanagan:

This letter will confirm receipt of your October 28, 2022 letter informing us of the above noted preliminary single-family condominium located in Section 6, City of Portage, likely to be constructed during 2023 or 2024.

Thank you for sharing this information with us.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark T. Bielang". The signature is fluid and cursive, with the first name "Mark" and last name "Bielang" clearly distinguishable.

Mark T. Bielang
Superintendent

Cc Board of Education
Johnny Edwards, Assistant Superintendent of Operations
Paula Johnson, Director of Finance
Kelly Peterson, Director of Development Services, City of Portage

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Retiree health insurance contract renewal

SUPPORTING PERSONNEL: Shannon Hertz, Director of Human Resources

ACTION RECOMMENDED: Approve a one-year contract renewal, with the option for two additional one-year renewals, with Blue Care Network for the Blue Care Network Advantage Plan for retiree health insurance and authorize the City Manager to execute all documents related to the contract renewal on behalf of the city.

The Blue Care Network Advantage Plan provides supplemental retiree health insurance coverage for Portage Police Officers' Association (PPOA) retirees and spouses with Medicare coverage. The supplemental insurance coverage is based upon retirees and spouses enrolling in the plan with qualifications based upon the PPOA Retiree Health Plan document.

In 2012, the collective bargaining agreement between the city and the PPOA resulted in a change in supplemental retiree health insurance coverage for PPOA retirees and spouses eligible for Medicare coverage. The Blue Care Network Advantage Plan provides a less expensive alternative to the former PPOA retiree health coverage, Blue Care Network-HMO.

The Blue Care Network Advantage Plan contract expires on December 31, 2023. The city has received a renewal with no change to the rate; however, due to an increase in covered members, the estimated total cost for 2024 will increase. Premiums associated with the Blue Care Network Advantage Plan are non-negotiable and plan coverage levels are defined in the PPOA labor agreement. The PPOA reimburses the city for all retiree health benefits. For reference, the 2023 calendar year cost is estimated to total \$88,192.80 and the 2024 calendar year cost is estimated to be \$92,664.24.

It is therefore recommended that City Council approve a one-year contract renewal for the Blue Care Network Advantage Plan for the period of January 1, 2024 to December 31, 2024, with the option for two one-year renewals and to authorize the City Manager to execute all documents related to these actions on behalf of the city.

FUNDING: Premiums are paid by the City of Portage to Blue Care Network on a monthly basis; however, reimbursement is made in full to the city on a monthly basis by the PPOA Retiree Health Plan which is administered by the PPOA.

Attachments: None

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Approve the purchase of playground equipment from Playcraft Systems/Play Environments Design LLC. in the amount of \$94,500 at Lexington Green Park.

SUPPORTING PERSONNEL: Kathleen Hoyle, Director of Parks & Recreation

ACTION RECOMMENDED: Award a contract to Playcraft Systems/Play Environments Design LLC in the amount of \$94,500 for playground equipment and installation services at Lexington Green Park, and authorize the City Manager to execute all documents related to these actions on behalf of the city.

The Lexington Green Park Improvement Project is currently undergoing the second phase of renovations in the neighborhood park. The Lexington Green Park Master Plan (attached) is a result of several neighborhood meetings after which the residents indicated final approval of the concept plan. As indicated in the Master Plan, the second phase of renovations includes the construction of a new playground.

The playground will be located in Lexington Green Park near the future pavilion and restroom building, which is planned to be constructed in the fall of 2023. Due to the current twenty-seven-week lead time on playground equipment, the planned installation date for the playground would be March 2024. A Request for Proposal was sent to seven national playground vendors and was placed on Bid Net. The proposal required that each design must minimally include a slide, climbing structure, and swings, including tot swings. Three companies submitted bids to the Request for Proposal and developed a minimum of three different designs for consideration for a total of 12 playground configurations for review. The bids ranged from a small playground at \$28,022, which was too small for the large park and number of children in the neighborhood and which did not have the specified types of swings, to a larger design at \$120,000. Five of the designs, which are in the \$100,000 range, would be adequate for the space and number of children and include a large variety of play experiences, including ramps for ADA accessibility.

On the evening of Wednesday, August 16, 2023, the Parks and Recreation Director met with residents of the Lexington Green Park neighborhood to review plans for the park renovation and the playground design options. Attendees viewed the five playground designs and unanimously selected the proposed equipment by Playcraft Systems/Play Environments Design LLC as well as the color scheme shown on the design. The bid from Playcraft Systems includes an extensive array of equipment meeting the specifications: site grading, installation, safety surfacing, edging, and lawn remediation. The city will provide boundary staking, excavate the area for the equipment, and make sidewalk connections to the pavilion.

It is recommended that City Council award a contract to Playcraft Systems/Play Environments Design

LLC in the amount of \$94,500 for playground equipment and installation services at Lexington Green Park, and authorize the City Manager to execute all documents related to these actions on behalf of the city.

FUNDING: Sufficient funding exists in the Fiscal Year 2021-22 Capital Improvement Program (CIP) budget (\$75,000) and the Community Block Development Grant (CBDG) dollars (\$45,000).

Attachments:

1. Bid Tabulation 2023 RFB Lexington Playscape
2. Lexington Green Master Plan
3. Playcraft Option #1 Lexington Green Park Playground

**2023 RFB LEXINGTON GREEN PARK PLAYScape
INSTALLATION AND CONSTRUCTION SERVICES
BID TABULATION**

BID OPENING ON JULY 26, 2023 AT 3 PM

The three responses received are listed below. The options from each bidder are provided from lowest to highest total bid.

Note: Only 3 options were required.

Great Lakes Recreation Company

39 Veterans Drive, Suite 310
Holland, Michigan, 49423

Play Environments Design, LLC

563 College Ave
Holland, Michigan, 49423

Sinclair Recreation LLC

PO Box 1409
Holland, Michigan, 49422

	Option #1	Option #2	Option #3	Option #4	Option #5
	\$28,022.00	\$59,193.00	\$65,974.10	\$66,817.80	\$70,729.00
	\$94,500.00	\$105,500.00	\$120,000.00	\$132,000.00	
	\$90,000.00	\$110,000.00	\$120,000.00		

Opened by: _____


Victoria Barboza, Purchasing Manager

LEXINGTON GREEN PARK RENOVATION



Lexington Green Park-1
TOP VIEW

ADA ACCESSIBILITY GUIDELINES - ADAAG CONFORMANCE

ELEVATED	ACCESSIBLE	RAMP ACCESSIBLE	GROUND	TYPES
10	10/5	0/0	4/3	2/3
CHILD CAPACITY	124	MAX FALL HEIGHT	84	

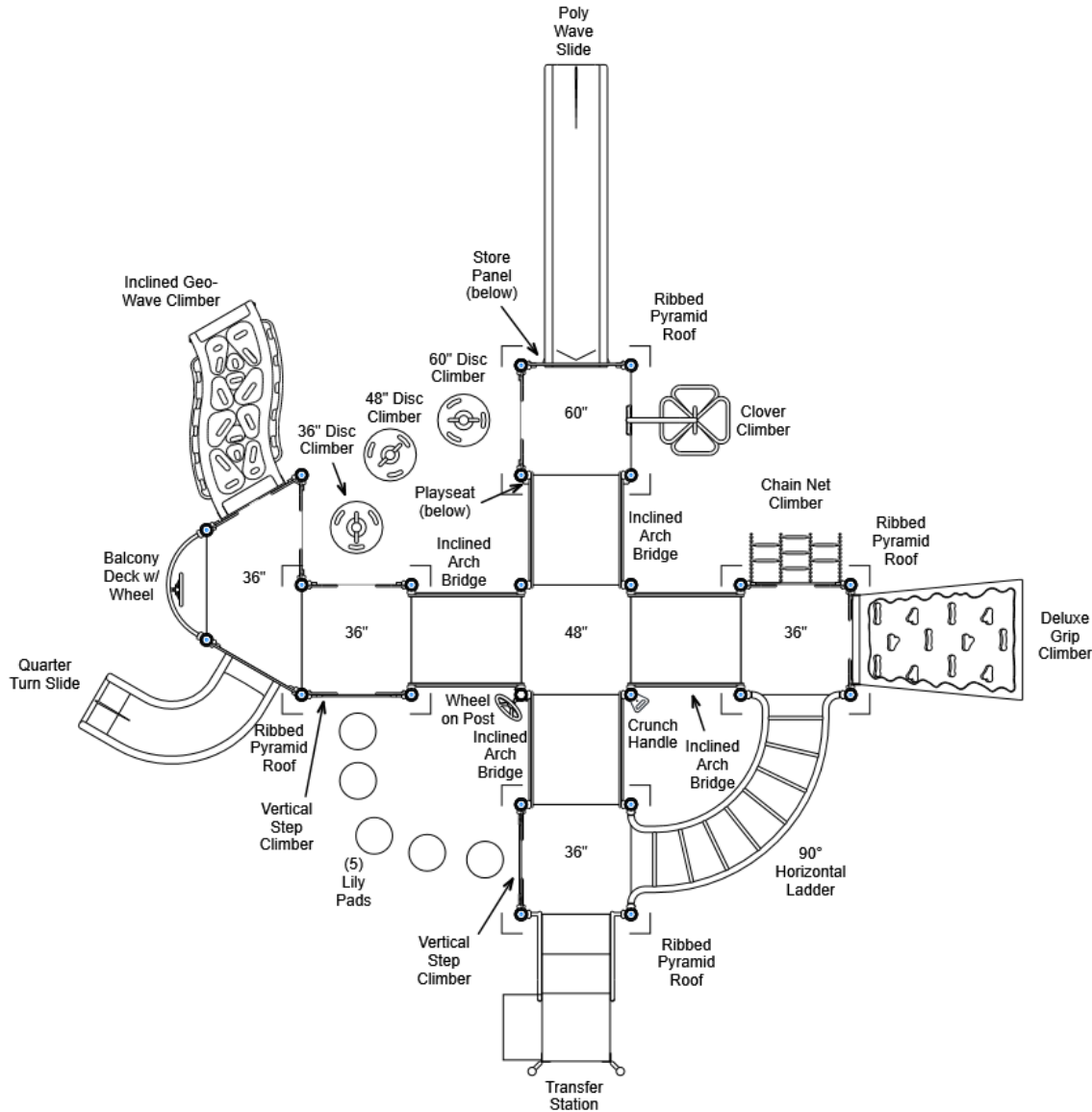
R35

FOR KIDS
AGES
5-12

GENERAL NOTES

This conceptual plan is based on information provided prior to construction. Detailed site information, including the following, should be obtained, evaluated, and utilized in the final project design. Exact site dimensions, topography, existing utilities, soil conditions and drainage solutions.

WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (Fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSC'S Handbook For Public Playground Safety, Section 4: Surfacing.



STRUCTURE # R35B7437A
PROJECT # R35B7437A
DATE 7/19/2023

Play Environments Design, LLC
MIN. USE ZONE 43' x 45' (12.835m x 13.478m)

Lexington Green Park-1
TOP VIEW

ADA ACCESSIBILITY GUIDELINES - ADAAG CONFORMANCE

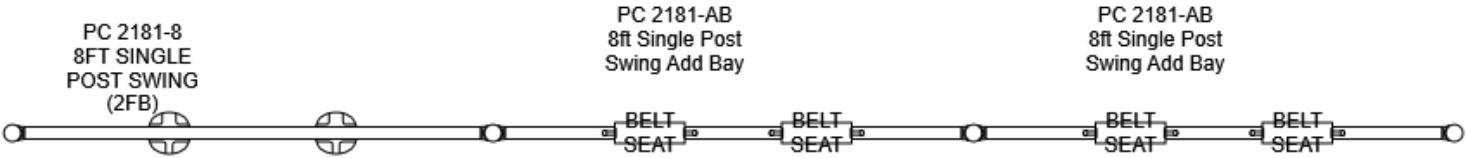
ELEVATED	ACCESSIBLE	RAMP ACCESSIBLE	GROUND	TYPES
0	0/0	0/0	6/0	1/0
CHILD CAPACITY	6	MAX FALL HEIGHT	96	

FOR KIDS
AGES
2-12

GENERAL NOTES

This conceptual plan is based on information provided prior to construction. Detailed site information, including the following, should be obtained, evaluated, and utilized in the final project design. Exact site dimensions, topography, existing utilities, soil conditions and drainage solutions.

WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (Fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSC'S Handbook For Public Playground Safety, Section 4: Surfacing.



