FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
FEBRUARY 6, 2024

7:00 p.m. Call to Order.

Moment of Silence.

Pledge of Allegiance.

Roll Call.

Proclamations.

A. Petitions and Statements of Citizens:

B. Consent Agenda:

1. Approve the City Council Meeting Minutes of the:

   a. Board & Commission Interviews of January 23, 2024

   b. Regular Meeting of January 23, 2024

2. Approve the Accounts Payable Register of February 6, 2024, as presented.

3. Approve the Substantial Amendment to the CDBG Program FY2021-22 Annual Action Plan and authorize the City Manager to execute all documents related to this action on behalf of the city.

4. Consider the Historic District Commission's recommendation to create a new historic district of the 37 lots within the Glenbrook Village neighborhood.

5. Award a contract for the purchase of traffic signal poles, mast arms, and assemblies to J. Ranck Electric, Incorporated in the not-to-exceed amount of $489,700 and authorize the City Manager to sign all documents related to the contract on behalf of the city.

6. Award a construction contract for the installation of water services and abandonment of private wells on Portage Road, Willoughby Avenue, and East Milham Avenue to Brik Plumbing of Byron Center, Michigan, in the amount not to exceed $214,240 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

7. Approve a three-year extension of the agreement with the Michigan Employees' Retirement System (MERS) for the administration and investment of the Other Post Employment Benefit (OPEB) trust fund, MERS Retiree Health Funding Vehicle (RHFV), and authorize the City Manager to execute all documents related to this extension agreement on behalf of the city.

8. Minutes of Boards & Commissions:

   a. Human Services Board of January 4, 2024.

9. Materials Transmitted of January 23 and January 26, 2024.

10. Calendar of Meetings:

    - ~~Historic District Commission: February 7 at 8:30 a.m. in Conference Room 1.~~ Canceled
    - Park Board: February 7 at 6:30 p.m. at the Portage Parks & Recreation Building.
    - Environmental Board: February 14 at 7:00 p.m. in Conference Room 1.
    - Planning Commission: February 15 at 7:00 p.m. in the City Council Chambers.

C. Communications:

D. Public Hearings:

1. Subsequent to the public hearing, consider approving rezoning application No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking District to facilitate future commercial development.

E. Regular Business Agenda:

F. Unfinished Business:

G. Council Committee Reports:

H. New Business:

I. Statements of City Council and City Manager.

Adjournment.

MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL
BOARD & COMMISSION INTERVIEWS
JANUARY 23, 2024

Mayor Patricia Randall called the Board and Commission Interview session to order at 5:30 PM in Conference Room #1 at Portage City Hall.

ROLL CALL: Councilmembers Chris Burns, Victor Ledbetter, Nicole Miller, Terry Urban, Jihan Young, Mayor Pro Tem Jim Pearson, and Mayor Patricia Randall were present.

ABSENT: None.

ALSO PRESENT: City Manager Pat McGinnis, City Clerk Erica Eklov and Administrative Assistant Aaron Thiel.

BOARD OF REVIEW - 6 EXPIRING TERMS: At 5:30 p.m., returning Board of Review members Carol Eddy, Keith Hearit, and Leonard Lamberson attended. Mayor Randall inquired about training options. Mr. Hearit confirmed the City Assessor's Office communicates the training dates, especially this year as the state has made it mandatory. Mayor Randall then inquired whether the Council could provide any additional assistance to the Board. Mr. Lamberson responded. Mayor Pro Tem Pearson asked whether the dual-pod system remained effective in light of the workload. All members confirmed the structure was effective. There was additional discussion regarding the appeals process.

ECONOMIC DEVELOPMENT CORPORATION/TAX INCREMENT FINANCE AUTHORITY AND BROWNFIELD REDEVELOPMENT AUTHORITY (EDC/TIFA/BRA) - 2 EXPIRING TERMS, 1 VACANCY: At 5:47 p.m. the City Council reviewed the status of the EDC/TIFA/BRA. There were no applicants present. Clerk Eklov reviewed the returning members, noting Mr. Lenehan was unable to attend due to the weather and Mr. Lewandowski had reached ten years of service during his last term. The Clerk also explained that applicant Justin Gish had been previously appointed by the Council to two other city boards but had resigned before the end of his terms and was looking for a new position. Discussion followed regarding Mr. Lewandowski's term. The Council reached a consensus to address the vacancy with the new applicants in person at a later date.

ENVIRONMENTAL BOARD - 1 VACANCY: At 5:50 p.m. applicants Shirley Wahmhoff, Mark McKeon, David Bergher, and Martin Atherton attended. Environmental Board Chair Lauren Tompkins was also in attendance. At the Mayor's request, each applicant summarized their background, and Ms. Tompkins provided a brief update regarding the Board's current efforts.

HISTORIC DISTRICT COMMISSION - 4 EXPIRING TERMS: At 5:58 p.m. in the absence of applicants present, the City Council discussed the positions for the Historic District Commission. Mayor Randall inquired about member Maytnier's length of service. Mayor Pro Tem Peason asked for clarification regarding member Rice's re-appointment, to which Administrative Assistant Thiel responded. Subsequently, at 6:43 p.m., the Council interviewed returning member Martha Deming Maytnier.

SENIOR CITIZENS ADVISORY BOARD - 1 VACANCY (ALTERNATE): At 6:04 p.m. the City Council interviewed applicant Shirley Wahmhoff. Mayor Randall asked Ms. Wahmhoff for her preference between her selected boards, to which Ms. Wahmhoff confirmed the Senior Citizens Advisory Board was her preferred choice. Mayor Randall asked the Clerk to provide the Board's meeting details. Councilmember Ledbetter asked Ms. Wahmhoff about her nursing background. At the Mayor's request, Councilmember Young provided Ms. Wahmhoff with an explanation of the Human Services Board, which was Ms. Wahmhoff's second choice on her application. At Councilmember Urban's

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request, Ms. Wahmhoff provided additional details regarding her background in cognitive based compassion training.

ZONING BOARD OF APPEALS - 1 VACANCY, 1 VACANCY (ALTERNATE), 1 EXPIRING TERM (ALTERNATE): At 6:20 p.m. the City Council interviewed applicants John Sloan and David Bergher, as well as current alternate member Michael Reedy. Councilmember Urban asked the new applicants to identify their preferred boards, as well as described the difference between the vacant position and Alternate positions.

PLANNING COMMISSION - 1 VACANCY: At 6:27 p.m. applicants Matt Longjohn, Mark McKeon, and Jason (Jay) Woodhams were interviewed. Candidates summarized their backgrounds and relevant experiences. Councilmember Urban asked the applicants if they had been involved in any of the current Master Plan update meetings.

HUMAN SERVICES BOARD - 1 VACANCY: At 6:35 p.m. City Council interviewed applicant Pamela Kanhouse. At the Mayor's request, Councilmember Young provided an overview of the Human Services Board focus, noting the annual service organization application reviews.

BOARD AND COMMISSION APPOINTMENTS DISCUSSION: The Council agreed to reappoint the returning members of the Board of Review. Regarding the EDC/TIFA/BRA, there was a consensus to await a new appointment until the applicants could interview in person while reappointing Bill Lenehan and Keith Lewandowski. Councilmember Young inquired about a partial term for Mr. Lewandowski in light of his existing length of service, but the other members agreed to continue him for one more full term. Concerning the Historic District Commission, Councilmembers recommended reappointing the returning members and continuing the search for the remaining vacancy. The Council then reached a consensus to reappoint former Alternate Michael Reedy to the partial, full membership term, while appointing David Bergher and John Sloan as the new Alternates to the Zoning Board of Appeals. There was agreement by the Council to appoint Pamela Kanhouse to the Human Services Board partial term vacancy. Following discussion, it was the consensus of the Council that Martin Atherton was the best candidate for the Environmental Board position, while applicant Matt Longjohn should be appointed to the Planning Commission.

STATEMENTS OF CITIZENS: None.

ADJOURNMENT: Mayor Randall adjourned the meeting at 6:50 p.m.

Erica L. Eklov, City Clerk

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CITY COUNCIL MEETING MINUTES FROM JANUARY 23, 2024

Mayor Patricia Randall called the Regular Meeting to order at 07:03 PM in the Council Chambers at Portage City Hall.

ROLL CALL: Councilmembers Chris Burns, Victor Ledbetter, Nicole Miller, Terry Urban, Jihan Young, 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 with gratitude on the citizen volunteers for Portage. Following the moment of silence, the City Council recited the Pledge of Allegiance with the assistance of Scout Troop #289.

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. Councilmember Young removed Item A.5. Citizen Tina Kuchenbuch removed Item A.6. Motion by Pearson, seconded by Urban, to approve the Consent Agenda as amended. Upon a roll call vote, motion carried 7 to 0.

Approval of Minutes: Motion by Pearson, seconded by Urban, to approve the City Council Meeting Minutes of the Regular Meeting of January 9, 2024. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Pearson, seconded by Urban, to approve the Accounts Payable Register of January 23, 2024, as presented. Upon a roll call vote, motion carried 7 to 0.

2024 Board of Review: Motion by Pearson, seconded by Urban, to adopt the resolution setting the schedule for the 2024 Board of Review and approve the use of two three-member panels for the Board of Review meetings. Upon a roll call vote, motion carried 7 to 0.

2024 Poverty Exemption Guidelines: Motion by Pearson, seconded by Urban, to adopt the Resolution Establishing Poverty Exemption Guidelines 2024. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: Motion by Pearson, seconded by Urban, to receive the minutes of the Zoning Board of Appeals of May 15, 2023. Upon a roll call vote, motion carried 7 to 0.

Calendar of Meetings: Motion by Pearson, seconded by Urban, to receive the Calendar of Meetings as presented. Upon a roll call vote, motion carried 7 to 0.

Before opening for citizen comments, Mayor Randall recommended that the City Council move Item F.1 to occur next for response to a question posed during the last Regular Meeting. Motion by Burns, seconded by Young, to move Item F.1 (Grand Hotel Expenditure) before "B. Petitions and Statements of Citizens." Upon a roll call vote, motion passed 7-0.

UNFINISHED BUSINESS:

Senior Center - Grand Hotel Trip Expenditure: City Manager McGinnis summarized the response from the City Administration regarding the expenditure of the Grand Hotel Senior Center

trip as discussed at the Regular Meeting of January 9, 2024.

Motion by Burns, seconded by Young, to receive the report on the Grand Hotel Senior Center trip expenditure. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Alan Loveridge (23965 88th Avenue, Marcellus) read a prepared comment regarding residential electricity savings.
2. Mark McKeon (6825 Cromwell Street), noting he was not speaking on behalf of Stryker, responded to citizen concerns from the January 9th City Council meeting regarding light pollution along Stryker Way.
3. Tim Earl (6268 Shallowford Way) relayed concerns regarding the proposed revisions to the Rules of Order and Procedure under Item A.5, while complimenting the recent update to move citizen comments before the Consent Agenda.
4. Thomas Drabik (5732 Monticello) began by thanking Councilmember Young for removing the Rules of Order and Procedure under Item A.5 from the Consent Agenda. He noted his prior service as a County Commission for Portage and expressed concerns with the proposed revisions to the Rules of Order and Procedure.
5. Kari Brown (1322 Romence Road) read a statement from citizen Richard Nellums, who was unable to attend, regarding the proposed change under Item A.5. His statement expressed concern about the proposed changes to the Rules of Order and Procedure. Ms. Brown then spoke as herself about her concerns regarding the revised Rules of Order and Procedure.
6. Andrea Stork (1515 Dogwood Drive) asked the City Council to read the Consent Agenda in full as part of their suggested revisions under Item A.5.

COMMUNICATIONS:

Youth Advisory Committee Update: Maddy Herringa and Elle Johnson from the Youth Advisory Committee presented the annual report on the activities and efforts of the committee in the community, including city board and Council interactions, philanthropic/outreach efforts, increasing environmental awareness, and bolstering social media announcements.

Motion by Urban, seconded by Young, to receive the Annual Report Presentation from the Youth Advisory Committee for 2023/2024. Upon a voice vote, motion carried 7 to 0.

REGULAR BUSINESS AGENDA:

Appointments of Boards & Commissions: At the request of the Mayor, City Clerk Eklov read the following appointments into the record: reappoint Patrick Buckley, Carol Eddy, Keith Hearit, Leonard Lamberson, Orville Smith, and Amanda Bengston as members of the Board of Review with terms ending January 31, 2025; reappoint Bill Lenehan and Keith Lewandowski to a term ending December 31, 2030, to the Economic Development Corporation/Tax Increment Finance Authority and Brownfield Redevelopment Authority; appoint Martin Atherton to a partial term ending October 1, 2024, to the Environmental Board; reappoint RJ Batas, Martha Deming Maytnier, and Steven Rice to the Historic District Commission with terms ending December 31, 2026; appoint Matt Longjohn to a partial term ending May 31, 2025, to the Planning Commission; appoint Shirley Wahmhoff to an alternate term ending October 1, 2025, to the Senior Citizens Advisory Board; appoint Pamela Kanhouse to a partial term ending October 1, 2024 to the Human Services Board; reappoint Michael Reedy to a regular term ending February 28, 2027, and appoint David Bergher as an Alternate with a

term ending February 28, 2027, and appoint John Sloan to an Alternate, partial term, ending February 28, 2025, to the Zoning Board of Appeals.

Motion by Burns, seconded by Ledbetter, to appoint the individuals as noted by the City Clerk. Upon a roll call vote, motion passed 7 to 0.

Requests for On-Premise Quota Liquor License: At the request of the Mayor, City Manager McGinnis explained the liquor license review process and the City Council's next steps. City Manager McGinnis highlighted the Michigan Liquor Control Commission quota license relationship with the U.S. Census, and the status of the resulting licenses to date. He then summarized the three applications and recommended the City Council postpone action in order for the Small Business Committee to seek additional information from each applicant regarding their business plans for additional consideration.

Councilmember Burns inquired whether the applicants would be required to submit any additional payments beyond the existing application fee. City Manager McGinnis responded that the applicants would not. Mayor Randall asked about the value of a liquor license. City Manager McGinnis relayed that private businesses own escrowed licenses as a marketable asset for private purchase at a much higher price than the local and state application fees. Councilmember Urban confirmed that on-premise liquor licenses are quite valuable, both to the applicant and the city. He provided additional background on prior city actions with liquor license allocation and noted the various licenses also available in escrow. Citing concerns with one of the applications' LLC status, Councilmember Urban supported additional review by the City Council's Small Business Committee.

Councilmember Ledbetter asked how a license is managed by a business that has closed. City Manager McGinnis responded that a license is an ownership interest within the county. City Attorney Kaufman confirmed the value and handling as noted by the City Manager.

The Mayor referenced the initial 2010 quota license-winning business, which did not come to fruition, and asked about potential City Council stipulations. City Attorney Kaufman confirmed it was possible. Clerk Eklov confirmed the prerequisites outlined by the City Council in 2012 for the conditional approval of the Repertoire restaurant. Councilmember Urban highlighted information from the City Manager under the Pre-Council Questions and confirmed the property status of licenses for businesses. Councilmember Ledbetter expressed concern with awarding a license that could become a profit tool and requested including clawback options. City Attorney Kaufman requested additional information on the ordinance provisions and the 2012 applicants. City Manager McGinnis verified Councilmember Ledbetter's concern, stating that a liquor license, once awarded, becomes an asset for the particular business. He confirmed that a business can market an on-premise license for nearly triple the amount of money it takes to apply for a new license.

Motion by Urban, seconded by Pearson, to decline to award the remaining liquor license in the City of Portage from the 2020 Census and refer the matter to the City Council Small Business Committee for its consideration, review, and report to the Council, as well as ask the City Manager and City Attorney to review the city's ordinance and provide education to the Council. Upon a roll call vote, motion carried 7 to 0. Councilmember Urban elaborated on his desire for the Council to better understand the ordinance and decide on the best way to move forward. Mayor Randall agreed on the need to perfect the vetting process and asked if a time frame was necessary. Councilmember Urban expressed aversion to setting a response date to allow for a full review. The City Manager offered 60 days to work on the review, including contacting the applicants. Upon a roll call vote, motion passed 7 to 0.

City Council Rules of Order and Procedure Revision: Councilmember Young explained why she removed the matter from the Consent Agenda. She noted citizen concerns she had received prior to the meeting and wanted to respond to the various concerns. She responded to Ms. Karry Brown's concerns from the earlier citizen comment period and confirmed that members of the Council would

fulfill citizen requests to remove items from the Consent Agenda in the future. Councilmember Young also responded to the concerns brought by citizens Andrea Stork and Thomas Drabik during the citizen comment period.

Mayor Randall explained the recent efforts to provide citizen information in various ways by the City Administration. She relayed a recent Michigan Municipal League training session provided to the city that highlighted Robert's Rules of Order and best practices, including issues with the current Portage agenda order and meeting practices. She then spoke regarding the proposed earlier start time concerning staff retention and a measure of flexibility. The Mayor then spoke to the public availability and accessibility of the meeting agendas and minutes.

Councilmember Burns spoke regarding the order of the proposed Rules of Order and Procedure, which had been revised between the preliminary agenda publication on Thursday and the final version included on the Consent Agenda for the January 23 meeting. He promised the removal of any item from a future Consent Agenda as desired by a resident.

Councilmember Miller spoke regarding the current City of Portage option for citizens to remove items from the Consent Agenda and the uniqueness of that possibility. She also noted the proposed start time and provided examples of meeting times from other jurisdictions. Councilmember Miller closed by expressing a preference for the Consent Agenda intro as a current highlight of where to locate information, especially for new residents.

Councilmember Young explained where to find both the City Council agendas and the Council's contact information on the city website. She also encouraged citizens to reach out to the members of the Council to ask questions.

Motion by Young, seconded by Burns, to adopt the revised Rules of Order and Procedure. Upon a roll call vote, motion carried 7 to 0. Motion to reconsider by Miller, seconded by Urban. Upon a roll call vote, motion passed 7 to 0. Councilmember Miller requested the revised Rules of Order and Procedure retain the announcement for the published agenda's location. The Council then discussed the best method to do so. Councilmember Urban motioned to table the revised Rules of Order and Procedure to the February 6, 2024 Regular Meeting. As there was no second, the motion failed. At the Mayor's request, City Attorney Kaufman clarified the business before the Council. Councilmember Burns reviewed the Consent Agenda announcement from the prior Rules of Order and Procedure, asking if it was still accurate. Clerk Eklov noted the audio format was no longer recorded.

Motion by Burns, seconded by Young, to adopt the revised Rules of Order and Procedure, with an amendment in Section 5 of the Consent Agenda, to include the following language: *"The Consent Agenda is available for review by visiting the City of Portage website, where it is available both in written and audio format on the City Council "Agenda and Minutes" web page - or - by visiting the Office of the City Clerk the day before or the day of a Regular Meeting.*"

Councilmember Urban asked for a friendly amendment to include the Consent Agenda's earlier availability. Councilmember Burns accepted the amendment and moved to adopt the revised Rules of Order and Procedure with the change to Section 5 to read: "*The Consent Agenda is available for review by visiting the City of Portage website, where it is available in written format on the City Council 'Agenda and Minutes' web page - or - by visiting the Office of the City Clerk during regular business hours prior to the meeting."* Seconded by Young. Upon roll call vote, motion passed 7 to 0.

2024 - 2025 Goal Statement: At the invitation of the Mayor, citizen Tina Kuchenbuch explained why she removed the item from the Consent Agenda, noting several of the goals listed did not appear to reflect the current discussion with the public and the direction of recent items appearing before the City Council.

Councilmember Burns responded, highlighting the November 2023 and January 2024 City

Council Goal Setting Session discussions, noting that the Council narrows down several topics and priorities into an achievable set of goals for the following year. He relayed the desire of the Council to maintain transparency by publishing the goals on a Regular Meeting agenda.

Mayor Randall elaborated on several individual goals, including the Farmer's Market, housing strategies, and waste hauling, stating that the goals provide staff with direction, while several areas will require more than a year to accomplish.

Councilmember Burns highlighted the upcoming city budget review and its relation to allocating resources in correlation with the Council's goals. Motion by Burns, seconded by Young, to approve the 2024 - 2025 Goal Statement. Upon a roll call vote, motion carried 7 to 0.

COUNCIL COMMITTEE REPORTS: None.

STATEMENTS OF CITIZENS:

1. Thomas Drabik (5732 Monticello) asked the City Council to consider the overall effect of the revised Rules of Order and Procedure after the six-month trial period and commended the Council for taking citizen concerns into account during their review period.
2. Tina Kuchenbuch (2728 East Shore Drive) thanked the Council for a 6-month trial but noted the Consent Agenda's purpose, that the Council doesn't always seem to listen to citizens, and that it's not the public's burden to reach out to members of Council. She stated the reasoning is for the citizens to understand how the Council is coming to the decisions they are and defeating the purpose by using the Consent Agenda.
3. Maribeth Henry (2621 Bach Avenue) spoke via telephone to request the Council to adopt a resolution calling for a ceasefire in the Gaza War and expressed concern with the lack of Council action specific to the ceasefire to date.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER:

Councilmember Urban spoke regarding the revised Rules of Order and Procedure discussion by the Council in prior open work sessions and to relay that a consensus had been found by the Council prior to the evening's meeting.

Councilmember Ledbetter spoke regarding the recent passing of Dr. Martin Luther King, Jr.'s last living son and shared a quote by Dr. King regarding differences. Councilmember Ledbetter then relayed the upcoming Black History Month and the associated city event at the Kalamazoo Air Zoo.

Councilmember Miller thanked her fellow Councilmembers for assistance in navigating the updates to the Rules of Order and Procedure. She assured the public that the Council was available to listen and respond to concerns and questions.

Councilmember Young thanked the applicants for the city's Boards and Commissions for their interest in serving the city. She then relayed that the Millennium Ice Rink had re-opened to the public. She then provided a reminder of the on-street parking provisions in light of the winter weather. Councilmember Young closed with a highlight on the upcoming city events and sports programs.

Councilmember Burns provided a reminder regarding SnowPaths (formerly PlowTrax), the city's online snowplow mapping program, available for residents. He closed by recognizing the recent championship win by the University of Michigan football team, and the upcoming game for the Detroit Lions.

City Manager McGinnis announced the city's receipt of a $50,000 MSHDA grant for home renovation in the State Streets neighborhood. He then recognized present MLive reporter Audrey

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Whitaker. He noted the new start time for the Regular Meetings would not be effective until the February 20 meeting as a public hearing had already been scheduled for the next meeting on February 6. He closed by relaying a recent study that continues to illustrate a housing shortage in the area.

Mayor Pro Tem Pearson thanked those citizens who contacted him today. He noted he attended the January 18 lake area zoning codes public forum with a great turnout. He also spoke regarding the January 22 Lake Center meeting. He closed by highlighting the Board and Commission interviews.

Mayor Randall thanked the members of the Council and applicants for attending the earlier Board and Commission interviews. She then noted the Portage Community Center grant as highlighted by Mr. Drabik. Mayor Randall closed by relaying the recent passing of Bob Romence and expressed her condolences to the family, noting his history within the community.

ADJOURNMENT: Mayor Randall adjourned the meeting at 8:53 PM.

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Erica L. Eklov, City Clerk

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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 February 6, 2024, 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 January 14, 2024, through January 27, 2024, and notes $752,160.55 in automated clearing house payments, $423,871.02 in paper checks, $102,713.56 in auto-pay payments, and $1,972,074.34 in electronic payments for a grand total of $3,250,819.47.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of February 6, 2024

ACCOUNTS PAYABLE REGISTER
Check Dates From: 1/14/2024 to 1/27/2024

Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
01/19/2024	20825(A)	A NEW LEAF	CITY HALL PLANT CARE	108.00
01/19/2024	20826(A)	ABONMARCHE CONSULTANTS, INC	ENGINEERING SERVICES - MULT LOCS	11,835.40
01/19/2024	20827(A)	AERCOR INC	NETMOTION RENEWAL	3,600.00
01/19/2024	20828(A)	AIRGAS USA LLC	WELDING SUPPLIES	104.16
01/19/2024	20829(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	6,539.40
01/19/2024	20830(A)	ALRO STEEL CORPORATION	REPAIR & MAINT SUPPLIES	158.25
01/19/2024	20831(A)	AMAZON.COM SALES, INC.	SKID SPRAYER-DPW; MONITOR,BRACKET,SHREDDER-PD	4,941.52
01/19/2024	20832(A)	VOID		0.00
01/19/2024	20833(A)	AMERICAN ARBOR LLC	TREE REMOVAL & PRUNING	3,370.00
01/19/2024	20834(A)	AMERICAN SAFETY & FIRST AID	FIRST AID SERVICES	97.11
01/19/2024	20835(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	1,180.00
01/19/2024	20836(A)	AUNALYTICS INC	MONTHLY DISASTER RECOVERY SVCS	2,018.00
01/19/2024	20837(A)	BAREITHER, CHAD	STRATEGIC PLANNING	3,683.33
01/19/2024	20838(A)	BEST WAY DISPOSAL, INC.	CURBSIDE RECYCLING PROG, SWEEPER DUMP DIS	66,641.46
01/19/2024	20839(A)	C D W GOVERNMENT, INC.	DESKTOP COMPUTER; IPADS	3,394.86
01/19/2024	20840(A)	CENTRAL NATIONAL GOTTESMAN INC	COPIER PAPER	2,047.00
01/19/2024	20841(A)	CHARTER COMMUNICATIONS	CABLE TV	358.79
01/19/2024	20842(A)	CIVICPLUS	FULL SERVICE SUPPLEMENTATION SUBSCRIPTION	5,070.00
01/19/2024	20843(A)	COX, ELISA ROSE	FITNESS INSTRUCTOR HOSTED ORIENTATIONS	450.00
01/19/2024	20844(A)	ED & TED'S EXCELLENT ADVENTURES	PZSC TRAVEL GULF COAST	76,590.00
01/19/2024	20845(A)	ENGINEERED PROTECTION SYSTEMS, INC.	ALARM MONITORING, CO DETECTORS	1,598.91
01/19/2024	20846(A)	ETNA SUPPLY, INC.	REPAIR & MAINT SUP	37.14
01/19/2024	20847(A)	FIRE SERVICE MANAGEMENT	FIRE PPE CLEANING	139.00
01/19/2024	20848(A)	FOREMOST SALES COMPANY LLC	PARKS FACILITY CLEANING	1,700.00
01/19/2024	20849(A)	GOODYEAR TIRE & RUBBER COMPANY	FIRE APPARATUS MAINT	1,894.40
01/19/2024	20850(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICES	209.00
01/19/2024	20851(A)	HAMBRIGHT, JARED	REIMB-MUSAR TRENCH TECH CLASS REG	1,250.00
01/19/2024	20852(A)	HOLCOMB, JOSHUA BARBER	INSTRUCTOR FOR UKULELE CLASSES	900.00
01/19/2024	20853(A)	HOLLISTER, CLAY	REIMB-INTL SOCIETY OF FIRE SVC MEMBERSHIP	185.00
01/19/2024	20854(A)	HOUSEAL LAVIGNE ASSOCIATES, LLC	PROFESSIONAL SERVICES - MASTER PLAN	12,140.00
01/19/2024	20855(A)	INSIGHT PUBLIC SECTOR, INC.	MICROSOFT O365 CLOUD SVC, APPLE MAC LAPTOP	8,041.26
01/19/2024	20856(A)	IP CONSULTING, INC.	ORECK PHONE SYSTEM UPGRADE	6,000.00

Check Date	Check	Vendor Name	Description	Amount
01/19/2024	20857(A)	IRISH AYRES ENTERPRISES, LLC	MOWING SERVICES	3,485.74
01/19/2024	20858(A)	IRTH SOLUTIONS LLC	MISS DIG TICKET MANAGEMENT SUBSCRIPTION	9,072.00
01/19/2024	20859(A)	J & H OIL COMPANY	BULK FUEL DELIVERY	16,003.94
01/19/2024	20860(A)	JB PRINTING	PZSC NEWSLETTER, JANUARY PORTAGER	7,351.28
01/19/2024	20861(A)	LEATHERMAN, ROBERT	PER DIEM-DIVE RESCUE ICE RESCUE TRAINING	185.00
01/19/2024	20862(A)	MCGUIRE, INGRID	REIMB-OFFICE SUPPLIES	14.71
01/19/2024	20863(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	159.56
01/19/2024	20864(A)	METRONET HOLDINGS LLC	INTERNET FIBER, CABLE ACCESS FIBER, PHONE SVC	4,405.43
01/19/2024	20865(A)	MOTOR PARTS AND EQUIPMENT CORP	EQUIP REPAIR/MAINT SUPPLIES	543.75
01/19/2024	20866(A)	NYE UNIFORMS	MISC UNIFORMS	428.89
01/19/2024	20867(A)	O'BOYLE-COLWELL-BLALOCK & AS.	LAKEVIEW PARK PHASE 1 A&E SVCS	15,290.97
01/19/2024	20868(A)	OFF THE CUFF CATERING	LEGISLATIVE DELEGATION BREAKFAST	144.00
01/19/2024	20869(A)	ONSTAFF USA INC	TEMPORARY EMPLOYEE SERVICES	14,137.52
01/19/2024	20870(A)	PETERS CONSTRUCTION CO.	EMERGENCY ASPHALT REPAIR	5,844.00
01/19/2024	20871(A)	PLASKO, PATRICIA MARIE	PZSC FITNESS INSTRUCTOR	225.00
01/19/2024	20872(A)	PORTAGE COMMUNITY CENTER	FY 23-24 HUMAN SERVICES BOARD	16,750.00
01/19/2024	20873(A)	PRECISION PRINTER SERVICES INC	PRINTER SUPPORT SVCS	844.98
01/19/2024	20874(A)	PREMIER SAFETY	FIRE SCBA MAINTENANCE	800.00
01/19/2024	20875(A)	PRINTING SERVICES INC	PRINTING SERVICES	57.25
01/19/2024	20876(A)	REPUBLIC SERVICES OF WEST MICHIGAN	WASTE SERVICES FOR CITY FACILITIES	1,448.33
01/19/2024	20877(A)	S B F ENTERPRISES, INC.	PROCESSING OF WATER & SEWER BILLS	653.99
01/19/2024	20878(A)	SEVERANCE ELECTRIC COMPANY,INC	TRAFFIC SIGNAL MAINTENANCE	4,836.67
01/19/2024	20879(A)	SIMPLIFILE LLC	DOCUMENT RECORDING	266.00
01/19/2024	20880(A)	STOUT, MELISSA JOY	FITNESS INSTRUCTOR YOGA/BARRE	200.00
01/19/2024	20881(A)	TARGETSOLUTIONS LEARNING LLC	FIRE SOFTWARE	5,236.04
01/19/2024	20882(A)	TELUS COMMUNICATIONS (U.S.) INC	SKYHAWK GPS ACCESS/SERVICE FEES	851.45
01/19/2024	20883(A)	TMK WORLDWIDE, LLC	METER SERVICE	343.45
01/19/2024	20884(A)	UNITED PETROLEUM	GAS & DIESEL PUMP SUPPLIES	910.42
01/19/2024	20885(A)	VEOLIA WATER CONTRACT OPERATIONS	UTILITY SYSTEM OPERATION	222,440.43
01/19/2024	20886(A)	VIRIDIS DESIGN GROUP	AUSTIN LAKE EASTSHORE PRELIM A&E	2,000.00
01/19/2024	20887(A)	WOLVERINE LAWN SERVICE, INC.	SNOWPLOWING/CROSSWALK SVCS	2,409.00
01/19/2024	20888(A)	XEROX CORPORATION	XEROX COPIER FEES	182.73
01/26/2024	20889(A)	BLUE CARE NETWORK-GREAT LAKES	BCNA HEALTH INSURANCE	188,124.57

Check Date	Check	Vendor Name	Description	Amount
01/26/2024	20890(A)	EKLOV, ERICA	REIMB-USPS RETURNED MAIL CHRG	231.46
			Total ACH	**752,160.55**

Check Type: Paper

01/19/2024	326272	A S C A P	2024 MUSIC LICENSE	434.00
01/19/2024	326273	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	27.00
01/19/2024	326274	ALLIED MECHANICAL SERVICE	BUILDING REPAIR/MAINTENANCE	160.00
01/19/2024	326275	AMERICAN WATER WORKS ASSOC.	AWWA MEMBERSHIP 2024-2025	263.00
01/19/2024	326276	AMERICAN WATER WORKS ASSOC.	AWWA MEMBERSHIP 2024-2025	263.00
01/19/2024	326277	BENJAMIN, SHERYL	REFUND FOR BUFFALO ROUND UP TRIP	50.00
01/19/2024	326278	BRAYSHER, ALAN	REFUND FOR GULF COAST 2024 TRIP	200.00
01/19/2024	326279	CAMPBELL AUTO SUPPLY	MISC AUTO SUPPLIES	75.66
01/19/2024	326280	CINTAS CORPORATION NO. 2	UNIFORMS	5.27
01/19/2024	326281	CITY OF KALAMAZOO TREASURER	WATER SERVICES	31.17
01/19/2024	326282	CLINTON COUNTY FIRE CHIEFS ASSOC	NFPA OFFICER I COURSE-REGISTRATION	250.00
01/19/2024	326283	COMMUNITY HEALING CENTERS	FY 23-24 HUMAN SERVICES BOARD	3,700.00
01/19/2024	326284	COOK AUTOMOTIVE EQUIPMENT	TIRE MACHINE REPAIR/TUNE-UP	753.92
01/19/2024	326285	CRASH COURSE VILLAGE INC	PRO-BOARD VEH & MACHINE RESCUE - REGISTRATION	3,000.00
01/19/2024	326286	CUNNINGHAM, DANIEL R	COOKING CLASS INSTRUCTOR	274.01
01/19/2024	326287	D L Z MICHIGAN INC	ENGINEERING SERVICES - WEST MILHAM	18,881.13
01/19/2024	326288	DAVE'S CONCRETE PRODUCTS, INC.	SIDEWALK REPAIRS	575.13
01/19/2024	326289	DEGRAFF, STANEY	STUART MANOR DEPOSIT REFUND	150.00
01/19/2024	326290	DIVE RESCUE INTERNATIONAL INC	DIVE RESCUE INT ICE RESCUE TRAINER	525.00
01/19/2024	326291	DORRANCE FORD INC	MAINTENANCE REPAIR SUPPLIES	86.04
01/19/2024	326292	EMERGENCY VEHICLE PRODUCTS	VEHICLE REPAIR/MAINT, FIRE APPARATUS MAINT	10,409.10
01/19/2024	326293	ENG., INC.	CONSOLIDATED DRAIN REHABILITATION	3,470.00
01/19/2024	326294	ENGINEERING SUPPLY & IMAGING	BOND PAPER FOR KIP	130.60
01/19/2024	326295	FACE, GEORGE	PER DIEM-DIVE RESCUE TRAINING	185.00
01/19/2024	326296	FREIGHTLINER OF GRAND RAPIDS, INC.	REPAIR & MAINT SUPPLIES	89.17
01/19/2024	326297	GALE, ELSIE	REFUND FOR ALADDIN TRIP	75.00
01/19/2024	326298	GARBACZ, THERESA	REFUND FOR GULF COAST 2024 TRIP	100.00
01/19/2024	326299	GORDON FOOD SERVICE	PZSC COFFEE BAR SUPPLIES	141.68
01/19/2024	326300	HALLAHAN & ASSOCIATES, P.C.	ASSESSING LEGAL SERVICES	836.83

Check Date	Check	Vendor Name	Description	Amount
01/19/2024	326301	HOME DEPOT	REPAIR/MAINT SUPPLIES	1,402.36
01/19/2024	326302	HONEYWELL ANALYTICS INC.	FIRE SCBA MAINT	1,155.00
01/19/2024	326303	HOOLEY, MARY	REFUND FOR RENTAL SECURITY DEPOSIT	250.00
01/19/2024	326304	J RANCK ELECTRIC, INC	FOREST DRIVE TRAFFIC SIGNAL	168,325.00
01/19/2024	326305	JOHN E REID & ASSOCIATES INC.	TECH OF INVESTIGATIVE INTERVIEW/INTERROGATION	1,170.00
01/19/2024	326306	JOHNSON, LYDIA	AMPHITHEATRE RENTAL FEE REFUND	140.00
01/19/2024	326307	KALAMAZOO COUNTY TREASURER	COLONIAL ACRES DECEMBER 2023 MOBILE HOME TXS	272.50
01/19/2024	326308	KALAMAZOO COUNTY TREASURER	2024 DOG LICENSE SALES	3,465.00
01/19/2024	326309	KENT COMMUNICATIONS INC.	POSTAGE 2024 ASSESSMENT CHANGE NOTICES	9,199.55
01/19/2024	326310	KENT COUNTY DPW	WASTE DISPOSAL RED MED/DRUG	102.60
01/19/2024	326311	KLENOW, MARY	REFUND FOR GULF COAST 2024 TRIP	100.00
01/19/2024	326312	KONICA MINOLTA BUSINESS SOLUTIONS	PRINTER SERVICES	277.00
01/19/2024	326313	KZOO TIRE COMPANY	VEHICLE REPAIR/MAINTENANCE	2,860.40
01/19/2024	326314	LACKEY, ROBERTA OR	2023 SUMMER TAX REFUND DUE DBOR	2,533.82
01/19/2024	326315	LERETA LLC	DUPLICATE PAYMENT OF PARCEL	531.17
01/19/2024	326316	LEXISNEXIS RISK DATA MANAGEMENT INC	ANNUAL CHARGES DORS REPORTING	1,085.00
01/19/2024	326317	MCKENNA ASSOCIATES INC.	PROFESSIONAL SERVICES	1,260.00
01/19/2024	326318	MENARDS	WATER SOFTENER SALT	1,132.11
01/19/2024	326319	METRO CONSULTING ASSOCIATES, LLC	ROW/LAND ACQUISITION SERVICES	172.50
01/19/2024	326320	MI ASSOC. OF CHIEFS OF POLICE	MACP ADMINISTRATIVE ASSISTANT CONF-REG	125.00
01/19/2024	326321	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINTENANCE	4,385.90
01/19/2024	326322	MICHIGAN URBAN SEARCH AND RESCUE	ROPE RESCUE OPERATIONS-REG	1,088.00
01/19/2024	326323	MIDWEST FOOD EQUIPMENT SERVICE	HOT BEVERAGE MACHINE INSTALLATION/SVC	573.00
01/19/2024	326324	MILBECK, ALYSSA	SCHRIER PARK BLD DEPOSIT REFUND	150.00
01/19/2024	326325	MULLER, JEFF	SCHRIER PARK BLD DEPOSIT REFUND	150.00
01/19/2024	326326	NAYLOR LANDSCAPE MANAGEMENT INC.	SENIOR CENTER SNOW REMOVAL	2,551.04
01/19/2024	326327	NORTHSIDE MINISTERIAL ALLIANCE	ADVERTISING	350.00
01/19/2024	326328	O'REILLY AUTO PARTS	FIRE APPARATUS MAINT	118.51
01/19/2024	326329	OFFICE DEPOT, INC.	OFFICE SUPPLIES	124.75
01/19/2024	326330	OSBORN, JANE	REFUND FOR MANNHEIM STEAMROLLERS TRIP	310.00
01/19/2024	326331	PETERMAN CONCRETE CO.	SIDEWALK REPAIRS	200.00
01/19/2024	326332	PRAEGER, JIM	REFUND FOR RAIN-A-TRIBUTE & ALADDIN TRIPS	150.00
01/19/2024	326333	PURITY CYLINDER GASES, INC	WELDING SUPPLIES	56.63

Check Date	Check	Vendor Name	Description	Amount
01/19/2024	326334	RATHCO SAFETY SUPPLY, INC.	STREET SIGNS	657.75
01/19/2024	326335	REITZ, DARLENE K.	CLASS INSTRUCTOR: DOWNSIZING & DECLUTTERING	200.00
01/19/2024	326336	RENEWED EARTH, INC.	LEAF AND BRUSH DISPOSAL	8,166.66
01/19/2024	326337	RUITER, JOAN	SCHRIER PARK BLD RENTAL REFUND	340.00
01/19/2024	326338	SAWICKI, MARNI	REFUND FOR GOOD FAITH DEPOSIT	180.13
01/19/2024	326339	SCHMIDT, MARY	FITNESS INSTRUCTOR BONE BUILDER	35.00
01/19/2024	326340	SERVICE PROFESSOR	BD PAYMENT REFUND	65.00
01/19/2024	326341	SESAC INC	2024 MUSIC LICENSE	1,159.00
01/19/2024	326342	SIGN SHOP OF WESTERN MICHIGAN	STAFFING BOARD MAGNET	27.00
01/19/2024	326343	SMART SOURCE, LLC	PRINTING SERVICES	25.74
01/19/2024	326344	STATE OF MICHIGAN	SOR FEES	150.00
01/19/2024	326345	STATE OF MICHIGAN (DOT)	SHAVER ROAD RECONSTRUCTION	67,492.79
01/19/2024	326346	STATE SYSTEMS RADIO, INC	RADIO SERVICES FEES	561.00
01/19/2024	326347	STEENSMA LAWN & POWER EQUIPMENT	SMALL EQUIPMENT REPAIR/MAINTENANCE	224.50
01/19/2024	326348	TACTRON, INC.	FIRE OPS SUPPLIES	1,309.57
01/19/2024	326349	TAYLOR, RACHEL	REFUND FOR PROGRAMS	57.00
01/19/2024	326350	THE POSTMAN AND CONCRETE DESIGNS	DOG PARK GATE	400.00
01/19/2024	326351	TRACY CROSS & ASSOCIATES, INC.	COMPREHENSIVE HOUSING ANALYSIS	4,000.00
01/19/2024	326352	U S SIGNAL COMPANY, LLC	MONTHLY INTERNET FIBER SERVICES	815.00
01/19/2024	326353	UNITED PARCEL SERVICE	UPS WEEKLY	18.00
01/19/2024	326354	VERIZON WIRELESS	CELL PHONE/WIRELESS CARD SVC	639.99
01/19/2024	326355	VIQ SOLUTIONS, INC.	ANNUAL DICTATION TRANSCRIPTION	14,612.00
01/19/2024	326356	WATKINS, ROSS & CO.	ACTUARIAL SERVICES	11,815.00
01/19/2024	326357	WIGHTMAN	ENGINEERING SERVICES - WEST MILHAM	25,265.00
01/19/2024	326358	WILLIAMS & WORKS	ENGINEERING SVCS - WESTNEDGE AVE RECONST	20,420.00
01/19/2024	326359	WOLF KALAMAZOO, LLC	HEAD GASKET COVER	10.42
01/19/2024	326360	WOLZ, MARI-CLARE	SCHOOLHOUSE DEPOSIT REFUND	50.00
01/19/2024	326361	WRIGHT, CATHERINE	REISSUE UNCASHED CHECK FROM 6/29/23 PR	14.57
01/19/2024	326362	WT BERESFORD CO.	NET BADGE SET UP	365.00
01/19/2024	326363	YEO & YEO	2022-2023 AUDIT AND ACFR PREPARATION	5,250.00
01/19/2024	326364	ZOLMAN TIRE INC.	TIRES FOR INVENTORY	1,953.96
01/26/2024	326365	AT&T	ELECTRONIC COMMUNICATIONS	99.56
01/26/2024	326366	PETTY CASH-MEGAN HUBER	REPLENISHMENT CHECK	1,061.73

Check Date	Check	Vendor Name	Description	Amount
01/26/2024	326367	PETTY CASH-PAULA GUSTAFSON	REPLENISHMENT CHECK	371.10
01/26/2024	326368	WMMIA	WMMIA 2024 MEMBERSHIP RENEWAL	50.00
01/26/2024	326369	WMPIF	WMPIF 2024 MEMBERSHIP RENEWAL	50.00
01/26/2024	326370	WMPIF	WMPIF 2024 MEMBERSHIP RENEWAL	50.00
01/26/2024	326371	USPS	REFILL POSTAGE METER	5,000.00
			Total Paper Checks	**423,871.02**
Check Type: Auto-Pay Payments				
01/16/2024		MISSIONSQUARE	EMPLOYER RETIREMENT CONTRIBUTIONS	37,402.03
01/16/2024		CONSUMERS ENERGY	GAS-ELECTRIC	454.93
01/17/2024		CONSUMERS ENERGY	GAS-ELECTRIC	16,870.43
01/26/2024		MISSIONSQUARE	EMPLOYEE RETIREMENT WITHHOLDINGS	47,986.17
			Total Auto-Pay Payments	**102,713.56**
Check Type: Electronic Payments				
01/12/2024		MULTIPLE	IAFF, PPCOA, PPOA, UAW PENSION PAYMENTS	92,088.04
01/19/2024		MULTIPLE	WEEKLY TAX DISBURSEMENT 1/12/24	372,065.88
01/26/2024		KALAMAZOO COUNTY	KCBRA - BROWNFIELD SUMMER 2023 DISBURSEMENT	1,506,920.42
01/26/2024		HUNTINGTON NATIONAL BANK	DEBT SERVICE FEES	1,000.00
			Total Electronic Payments	**1,972,074.34**
			Grand Total	**3,250,819.47**

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Substantial Plan Amendment to the CDBG Program FY2021-22 Annual Action Plan

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Approve the Substantial Amendment to the CDBG Program FY2021-22 Annual Action Plan and authorize the City Manager to execute all documents related to this action on behalf of the city.