STRUCTURE # 2
PROJECT # R35B7437A
DATE 7/19/2023

Play Environments Design, LLC
MIN. USE ZONE 48' x 31' (14.44m x 9.246m)

Lexington Green Park-1
SITE PLAN

ADA ACCESSIBILITY GUIDELINES - ADAAG CONFORMANCE

ELEVATED	ACCESSIBLE	RAMP ACCESSIBLE	GROUND	TYPES
10	10/5	0/0	10/3	3/3

R35

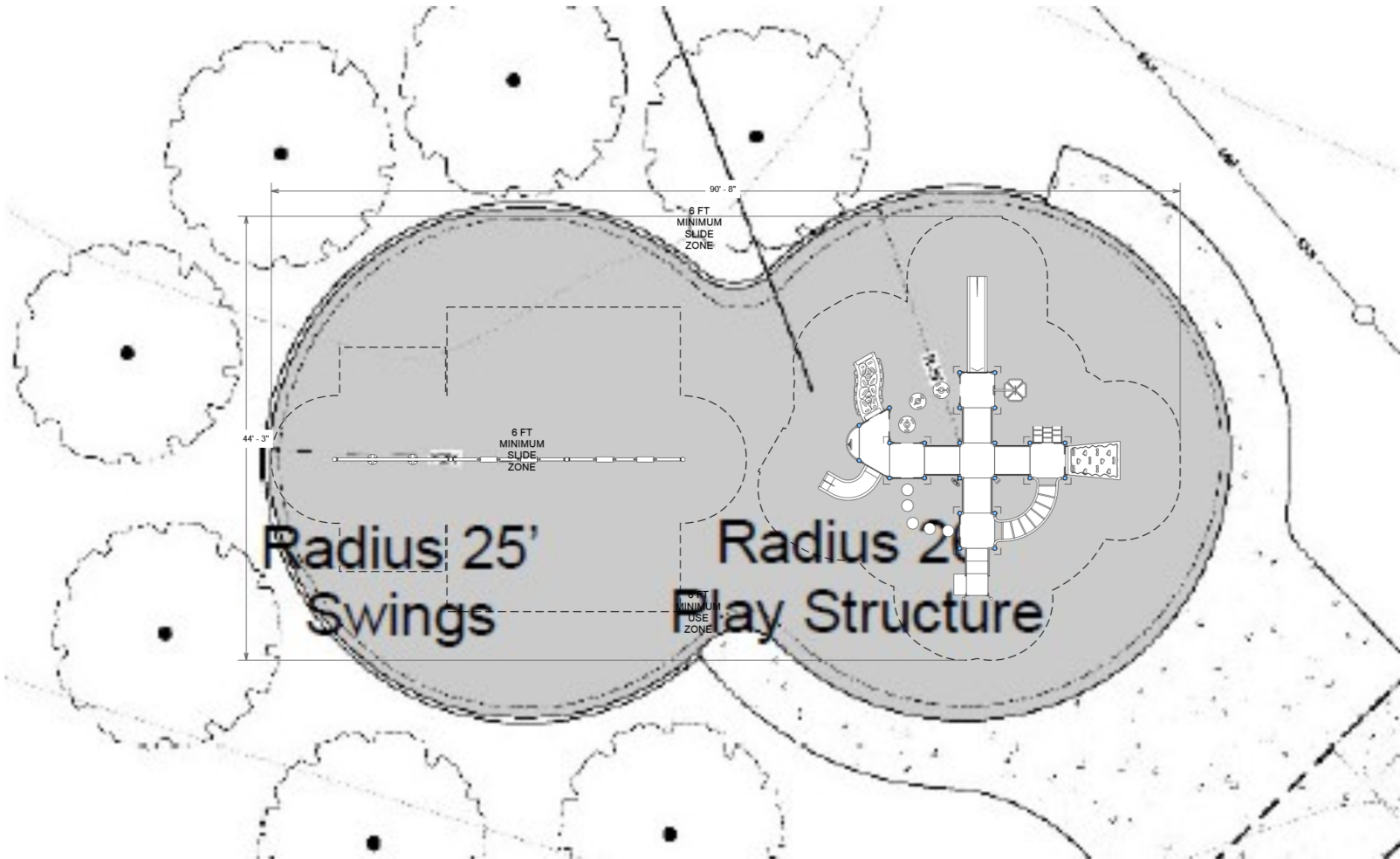
FOR KIDS
AGES
[Mixed]

GENERAL NOTES

This Preliminary Site Plan is based on measurements that were provided in the initial planning phase. All dimensions must be verified prior to the submission of a purchase order. Playcraft Systems will not be held responsible for any discrepancies between actual dimensions and dimensions submitted in the planning phase.

The Minimum Use Zone for a play structure is based on the product design at the time of proposal. Components and structure designs may be subject to change which may affect dimensions. Therefore, before preparing the site, we strongly recommend obtaining final drawings from the factory (available after the order is placed and included in the Assembly Manual).

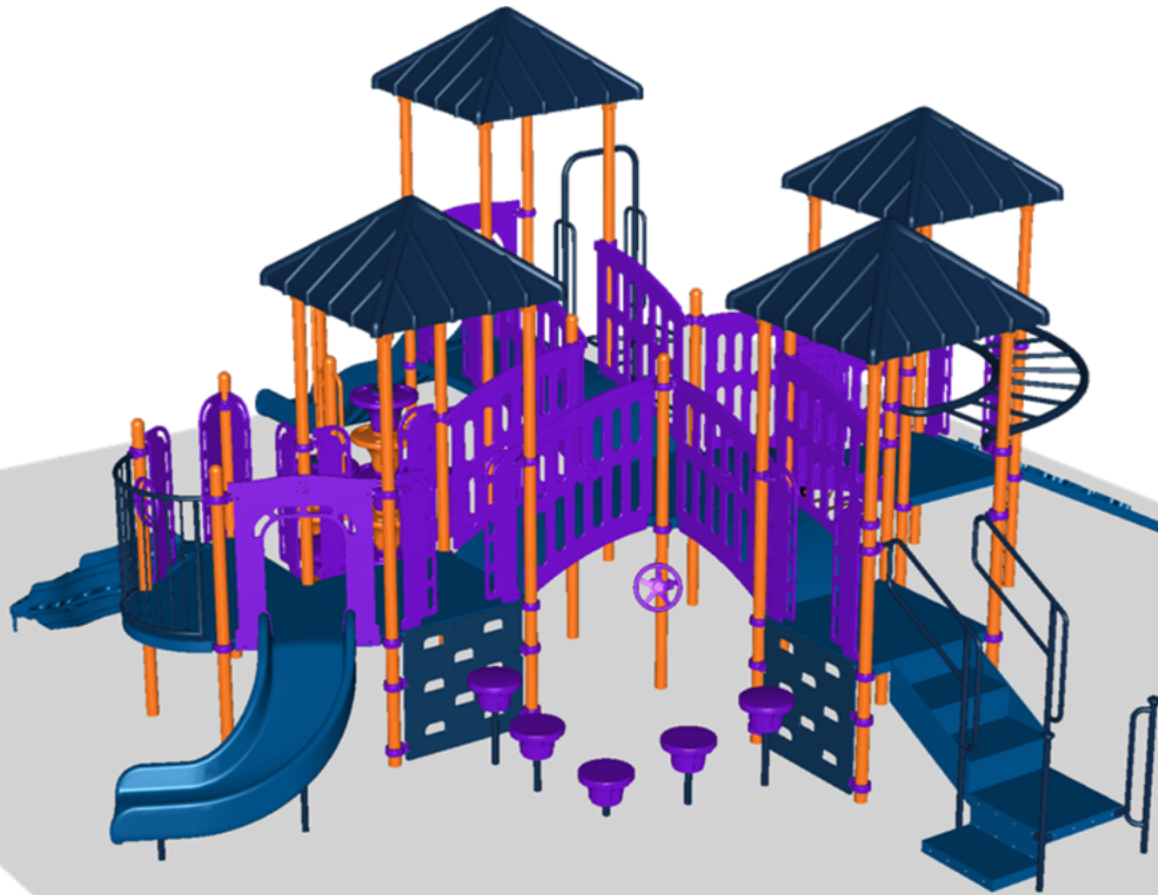
WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (Fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSC'S Handbook For Public Playground Safety, Section 4: Surfacing.



Lexington Green Park-1
SW VIEW

R35

FOR KIDS
AGES
5-12

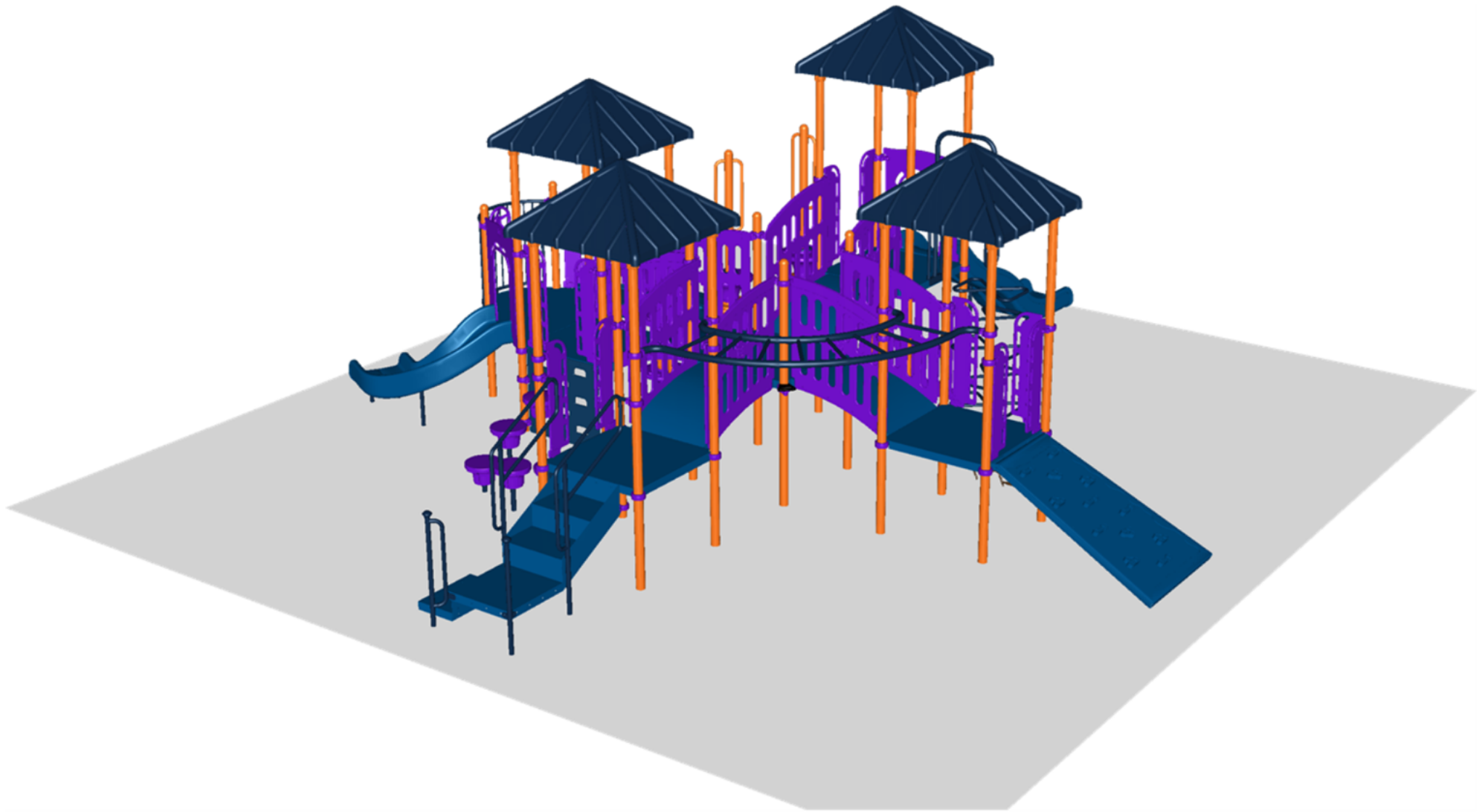


STRUCTURE # R35B7437A
PROJECT # R35B7437A
DATE 7/19/2023

Lexington Green Park-1
SE VIEW

R35

FOR KIDS
AGES
5-12

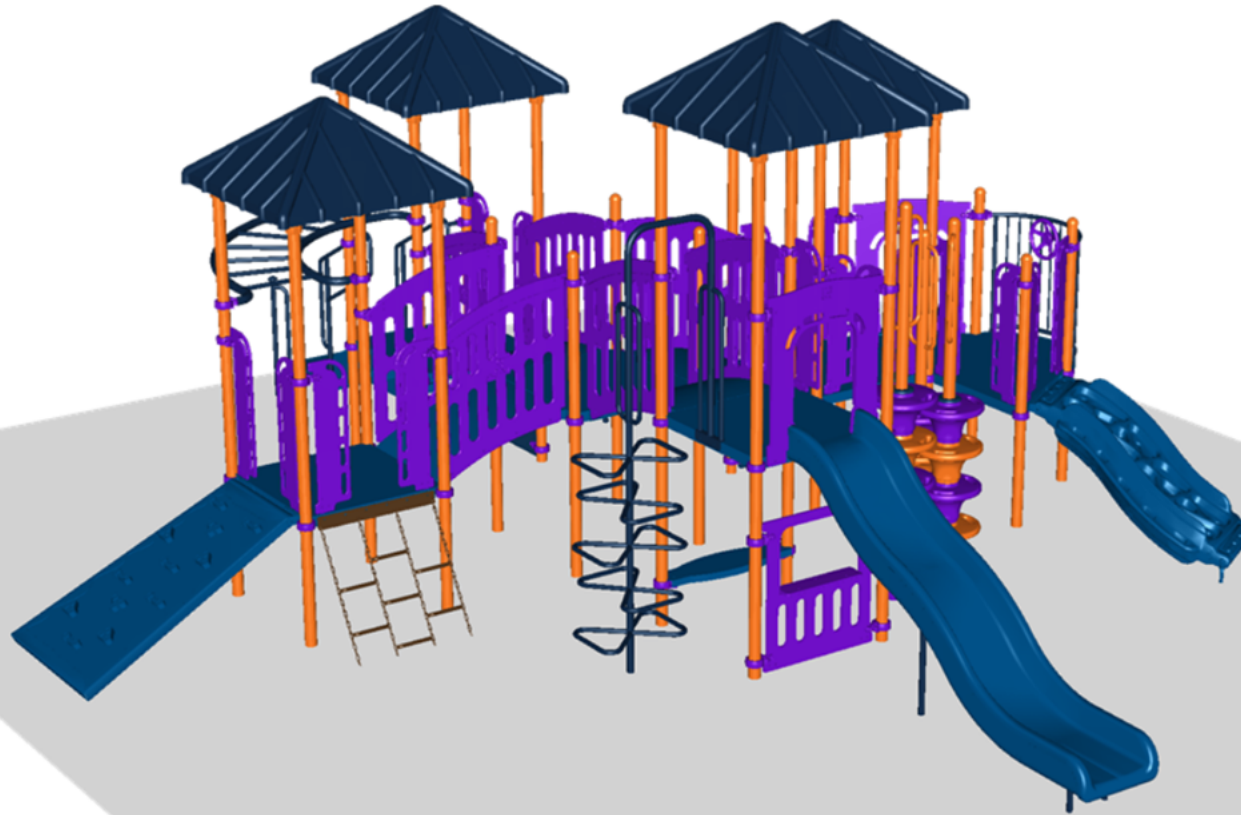


STRUCTURE # R35B7437A
PROJECT # R35B7437A
DATE 7/19/2023

Lexington Green Park-1
NE VIEW

R35

FOR KIDS
AGES
5-12

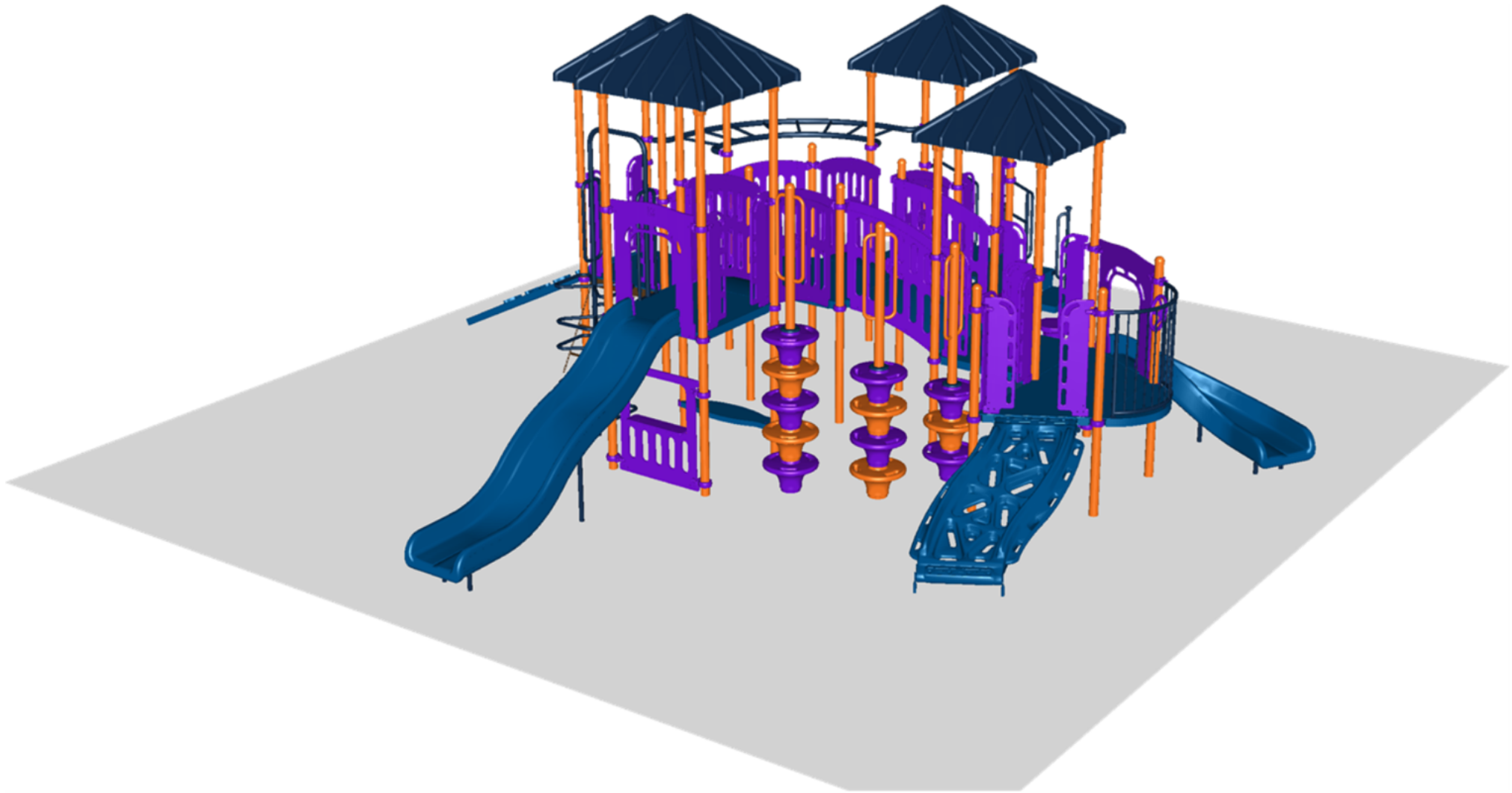


STRUCTURE # R35B7437A
PROJECT # R35B7437A
DATE 7/19/2023

Lexington Green Park-1
NW VIEW

R35

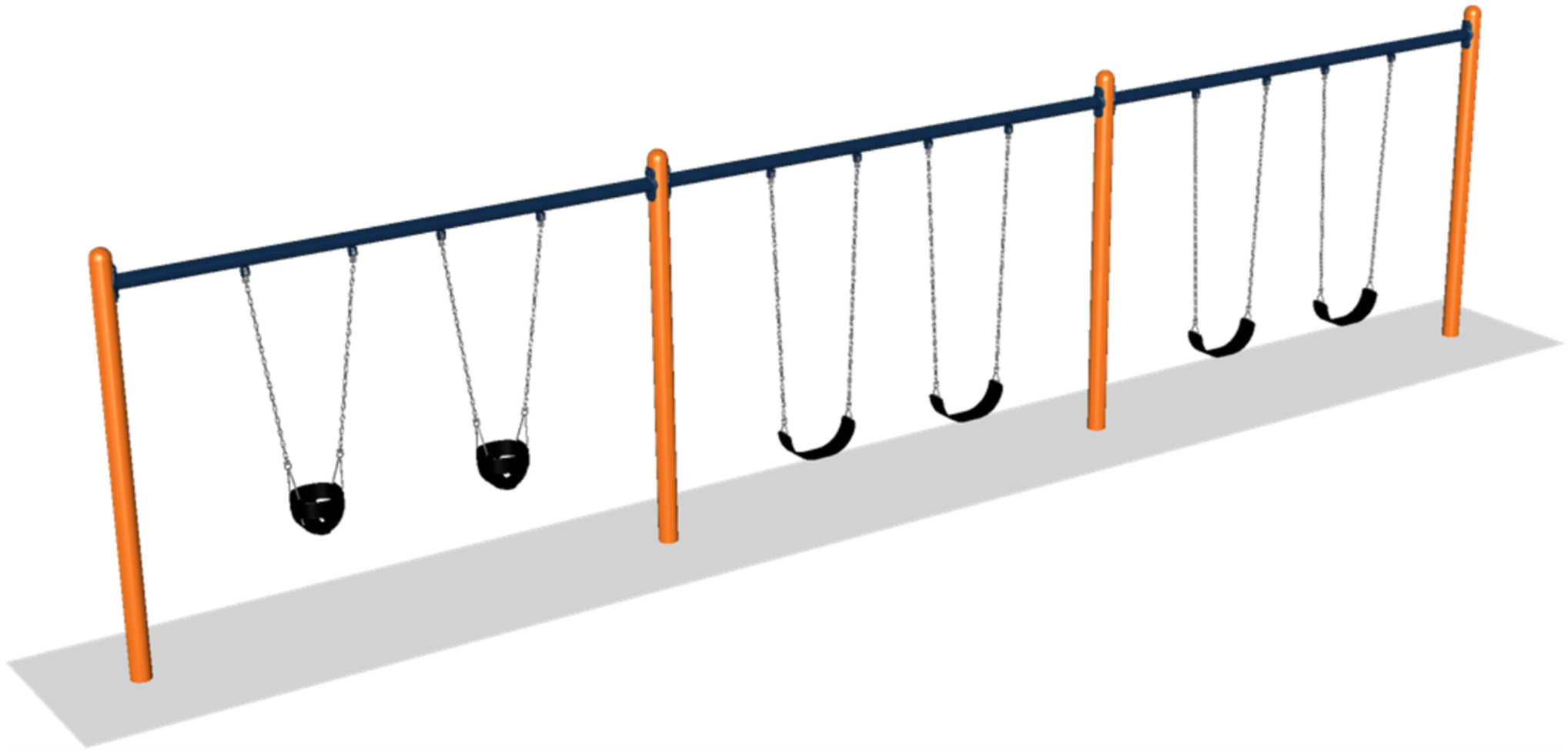
FOR KIDS
AGES
5-12



STRUCTURE # R35B7437A
PROJECT # R35B7437A
DATE 7/19/2023

Lexington Green Park-1
SW VIEW

FOR KIDS
AGES
2-12



STRUCTURE # 2
PROJECT # R35B7437A
DATE 7/19/2023

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Adoption of Reimbursement Resolution

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Adopt a resolution to authorize the reimbursement of expenses from bond proceeds, not to exceed \$5,000,000, for capital improvement projects expensed in Fiscal Year 2023-2024.

The Capital Improvement Program (CIP) budget includes bond proceeds as part of the total revenue to fund projects each fiscal year. Bonding is necessary for projects approved and appropriated during Fiscal Year 2023-2024 and projects not yet started but approved and appropriated in Fiscal Year 2022-2023 to ensure a solid foundation for the CIP fund. This reimbursement resolution authorizes the city to proceed with CIP projects prior to the issuance of bonds and incur capital expenditures for CIP projects prior to the issuance of bonds, and be reimbursed for such expenditures from the proceeds of the bonds, which are expected to be Capital Improvement Bonds, Series 2024.

CIP projects considered for this reimbursement resolution include the cost to design, acquire, and construct certain capital improvements, including without limitation:

- improvements to the city's street system, including, without limitation right of way acquisition, base construction and reconstruction, paving and repaving, storm sewer and drainage improvements, including without limitation curb and gutter, signage, restoration;
- bikeway and trailway improvements, including without limitation constructing, reconstructing and repairing bikeways and trailways;
- public safety improvements and acquisitions, including without limitation upgrade of public safety hardware, fire station facility improvements;
- public facilities, including without limitation property acquisition, parks and recreation improvements, including without limitation park improvements and renovations;
- and other capital improvements the city shall determine to make.

The issuance of bonds in an amount of up to \$5,000,000 will be the funding mechanism to pay for the above 2023-2024 and 2022-2023 CIP projects. In Fiscal Year 2023-2024, approximately \$6.3 million in debt principal will be paid and redeemed. With the addition of the new debt, total debt will decrease by \$1.3 million from the prior fiscal year to an overall balance of approximately \$51.7 million.

The attached resolution authorizing reimbursement of expenses from bond proceeds was prepared by the City of Portage Bond Counsel, Dickinson Wright. A resolution approving the Notice of Intent will be presented to the city council in early 2024 and, approximately two months later, a resolution authorizing the issuance of the Capital Improvement Bonds, Series 2024, and the Undertaking to Provide Continuing

Disclosure will be presented. It is recommended that the City Council adopt the resolution to authorize the reimbursement of expenses from bond proceeds in an amount not to exceed \$5,000,000.

FUNDING: N/A

Attachments: 1. REIMBURSEMENT RESOLUTION 2024

**CITY OF PORTAGE
(Kalamazoo County, Michigan)**

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING REIMBURSEMENT
OF EXPENSES FROM BOND PROCEEDS**

A regular meeting of the City Council of the City of Portage was held on September ____, 2023, at ____ p.m., Local time.

PRESENT: _____

ABSENT: _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, the City of Portage (the “City”) intends to make improvements including the design, acquisition, and construction certain capital improvements, including without limitation: improvements to the city’s street system, including, without limitation, right of way acquisition, base construction and reconstruction, paving and repaving, storm sewer and drainage improvements, including without limitation, curb and gutter, signage, restoration; bikeway and trailway improvements, including without limitation constructing, reconstructing and repairing bikeways and trailways; public safety improvements and acquisitions, including without limitation, upgrade of public safety hardware, fire station facility improvements; public facilities, including without limitation, property acquisition, parks and recreation improvements, including without limitation, park improvements and renovations; and other capital improvements included in the City’s 2022-2028 Capital Improvement Program and the City’s 2023-2029 Capital Improvement Program and such other capital improvements as the city shall determine to make (the “Improvements”).

WHEREAS, the City Council has determined that it would be necessary to borrow money and issue its general obligation limited tax bonds (the “Bonds”) to finance a portion of the Improvements; and

WHEREAS, the City may proceed with the Improvements prior to the issuance of the Bonds and incur capital expenditures for the Improvements prior to the issuance of the Bonds, and desires to be reimbursed for such expenditures from the proceeds of the Bonds.

NOW, THEREFORE, BE IT RESOLVED that:

1. The City may proceed to finance the improvements using available funds of the City from the Capital Improvement Fund, which is a fund for the payment of capital improvement expenses, the General Fund, which is a fund for the payment of the general and operating expenses of the City, and other funds of the City.

2. At such time as the City issues the Bonds for the long-term financing of the Improvements, the City shall be reimbursed for its expenditures for the Improvements out of the proceeds of the Bonds.

3. The amount of capital expenditures for which the City will seek reimbursement from the proceeds of the Bonds is estimated not to exceed \$5,000,000.