On February 1, 2024, the Human Services Board met regarding the allocation of a $237,041 CDBG-CV3 grant received from the U.S. Department of Housing and Urban Development (HUD) to prepare for, respond to, and prevent coronavirus. This is the second CDBG-CV grant to be awarded to the city. The first grant of $130,474 was allocated to two subrecipients, Housing Resources, Inc. (HRI) and the Portage Community Center (PCC). The primary purpose is to benefit Portage residents, with an emphasis on low- and moderate-income households that have been adversely affected by the COVID-19 pandemic.

In accordance with HUD requirements, a Substantial Amendment to the CDBG Program FY 2021-2022 Action Plan is required. The Human Services Board conducted a public hearing for the Substantial Amendment on February 1, 2024, following a 30-day comment period from January 2, 2024, through February 1, 2024. No public comment was received during the 30 days. As a result, the board recommends that City Council approve the FY 2021-2022 Annual Action Plan Substantial Amendment to reallocate up to $76,000 to HRI to support housing stabilization in response to COVID by providing eviction prevention through rent stabilization and rapid rehousing, which will allow families to remain in their homes. As we near the full expenditure of the CDBG-CV3 grant, it is necessary to move funds to HRI, where the need for assistance is still great. These funds will otherwise go unspent. The City Administration recommends that funds be moved from the following areas: $50,000 from the Lexington Green Trail Reconstruction; $8,716.15 in unused funds from PCC; and up to $17,283.85 from the Administration. The use of HUD funding for the Lexington Green Trail Reconstruction would trigger Davis-Bacon Wage Law requirements for the entire project, which would result in greater cost increases than the value of the grant allocation. The PCC has also indicated that they could not expend the remaining allocation provided through the city's Subrecipient Agreement. Subsequently, our board recommends the use of these residual funds to continue HRI's previous program as a logical alternative. It is therefore recommended that City Council approve the Substantial Amendment to the CDBG Program FY 2021-2022 Annual Action Plan and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: Not Applicable

Attachments:
1. Draft HSB Mintues dated 2024 02 01
2. HSB Substantial Plan Amendment

CITY OF PORTAGE HUMAN SERVICES BOARD
Minutes of the Meeting – February 1, 2024
Conference Room 1

CALL TO ORDER: The City of Portage Human Services Board meeting of February 1, 2024, was called to order by Chairperson Brooke Kolodzieczyk, at 5:38 p.m. in Conference Room 1, Portage City Hall, 7900 S. Westnedge Avenue, Portage MI.

MEMBERS PRESENT: Chairperson Brooke Kolodzieczyk, Chelsea Huber, Sue Beasley, Julie Pryor, Vice Chairperson Brian Plescher, Martha Perry, Effie Kokkinos, Pamela Kanouse

MEMBERS ABSENT: John Dillworth

STAFF PRESENT: Tina Perry

INTRODUCTIONS: Chairperson Brooke Kolodzieczyk welcomed Pamela Kanouse to the Human Services Board. Pamela was appointed last week and eager to serve on the board. Introductions were made around the room with a brief background by each.

APPROVAL OF MINUTES: The Minutes of January 4, 2024 were approved by a motion made by Sue Beasley and supported by Martha Perry. The motion was unanimously approved, 8-0.

NEW BUSINESS: Substantial Amendment and Reallocation of CDBG CV funds. A Public Hearing was held to discuss comments received on the CDBG CV reallocation of unused funds to Housing Resources, Inc. Tina Perry presented a memo from Deputy Director of Economic Development, Jonathon Hallberg explaining CDBG CV funding from 2020 is nearing an end. The recommendation is to reallocate multiple unspent sources including Lexington Green Trail project, Portage Community Center Emergency Assistance, and Administration to support Housing Resources, Inc (HRI) for emergency assistance to prevent homelessness and provide rapid rehousing for Portage residents. HRI has a proven track record of spending CDBG CV funding to respond to COVID and plans to fully utilize the reallocation of up to $76,000 prior to the end of the current FY2024. This will fully expend the CDBG CV 2020 grant funds. Upon motion by Chelsea Huber, and supported by Vice Chair Brian Plescher, the motion was unanimously supported.

FUNDING APPLICATIONS: Tina Perry provided a recap of January discussion, and updated with new information received, unfortunately excluding Twelve Baskets eligibility of funding due to current/ongoing code compliance issues with an acquired property in which their Free store operated within the city. HSB deliberated and allocated funding after reviewing each agency's request, reaching a consensus. At the March HSB meeting staff will provide follow-up information requested in regard to Twelve Baskets, to allow the HSB to make their motion and final recommendation to City Council for the FY24-25 General Fund and CDBG allocations.

DRAFT

ADJOURN: Motion to adjourn was made @ 6:28 p.m.by Sue Beasley, second by Julie Pryor and unanimously supported. 8-0.

Respectfully Submitted,

Tina Perry
Neighborhood and Housing Specialist Community Development, City of Portage

T:\COMMDEV\2023-2024 Department Files\Board Files\Human Services Board\Minutes\2024 02 01 HSB Minutes.docx

DRAFT

Introduction

The FY 2020-21 Annual Action Plan, Strategy for Housing and Community Development Needs, includes activities and programs to fulfill identified needs outlined in the 2016-2020 Consolidated Plan. The five-year Consolidated Plan and the Annual Action Plan elements are required in order to apply for and receive Community Development Block Grant (CDBG) entitlement program funds from the U.S. Department of Housing and Urban Development (HUD), which have been awarded to the City since the mid-1970s.

The FY 2020-21 Annual Action Plan was approved by City Council on May 12, 2020, and subsequently submitted to the Detroit HUD Field Office on May 9, 2020 for review and approval.

In response to the Coronavirus Pandemic (COVID-19) the United States Department of Housing and Urban Development (HUD) notified the City of Portage that it had been allocated $130,474 of Community Development Block Grant Program –Coronavirus Response funds (CDBG-CV1) to be used to prevent, prepare for, and respond to COVID-19. This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.
Then in July of 2021, the City of Portage amended the FY 2020-21 Annual Action Plan to incorporate an additional allocation of Community Development Block Grant Program – Coronavirus Response funds (CDBG-CV3) in the amount of $237,041.

The 2020-21 Annual Action Plan was substantially amended in October 2020 due to the first tranche of CDBG-CV funding.

In July 2021, the 2020-2021 Annual Action Plan was amended for a second time due to the third tranche of CDBG-CV funding.

In March, 2023, the City amended the FY 2020-21 Annual Action Plan a third time to internally reallocate funds in an effort to make the most effective use of the CDBG-CV funds in the amount of $110,341. The reallocation amount moved $107,041 of CDBG-CV funding from housing, including rehabilitation, and $3,300 from grant administration, to support housing stabilization to counteract housing instability due to COVID, such as eviction prevention and rapid rehousing. This has allowed families to remain in their homes.

The Activities and expenditures of CDBG funds must meet three national objectives:

1. Benefit low- and/or moderate-income persons,
2. Aid in the prevention or elimination of blight, and
3. Meet urgent community development needs.

In order to meet these national objectives, the approved FY 2020-21 Annual Action Plan includes five inter-related activities pertaining to three goals to be carried out during the program year. The table below lists the goals, the program activity, an activity description, and the planned objectives and outcomes.

Goal Name	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
Affordable Owner Housing	Affordable Housing	City-wide	Affordable Owner Housing	CDBG: $192,896	-Homeowner Housing Rehabilitation: 12 Household/ Housing Units -Direct Financial Assistance to Homebuyers: 3 Households Assisted
Neighborhood Improvement	Non-Housing Community Development	Low- and Moderate-Income Areas	Neighborhood Improvement	CDBG: $64,366	Housing Code Enforcement/Foreclosed Property Care: 350 Household/Housing Units
Public Services	Homeless, Non-Homeless Special Needs	City-wide	Public Services	CDBG: $44,618	Public Service Activities for Low/Moderate Income Housing Benefit: 4,000 Households Assisted

The approved FY 2020-21 Annual Action Plan also allocated $44,914 towards Grant Planning/Administration, which includes preparation of HUD-required plans and reports, Environmental Review, Fair Housing education and enforcement activities, and an update of the 2016-2020 Consolidated Plan.

As noted above, the City of Portage's federal Annual Action Plan details the funding strategy for the Community Development Block Grant (CDBG) program each year. The Annual Action Plan implements a jurisdiction's multi-year Consolidated Plan and is developed through significant citizen participation, analysis, and planning.

Proposed 4th Substantial Amendment to the FY2020-21 Annual Action Plan
Funding Reallocation Requests –

Below is a summary of the proposed budget. Through a substantial Amendment process, the City proposes including the following activities into the FY 2020-21 Annual Action Plan:

Project Name: Public Services ($286,341)

National Objective:	Low- and Moderate-Income Limited Clientele (LMC)
CDBG Eligible Activity:	Public Services
Project Description:	Funds will be used for emergency subsistence payments for qualifying low- and moderate-income individuals.
Explanation:	Funding amount to be increased from $210,341 to $286,341. This is an increase of $76,000.

Project Name: Public Facilities Improvements ($0; eliminated due to alternative funding availability)

National Objective:	Low- and Moderate-Income Area Benefit (LMA)
CDBG Eligible Activity:	Public Facilities and Improvements
Project Description:	Development of an outdoor trail in the Lexington-Green Park.
Explanation:	$50,000 to be reallocated from "Low- and Moderate-Income Area Benefit" (LMA) for public facilities and improvements as alternative funding sources have been allocated for the cost.

Project Name: Portage Community Center ($68,457.85)

National Objective:	LMI – Limited Clientele
CDBG Eligible Activity:	Public Service (24 CFR 570.207(b)(4))
Project Description:	Utility and other emergency assistance to provide aid for low- and moderate-income households who have been directly impacted by the COVID-19 pandemic.
Explanation:	Reduce funding from $77,174 to $68,457.85 (reduction of $8,716.15) as subrecipient indicates inability to expend remainder of allocated funds.

Project Name: Administration/Planning ($12,716.15)

National Objective:	Not Applicable
CDBG Eligible Activity:	General Administration
Project Description:	Planning and Administration of CDBG-CV3 funding.
Explanation:	Reducing Administration/Planning budget by $17,283.85.

Public Process

The City of Portage held one public hearing regarding the substantial amendment and reallocation of CDBG-CV funds with the Human Services Board on February 1, 2024. The purpose of said meeting was to receive input from Board members and citizens about the proposed amendment involving the use of CDBG-CV funds. The meeting was held in City Council Chambers at the Portage City Hall, 7900 South Westnedge Avenue, Portage, Michigan. A copy of the meeting minutes is attached as Appendix A. Please

call 269-329-4477 between the hours of 8:00 am and 5:00 pm for instructions on providing additional public comment.

The City of Portage will provide a public notice advertising a 30-day public comment (Appendix B) period as part of the Public Participation Plan requirements.

The City of Portage will accept public comment during the thirty (30) day public comment period beginning on January 2, 2024 through February 1, 2024. Citizens are asked to provide comment on the Substantial Amendment to the FY 2020-21 Annual Action Plan, the proposed reallocation of CDBG-CV funds, and the proposed amendment to the Public Participation Plan.

A copy of the 2020-21 Annual Action Plan CDBG-CV Substantial Amendment Summary and Public Participation Plan will be made available to review and posted on the City's website beginning on January 2, 2024.

The draft document is available for review at the following locations:

- Department of Community Development, City of Portage, 7900 South Westnedge Avenue, Portage, MI 49002
- Portage District Library, 5528 Portage Road, Portage, MI 49002
- Portage Community Center, 325 East Centre Avenue, Portage, MI 49002
- City of Portage web site (http://www.portagemi.gov/180/Human-Services-Board)

Public comments can be e-mailed to the Department of Community Development at perryt@portagemi.gov or can be mailed to the City of Portage Department of Community Development, located at 7900 S Westnedge Avenue, Portage, MI 49002. For more information call 269-324-9280.

It is anticipated the City of Portage City Council will take action on the proposed Amendments to the 2020-21 Annual Action Plan and Public Participation Plan at a meeting scheduled for February 6, 2024. For more information on how to access this meeting please call 269-329-4474.

The City will provide technical assistance to citizens and groups representative of persons of low- and moderate-income that request such assistance in the review of program activities and program amendments. In addition, the City will make adequate and reasonable provisions to assist non-English speaking residents in interpreting program opportunities and provisions on a case-by-case basis, as well as provide auxiliary aides and services for individuals with disabilities. Requests for special accommodations must contact the City Clerk's Office at 269-329-4511.

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Create a new historic district within the Glenbrook Village neighborhood

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Consider the Historic District Commission's recommendation to create a new historic district of the 37 lots within the Glenbrook Village neighborhood.

Introduction
Last year, after learning of a developer's plans at 6008 and 6018 Chelsea Lane, a nearby resident expressed interest in the city establishing a new Portage historic district covering the 37 lots within the Glenbrook Village neighborhood. (See attached map.) This memo explains the history of the neighborhood, recent meetings discussing this topic, and future steps for possibly establishing a new local historic district.

Neighborhood
The Glenbrook Village neighborhood is located east of the intersection of the South Westnedge Avenue & East Milham Avenue intersection. It derives its name from the subdivision plat. It fronts East Milham Avenue and contains several interior streets providing direct access to individual lots. All development consists of single-family detached homes with the majority having an attached or detached garage. According to the city's records, the majority of homes were built in the 1950s.

Background
October 2023
Staff received an inquiry from a resident within the Glenbrook Village neighborhood asking about the possibility of establishing a new historic district for the neighborhood to prevent future commercial expansion.

To gain preliminary historical information about the neighborhood buildings, staff contacted Sharon Ferraro, a retired City of Kalamazoo historic preservation specialist, who assists in local historic preservation matters. After visiting the neighborhood in late October, Ms. Ferraro's preliminary observations concluded that the original framework of the buildings still seemed intact and that the age of the buildings likely qualified as 'historic'.

November 2023
During the regularly scheduled Historic District Commission (HDC) meeting on November 1, 2023, staff informed the Commission about the resident's inquiry and Ms. Ferraro's conclusions. Ms. Ferraro attended the meeting, explained the process of adding a new historic district, and provided a question-and-answer period. Staff informed the HDC that it would be best to hold an educational meeting for the Glenbrook Village neighborhood to learn about various historic district standards, impacts, benefits, etc.

The educational meeting was held at the Prince of Peace Lutheran Church on November 28, 2023. At the meeting, Ms. Ferraro and city staff explained the process of dedicating a new historic district, what it means to live in a historic district, what is and is not allowed in a historic district, and provided a question-and-answer period. Approximately 12 residents attended the meeting. Staff polled the audience to gauge support for the creation of a new historic district: two people opposed, no one supported, and five people were unsure. Overall, many likely wanted to learn more details about being in a historic district. Meeting notes from this educational meeting are attached.

January 2024

On January 10, 2024, city staff conducted a meeting to inform the HDC members of the neighborhood meeting, the general views of attendees, and the general views of Ms. Ferraro's preliminary neighborhood observations. Staff indicated that if the HDC wished to pursue a new historic district, the next step would be to invite all Glenbrook Village property owners to a future HDC meeting at which time an official vote concerning the pursuit of a new historic district would be required. The HDC indicated their agreement with Ms. Ferraro's preliminary observations and supported continuing this inquiry.

On January 29, 2024, a Special Meeting of the Historic District Commission at City Hall. Glenbrook Village residents were invited and six attended. At the meeting, the HDC discussed the creation of a new historic district involving the 37 lots within the Glenbrook Village neighborhood, and a moratorium on work in the proposed district, including permits for exterior construction and demolition. The moratorium would remain in place while a historic district study of the neighborhood occurred, which requires the appointment of a historic district study committee. In light of at least 2 properties currently included in the pending rezoning application, the Historic Commission considered adopting a resolution to impose an emergency moratorium per Section 38.37(d) of City Code, which provides that:

"If the Council determines that pending work will cause irreparable harm to resources located within. . . a proposed historic district, the council may, by resolution, declare an emergency moratorium on all such work for a period not to exceed six months. The council may extend the moratorium for an additional period not to exceed six months upon a finding that the threat of irreparable harm to resources is still present."

In this way, the council could, in light of the pending commercial development proposal that would require the demolition of 6008 and 6018 Chelsea Lane, pause any permits, construction, or other changes to properties within the proposed historic district.

After discussion and careful consideration, the Historic District Commission voted to recommend to the City Council the support of creating a new historic district for the Glenbrook Village neighborhood and issue a moratorium on work including processing permits for exterior construction and demolition in the proposed district.

Procedure to Create New Historic District

The State Historic Preservation Office (SHPO) establishes a process for communities when creating a new historic district. This process is summarized below. The 'Local legislative body' for Portage is the City Council.

1. Local legislative body adopts a resolution to approve a historic district study.

2. Local legislative body appoints a Historic District Study Committee.
3. Study Committee performs photographic inventory and research.
4. Study Committee evaluates resources using National Registry of Historic Places criteria.
5. Study Committee prepares a preliminary historic district study committee report according to Section 3 of PA 169.
6. Study Committee officially transmits report to local planning board, SHPO, Michigan Historic Commission and State Review Board.
7. At least 60 days after the official transmittal of the report, the Study Committee holds a public hearing.
8. Study Committee has up to 1 year after the public hearing to submit a final report to the local legislative body.
9. Local legislative body votes to approve or reject the proposed historic district.
10. A historic district ordinance must be adopted and a historic district commission appointed at the time the historic district is approved.
11. Property owners apply to Commission for a Certificate of Appropriateness (COA) before undertaking work in the historic district.

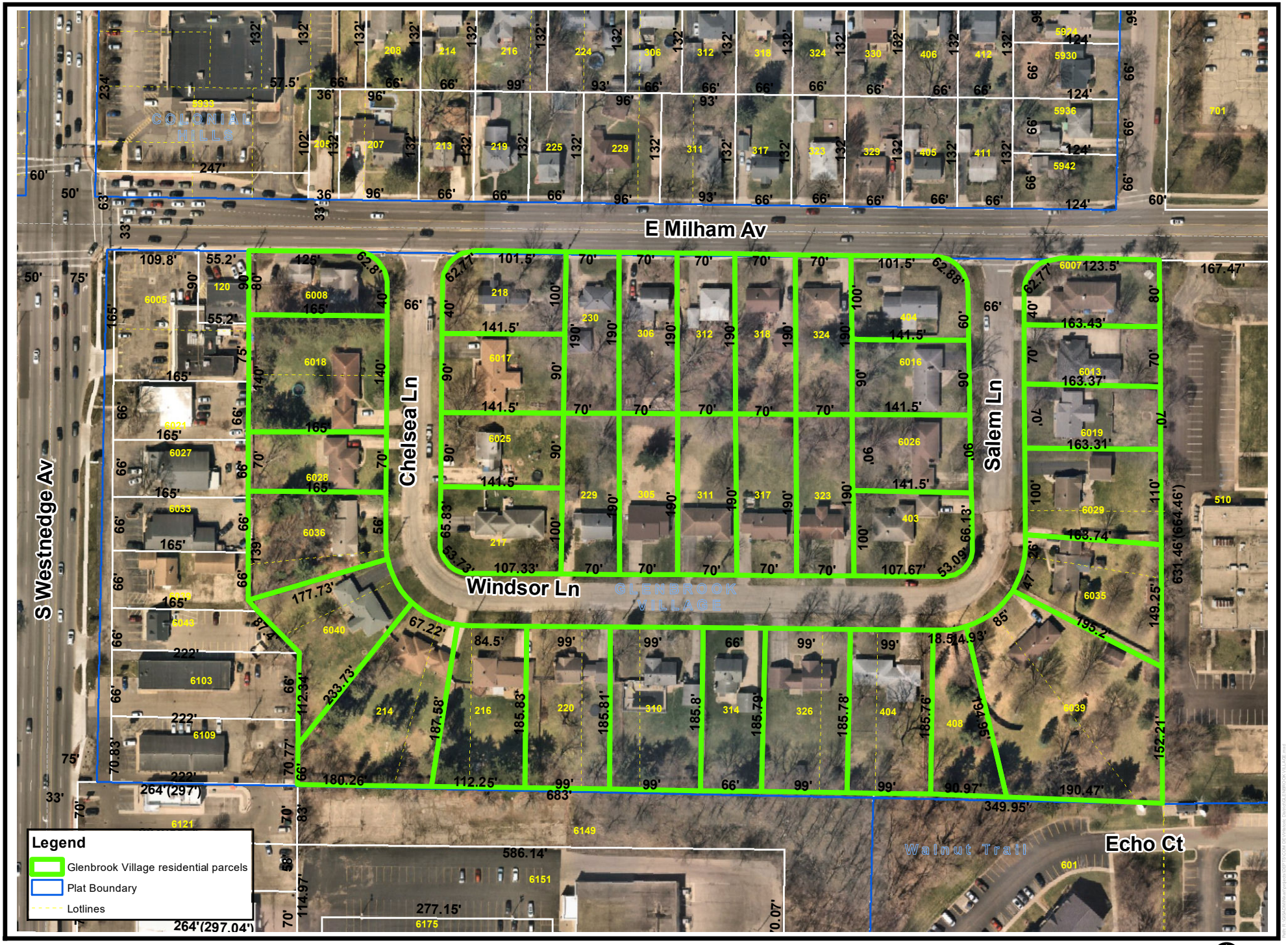
Recommendation
After reviewing the Historic District Commission's recommendation, there are three options before City Council: (1) adopt a resolution to approve a historic district study creating a new historic district for the Glenbrook Village neighborhood, designate the Historic District Commission as the standing Historic District Study Committee, and approve a resolution issuing a moratorium on work in the proposed historic district including processing of exterior permits and demolition permits; (2) adopt a resolution to approve a historic district study creating a new historic district for the Glenbrook Village neighborhood, designate the Historic District Commission as the standing Historic District Study Committee, and decline to issue a moratorium on work in the proposed historic district including processing of exterior permits and demolition permits; or (3) take no action until the proposed rezoning of 6008 and 6018 Chelsea Lane is considered.

It is therefore recommended that City Council consider the Historic District Commission's recommendation to create a new historic district of the 37 lots within the Glenbrook Village neighborhood.

FUNDING: Not Applicable

Attachments:
1. Glenbrook Village Map
2. Neighborhood Assessment Letter
3. November 2023 Neighborhood Meeting Notes
4. Historic Preservation FAQ
5. Additional Neighborhood Pictures
6. HDC Staff Presentation dated January 29, 2024
7. HDC Meeting minutes dated January 10, 2024
8. Draft Special HDC Meeting minutes dated January 29, 2024
9. 2024 01 11 Public Comment
10. 2024 01 25 Public Comment
11. 2024 01 31 Public Comment

12. 2024 02 01 Public Comment
13. Resolution to Establish Historic District Committee
14. Resolution to Declare Emergency Moratorium
15. 2024 02 06 Citizen Comment



PORTAGE
A Natural Place to Move

Glenbrook Village Subdivision
Location Map

1 inch = 150 feet

Date: 1/25/2024

GLENBROOK VILLAGE – a possible historic district in an intact 1960s neighborhood – *nothing missing, good to excellent condition, high historic integrity. (36 houses)*

DEFINITION OF A LOCAL HISTORIC DISTRICT: A historically or architecturally significant structure, site, individual building or a group of buildings that has been recognized for its historic importance through the process of study and designation.

ELIGIBLE FOR DESIGNATION AS A LOCAL HISTORIC DISTRICT: "Historic" building start with an age of at least 50 years – all the homes in Glenbrook Village qualify. Second is a good level of integrity – the houses in the proposed historic district maintain a good level of integrity – they are unaltered or minimally altered and still represent the time they were built. They have not been moved, nor has the environment around them (placement on lot, width of road, spatial relationship to other houses and the road.)

Glenbrook Village was platted in the late 1940s and the first homes built were likely directly on Milham Ave. Houses were built between 1950 and 1960. Addresses include 6008-6040 Chelsea Lane, 214 to 403 Windsor Lane, 6007 to 6039 Salem Lane and 218 to 404 Milham Avenue – south side, even numbered addresses.

There is consistency in design for all the houses and the character defining features include height at one story tall with a low pitched roof and attached garage. The houses facing Milham are 1½ story with detached garages, except for 404 East Milham.

Cladding is often brick with wide wooden clapboard. Many of the homes have vinyl siding and replacement windows fit in the original openings maintaining the rhythm of the façade.

History and Statement of Significance

The area represents a typical post war development in Portage, with homes built to accommodate the growing number of employees at the Upjohn Company between 1950 and 1960.

The Milham and Westnedge intersection was known as Carpenters Corners.

The houses were probably built to attract employees at the Upjohn Company moving out of Kalamazoo to be closer to work. The first plant constructed for the Upjohn Company was completed in 1948.

According to "Upjohn.net" the route for Upjohn Bus A came every day from the heart of Kalamazoo and turned east onto Milham from Westnedge at about 7:45am making it likely that a new homeowner in Glenbrook Village could ride the bus for free to and from work.

More research will need to be done to provide context and to fit the story of Glenbrook Village into the larger story of Portage itself.

The process of designating Glenbrook Village as a local historic district will take eight to eighteen months, possibly as much as two years.

PASTMASTERS

Sharon Ferraro

1014 Davis Street

Kalamazoo MI 49008

Pastmaster1014@gmail.com

Tuesday, November 28, 2023
5:30pm Portage
Prince of Peace Lutheran Church
Glenbrook Village Neighborhood Meeting
Topic: Historic Preservation
Meeting Summary

Meeting location, purpose, and attendance

The City held a neighborhood meeting at 5:30-7pm at the Prince of Peace Lutheran Church (1747 W. Milham Ave.) on Tuesday, November 28, 2023 for the Glenbrook Village neighborhood residents to discuss historic preservation and possibility of creating a new historic district for the neighborhood. A local historic preservation expert (Sharon Ferraro, retired City of Kalamazoo Historic Preservation Coordinator) presented various historic preservation information. Ms. Ferraro and City staff addressed various historic preservation questions, answers. Approximately 12 members of the neighborhood attended the meeting. City staff consisted of Pete Dame, Chief Development Officer, and Eric Feldt, Senior City Planner.

Meeting Brief

Mr. Dame informed the attendees that the City received interest from within the neighborhood to pursue creating a new historic district for the Glenbrook Village residential neighborhood in response to a rezone application for two lots within the neighborhood. By designating the neighborhood as 'historic', the neighbor hoped it would influence the rezone application or prevent future demolitions of homes within the neighborhood. Mr. Dame indicated that the purpose of the meeting is to present historic preservation/ district information, not discuss the rezone. But, he did mention that the rezone application is scheduled for Planning Commission review on Thursday, December 7.

To assist in explaining historic preservation/ district information for the meeting, the City invited Sharon Ferraro, retired City of Kalamazoo Historic Preservation Coordinator and general local expert in historic preservation. She presented the State's process of designating new historic districts, discussed the various permits required for development within a historic district, and answered questions from attendees. See questions, answers below between attendees and Ms. Ferraro and Mr. Dame.

Questions

1) Q. Can an accessory building expansion be allowed?
   A. May be. It depends on how the expansion scale and design impacts the existing access building and overall buildings on property.

2) Q. Can windows be replaced, modified, etc.?
   A. Yes. But, it will also depend on the how different/ similar the new design is to the old design.

3) Q. Replace existing (original or historic) house door with modern door?
   A. Likely, No. But, it will also depend on the how different/ similar the new design is to the old design and any negative impact to the historic character of the overall building.

4) Q. Does the Historic District process stop/ impact a rezone application or the demolition of a building within the district.
   A. No, it will not stop a rezone application. No, it will not automatically prevent the demolition of buildings within the district, but may make it harder depending on reasons for the demolition. A 'Notice to Proceed' permit for the Historic District Commission vote is required for all building demolition requests.

5) Q. During the process to create the new historic district, could the Council create a moratorium on permits within the new district or force all permits to go to the Historic District Committee for review as if the new historic district was established?
   A. Yes, but it would be at the purview of the Council.

6) Q. Could adjacent residential areas beyond the Glenbrook Village area be added to the historic district assessment study?
   A. Yes, if requested.

7) Q. Would the City require a permit from the Historic District Commission for work done without first gaining permit approval (i.e. after the fact permit request).
   A. Not likely, but depends on type of work. This would be predicated on whether or not the non-permitted work is brought to the City's attention, which could likely be in the form of a received public complaint.

General voting questions from Mr. Dame to attendees about whether or not to pursue historic district designation for the neighborhood. Attendees were asked to raise their hands for the following.

1) Q. How many people generally support pursuing this designation?
   A. None raised their hands.

2) Q. How many people do not support pursuing this designation?
   A. Approximately two.

3) Q. How many people are unsure about pursuing this designation?
   A. Approximately five.

Meeting concluded at approximately 7pm.
Attachment: Attendees Sign-in Sheet

FREQUENTLY ASKED QUESTIONS ABOUT HISTORIC DISTRICTS

1) Q. WHAT IS A LOCAL HISTORIC DISTRICT?

A. A local historic district is a historically significant area that is protected by a historic district ordinance. The local unit of government appoints a historic district commission to review proposed work to the exterior of resources in the district to determine if the work meets the Secretary of the Interior's Standards and Guidelines for Rehabilitation. Designating an area as a local historic district is one of the few ways a community can preserve the historic character of a neighborhood and provide protection for its historic resources. Creating a historic district is the only means a municipality in Michigan has to prevent the demolition of historic buildings.

2) Q. WHAT ARE THE ADVANTAGES OF BEING IN A LOCAL HISTORIC DISTRICT?

A. Historically significant buildings in the community are identified and protected.

- Property owner's investments are protected from incompatible design or demolitions in the district by having architectural review of changes in the district.
- Contributing resources qualify to owner to apply for the state historic rehabilitation tax credit.

3) Q. WHAT ARE THE DISADVANTAGES OF BEING IN A LOCAL HISTORIC DISTRICT?

A. Adds a review step to the building permit process – exterior work only.

- Owners may not be able to build exactly what they want if what they are proposing does not meet The Secretary of the Interior's Standards for Rehabilitation (exterior only).
- Acceptable design alternatives or materials may be more expensive than alternatives that do not meet The Secretary of the Interior's Standards for Rehabilitation (exterior only).

It can be noted that usually higher cost materials have an extended life, offsetting the initial cost. The cost or preservation might also be offset by available tax credits. An example of this might be requesting to replace historic wood elements like porch rails, siding, or windows with vinyl/plastic which in most instances is not appropriate. However, repairing the elements, or replacing with matching materials will meet the Standards, preserve historic elements, and give a longer lasting repair or product.

4) Q. WHAT IS THE PROCESS FOR CREATING A LOCAL HISTORIC DISTRICT?

A. The process is governed by state law, PA 169 of 1970 as amended. The steps are as follows:

- City Council agrees to investigate an area to create a historic district and appoints a historic district study committee and directs them to study that area of the city.
- The study committee conducts an inventory (intensive level survey) of the study area; researches the history to determine the historic significance of the area; and evaluates whether a district should be created and if so what the boundaries of the district should be.
- The information in the previous step is presented in the Preliminary Historic District Study Committee Report which the committee then adopts and transmits to the State Historic Preservation Office and the Planning Commission for comments.
- Not less than 60 days after the Preliminary Report is transmitted the study committee holds a public hearing.
- After the public hearing the study committee completes a Final Historic District Study Committee Report and adopts the report.
- The committee recommends to City Council whether or not a district should be created and submits their adopted Final Report to Council.
- City Council considers the committee recommendation and whether or not to adopt an ordinance creating the district using the same procedures when considering creating other ordinances.

5) Q. WHAT IS THE ROLE OF THE HISTORIC DISTRICT STUDY COMMITTEE? HOW WAS THE COMMITTEE CREATED?

A. In accordance with state law the study committee is using the National Register of Historic Places criteria for inventorying and evaluating the potential district. The study committee will make a recommendation to City Council as to whether or not a district should be designated. The City Council of Portage approves a resolution establishing a study committee for a specific area, and according to the City of Portage Historic Preservation Ordinance, the standing Historic Preservation Commission for the City serves as the study committee.

6) Q. WHO DECIDES WHETHER A HISTORIC DISTRICT IS CREATED?

A. The elected governing body of a municipality makes the final decision. In the City of Portage the governing board is the City Council.

7) Q. DO HISTORIC DISTRICTS REDUCE HOME VALUES?

A. No. Historic Districts have generally been found to preserve and enhance property values. The Michigan Historic Preservation Network has studies by the State of Michigan that show property values increase in historic districts. CLICK HERE to view these publications.

8) Q. IS THERE FINANCIAL ASSISTANCE FOR THE COST OF PRESERVATION PROJECTS?

A. Yes, but financial assistance is available only for work on properties found within a locally designated historic district. The Michigan State Historic Tax Credit, recently reinstated, allows approved rehabilitation work compliant with historic preservation standards to receive a credit from Michigan income taxes. The new law now provides a 25% tax credit for eligible work that can be deducted from Michigan income taxes as financial assistance to the owners of properties in a local historic district.

9) Q. WILL A HISTORIC DISTRICT IMPACT MY PROPERTY TAXES?

A. No. Historic districts are not assessed any differently than other properties. Historic district designation does not change assessing or taxation laws and procedures. Under state law, City tax rates cannot be higher or lower in a historic district, or any other neighborhood for that matter, than any other residential properties. The presence of a Historic district does not change assessing or taxation laws and procedures. If property values in any area of the City increases higher than the rate of inflation, the Headlee Amendment/Proposal A to the State Constitution guarantees that taxable values are capped at the rate of inflation.

10) Q. WHAT ABOUT THE OTHER AREAS OF THE CITY THAT MIGHT BE HISTORIC?

A. It is impractical and financially infeasible to intensively survey the entire city at one time. A governing body may decide to direct the study of additional areas of the city in the future.

11) Q. HOW CAN AN AREA WITH MANY DIFFERENT ARCHITECTURAL STYLES BE HISTORIC?

A. It is common for historic districts to have multiple styles of architecture in them. The history of communities are represented through the built environment and it is typical for there to be a variety of architectural styles and buildings that when taken as a whole tell the story of a community. In order to be designated the district must meet one or more of several criteria need to be listed in the National Register of Historic Places.

12) Q. WHAT IS THE ROLE OF HISTORIC PRESERVATION FIRM IN THE STUDY COMMITTEE/LOCAL DESIGNATION PROCESS?

A. Often, municipalities hire certified historic preservationist to provide technical expertise to the municipality and the committee regarding the National Register criteria, state law, the local designation process, and architectural history. The firms help prepare and assist the Study Committee in compiling the required intensive level survey.

13) Q. HOW DOES THIS CHANGE THE CITY APPROVAL PROCESS IF THE CITY COUNCIL APPROVES CREATING A HISTORIC DISTRICT?

A. First the City Council would have to appoint members to a Historic Preservation Commission ("Commission"). The Historic District Commission which is comprised of city residents serve for three-year terms (staggered initially).

After a district is approved, the Commission would implement procedures for reviewing external alterations to properties within the historic district through adoption of Secretary

of Interior standards and any Grosse Pointe specific design guidelines.

When a property owner in a historic district has exterior work contemplated, an applicant will submit the paperwork to the City for review. If it does not trigger a historic preservation review or if it is minor work in compliance with the standards, City staff can approve the permits within days. If it is a more significant project, the plan would be submitted to the Historic Commission for review.

14) Q. WHAT CRITERIA WILL THE COMMISSION USE WHEN REVIEWING WORK?

A. The Commission will primarily use The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, found here: https://www.nps.gov/tps/standards/rehabilitation.htm. Using these criteria will ensure consistency of decisions throughout the district. Locally developed design guidelines will also be used once developed and approved. Design guidelines address building components, materials, and neighborhood context in order to accommodate the architectural styles found in the district. The guidelines may address specific architectural styles as well.

15) Q. HOW QUICKLY WILL REVIEWS HAPPEN?

A. General exterior building maintenance items can be reviewed in a few days or less. Commissions normally consider applications monthly and make decisions at public meetings. Under the law, commissions may not take more than 60 days to act on a complete application.

16) Q. DO ALL PROPERTIES IN THE DISTRICT HAVE TO GO THROUGH THE REVIEW PROCESS EVEN IF THEY ARE NEWER? WILL NEW CONSTRUCTION ON VACANT LOTS HAVE TO BE REVIEWED? IS WORK IN BACK YARDS REVIEWED?

A. Yes. Exterior work on ALL properties within the district, regardless of contributing or non-contributing status, front or back yards, will be reviewed by the Historic District Commission to ensure that the proposed work is compatible with the character of the district.

17) Q. WILL BASIC MAINTENANCE BE REVIEWED?

A. No, as long as maintenance consists of repair and will not change the material, configuration, or appearance of a property it does not need to be reviewed. For example, tuck-pointing with mortar that matches the existing mortar will not need to be reviewed.

18) Q. ARE INTERIOR CHANGES REVIEWED?

A. No, interior remodeling is not under the purview of a historic district. Changes to exterior openings that affect the exterior appearance that might be desired as a consequence of a interior remodeling are reviewed. For example, due to a kitchen remodeling, a exterior door or window might be moved. Only the door or window change would be reviewed, not the entire kitchen remodeling.

19) Q. IS EXTERIOR PAINTING REVIEWED AND ARE THERE PAINTING RESTRICTIONS? WILL PAINT COLORS BE REGULATED?