4. The City declares its official intent to issue the Bonds to finance a portion of the costs of the Improvements, and hereby declares that it reasonably expects to reimburse the City's advances for the Improvements as anticipated by this resolution. This resolution and the expression of intent to seek reimbursement from future proceeds of the Bonds is intended to satisfy the requirements of Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") and the City intends by this resolution to qualify amounts advanced by the City to the Improvements for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

5. The City Finance Director is authorized to make additional declarations of intent to seek reimbursement from proceeds of Bonds for any capital improvements the City may make during the 2023/2024 fiscal year.

6. At such time as the City issues the Bonds for the long-term financing of the acquisition of the Improvements, the City shall be reimbursed for its expenditures for the Improvements out of the proceeds of the Bonds.

7. All existing or previous resolutions and parts of resolutions, insofar as they may conflict with the provisions of this resolution, are hereby rescinded to the extent necessary to avoid such conflict.

YEAS: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

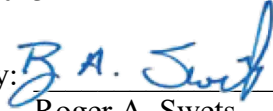
Erica Eklov, Clerk
City of Portage

CERTIFICATION

The undersigned, duly qualified and acting Clerk of the City of Portage, Kalamazoo County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said City Board at a regular meeting held on September ___, 2023, the original of which is part of the City Board's minutes. The undersigned further certifies that notice

of the meeting was given to the public pursuant to the provisions of the Act 267, Public Acts of Michigan, 1976, as amended.

Dated: September __, 2023

Approved as to Form: By: 
Roger A. Swets

Erica Eklov Clerk
City of Portage

MATERIALS TRANSMITTED

Thursday, August 3, 2023

1. Communication from the City Manager regarding the August 8 Committee of the Whole to discuss the Farmers Market – Information Only.



Pat McGinnis, City Manager

cc Adam Herringa, Chief Operating Officer
Peter Dame, Chief Development Officer



MATERIALS TRANSMITTED
August 3, 2023

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Committee of the Whole of August 8, 2023 – Farmers Market Materials

Please find attached materials for the scheduled August 8, 2023, Committee of the Whole meeting to discuss the Farmers Market.



PORTAGE FARMERS MARKET

SITE SELECTION SURVEY



PORTAGE
Farmers Market



Fresh. Rain or Shine.



SURVEY METHODS

Three types of surveys were distributed to the Portage Farmers Market community throughout the month of June (2023).

These include:

1. Dot Surveys (in-person)
2. Paper Surveys
3. Online Surveys

Results were compiled into one master document.



SURVEY DEMOGRAPHICS

- Total Vendor Surveys 46 (2 Dot Surveys, 15 Paper Surveys, 2 Online)
- Total Patron Surveys 142 (111 Dot Surveys, 2 Paper Surveys, 29 Online)
- Total Non-patron Surveys 2 (online)

Total Surveys: 190

DOT SURVEY

- Delivered in-person at three separate markets in June
 - (6/4, 6/11, & 6/25).
- Each week, patrons and vendors had an opportunity to provide feedback using a dot to answer each question.
- Green dots indicate market vendors.
- Yellow, orange, and red dots indicate patrons of the market.
- 6/4 – Question 1 (Location)
 - Participation: 95 (2 Vendors, 93 Patrons)
- 6/11 – Question 2 (Amenities)
 - Participants received THREE dots each to indicate their TOP 3 Amenities for the Farmers Market
 - Participation: 112 (*1 Vendor, 111 Patrons; 338 votes cast)
- 6/24 – Question 3 (Building), Participation 50
 - Participation: 50 (0 Vendors, 50 Patrons)

WHAT DOES THE PORTAGE FARMERS MARKET NEED?

Amenities Survey

Rank your **THREE** most important characteristics of the future market location and structure from the items below.

Scan the QR Code to take the full Farmers Market Survey.

PORTAGE Farmers Market
Fresh. Rain or Shine.

PAPER SURVEY

PAPER Survey

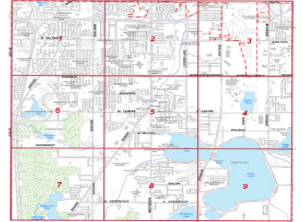
- Delivered in-person at four separate markets in June (6/4, 6/11, 6/18, & 6/25).
- Each week, patrons and vendors had an opportunity to provide feedback and return to the survey tent.
- Participation
 - Question 1 (Location) - Participation: 14 (13 Vendors, 2 Patrons)
 - Question 2 (Amenities), Participation: 17
 - Participants indicate their TOP 3 Amenities for the Farmers Market
 - Participation: (15 Vendors, 2 Patrons)
 - Question 3 (Building), Participation 17 (15 Vendors, 2 Patrons)

The City of Portage "Portage Farmers Market" has operated out of the City Hall parking lot since 2016. With more vendors than ever and an increase in market patrons, the city is searching for a permanent location to host the Sunday market. A permanent market space would be accessible, have space for a permanent vendor structure, and have the potential to host other Portage Parks & Recreation events.

We're conducting a survey to find out what you want in a farmer's market location and structure. Your participation is very important to city leaders. We're counting on your contribution for a successful project!

1. **Who are you?** Which option best describes your affiliation with the Portage Farmers Market? (Select one)
- ☐ Current customer
 - ☐ Not a current customer
 - ☐ Current vendor
 - ☐ Vendor at another market (not at the Portage Farmers Market)
 - ☐ Other (please explain) _____

2. **Where in the City of Portage should the Portage Farmers Market be located?** Select one sector where you think a permanent Portage Farmers Market should be located. (Place a checkmark in one sector)



3. **What are your priorities for the Portage Farmers Market?** Identify and rank the three most important characteristics of the future market location and structure. (Select and rank three: 1=highest, 3=lowest)

- ☐ Year-round access
- ☐ Nearby trail and pedestrian connections
- ☐ Cooking demo area/food sampling
- ☐ Product mix
- ☐ Food court/food trucks
- ☐ Music and family entertainment space
- ☐ Convenient, ample parking
- ☐ Accessible by public transportation
- ☐ Fruit truck access
- ☐ Visibility

Portage Farmers Market Concept Survey

Page 2

4. **What should the Portage Farmers Market look like?** Tell us which structure type you prefer for a permanent Portage Farmers Market. (Select one)



5. **What else?** Do you have ideas for other activities that you would like the city to host at a permanent Portage Farmers Market facility?

6. **Other comments.** Do you have any other comments, questions, or concerns?

Thank you for taking our survey. Please return your completed survey to:

- Portage Farmers Market table at the market

or

- Portage Parks & Recreation
320 Library Lane
Portage, MI, 49002

Portage Farmers Market Concept Survey

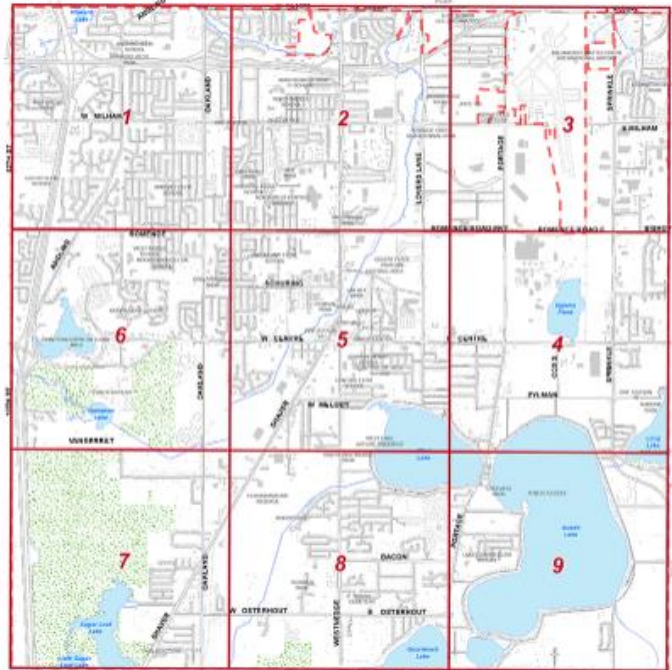
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We're conducting a survey to find out what you want in a farmer's market location and structu participation is very important to city leaders. We're counting on your contribution for a succo project!

* 1. Who are you? Which option best describes your affiliation with the Portage Farmers M: (Select one)

- ☐ Current customer
- ☐ Not a current customer
- ☐ Current vendor
- ☐ Vendor at another market (not at the Portage Farmers Market)
- ☐ Other (please explain)

* 2. Where in the City of Portage should the Portage Farmers Market be located? Sele sector where you think a permanent Portage Farmers Market should be located.



(Select one sector)

ONLINE SURVEY

- Available online, through Survey Monkey
- Accessed through QR Code distributed at the Portage Farmers Market at four separate markets in June (6/4, 6/11, 6/18, & 6/25).
- Participation, 31 surveys (29 Patrons, 2 Non-Patrons, 0 Vendors)

* 3. What are your priorities for the Portage Farmers Market? Identify and rank the th important characteristics of the future market location and structure. (Select and rank thr

☐ Accessible by public transportation

☐ Year-round access

☐ Music and family entertainment space

☐ Cooking demo area / food sampling

☐ Visibility

☐ Nearby trail and pedestrian connections

☐ Convenient, ample parking

☐ Food court / food trucks

☐ Product mix

☐ Vendor truck back-in

* 4. What should the Portage Farmers Market look like? Tell us which structure type : for a permanent Portage Farmers Market. (Select one)



5. What else? Do you have ideas for other activities that you would like the city to host : permanent Portage Farmers Market facility?

6. Other comments. Do you have any other comments, questions, or concerns?

Done



SURVEY RESULTS

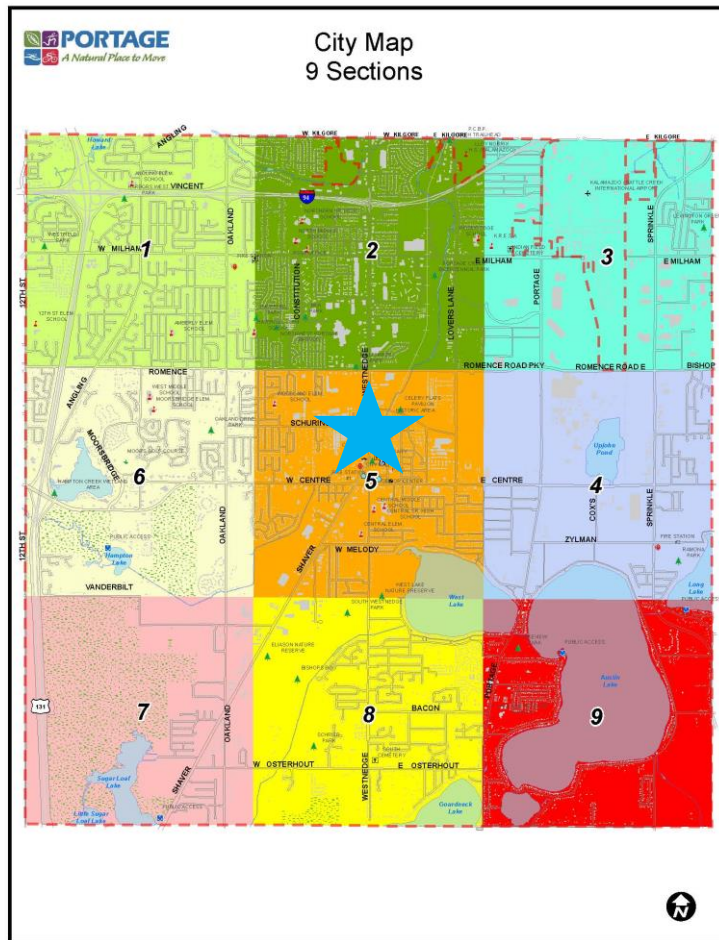


PORTAGE
Farmers Market



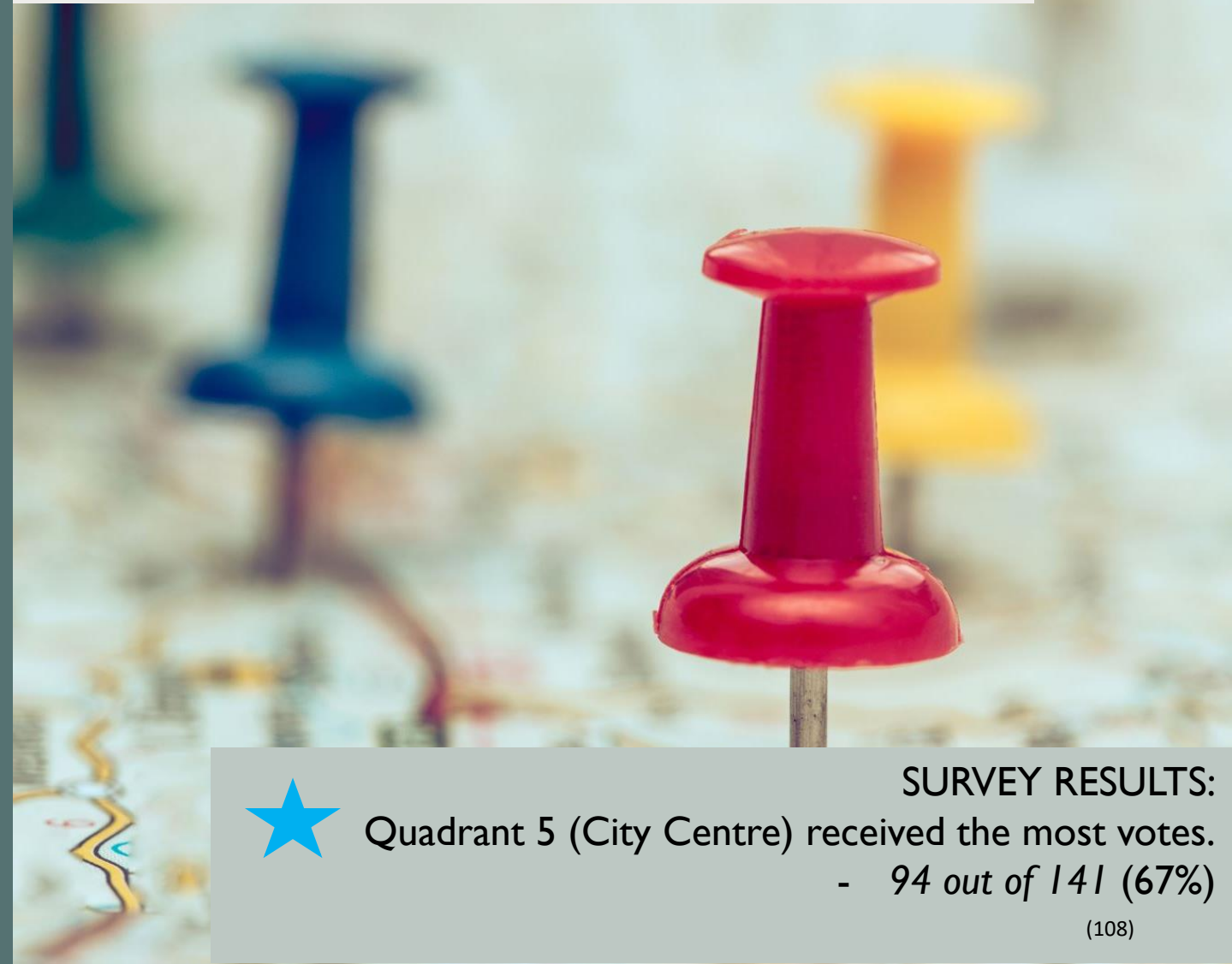
Fresh. Rain or Shine.

LOCATION



Where in the City of Portage should the Farmers Market be located?

Select one sector where you think a permanent Farmers Market should be located.



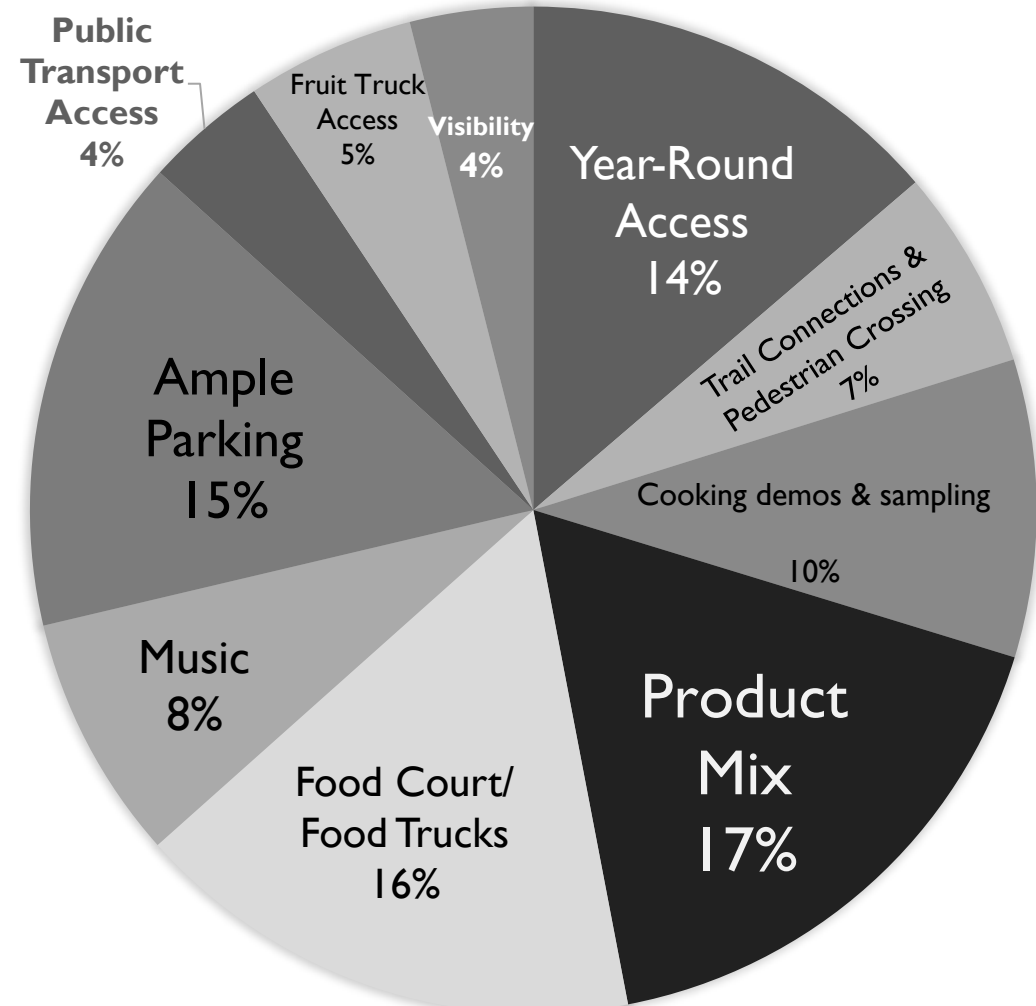
SURVEY RESULTS:
Quadrant 5 (City Centre) received the most votes.
- 94 out of 141 (67%)

What are your priorities for the Portage Farmers Market?

Identify and rank the three most important characteristics from the options below of the future market location and structure.

1. Product Mix (17%)
2. Food Court/Food Trucks (16%)
3. Ample Parking (15%)
4. Year-Round Access (14%)
5. Cooking Demos & Sampling (10%)
6. Music (8%)
7. Trail Connections & Pedestrian Crossing (7%)
8. Fruit Truck/Vendor Truck Access (5%)
9. Public Transport/Visibility (4%)

AMENITIES

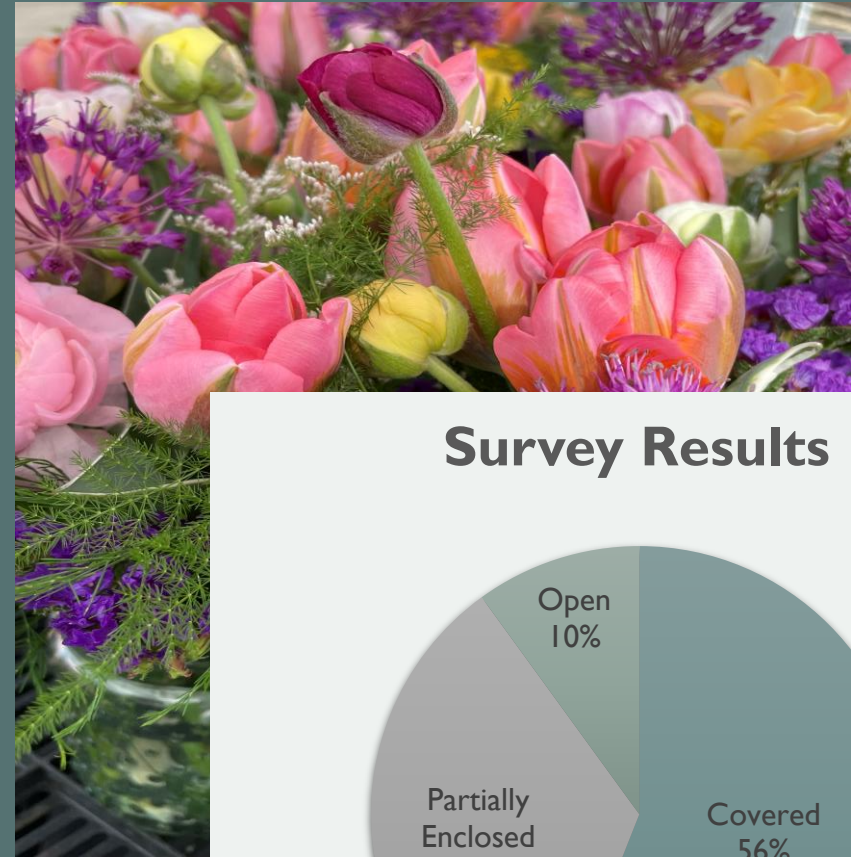


BUILDING



What should the Farmers Market look like?

Tell us which structure type you would prefer for a permanent Portage Farmers Market (*open, covered, or partially enclosed*).





SURVEY DISCUSSION



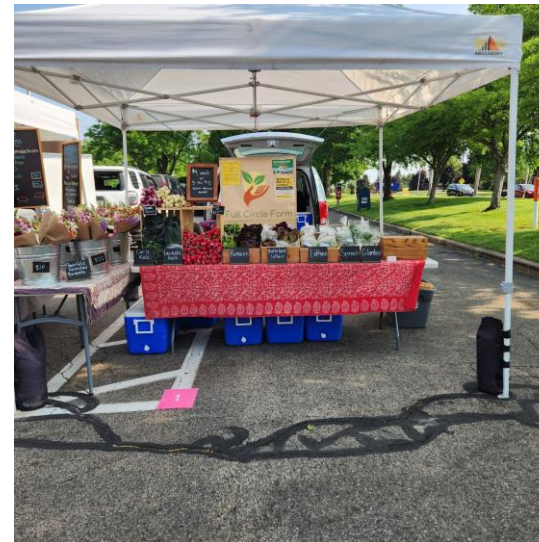
PORTAGE
Farmers Market



Fresh. Rain or Shine.

SURVEY DISCUSSION: BUILDING

- 2 OF THE TOP 5 MOST IMPORTANT AMENITIES INCLUDE:
 - PRODUCT MIX
 - YEAR- ROUND ACCESS
- A COVERED PAVILION DOES NOT ALLOW FOR YEAR-ROUND USE IN MICHIGAN AND LIMITS VARIETY OF VENDORS AND PRODUCTS.
- A PARTIALLY ENCLOSED BUILDING WITH GARAGE DOORS ALLOWS FOR YEAR-ROUND USE & EXPANDS POTENTIAL FOR MARKET GROWTH AND A HEALTHY PRODUCT MIX.



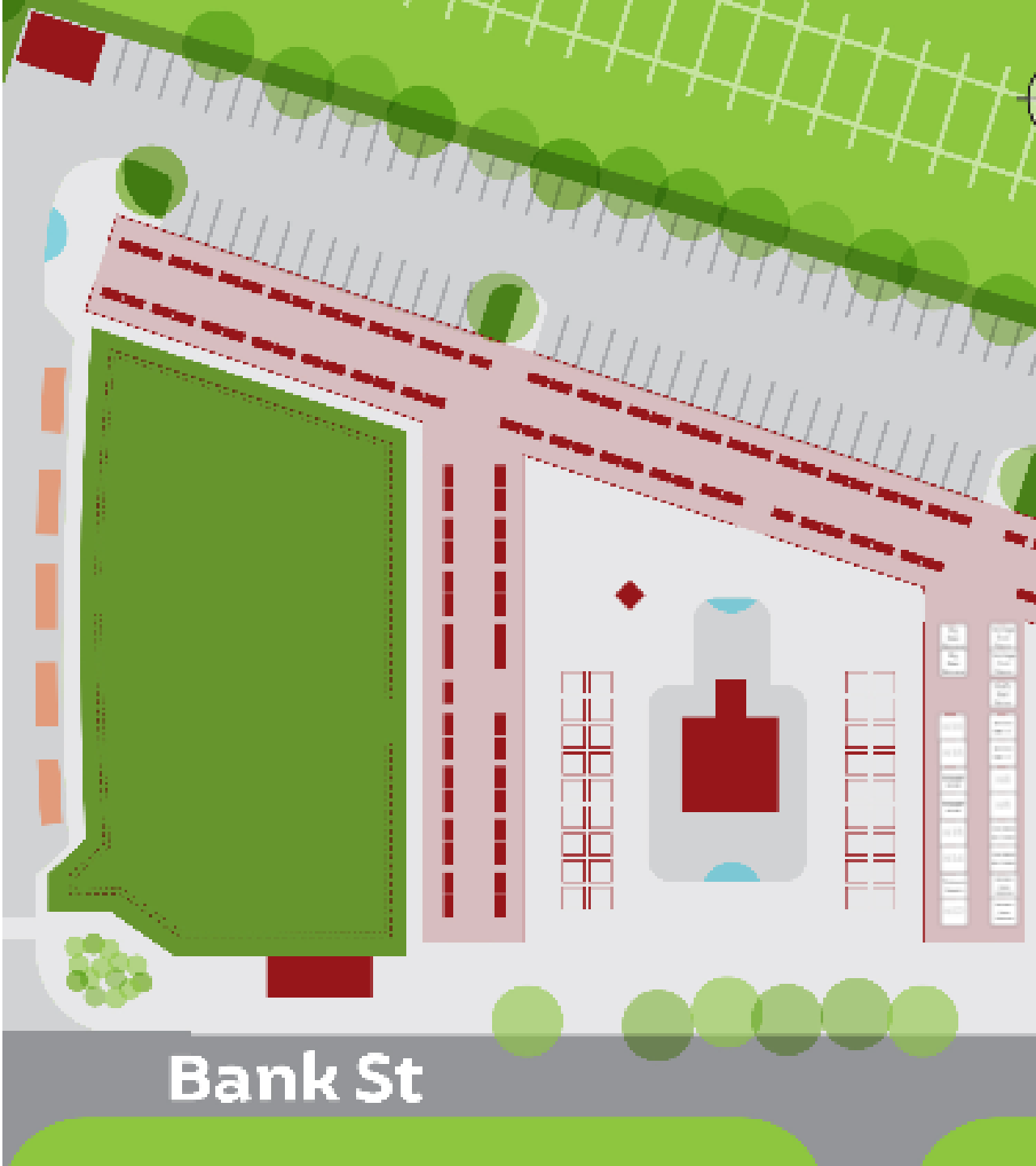


SURVEY DISCUSSION: *BUILDING*

Expanded list of other activities that might be hosted at our market, using a year-round, partially enclosed facility:

- Expos
- Art Shows (Festivals)
- Craft Shows (Festivals)
- Car Shows (Festivals)
- Antique Markets
- Holiday Bazaars
- Swap Meets
- “Taste Of” Events
- Miscellaneous public rentals
- Book Fairs
- Agri Tourism
- Wine Tasting
- Merchants & Makers
- Weddings
- School Events
- Winter Festival





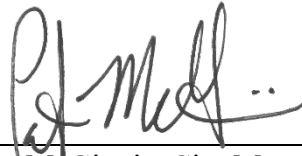
SURVEY DISCUSSION: LOCAL CASE STUDIES

- KALAMAZOO FARMERS MARKET
 - PLANNING A PARTIALLY-ENCLOSED FACILITY FOR A YEAR-ROUND MARKET.
 - CURRENTLY THIS MARKET CAN SUPPORT
 - 100+ VENDORS
 - 5 FOOD TRUCKS
 - LIVE MUSIC
 - COOKING DEMOS
 - AMPLE PARKING VENDORS & PATRONS
 - ADDITIONAL MARKETS: NIGHT MARKET, KIDS MARKET, & VEGAN MARKET "THE PEOPLE'S PLANT-BASED PARTY"
- TEXAS CORNERS FARMERS MARKET, "FRESH ON Q"
 - PAVILION OUTDOOR STRUCTURE CAN SUPPORT 20-23 VENDORS
 - FOOD TRUCKS ON TUESDAY NIGHTS
 - PARKING FOR VENDORS & PATRONS
 - ADDITIONAL MARKETS: TUESDAY NIGHTS
 - MUSIC

MATERIALS TRANSMITTED

Tuesday, August 8, 2023

1. **Committee of the Whole** – Communication from the City Manager regarding an email received from a resident regarding the Farmers Market – Information Only.
2. **Agenda Item D.1** – Communication from the City Manager regarding a letter received from residents and an additional agenda attachment – Information Only.
3. Communication from the City Manager regarding an email received from Michael Cartier on behalf of the Lake Center District Housing Task Force – Information Only.



Pat McGinnis, City Manager

cc Adam Herringa, Chief Operating Officer
Peter Dame, Chief Development Officer

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Communication from resident regarding Farmers Market location

Please find attached a communication received from resident Monica Shunneson with suggestions on a potential future location for the Farmers Market.

From: [Patricia Randall](#)
To: [Amanda Janssen](#)
Subject: Fwd: Farmers Market Expansion
Date: Friday, August 4, 2023 7:24:39 AM

Amanda
Can this be a part of the council packet for the COW?
Thanks,
Patricia

Sent from my iPad

Begin forwarded message:

From: Monica S <kakamamie2@yahoo.com>
Date: August 3, 2023 at 5:20:31 PM EDT
To: Patricia Randall <randallp@portagemi.gov>
Subject: Farmers Market Expansion

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.

Dear Mayor Randall,

Recently I heard you on WKZO radio with Ken Lanphear talking about the desire to expand the Portage Farmers market and that several locations are being considered. Wonderful!

As you are aware Schram Greenhouses a long time Portage business closed their doors after some 70 years and we will miss them terribly. I have no idea what Mr and Mrs Schram intend to do with the property on the corner of Westnedge Ave and Garden Lane but perhaps they would consider opening it up to the city for the farmers market in the summer. Seems once the greenhouse buildings are removed there would be plenty of space to host an open air farmers market. The location is accessible via the paved walking/bike trail system, parking is available at Celery Flats and there is a large unused open space for possible additional parking across the street next to the Habitat for Humanity Restore on Westnedge.

This location would keep the market close to the center of the city. The farmers could be located at Shram's greenhouses, food trucks at Celery Flats with additional vendors on the grassy area. Families walking or biking the paths on Sunday have access to the market and they are already parking at various locations along the trail system. If the market is located somewhere along the beautiful paved trail system what better place to stop for a break than at the farmers market!??

The reason I suggest former greenhouses is the land is already cleared and flat.
The empty structures simply need to be replaced by maybe a simple awning

canopy similar to what the Bank Street Market in Kalamazoo has constructed or the space just left completely open.

If not Schram's then I believe there are still some greenhouse business properties on Schuring Road and on Centre Street (between Lovers Lane and Portage Road) that are for sale. These locations are also easily accessible from the paved walking/biking trails.

Just a thought! Thank you for all you do for our community! Your efforts are appreciated.

Sincerely,
Monica Shunneson
57 year Portage Resident

Sent from my iPhone

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Communication and documents regarding proposed rezoning – Agenda Item D.1

Please find attached a communication received from residents Anthony and Andrea Skidmore regarding the proposed rezoning for a senior housing facility on E. Centre Avenue. The communication has been uploaded to the agenda item as an attachment.

Additionally, at the request of a member of Council, the full Planning Commission submittal for this tentative plan and rezoning application from the June 1 Planning Commission meeting has been uploaded and is available as a part of [the agenda packet](#). For quick reference, two pages of the submission are shown here to illustrate the existing site versus the proposed site.

August 7th, 2023

Written Protest Petition

We, the undersigned property owners, hereby PROTEST the proposed Rezoning of 732, 810, 830, and part of 906 E Centre Ave from OS-1 & B-1 zoning district to the PD zoning district. The rezoning is scheduled for action by the City Council on August 8th, 2023.

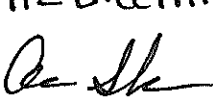
The reason(s) for this protest is/are:

- Increased Traffic on Centre Ave
- Increased Traffic into the Neighborhood
- Increased Noise with staff and residents
- Increased noise with deliveries, garbage removal, etc.
- Added Light Pollution to a residential neighborhood.
- Additional strain on EMS, Fire and Police.
- The wooded area in question is home to many animals, and is the natural habitat to deer, rabbits, squirrels and many other animals.
- Destruction of Trees
- Destruction of habitat corridors.

Date: 8/7/23

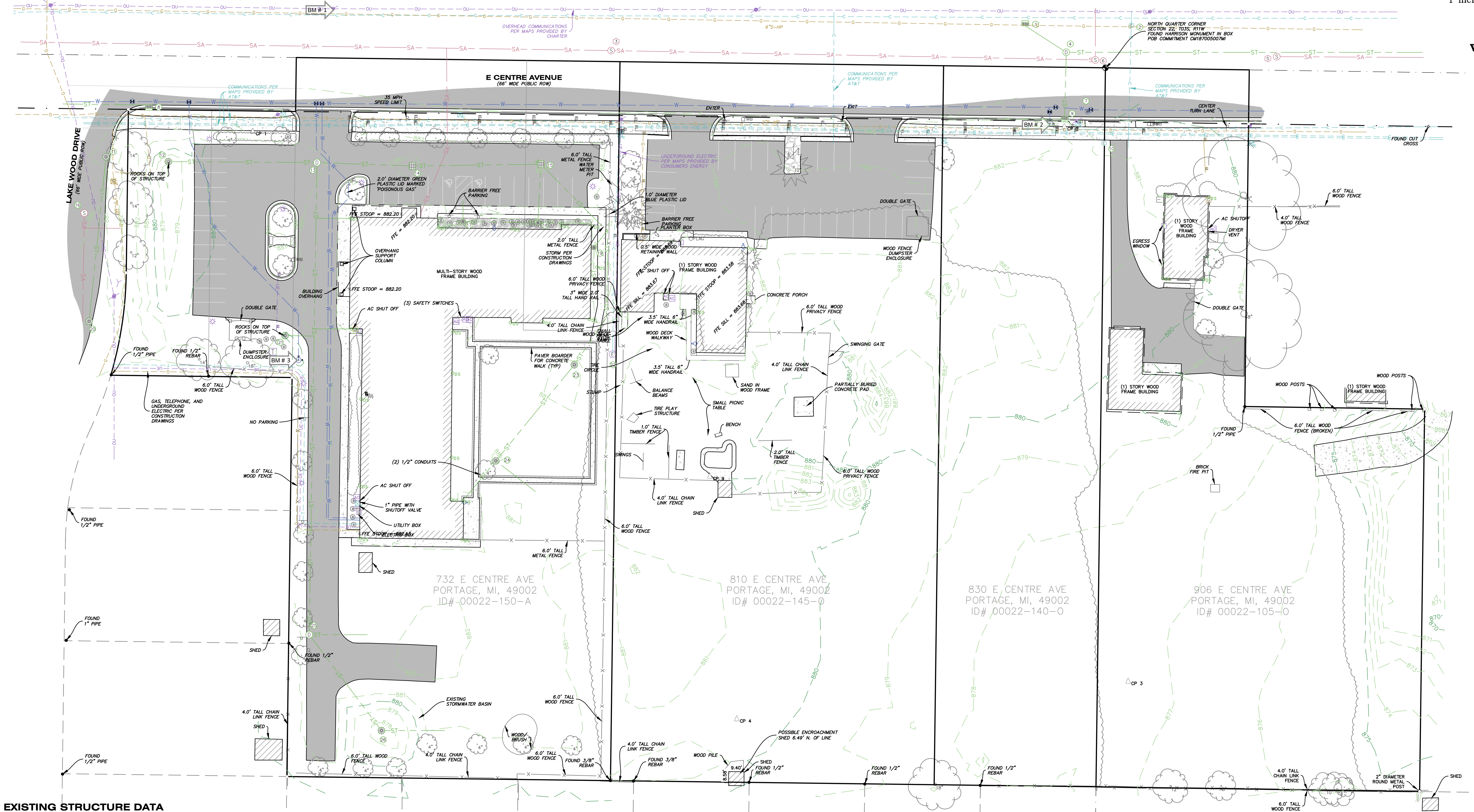
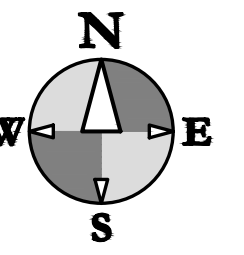
Name: Anthony & Andrea Skidmore

Address: 912 E. Centre Ave

Signature  Anthony Skidmore

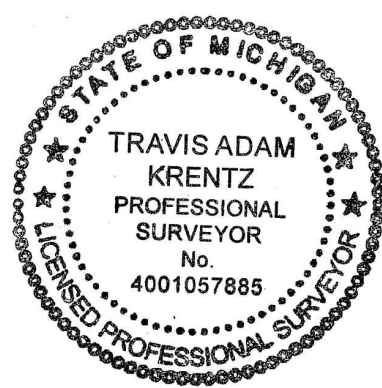
ALTA/NSPS LAND TITLE SURVEY

0 15 30 60
1 inch = 30 ft.



EXISTING STRUCTURE DATA

- | | | | |
|--|--|---|--|
| ① STM CB
RIM = 880.61' | ⑩ COMMUNICATION MH
RIM = 880.68' | ⑮ 4.0' CONCRETE SAN MH
RIM = 881.06'
INV. 8" S CONCRETE = 866.76' | ⑳ VAULT
RIM = 881.86'
PIPES AND SHUT OFF VALVE
TOP OF PIPE = 877.11± |
| ② COMMUNICATIONS MH
RIM = 880.08' | ⑪ 2.0' BLOCK STM CB
RIM = 880.66'
INV. 12" S CPP = 877.81'
DEBRIS = 877.81' | ⑯ 1.0' NYLOPLAST STM CB
RIM = 881.95'
INV. 8" W PVC = 877.50'
INV. 8" N PVC = 877.50'
INV. 4" E CPP = 880.35'
INV. 4" W CPP = 880.35'
WATER = 877.50'
SUMP = 876.95' | ㉑ 1.0' NYLOPLAST STM CB
RIM = 880.38'
INV. 10" SW PVC = 877.83'
INV. 10" NE PVC = 877.83'
WATER = 877.83'
SEDIMENT = 877.63' |
| ③ SAN MH
RIM = 882.45' | ⑫ 4.0' CONCRETE STM CB
RIM = 877.84'
INV. 12" E SLCPP = 874.64±
WATER = 874.54'
SUMP = 872.99' | ⑭ 1.0' NYLOPLAST STM CB
RIM = 881.83'
INV. 8" E PVC = 877.48'
INV. 8" W PVC = 877.48'
WATER = 877.48'
SEDIMENT = 876.88' | ㉒ 1.5' NYLOPLAST STM CB
RIM = 880.43'
INV. 10" NE PVC = 878.18'
INV. 6" SW PVC = 878.18'
INV. 6" SE PVC = 878.18'
WATER = 878.18'
SEDIMENT = 877.85' |
| ④ 6.0' CONCRETE STM MH
RIM = 880.82'
INV. 12" S CONCRETE = 877.37'
INV. 12" E CONCRETE = 875.67'
INV. 12" NW CONCRETE = 877.22'
WATER = 875.57'
SEDIMENT = 874.67' | ⑬ 4.0' CONCRETE STM CB
RIM = 880.81'
INV. 12" E SLCPP = 876.46'
INV. 12" W SLCPP = 873.91±
INV. 12" S SLCPP+872.76'
WATER = 872.66'
SUMP = 872.21' | ⑰ STM CB
RIM = 881.88'
INV. 4" S CPP = 880.63'
INV. 8" NE PVC = 878.78'
WATER = 878.78'
SUMP = 878.28' | ㉓ 4.0' CONCRETE STM MH
RIM = 877.62'
INV. 8" E SLCPP = 875.73'
INV. 12" N SLCPP = 872.58'
INV. 12" SE SLCPP = 874.23±
WATER = 872.43'
SUMP = 872.23' |
| ⑤ SAN MH
RIM = 878.75' | ⑭ 4.0' CONCRETE STM CB
RIM = 880.65'
INV. 12" E SLCPP = 876.35±
INV. 12" W SLCPP = 874.55'
WATER = 874.40'
SEDIMENT = 872.70' | ⑱ 2.0' BLOCK STM CB
RIM = 880.22'
NO PIPES VISIBLE
DEBRIS = 878.15' | ㉔ 4.0' CONCRETE STM CB
RIM = 877.62'
INV. 12" NW SLCPP = 874.82±
INV. 8" E SLCPP = 874.82±
WATER = 874.22'
SUMP = 872.62' |
| ⑥ SAN MH
RIM = 880.6' | ⑮ 4.0' CONCRETE STM CB
RIM = 880.86'
INV. 8" S SLCPP = 877.16'
INV. 12" W SLCPP = 876.96'
WATER = 876.96'
SEDIMENT = 875.36' | ㉕ 2.0' NYLOPLAST STM CB
RIM = 879.47'
INV. 12" E SLCPP = 876.87'
WATER = 876.87' | |
| ⑦ WATER VAULT
RIM = 880.30'
TOP OF PIPE = 874.60± | | | |
| ⑧ 2.0' BLOCK STM CB
RIM = 881.34'
INV. 12" W CONCRETE 878.82'
DEBRIS = 878.82' | | | |
| ⑨ 2.0' BLOCK STM CB
RIM = 880.52'
INV. 12" N CONCRETE = 877.92'
DEBRIS = 877.92' | | | |