A. Paint colors are not reviewed unless specified in the enacting historic preservation ordinance. Whether to paint would only be reviewed if a property owner is proposing to paint a surface that was not previously painted like brick.

20) Q. WHAT ARE THE RESTRICTIONS FOR POOLS, AWNINGS, VINYL SIDING, LANDSCAPING, TREE REMOVAL, RAILINGS?

A. Guidance/restrictions on some specific types of work can be addressed in design guidelines adopted by the Historic Commission when it is established. Prior to guidelines being approved all work will be reviewed on a case-by-case basis to determine if the specific project will meet *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.* For example, vinyl siding might be appropriate on some properties but not others depending on the existing conditions, age and history of the property, and the characteristics of the district that is designated.

21) Q. DO I HAVE TO RESTORE MY HOUSE BACK TO THE WAY IT WAS WHEN IT WAS ORIGINALLY BUILT?

A. No, the purpose of local historic district designation is to retain as much of the original historic material that existed in the district at the time the district was established while still allowing for modern living.

22) Q. HOW CAN THE SAME STANDARDS BE APPLIED TO DIFFERENT STYLES OF BUILDINGS?

A. The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings are crafted in a manner that is meant to be applied to a variety of historic properties of different architectural styles. This ensures that changes to historic properties preserve historic fabric so that there is an accurate representation of the history the properties convey.

23) Q. WHAT IF I WANT TO BUILD AN ADDITION, A NEW GARAGE OR AN APARTMENT ON TOP OF OUR GARAGE?

A. Creation of a historic district does not change any allowable use or construction as permitted in the City building and zoning code. A proposed accessory dwelling unit, for example, would need to meet all requirements of the underlying zoning. This would determine, among other things, whether the use itself is allowed and the permitted maximum height for the structure. All new buildings would need to meet zoning and building requirements such as setback as found in City codes.

Being in a historic district submits those types of projects to the additional review of whether they meet *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.*

24) Q. WHAT IF I WANT TO COMBINE OR SPLIT LOTS?

A. Creation of a historic district does not change whether or not you can split or combine a lot. Land Divisions and Combinations are governed by the State Land Division Act and

the City's Code of Ordinances. The City would evaluate and approve or deny and approved/denied based on these existing criteria.

25) Q. WHAT HAPPENS IF EXTERIOR CHANGES ARE MADE WITHOUT THE COMMISSION'S APPROVAL?

A. The requirements of a historic district are an added layer to the existing building permit process. The City's Building Inspector is in charge of ensuring compliance with City construction requirements including any added historic preservation requirements.

25) Q. WILL THERE BE INSPECTIONS AND WHO WILL INSPECT WORK?

A. Inspections will be conducted by the City's Building Inspector as part of the permit process.

26) Q. IS THERE A WAY TO APPEAL THE DECISION OF THE HISTORIC DISTRICT COMMISSION?

A. If an applicant does not agree with the commission's decision, the applicant can appeal to the State Historic Preservation Review Board and ultimately to the circuit court. Non-applicants that do not agree with a commission's decision can appeal directly to circuit court.

27) Q. ARE COSTS OF HISTORIC PRESERVATION REQUIREMENTS TAKEN INTO CONSIDERATION?

A. Yes. The Secretary of the Interior Standards for historic preservation review have this introductory paragraph:

The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility.

The State Historic Preservation Office (SHPO) also offers guidance about economic hardship that the Commissions use when evaluating applications. Please CLICK HERE to view the State Historic Preservation Office Guidance on Economic Hardship and Feasibility Considerations. As noted, the Secretary of Interior's standards reference the need for "reasonable" application of the standards.

28) Q. CAN A HISTORIC PROPERTY EVER BE DEMOLISHED?

A. Demolition of a historic property within a historic district can permitted under certain circumstances, outlined in state law.

29) Q. CAN THE CITY PROVIDE TECHNICAL RESOURCES OR GUIDANCE TO PROPERTY OWNERS SUCH AS A LIST OF CONTRACTORS?

A. Yes. Non-profit organizations provide lists of contractors like the Michigan Historic Preservation Network.

In addition, Historic District Commission members and staff typically will have experience with historic properties and construction and will be able to offer guidance to applicants to make the review process as easy as possible.

The Michigan Historic Preservation Network (MHPN) has access to the historic resource council directory that contains listings for contractors and other preservation experts.

30) Q. WHERE CAN I LEARN MORE ABOUT HISTORIC PRESERVATION?

A. Michigan's State Historic Preservation Office (SHPO) provides articles and educational materials that offer guidance, context, and background about Michigan's historic resources. SHPO's website at the State of Michigan provides access additional resources and general publications about preservation.

Staff's Site Pictures

Figure 1. Looking at SE corner of S. Westnedge Ave. and Milham Ave. (6011 S. Westnedge Ave., 120 E. Milham Ave.): Skinny Kenny's BBQ (moved), Little Caesar Pizza (closed), and Betty Bella Braids (closed).

Figure 2. Looking south across E. Milham Avenue at Betty Bella Braids (white building) at 120 E. Milham Avenue.

Figure 3. Looking south across E. Milham Avenue at 6008 Chelsea Lane (subject properties) single family residence with detached garage.

Figure 4. Looking at E. Milham Ave. & Chelsea Ln intersection at 6008 Chelsea Lane.

Figure 5. Looking west at yard space between 6018 Chelsea Lane (L) and 6008 Chelsea Lane (R).

Figure 6. Looking west at 6018 Chelsea Ln (brick) (subject properties) – single family house with attached 2-car garage; owned by applicant.

Historic District Commission
City of Portage

January 29, 2023

Eric Feldt, AICP, CFM
Senior City Planner
Community Development Department

Background

October

- Received interest in creating new historic district for Glenbrook Village as result of proposed commercial development.
- City contacted and visited neighborhood with local historic specialist.
  - Determined some support of historic framework and age of overall buildings.

November

- HDC meeting – City staff, historic specialist presentation about creating new historic district and processes.

Background

November

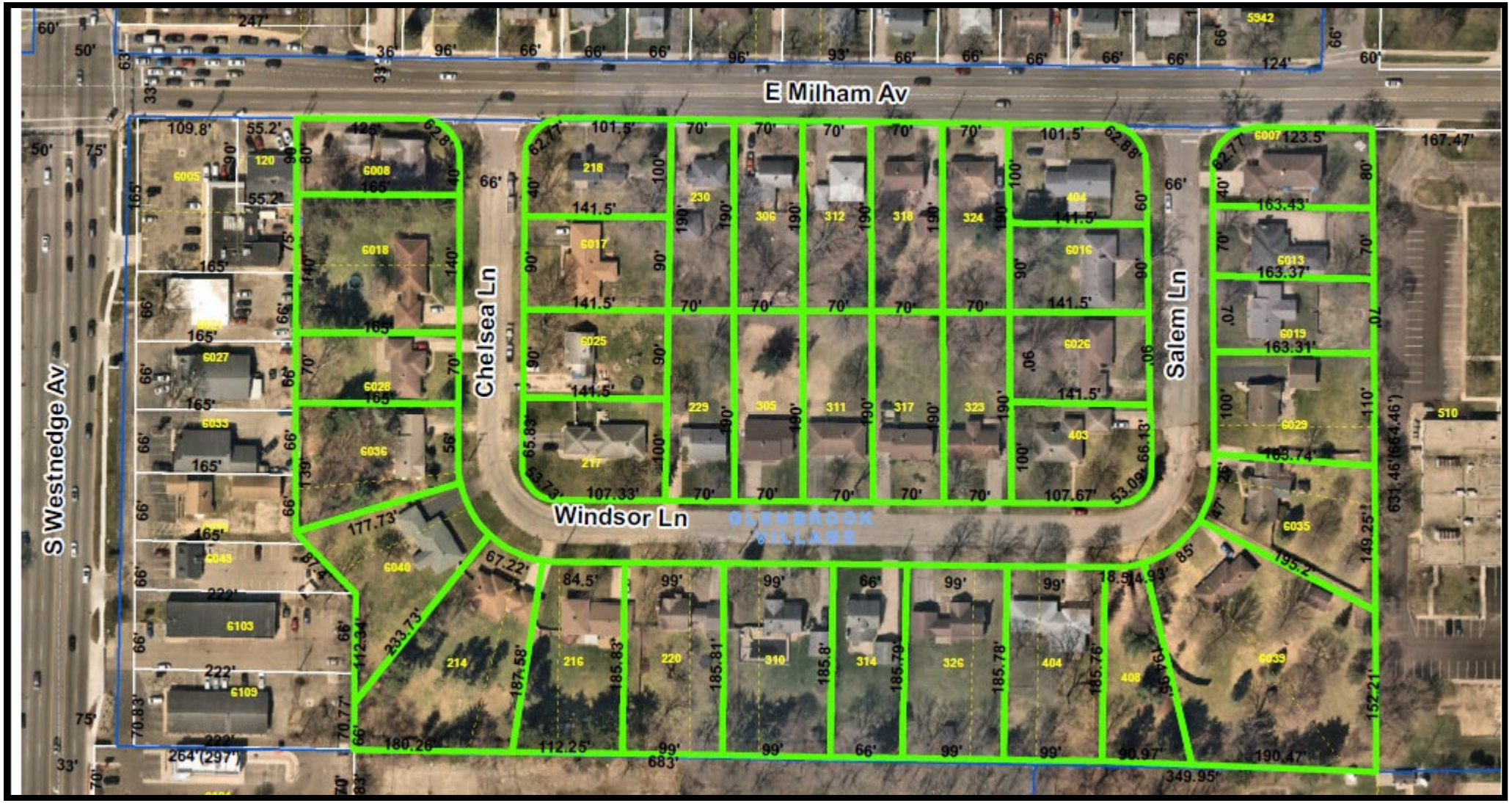
- Neighborhood meeting – Invited all Glenbrook Village owners; presentation about new historic district process; provided FAQ; 12 Residents attended – most wanted to learn more.

January

- HDC meeting – City staff updated HDC of neighborhood meeting; HDC supports continued planning process.

Next step: HDC meeting – accept more neighborhood public commenting and provide formal recommendation to Council.

Glenbrook Village Plat



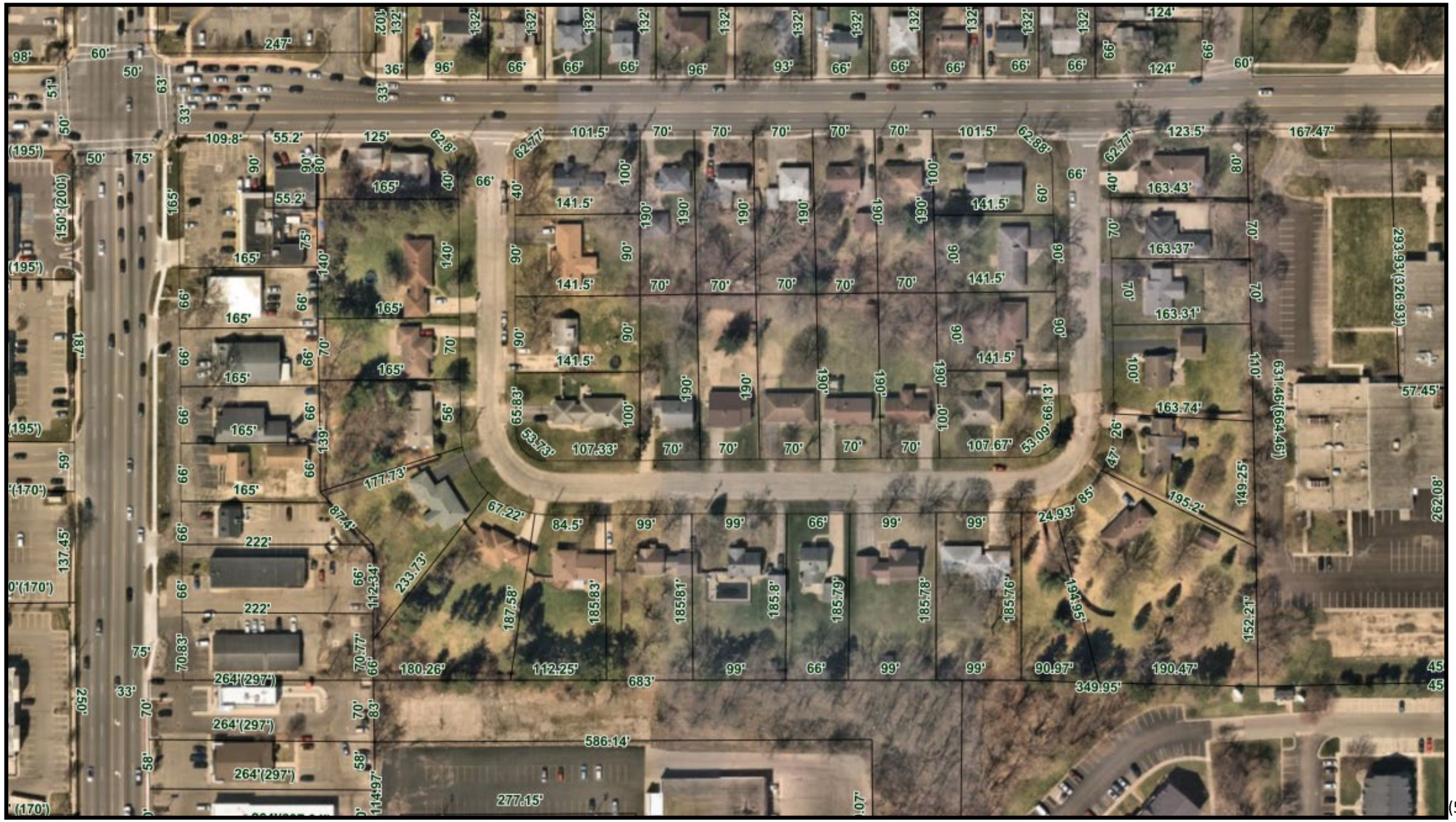
PORTAGE
A Natural Place to Move

Glenbrook Village Neighborhood

- 37 lots
- 36 Single Family Homes w/ Attached, Detached Garages
- Mostly built in 1950s
- Partial/ Whole brick facades
- All homes still exist on properties
- Original platted area of housing lots still intact

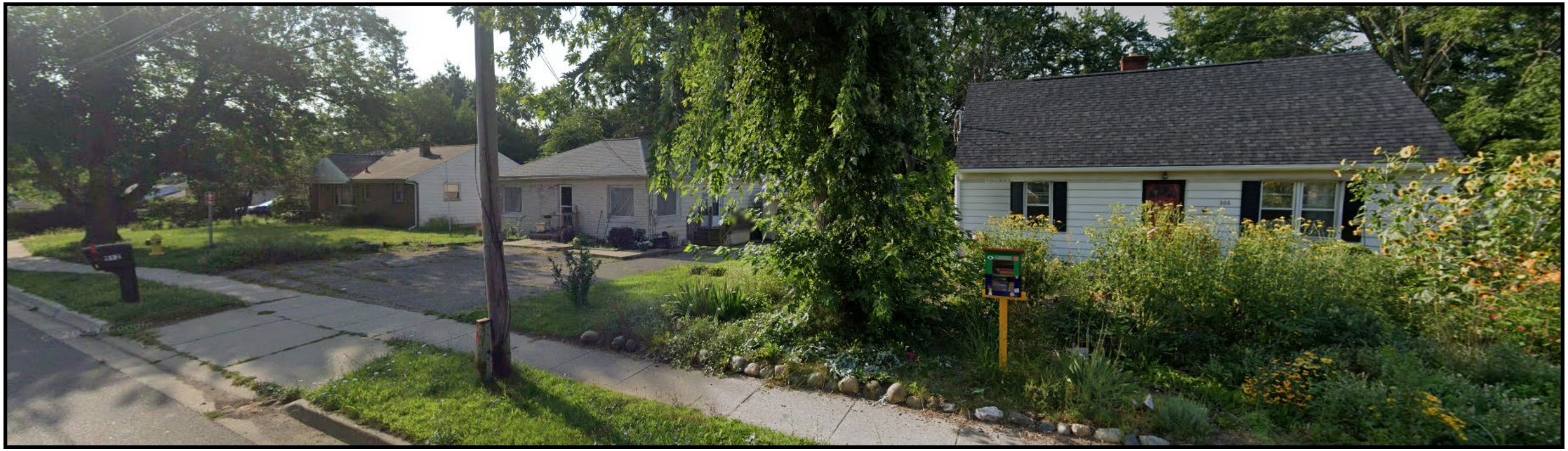
PORTAGE
A Natural Place to Move

2023



PORTAGE
A Natural Place to Move

Looking east along E. Milham Avenue



August 2023 – Google Earth Image

PORTAGE
A Natural Place to Move

Looking south along Chelsea Lane

August 2023 – Google Earth Image

Looking east along Windsor Lane

August 2023 – Google Earth Image

PORTAGE
A Natural Place to Move

Looking north along Salem Lane

August 2023 – Google Earth Image

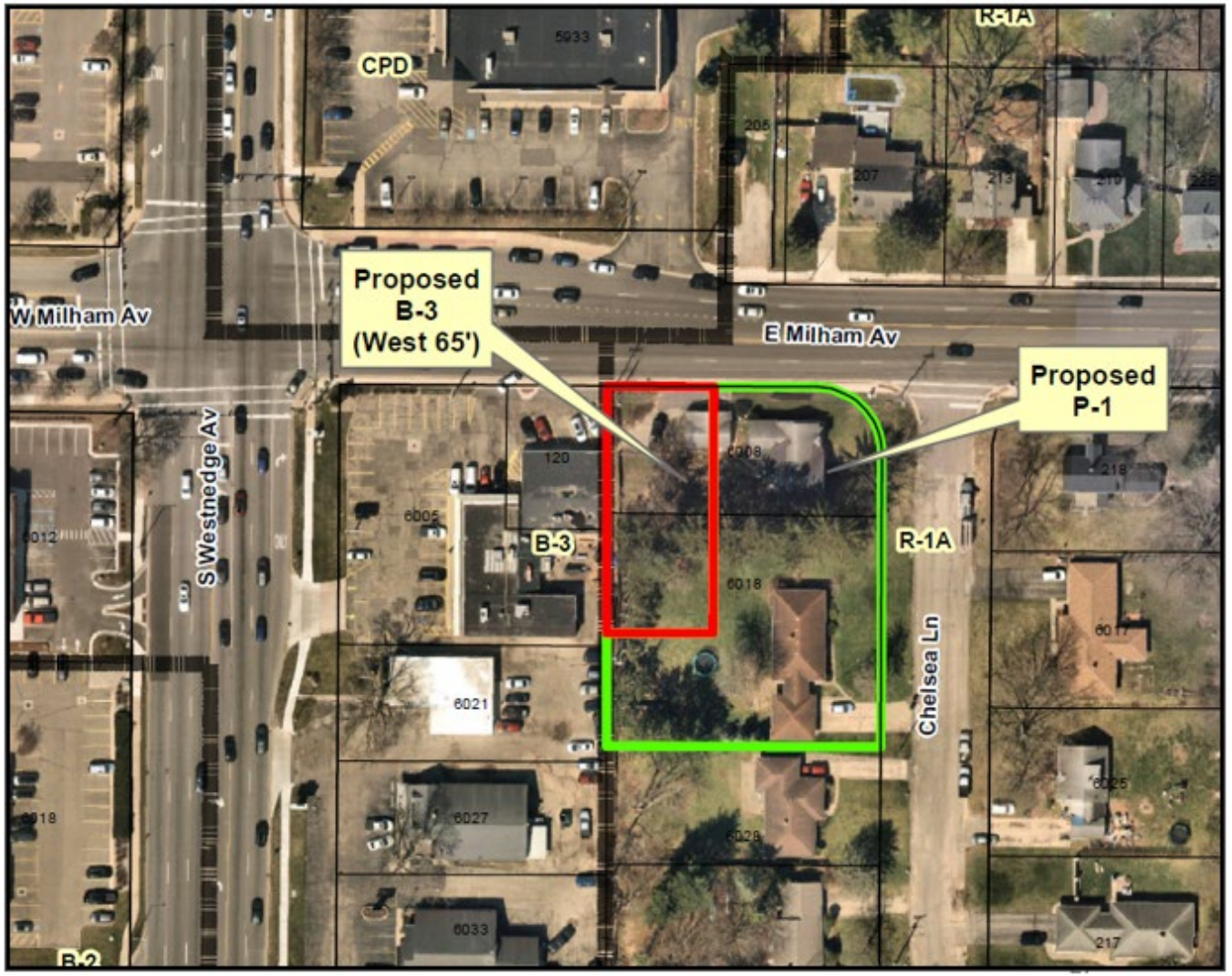
Procedure to create new Historic District

State Historic Preservation Office (SHPO) establishes process for communities when creating a new historic district.

1. Local legislative body (Council) adopts a resolution to approve a historic district study.
2. Local legislative body (Council) appoints a Historic District Study Committee.
3. Study Committee performs photographic inventory and research.
4. Study Committee evaluates resources using National Registry of Historic Places criteria.
5. Study Committee prepares a preliminary historic district study committee report according to Section 3 of PA 169.
6. Study Committee officially transmits report to local planning board, SHPO, Michigan Historic Commission and State Review Board.
7. At least 60 days after the official transmittal of the report, the Study Committee holds a public hearing.
8. Study Committee has up to 1 year after the public hearing to submit a final report to the local legislative body.
9. Local legislative body votes to approve or reject the proposed historic district.
10. A historic district ordinance must be adopted and a historic district commission appointed at the time the historic district is approved.
11. Property owners apply to Commission for a Certificate of Appropriateness (COA) before undertaking work in the historic district.

Proposed Rezoning

From Residential to Commercial/ Parking



Recommended Action

Staff recommends the HDC accepts public comments of Glenbrook Village property owners and provide a recommendation to City Council of either support or oppose creating a new historic district of the 37 lots within the Glenbrook Village area.

In light of the pending retail development proposal that would require the demolition of 6008 and 6018 Chelsea Lane, if the HDC recommends initiating the historic district evaluation process, the HDC should also make a recommendation to City Council on whether the City Council should issue a moratorium on processing permits for exterior construction and demolition, concurrently with the start of a historic district study of this neighborhood and appointment of a historic district study committee.

City of Portage
Historic District Commission
Meeting Minutes
Wednesday, January 10, 2024
City Hall Conference Room 2

Meeting Called to Order: Chair VanLonkhuyzen called the meeting to order at 8:45am.

Members Present: Chair Katie VanLonkhuyzen, Vice Chair Suzanne M. Nemeth, Martha Deming-Maytnier, Becky Lopez, Carol Dunleavy-Chandler, Steve Rice.

Members Absent (excused): Nick Meyle and Jessie Duniphin

Members Absent (not excused): RJ Batas

Staff:
Eric Feldt, Senior City Planner

Approval of Minutes:

Vice Chair Suzanne M. Nemeth made the motion, seconded by Carol Dunleavy-Chandler, to approve the November 1, 2023, meeting minutes as submitted. Motion passed 6-0.

Old Business:

1. Discuss changing HDC meeting day/ time.

The HDC discussed changing the HDC meeting day from Wednesday to Thursday and keeping the same time at 8:30am. Due to Jessie Duniphin's absence, who was the initiator of the day change, the HDC postponed this item to a future HDC meeting. No action or vote was taken on this item.

New Business

None.

Citizen Comments:

None.

Member, Staff Comments:

No member comments.

Mr. Feldt indicated to the HDC that the State Historic Preservation Office (SHPO) provides an annual check-up with local communities who have historic districts and historic preservation ordinance. The SHPO informed the City that some corrections to the City's preservation ordinance need to be made. These corrections are required to ensure owners within the City's historic district receive their full benefit of being located within such district such as State historic tax incentives. Mr. Feldt stated that he will follow up with the SHPO and then relay those corrections to the HDC at a future meeting.

Mr. Feldt provided an update on the possibility of expanding the historic district to encompass the Glenbrook Village neighborhood. He summarized the past neighborhood meeting on this topic indicating that approximately a dozen owners attended and had mixed feelings about desiring their neighborhood become a new historic district. Many wanted to learn more about the effects of living in a historic district, and wanted to continue to be informed if the City wishes to pursue establishing a new historic district for their neighborhood. Mr. Feldt indicated that Sharon Ferraro, past City of Kalamazoo Historic Preservation specialist and local historic preservation expert, indicated that the buildings within the neighborhood generally still have their historic form intact and, therefore, supports continued planning effort in pursuing the historic designation of the neighborhood.

Mr. Feldt also updated the HDC on an on-going rezoning proposal impacting two residences (6008, 6018 Chelsea Ln) within the Glenbrook Village neighborhood. He indicated that if the rezone is approved, those residences will likely be demolished for a future commercial development.

Mr. Feldt asked the HDC, at this point of time and with the on-going rezone, their wish to continue planning efforts towards adding the Glenbrook Village neighborhood as a new historic district. The HDC response was 'yes' to continue planning efforts towards adding the Glenbrook Village neighborhood as a new historic district. Mr. Feldt indicated that the next step is to invite all Glenbrook Village property owners to a special HDC meeting in an evening near the end of January to get their overall support or opposition of whether or not to be added as a new historic district. Mr. Feldt stated that future meeting date options will be emailed to the HDC for their availability. The HDC supported this continued effort by staff.

Adjournment

There being no further comments or business, Chair VanLonkhuyzen adjourned the meeting at 9:25 am.

Respectfully submitted,

Eric Feldt, AICP, CFM
Senior City Planner

DRAFT

City of Portage
Historic District Commission
Meeting Minutes
Monday, January 29, 2024
City Hall Council Chambers

Meeting Called to Order: Chair VanLonkhuyzen called the meeting to order at 6pm.

Members Present: Chair Katie VanLonkhuyzen, Vice Chair Suzanne M. Nemeth, Martha Deming-Maytnier, Becky Lopez, Carol Dunleavy-Chandler, Steve Rice and Nick Meyle.

Members Absent (excused):

Members Absent (not excused): RJ Batas

Staff:
Eric Feldt, Senior City Planner

Approval of Minutes:

Becky Lopez made the motion, seconded by Nick Meyle, to approve the January 10, 2024, meeting minutes as submitted. Motion passed 7-0.

Old Business:

New Business

1. Discuss designating Glenbrook Village as a new Historic District.

Mr. Feldt gave a presentation explaining the history leading to the resident inquiry of requesting a new historic district for the Glenbrook Village neighborhood. He showed various maps and images of the area. He indicated that this topic was presented and discussed at past neighborhood meeting in November and at various Historic District Commission meetings. Mr. Feldt explained the process of creating a new historic district, mentioned the various attachments in the meeting packet such as a Frequently Asked Questions and a historic assessment provided by a local historic preservation expert. He concluded his presentation by having the Historic District Commission accept public comments and take action on the below recommendation.

'Staff recommends the HDC accepts public comments of Glenbrook Village property owners and provide a recommendation to City Council of either support or oppose creating a new historic district of the 37 lots within the Glenbrook Village area. In light of the pending retail development proposal that would require the demolition of 6008 and 6018 Chelsea Lane, if the HDC recommends initiating the historic district evaluation process, the HDC should also make a recommendation to City Council on whether the City Council should issue a moratorium on processing permits for exterior construction and demolition, concurrently with the start of a historic district study of this neighborhood and appointment of a historic district study committee.'

Chair VanLonkhuyzen opened public comment.

Public Comment
The following is a summary of received public comments:
Six members of the public were in attendance; and all indicated were homeowners within the Glenbrook Village neighborhood. Members of the public indicated that the neighborhood is unique but is surrounded by commercial, adjacent to parking lots, and experiences adjacent growth. Some members of the public would like more information about historic district standards before supporting or opposing the creation of a new historic district. One member of public opposes the creation of the new district due to close proximity to commercial and large industrial developments and indicated that the state income tax credit for those within a historic district may not be very beneficial.

Historic District Commission Comment
The following is a summary of received comments from Historic District Commission:
Several members supported creating the new historic district for the Glenbrook Village neighborhood because the area is unique and worth preserving as the greater neighborhood is experiencing new commercial and industrial growth. Also, the existing mid-century housing style is unique in Portage, is becoming of eligible historic age. Commissioner Rice was the only opposing viewpoint due to following comments: not much received support from the neighborhood, and that the pursuit of the new historic district seemed to only be in response to an adjacent commercial rezone which was being opposed by certain neighbors within the Glenbrook Village. Chair VanLonkhuyzen indicated interest in exploring the neighborhood to the north, across E. Milham Avenue, as a new historic district. Some Commissioners noted that they would have liked to see more neighborhood attendance and feedback.

Mr. Feldt summarized the City's Building permitting processes and when an additional permit by the Historic District Commission. He brought up examples of construction that would and would not require Commission approvals. Further, he indicated an approval required by the Commission would add more time to overall permitting process since the Commission only meets once a month.

Local Historic Preservation Expert
The following is a summary of comments provided by Sharon Ferraro, retired City of Kalamazoo Historic Preservation Specialist, who was invited by City staff to assist in this topic:
Ms. Ferraro explained some City of Kalamazoo historic preservation permitting processes. She indicated the purpose of historic preservation 'rehabilitation' standards of the US Secretary of Interior Standards. She stated that mid-century modern buildings in Michigan are becoming more common and eligible for historic preservation purposes. And, Ms. Ferraro explained the Michigan state income tax benefits for those in historic districts.

Becky Lopez made the motion, seconded by Vice Chair Nemeth, to support a recommendation to City Council to create a new historic district of the 37 lots within the Glenbrook Village area. Motion passed 6-1.

Martha Deming-Maytnier made the motion, seconded by Vice Chair Nemeth, to support a recommendation to City Council to issue a moratorium on processing permits for exterior construction and demolition, concurrently with the start of a historic district study of this neighborhood and appointment of a historic district study committee. Motion passed 5-2.

Citizen Comments:

None.

Member, Staff Comments:

Mr. Feldt indicated that Commissioner Jessie Duniphin resigned on January 12, 2024, and her replacement has not been filled yet. He encouraged the Commission to ask any Portage residents they think would be a good fit for the Commission and to contact the Clerk's Office. He also asked if the Commission wished to hold their regularly scheduled meeting next week on Wednesday, February 7th. Commission voted no. Mr. Feldt replied that the next Commission meeting will be held on Wednesday, March 6.

No additional Member comments.

Adjournment

There being no further comments or business, Chair VanLonkhuyzen adjourned the meeting at 7:06 pm.

Respectfully submitted,

Eric Feldt, AICP, CFM
Senior City Planner

DRAFT

January 11, 2024

TO: Portage City Commission

RE: Glenbrook Village Zoning Change Request

I have lived in Glenbrook Village for over 40 years and have had the majority of our residents sign the Petition that has been provided to you. We respectfully request that our Zoning status remain at single family residential. The only residents who did not sign are those who are renting, deceased or otherwise unavailable. No one expressed assent to this change.

We have all faithfully paid our taxes annually to maintain the current status of our residential neighborhood. A zoning change would severely alter the reflection of our homes. Our plat was constructed in the 1950's and could qualify for historic status. Destroying the stature of this plat is inconceivable.

Most distressing is the thought that they want to destroy two beautiful homes to build a fast food chicken restaurant that would remain open until 2:00 a.m. This would result in a huge traffic influx for anyone wanting to make a left-turn onto Milham. They would need to turn right onto Chelsea, go around the block and make a left turn from Salem onto Milham. They would most likely speed through threatening children and others in the neighborhood. The restaurant would also bring air, noise and garbage pollution so very late into the night. We would be faced with an array of unwanted consequences and a likely decrease in property values.

Would you want this situation in your neighborhood? You were elected to support and serve us and we plead that you approve our request.

We beg you to please leave our zoning as Single Family Residential. I speak for all of my neighbors who have signed the Petition.

Respectfully,

Mary Skinner

404 Windsor Lane

Eric Feldt

From: Kevin Strand <kidzpca@msn.com>
Sent: Thursday, January 25, 2024 11:49 AM
To: Eric Feldt
Subject: Historic district meeting January 29th, Chelsea Lane, Windsor Lane, Salem Lane

Follow Up Flag: Follow up
Flag Status: Completed

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.

Please don't approve. Whomever started this is just trying to stop commercial redevelopment of 6008, 6018 Chelsea Lane, Glenbrook Village. If petition was started and signed by me the person or person misrepresented this. I prefer the redevelopment continue as the corner containing little Caesars Pizza is in poor if not sub poor condition and is unsafe for everyone around the area. The three other corners at Westnedge and Milham, Well Now, Walgreens and McAllister were done and improved the area.

THE CORNER where Little Caesars Pizza is needs to be improved as Raising Cane's project indicates.

Making my neighborhood a historic district will just complicate needed redevelopment to the area and make the lives of the home owners more difficult. I don't need or want some committee overseeing my home improvement or repair that has restrictions on what I can do to my home. Building permit are fine but if the color of my home has to be approved evertime I paint I may as well sell my house now before historic distinction. Fair Market value is expected and no less. 10-25% above market value would make me move faster. Thanks Southland Mall

Sent via the Samsung Galaxy A03s, an AT&T 4G LTE smartphone
Get Outlook for Android

Eric Feldt

From: Kevin Strand <kidzpca@msn.com>
Sent: Thursday, January 25, 2024 11:59 AM
To: Eric Feldt
Subject: Historic district Glenbrook Village

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.

Forgot to include my name and contact informatio. It's Kevin Strand, 317 Windsor Lane, Portage Michigan 49002. 269 929 7788

From:	Peter Dame
To:	Bigi Zhao; Eric Feldt
Cc:	Pat McGinnis
Subject:	FW: Westnedge Milham Development and Historic District Consideration for Glenbrook Village Neighborhood
Date:	Wednesday, January 31, 2024 2:09:04 PM

Please add the email below to the packet.

Pete Dame
Chief Development Officer
City of Portage

(269) 329-4403 office
(269) 888-5256 mobile

-------- Original message --------
From: Joshua Weiner <jweiner@mcweiner.com>
Date: 1/31/24 1:59 PM (GMT-05:00)
To: Patricia Randall <randallp@portagemi.gov>, Pat McGinnis <mcginnip@portagemi.gov>, Peter Dame <damep@portagemi.gov>, Eric Feldt <feldte@portagemi.gov>
Cc: Timothy Timmons <ttimmons@mcweiner.com>, "Matthew J. McDade" <mmcdade@mcweiner.com>, Shannon Orr <sorr@mcweiner.com>, Jenny Gately <jgately@mcweiner.com>
Subject: Westnedge Milham Development and Historic District Consideration for Glenbrook Village Neighborhood

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, City Manager McGinnis, Chief Development Officer Dame, Senior City Planner Feldt,

It has come to my attention that the City of Portage is considering the "possibility of creating a new Historic District for the Glenbrook Village neighborhood." To be clear and succinct at the outset of this communication, as owners of three lots (2 houses) and adjacent property immediately to the west of the neighborhood, we are opposed to this "possibility" in the strongest terms.

As Eric Feldt pointed out in his communication of January 26, 2024, it was a single resident who asked about the possibility of establishing a

new historic district for the neighborhood in efforts **to prevent future commercial expansion.** Subsequently, less than a third of the neighborhood (12 residents) attended an informational meeting. At the conclusion of that meeting, there were no counted advocates for pursuing the "possibility of creating a new Historic District." In fact, two residents were opposed (please add our two homes) and the remainder had "mixed feelings or were uncertain." None were in favor. It is clear to me that the **only** motivation for the initial inquiry and any further steps on this path was and is to stop our development (or significantly delay it which would result in the same thing as quashing it.)

I know Sharon Ferraro and am familiar with Kalamazoo's Historic Preservation Commission having worked with them on development along the Kalamazoo Mall years ago. Kalamazoo's Commission has its Articles and procedures and requirements. As Mr. Feldt points out in his January 26 communication, it is the State of Michigan that would give Portage the authority to create a Committee and go through the 11 steps outlined. Please do not consider this email to be one of opposition to the creation of such a Committee by our City. There may be important properties and areas in our City that deserve the responsibility and designation as Historic. But, with due respect to the residents of the Glenbrook Village neighborhood, this area just does not meet the qualifications as outlined by Kalamazoo's Commission, or any other in our State and would not be one of them. I caution our neighbors as to the unintended consequences of the designation and I would advise our City Commission to be very careful about initiating the Historic designation for any of our neighborhoods or properties without full disclosure and super majority support from the impacted owners.

In our City's Future Land Use Plan, I see nothing about Historic Districts. In fact, the Glenbrook Village neighborhood is an anomaly with commercial red surrounding it.

We have worked for over a decade to come up with a plan that we can be proud of for the redevelopment of our property. One that is in keeping with other of our retail properties in the City and one that will be an improvement for many years to come. We also are not seeking anything that creates an unusual category as it is in keeping with other

zoning in the area. We are also achieving some City goals as it relates to access management and other updating. A traffic study was conducted. Meetings have been held with our neighbors to listen to their concerns and address them. This is about more than a single tenant; although we are fortunate to have our first be of an operational, aesthetic and financial stature to be a source of pride for the future.

We received overwhelming support for our rezoning from our Planning Commission. I was personally gratified by the many positive comments. If any of you, any of our Commissioners, Council Members or any of our neighbors have concerns about our development that would rise to the level of nonsupport, I ask that you tell us with specificity. I am sure that our team can assuage your doubts and work with you and those concerns to arrive at a mutually agreeable plan.

You know, it is not unusual for us as professional developers and builders (and owners, managers and operators for the long term) to face questions, concerns, comments, differing viewpoints and perspectives and, yes, even opposition to our plans. We are proud of our ability to work with our neighbors, our governmental professional staffs, our volunteer boards and commissions and our elected officials to bring our plans to reality. However, to be subjected to a “let’s try this even if it doesn’t apply” tactic to delay us and obfuscate the real question is new to us, unfair, specious and less than genuine.

We were here yesterday. We are here today. We will be here tomorrow. And we will certainly be there on Tuesday, February **6**, 2024 [Peter, your letter under date of February 1 (sic) had the wrong date].

Please share this communication with the other members of City Council and do not hesitate to contact me…any time.

Respectfully,

Joshua T. Weiner

Joshua T. Weiner
CEO

Meyer C. Weiner Company
jweiner@mcweiner.com
269-323-2441
www.mcweiner.com

From: Eric Feldt
To: Biqi Zhao; Peter Dame
Subject: FW: Glenbrook Village Proposed Historic District Designation
Date: Thursday, February 1, 2024 10:30:24 AM

Here is a Glenbrook Village neighborhood comment for both HDC new district and rezone. In summary, this person is against the new historic district and supports the rezone.

Eric Feldt, AICP, CFM
City Senior Planner
Department of Community Development
City of Portage, MI
Ph: (269) 329-4471
Email: feldte@portagemi.gov
City of Portage – Zoning Code

From: zach pearson <zachpearson1@gmail.com>
Sent: Thursday, February 1, 2024 10:28 AM
To: Eric Feldt <feldte@portagemi.gov>
Subject: Glenbrook Village Proposed Historic District Designation

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.

Mr. Feldt,

My name is Zach Pearson and I am a resident of the proposed historic district of Glenbrook village at 404 E Milham Ave. I have lived at this address since 2017. I have been following the communications regarding the proposed redevelopment of the properties located at the corner of S. Westnedge and Chelsea Ln. I was approached by a neighbor with a petition against the proposed redevelopment, which I ultimately signed. After further research and having watched the 12/7/23 Planning Commission meeting, I would like this email to serve as a retraction of my signature of that petition and announce my full support for the redevelopment of the properties.

I would also like to state that I am firmly opposed to the designation of a historic district for this neighborhood. I think the pursuit of this designation is a misguided attempt to stop the development of two properties within the neighborhood. I do not believe that the residents that have initiated this historic designation have considered the negative impacts this could have on the other property owners. Historic Districts are important for the preservation of deserving areas, but they are not meant to be created to block future developments. The restrictions that would be imposed on any future changes, whether voluntary or involuntary, to the properties in our neighborhood would certainly create hardships for property owners. The requirements to maintain historic status are not worth the trade-off to block a development unwanted by a select group. Please include this email in public comment of the upcoming meeting that will discuss this topic further as I will not be able to

attend and provide my comments in person.

Thank you,

Zach Pearson

CITY OF PORTAGE, MICHIGAN

RESOLUTION TO ESTABLISH HISTORIC DISTRICT STUDY COMMITTEE

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the 6th day of February, 2024 at 7:00 p.m. local time.

PRESENT:_____

ABSENT:_____

Resolution offered by:_____

Seconded by:_____

WHEREAS, citizens in the Glenbrook Village neighborhood have requested that the City Council consider the establishment of a historic district for their neighborhood;

WHEREAS, Chapter 38 of the City Code provides for the establishment of a historic district, including the appointment of a historic district study committee;

WHEREAS, the City of Portage has previously designated the Historic District Commission to serve as the standing committee to conduct the activities of a historic district study committee on a continuing basis;

WHEREAS, the Historic District Commission may direct the collection of information and preparation/distribution of a report for consideration of the proposed district's historic resources.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby directs the Historic District Commission (serving as the standing committee pursuant to Act 169 of 1970, as amended) to:

1. Collect information regarding historic resources in the Glenbrook Village neighborhood;
2. Prepare and distribute a preliminary study report regarding proposed historic district as required by law;

3. Schedule, notice and hold a public hearing regarding the proposed historic district as required by law.

4. Prepare and submit a final report with recommendations regarding the proposed historic district to the City Council.

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

YEAS:_____

NAYS:_____

ABSENT:_____

_____
Erica Eklov, City Clerk

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the ___ day of _____, 2024, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____, 2024.