TRAVIS A. KRENTZ PROFESSIONAL SURVEYOR # 57885

TO TRILOGY REAL ESTATE PORTAGE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FIDELITY NATIONAL TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(a), 8, 9, 11(c), AND 16 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 02/16/2023.

DATE OF PLAT OR MAP: 04/25/2023

MISS DIG DESIGN TICKET DATA

123.NET, INC. FIBEROPTICS - 2484314584 - NO RESPONSE - 02/17/23
AT&T TELEPHONE - JOHN STERNAMAN 269-823-3330 - MAPS PROVIDED - 01/17/23
CHARTER COMMUNICATIONS CABLE TV - 800-778-9140 - MAPS PROVIDED - 01/20/23
CHARTER COMMUNICATIONS FIBEROPTICS - 800-778-9140 - MAPS PROVIDED - 01/20/23
CLIMAX TELEPHONE DBA METRO FIBERNET - 616-455-9840 - NO RESPONSE - 02/17/23
CONSUMERS ENERGY ELECTRIC - ANDRE D. TAYLOR 269-337-2245 - MAPS PROVIDED - 01/26/23
CONSUMERS ENERGY GAS - CONSUMERS ENERGY SMS WEBSITE - MAPS PROVIDED - 02/17/23
PORTAGE CITY FIBEROPTICS - CITY OF PORTAGE GIS WEBSITE - MAPS PROVIDED - 02/16/23
PORTAGE CITY POTABLE WATER - CITY OF PORTAGE GIS WEBSITE - MAPS PROVIDED - 02/16/23
PORTAGE CITY SANITARY SEWER - CITY OF PORTAGE GIS WEBSITE - MAPS PROVIDED - 02/16/23
PORTAGE CITY STORM SEWER - CITY OF PORTAGE GIS WEBSITE - MAPS PROVIDED - 02/16/23
PORTAGE CITY TRAFFIC - CITY OF PORTAGE GIS WEBSITE - MAPS PROVIDED - 02/16/23

SURVEY CONTROL

CP 1 N	= 4961.37	E	= 4478.36	EL	= 881.92
CP 2 N	= 4964.35	E	= 4974.40	EL	= 882.07
CP 3 N	= 4624.96	E	= 5013.92	EL	= 877.62
CP 4 N	= 4601.95	E	= 4774.49	EL	= 880.66
CP 5 N	= 4385.51	E	= 4862.83	EL	= 877.45
CP 6 N	= 4424.08	E	= 4303.34	EL	= 878.43
CP 7 N	= 4674.17	E	= 4319.26	EL	= 879.75

BENCHMARKS

ELEVATIONS OF THIS SURVEY ARE BASED ON NAVD 88 AS DERIVED FROM GPS

BM 1 EL = 883.42'
CHISELED X ON SOUTH FACE OF UTILITY POLE ON THE NORTH SIDE OF E CENTRE AVE EAST OF LAKE WOOD DR.

BM 2 EL = 883.14'
CHISELED X ON SOUTHWEST BOLT ON HYDRANT ON THE SOUTH SIDE OF E CENTRE AVE 580±' EAST OF THE EAST CURB OF LAKE WOOD DR.

BM 3 EL = 880.72'
CHISELED X ON SOUTHWEST BOLT OF HYDRANT SOUTHWEST OF STORM CATCH BASIN 21.



Know what's below.
Call before you dig.

ALTA-NSPS LAND TITLE SURVEY
TRILOGY HEALTH - PORTAGE MI
TRILOGY HEALTH SERVICES

Sheet Title:
Project:
Client:

05/09/23

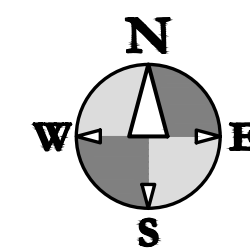
Sheet

S-2

hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com



ISSUED FOR/REVISIONS:
2 CITY OF PORTAGE PRE-TENTATIVE REVIEW 03/14/23
3 OWNER REVIEW 03/21/23
4 CITY OF PORTAGE TENTATIVE PD REZONING 03/24/23
4 CITY OF PORTAGE PD ZONING RESUBMITTAL 05/09/23
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SITE LEGEND

- HMA HMA PAVEMENT
- ADA ADA RAMP
- C4 C4 CURB AND GUTTER
- E2 E2 CURB AND GUTTER
- IC INTEGRAL CURB WALK
- CW CONCRETE WALK
- CS CONCRETE SURFACE
- PS PARKING STRIPING (9'x18')
- RB RETENTION BASIN
- SP SPILL CONTAINMENT UNIT
- DE DUMPSTER ENCLOSURE

LEGEND

- EXISTING BITUMINOUS PAVEMENT
- FULL-DEPTH BITUMINOUS PAVEMENT
- CONCRETE PAVEMENT AND SIDEWALK
- STAMPED CONCRETE DETAIL
- HEAVY-DUTY CONCRETE PAVEMENT
- PROPOSED BUILDING
- PARKING STRIPING (BLUE)
- PARKING STRIPING (WHITE)
- PARKING STRIPING (YELLOW)
- CURB AND GUTTER
- PROPOSED DRY RETENTION BASIN
- PROPOSED SPILL CONTAINMENT UNIT

ZONING REQUIREMENTS

ZONING

THE SITE IS ZONED OS-1 AND B-1 (OFFICE SERVICE & LOCAL BUSINESS)

SETBACKS: FRONT - 35'
SIDES - 15'
REAR - 20'

PROPOSED USE

FACILITY USE
CONSTRUCTION TYPE PD - PLANNED DEVELOPMENT

PARKING

TOTAL PARKING SPACES REQUIRED:
- 0.5 SPACES X UNITS PLUS 1 SPACE X TOTAL EMPLOYEES IN LARGEST SHIFT
- 0.5 SPACES X 103 UNITS + 1 SPACE X 40 EMPLOYEES = 92 SPACES

TOTAL PARKING PROVIDED = 114 SPACES
BARRIER FREE SPACES REQUIRED = 5
BARRIER FREE SPACES = 7 PROVIDED
ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS

TYPICAL PARKING SPACE DIMENSION = 9'X18'

GENERAL NOTES

- ALL DIMENSIONS SHOWN ARE TO THE EDGE OF METAL.
- PROVIDE CURB CUTS/RAMPS AT ALL BARRIER FREE ACCESS POINTS.
- PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND MICHIGAN BARRIER FREE CODE.
- SEE LANDSCAPE PLANS FOR HARDSCAPE, DETAILED GRADING IN LANDSCAPED AREAS AND SIGNAGE.
- SEE ARCHITECTURAL PLANS FOR MORE DETAILS ON TRUCK DOCK WALLS, STAIRS, AND RAMPS.
- MATCH EXISTING CURB & GUTTER SECTIONS WHEN CONNECTING TO THEM. CONDITIONS VARY THROUGHOUT PROJECT.
- EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, AND CITY OF PORTAGE STANDARDS SPECIFICATIONS.
- ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
- ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE P1 (3500PS), AIR ENTRAINED, LIMESTONE AGGREGATE, BROOM FINISHED, CURING SEAL.
- THE CONTRACTOR SHALL LOCATE ALL ACTIVE UNDERGROUND UTILITIES PRIOR TO STARTING WORK AND SHALL CONDUCT HIS OPERATIONS IN A MANNER AS TO ENSURE THAT THOSE UTILITIES NOT REQUIRING RELOCATION WILL NOT BE DISTURBED.
- ALL REQUIRED FILL FOR THIS PROJECT SHALL BE SELECTED EXCAVATED MATERIAL FROM THE SITE APPROVED BY THE ENGINEER OR CLASS II GRANULAR MATERIAL FROM BORROW AND SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL 1-800-482-7171 A MINIMUM OF THREE FULL WORKING DAYS EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE NOT BEEN PREVIOUSLY LOCATED. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.
- ANY BITUMINOUS OR CONCRETE PAVEMENT, SANITARY SEWER, SANITARY SEWER SERVICE LEADS, OR STORM SEWER, WHICH IS DAMAGED BY THE CONTRACTOR DURING HIS OPERATIONS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AND AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
- ALL UNSUITABLE SUBBASE MATERIAL MUST BE REMOVED TO A MINIMUM DEPTH OF 24" BELOW THE TOP OF THE SUBGRADE OR AS DETERMINED BY THE COUNTY ENGINEER.
- IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.

- CONTRACTOR TO OBTAIN A ROW PERMIT FROM THE CITY OF PORTAGE FOR ANY WORK WITHIN THE PUBLIC RIGHT OF WAY.
- WORK IN CENTRE AVENUE SHALL BE CONDUCTED IN THE MONTHS OF MAY THROUGH OCTOBER, WITH WORK BEING COMPLETED BEFORE NOVEMBER 1 OF THE SAME YEAR THE WORK WAS STARTED.

BENCHMARKS

ELEVATIONS OF THIS SURVEY ARE BASED ON NAVD 88 AS DERIVED FROM GPS

BM 1 EL = 883.42'
SPIKE IN SOUTH FACE OF UTILITY POLE ON THE NORTH SIDE OF E CENTRE AVE EAST OF LAKE WOOD DR.

BM 2 EL = 883.14'
CHISELED X ON SOUTHEAST BOLT ON HYDRANT ON THE SOUTH SIDE OF E CENTRE AVE 580' EAST OF THE EAST CURB OF LAKE WOOD DR.

BM 3 EL = 880.72'
CHISELED X ON SOUTHWEST BOLT OF HYDRANT SOUTHEAST OF STORM CATCH BASIN 21.



Know what's below.
Call before you dig.

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

FIELD WORK PERFORMED BY:
HURLEY & STEWART, LLC

SITE LAYOUT PLAN TRILOGY HEALTH - PORTAGE MI TRILOGY HEALTH SERVICES

Sheet Title:
Project:
Client:

05/09/23

Sheet

C-2

hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.552.4960 fax 269.552.4961
www.hurleystewart.com



Job No. 23-0034 P.M.-HWP DRAFT-DSV 04/05/09/23
ISSUED FOR/REVISIONS:
2 CITY OF PORTAGE PRE-TENTATIVE REVIEW 03/14/23
3 OWNER REVIEW 03/21/23
4 CITY OF PORTAGE TENTATIVE PD REZONING 03/24/23
4 CITY OF PORTAGE PD ZONING RESUBMITTAL 05/09/23
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TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Communication from Lake Center District Housing Task Force

Please find attached a communication received from Michael Cartier on behalf of the Lake Center District Housing Task Force.

From: [Michael Cartier](#)
To: [Peter Dame](#); [Victor Ledbetter](#); [Pat McGinnis](#)
Cc: [Mary Zoeller](#); [Jim Kalleward](#); [mendhamz125@gmail.com](#); [derek.heath311418@gmail.com](#); [John Taylor](#); [Michael Cartier](#)
Subject: Letter from Lake District Housing Task Force - August 4, 2023
Date: Friday, August 4, 2023 3:51:42 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.

August 4, 2023

Dear Mr. Dame and Council Member Ledbetter:

I am authorized by the Lake Center District Housing Task Force (the "Task Force") to send the following letter.

As an initial matter, I want to thank Mr. Dame for his response to the letter that the Task Force sent to each of you on July 20, 2023. I also want to thank him for his continued follow through on his commitment that he would forward all inquiries received from private citizens by the City so that the Task Force could include those questions in the Task Force's submissions to the City.