_____
Erica Eklov, City Clerk

Prepared by:
Catherine P. Kaufman
City Attorney
Bauckham Thall
470 W. Centre, Suite A.
Portage, Michigan 49024
Phone: (269) 382-4500

Approved as to form

Date: 2/1/2024

City Attorney w/permission of Catherine Kaufman.

CITY OF PORTAGE, MICHIGAN

RESOLUTION TO DECLARE AN EMERGENCY MORATORIUM FOR PROPOSED HISTORIC DISTRICT

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the 6th day of February, 2024 at 7:00 p.m. local time.

PRESENT:_____

ABSENT:_____

Resolution offered by:_____

Seconded by:_____

WHEREAS, the City has commenced the process for the establishment of a historic district for the Glenbrook Village neighborhood;

WHEREAS, in the process of establishing the proposed historic district, the Historic District Commission, serving as the standing committee, has been directed to undertake a study of the neighborhood's historic resources, to issue a report, and to distribute that report as required by law;

WHEREAS, it is anticipated that applications may be filed seeking permission for work on structures or resources in the proposed historic district, including but not limited to exterior renovations and/or demolitions;

WHEREAS, if the City Council finds that any pending work will cause irreparable harm to resources in the proposed historic district, the City Council has the authority to declare an emergency moratorium on all such work for a period not to exceed six months.

NOW, THEREFORE, BE IT RESOLVED, that the City Council finds that any pending work in the proposed historic district for the Glenwood Village neighborhood, including but not limited to exterior renovations and/or demolitions, would cause irreparable harm to resources located in the proposed district; and

That the City Council declares an emergency moratorium on all such work in the proposed Glenwood Village neighborhood historic district for a period of six months, which moratorium may be extended for a period not to exceed an additional six months.

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

YEAS:_____

NAYS:_____

ABSENT:_____

_____
Erica Eklov, City Clerk

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified City Clerk of the City of Portage, Kalamazoo County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said City, held on the ___ day of _____, 2024, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____, 2024.

_____
Erica Eklov, City Clerk

Prepared by:
Catherine P. Kaufman
City Attorney
Bauckham Thall
470 W. Centre, Suite A.
Portage, Michigan 49024
Phone: (269) 382-4500

Approved as to form

Date: 2/1/2024

City Attorney w/Permission of Catherine Kaufman.

Erica Eklov

Subject: FW: HDC Comment; Glenbrook Village

From: Eric Feldt <feldte@portagemi.gov>
Sent: Tuesday, February 6, 2024 5:10 PM
To: Peter Dame <damep@portagemi.gov>
Subject: HDC Comment; Glenbrook Village

Pete,

I spoke to the homeowner (Linda Francisco) at 6007 Salem Ln who wishes to put her comments in this email because she cannot attend tonight's meeting. She told me that she opposes the pursuit of the Historic District study due to possible restrictions on her property.

Please pass this to the Council for tonight's agenda item about the historic district. I can print it out for Council members if needed.

Eric Feldt, AICP, CFM
City Senior Planner
Department of Community Development
City of Portage, MI
Ph: (269) 329-4471
Email: feldte@portagemi.gov
City of Portage – Zoning Code

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Traffic Signal Improvements - Bid Tabulation

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a contract for the purchase of traffic signal poles, mast arms, and assemblies to J. Ranck Electric, Incorporated in the not-to-exceed amount of $489,700 and authorize the City Manager to sign all documents related to the contract on behalf of the city.

The FY 2023-2024 Capital Improvement Program budget includes funding for the replacement of traffic signals at the intersections of West Centre Avenue/Angling Road, Portage Road/East Milham Avenue, and Portage Road/Winters Drive as part of the Portage Road Reconstruction Project. Also included in this bid package is the proposed fourth leg to the Portage Road/Forest Drive traffic signal.

The existing traffic signals on Portage Road and West Centre Avenue have exceeded their serviceable life and require full replacement. The project includes the replacement of obsolete mast arms and upgrades to the signal controller and pedestrian signals. The signal upgrades will enhance traffic safety, interconnection, and traffic flow, as well as provide traffic data and streamline video to the Transportation Operation Center located at Transportation & Utilities.

The approximate 6- to 8-month delivery time for new traffic signal poles, mast arms, and assemblies necessitates that the specialized equipment be ordered well in advance of the start of the construction project to ensure that the materials will be available when needed.

The request for bids was listed in the Kalamazoo Gazette, on the City of Portage website, on social media, and with BidNet where 134 suppliers were matched and notified of this project. Additionally, four known suppliers were notified. On January 25, 2024, one proposal was received for the mast arms and poles from J. Ranck Electric, Incorporated in the amount of $489,700, which is in line with anticipated costs. J. Ranck Electric is the supplier of mast arms and poles for Maico Industries, Incorporated. Maico Industries, Incorporated has supplied mast arms and poles on many previous City of Portage projects.

It is recommended that City Council award a contract to J. Ranck Electric, Incorporated in the not-to-exceed amount of $489,700 for the purchase of traffic signal poles, mast arms, and assemblies for a traffic signal installation and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Sufficient funding exists in the FY 2023-2024 Capital Improvement Program Budget.

Attachments: 1. Traffic Signal Improvements - Bid Tabulation

2023 RFB MAST ARMS AND POLES
BID TABULATION
BID OPENING ON JANUARY 25, 2024 AT 3 PM

J. Ranck Electric, Inc. 1993 Gover Parkway Mt. Pleasant, MI 48858	$	489,700.00

Opened by: _____
Victoria Barboza, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: C2R2 Water Service Installation & Well Abandonment

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a construction contract for the installation of water services and abandonment of private wells on Portage Road, Willoughby Avenue, and East Milham Avenue to Brik Plumbing of Byron Center, Michigan, in the amount not to exceed $214,240 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The Fiscal Year 2018-2019 Capital Improvement Program budget included a project for the installation of water mains on Portage Road and Willoughby Drive north of East Milham Avenue. The project was initiated in response to the United States Environmental Protection Agency's (EPA) ongoing groundwater monitoring of the superfund site located at 3700 East Milham Avenue. The EPA found volatile organic compounds above the maximum allowable level in water samples from one private well in the Portage Road and Willoughby Drive area. Construction of the water main and water service leads was completed in the summer of 2022.

The Safe Drinking Water Act (SDWA) protects public drinking water supplies across the United States. As part of the SDWA, under the Unregulated Contaminant Monitoring Rule (UCMR) the EPA requires municipalities to collect data on chemicals that are suspected contaminants in drinking water but do not have health-based standards set under the SDWA. As part of the UCMR3 water sampling in 2014, Poly- and Perfluoroalkyl substances (PFAS) in groundwater were found and linked to industrial sites, wastewater treatment plants, fire training areas, and airports. Since airports were found to be a source of PFAS contaminants, the Michigan Department of Environment, Great Lakes and Energy (EGLE) initiated testing of private water wells in the area of the Kalamazoo-Battle Creek International Airport during the summer of 2020. These areas included Portage Road and Willoughby Drive, which were adjacent to the airport. Several properties in this area showed the detection of various PFAS compounds in water samples from private water wells.

In 2019, EGLE initiated a Consolidation and Contamination Risk Reduction (C2R2) grant program for drinking water systems projects that remove polyfluoroalkyl substances (PFAS) and other contaminants in the drinking water system or consolidation efforts to connect private residences with contaminated water wells to a local municipal system. The city applied for a C2R2 grant to cover not only the construction of the water main and water services but also the connection of properties and abandonment of the private wells on Portage Road, Willoughby Drive, and East Milham Avenue. EGLE awarded the city a C2R2 grant of $525,969 and has reimbursed the city for the cost of installing the water main and service leads. Once the properties on Portage Road, Willoughby Drive, and East Milham Avenue are connected to the municipal water system and private wells are abandoned, staff will request the

remaining funds of the grant.

The request for bids was listed in the Kalamazoo Gazette, on the City of Portage website on social media, and with BidNet where 878 suppliers were matched and notified of this project. Additionally, 93 known local contractors were also notified. On January 25, 2024, two bids for the installation of water services and abandonment of private wells were received. The low bid was submitted by Brik Plumbing, Byron Center, Michigan for the amount of $214,240. Brik Plumbing recently successfully completed a similar project for Cascade Township in partnership with the City of Grand Rapids.

It is recommended that City Council award a construction contract for the installation of water services and abandonment of private wells on Portage Road, Willoughby Avenue, and East Milham Avenue to Brik Plumbing, in the amount not to exceed $214,240 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Consolidation and Contamination Risk Reduction Grant

Attachments: 1. C2R2 Water Service Installation Bid Tabulation

2024 RFB WATER SERVICE INSTALLATION
PLUMBING AND CONSTRUCTION SERVICES
BID TABULATION
PROPOSAL/QUOTE/BID OPENING ON JANUARY 25, 2024 AT 3 PM

Brik Plumbing 8267 Woodpark Dr SW Byron Center, MI 49315	$	214,240.00
Green Tech Systems, LLC 214 Athlone Beach Bay City, MI 48706	$	249,995.00

Opened by: _____
Victoria Barboza, Purchasing Manager

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Michigan Employees' Retirement System Agreement - Single Source

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Approve a three-year extension of the agreement with the Michigan Employees' Retirement System (MERS) for the administration and investment of the Other Post Employment Benefit (OPEB) trust fund, MERS Retiree Health Funding Vehicle (RHFV), and authorize the City Manager to execute all documents related to this extension agreement on behalf of the city.

A trust fund for the Other Post Employment Benefit (OPEB) liability was established by the city in 2005 in response to rule changes by the Governmental Accounting Standards Board (GASB) regarding the management of current and future OPEB expenses. The City of Portage began setting money aside internally in June 2000, anticipating the future costs of retiree health insurance and other benefit liabilities. That money was eventually placed in the Michigan Employees' Retirement System (MERS) Retiree Health Funding Vehicle (RHFV) in November 2007 under the terms of GASB Statement No.45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions. Additional GASB pronouncements and proposed rules have been released since then, with expanded requirements for balance sheet reporting of unfunded liabilities and other financial disclosures. The OPEB liability of the City of Portage is fully funded.

In 2005, the City Council adopted the MERS Retiree Health Funding Vehicle (RHFV) for the investment and administration of its other post-employment benefit (OPEB) assets. The MERS RHFV is an established Section 115 Governmental Integral Part Trust with a Private Letter Ruling from the IRS. Assets held in the trust are legally protected from creditors and may only be used for OPEB. City Council last approved the continuation of this relationship in 2017. While it initially went out for bid in 2005, subsequent City Councils and City Administrations have been satisfied with the performance of MERS and enacted multiple extensions to the Agreement. The City Administration considers the provision of financial management of this account to be a professional service, which as permitted under Section 2-172 of the Portage Code of Ordinances, is exempt from bidding requirements.

As a multiple-employer plan serving more than 1,000 Michigan municipalities, MERS creates economies of scale by pooling assets for investment purposes, while maintaining separate accounts for each municipality. As an institutional investor with $15 billion in assets, MERS provides the city with access to a widely diversified investment portfolio not available to individual municipalities. MERS takes on the sole fiduciary responsibility for the investment of assets in the MERS Total Market Portfolio, which is the fund where the city's assets are invested. MERS is governed by a nine-member board elected by the membership and includes representation from employers (3), employees (3), the public (2), and a retiree (1).

As of May 1, 2023, the total annual expense for the MERS Total Market Portfolio is 58 basis points. MERS operates on a not-for-profit basis and therefore cannot provide a rate guarantee. The current rate is an increase from the 46 basis points paid from 2018 through 2023. However, as the fiduciary, MERS conducts an annual pricing review to ensure fees are reasonable. While this represents a slight increase overall, MERS has reduced fees by 28% over the past 13 years. MERS has consistently provided satisfactory service and guidance to the city for both investment and trust fund administration. The total fees for fiscal year 2022-2023 were approximately $45,000. Given our current balance of $9.57 million in this account and using 58 basis points, the estimate for fees for the fiscal year 2023-2024 is $53,654. This amount is paid for by the fund itself and not the city's General Fund.

The leadership of the Finance Department are all members of the Government Finance Officers Association, as is the City of Portage. The GFOA advises that governments should exercise appropriate due diligence in their selection of investment professionals. Included in their recommended due diligence is an investment overview that includes:

- Firm-specific investment philosophy and process, research, and portfolio management strategies; and
- Investment performance against various appropriate benchmarks; and
- Performance for the trailing 3-year, 5-year, and 10-year periods for the firm; and
- Style parameters based on the portfolio, including the asset class and specialty focus, as appropriate, and
- Confirmation that the firm is willing to act as an ERISA fiduciary as applicable with respect to the pension plan.

The Finance Department has reviewed the viability and performance of MERS over time and is confident in its capability to expertly manage this Retiree Health Funding Vehicle for the investment and administration of other post-employment benefit (OPEB) assets. For reference, MERS' investment performance is attached.

Therefore, it is recommended that City Council approve a three-year extension of the agreement with the Michigan Employees' Retirement System (MERS) for the administration and investment of the Other Post Employment Benefit (OPEB) trust fund, MERS Retiree Health Funding Vehicle (RHFV), and authorize the City Manager to execute all documents related to this extension agreement on behalf of the city.

FUNDING: The service fees for the OPEB trust fund are funded through the city's balance in the MERS Retiree Health Funding Vehicle.

Attachments:

1. Portage RHFV Pricing 12.01.2023
2. RHFV Performance and Fee Summary 9-30-23
3. MERS Total Market Portfolio

December 1, 2023

Lauren VanderVeen
City of Portage
7900 S. Westnedge Ave.
Portage, MI 49002

Dear Ms. VanderVeen,

Since 2005, the City of Portage has used the MERS Retiree Health Funding Vehicle to set aside assets for other post-employment expenses while benefitting from MERS' low-cost investment options. MERS values our continued partnership with the City and wishes to extend the City's participation in the Retiree Health Funding Vehicle subject to the terms of the Retiree Health Funding Vehicle Trust Agreement and Plan Document.

As a multiple-employer plan with more than 1,000 members and $15 billion in assets, MERS creates substantial economies of scale for investment purposes, while maintaining separate accounts for each municipality. As our membership continues to grow, so do our operational efficiencies, and these savings are passed along to our members. Because MERS operates on a not-for-profit basis and offers the same low costs to all our members under a straightforward fee structure, we cannot provide a rate guarantee. However, as the investment fiduciary, MERS is committed to providing the City with cost-effective investment options and ensuring fees are reasonable. In addition, ***MERS takes on the sole fiduciary responsibility for investment of assets in the default fund, which is the MERS Total Market Portfolio. As of May 1, 2023, the total annual expense for the MERS Total Market Portfolio was just 58 basis points.***

Our costs and investment performance are clearly disclosed on our fund sheets, which are available on our website, as well as in the City's quarterly statements. Quarterly statements can be accessed online in the MERS Employer Portal, where the City can also make contributions, request a distribution, view investment performance, and find other helpful resources.

Please feel free to contact me if you have any questions. We look forward to continuing our relationship with the City for another three years.

Sincerely,

Veronica LaBar

Veronica LaBar
Regional Manager

Acknowledged By:

The City of Portage

By: _____ Date: _____
Lauren VanderVeen, Finance Director

MERS®
Municipal Employees' Retirement System

1134 Municipal Way, Lansing, MI 48917 | 517.703.9030 | 800.767.6377 www.mersofmich.com

Retiree Health Funding Vehicle (RHFV) and Investment Services Program (ISP)

Performance and Fee Summary

Online users can click on any fund name below for more detailed information.

Fund Name	Returns						Annual Expense		
	Quarter-to-date	Year-to-date	1 yr.	3 yr.	5 yr.	10 yr.	Investment[1]	Admin Fee[2]	Total
Portfolios Built for You (Stocks/Bonds)									
MERS Total Market Portfolio *Note: 2.00% charge from amounts withdrawn/ transferred within 90 days of each contribution*	-1.20%	4.68%	11.82%	5.76%	5.41%	6.25%	0.37%	0.21%	0.58%
MERS Global Stock Portfolio (100/0)	-3.58%	8.43%	20.69%	6.77%	4.70%	7.48%	0.04%	0.21%	0.25%
MERS Established Market Portfolio (60/40)	-3.60%	4.20%	12.92%	2.39%	3.16%	5.33%	0.06%	0.21%	0.27%
MERS Diversified Bond Portfolio (0/100)	-2.53%	-0.20%	2.43%	-3.66%	0.32%	1.36%	0.08%	0.21%	0.29%
Funds to Build Your Own Portfolio									
Large Cap Stock Index	-3.20%	13.01%	21.58%	10.07%	9.85%	11.77%	0.03%	0.21%	0.24%
Mid Cap Stock Index	-4.18%	4.25%	15.41%	11.95%	6.05%	8.96%	0.05%	0.21%	0.26%
Small Cap Stock Index	-5.23%	0.38%	9.27%	12.35%	3.45%	-	0.06%	0.21%	0.27%
International Stock Index[3]	-4.06%	7.80%	26.58%	5.22%	2.85%	3.48%	0.03%	0.21%	0.24%
Emerging Market Stock	-2.21%	4.03%	14.44%	-0.63%	0.79%	2.48%	0.20%	0.21%	0.41%
Real Estate Stock Index[3,4]	-7.49%	-1.93%	2.64%	5.89%	2.47%	5.85%	0.05%	0.21%	0.26%
Bond Index[3,4]	-3.31%	-1.26%	0.32%	-5.49%	0.09%	0.83%	0.02%	0.21%	0.23%
High Yield Bond Index[3,4]	0.29%	5.53%	9.99%	0.91%	2.18%	3.45%	0.14%	0.21%	0.35%
Short-Term Income[4]	0.49%	1.86%	2.92%	-0.28%	1.21%	0.77%	0.05%	0.21%	0.26%

[1]**Investment Manager Expense:** This expense is charged by the investment manager(s) for the specified fund in order to invest the program's assets. This expense is calculated into the daily unit share pricing and reflected in the performance.

[2]**Administrative Fee:** This fee accrues during each month and is charged at the end of each month to the account based on the daily average balance. This fee is shown on your quarterly statement as a line-item charge under "Fees/Expenses."

[3]Not available for ISP

[4]Returns are presented as the equivalent participant directed account fund, which has higher operating expenses.

Disclaimer

Returns: *Returns are presented after the Total Annual Operating Expense. Fund return information is provided by Bank of New York Mellon, custodian for the MERS Funds. Returns for periods greater than one year are annualized. Past performance is no guarantee of future results. Current performance may be higher or lower. Funds are subject to investment risk from a number of sources, including the management style of the fund and market volatility. Markets are volatile and can rise or decline significantly in response to company, political, regulatory, market, or economic developments. A fund's total return, like securities prices generally, will fluctuate within a wide range. As a result, you could lose money over short or long periods. Funds are also subject to investment-related risk, which is the chance that returns from companies in which the fund is invested will trail returns from other asset classes or the overall market.*

Fees: *The Total Annual Operating Expense consists of MERS' operating costs, custody and recordkeeping costs, and investment management expenses. The Total Annual Operating Expense includes a Fund Company Rebate, which is a reimbursement from the fund company for services provided by MERS' recordkeeper.*

Diversification: *To help achieve long-term financial security, you should give careful consideration to the benefits of a well-balanced investment portfolio. Diversifying your assets among different asset classes can help you achieve a favorable rate of return while reducing your overall risk of investment loss. This is because market or other economic conditions that cause one asset class (or particular security) to perform well, often cause another asset class (or another particular security) to perform poorly. If you invest more than 20% of your retirement savings in any one company or industry, your savings may not be sufficiently diversified. This concern does not apply to the MERS Retirement Strategy portfolios, which are comprised of a diversified mix of securities that automatically adjust and rebalance over time as you approach and continue in retirement. Diversification is not a guarantee against loss, however, it is an effective strategy to help you manage investment risk. This summary is for informational purposes only. You should research all possible investment choices by reading each fund's fund summary sheet. MERS, as a governmental plan, is exempted by state and federal law from registration with the SEC. The MERS Funds consist of a portfolio of assets in a separate account in a collective trust, specifically for MERS Plans. Unlike a mutual fund, only the participants in a MERS Plan can invest in the MERS Funds. It is important to periodically review your investment portfolio, your investment objectives, and the investment options under the Plan to determine whether your retirement savings will meet your retirement goals. In deciding how to invest your retirement savings, you should take into account all of your assets, including any retirement savings outside of the Plan. No single approach is right for everyone due to various factors including differing financial goals, differing time horizons for meeting those goals, and differing risk tolerance. Investment decisions should be made carefully and in consultation with your personal investment professional.*

PUB 5133 2023-11-15

MERS Total Market Portfolio

Retiree Health Funding Vehicle (RHFV) and Investment Services Program (ISP)

Objective

The MERS Total Market Fund is a diversified portfolio combining traditonal stocks and bonds with alternative asset classes including real estate, private equity, and commodities. The objective is to provide current income and capital appreciation while minimizing the volatility of the capital markets.

Fund Expenses

Administrative Fee	0.23%
Investment Management Expenses	0.37%
Total Annual Operating Expense	**0.60%**

The total annual operating expense is deducted from the rate of return of the fund. This means that for every $1,000 invested in the MERS Total Market Portfolio, an employer is charged $6.00 in fees each year.

Asset Allocation

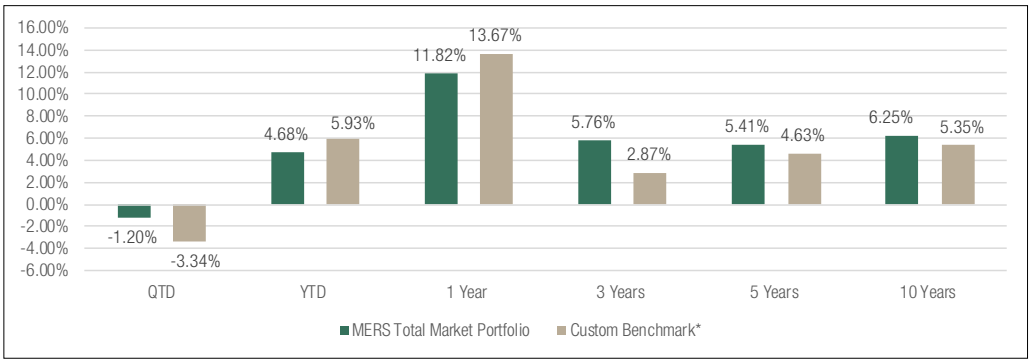
Global Equity	**49.8%**
U.S. Stocks	24.80%
International Stocks	15.7%
Emerging Market Stocks	9.4%
Global Fixed Income	**22.6%**
U.S. Treasury Bonds	14.2%
U.S. High Yield Bonds	1.5%
Emerging Market Bonds	5.5%
Short Duration Bonds	1.4%
Private Markets	**27.7%**

Risk Analysis

Standard Deviation (5-Year) Describes the volatility of the historical returns of the fund. A higher standard deviation indicates more risk due to higher fluctuation above and below the average.	10.06%
Sharpe Ratio (5-Year) Measures returns generated per unit of risk taken. The higher the Sharpe Ratio, the more you are being compensated for the amount of risk you are taking.	#N/A

Performance – Annualized

Fund Inception: October 1975



Performance – By Calendar Year

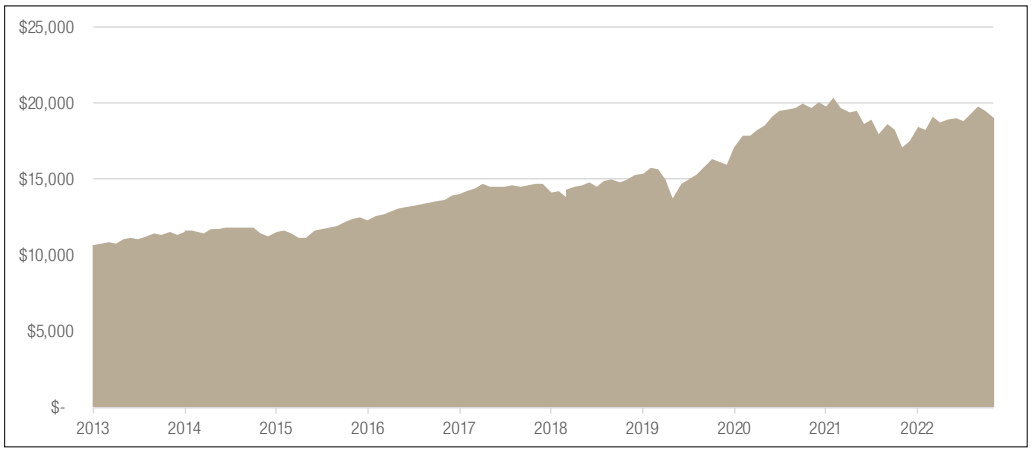
Year	MERS Total Market Portfolio	Custom Benchmark*
2022	-10.42%	-16.81%
2021	14.09%	11.61%
2020	13.29%	15.19%
2019	13.52%	20.83%
2018	-3.62%	-5.36%
2017	13.21%	16.72%
2016	10.67%	6.30%
2015	-0.97%	-2.33%

Top Ten Holdings

Apple Inc	1.04%
Microsoft Corp	1.00%
Alphabet Inc	0.44%
Nvidia Corp	0.42%
Taiwan Semiconductor Manufacturing	0.30%
BHP Group LTD	0.30%
Meta Platforms	0.28%
Gatos Silver	0.25%
Berkshire Hathaway Inc	0.24%
Amazon Inc	0.24%

Growth of $10,000

Balance After 10 Years: $19,065.39



This graph shows the growth of $10,000. If someone invested $10,000 in the MERS Total Market Portfolio ten years ago with no additional contributions or withdrawals, they would have $19,065.39 as of 09/30/2023.

Fund Restrictions

A 2.00% redemption fee is charged for shares sold within 90 days of purchase. The charge is applied on a first-in, first-out basis.

*Custom Benchmark: 45% Russell 3000 Index, 20% MSCI ACWI ex USA IMI (Net) Index, 25% Bloomberg Agg Index, 10% Bloomberg Global Agg ex US Index. Benchmark does not have expenses.

Disclaimers

Returns:

Return information prior to 10/1/2014 are presented after the Total Annual Operating Expense. After 10/1/2014, returns are presented net of Investment Manager expenses only. Past performance is no guarantee of future results. Current performance may be higher or lower. Funds are subject to investment risk from a number of sources, including the management style of the fund and market volatility. Markets are volatile and can rise or decline significantly in response to company, political, regulatory, market, or economic developments. A fund's total return, like securities prices generally, will fluctuate within a wide range. As a result, you could lose money over short or even long periods. Funds are also subject to investment-related risk, which is the chance that returns from companies invested in by the fund will trail returns from other asset classes or the overall market.

Fees:

The Total Annual Operating Expense consists of MERS' administrative fee and investment management expenses. MERS' administrative fee includes costs related to bookkeeping, setting trade activity, holding assets in custody at a bank,and running the day-to-day operations of the plan, which include legal, accounting, auditing, compliance, printing, and overhead costs. The investment management expenses are incurred in the direct management of the fund. These vary based on the level of assets. As assets increase, these are expected to decline.

General:

MERS, as a governmental plan, is exempted by state and federal law from registration with the SEC. The MERS Funds consist of a portfolio of assets managed in a separate account in a collective trust, specifically for MERS Plans. Unlike a mutual fund, only the participants in a MERS Plan can invest in the MERS Funds. Because the MERS Funds are not mutual funds, a prospectus is not available.

This summary is designed to provide descriptive information only. Investors should research all possible investment choices. Please make independent investment decisions carefully and seek the assistance of independent experts where appropriate. We recommend investors define their goals, risk tolerance, time horizon, and investment objectives to determine whether this fund is appropriate for you. Please make independent investment decisions carefully and seek the assistance of independent experts where appropriate.

Bank of New York Mellon, as the custodian for the MERS Funds, calculates the unit value as of the close of business each day. The MERS Funds invest in a broad selection of securities. Some securities may not be priced daily or prices may be determined on a delayed basis. These securities are reflected in the unit value of the fund at their most recent market value adjusted for interim cash flows.

MERS Funds are constructed utilizing several underlying investment strategies within a particular asset class. Consequently, a fund's asset allocation may vary over time as a result of underlying manager activity.

Funds are subject to investment risks from a number of sources, including the management style of the fund and market volatility. Markets are volatile and can rise or decline significantly in response to company, political, regulatory, market or economic developments. A fund's total return, like securities prices generally, will fluctuate within a wide range. As a result, an investor could lose money over short or even long periods. Funds are also subject to investment-related risk, which is the chance that returns from companies invested in by the fund will trail returns from other asset classes or the overall market.

MERS has made every effort to ensure that the information provided is accurate and up to date. For more information about this fund, please contact the MERS Service Center at 800.767.MERS (6377) or visit www.mersofmich.com.

Minutes of Boards & Commissions

CITY OF PORTAGE HUMAN SERVICES BOARD
Minutes of the Meeting – January 4, 2024
Conference Room 1

CALL TO ORDER: The City of Portage Human Services Board meeting of January 4, 2024, was called to order by Chairperson Brooke Kolodzieczyk, at 5:31 p.m. in Conference Room 1, Portage City Hall, 7900 S. Westnedge Avenue, Portage MI.

MEMBERS PRESENT: Chairperson Brooke Kolodzieczyk, Chelsea Huber, John Dillworth, Sue Beasley, Julie Pryor, Brian Plescher, Martha Perry

MEMBERS ABSENT: Effie Kokkinos

STAFF PRESENT: Tina Perry

INTRODUCTIONS: Chairperson Brooke Kolodzieczyk welcomed Julie Pryor to the Human Services Board. Introductions were made around the room with a brief background by each.

APPROVAL OF MINUTES: The Minutes of October 5, 2023, were approved by a motion made by Sue Beasley and supported by John Dillworth. The motion was unanimously approved, 7-0.

NEW BUSINESS: The former Vice Chairperson Jihan Ain Young, resigned to take a position on the Portage City Council, leaving the position open for interested HSB members. Brian Plescher volunteered if no other HSB member would want the role. John Dillworth made a motion to appoint Brian Plescher to the Vice Chairperson of the Human Services Board, supported by Chelsea Huber and it was unanimously approved 7-0.

FUNDING APPLICATIONS: Chairperson Brooke Kolodzieczyk discussed the applications, noting each organization serves City of Portage residents in a positive way. Past year funding of agencies was easier with fewer requests from fewer agencies. The Human Services Open House creates increased awareness and increased funding requests.

The application from Lending Hands was discussed as lacking goals, making for an incomplete application and required liability insurance. For this year, a motion by John Dillworth not to fund, seconded by Sue Beasley, was supported in favor by 6, opposed by 1.

Ripple Effect's funding requests were discussed, and it was clear it is for start-up support. HSB discussed potential future funding once established in Portage. Sue Beasley made a motion, supported by Brian Plescher, for no funding. The motion passed, 6 in favor, opposed by 1.

Twelve Baskets' current non-compliance with the city building code and somewhat suspect accounting and procedural practices was discussed. Once it is compliant with city building codes, funds can be disbursed; or funds go unspent. No motion was made at this time for Twelve Baskets for funding.

It was agreed to not consider United Way funding as the program is an expansion program into Portage that does what HRI is doing a great job at for a much-reduced cost. HRI has a core competency of supportive programs to prevent or eliminate future hardship. John Dillworth made a motion to remove the United Way from consideration, supported by Chelsea Huber, passing unanimously 7 – 0.

HSB completed an initial funding review of the remaining organizations, ending at an amount over the $206,000 available, and agreed to hold additional discussions at the February meeting.

ADJOURN: Motion to adjourn was made @ 7:25 p.m.by John Dillworth, second by Chelsea Huber and unanimously supported. 7-0.

Respectfully Submitted,

Tina R Perry

Tina Perry
Neighborhood and Housing Specialist Community Development, City of Portage

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PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED

January 23, 2024

1. Communication from the City Manager regarding the final 2024 City Council committee assignments – Information Only.

Pat McGinnis, City Manager

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

PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED
January 23, 2024

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: 2024 City Council Committee Assignments

After considering your submitted preferences, Mayor Randall completed the City Council committee assignments for 2024. Following the discussion at the City Council Goal Setting Session of January 9, committees were added for Small Business and School/Library.

The final roster of City Council committee assignments for 2024 is attached here.

PORTAGE
A Natural Place to Move

2024 City Council Committee Appointments

	Committee	Appointments	Meeting Times
Ad Hoc Committees	City Manager Salary Review/Evaluation Committee	Ledbetter, Pearson, Randall	Fall – as called by the committee. Typically provides recommendation to the full Council as to compensation for the next contract year in November.
	Water/Sewer (Utility) Rate Committee	Burns, Ledbetter, Miller (citizens Elma "Pat" Maye, Randy Orwig)	Spring – as called by the City Administration.
	Investment Committee	Burns (citizens Aimee Kornowicz and TBD)	June / December – as called by the City Administration. Monitors and advises on city investments and city investment policy.
	Farmers Market Committee	Miller, Randall, Young	As called by the committee.
	School/Library Committee	Urban, Young	As called by the committee.
	Small Business Committee	Miller, Young	As called by the committee.
External/Community Committees	Kalamazoo Area Transportation Study (KATS) Policy Committee	Urban	Monthly, 9:00 AM at Metro Transit office – 530 N. Rose St.
	Discover Kalamazoo Advisory Board	Miller	Second-floor conference room – 141 E. Michigan Ave. Kalamazoo
	Kalamazoo County Public Arts Commission	Urban	Monthly, 3rd Weds @ 5:00, Epic Center Joliffe Theatre (359 S. Kalamazoo Mall)
	Kalamazoo County Environmental Health Advisory Council	Young	Second Wednesday of Feb., Apr., June, Aug., Oct. and Dec. at 9:00 AM Ground floor conference room D, main wing, Nazareth Complex
	Long Lake Governmental Lake Board	Urban	
	Gourdneck Lake Governmental Lake Board	Urban	
	Portage Community Center Board	Young (non-voting member)	Last Wednesday of each month* except no meeting in March, May, July, or November. *December's meeting is held on the first Wednesday.
	Lake Center District Stakeholder Committee	Pearson	
	Central County Transportation Authority (CCTA) Board	Pearson (exp. 10/31/25), Burns (exp. 9/30/26)	Monthly, 11:30 AM at Metro Transit Administration Building
	Kalamazoo County Central Dispatch Authority (KCCDA) Board of Directors	McGinnis (exp. TBD), Ledbetter (exp. TBD), Urban (alt.)	Meets the 2nd Thursday of each month at 3:30 PM (KCCDA Technical Committee – Nick Armold / Jeff VanderWiere – alt.)

PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED

January 26, 2024

1. Communication from the City Manager regarding the updated City Council Rules and Procedures – Information Only.

Pat McGinnis, City Manager

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

PORTAGE
A Natural Place to Move

MATERIALS TRANSMITTED
January 26, 2024

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: City Council Rules and Procedures

Following the adoption at the January 23, 2024, City Council meeting, please find attached the final updated City Council Rules and Procedures document for your records.

RULES OF ORDER AND PROCEDURE

FOR THE CITY COUNCIL

PORTAGE, MICHIGAN

Section 1. Convening of Meeting; Quorum:

The Mayor, or in his/her absence or at his/her direction, the Mayor Pro Tem, shall, at the time fixed for meeting, take the chair for convening the Council. The presence of four (4) members of the meeting shall constitute a quorum for the transacting of business.

Section 2. Order of Business:

The Business of all regular meetings shall be transacted as far as possible in the following order:

	CALL TO ORDER	D.	Public Hearings
	Moment of Silence	E.	Regular Business Agenda
	Pledge of Allegiance	F.	Unfinished Business
	Roll Call	G.	Council Committee Reports
	Proclamations	H.	New Business
A.	Petitions and Statements of Citizens	I.	Statements of City Council & City Manager
B.	Consent Agenda		ADJOURNMENT
C.	Communications		

Section 3. Reading of Minutes:

Unless a reading of the minutes of a meeting is requested by a member of the Council, such minutes may be approved or corrected without reading if the City Clerk has previously furnished each member with a true copy thereof.

Section 4. Agenda for Meeting:

Any Councilmember, Mayor or City Manager may prepare items for consideration on the agenda of Council meetings. The Clerk shall prepare copies of the agenda of the business to be

11/13/91, 11/9/93, 11/14/95, 11/18/97, 1/06/03, 11/06/07, 11/17/09, 11/15/11, 7/23/13, 11/19/13, 11/17/15, 11/21/17, 12/19/17,11/19/19, 11/16/21, 11/14/23, 1/23/24

considered at each regular Council meeting. No business shall be placed on the agenda by the Clerk unless received not later than 12:00 o'clock noon on the Friday preceding the meeting, except upon the approval of four (4) or more members of the Council.

Section 5. Consent Agenda:

The Consent Agenda motions shall be provided to City Council. The Consent Agenda and related motions shall not be read into the record unless a motion to do so is passed by Council. Items may only be removed from the Consent Agenda by a member of City Council. If an item is removed from the Consent Agenda, the item automatically moves from the Consent Agenda to the end of the Regular Business Agenda section. Routine items on the Consent Agenda include, but are not limited to, City Council Meeting Minutes, Minutes of Boards and Commissions, Accounts Payable Register, Materials Transmitted and Calendar of Meetings.

Councilmembers shall make every effort to request removal of items from the Consent Agenda prior to 12 noon on the day of the meeting. This does not preclude members of Council from requesting removal of an item from the Consent Agenda during the meeting itself.

At the meeting, the Presiding Officer will inquire if any Councilmember wishes to remove an item from the Consent Agenda for individual consideration. Consent Agenda items will then be introduced by the following statement: "*The Consent Agenda is available for review by visiting the City of Portage website, where it is available in written format on the City Council 'Agenda and Minutes' web page - or - by visiting the Office of the City Clerk during regular business hours prior to the meeting.*" Following this inquiry, the Presiding Officer will then request a motion to approve the Consent Agenda for the Regular Meeting.

Section 6. Regular Meetings; Time-Place:

The Council shall meet regularly every other Tuesday at 6:00 o'clock p.m. in the Council Chambers of the Portage City Hall, 7900 S. Westnedge Ave., Portage, Michigan; however, the Council may cancel all but two Tuesday meetings in each month by giving notice of said cancellation as required by Act 267 of the Public Acts of 1976. When the day fixed for any regular meeting falls upon a national holiday, or the eve of a national holiday, or upon any regular or special election day, the Council may determine to hold such meeting at the same hour within a week

preceding or succeeding the regular day or cancel the meeting as provided above. Notice of the time and place of the changed meeting date or cancellation shall be given in accordance with Act 267 of Public Acts of 1976. Meetings may be held in other locations provided notice is given pursuant to Act 267 of Public Acts of 1976.

The Council shall hold an organizational meeting, which may be combined with, but in no event shall be later than its first regular meeting in November immediately following the regular City election. At such meeting, or within one week thereafter, Council shall elect from its membership a Mayor Pro-Tempore who shall serve for a period of two years and thereafter until a successor is appointed. Nominations for Mayor Pro Tem shall be entertained by the presiding officer and after all nominations desired are made, the nominations shall be closed by motion. Voting by the Council shall be by a signed ballot. The City Clerk shall announce and record in the record each Councilmember's vote. A majority of Councilmembers present shall be required to elect the Mayor Pro Tem. If the first vote does not result in a majority, voting shall continue until a majority is achieved.

Section 7. Meetings; Notice Required:

The City Clerk shall call a special meeting on the written request of the Mayor, or any three members of the Council. Notice required for the special meeting will be given in accordance with Section 5 of Act 267 of the Public Acts of 1976, and the business to be transacted at such meeting will be limited to that stated or given in the notice.

Section 8. Presiding Officer; Powers and Duties:

(a) The Mayor shall be the presiding officer of the Council. He/she shall state every question coming before the Council, announce the decision of the Council on all matters, and decide all questions of order; provided, however, that upon an appeal to the Council, a majority vote of the Council shall conclusively determine such question of order. He/she shall vote on all questions. He/she shall, at the request of a Councilmember divide any question, if such question in his/her opinion is subject to division, and he/she shall submit it as divided.

(b) The Mayor may refer any communication, question or petition to the City Manager of the City for action, reply or procedure to dispose of such matter.

Section 9. Statements of Citizens:

All citizens shall have an opportunity to be heard during the course of each meeting after standing and being recognized by the presiding officer, and stating their name, street address and city. No citizen shall speak for longer than three (3) minutes unless the rules are suspended in accordance with Section 12(a).

Section 10. Rules of Debate:

(a) There shall be no debate or discussion of any issue prior to the proper introduction of said issue.

(b) When an issue is under debate, all motions permitted by Robert's Rules of Order are acceptable. Examples of motions include:

1. Motion to adjourn.
2. Motion to take a recess.
3. Motion to lay on the table.
4. Motion for the previous question.
5. Motion to postpone to a day certain.
6. Motion to refer to a committee of the council.
7. Motion to amend or substitute.
8. Motion to postpone indefinitely.
9. Motion to close debate.

(c) A motion to adjourn and a motion to lay on the table shall always be in order and without debate.

(d) After a motion is made to close debate, the presiding officer shall poll the Council on the question of closing the debate. If the yes's prevail, the presiding officer shall immediately poll the Council on the principal question, or questions, without further debate. As provided in Robert's Rules of Order, a two-thirds majority is required for this motion to be adopted.

(e) All votes shall be taken by yes and no, and be entered upon the journal to show the names of

those voting in the affirmative and in the negative, except if the vote is unanimous, the record need merely so state.

(f) When a question has once been decided, it shall be in order for any member who voted on the prevailing side of the question to move reconsideration thereof.

Section 11. Ordinances, Resolution, Motions, Contracts:

(a) All ordinances, resolution and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney.

(b) Ordinances, resolutions and other matters that are subjects requiring action by the Council, shall be introduced and sponsored by the Mayor or a member of the Council; otherwise, they shall not be considered.

(c) Each proposed ordinance shall be introduced in written form. Reading of the title shall be sufficient for the introduction of an ordinance unless a member of the Council requests that the proposed ordinance be read in full. The Council may also request that the introducer give an explanation of the proposed ordinance. Upon the introduction of an ordinance, the Council may:

1. Postpone the proposed ordinance for consideration at the next regular meeting of the Council or at a later regular Council meeting specified in the motion to postpone; or
2. Refer the proposed ordinance to an ad hoc committee of three (3) Councilmembers named by the Mayor for study and recommendation to the Council. When such committee reports back to the Council, the ordinance may then be adopted or postponed as above. Any proposed ordinance may be amended by the Council at any time prior to its adoption by the vote of four (4) or more of its members.
3. When an emergency ordinance is introduced for adoption at any meeting, it shall be read in full before the Council and may be passed at such meeting in accordance with the provisions of Section 5.3 (b) of the City Charter.

Section 12. Suspending; Amending Rules:

(a) These rules may be suspended by a vote of five (5) members of the City Council present and

voting.

(b) These rules may be amended by a vote of five (5) members of the City Council present and voting.

Section 13. Roll Call Votes:

All roll call votes are to rotate in staggered alphabetical order, such that no member of the City Council, including the presiding officer, votes in the same position for consecutive roll call votes.

Section 14. Attendance:

Councilmembers who will be absent shall, if possible, notify the City Clerk prior to meeting.

Section 15. Governing Rules of Order:

Roberts Rules of Order may apply to all other items not provided for in these rules, except where they may be inconsistent with said rules.

Section 16. Vacancies

If a vacancy occurs on the City Council, except in the case of recall, the Council shall fill the vacancy by appointment within 60 days thereafter. In making its appointment Council may consider appointing any eligible person.

11/13/91, 11/9/93, 11/14/95, 11/18/97, 1/06/03, 11/06/07, 11/17/09, 11/15/11, 7/23/13, 11/19/13, 11/17/15, 11/21/17, 12/19/17,11/19/19, 11/16/21, 11/14/23, 1/23/24

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Rezoning application No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Subsequent to the public hearing, consider approving rezoning application No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking District to facilitate future commercial development.

The applicant (MC Weiner Company) seeks rezoning application No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking to facilitate future commercial development. These two properties (the 'site') are currently developed with single-family homes (owned by the applicant) which would be demolished if the rezoning application and subsequent permits for a commercial development are approved.

Per the applicant's proposed rezone map, the existing B-3 district from the west (120 East Milham Avenue) would extend east 65.5 feet (14,461 square feet area) and the remaining portion of the site (21,475 square feet) would be P-1 Vehicular Parking district. Attached to this report are documents received from the applicant including but not limited to overall project narratives, several zoning maps, and traffic memo.

The applicant held a neighborhood meeting on August 8, 2023 to gain neighborhood input about the rezone and share conceptual plans of a commercial development extending from already commercially zoned property owned by the applicant on South Westnedge at the corner of Milham and South Westnedge. All residents within the Glenbrook Village neighborhood were invited. The applicant received mixed input from 20 people in attendance, consisting of the following summarized perceived concerns: changes to the nature of the area, commercial traffic using neighborhood streets, commercial noise and odors, commercial trash, and commercial lighting. The applicant indicated that these concerns would be addressed in a final site plan and by seeking the two proposed zoning districts of B-3 and P-1 instead of requesting a rezone of the properties to all commercial. The applicant believes that a P-1 buffer surrounding a deeper B-3 zoning directly behind the existing South Westnedge property would be the best fit for future development and lessen intense commercial activities towards adjacent residences. Staff received a letter and neighborhood petition in September 2023 signed by residents in the area opposing the rezone. The letter and petition are attached to this report.

Staff received an inquiry from a resident within the Glenbrook Village neighborhood asking about the possibility of establishing a new historic district for the neighborhood in efforts to prevent future commercial expansion in October 2023. Several neighborhood and Historic District Commission public

meetings were held discussing this topic, the history of the neighborhood, future steps for possibly establishing a new local historic district. A special Historic District Commission meeting was held on January 29, 2024, at City Hall Chambers, and all property owners of Glenbrook Village neighborhood were invited. Six residents attended the meeting. At the meeting, the Historic District Commission voted to recommend to the City Council the support of creating a new historic district for the Glenbrook Village neighborhood, and issue a moratorium on processing permits for exterior construction and demolition of 6008 and 6018 Chelsea Lane, concurrently with the start of a historic district study of this neighborhood and appointment of a historic district study committee. This recommendation is also before Council for consideration tonight.

The site (two subject lots: 6008 and 6018 Chelsea Lane) is located at the intersection of East Milham Avenue and Chelsea Lane. The property at 6008 Chelsea Lane (12,594 square feet in size) is located at the street corner and has frontage along both streets. The property at 6018 Chelsea Lane (23,331 square feet in size) is directly south of 6008 Chelsea Lane and only fronts Chelsea Lane. Both properties are owned by the applicant (since 2015 and 2017, respectively) and have been used as rental properties while assembling a larger area for a future redevelopment investment. The house at 6008 Chelsea Lane is currently occupied, while the house at 6018 Chelsea Lane is currently vacant.

According to the City Assessor's records, the property at 6008 Chelsea Lane consists of a single-story, single-family detached house (1,854 square feet) and a 2-car detached garage (546 square feet). The house was built in 1959 and the garage was built in 1960. The property at 6018 Chelsea Lane consists of a single-story, single-family detached house (1,400 square feet) with an attached 2-car garage (528 square feet) and both were built in 1955.

Both lots are part of the Glenbrook Village 1947 subdivision plat (see the attached plat). Most of the residences on this plat were built in the 1950s, consisting of mostly single-story homes with garages and a mix of brick facades. Most homes have retained their general historical scale and exterior features of that era. The overall neighborhood has remained intact of its original residential use, despite the neighborhood's close proximity to commercial growth along South Westnedge Avenue, increased traffic along East Milham Avenue, and nearby commercial/ industrial users to the east.

Existing Conditions

Existing Land Use/ Zoning	• The subject site consists of two single-family homes and zoned R-1A One-Family Residential. • North (across East Milham Ave.): Walgreens, 5933 South Westnedge Ave., zoned 'Commercial Planned Unit Development'; Consumer's Energy, 205 East Milham Ave. zoned R-1A One-Family Residential; Single family house, 207 East Milham Ave. zoned R-1A One-Family Residential. • South: Single Family House; 6028 Chelsea Ave.; Zoned R-1A One-Family Residential. • East: Single Family Homes; 218 East Milham Ave. and 607 Chelsea Ln.; Zoned R-1A One-Family Residential.

	• West: Little Caesar's Pizza, Betty Bella Braids; 6005, 6011 South Westnedge Ave. and 120 East Milham Ave.; Zoned B-3 General Business District.
Public Streets	2022 East Milham Ave. (just east of the intersection with South Westnedge Ave.) recorded 13,142 total Annual Average Daily Trips counts. Recorded by Kalamazoo Area Transportation Study (KATS).
Public Utilities	City sanitary sewer and water are available along East Milham Ave. and Chelsea Ln.
Environment	The site is developed with single family detached homes.
Unique Conditions	No mapped wetlands or flood hazards exist on the site. The city has received a letter of interest from a resident in the neighborhood asking the city to consider a historic district for the entire plat, and an informational neighborhood meeting was held on November 28 to review the aspects of setting up a new historic districts. This request has been considered by the Historic Preservation Commission on January 29, 2024 and the HPC voted to recommend to Council that a district be created and a moratorium on exterior renovations (including demolitions) be initiated to preserve the character of all the buildings in the plat, including the two properties subject of the rezoning.

Applicable Zoning Regulations

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

Sec. 42-651. Amendments to this Article

Under this article, the rezoning request shall file a rezoning application, fee and to be scheduled for review during public hearings for the Planning Commission and City Council. The Planning Commission shall determine if the rezoning is appropriate based on the Comprehensive Plan, surrounding development patterns, and general land use considerations. Issues to be analyzed include consistency with the Future Land Use Map, suitability of the existing zoning classification, and the impact of the proposed zoning classification.

Current Zoning: R-1A One Family Residential District
The site has been zoned one-family residential for many decades and reflects the current residential development within the Glenbrook Village residential neighborhood. Despite commercial and industrial growth pressures from the east and west, the neighborhood's residential use and buildings have remained intact.

Proposed Zoning Districts: B-3 General Business and P-1 Vehicular Parking

B-3 General Business:

The intent of B-3 General Business District is to accommodate a wide array of businesses and auto-oriented shopping needs. This district is generally located along major thoroughfares, such as South Westnedge Avenue, Shaver Road, and Portage Road and on certain intersecting streets such as Milham Avenue. The following uses are allowed in the B-3 district:

1. Any principal permitted use and Special Land Uses in the B-1 and B-2 business districts.
2. Auto repair businesses within certain limitations
3. Social, Recreational buildings/ properties.
4. Hotels, Motels
5. Dry cleaning retail establishments, but not including central dry-cleaning plants serving more than one retail establishment.
6. Religious institutions.
7. Automatic, Self-serve Car Washes
8. A specialized agricultural use of land operating and in existence on the effective date (insert date) of this amendment, and land contiguous with and owned by a person operating such adjoining parcel on the effective date of this amendment, shall be considered conforming for all purposes under this article.
9. Accessory buildings and uses customarily found in connection with the uses in this district.
10. And more general office, restaurant, and retail uses.

The applicant's conceptual commercial development with a drive-thru service is a principal permitted land use in B-3 district.

P-1 Vehicular Parking:
P-1 Vehicular Parking District is used solely to permit off-street parking associated with a principal use, to serve uses without adequate off-street parking facilities, and to serve as a zone of transition between residential and non-residential districts. Prohibited uses in P-1 district include commercial car repair, car sales, and buildings other than a parking lot attendant booth. Additionally, P-1 lists development criteria lessening parking lot impacts such as ensuring compliant landscaping/ screening/ lighting, limited commercial signage, <u>and a 25' minimum setback from abutting residential districts</u>. Existing P-1 districts are generally small in size and can be found along the South Westnedge Avenue corridor abutting residential neighborhoods. This district has enabled redevelopment of commercial sites near residential neighborhoods with little overall impact on adjacent residential neighborhoods.

<u>Comprehensive Plan</u>
The Future Land Use Map component of the Comprehensive Plan classifies the subject properties (6008 and 6018 Chelsea Lane) as 'Single-Family Detached-Medium Density Residential (SFD-MDR)' described as single-family detached homes connected to City water and sewer, up to 6 units/ acre in density, and corresponding to zoning districts R-1A and Planned Development (PD). The site's underlying R-1A zoning district is consistent with that classification. Further, the existing single-family residences are consistent with the zoning district and the Future Land Use Map.

Staff note that when reviewing rezone requests, the Comprehensive Plan acknowledges that deviations from the Future Land Use Map may be appropriate when justified by more detailed information, changes to conditions, or in cases where a deviation is not contrary to the overall intent and purpose of the Plan.

Staff note that the two commercial sites (6005 South Westnedge Ave. and 120 E. Milham Ave.) located

within the applicant's concept commercial development are classified as 'Regional Business', which is consistent with those properties in the B-3 General Business zoning district.

The following strategies and guidelines of the Comprehensive Plan are relevant to the proposed rezone:

Implementation Strategies, Guidelines

- Continue to evaluate (re)development opportunities involving the South Westnedge Avenue Commercial Corridor, so this remains a magnet in the regional market.
- Enhance the appearance/functionality of the South Westnedge Commercial Corridor, including the Portage Commerce Square and Downtown Development District, by working with property owners to improve site and building design and attract new uses that respond to changing markets.
- Guideline C-2: Allow commercial/ office use:
    - f) adjacent to older or redeveloping residential areas where the commercial/office use does not create nuisances and is compatible with the surroundings.
- Guideline C-3: Local or neighborhood commercial uses should meet the following standards:
    - c) the intensity, size and hours of operation will not adversely affect existing residential areas;
- Guideline C-4: Locate and design commercial uses attracting large numbers of people or generating large volumes of traffic (200+ trips in peak hour or 1000+ daily) in accordance with the following:
    - c) the use should be sufficiently spaced or buffered from residential or institutional uses.

The applicant suggests support from the Comprehensive Plan which indicates using best practices in building and infrastructure design, Future Land Use Map boundaries not firm but aspirational in context, and continuing reinvestment along the South Westnedge Avenue commercial corridor. Further, the applicant indicates that new commercial growth along this corridor has already encroached at times into some residential neighborhoods with little impact, leading to further allowances for future commercial redevelopments.

Suitability of B-3, P-1 Districts/ Neighborhood Harmony

Continued commercial demand and growth along the South Westnedge Avenue corridor and its intersections have consumed nearly all available vacant lands. New commercial developments have been constructed on unused parking lot edges and resulted in demolition and rebuilt development to support future commercial growth. Examples include:

1. 3-tenant building at Gladys Street & South Westnedge Avenue intersection:

    a. Pita Way-6403 South Westnedge Ave.; and
    b. City Barbeque-6395 South Westnedge Ave.; and
    c. Sleep Number-6405 South Westnedge Ave.

2. Well Now Urgent Care-6012 South Westnedge Ave.

3. Valvoline Oil Change-6425 South Westnedge Ave.

In some cases along the east side of the South Westnedge Avenue corridor, past commercial rebuilds have expanded slightly into adjacent residential neighborhoods. Examples include the Walgreens, AT&T, The Honey Baked Ham Company, and Panda Express developments. In the rear portion of those developments, the previous district was either rezoned to a more intense commercial district, expanded commercial boundaries to the east, and/or rezoned to P-1 Parking.

Applicant's Proposal as Submitted
Rezone 6008 and 6018 Chelsea Lane from R-1A to B-3 and P-1 Districts as proposed by the applicant. The applicant's submittal consists of compelling reasons to support their rezone including support from the Comprehensive Plan and Future Land Use Map, use of the P-1 district instead of a business district, use of parking lot buffers, and past successful use of existing P-1 districts to the north along the east side of South Westnedge Avenue that facilitated commercial redevelopment with little impact to adjacent residences. As noted earlier, the P-1 district requires a parking lot setback and landscaping as buffering elements for abutting residential property.

Rezoning 6008 Chelsea Lane
Staff support rezoning this property into B-3 and P-1 as proposed based on the following:

- It is consistent with the Comprehensive Plan goal of supporting new/ redevelopment investments and strengthening the South Westnedge Avenue commercial corridor.
- Current and future impacts from the existing commercial/ traffic conditions in the South Westnedge Ave commercial corridor area greatly influence and will likely increase its desirability for future commercial potential.
- The property is narrow and largely faces East Milham Avenue - a highly traveled road, and only has a small frontage along Chelsea Lane (residential street).
- Only a small area of a future parking lot would face adjacent residential areas.
- Negative impacts to adjacent residences will be lessened due to required trees, bushes (Sec 42-572) along Chelsea Lane and East Milham Avenue and lighting restrictions (Sec 42-594) for any future parking lot.

Rezoning 6018 Chelsea Lane
Staff do not fully support rezoning this entire property into B-3 and P-1 as proposed based on the following:

- Overall, it results in commercial encroachment on an intact residential neighborhood and could lead to negative impacts on existing single-family residential homes.
- Possible negative impacts on 6028 Chelsea Lane (south) from the proposed B-3 southwest area. Staff note that a required 25' wide parking lot buffer (plus 6' tall fence and landscaping) to the south shall be provided from the southern lot line if rezoned to P-1.
- Possible negative impacts on 6017 Chelsea Lane (east across Chelsea Lane) and 6028 Chelsea Lane (south).

- The area of the proposed B-3 and P-1 appears beyond the minimum area needed to accommodate future commercial development. Staff note that the applicant owns abutting B-3 zoned property that could possibly accommodate future commercial development.

Staff's Primary Alternative to the Application Request
Rezone 6008 and 6018 Chelsea Lane from R-1A to B-3 and P-1, excluding the southern 65 feet area of 6018 Chelsea Lane to provide the following:

- The excluded area would remain R-1A and result in the minimum frontage (65 feet) and area (7,800 square feet) for an R-1A lot and future single-family house.
- This would create an ample buffer (either open space or a future residence) for the existing residence to the south and east.
- This would result in a lot remaining for a future single-family residence.
- This would reduce future commercial encroachment into the residential neighborhood.
- The existing house at 6018 Chelsea Lane could be demolished for future commercial development.

As part of the Planning Commission review of the original application, staff also presented a second alternate
Rezone 6008 and 6018 Chelsea Lane from R-1A to B-3 and P-1, excluding the southern 65 feet area of 6018 Chelsea Lane which would be rezoned to P-1 to provide the following:

- Accommodate more future parking associated with future commercial development in the adjacent B-3 area.
- Lessen B-3 commercial encroachment into the residential neighborhood by only allowing P-1 parking in the southern part of 6018 Chelsea Lane.
- The existing house at 6018 Chelsea Lane could be demolished for future commercial development.

Impacts to City Services, Utilities, ROWs
If the rezone is approved, it is expected to have a negligible increase in demands for city services because only a small portion would consist of a new B-3 area with the majority of P-1 parking. Also, if the rezone is approved, city staff will ensure utility and traffic compliance of the future commercial development during the required Site Plan application review process. Staff notes that the applicant has submitted a Traffic Impact Study associated with the concept commercial development as additional background data even though it is not required for the subject rezone proposal.

Staff note that although there was a concept presented for a restaurant that prompted the request for this rezone, it is not part of the rezone review criteria, as any type of building/use that meets the rezoning requirements could be allowed. If the rezone is approved, a Site Plan Application and Building Permit will be required and address site- and building-related codes and development standards. The applicant is not bound to submit a site plan for the restaurant concept.

As stated in the analysis, staff do not fully support the rezone as submitted by the applicant due to

inconsistencies with the Comprehensive Plan and resulting commercial encroachment into a residential neighborhood. However, staff find that alternatives would facilitate future commercial development, align with the goals of the Comprehensive Plan, and lessen further commercial encroachment as specified below:

Staff's Primary Alternative
Rezone 6008 and 6018 Chelsea Lane from R-1A to B-3 and P-1, excluding the southern 65 feet area of 6018 Chelsea Lane which would be remained as R-1A (see the staff's primary alternative rezone map attached).

Secondary Alternative
Rezone 6008 and 6018 Chelsea Lane from R-1A to B-3 and P-1, excluding the southern 65 feet area of 6018 Chelsea Lane which would be rezoned to P-1 (see the attached secondary alternative rezone map).

PLANNING COMMISSION PUBLIC HEARING
At the December 7, 2023, meeting, the Planning Commission reviewed and discussed the Rezoning Application # 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking to facilitate a future commercial development. The applicant, Joshua T. Weiner and his team, MC Weiner Company, LLC and the consultant, Rick Williamson, Cavalier Development, were present to discuss the rezoning and future use of the site. Mr. Weiner stated that his team support the secondary alternative rather than the primary recommendation of staff or the original rezoning proposal in the application. The MC Weiner development team also indicated they will hold a neighborhood meeting for the site plan if the rezoning is approved. Two members of the public provided in-person testimony and expressed opposition to the project due to perceived concerns about the impacts from future car lights, noise from future cars in drive-thru, the impacts on traffic, property value, encroachment on the neighborhood, and possible negative impacts on the overall neighborhood. A petition from the adjacent neighborhood with several additional letters opposing the rezoning was also received in writing. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

After careful consideration, the Planning Commission voted 6-2 to recommend to City Council the approval of the rezoning application # 23/24-2, the secondary alternative to rezone 6008 and 6018 Chelsea Lane from R-1A to B-3 and P-1, excluding the southern 65 feet area of 6018 Chelsea Lane which would be rezoned to P-1 for future commercial development.

Recommendation
It is therefore recommended that City Council, after considering hearing public testimony and the Historic Preservation Commission recommendations, consider approval of the rezoning application No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane per the Planning Commission's recommended alternative to rezone 6008 and 6018 Chelsea Lane from R-1A to B-3 and P-1, excluding the southern 65 feet area of 6018 Chelsea Lane which would be rezoned to P-1 to facilitate a future commercial development, subsequent to the public hearing.

FUNDING: Not Applicable

Attachments: 1. Rezoning Application

2. Applicant's Narratives
3. Applicant's Proposed Zoning Map
4. Applicant's Proposed Zoning Site Overlay
5. Applicant's Concept Commercial Development Traffic Analysis
6. Public Petition Letter with Map
7. Glenbrook Village 1947 Subdivision Plat
8. Public Notification Map
9. Vicinity Map
10. Parcel Map
11. Existing Zoning Map
12. Comprehensive Plan Future Land Use Map
13. Staff's Site Pictures; 11.27.23
14. Staff's Primary Alternative Rezone Map
15. Staff's Secondary Alternative Rezone Map
16. 12.1.23; Kosanke; 216 Windsor
17. 12.4.23; Holguin; 403 Windsor Ln
18. 12.6.23; Smith; 323 Windsor Ln
19. 12.7.23; Goldenbeld; 207, 219 E. Milham Ave
20. 12.11.23; Strand; 317 Windsor Ln
21. 12.15.23; Snyder; 310 Windsor Ln
22. Planning Commission Meeting Minutes 12.07.2023
23. Planning Commission Transmittal
24. First Reading
25. 2024 01 06 Public Comment
26. 2024 01 11 Public Comment
27. 2024 01 25 Public Comment
28. 2024 02 01 Public Comment

PORTAGE
A Natural Place to Move

APPLICATION FOR ZONING AMENDMENT

Application number_____

Date _____

APPLICATION INFORMATION:

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

For more detailed information about the zoning amendment process, please refer to Portage Land Development Regulations, Article 4, Division 8, Subdivision 2.

TO THE PLANNING COMMISSION:

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

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at 6008 & 6018 Chelsea Lane between S. Westnedge Ave Street and Chelsea Lane Street on the South of Milham side of the street, and is known as Lot Number(s) 10, 11 & 12 of Glenbrook Village Plat (Subdivision). It has a frontage of 142 feet and a depth of 342 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).
Currently two residential lots at 6008 & 6018 Chelsea Lane, totaling 0.825 acres to be rezoned to B-3 and P-1. (0.332 acres rezoned to B-3 and 0.493 acres rezoned to P-1)

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

b. Name of the owner of the property to be rezoned: Westnedge Milham, L.L.C

Address C/O Meyer C Weiner Company, 700 Mall Drive, Ste A, Portage, MI 49024

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment:
To allow for construction of a restaurant on a property that is zoned B-3 with adjacent residential zoning to be changed to B-3 and P-1.

4. CURRENT ZONING: R-1A PROPOSED ZONING: B-3 and P-1

ZONING TEXT AMENDMENT

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

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

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

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

Timothy A Immerzeel

(Signature of Applicant) (Signature of Applicant)

C/O Meyer C Weiner Company, 700 Mall Drive, Ste A, Portage, MI 49024

(Address) (Address)

269-323-2441

(Phone) (Phone)

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

T:\COMMDEV\2021 2022 Department Files\Forms\Zoning Forms\2022 Rezoning Application.docx

APPLICATION FOR ZONING AMENDMENT

LOTS 10, 11 & 12 OF GLENBROOK VILLAGE

PROJECT NARRATIVE

This application to rezone the above-named lots from R-1A to a combination of B-3 and P-1 is needed to allow for the redevelopment of an aging retail strip into a newer high-quality project. This hard corner of Milham Ave and S Westnedge Ave is the only corner of the intersection which has not been redeveloped. Once rezoned, the resulting combined lots between S Westnedge Ave and Chealsea Ln will be deep enough to support current development standards for typical small-scale retail and commercial users. The lots are not currently deep enough to provide both the well landscaped and pedestrian friendly buildings but also the required parking and circulation, the screened trash enclosures and buffers in transitions to other uses necessary for redevelopment.

Prior to the submittal of this application, we have made a concerted effort to determine how the proposed use could best fit within the fabric of the existing neighborhood. We first walked the area and knocked on every door and met with everyone who was home after 5:00 pm on a weekday, explaining the planned site development and use, the nature of the company and that the developer wanted to fit in the neighborhood as best they could. Notices of a neighborhood meeting were mailed to each residence a week before the door knocking and a neighborhood meeting was held the next day to gather input and criticism from the individuals living in the neighborhood. About 20 people attended the meeting at Logan's Road House to see a presentation of the development and discuss anything they wanted to bring up. The main issues were changing the nature of the area, creating traffic through the neighborhood, noise created by the business, trash, lighting and odors. We took that input and followed up with investigation and changes to the site plan to alleviate the issues brought to our attention. We shifted the access/egress as far from the intersection of Milham and Westnedge as possible to create safer circulation to the site. We planned a masonry wall along the eastern boundary of the site with a green screen to shield noise and light from the neighborhood above and beyond that required by code. We funded a traffic study not required by the city to be certain that the fears of the neighbors regarding traffic were unfounded (the study is a part of this application). The input from the neighbors is a reason that the zoning request includes the P-1 designation for the area closest to the residences in order to limit the intensity of the development that can occur closest to the houses. We have tried to work with our future neighbors in order to be good neighbors ourselves.

This rezoning is consistent with many elements of the Portage 2014 Comprehensive Plan, including the Future Land Use Map.

First, the zoning change is consistent with the intent of the Future Land Use Map as it is discussed in the Plan itself. An exhibit is attached which illustrates (1) the blue line delineating the change from commercial to another use as laid out in the FLUM, (2) the red line indicating how the actual change in uses has played out over time and (3) the yellow line which shows the current commercial depth of the lots adjacent that requesting rezoning would have affected other retail development along S Westnedge if had been required.

As the Plan discusses, the zoning projected by the Comprehensive Plan and FLUM were best guesses and subject to examination and change. The requested zoning change in this application is consistent in nature with many current developments along S Westnedge Ave in the immediate area. Nearly the entire length of the east side of the Avenue in this area has a commercial use facing Westnedge that abuts a residential use to the east. No one could have known exactly how that line of separation would have worked best commercially in 2014 and there are several examples of small deviations along the way. Generally, the FLUM indicates deeper commercial zoning along S Westnedge Ave.

As far as conformity to the terms of the 2014 Comprehensive Plan, with respect to the redevelopment made possible by this zoning change, the Plan suggests using best practices in building and infrastructure design and, naturally, to the extent those recommendation have been adopted as development requirements, including the treatment of stormwater, we will fully comply if not exceed such requirements. We are replacing a restaurant with a restaurant, retaining a use in a proven location and maintaining the scale and intensity of development while using the most modern design, materials and infrastructure, upgrading the appearance in a huge degree and properly screening the more intense business use from the less intense residential use adjacent.

The Plan also includes an emphasis on Community Identity, building a deeper community and greater connectivity. This change in zoning and the development allowed thereby, a Raising Cane's restaurant, will be a great enhancement to the community. In short, Raising Cane's is a great neighbor. Our staff is recruited from the immediate area, people with a vested interest in the neighborhood. We serve our immediate community with healthy, fresh food choices and serving them later into the night to provide choices for the third shift workers. Our employee benefits are generous and broad. In addition, we support the communities in which we are located in many, many ways, including:

- Crew Member Volunteer Events
- Supporting local schools and universities through direct support and individual event participation, sponsoring sports teams, bands and recreational activities and participation in school philanthropic efforts.
- Raising Cane's believes that no one should go hungry and as a restaurant company, we should be a leader in fighting hunger. Raising Cane's supports programs and organizations that provide meals and canned goods to the homeless and hungry.
- The company and its Crew support local pet welfare causes because of the important need and dedication to animals as a company through the namesake, Raising Cane. Plush puppies are sold for different holiday seasons and the proceeds go to a local non-kill shelter.
- Supporting health lifestyles through financial support for walking trails, recreation areas and programs, runs and walks, sports teams and physical fitness. They have participated in charity runs by providing sponsorship money and refreshments for participants.
- Working as an active member of the business community is important to the success of Raising Cane's and its continued support of the community as a whole. They partner with local organizations to support business development and entrepreneurship education organizations and is a member of the Chamber of Commerce in every community in which they are located.

With regard to transportation, the new development will address several items brought forward in the Plan. New ADA-compliant sidewalks, pathways and entrances will improve accessibility on the site. Five foot wide sidewalks will reach down both Milham and Westnedge, increasing pedestrian safety and

circulation and allowing for more non-motorized vehicle use in an area dominated by automobiles. The number of driveways for the overall development will be reduced through sharing and the street access on Milham is shifting farther from the major intersection. The overall development contemplates shared circulation.

In order to comply with the Plan's observations of Land Use principles, the development will provide an appropriate buffer and transition between residential uses and commercial uses and we invited suggestions from our potential neighbors regarding such in a neighborhood meeting. The new development continues and improves pedestrian circulation and may connect directly to the adjacent neighborhood with a pedestrian gate. The business will now be well presented, maintained and serviced and uphold the conditions expected by our neighbors.

Addressing the discussion of Zoning in the Plan, it is clearly stated that FLUM "is intended to serve as a guide for land use decisions over a period of time (5+ years)" and was written in 2014. It also notes that "not all properties should be immediately rezoned to correspond to the Plan. When analyzed by the questions included in Guideline Z-1 of the Plan, the answer to each is in the affirmative.

The property has previously been developed for retail and residential uses which are adequately serviced by public utilities, streets, and sidewalks. The proposed development is not expected to materially impact these existing public infrastructure systems. Therefore, we do not expect the need to extend or increase the capacity of any of these systems. We will work with the authorities having jurisdiction over the existing roadway and utility networks during the design and permitting process and make any necessary improvements, if required, to ensure the surrounding community is note materially impacted by the proposed development.

We respectfully request that this application for zoning change be approved.

Exhibit

Connecticut Dr
New Hampshire Dr
Pep Boys
Bob Evans
Burwood Ave
Burwood St
Tactical Marketing
Tudor Cir
Dawnee Ave
Idaho Ave
Missouri Ave
Ohio Ave
Oregon Ave
Mint Cannabis
Washington Ave
Boston Ave
Panda Express
Wendy's
W Van Hoesen Blvd
E Van Hoesen Blvd
Bob's Discount Furniture and Mattress Store
Chipotle Mexican Grill
Walgreens
Concord St
W Milham Ave
E Milham Ave
WellNow Urgent Care
Goodwill Industries of Northwestern Michigan
Chicago St
Kohl's
Windsor Ln
Versiti Center of MI
Barnes & Noble
JOANN Fabric and Crafts
Chick-fil-A
Chuck E. Cheese
Southland Dr
Plaza Dr
Victoria Ct
Fresh Thyme Market
Moe's Southwest Grill
Lawton St
Panera Bread
ALDI
Five Guys
Echo Ct
Thomas Ct
Mall Dr
Gladys St
DICK'S Sporting Goods
Action St
CeSt Plasma
Planet Fitness
Valvoline Instant Oil Change
Bella St
Ruth St
Men's Wearhouse
Crossroads Dr
Starbucks

MEYER C. WEINER
COMPANY
DEVELOPERS AND BUILDERS SINCE 1948

700 MALL DRIVE | PORTAGE, MI 49024
p: 269.323.2441 | f: 269.323.3262 | mcweiner.com

November 2, 2023

RE: Support for the Raising Cane's partial B-3 and P-1 zoning request

In July of 2008, James Weiss the owner of the southeast corner of Westnedge and Milham, called the Meyer C. Weiner Company to determine our interest in the purchase of this development. He thought we were the perfect buyer given our development and redevelopment history in the area. He knew the property needed to be repurposed to properly function in the community for the future and he was nearing retirement.

We closed shortly thereafter on parcel addresses at 6005 S. Westnedge, 6011 S. Westnedge, 120 E. Milham and 130 E. Milham all zoned B-3. We soon learned that we needed to expand the size and depth to have any chance of a redevelopment. Some of the adjacent development to the south on Westnedge was in need of a makeover and there was precedent for parking in adjacent residential areas with Walgreens, Starbucks, Panda Express, A&W Acquisitions (Bed, Bath & Beyond and Babies R Us) and Portage Restaurant Row (Carrabba's and Red Robin). We have since purchased other property to the south on Westnedge as part of the Westnedge Milham, LLC entity with plans to expand this mixed-use development.

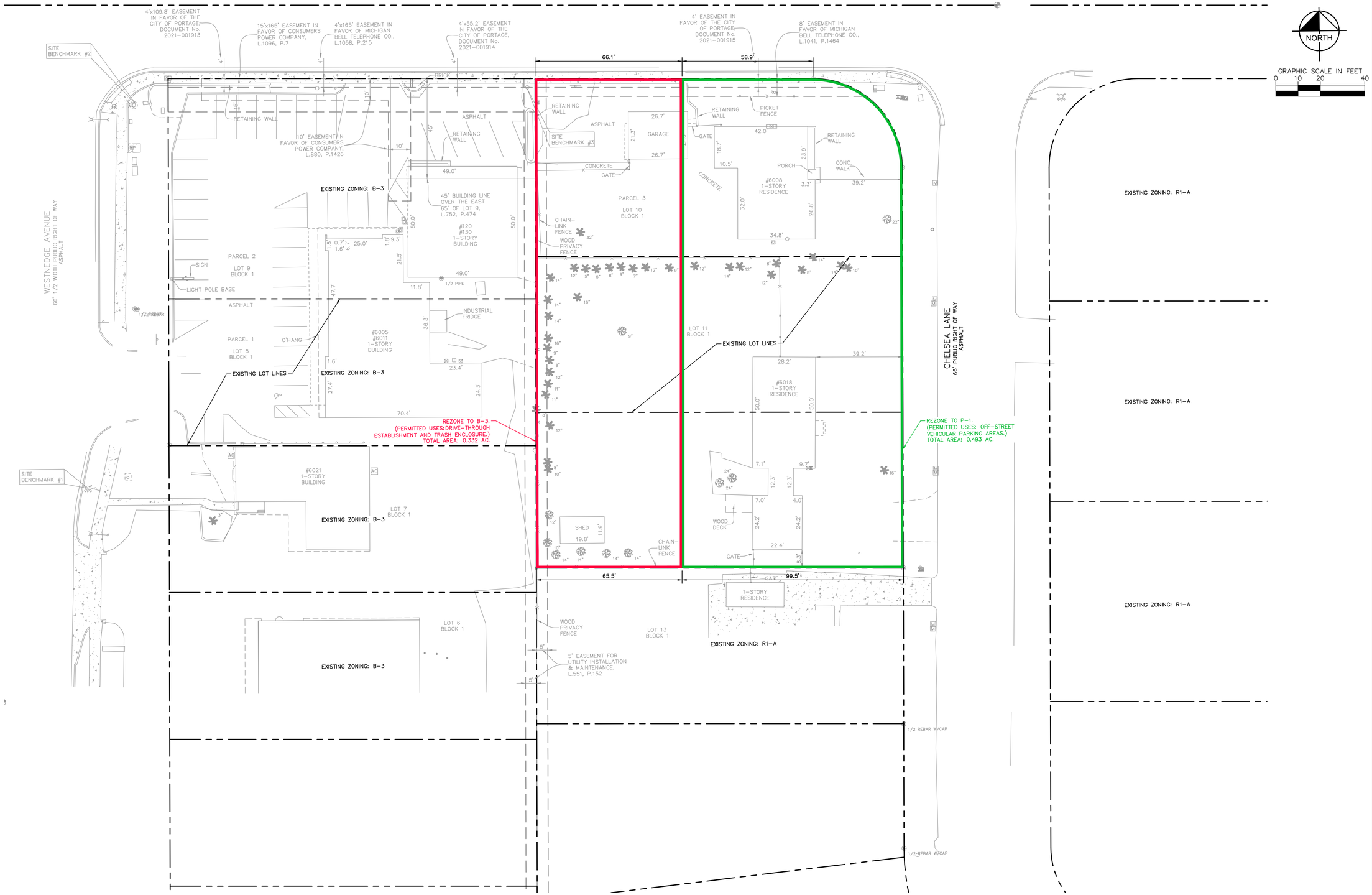
Our first tenant prospect is Raising Cane's, a national fast casual restaurant with an incredible business culture known for their civic responsibility in the communities they call home. Their site plan attached shows how they need additional parking to the east, to make the site properly function at this corner. An additional 0.332 acres of land rezoned to B-3 General Business and 0.493 acres of land rezoned to P-1 Vehicular Parking would allow the site to function with the proper access, parking, and visibility for success. The site plan will address the proper screening and lighting necessary to complement the surrounding neighborhood. Cane's and the Meyer C. Weiner Company want to remain good neighbors. Cane's is choosing Portage as their second location in the State at this high-profile site.

Since the purchase of the southeast corner expanded, we have done our best to keep the spaces occupied mostly with short-term pop-up tenants. The physical maintenance and access dysfunction are becoming very difficult to manage. The roofs, HVAC and parking lots are past their useful lives. They can no longer be repaired. This rezoning to B-3 General Business and P-1 Vehicular Parking will allow the property to be redeveloped and improve the tenant mix, access, traffic flow and tax base for our community. It will also trigger further redevelopment to the south that we hope to share plans of soon.

Thank you for your consideration. Representatives from the Meyer C. Weiner Company and Raising Cane's will be available to answer questions.

Respectfully,

Timothy A. Timmons
Meyer C. Weiner Company



ZONING SUMMARY TABLE

	AREA:	PERMITTED USES:
REZONE TO B-3	0.332 AC	DRIVE-THROUGH ESTABLISHMENT TRASH ENCLOSURE
REZONE TO P-1	0.493 AC	OFF-STREET VEHICULAR PARKING

CAUTION!!

CONTRACTOR IS TO VERIFY PRESENCE AND EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.

Raising Cane's CHICKEN FINGERS
Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tele: 972-769-3100 Fax: 972-769-3101

STORE:

RAISING CANE'S RESTAURANT
WESTNEDGE & MILHAM
PORTAGE, MI 49002
PROTOTYPE 4-V-AV
SCHEME: STANDARD - B
STORE #C1085

PROFESSIONAL OF RECORD: KURT L. SCHMITZ
ADA ARCHITECTS, INC.
17710 Detroit Avenue Lakewood, Ohio 44107
Phone (216) 521-5134 Fax (216) 521-4824
www.adaarchitects.cc

FOR REVIEW ONLY

ENGINEER INFORMATION:
Kimley»Horn
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
4201 WINFIELD RD, WARRENVILLE IL 60555
PHONE: 630-487-5550
WWW.KIMLEY-HORN.COM

KH JOB NO. 168418045

SHEET REVISIONS

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1		
2		
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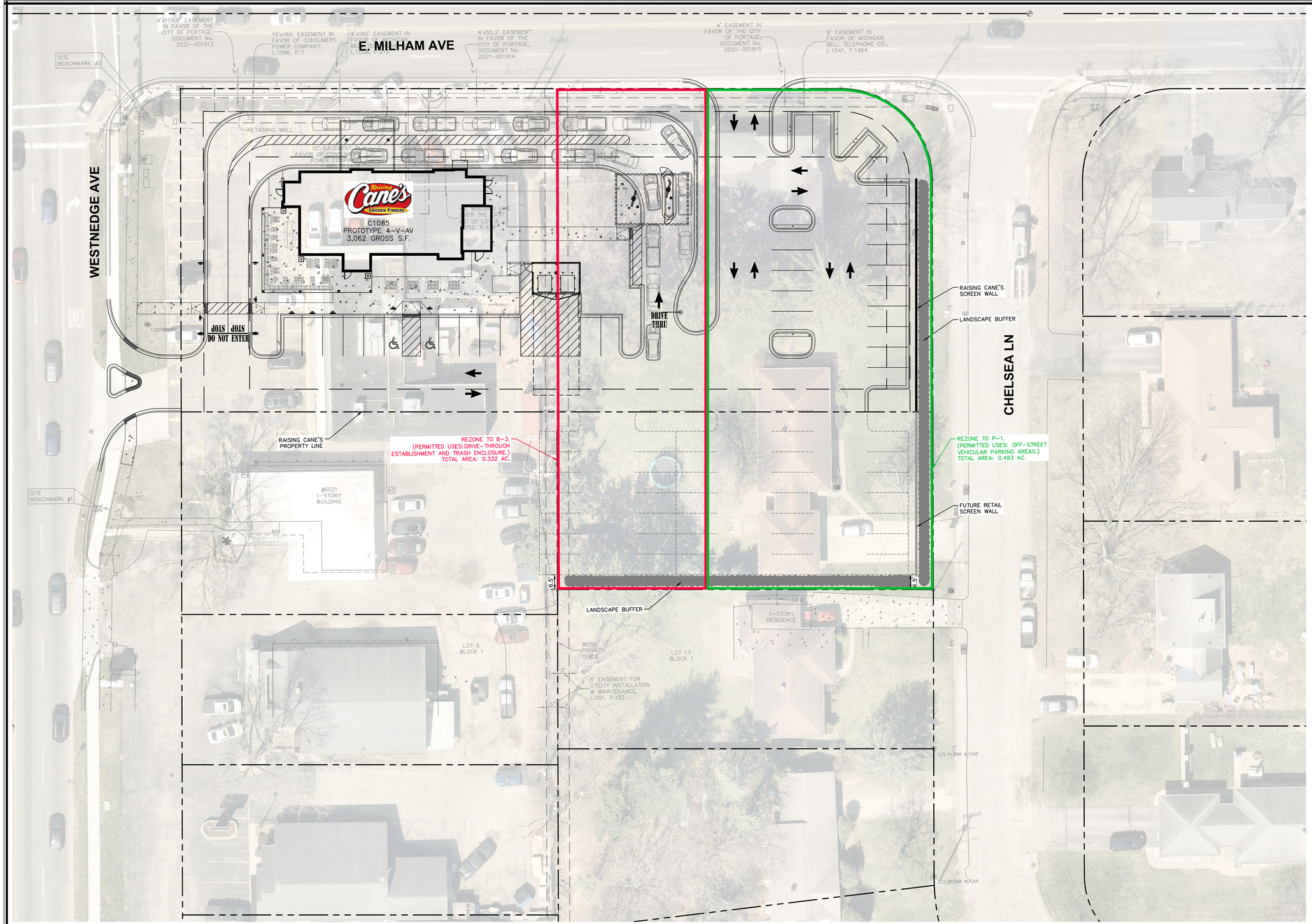
PROPOSED ZONING EXHIBIT

DATE 11/02/2023

JOB NO. 168418045

EXH.