At the same time, however, the City has FAILED to follow through on Mr. Dame's commitment that "the process issues raised [by the Task Force would] be responded to separately." **To date, the Task Force has not received any response to the process questions.**

The City's failure to follow through on this commitment contradicts Mayor Randall's professed commitment to transparency in government. If the City truly wants to keep its citizens informed, then the City MUST find a way to provide a forum/process/protocol where ALL CITIZENS can see the questions submitted by the Task Force and ALL CITIZENS can see the answers provided by the City. Failure to provide such a forum/process/protocol ignores the stated goal of transparency and will prevent the City and the citizens of Portage from achieving a "win-win" that Mayor Randall professes to desire.

Despite the City's failure to follow through on the commitment to respond to the Task Force process questions, and in an attempt to move forward, the Task Force submits the following questions to the City. Please note that the questions that follow are not a comprehensive list, but rather a list of questions mainly focused on the Stanley Woodbine project.

It is the expectation of the Task Force that the City will make these questions available in some forum/format so that ALL CITIZENS can see them. Moreover, it is our expectation that the City will make its answers to each of these questions available in some form/format so that ALL CITIZENS can see them.

In order to ensure that there is no misunderstanding, and consistent with the City's commitment that the Task Force will not be required to utilize the FOIA process, please note that where requested, the Task Force seeks public records as defined under MCL 15.232(i).

1. Provide all public records re the Stanley Woodbine project: the proposed structures, including fire protection, exteriors, garages, floor plans, roofing, attic space, basements, security systems, electrical service, etc.
2. Provide the land purchase agreement and other public records related to the Stanley Woodbine project.
3. Identify the party and provide public records related to the question as to which party (AVB or a party representing AVB, or some other party) submitted the proposed design for consideration on the Stanley Woodbine development.
4. Provide all public records related to the RFP (request for proposals) and the bid tabulations or any analysis conducted or used to choose AVB?
5. Provide public records (even if in DRAFT form) that will be used to sell the homes in the Woodbine Stanley project to eligible buyers.
6. Provide any and all public records/contracts/agreements/letters of intent/letters of understanding or the like between the city and AVB and/or representatives of either.
7. Please comment: For the Stanley Woodbine project, sixty three (63) units at the city cost of \$300,000 results in a total cost of \$18,900,000. The city received only \$4,500,000 from Kalamazoo County. Where is the additional \$14,400,000 in funding to complete the project coming from? Has the city and AVB completed a cash flow analysis of the project? How are the shortfalls being funded?
8. Provide any and all public records related to DRAFT or FINAL financial pro formas prepared by or for the city related to the Stanley Woodbine project.
9. Provide all public records related to any plan or analysis - done by or for the city or AVB - related to the cost/density of developing the project under its current zoning of R-1B? R-1A?
10. Describe the experience that the city employee administering the Woodbine/Stanley project has in land acquisition, land speculation, site development, residential construction, contract negotiations, cost control, financing, mortgage lending, banking, real estate brokerage and the administration of a federal/county program?
11. Please comment: AllenEdwin is selling an Integrity1520 series home in Gobles with 2 bedrooms, one bath, two car attached garage and 1,250 square feet of living space for \$236,785. At their Concord Farms subdivision in Mattawan an Integrity1750 series home

with 3 bedrooms, 2 baths, two car attached garage and 1735 square feet of living space for \$264,000, or \$150 per square foot of living space. The city plan has \$320,000 divided by 1,400 square feet equal to \$248 per square foot. Why is the City cost/sell price so dramatically higher than these projects?

12. Please comment: The AllenEdwin Pennridge Trail subdivision off Ousterhout Road, Phase One , has an average lot width of 66' and an average lot size of 8,869 square feet, both meeting and exceeding the requirements of the PD zoning district. The city plan for Stanley Woodbine meets neither. Should the plan be changed to at least meet the minimum PD zoning requirements? If not, why not?

13. Please comment: how did the city determine that the “missing middle” home would cost/sell for \$320,000? Experts suggest that a ratio of the cost of a home compared to annual income be no more than 2.6. A single person on the low end of the city’s AMI chart, 100 % AMI, would qualify to buy a home at \$64,200, multiplying that by 2.6 would equal a home price of \$166,920 . At the high end, a 5 person household at 100% AMI of \$99,120 would qualify for a home price of \$257,600. By the city’s own definition, workforce housing should be priced between \$166,920 and \$257,600, far below the city’ estimated cost/sales number.

14. Describe the role that the city will play after the homes are sold. For example, will the city tax the home at market value or at the sale price to the owner? Will the city guarantee the loans? Will the city control the mortgage terms? Will the city control the sale of the home to any subsequent buyer? Will homeowners be required to insure homes for replacement cost? Will the city be responsible for any common areas? Will there be a homeowners association? Will homeowners be allowed to sell the homes that they buy? If not, how does the homeowner grow the value of the home (a key benefit to owning a home)? Will homeowners be allowed to rent the homes that they buy?

15. The following citations are related to the question below. Code of Ordinances of Portage Michigan (Municipal Codes),Chapter 42 Land Development Regulations, Article 4 Zoning, Division 4 Zoning Districts and District Regulations, Subdivision 11 PD Planned development district, Section 42-374 Site Development Requirements, C. Non-applicability of other zoning regulations, mixture of housing types: Please comment: The applicant for a planned development must demonstrate that the proposed plan cannot be developed under other provisions of this article, or provide for a mixture of at least two of the three housing types: one- family attached or detached, two-family or multifamily. The project only includes detached one-family homes so it does not meet the second requirement. Nor does it meet the first requirement in that the project could, and should, be developed in any of the R-1 zoning classifications.

16. The following citations are related to the question below. Code of Ordinances of Portage Michigan (Municipal Codes),Chapter 42 Land Development Regulations, Article 4 Zoning, Division 4 Zoning Districts and District Regulations, Subdivision 11 PD Planned development district, Section 42-374 Site Development Requirements, D. Density. Please comment: In

one-family residential areas of a planned development, the average lot size shall be not less than 6,500 square feet, with a minimum of 5,000 square feet. The project does not meet this requirement in that the average is 6,128 square feet with the majority of the lots being just over the minimum 5,000 square feet and a very few large lots added to pump the average up. One lot does not meet the minimum standard.

17. The following citations are related to the question below. Municipal Codes, Chapter 42 Land Development Regulations, Article 4 Zoning, Division 4 Zoning Districts and District Regulations, Subdivision 11 PD Planned Development District, Section 42-374 Site Development Requirements, E. Setbacks, a. Perimeter Setback Requirements. In a planned development that abuts property and that permits developments of less intensity than permitted by the planned development, a peripheral transition area shall be incorporated in the planned development that provides development similar in density to that existing or permitted on the on the abutting land. The lots on the north, east and south side of the project do not meet this requirement, the abutting land is zoned R-1B which is generally half of the project density.

18. The following citations are related to the question below. Municipal Codes, Chapter 42 Land Development Regulations, Article 5 Subdivision and Land Division Regulations, Division 4 Required Improvements and Design Standards, Section 42-807 Lots, .1 Size and Shape, d. Corner Lots; Corner lots shall be platted at least 20' wider than the minimum width permitted by article 4 of this chapter in order to conform with setback lines for side-lotted streets. Please comment: none of the Stanley Woodbine corner lots on this project meet this requirement.

19. The following citations are related to the question below. Municipal Codes, Chapter 42 Land Development Regulations, Article 5 Subdivision and Land Division Regulations, Division Required Improvements and Design Standards, Section 42-807 Lots, 2. Arrangement, a. Every lot shall have not less than 60 feet of frontage on a public street or 50 feet of frontage on a public cul-de-sac. Please comment: many of the lots in the project do not meet this requirement.

20. On July 25, 2023, Zylman Avenue Ventures LLC (on JTB Homes letterhead) informed Mayor Randall that it was withdrawing its pending applications related to the Austin Landings Planned Development (the "Austin Landings Letter"). The letter refers to interactions with Mayor Randall regarding the Mayor's input into this Zylman Avenue Ventures' actions: "Based on your recommendation . . ." and "Your input has been important in making this decision." Provide ALL public records related to Mayor Randall's interactions with Zylman Avenue Ventures' decision to withdraw its pending applications.

The Task Force looks forward to receiving the City's responses to the forum/process/protocol/ issue as well as to the substantive issues raised in this letter.

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Michael Cartier
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From Councilmember Lisa Brayton to City Manager McGinnis

Received via text message August 30, 2023 at 8:25 AM.

It is my great honor and privilege to serve the citizens of Portage as a Council member. I do not take this responsibility lightly carrying out my duties with the highest level of integrity. My desire has and continues to be a servant to this great community by putting citizen voice to action. However, this Mayor, seems intent on silencing this voice. Without notice, my involvement, or sufficient publication, a Special Council meeting was held.

It grieves me that my character is now being maligned without evidence as I seek to offer our citizens a choice in this upcoming election. I have continued to be a registered Portage elector for not only my entire term in Council but a resident and business owner of this great city for nearly 30 years. I love this community, it's citizens, and place that is indeed my home.

Since announcing my candidacy for Mayor, this unfounded claim which originally surfaced to the Mayor anonymously in November 2022 re-presented itself masked as citizen concerns from constituents closely affiliated with the current office holder. At minimum this foreknowledge and upcoming election required her recusal where conflict of interest exists and potentially others as well. The result of a Council rushed to action without evidence or proper legal guidance is approved motions that are without merit or precedent. Furthermore, it's clear that the proceedings thus far are tainted by bias as the Mayor disregards adequate due process imposing demands and deadlines that also violate my right to medical leave.

I went on record asking for prayers during our last Council Meeting. I thank all the concerned citizens that reached out with an outpouring of love as I had surgery last Thursday. As was stated in my letter submitted to the City, I need and deserve time to recover from my procedure. In the past month, I have found City Hall to be a hostile workplace that has only compounded with this public barrage and private bullying during my declared recovery.

I believe Portage deserves better than this charade. Our tax dollars and time are better spent focusing on the real issues that trouble our community. I look forward to contributing in a positive way to outcomes that make our community better. At this time I am resigning my council seat effective immediately. My health is way more important, dealing with cancer is not an easy thing as many can understand. I can not focus on getting through this while being in that hostile environment. Serving you has been a great honor and privilege.

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Follow-up from Special Meeting of August 28, 2023.

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Receive the information provided, as requested at the Special Meeting of August 28, 2023.

This report does not draw any legal conclusions but rather is a factual follow-up to a request for information.

At the Special Meeting held on August 28, 2023, City Council held discussions about eligibility for elective office of one of its members (Lisa Brayton). Council directed the City Manager to review meeting minutes dating back to November of 2021 to determine if there had been votes taken that were supported by Councilmember Brayton that could possibly be invalidated if it is later found that she was not eligible to hold office at the time the votes were taken. This direction would include any meetings when Councilmember Brayton was one of only four members present, thus possibly invalidating the full meeting due to lack of an eligible quorum of elected officials.

I reviewed the minutes of 43 meetings held since November 16, 2021, and found there were no split votes wherein Councilmember Brayton's vote was a deciding factor. There were two meetings during this period when only four councilmembers were in attendance: the meetings of July 26, 2022, and July 25, 2023. The Office of the City Clerk also reviewed the minutes of the 43 meetings held and confirmed the above to be accurate. Attached is a summary of the votes taken at those two meetings.

The City Attorney is asked to consider the effect on the decisions made at these two meetings if one of the members present was found to be ineligible. If those decisions are somehow affected, the Attorney will offer directions regarding the appropriate remedy.

Other items discussed at the Special Meeting will be addressed under separate, possibly protected, communication from the City Attorney. It is therefore recommended that City Council receive the information provided, as requested at the Special Meeting of August 28, 2023.

FUNDING: N/A

Attachments: 1. 2022-07-26 and 2023-07-25 Quorum Records

	Burns	Brayton	Knapp	Ledbetter	Pearson	Randall	Urban
July 26, 2022, City Council Meeting			Absent	Absent	Absent		
Consent Agenda	<i>Motion to approve as presented</i>	<i>Support</i>					
Approval of Meeting Minutes						Aye	Aye
Accounts Payable Register						Aye	Aye
Greenspire Phase VII (Tall Timbers) Residential Planned Development at 3413 W Centre Avenue						Aye	Aye
IPUSA Brownfield Redevelopment Plan Amendment (801 East Milham)						Aye	Aye
Fire Apparatus Maintenance and Police/Fire Vehicle Retrofitting Contract						Aye	Aye
Sole Source Purchase of 800 MHz Dual-Band Radios						Aye	Aye
Ice Control Salt Purchase						Aye	Aye
Cooley Drive Reconstruction Project - Tabulation of Proposals						Aye	Aye
Minutes of Boards & Commissions						Aye	Aye
Calendar of Meetings						Aye	Aye
Public Hearings							
Rezoning application #21/22-2 and Tentative Plan for Woodway Condominiums at 7425 Oakland Drive	<i>Motion to postpone remainder of public hearing</i>	<i>Support</i>				Aye	Aye
Brownfield Redevelopment Plan for Kotobuki Seating at 5200 S. Sprinkle Road	<i>Motion to approve the redevelopment plan</i>	<i>Support</i>				Aye	Aye

	Burns	Brayton	Knapp	Ledbetter	Pearson	Randall	Urban
July 25, 2023, City Council Meeting	Absent		Absent	Absent			
Consent Agenda					<i>Motion to approve as presented</i>		<i>Support</i>
Approval of Minutes		Aye				Aye	
Accounts Payable Register		Aye				Aye	
Local Officers Compensation Commission Report		Aye				Aye	
Calendar of Meetings		Aye				Aye	
Public Hearings							
Woodlands at Austin Lake (4301 Branch Avenue) - Tentative Plan Amendment		Aye			<i>Motion to approve the Tentative Plan Amendment</i>	Aye	<i>Support</i>