SHEET NO.



ZONING SUMMARY TABLE

PROPOSED RAISING CANE'S LEASE AREA = 1.07 AC

	AREA:	PERMITTED USES:
REZONE TO B-3	0.332 AC	DRIVE-THROUGH ESTABLISHMENT TRASH ENCLOSURE
REZONE TO P-1	0.493 AC	OFF-STREET VEHICULAR PARKING

CAUTION!!
CONTRACTOR IS TO VERIFY PRESENCE AND EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.

Raising Cane's Chicken Fingers
Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tele: 972-769-3100 Fax: 972-769-3101

STORE:
RAISING CANE'S RESTAURANT
WESTNEDGE & MILHAM
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KH JOB NO. 168418045

SHEET REVISIONS

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PROPOSED ZONING SITE OVERLAY EXHIBIT

DATE 11/02/2023

JOB NO. 168418045

EXH.

SHEET NO.

Kimley»Horn

MEMORANDUM

To:	LuAron Foster Raising Cane's Chicken Fingers
From:	Emma Albers, P.E., PTOE Kimley-Horn and Associates, Inc.
Date:	October 17, 2023
Subject:	Traffic Review for Proposed Raising Cane's Portage, MI

Kimley-Horn was retained by Raising Cane's to review existing and future traffic conditions related to the proposed Raising Cane's restaurant at the southeast corner of Milham Avenue/Westnedge Avenue in Portage, Michigan. A site location map is provided on **Exhibit 1**.

This memorandum summarizes the evaluation of the existing and projected future traffic conditions on the surrounding roadways. The analysis of existing conditions is based on traffic counts conducted at key intersections providing access to the site. The analysis of future conditions considers the addition of site-generated traffic. Based on a review of existing and future operational conditions at key intersections providing access to the site, cut-through traffic from the proposed site is not expected within the adjacent residential neighborhood. As detailed in the *Capacity Analysis* section of this report, traffic exiting the proposed Raising Cane's to Milham Avenue is expected to experience a reasonable level of delay. The anticipated level of delay (an average of less than 20 seconds per vehicle during the two peak hours) is not expected to deter vehicles from completing a northbound left-turn out of the site. Additionally, site-generated traffic is not expected to materially impact nearby intersections, as shown by the comparison of delay between existing and build conditions.

EXISTING TRAFFIC VOLUMES

To establish existing traffic volumes in the area, turning movement count data was collected in September 2023 at the following intersections:

- Milham Avenue / Westnedge Avenue
- Milham Avenue / Chelsea Lane
- Milham Avenue / Salem Lane

These counts were conducted during the weekday evening (4:00 to 6:00 PM), and Saturday midday (11:00 AM to 1:00 PM) peak periods. These count periods were selected to capture the peak travel periods in the area that coincide with the hours of operation of the proposed Raising Cane's. The traffic count data indicates that peak hour traffic volumes occur within the study area from 4:45-5:45 PM during a typical weekday and 11:30 AM-12:30 PM during a typical Saturday. Peak hour traffic volumes are summarized on **Exhibit 2**.

DEVELOPMENT CHARACTERISTICS

The proposed Raising Cane's would include a 3,062 square-foot restaurant with drive-through window. The drive-through would provide two order lanes that continue to two pick-up lanes. Access to the site would be provided by two access driveways: a right-in/right-out only driveway along Westnedge Avenue (Access A) and a full-access driveway along Milham Avenue (Access B).

Trip Generation

The Institute of Transportation Engineers (ITE) maintains the leading industry source for trip generation information for a wide variety of land uses based on years of traffic data from across the country. This source is known as the Trip Generation Manual, 11th Edition. To estimate trips generated by the proposed site, data was referenced from this manual as summarized in **Table 1**.

Table 1. ITE Trip Generation Data

ITE Land Use	Unit	Weekday Daily	Weekday PM Peak Hour	Saturday Midday Peak Hour
Fast Food Restaurant with Drive-Through Window (LUC 934)	Per 1,000 SF	467.48X 50% in/50% out	33.03X 52% in/ 48% out	55.25X 51% in/ 49% out

X = square feet (SF) of development

For purposes of this study, site generated trips are expected to exhibit multiple routing patterns when traveling to and from the subject site, as described below:

- **Pass-by** – Pass-by traffic reflects the travel patterns of motorists who are already traveling on the adjacent study roadways and stop at the site en route to another destination. Data referenced in the appendix of the ITE Trip Generation Manual, 11th Edition suggests that at a Fast-Food Restaurant with Drive-Through Window (LUC 934), roughly 55 percent of vehicles during the weekday evening peak hour are pass-by trips. ITE data is not provided for daily pass-by trips; therefore, the weekday evening pass-by percentage of 55 percent was applied. Pass-by data is also not provided for the Saturday midday peak period, so the weekday evening pass-by rate of 55 percent was assumed.
- **Primary Trips** – Vehicles that travel to the subject development as their primary destination or trip purpose before returning to their origin are called "primary trips." Primary trips reflect new traffic volumes generated by the proposed development that would approach and depart on the same route. Trips to/from the site that are not pass-by trips are expected to be primary trips.

The site-generated trips estimated for the peak hours were rounded to the nearest multiple of five and daily trips were rounded to the nearest multiple of ten. Projected site traffic volumes are summarized in **Table 2**.

Table 2. Site-Generated Traffic Projections

Land Use	Size	Daily - Weekday	Weekday PM Peak Hour			Saturday Midday Peak Hour		
			In	Out	Total	In	Out	Total
Fast Food Restaurant with Drive-Through Window (LUC 934)	3,062 SF	1,430	50	50	100	85	85	170
Pass-By Trips		*-790*	*-30*	*-30*	*-60*	*-45*	*-45*	*-90*
Net New Site Trips		640	20	20	40	40	40	80

Trip Distribution and Assignment

The estimated distribution of site-generated traffic on the surrounding roadway network as it approaches and departs the site is a function of several variables, such as the nature of surrounding land uses, prevailing traffic volumes/patterns, characteristics of the street system, and the ease with which motorists can travel over various sections of that system. The anticipated directional distributions estimated for the primary and pass-by trips are outlined in **Table 3.**

Table 3. Estimated Trip Distribution

Traveling to/from	Estimated Trip Distribution	
	Primary Trips	Pass-By Trips[1]
West on Milham Avenue	15%	15%
East on Milham Avenue	10%	10%
North on Westnedge Avenue	40%	35%
South on Westnedge Avenue	35%	40%
Total	100%	100%

[1]Pass-by trips are categorized by the trip's origin

Following trip distribution, site-generated trips were then routed to the study intersections and proposed site driveways. Similar to trip distribution, trip assignment considers ease of access, driveway proximity, characteristics of the nearby intersections, and traffic conditions on the adjacent roadways. For example, a vehicle destined for westbound Milham Avenue is unlikely to exit via Access A (Westnedge Avenue) due to the spacing between Access A and the northbound left-turn lane at Milham Avenue. Therefore, vehicles destined for westbound Milham Avenue were assumed to make a northbound left-turn out of Access B to Milham Avenue. Based on the trip distribution in Table 3 and trip assignment assumptions, the site-generated primary trips and pass-by trips are illustrated in **Exhibit 3** and **Exhibit 4**, respectively. The total site-generated trips are depicted in **Exhibit 5**.

BUILD TRAFFIC VOLUMES

To develop future traffic projections at the study intersections after the proposed restaurant is operational, the total site-generated trips (Exhibit 5) were added to the existing traffic volumes (Exhibit 2). The future build traffic projections are provided in **Exhibit 6**.

CAPACITY ANALYSIS

Capacity analyses were conducted to assess existing and future operating conditions at the study intersections during the weekday evening and Saturday midday peak hours using *Synchro 11* software. The capacity of an intersection quantifies its ability to accommodate traffic volumes and is expressed in terms of level of service (LOS), measured in average delay per vehicle. LOS grades range from A to F, with LOS A as the highest (best traffic flow and least delay), LOS E as saturated or at-capacity conditions, and LOS F as the lowest (oversaturated conditions).

The LOS grades shown below, which are provided in the Transportation Research Board's Highway Capacity Manual (HCM), quantify and categorize the driver's discomfort, frustration, fuel consumption, and travel times experienced as a result of intersection control and the resulting traffic queuing. A detailed description of each LOS rating can be found in **Table 4**.

Table 4. Level of Service Grading Descriptions

Level of Service	Description
A	Minimal control delay; traffic operates at primarily free-flow conditions; unimpeded movement within traffic stream.
B	Minor control delay at signalized intersections; traffic operates at a fairly unimpeded level with slightly restricted movement within traffic stream.
C	Moderate control delay; movement within traffic stream more restricted than at LOS B; formation of queues contributes to lower average travel speeds.
D	Considerable control delay that may be substantially increased by small increases in flow; average travel speeds continue to decrease.
E	High control delay; average travel speed no more than 33 percent of free flow speed.
F	Extremely high control delay; extensive queuing and high volumes create exceedingly restricted traffic flow.

[1]Highway Capacity Manual, 6th Edition.

The range of control delay for each rating (as detailed in the HCM) is shown in **Table 5**. Because signalized intersections are expected to carry a larger volume of vehicles and stopping is required during red time, note that higher delays are tolerated for the corresponding LOS ratings.

Table 5. Level of Service Grading Criteria

Level of Service[1]	Average Control Delay (s/veh) at:	
	Unsignalized Intersections	Signalized Intersections
A	0 – 10	0 – 10
B	> 10 – 15	> 10 – 20
C	> 15 – 25	> 20 – 35
D	> 25 – 35	> 35 – 55
E	> 35 – 50	> 55 – 80
F[2]	> 50	> 80

[1]Highway Capacity Manual, 6th Edition

[2]All movements with a Volume to Capacity (v/C) ratio greater than 1 receive a rating of LOS F.

Based on these standards, capacity results were identified for the study intersections under existing and build conditions. The results of capacity analysis for existing conditions are summarized in **Table 6**. In this table, operation on each approach is quantified according to the average delay per vehicle and the corresponding level of service. The results are based on Synchro's HCM 6th Edition reports. Copies of the Synchro reports are provided as an attachment to this memo.

Table 6. Summary of Capacity Results

Intersection	Existing				Build			
	Weekday PM Peak Hour		Saturday Peak Hour		Weekday PM Peak Hour		Saturday Peak Hour	
	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS	Delay (s/veh)	LOS
Milham Avenue / Westnedge Avenue ★								
Eastbound	55	E	55	E	60	E	55	E
Westbound	62	E	63	E	63	E	61	E
Northbound	23	C	32	C	25	C	34	C
Southbound	20	B	27	C	21	C	28	C
Intersection	*C*	*32*	*39*	*D*	*33*	*C*	*40*	*D*
Milham Avenue / Chelsea Lane △								
Westbound (Left)	8	A	8	A	8	A	8	A
Northbound	13	B	15	B	11	B	12	B
Milham Avenue / Salem Lane △								
Westbound (Left)	8	A	8	A	8	A	8	A
Northbound	11	B	13	B	11	B	13	B
Westnedge Avenue / Access A △								
Westbound (Right)	N/A				16	C	16	C
Milham Avenue / Access B △								
Westbound (Left)	N/A				8	A	9	A
Northbound					14	B	20	C

★ Signalized Intersection △ Minor-Leg Stop-Controlled Intersection

The signalized intersection of Milham Avenue/Westnedge Avenue is currently operating at an acceptable level of service overall during both peak hours. The eastbound and westbound approaches currently operate at LOS E, which is not uncommon for side street approaches, as the majority of available green time during the signal cycle is allocated to the mainline (northbound and southbound) approaches. At the intersections of Milham Avenue/Chelsea Lane and Milham Avenue/Salem Lane, the northbound approaches currently operate at LOS B during both peak hours, indicating that there are adequate gaps in traffic along Milham Avenue for vehicles to turn from the side street. It is likely that the signal at Westnedge Avenue helps meter traffic along Milham Avenue.

With the addition of site-generated traffic, the intersection of Milham Avenue/Westnedge Avenue is expected to operate with similar levels of service and delay as existing conditions. The level of service

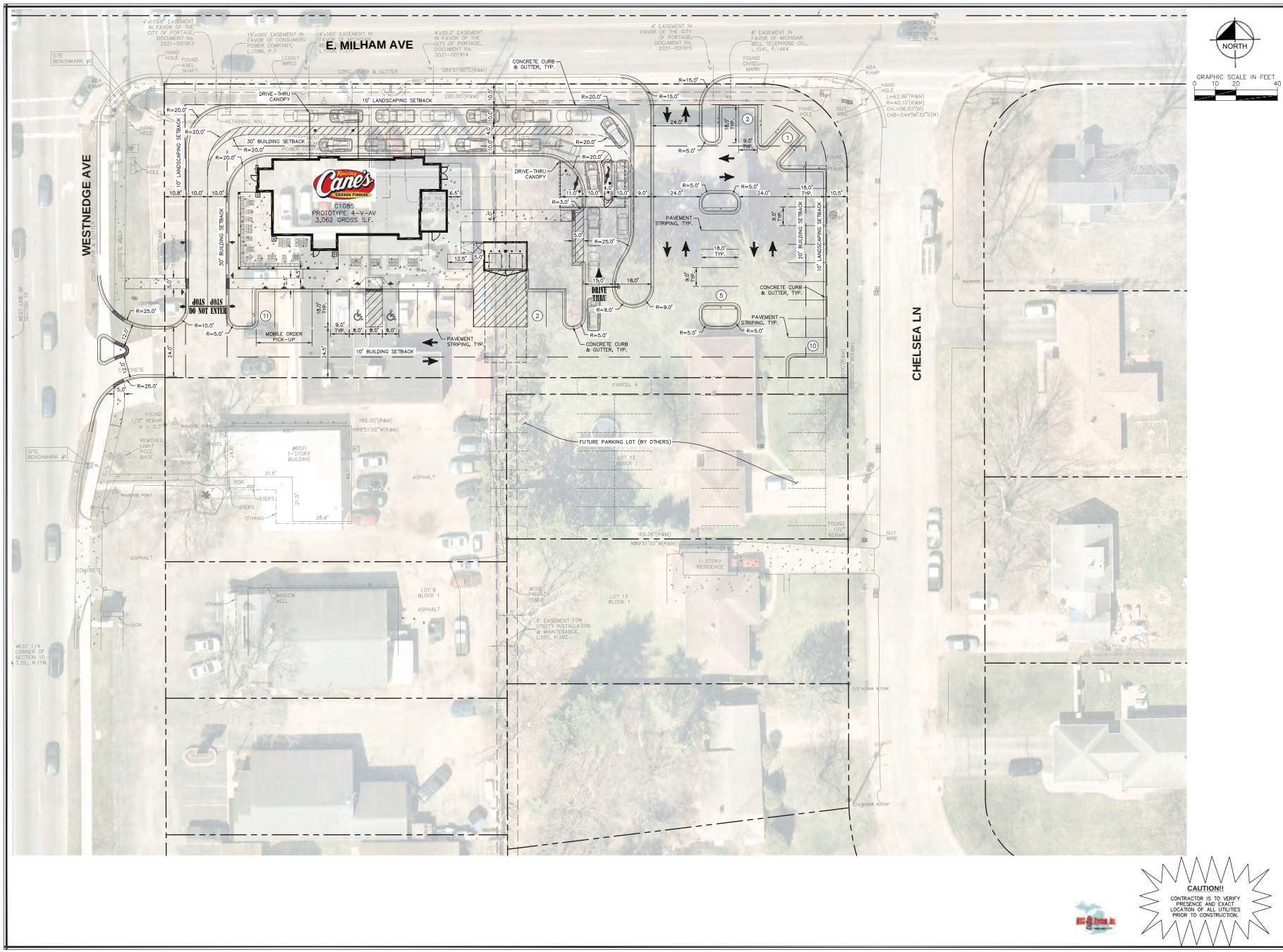
at all approaches is expected to remain the same. Consistent with existing conditions, the 95th percentile queue for the westbound through movement is projected to be approximately six vehicles (150 feet), which does not extend to the proposed Raising Cane's driveway (Access B). Therefore, traffic at the Milham Avenue/Westnedge Avenue intersection is not expected to block exiting traffic from the proposed Access B.

The exit movements at the two site driveways are expected to operate at LOS C or better during both peak hours, which is a reasonable and typical level of delay for drivers to experience. Therefore, it is expected that vehicles turning left from Access B will wait to complete their normal left-turn movement as opposed to attempting a right-turn and then cutting through the adjacent residential neighborhood via Chelsea Lane.

SUMMARY

Based on a review of existing and build conditions, the traffic from the proposed Raising Cane's is not expected to materially impact operations within the area. Levels of delay expected at the proposed driveways are typical and are not expected to lead to traffic rerouting through nearby neighborhoods. Additionally, the level of traffic generated by the site is expected to have a minimal increase in the total volume of traffic at the signalized intersection of Milham Avenue/Westnedge Avenue.

Attachments: Site Plan
Exhibit 1 – Site Location Map
Exhibit 2 – Existing (2023) Traffic Volumes
Exhibit 3 – Site Trip Assignment – Primary Trips
Exhibit 4 – Site Trip Assignment – Passby Trips
Exhibit 5 – Site Trip Assignment – Total
Exhibit 6 – Build (2023) Traffic Projections
Capacity Reports



CAUTION!!
CONTRACTOR IS TO VERIFY PRESENCE AND EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.

Raising Cane's Chicken Fingers
Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tele: 972-769-3100 Fax: 972-769-3101

PROTOTYPE ISSUE DATE: 11/20/2018

STORE:
RAISING CANE'S RESTAURANT
WESTNEDGE & MILHAM
PORTAGE, MI 49002
PROTOTYPE 4-V-AV
SCHEME: STANDARD - B
STORE #C1085

PROFESSIONAL OF RECORD:
KURT L. SCHMITZ
ARCHITECTS, INC.
17710 Detroit Avenue, Lakewood, Ohio 44107
Phone (216) 521-4154 Fax (216) 521-4824
www.adaarchitects.cc

FOR REVIEW ONLY

ENGINEER INFORMATION:
Kimley»Horn
2023 KIMLEY-HORN AND ASSOCIATES, INC.
4201 WINFIELD RD, WARRENVILLE IL 60555
PHONE: 630-487-5550
WWW.KIMLEY-HORN.COM

KH JOB NO. 168418045

SHEET REVISIONS

#	DATE	TYPE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

SITE PLAN EXHIBIT

DATE 08/01/2023

JOB NO. 168418045

EXH.

SHEET NO.

Kimley»Horn

EXHIBIT 1
SITE LOCATION MAP

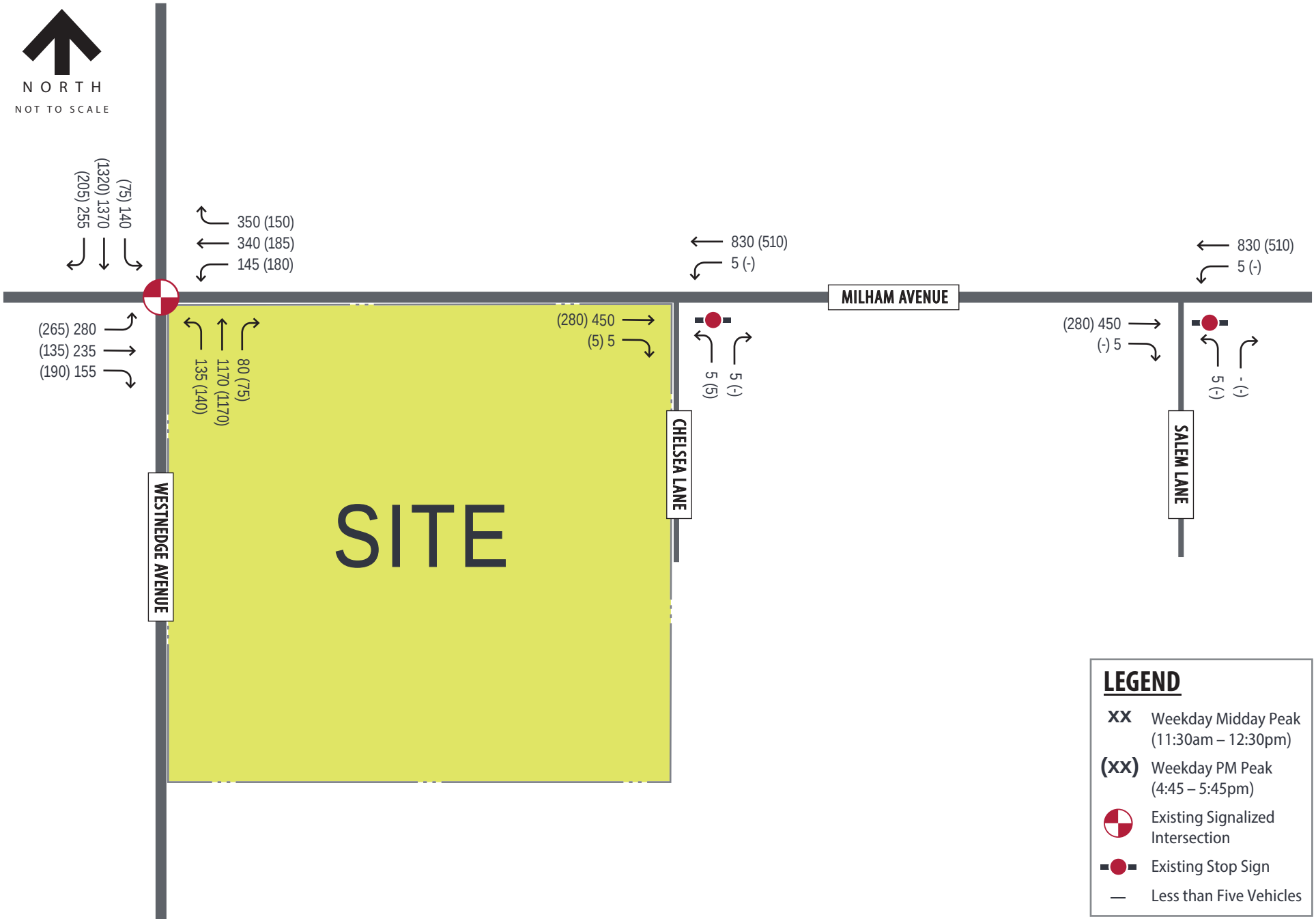


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EXHIBIT 2

EXISTING (2023) TRAFFIC VOLUMES

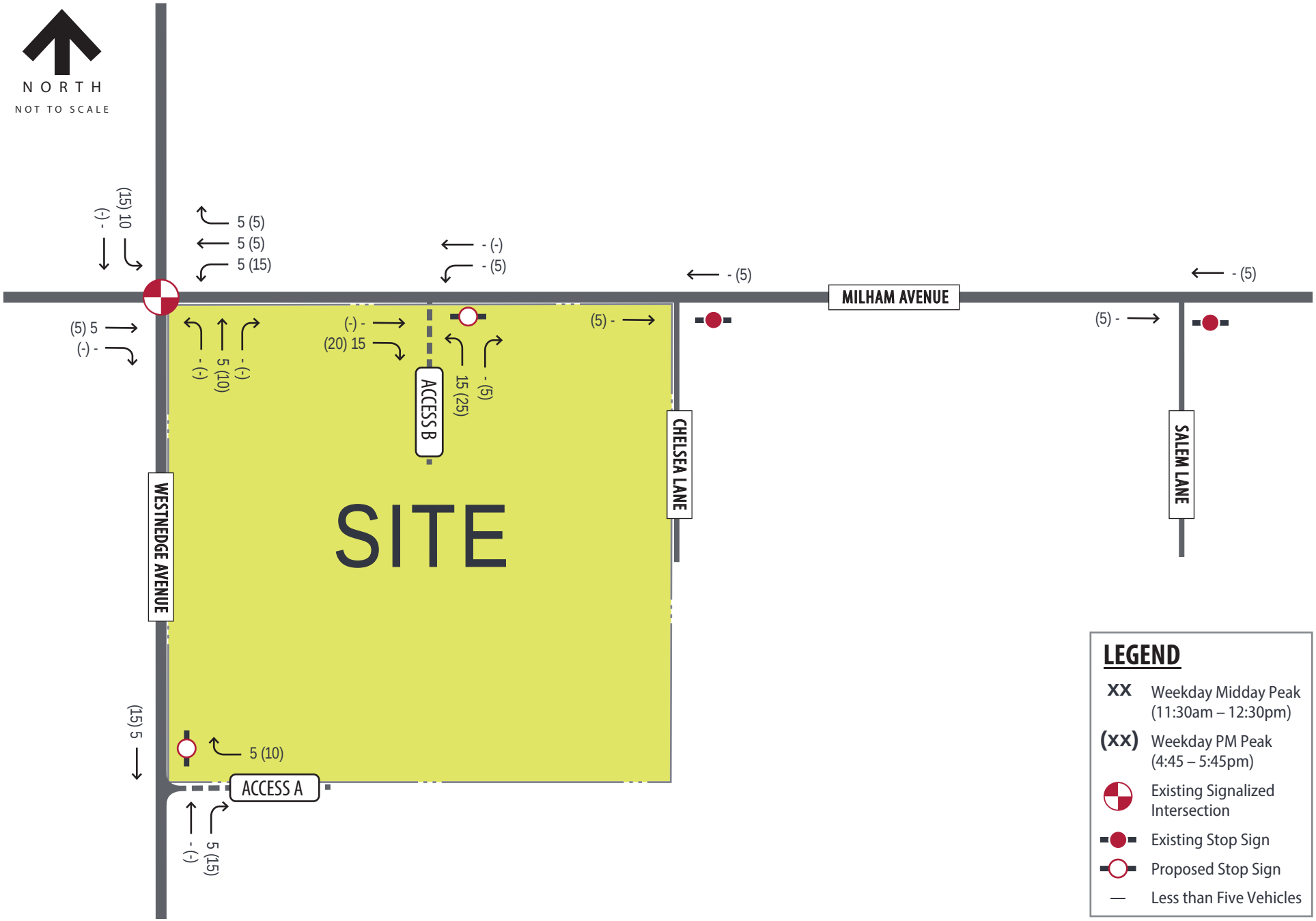

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EXHIBIT 3

SITE TRIP ASSIGNMENT - PRIMARY TRIPS

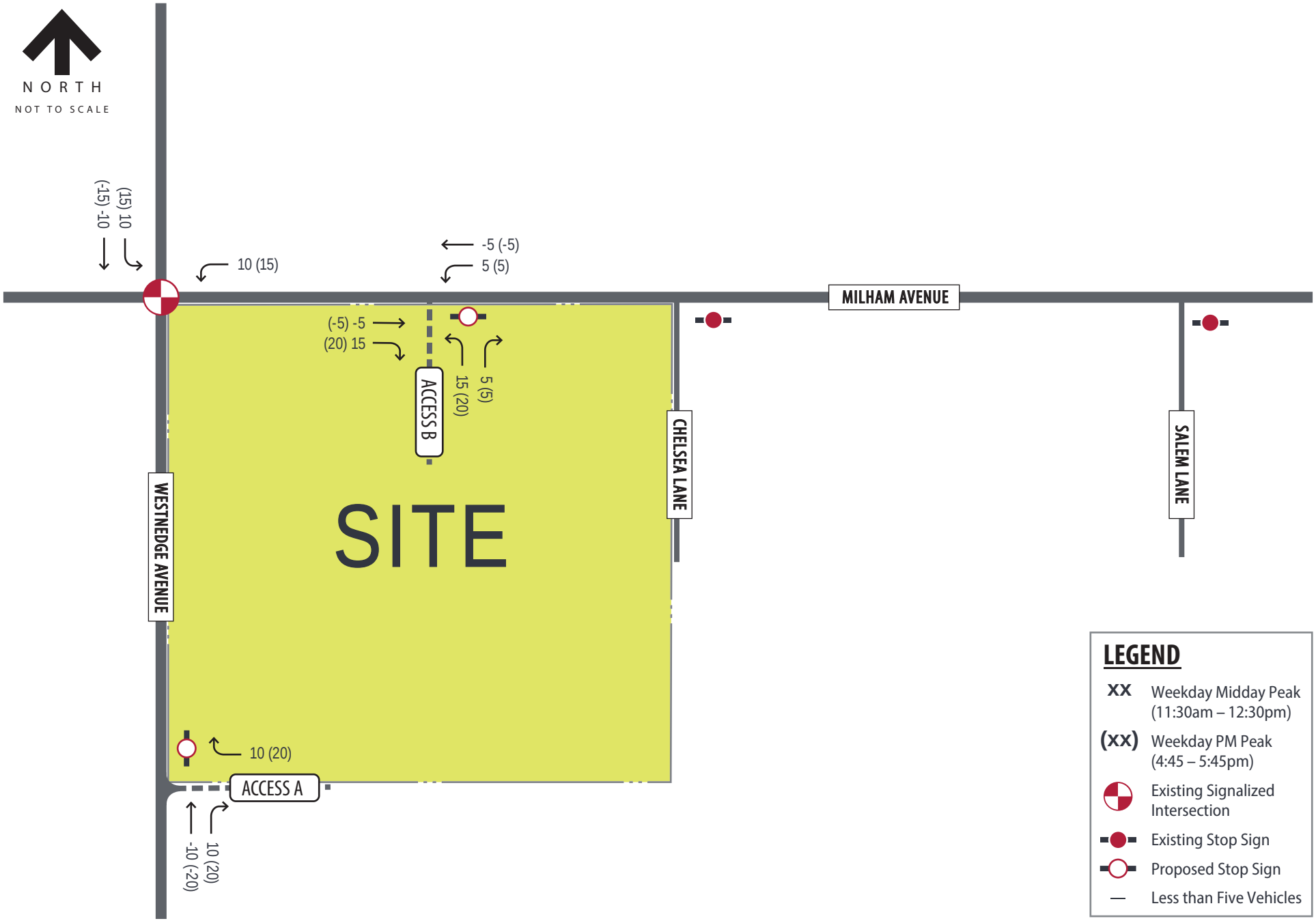

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EXHIBIT 4

SITE TRIP ASSIGNMENT - PASS-BY TRIPS

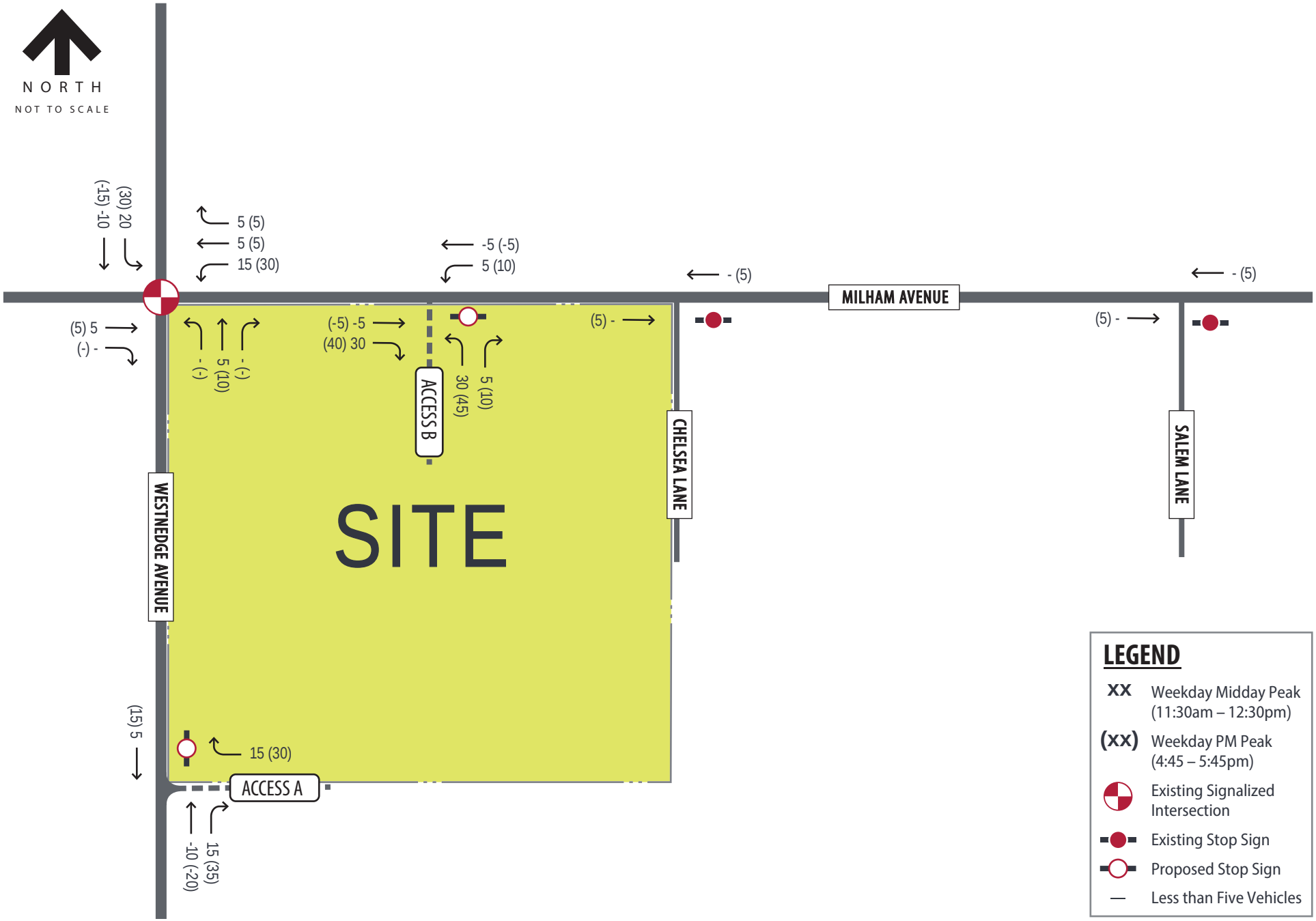

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EXHIBIT 5

SITE TRIP ASSIGNMENT - TOTAL

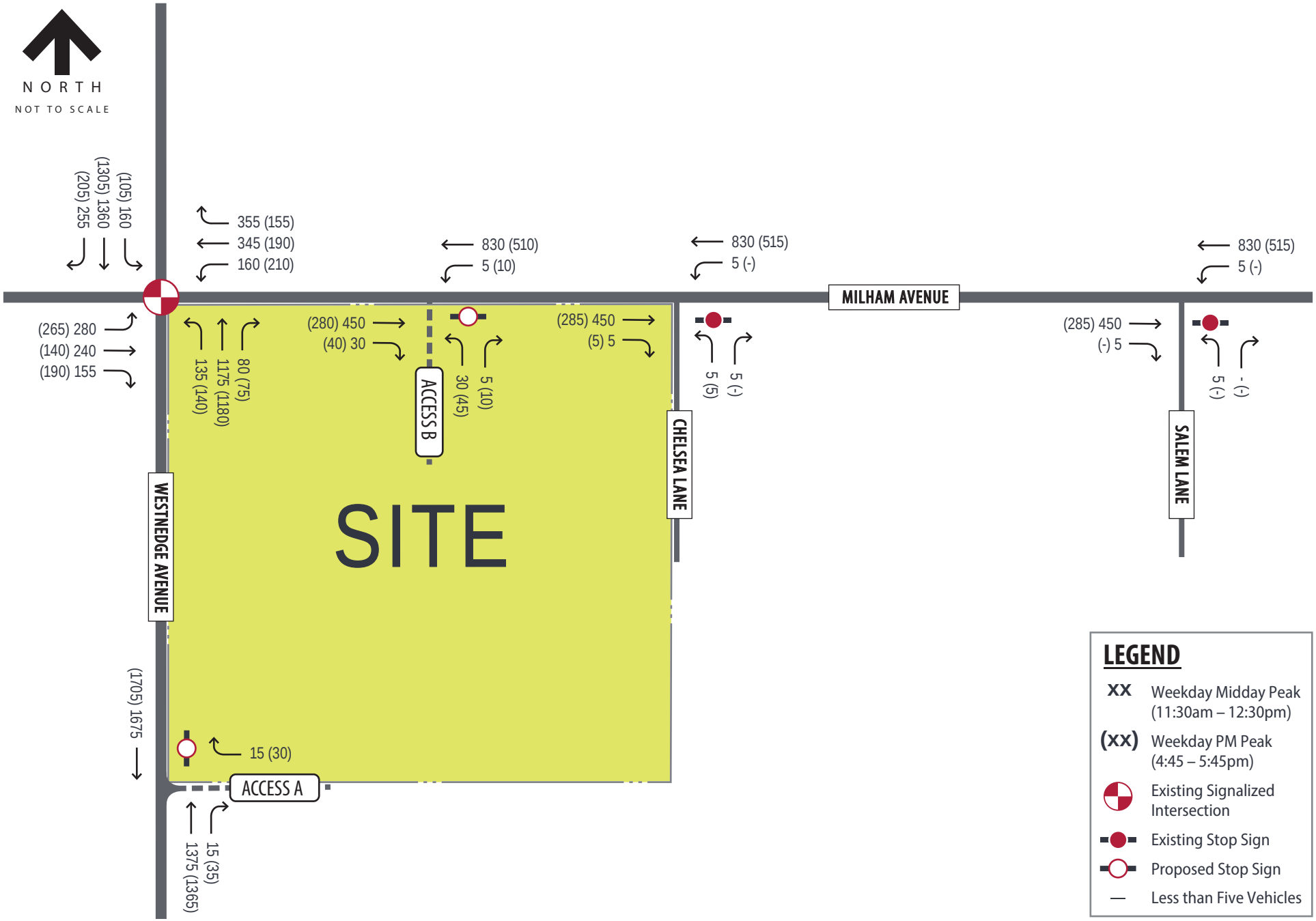

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EXHIBIT 6

BUILD (2023) TRAFFIC PROJECTIONS

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	265	135	190	180	185	150	140	1170	75	75	1320	205
Future Volume (veh/h)	265	135	190	180	185	150	140	1170	75	75	1320	205
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	273	139	196	186	191	155	144	1206	77	77	1361	211
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	330	493	370	238	399	265	169	2163	1074	98	2904	1053
Arrive On Green	0.10	0.14	0.14	0.07	0.11	0.11	0.09	0.61	0.61	0.05	0.57	0.57
Sat Flow, veh/h	3456	3554	1585	3456	3554	1585	1781	3554	1585	1781	5106	1585
Grp Volume(v), veh/h	273	139	196	186	191	155	144	1206	77	77	1361	211
Grp Sat Flow(s),veh/h/ln	1728	1777	1585	1728	1777	1585	1781	1777	1585	1781	1702	1585
Q Serve(g_s), s	10.9	4.9	15.1	7.4	7.1	12.6	11.1	28.1	2.3	6.0	21.9	7.2
Cycle Q Clear(g_c), s	10.9	4.9	15.1	7.4	7.1	12.6	11.1	28.1	2.3	6.0	21.9	7.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	330	493	370	238	399	265	169	2163	1074	98	2904	1053
V/C Ratio(X)	0.83	0.28	0.53	0.78	0.48	0.58	0.85	0.56	0.07	0.79	0.47	0.20
Avail Cap(c_a), veh/h	481	723	473	358	597	353	261	2163	1074	286	2904	1053
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	62.2	54.0	46.9	64.1	58.3	53.8	62.4	16.2	7.6	65.3	17.7	9.1
Incr Delay (d2), s/veh	7.7	0.3	1.2	6.2	0.9	2.0	14.9	1.0	0.1	12.9	0.5	0.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.1	2.2	6.1	3.5	3.2	5.2	5.7	11.4	0.8	3.1	8.6	2.5
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	69.8	54.3	48.1	70.4	59.2	55.9	77.3	17.3	7.8	78.2	18.3	9.5
LnGrp LOS	E	D	D	E	E	E	E	B	A	E	B	A
Approach Vol, veh/h		608			532			1427			1649	
Approach Delay, s/veh		59.3			62.1			22.8			20.0	
Approach LOS		E			E			C			B	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	12.2	89.7	14.2	23.9	17.8	84.1	17.9	20.2
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	22.5	56.5	14.5	28.5	20.5	58.5	19.5	23.5
Max Q Clear Time (g_c+I1), s	8.0	30.1	9.4	17.1	13.1	23.9	12.9	14.6
Green Ext Time (p_c), s	0.1	10.3	0.2	1.1	0.2	13.6	0.5	1.1

Intersection Summary	
HCM 6th Ctrl Delay	31.9
HCM 6th LOS	C

Intersection	
Int Delay, s/veh	0.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	280	5	1	510	5	1
Future Vol, veh/h	280	5	1	510	5	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	298	5	1	543	5	1

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	303	0	575	152
Stage 1	-	-	-	-	301	-
Stage 2	-	-	-	-	274	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1255	-	448	867
Stage 1	-	-	-	-	725	-
Stage 2	-	-	-	-	747	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1255	-	448	867
Mov Cap-2 Maneuver	-	-	-	-	448	-
Stage 1	-	-	-	-	725	-
Stage 2	-	-	-	-	746	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	12.5
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	487	-	-	1255	-
HCM Lane V/C Ratio	0.013	-	-	0.001	-
HCM Control Delay (s)	12.5	-	-	7.9	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0	-	-	0	-

Intersection	
Int Delay, s/veh	0

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	280	1	1	510	2	1
Future Vol, veh/h	280	1	1	510	2	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	301	1	1	548	2	1

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	302	0	578	151
Stage 1	-	-	-	-	302	-
Stage 2	-	-	-	-	276	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1256	-	446	868
Stage 1	-	-	-	-	724	-
Stage 2	-	-	-	-	746	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1256	-	446	868
Mov Cap-2 Maneuver	-	-	-	-	539	-
Stage 1	-	-	-	-	724	-
Stage 2	-	-	-	-	745	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	10.9
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	617	-	-	1256	-
HCM Lane V/C Ratio	0.005	-	-	0.001	-
HCM Control Delay (s)	10.9	-	-	7.9	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0	-	-	0	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	280	235	155	145	340	350	135	1170	80	140	1370	255
Future Volume (veh/h)	280	235	155	145	340	350	135	1170	80	140	1370	255
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	295	247	163	153	358	368	142	1232	84	147	1442	268
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	352	747	482	205	597	420	167	1795	894	173	2594	967
Arrive On Green	0.10	0.21	0.21	0.06	0.17	0.17	0.09	0.50	0.50	0.10	0.51	0.51
Sat Flow, veh/h	3456	3554	1585	3456	3554	1585	1781	3554	1585	1781	5106	1585
Grp Volume(v), veh/h	295	247	163	153	358	368	142	1232	84	147	1442	268
Grp Sat Flow(s),veh/h/ln	1728	1777	1585	1728	1777	1585	1781	1777	1585	1781	1702	1585
Q Serve(g_s), s	11.7	8.3	11.2	6.1	13.1	23.5	11.0	36.8	3.4	11.4	27.1	11.1
Cycle Q Clear(g_c), s	11.7	8.3	11.2	6.1	13.1	23.5	11.0	36.8	3.4	11.4	27.1	11.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	352	747	482	205	597	420	167	1795	894	173	2594	967
V/C Ratio(X)	0.84	0.33	0.34	0.75	0.60	0.88	0.85	0.69	0.09	0.85	0.56	0.28
Avail Cap(c_a), veh/h	481	747	482	358	597	420	261	1795	894	286	2594	967
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	61.8	46.9	37.8	64.8	53.9	49.3	62.5	26.3	14.0	62.2	23.6	12.8
Incr Delay (d2), s/veh	9.3	0.3	0.4	5.3	1.7	18.5	14.4	2.2	0.2	12.1	0.9	0.7
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.6	3.7	4.4	2.8	6.0	14.4	5.6	15.8	1.3	5.7	10.9	4.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	71.1	47.2	38.2	70.2	55.6	67.8	76.8	28.4	14.2	74.3	24.5	13.5
LnGrp LOS	E	D	D	E	E	E	E	C	B	E	C	B
Approach Vol, veh/h		705			879			1458			1857	
Approach Delay, s/veh		55.1			63.2			32.3			26.8	
Approach LOS		E			E			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	18.1	75.2	12.8	33.9	17.6	75.6	18.7	28.0
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	22.5	56.5	14.5	28.5	20.5	58.5	19.5	23.5
Max Q Clear Time (g_c+I1), s	13.4	38.8	8.1	13.2	13.0	29.1	13.7	25.5
Green Ext Time (p_c), s	0.2	8.7	0.2	1.8	0.2	14.0	0.5	0.0

Intersection Summary	
HCM 6th Ctrl Delay	39.1
HCM 6th LOS	D

Intersection	
Int Delay, s/veh	0.2

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	450	5	5	830	5	5
Future Vol, veh/h	450	5	5	830	5	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	489	5	5	902	5	5

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	494	0	953	247
Stage 1	-	-	-	-	492	-
Stage 2	-	-	-	-	461	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1066	-	257	753
Stage 1	-	-	-	-	580	-
Stage 2	-	-	-	-	601	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1066	-	256	753
Mov Cap-2 Maneuver	-	-	-	-	256	-
Stage 1	-	-	-	-	580	-
Stage 2	-	-	-	-	598	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	14.7
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	382	-	-	1066	-
HCM Lane V/C Ratio	0.028	-	-	0.005	-
HCM Control Delay (s)	14.7	-	-	8.4	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0	-

Intersection	
Int Delay, s/veh	0.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	450	5	5	830	5	2
Future Vol, veh/h	450	5	5	830	5	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	495	5	5	912	5	2

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	500	0	964	250
Stage 1	-	-	-	-	498	-
Stage 2	-	-	-	-	466	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1060	-	253	750
Stage 1	-	-	-	-	576	-
Stage 2	-	-	-	-	598	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1060	-	252	750
Mov Cap-2 Maneuver	-	-	-	-	382	-
Stage 1	-	-	-	-	576	-
Stage 2	-	-	-	-	595	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	13.3
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	444	-	-	1060	-
HCM Lane V/C Ratio	0.017	-	-	0.005	-
HCM Control Delay (s)	13.3	-	-	8.4	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	265	140	190	210	190	155	140	1180	75	105	1305	205
Future Volume (veh/h)	265	140	190	210	190	155	140	1180	75	105	1305	205
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	273	144	196	216	196	160	144	1216	77	108	1345	211
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	330	467	359	268	403	298	169	2090	1055	132	2898	1051
Arrive On Green	0.10	0.13	0.13	0.08	0.11	0.11	0.09	0.59	0.59	0.07	0.57	0.57
Sat Flow, veh/h	3456	3554	1585	3456	3554	1585	1781	3554	1585	1781	5106	1585
Grp Volume(v), veh/h	273	144	196	216	196	160	144	1216	77	108	1345	211
Grp Sat Flow(s),veh/h/ln	1728	1777	1585	1728	1777	1585	1781	1777	1585	1781	1702	1585
Q Serve(g_s), s	10.9	5.1	15.3	8.6	7.2	12.8	11.1	30.0	2.4	8.4	21.7	7.2
Cycle Q Clear(g_c), s	10.9	5.1	15.3	8.6	7.2	12.8	11.1	30.0	2.4	8.4	21.7	7.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	330	467	359	268	403	298	169	2090	1055	132	2898	1051
V/C Ratio(X)	0.83	0.31	0.55	0.81	0.49	0.54	0.85	0.58	0.07	0.82	0.46	0.20
Avail Cap(c_a), veh/h	481	723	473	358	597	384	261	2090	1055	286	2898	1051
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	62.2	55.0	47.8	63.5	58.2	51.4	62.4	18.0	8.2	63.9	17.8	9.2
Incr Delay (d2), s/veh	7.7	0.4	1.3	9.5	0.9	1.5	14.9	1.2	0.1	11.5	0.5	0.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.1	2.3	6.2	4.1	3.3	5.2	5.7	12.3	0.8	4.2	8.5	2.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	69.8	55.4	49.1	73.1	59.1	52.9	77.3	19.2	8.4	75.4	18.3	9.6
LnGrp LOS	E	E	D	E	E	D	E	B	A	E	B	A
Approach Vol, veh/h		613			572			1437			1664	
Approach Delay, s/veh		59.8			62.6			24.5			20.9	
Approach LOS		E			E			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	14.9	86.9	15.4	22.9	17.8	84.0	17.9	20.4
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	22.5	56.5	14.5	28.5	20.5	58.5	19.5	23.5
Max Q Clear Time (g_c+I1), s	10.4	32.0	10.6	17.3	13.1	23.7	12.9	14.8
Green Ext Time (p_c), s	0.2	10.1	0.2	1.1	0.2	13.5	0.5	1.1

Intersection Summary	
HCM 6th Ctrl Delay	33.2
HCM 6th LOS	C

Intersection	
Int Delay, s/veh	0.2

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	30	1365	35	0	1705
Future Vol, veh/h	0	30	1365	35	0	1705
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	33	1484	38	0	1853

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	-	761	0	0	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	6.94	-	-	-	-
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	3.32	-	-	-	-
Pot Cap-1 Maneuver	0	348	-	-	0	-
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	-	348	-	-	-	-
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	16.4	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBT
Capacity (veh/h)	-	-	348	-
HCM Lane V/C Ratio	-	-	0.094	-
HCM Control Delay (s)	-	-	16.4	-
HCM Lane LOS	-	-	C	-
HCM 95th %tile Q(veh)	-	-	0.3	-

Intersection	
Int Delay, s/veh	1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	280	40	10	510	45	10
Future Vol, veh/h	280	40	10	510	45	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	304	43	11	554	49	11

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	347	0	625	174
Stage 1	-	-	-	-	326	-
Stage 2	-	-	-	-	299	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1209	-	417	839
Stage 1	-	-	-	-	704	-
Stage 2	-	-	-	-	726	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1209	-	413	839
Mov Cap-2 Maneuver	-	-	-	-	413	-
Stage 1	-	-	-	-	704	-
Stage 2	-	-	-	-	719	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.2	14.1
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	455	-	-	1209	-
HCM Lane V/C Ratio	0.131	-	-	0.009	-
HCM Control Delay (s)	14.1	-	-	8	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.5	-	-	0	-

Intersection	
Int Delay, s/veh	0.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	285	5	1	515	5	1
Future Vol, veh/h	285	5	1	515	5	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	303	5	1	548	5	1

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	308	0	582	154
Stage 1	-	-	-	-	306	-
Stage 2	-	-	-	-	276	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1249	-	444	864
Stage 1	-	-	-	-	720	-
Stage 2	-	-	-	-	746	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1249	-	444	864
Mov Cap-2 Maneuver	-	-	-	-	537	-
Stage 1	-	-	-	-	720	-
Stage 2	-	-	-	-	745	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	11.4
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	573	-	-	1249	-
HCM Lane V/C Ratio	0.011	-	-	0.001	-
HCM Control Delay (s)	11.4	-	-	7.9	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0	-	-	0	-

Intersection	
Int Delay, s/veh	0

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	285	1	1	515	2	1
Future Vol, veh/h	285	1	1	515	2	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	306	1	1	554	2	1

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	307	0	586	154
Stage 1	-	-	-	-	307	-
Stage 2	-	-	-	-	279	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1250	-	441	864
Stage 1	-	-	-	-	719	-
Stage 2	-	-	-	-	743	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1250	-	441	864
Mov Cap-2 Maneuver	-	-	-	-	534	-
Stage 1	-	-	-	-	719	-
Stage 2	-	-	-	-	742	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	10.9
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	612	-	-	1250	-
HCM Lane V/C Ratio	0.005	-	-	0.001	-
HCM Control Delay (s)	10.9	-	-	7.9	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0	-	-	0	-

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	280	240	155	160	345	355	135	1175	80	160	1360	255
Future Volume (veh/h)	280	240	155	160	345	355	135	1175	80	160	1360	255
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	295	253	163	168	363	374	142	1237	84	168	1432	268
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	352	732	475	220	597	438	167	1752	883	194	2594	967
Arrive On Green	0.10	0.21	0.21	0.06	0.17	0.17	0.09	0.49	0.49	0.11	0.51	0.51
Sat Flow, veh/h	3456	3554	1585	3456	3554	1585	1781	3554	1585	1781	5106	1585
Grp Volume(v), veh/h	295	253	163	168	363	374	142	1237	84	168	1432	268
Grp Sat Flow(s),veh/h/ln	1728	1777	1585	1728	1777	1585	1781	1777	1585	1781	1702	1585
Q Serve(g_s), s	11.7	8.5	11.2	6.7	13.3	23.5	11.0	37.9	3.5	13.0	26.8	11.1
Cycle Q Clear(g_c), s	11.7	8.5	11.2	6.7	13.3	23.5	11.0	37.9	3.5	13.0	26.8	11.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	352	732	475	220	597	438	167	1752	883	194	2594	967
V/C Ratio(X)	0.84	0.35	0.34	0.76	0.61	0.85	0.85	0.71	0.10	0.87	0.55	0.28
Avail Cap(c_a), veh/h	481	732	475	358	597	438	261	1752	883	286	2594	967
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	61.8	47.5	38.3	64.5	54.0	48.0	62.5	27.6	14.5	61.4	23.5	12.8
Incr Delay (d2), s/veh	9.3	0.3	0.4	5.4	1.8	15.0	14.4	2.4	0.2	16.8	0.9	0.7
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.6	3.8	4.4	3.1	6.1	14.1	5.6	16.3	1.3	6.8	10.8	4.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	71.1	47.8	38.7	69.9	55.8	62.9	76.8	30.0	14.7	78.2	24.4	13.5
LnGrp LOS	E	D	D	E	E	E	E	C	B	E	C	B
Approach Vol, veh/h		711			905			1463			1868	
Approach Delay, s/veh		55.4			61.4			33.7			27.7	
Approach LOS		E			E			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	19.7	73.5	13.4	33.3	17.6	75.6	18.7	28.0
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	22.5	56.5	14.5	28.5	20.5	58.5	19.5	23.5
Max Q Clear Time (g_c+I1), s	15.0	39.9	8.7	13.2	13.0	28.8	13.7	25.5
Green Ext Time (p_c), s	0.2	8.4	0.2	1.8	0.2	14.0	0.5	0.0

Intersection Summary	
HCM 6th Ctrl Delay	39.6
HCM 6th LOS	D

Intersection	
Int Delay, s/veh	0.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	15	1375	15	0	1675
Future Vol, veh/h	0	15	1375	15	0	1675
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	16	1495	16	0	1821

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	-	756	0	0	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	6.94	-	-	-	-
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	3.32	-	-	-	-
Pot Cap-1 Maneuver	0	351	-	-	0	-
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	-	351	-	-	-	-
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	15.8	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBT
Capacity (veh/h)	-	-	351	-
HCM Lane V/C Ratio	-	-	0.046	-
HCM Control Delay (s)	-	-	15.8	-
HCM Lane LOS	-	-	C	-
HCM 95th %tile Q(veh)	-	-	0.1	-

Intersection	
Int Delay, s/veh	0.6

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	450	30	5	830	30	5
Future Vol, veh/h	450	30	5	830	30	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	489	33	5	902	33	5

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	522	0	967	261
Stage 1	-	-	-	-	506	-
Stage 2	-	-	-	-	461	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1041	-	252	738
Stage 1	-	-	-	-	571	-
Stage 2	-	-	-	-	601	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1041	-	251	738
Mov Cap-2 Maneuver	-	-	-	-	251	-
Stage 1	-	-	-	-	571	-
Stage 2	-	-	-	-	598	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	20.1
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	277	-	-	1041	-
HCM Lane V/C Ratio	0.137	-	-	0.005	-
HCM Control Delay (s)	20.1	-	-	8.5	-
HCM Lane LOS	C	-	-	A	-
HCM 95th %tile Q(veh)	0.5	-	-	0	-

Intersection	
Int Delay, s/veh	0.2

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	450	5	5	830	5	5
Future Vol, veh/h	450	5	5	830	5	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	489	5	5	902	5	5

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	494	0	953	247
Stage 1	-	-	-	-	492	-
Stage 2	-	-	-	-	461	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1066	-	257	753
Stage 1	-	-	-	-	580	-
Stage 2	-	-	-	-	601	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1066	-	256	753
Mov Cap-2 Maneuver	-	-	-	-	386	-
Stage 1	-	-	-	-	580	-
Stage 2	-	-	-	-	598	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	12.2
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	510	-	-	1066	-
HCM Lane V/C Ratio	0.021	-	-	0.005	-
HCM Control Delay (s)	12.2	-	-	8.4	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0	-

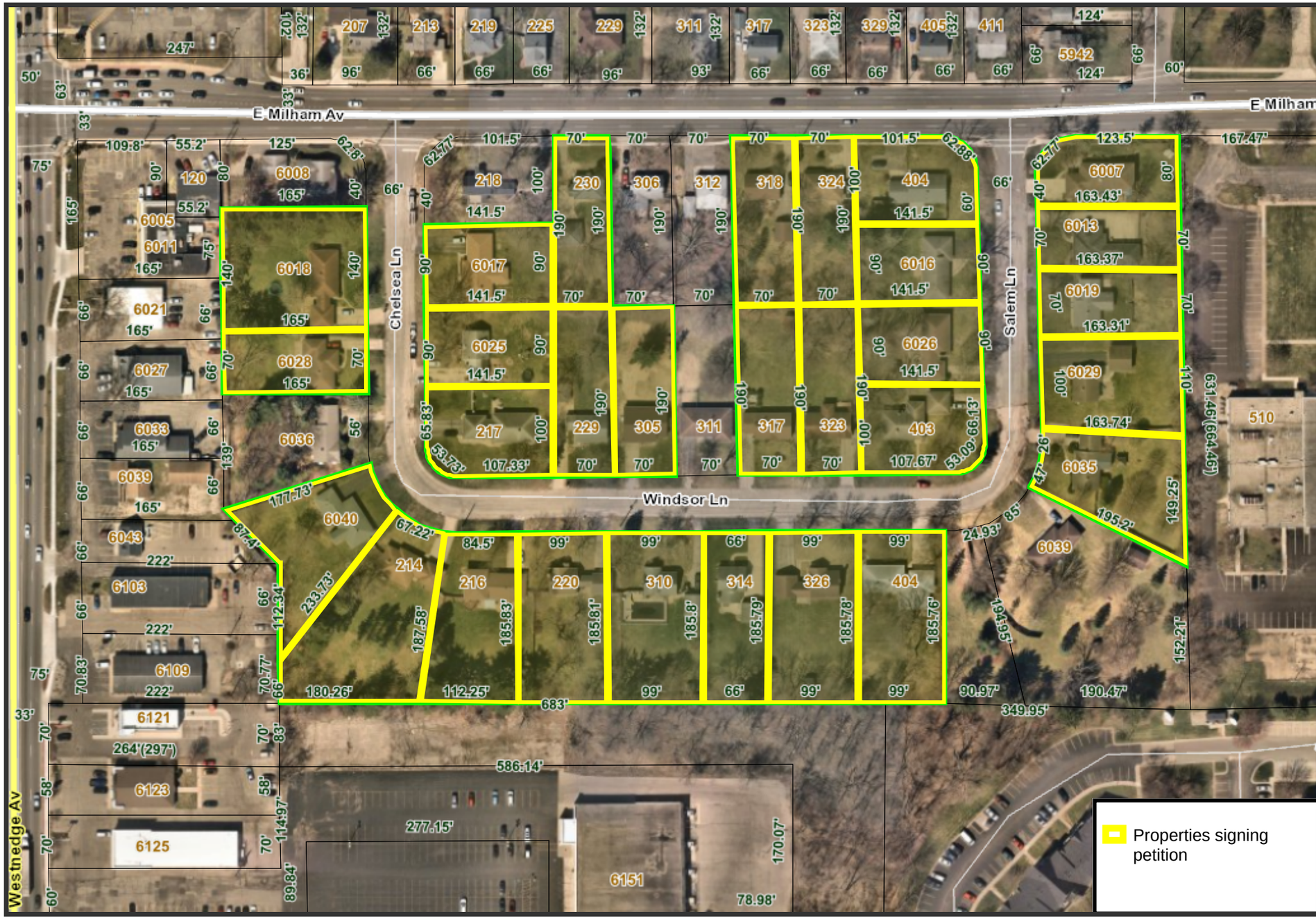
Intersection	
Int Delay, s/veh	0.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	450	5	5	830	5	2
Future Vol, veh/h	450	5	5	830	5	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	25	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	495	5	5	912	5	2

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	500	0	964	250
Stage 1	-	-	-	-	498	-
Stage 2	-	-	-	-	466	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	1060	-	253	750
Stage 1	-	-	-	-	576	-
Stage 2	-	-	-	-	598	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1060	-	252	750
Mov Cap-2 Maneuver	-	-	-	-	382	-
Stage 1	-	-	-	-	576	-
Stage 2	-	-	-	-	595	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	13.3
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	444	-	-	1060	-
HCM Lane V/C Ratio	0.017	-	-	0.005	-
HCM Control Delay (s)	13.3	-	-	8.4	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0	-



PORTAGE
A Natural Place to Move

Glenbrook Village

Residences signing petition

Map Publication:
12/01/2023 11:48 AM

40m
200ft

powered by FetchGIS

Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. City of Portage expresses no warranty for the information displayed on this map document.

404 Windsor Lane

Portage MI 49002

Eric Feldt, City Planner

City of Portage

7900 S. Westnedge Avenue

Portage MI 49002

Dear Mr. Feldt:

Thank you for accepting our petition for the residents and owners in the plat known as Glenbrook Village, City of Portage. We are strongly opposed to any change in our current single-family residential zoning status.

It has come to our attention that developers have purchased the first two homes on the west side of Chelsea with plans to demolish them to build commercial property. We strongly encourage the City to deny demolition on those homes which would destroy the historical integrity of our mid-century middle class neighborhood. It would also bring noise, air, light and traffic problems to our plat.

We appreciate your kind consideration of our request.

Cordially,

Mary Skinner

Mary Skinner

Phone 269-370-6070

August 29, 2023

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
Celia Wolthuis	314 Windsor Lane
[illegible]	317 Windsor Lane
Elizabeth M. Kim	305 WINDSOR LANE
Brenda Reeves	310 Windsor Lane.
Kristine Van Huis	326 Windsor Lane
Carolyn M. Haab	229 Windsor Lane
Casey Vogelsberg	220 Windsor ln

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
Rico Lopez	217 Windsor lane Portage MI 49002
Lisa Lopez	217 Windsor Lane Portage, MI 49002

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
Jessica States - JStates	404 Windsor Ln Portage MI 49002
Chris Neubauer - Chris Neubauer	404 Windsor Ln Portage MI 49002
Mary Skinner	404 Windsor Ln. Portage 49002

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
Vicki Kosanke	216 Windsor Ln
Dennis Kosanke	216 Windsor Ln
Kelly S Rodrigues	314 Windsor
Roberto Rodrigues	403 Windsor

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
Amy Hudson	6025 Chelsea Ln
[illegible]	6018 Chelsea Ln
[illegible]	6018 Chelsea Ln
Evelyn Dezoete	6040 Chelsea Ln.

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
Mohammed Mohammed	6017 Chelsea Ln Portage, MI 49002

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
JAKE HAYES	6013 SALEM LN. PORTAGE, MI 49002
Giulia Hayes	6013 Salem Ln. Portage, MI 49002
Lucita Francisco	6007 Salem LN. Portage, MI 49002
Stanley T. Francisco	6007 Salem Ln Portage, MI 49002
Zach Pearson	404 E Milham Ave
	318 E. Milham Portage 02
Rikilee King	230 E Milham Ave

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
Andrew Smith	323 Windsor Lane
Robert Stanley	6028 Chelsea
Dave H. Adams	6026 SALEM LN
Danece Adams	6026 Salem Ln
[illegible]	6029 SALEM LN
Jane V Ferguson	6019 Salem Ln
Lois E Kmeng	6016 Salem Ln.

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
Dannie Root	324 East Milham Ave

PETITION

We, the residents/owners of property in the plat described as GLENBROOK VILLAGE, City of Portage, County of Kalamazoo, Michigan 49002, hereby declare that we are strongly OPPOSED to any rezoning to anything other than single-family residential property.

NAME	ADDRESS
Brian Metcalfe	6035 Salem Lane

For Restrictions See Liber 531 Page 152, For Amendment to Restrictions See Liber 558 Page 259.

"GLENBROOK VILLAGE"

Section 10, T. 3 S., R. 11 W.
TOWNSHIP OF PORTAGE, COUNTY OF KALAMAZOO, MICHIGAN
WILLIAM H. WILKINS, Registered Land Surveyor
Scale, 100 feet per inch

0 50 100 200

DESCRIPTION

The land embraced in the annexed plat of "Glenbrook Village" is located in the Northwest 1/4 of Section 10, T. 3 S., R. 11 W., and is more particularly described as follows:

Beginning at the Northwest corner of Section 10, T. 3 S., R. 11 W., and running thence South 89°-51' East along the North line of said section 1333.53 feet to the Northeast corner of the West 1/2 of the Northwest 1/4 of said section, thence South 0°-03' West along the East line of the West 1/2 of the Northwest 1/4 of said section 664.46 feet to the Southeast corner of the North 1/2 of the North 1/2 of the Northwest 1/4 of said section; thence North 89°-52' West along the South line of the North 1/2 of the North 1/2 of the Northwest 1/4 of said section 1332.95 feet to the West line of said section; thence North along the West line of said section 664.84 feet to the place of beginning.

SURVEYOR'S CERTIFICATE

I hereby certify that the Plat hereon delineated is a correct one and that permanent monuments, consisting of iron pipes of not less than one-half (1/2) inches in diameter by forty-eight (48) inches in length, set in concrete bases four (4) inches in diameter and forty-eight (48) inches in depth have been placed at all points marked thus (O), as thereon shown, at all angles in the boundaries of the land platted and at all the intersections of the Lanes and Avenues, and at the intersections of the Lanes and Avenues with the boundary of the plat.

William H. Wilkins
WILLIAM H. WILKINS, *Registered Land Surveyor*

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That we, Alfred T. Newbold and Glee D. Newbold, his wife, as proprietors, and the First Federal Savings and Loan Association of Kalamazoo, a corporation organized under the laws of the United States of America, as Mortgagee, by Robert C. Dexter, its President, and Wade Van Valkenburg, its Secretary, acting pursuant to authority granted by its Board of Directors, and the American National Bank of Kalamazoo, a Corporation organized under the laws of the United States of America, as Mortgagee, by Abe DeBoer, its Vice-President and Wellington K. Brown, its Assistant Vice-President, acting pursuant to authority granted by its Board of Directors, have caused the land embraced in the annexed plat to be surveyed, laid out and platted, to be known as "Glenbrook Village," Section 10, T. 3 S., R. 11 W., Township of Portage, County of Kalamazoo, Michigan, and those portions of Westnedge Avenue (U. S. No. 131); Milham Avenue, Chelsea Lane; Windsor Lane and Salem Lane as included within the boundaries of said Plat are hereby dedicated to the public.

Signed, Sealed and Delivered (As to Alfred T. Newbold and Glee D. Newbold)
In the Presence of:
William H. Wilkins — WILLIAM H. WILKINS
Kenneth E. Wilkins — KENNETH E. WILKINS

Alfred T. Newbold (L. S.)
ALFRED T. NEWBOLD
Glee D. Newbold (L. S.)
GLEE D. NEWBOLD

Signed, Sealed and Delivered (As to First Federal Savings and Loan Association of Kalamazoo)
In the Presence of:
Kenneth E. Wilkins — KENNETH E. WILKINS
Ila S. Beals — ILA S. BEALS

First Federal Savings and Loan Association of Kalamazoo (A Federal Corporation) (L. S.)
By Robert C. Dexter (L. S.)
ROBERT C. DEXTER, *President*
And Wade Van Valkenburg (L. S.)
WADE VAN VALKENBURG, *Secretary*

Signed, Sealed and Delivered (As to the American National Bank of Kalamazoo)
In the Presence of:
Bethel H. Pell — BETHEL H. PELL
Kenneth E. Wilkins — KENNETH E. WILKINS

American National Bank of Kalamazoo
A Federal Corporation (L. S.)
By Abe DeBoer (L. S.)
ABE DeBOER, *Vice-President*
And Wellington K. Brown (L. S.)
WELLINGTON K. BROWN, *Assistant Vice-President*

STATE OF MICHIGAN
County of Kalamazoo } ss.

On this 13th day of August A. D. 1947, before me a Notary Public in and for said County, appeared Alfred T. Newbold and Glee D. Newbold, his wife, as proprietors, known by me to be the same persons who executed the above instrument and acknowledged the same to be their free act and deed; also appeared Robert C. Dexter, President, and Wade Van Valkenburg, Secretary, to me personally known who being by me duly sworn did say that they are the President and Secretary of the First Federal Savings and Loan Association of Kalamazoo, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation, as Mortgagee, by authority of its Board of Directors, and said Robert C. Dexter and Wade Van Valkenburg acknowledged said instrument to be the free act and deed of said Corporation; also appeared Abe DeBoer, Vice-President and Wellington K. Brown, Assistant Vice-President to me personally known who being by me duly sworn, did say that they are the Vice-President and Assistant Vice-President of the American National Bank of Kalamazoo, and that the seal affixed to the foregoing instrument is the corporate seal of said Corporation and that said instrument was signed and sealed in behalf of said Corporation, as Mortgagee, by authority of its Board of Directors, and said Abe DeBoer and Wellington K. Brown acknowledged said instrument to be the free act and deed of said Corporation.

Kenneth E. Wilkins
KENNETH E. WILKINS,
Notary Public, Kalamazoo County, Michigan

My Commission expires May 21, 1948, 19.....

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY ROAD COMMISSIONERS

COUNTY OF KALAMAZOO
State of Michigan } ss.

The annexed plat was examined and approved by the Kalamazoo County Board of Road Commissioners

Aug 18th, 1947.

C. L. Raseman
C. L. RASEMAN, *Chairman*
Forrest S. Weinberg
FORREST S. WEINBERG, *Member*
Ernest Jackson
ERNEST JACKSON, *Member*

APPROVED
Charles M. Ziegler
CHARLES M. ZIEGLER
STATE HIGHWAY COMMISSIONER

CERTIFICATE OF APPROVAL BY TOWNSHIP BOARD

TOWNSHIP OF PORTAGE
County of Kalamazoo } ss.
State of Michigan

The annexed plat was approved by the Township Board August 13 1947.

Claus Schuring
CLAUS SCHURING, *Township Clerk*

CERTIFICATE OF APPROVAL BY COUNTY BOARD OF EXAMINERS

COUNTY OF KALAMAZOO
State of Michigan } ss.

The annexed plat was approved by the County Board of Examiners September 4, 1947.

Flora Garrison
FLORA GARRISON, *Register of Deeds, Chairman*
Anthony Stamm
ANTHONY STAMM, *County Clerk*
Leonard Kloet
LEONARD KLOET, *County Treasurer*

CERTIFICATE AS TO STATE TRUNK LINE OR FEDERAL AIDED ROADS

We hereby certify that the annexed plat appears to include land bordering on a State Trunk Line.

Flora Garrison
FLORA GARRISON, *Register of Deeds, Chairman*
Anthony Stamm
ANTHONY STAMM, *County Clerk*
Leonard Kloet
LEONARD KLOET, *County Treasurer*

COUNTY TAX CERTIFICATE

I hereby certify that I have examined the records in my office relating to the lands in "Glenbrook Village," Section 10, T. 3 S., R. 11 W., Township of Portage, County of Kalamazoo, Michigan, dated Aug 13, 1947, and from such examination it appears that all the taxes have been fully paid for five years preceding said date, and that there are no tax liens or titles held by the state or individual for five years preceding said date.

Leonard Kloet By E. Miller Deputy
LEONARD KLOET, *County Treasurer*

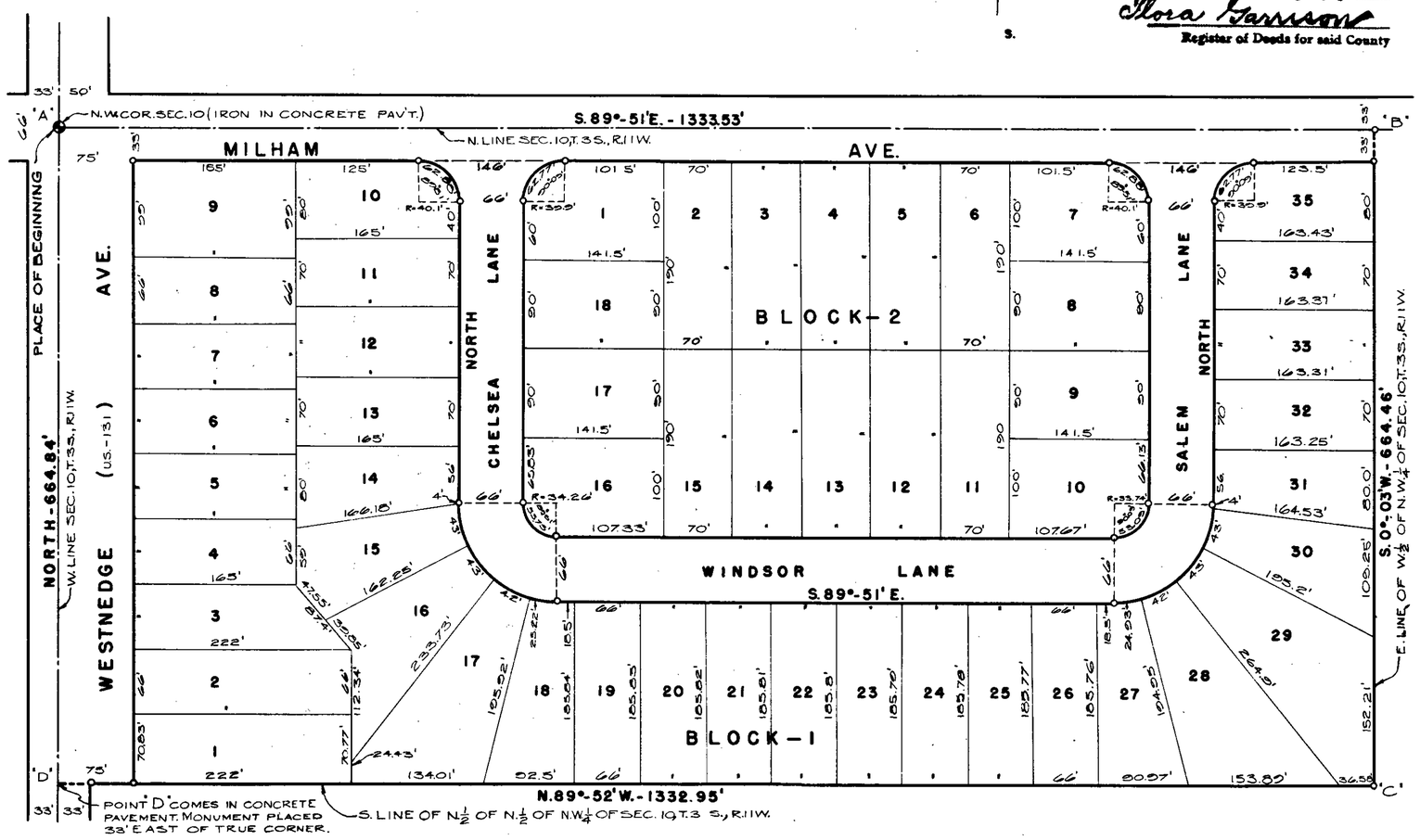
Kalamazoo, Michigan Aug 13, 1947.

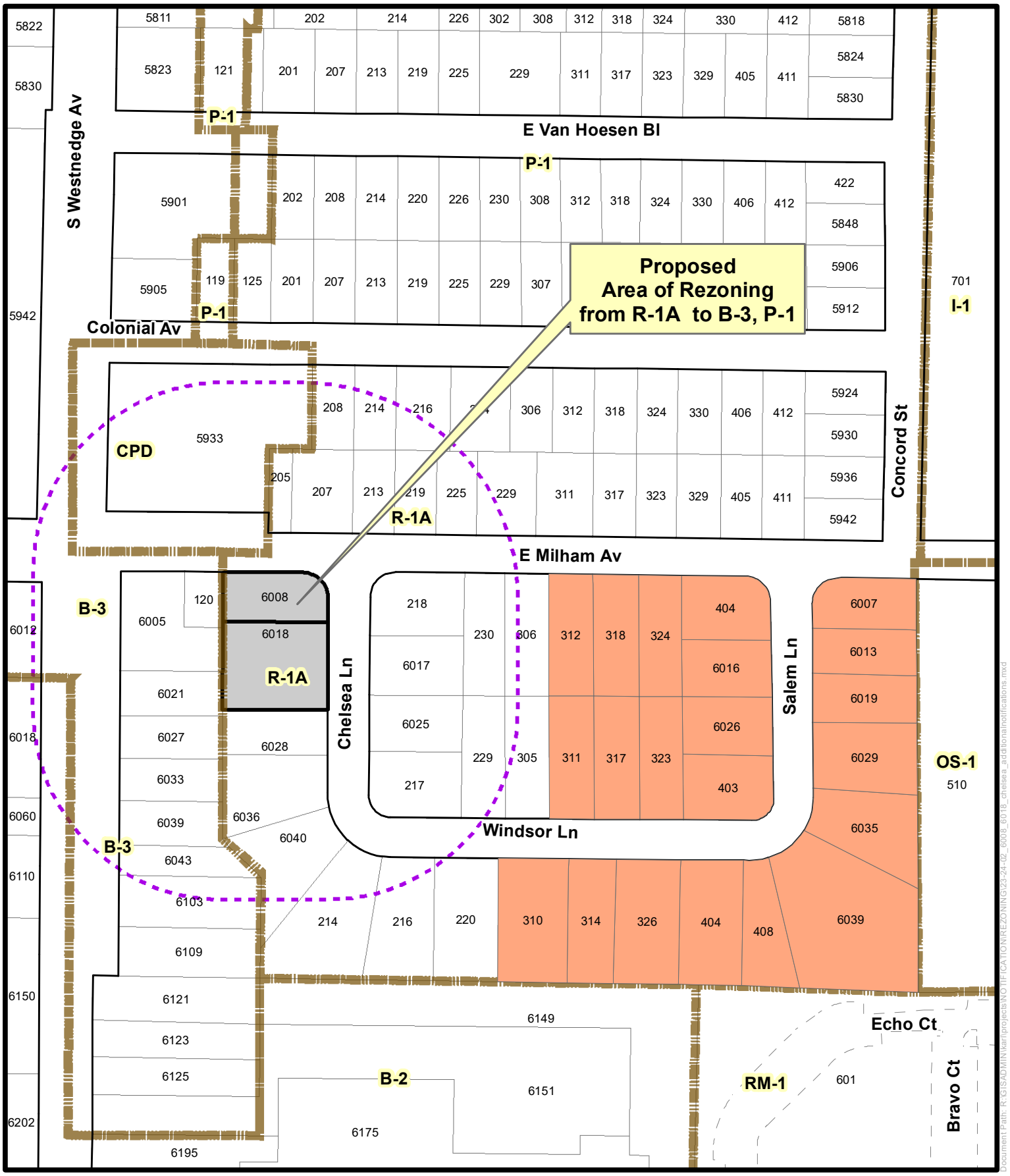
NOTE: All dimensions are in feet and decimals thereof.

Examined and Approved
Sept 19, 1947
Mayme Jewell Purdy
Mayme Jewell Purdy, Deputy Auditor General

N.
W. E.
S.

STATE OF MICHIGAN
Kalamazoo County } ss.
Received for record this 27th day of September A. D. 1947 at 2:40 o'clock P M., and Recorded in Liber 16 of Plats on page 32
Flora Garrison
Register of Deeds for said County





Additional properties being notified

Zoning Boundary

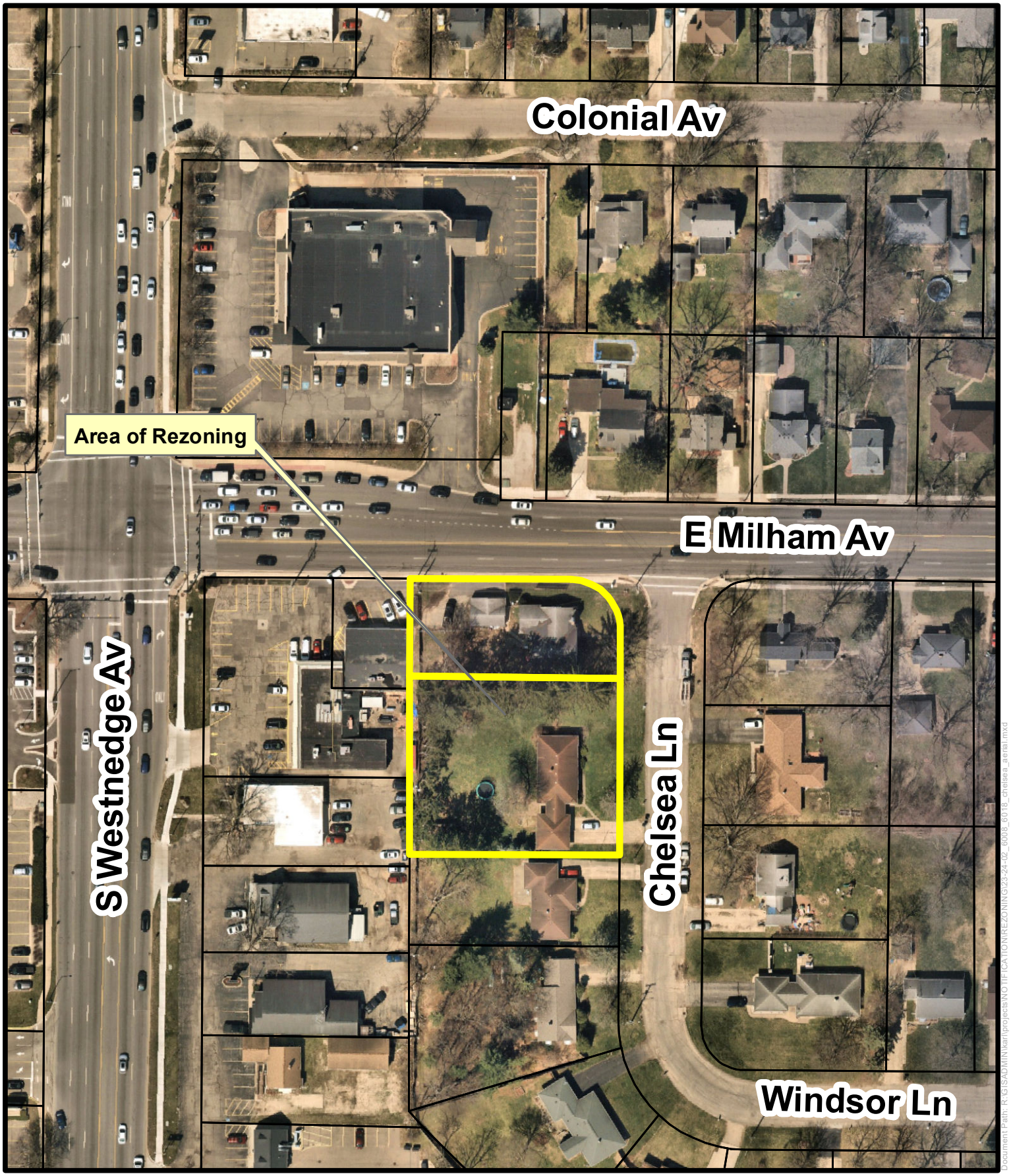
300' Notification Area

Subject Parcels

Notification Map
Rezoning: 23/24 - 2
6008, 6018 Chelsea Lane

PORTAGE
A Natural Place to Move

1 inch = 200 feet
Date: 11/29/2023



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Aerial Map
Rezoning: 22/23 - 9
6008, 6018 Chelsea Lane

PORTAGE
A Natural Place to Move

Notification_parcel

1 inch = 100 feet
Date: 11/6/2023

PORTAGE
A Natural Place to Move

Parcel Map

Map Publication:
10/11/2023 9:36 AM

40m
200ft

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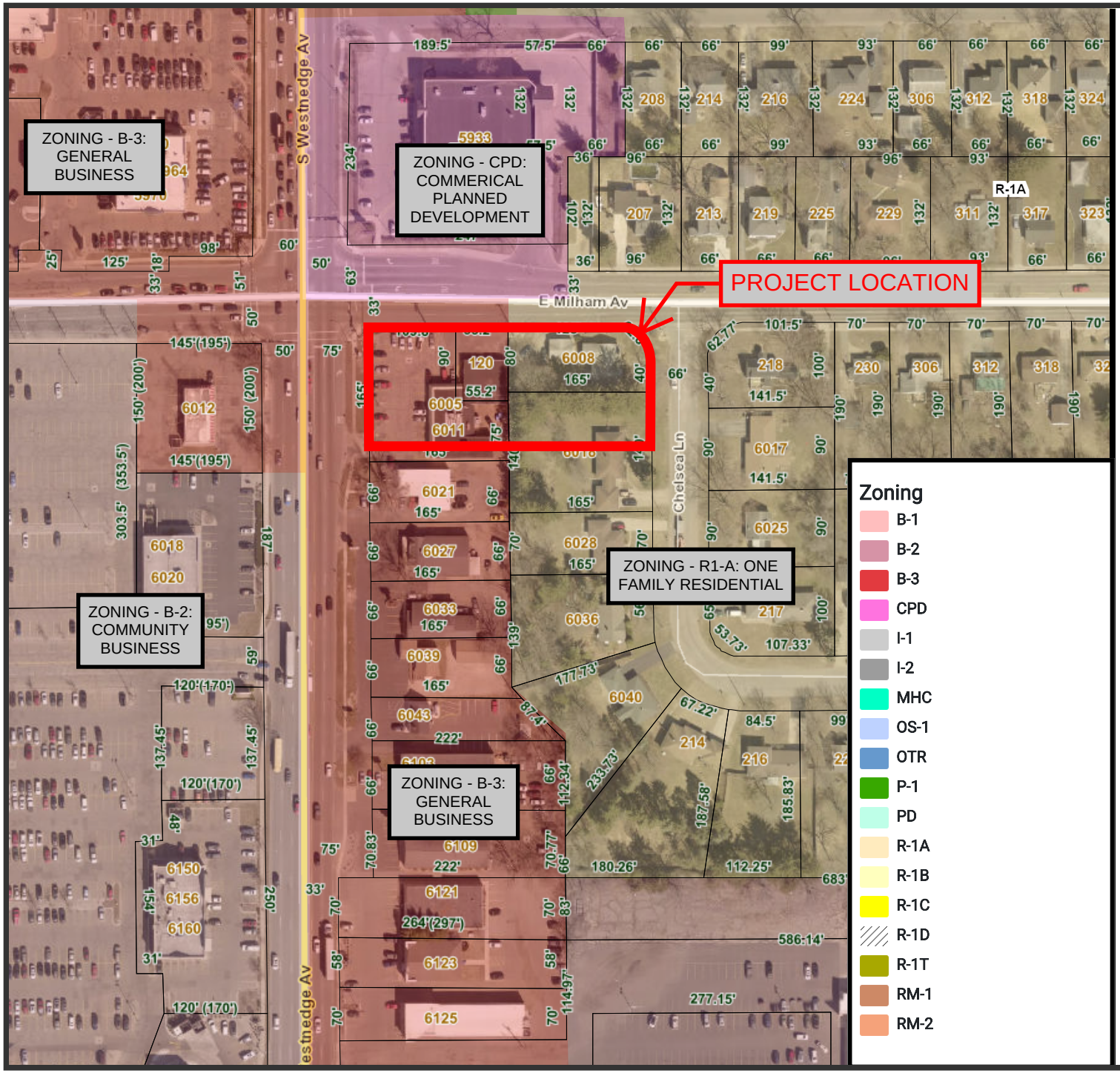

PORTAGE
A Natural Place to Move

Zoning Map

Map Publication:
10/11/2023 10:31 AM

40m
200ft

powered by FetchGIS

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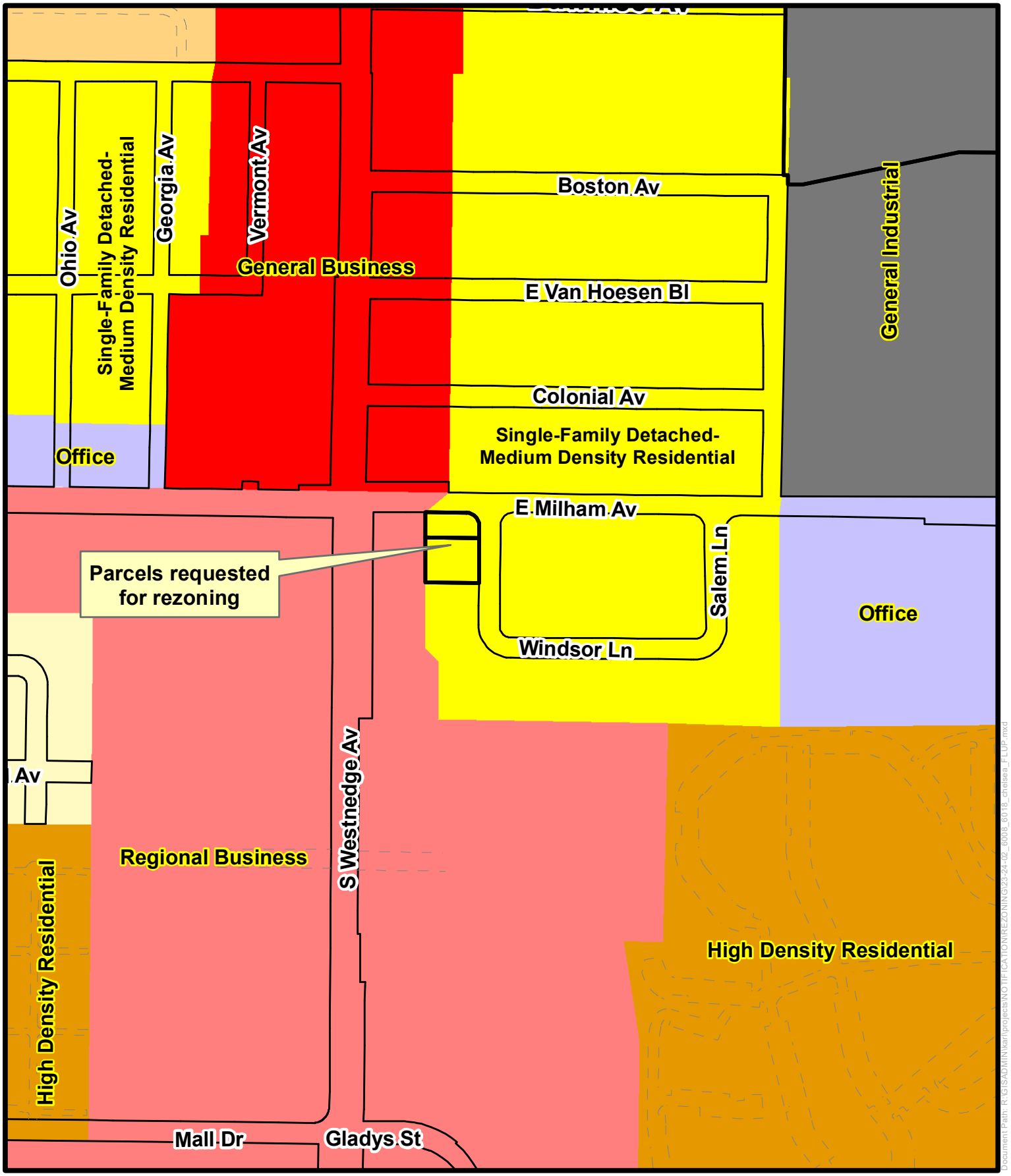


Proposed Rezoning

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

Future Land Use Map
Rezoning: 23/24 -2
6008, 6018 Chelsea Ln

PORTAGE
A Natural Place to Move

1 inch = 393 feet
Date: 11/6/2023

Staff's Site Pictures – November 27, 2023

Figure 1. Looking at SE corner of S. Westnedge Ave. and Milham Ave. (6011 S. Westnedge Ave., 120 E. Milham Ave.): Skinny Kenny's BBQ (moved), Little Caesar Pizza (closed), and Betty Bella Braids (closed).

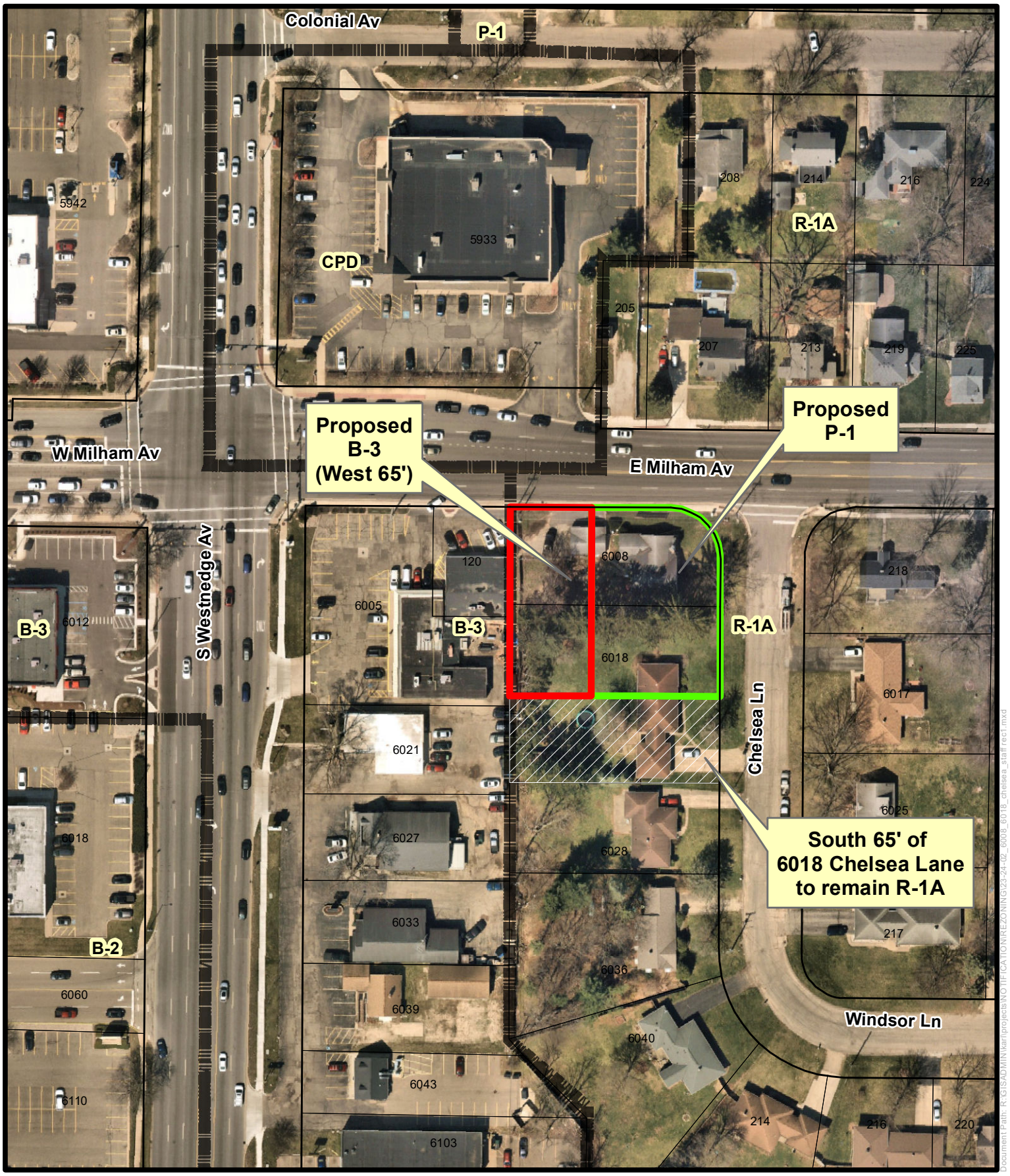
Figure 2. Looking south across E. Milham Avenue at Betty Bella Braids (white building) at 120 E. Milham Avenue.

Figure 3. Looking south across E. Milham Avenue at 6008 Chelsea Lane (subject properties) single family residence with detached garage; owned by applicant.

Figure 4. Looking at E. Milham Ave. & Chelsea Ln intersection at 6008 Chelsea Lane.

Figure 5. Looking west at yard space between 6018 Chelsea Lane (L) and 6008 Chelsea Lane (R).

Figure 6. Looking west at 6018 Chelsea Ln (brick) (subject properties) – single family house with attached 2-car garage; owned by applicant.

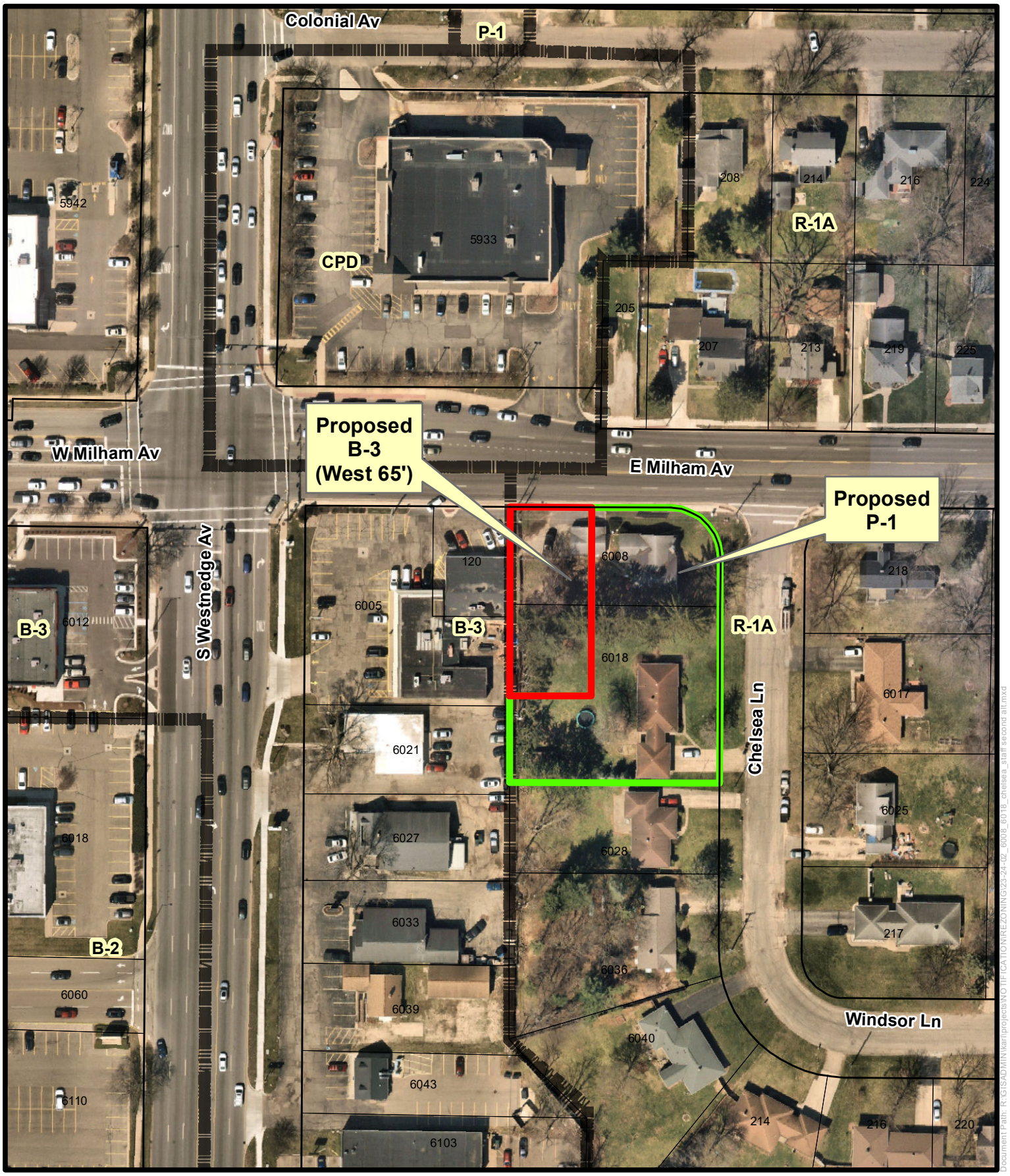


Rezone to B-3
Rezone to P-1
Remain R-1A
Existing Zoning Boundary

Staff's Primary Alternative
Rezoning: 23/24 - 2
6008, 6018 Chelsea Lane

PORTAGE
A Natural Place to Move

1 inch = 100 feet
Date: 11/28/2023



Rezone to B-3

Rezone to P-1

Existing Zoning Boundary

Staff's Secondary Alternative
Rezoning: 23/24 - 2
6008, 6018 Chelsea Lane

PORTAGE
A Natural Place to Move

1 inch = 100 feet
Date: 11/28/2023

Eric Feldt

From: dpkosanke@chartermi.net
Sent: Friday, December 1, 2023 3:10 PM
To: Eric Feldt
Subject: Rezoning: 23/24-2 6008,6018 Chelsea Lane

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.

Members of the Planning
Commission:

Vickie and I have lived at 216 Windsor Lane for approximately 31 years. We have stayed living here because though this the neighborhood is close to everything, and it has always been safe and quiet. We have raised our children, grandchildren and now great grandchildren here without and any problems even as Portage has continued to grow. Now comes The Meyer C. Weiner company buying up part of our neighborhood and turning them to rentals. Those rentals have not been maintained properly because it was intended to turn them commercial. I understand they wanting to make profits, but these profits are at the expense of our neighborhood. It will cause property values to go down. It will cause traffic concerns and safety issues. This will be caused by the Raising Cane fast food starting up there who is planning on staying open until 3am or any other business that follows. It will not be safe for children, walkers or bikers. It will be the first step in destroying our neighborhood and bring more rezoning and sell offs. The traffic increase will cause problems and safety concerns for residents to enter and leave this neighborhood. This is why we are strongly opposed to rezoning and would like to finish our retirement
here.

Thank
You
Dennis and Vickie Kosanke

Eric Feldt

From: Roberto Holguin <robertoholguin1936@gmail.com>
Sent: Monday, December 4, 2023 10:31 AM
To: Eric Feldt
Subject: Rezoning application No. 23/24-2

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.

Dear Planning Commission,

My name is Roberto Holguin and I live at 403 Windsor Ln very near to where this proposed zoning change would take place. I have enjoyed this nice, quiet location for over 20 years. I especially love to see the deer that frequent this area, often walking right through my yard.

I am adamantly opposed to changing this neighborhood to a commercial area which would disrupt the beauty and tranquility of this location. I am concerned that making the change would cause increased traffic in the area and disruption to our beautiful area. Likely driving away the wildlife and even reducing our property value.

I love the neighborhood as it is, not as a commercial center. No restaurant or parking wanted here!

Please, give consideration to the local residents rather than to commercial interests.

Respectfully,

Roberto Holguin

Eric Feldt

From: Andrew Smith <smittygoblue40@yahoo.com>
Sent: Wednesday, December 6, 2023 3:23 PM
To: Eric Feldt
Subject: Rezoning Request

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.

To whom it may concern,

My name is Andy Smith. I am a property owner and resident at 323 Windsor Lane. I am strongly opposed to the proposed rezoning request for a future restaurant in the neighborhood.

There are many reasons I am opposed to this rezoning request. A few of these reasons include: the increased traffic that will likely occur on Chelsea, Windsor, and Salem. Increased traffic leads to an increase of noise in the neighborhood. It will also lead to the increased chance of car accidents whether with another car or a pedestrian. It also increases the likelihood of litter in the neighborhood from the extra traffic. Some examples of this litter would be cigarette butts, fast food wrappers/containers, and plastic cups.

Concerning the restaurant itself, it's my understanding this will be a drive thru restaurant open late at night. Restaurants open late at night attract intoxicated customers resulting in more safety and noise concerns. Not to mention the added noise of a loud speaker to order food through the drive thru. Litter in fast food parking lots is also quite common creating an eye sore in the neighborhood.

A final concern where does this end? Are other homes attempted to be purchased in the neighborhood and expanded rezoning requests in the future from this company? If this rezoning request is approved the home values of this neighborhood will decrease! This nice and quiet neighborhood does not need a restaurant/parking lot ruining it!

Sincerely,
Andy Smith
Sent from my iPhone

Eric Feldt

From:	paulgoldenbeld@aol.com
Sent:	Thursday, December 7, 2023 5:01 PM
To:	Eric Feldt
Subject:	Rezoning application no 23/24-2

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER
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To: City of Portage

Dept of Community Development

7900 S. Westnedge Avenue

Portage ,MI 49002

Attn: Mr. Eric Feldt, Senior City Planner

Planning Commission Members

Subject: Rezoning application no 23/24-2

6008, 6018 Chelsea Lane

From: Paul A. Goldenbeld (wife Astrid and daughter Vivian)

Property owner and resident of: - 207 E. Milham Ave

- 219 E. Milham Ave

Dear Mr Feldt,

After studying the proposed rezoning plan and related public documentation, I want to express my concern about this plan, and even more so, my objection to the type of business that is considered to occupy the rezoned area.

Introduction

My wife and I moved in 2017 from Oshtemo to Portage. We, both approaching now 70 yrs. and retired, wanted to live closer to town and have easy access to businesses that we value at our age (Pharmacy, Doctor, Vision, Dental, Urgent care, Groceries, occasionally Restaurant and public transportation).We like the area; zoned as residential, it is safe and remarkably quiet (outside rush hr.), walkable, green (with large mature trees) and great neighbors/residents

Requested issues to be taken in consideration

(Note: 207 E.Milham faces directly the proposed rezoning area, and 219 from the S. East)

Traffic

- An exit/entrance to this drive-thru from an exit lane (S.Westnedge to E Milham) can easily create a traffic back-up problem. Exiting the property to go north from the exit lane to the strait north or west lane might even be impossible. Recent examples are well known: *Chick-A- File (back-up on Westnedge & parking, Panda Express back-up on Westnedge*

- A secondary exit on E.Milham, as pictured in the proposed plan, is similarly of concern. E. Milham at that point is a seven (7) lane street, with heavy traffic backed up at the traffic light. Going west on E.Milham (and turn right at the light on Westnedge might be very difficult.
  (Note: E. Milham traffic has considerably increased in the last 5 years)

Environmental

- Noise: The proposed drive-thru will add car noise, communication noise (orders), Industrial kitchen fans and AC noise. Delivery/garbage truck noise

- Lights(1): Street/parking lights, decorative and sign lights on the structure/premises

- Lights(2): The head lights of the cars of the customers visiting the drive through will shine straight in the living/bed rooms windows of the residences in close proximity. With most these restaurants open till late at night, this a serious concern.

- Pollution: While many drive thru restaurants try to keep their parking and surrounding area clean, not all customers have the same idea. With the help and the wind/rain these businesses always will cause more litter

  The nature of a drive thru is that people stay in their "running" car for the entrance/order/payment/delivery/exit process, which can take on average 10-12 minutes. (sometimes even staying in a running car to consume their purchase). All together these cars might produce more CO_2 than 4 cars running stationary 24/7 year around.

- Odor: No matter what, Restaurants produce a smell that might be nice for a short time but not every day. Depending on the wind direction this could be bothersome to the residents in close proximity. *(Note)A good example is the strong odor produced by Skinny Kenny BBQ Restaurant at the Westnedge side of the proposed development*

Safety:

- Parking lots of fast food and drive thru restaurants seem to be the preferred hangout places, providing young adults opportunities to share their tuned/modified motorcycles and cars in addition to general meetings (?), illegal overnight stays, and as a buy/sell location. *(Note) Again a good example is the north-east corner of the Burger King parking lot on Westnedge, as well as the back (drive thru lot) of Walgreen. The proximity to the Motel/Lodging acility in the SW corner of I-94 and Westnedge is also of concern.*

Esthetics:

- Many residents of this neighborhood have lived here for decades and want to keep the integrity of the residential zoning in place. Many also believe that this is a first step into further developing the neighborhood and E&W Milham into a commercial corridor.

- Looking from your home to a wall, parking lot, cars in a drive thru restaurant, or, in comparison, the nice green yards, trees, flowers of a neighbor is very different

Conclusion

My properties

- The effect on my properties will be substantial

- Traffic, Nightly lights, Safety issues, and environmental factors will have a significant impact on the value of 207 E.Milham and 219 E.Milham

- (207 E. Milham facing directly the rezoning area) Getting out of my driveway is already a suicide mission, increased traffic, parking and commercial enterprise developments will only exacerbate that situation. Many (older) friends, but also children and grandchildren, are reluctant to stop by given the driveway access/exit to E. Milham (I have asked the city many times for a sign "DON'T BLOCK THE DRIVEWAY" for the residents close to the traffic light)- 207 will not appeal to any prospector buyer or maybe at 50% of its current value.

Neighborhood:

- It will change substantially the characteristics of the "safe, quiet, green" neighborhood

- We all understand the commercial interest of MC Weiner to develop the land on the corner of Westnedge and Milham. However, if 95% of the effected residents are objecting the current plans, the City of Portage should seriously consider their complaints and reconsider the current plan.

- The properties closest to the rezoning area will be hit with a serious reduction of the value of their home and quality of living experience. It is not fair for the residents who have paid multiple years into the mortgage on their property and wipe that out to the benefit of MC Weiner and Raising Cane Restaurant. Justice is not served by embracing the plan of two businesses against 30 concerned residents.

- **Long term planning**

- Many cities in the US but also around the world have included in their planning adequate parking at the periphery areas in order to reduce car congestion. Upgrading heavy traffic areas with additional bike lanes and pedestrian access, considering a reliable city bus/transport system. We have to think (and make decision accordingly) on where we want to be as a city in 20-30 yrs. from now. What legacy do we leave for the next generation. More drive thru, more cars, more fast food, or greener walkable, recreative areas (*Note: We have a wonderful park at E.Milham, just wish I could walk/bike there*)

- The cities logo is: PORTAGE "a Natural Place to Move" Lets honor that logo, it doesn't say PORTAGE "Great to Move your Business" or "Business Above All "let's make it PORTAGE "Great for Business....Great to Live, and keep a good balance between the two. Together we can make fantastic Portage even better.

Sincerely,
Paul A. Goldenbeld

Eric Feldt

From: Kevin K. Strand <STRANDK@bronsonhg.org>
Sent: Saturday, December 9, 2023 4:58 AM
To: Eric Feldt
Cc: kidzpca@msn.com
Subject: Rezoning no. 23/24-2 6008 and 6018 Chelsea Lane

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER
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I watched the meeting from December 7th and now that I have a clear picture as to what is actually planned. Yes, I signed the petition that was going around by my neighbors but have since changed my mind. As to the rezoning of the above properties located at 6008 and 6018 Chelsea Lane I would like to say. I have no objection to rezoning and redevelopment of the corner. The corner as it is a great safety concern if allowed to continue to stay as is. A Raising Cane's is an appropriate fit for the area. As To crime brought up by my neighbors, I am more concerned about crime brought to the area by Hoffmans Liquor than a Chicken fast food restaurant. My concern as this occurs is that the development actually improve the entrance/exit along South Westnedge and East Milham as it is extremely unsafe as it is now being a high traffic area both by vehicular traffic and pedestrians alike. Also that an appropriate barrier along Chelsea so that the street stays safe and retains privacy and potential noise traffic for the nearby residents.

I know redevelopment of the forementioned property has been in discussion for at least 26 years that I have lived in the neighborhood. Currently the homes are not in the best of shape and devalue the area more than if Raising Cane's is built there. Regardless of other residents the improvement is overdue and needs to be done. Also please be aware that someone in the neighborhood is currently trying to make the area a historic neighborhood. They think that this will stop the redevelopment. I feel regardless the redevelopment is in dire need and inevitable. I believe my neighbors are also fearful of losing their homes or being devalued with less than fair market value for the homes they reside.

Thank you for your time and due diligence to this ongoing matter.

Kevin Strand
317 Windsor Lane
Portage, MI 49002
(269) 929-7788
kidzpca@msn.com

If this is a multiple copy sent to you my computer at work by default dropped the L in the email address. Sorry about that.

This message may contain confidential information protected by law through attorney-client privilege or professional peer review/quality evaluation privilege. It is intended only for the individual or entity named above. It is prohibited for anyone else to disclose copy, distribute, or use the contents of this message. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. You may also contact the Bronson Healthcare

Group Privacy Officer at privacyofficer@bronsonhg.org

December 15, 2023

To Whom it May Concern,

I am writing to express my strong opposition to the proposed rezoning at the northwest quadrant of Chelsea Lane and Milham, Parcel numbers 0274-010-O and 02740-011-O. To my knowledge, other than the non-resident, corporate property owner, all of the residents of the Glenbrook Village neighborhood are completely opposed to any commercial rezoning.

Glenbrook Village is a little oasis that provides the convenience of living close to the abundance of retail and restaurant options Portage has to offer while providing the illusion of living in a rural small town. Even without the formality of a Historic District status, the community maintains the same cohesive look and feel as it had when it was originally built.

The proposal to rezone two properties in our community to make way for a restaurant and parking lot (or any other business that intrudes upon our plat) will spoil that illusion, increase traffic through the neighborhood, increase light and noise pollution and in every way have a negative impact on the property values, both real and perceived, of the many taxpayers that purchased homes in this community. I personally don't see any reason the city should permit a single entity to profit on the property value losses of others.

Traffic and the safety of pedestrians are major areas of concern. As has been evidenced by the continued back-ups at the Chick-fil-A and the horrendous traffic jams when the Panda Express was put in, there is no question that traffic will be an issue.

Per the proposal I understand traffic would only be able to exit the property onto Milham Ave. It is already nearly impossible to turn west onto Milham Ave during 'rush hour', which causes most residents within Glenbrook to utilize Salem Lane. The expected increase in traffic will most certainly cause people unable to turn west onto Milham to instead utilize our little community as a turnabout, drastically increasing traffic and litter throughout the neighborhood.

If the properties are rezoned and commercial businesses are allowed to encroach into our neighborhood, the amount of noise and light pollution is will increase drastically. Noise from both an increase of vehicles as well as any drive-through speakers squawking late into the night will contribute to diminish property values as well as quality of life for the area residents. That's not even considering the likely increase of odors and vermin I anticipate would permeate the area if a restaurant is built.

There are quite a number of empty commercial properties within Portage, so there is no reason to convert residential properties due to the lack of other options. On the flip side, there is currently a shortage of residential homes available for sale or rent. It seems quite illogical to arbitrarily reduce that inventory further.

There is nothing about rezoning these two properties that would even remotely be considered a positive outcome for the surrounding neighbors, who purchased their homes in a residential neighborhood with the expectation that the surrounding property would remain residential.

I realize this letter is too late for the Dec 7th Planning Commission meeting. I hope it is in time to be considered in any future meetings regarding the rezoning request. I strongly urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our community.

Best regards,

Brenda Snyder
310 Windsor Ln
260-330-9886

CITY OF PORTAGE PLANNING COMMISSION

Thursday, December 07, 2023
7:00 PM Portage
Portage City Hall Council Chamber

The City of Portage Planning Commission meeting of December 07, 2023, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

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

ROLL CALL

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

8 - Present.

APPROVAL OF MINUTES

1. Minutes dated November 16, 2023.

Motion by Commissioner Pezzoli, seconded by Commissioner Fries to approve the November 16, 2023, meeting minutes, as submitted. Motion carried 8-0.

PUBLIC HEARINGS

1. Rezoning application No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One Family Residential to B-3 General Business District and P-1 Vehicular Parking to facilitate a future commercial development.

Chair Corradini introduced the project.

Mr. Feldt provided a PowerPoint presentation addressing the applicant's proposed rezone, describing the overall neighborhood, showed various pictures of the site and neighborhood, showed the existing zoning map, described the 2014 Comprehensive Plan Future Land Use Map classification of the neighborhood, and presented staff analysis. He indicated that staff supports rezoning 6008 Chelsea Lane, but not rezoning the entire area of 6018 Chelsea Lane due to inconsistency with the Comprehensive Plan and possible resulting negative impacts to existing residences. Mr. Feldt also presented staff primary recommendation and a secondary alternative, for the Commission's consideration that would be more consistent with the Comprehensive Plan and lessen impacts to residences than the original rezone request. Mr. Feldt stated that staff received several letters of public comments and a neighborhood petition opposing the applicant's rezone. He summarized their concerns including various possible negative impacts to the neighborhood such as increased commercial impact from noise and headlights, traffic and a decrease in property value and neighborhood aesthetics. Mr. Feldt's presentation concluded with listing three rezone options for the Commission's consideration: 1) applicant's rezone proposal, 2) staff's primary rezone alternative, and 3) a secondary rezone alternative.

The Commission asked various questions to Mr. Feldt including other possible rezone alternatives, impacts to public safety, impacts to property value, other similar rezone and redevelopments along

adjacent streets, commercial parking abutting residences, buffering between future commercial and existing residences, and buildable area from staff's secondary rezone alternative.

Mr. Feldt's responses are summarized as follows:
He indicated that no additional rezone alternatives were discussed in detail by staff beyond the alternatives presented. Public safety will not decrease with the rezone proposal because future development proposals for the site will be reviewed to ensure consistency with the City's general access management, traffic and parking requirements, parking lot lighting for greater visibility, and required buffers to adjacent residences. The City of Portage Police Department will continue to provide policing operations. If the rezone is approved and a development is proposed, future landscaping will be required along the streets. Under the P-1 standards, a future parking lot shall have 25' feet setback and buffered from abutting any residences. All parking and building size and location requirements shall comply with the B-3 and P-1 standards. The resulting open space in staff's primary alternative would result in a buildable R-1A lot.

Chair Corradini asked for the applicant to present.

Joshua Weiner, applicant (same as owner), CEO of MC Weiner Company and manager of Westnedge Milham LLC. was joined by his team and consultants (Cavalier Development) of Raising Cane's Chicken Fingers restaurant. He stated that his team has been working on finding a new tenant to help redevelop the subject residential lots and his adjacent commercial properties at the intersection which have been deteriorating. Mr. Weiner stated that the rezone would allow a concept Raising Cane's project at the subject lots and adjacent commercial corner lots. It will improve traffic circulation, aesthetics of the very busy and prominent intersection. He stated that his team had proactively provided a traffic study for this concept project which did not indicate any resulting negative impact and would not result in vehicles turning into the Chelsea Lane neighborhood. Also, his team held a neighborhood meeting to inform the adjacent owners of the proposed rezone and concept project. Mr. Weiner indicated that his team supports the secondary alternative rezone as it facilitates future redevelopment of the southern adjacent commercial lots. In addition, he indicated that if the rezone is approved, his team would provide a future neighborhood meeting to inform the owners of the details of the site plan for Raising Cane's restaurant project.

Commissioners asked the applicant questions.

Pezzoli, Joshi, and Fries confirmed that the applicant supports the secondary rezone alternative. The applicant indicated yes.

Adams asked about parking requirement for the future Raising Cane's restaurant.
Mr. Wiener indicated that the future site plan would be designed with the right amount of parking and incorporate green space and setback space.

Rick Williamson, 2626 Coal Ave. No. 356 Dallas, TX, with Cavalier Development as a project developer and consultant to Raising Canes Chicken Fingers restaurant. He explained Raising Canes business's history, locations in Michigan, and then described the concept proposal submitted with the proposed rezone. He supports the proposed split zoning of the B-3 and P-1 districts because it facilitates the concept development.

Commissioner Joshi asked Mr. Williamson about noise pollution impacting adjacent residences from the concept restaurant.

Mr. Williamson indicated that the drive-thru speakers can be set at a lower volume, and generally he stated that other Raising Canes operate adjacent to residences without noise issues.

Chair Corradini opened the Public Hearing.

1. Paul Goldenbeld; 207, 219 E. Milham Avenue. He opposed the project based on the following perceived concerns: impacts from future car lights, noise from future cars in drive-thru, lights from future business and signage, pollution from carbon dioxide from future cars, possible increase in crime, possible negative impacts to the neighborhood's aesthetics, and possible decrease in property value.

2. Dennis Kosenke, 216 Windsor Lane. He opposed the project based on the following perceived concerns: possible decrease in property value and taxes, possible resulting of residences leaving the neighborhood due to commercial encroachment, and possible negative impact to the overall neighborhood.

Commissioner Fries motioned, supported by Joshi to close the public hearing. Motion carried 8-0.

Commissioner Adams expressed concerns about the high amount of parking shown in the conceptual development plan.

Commissioner Fries indicated support for the proposed rezone to facilitate future redevelopment, increase walkability, and provide an overall community benefit.

Secretary Freiman stated his support of the rezoning and was glad to hear that the applicant would provide a subsequent neighborhood meeting.

Commissioner Joshi indicated support of the rezone. In response to a public hearing comment, she stated that her vote was not finalized prior to the meeting. Reading the public comments and listening to the public hearing was considered in her vote.

Chair Corradini stated that the Planning Commission's action is only a recommendation to City Council where additional public hearing will be provided. He indicated his support for the rezone.

Commissioner Adams confirmed that the proposed rezone results in taking a residential lot fully enclosed within a residential neighborhood for a future parking lot.

Commissioner Fries motioned, supported by Commissioner Pezzoli to recommend rezoning No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One Family Residential to B-3 General Business district and P-1 Vehicular; and P-1 for the southern 65 feet portion of 6018 Chelsea Lane to facilitate future commercial development. Chair Corradini asked for vote: Chairman Corradini (yes); Vice Chair Baldwin (yes); Secretary Freiman (yes); Joshi (yes); Pezzoli (yes); Fries (yes); Youngs (no); Adams (no).
Motion carried 6-2.

SITE/FINAL PLANS
None.

OLD BUSINESS
None.

STATEMENT OF CITIZENS

None.

NEW BUSINESS
None.

STATEMENT OF COMMISSIONERS/ STAFF

Mr. Feldt informed the Commission that the upcoming Planning Commission meeting on December 21st has been cancelled.

He also stated that Commissioner Kasper has resigned from the Planning Commission for work/ life balance needs.

And lastly Mr. Feldt stated that the Council approved the Accessory Dwelling Unit ordinance on Tuesday, December 5th which will become effective later in December.

Commissioner Youngs indicated that he will be absent for January 4th and 18th, and February 1st Planning Commission meetings.

ADJOURNMENT

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Eric Feldt, AICP, CFM
Senior City Planner

PORTAGE
A Natural Place to Move

Department of Community Development

TO: Honorable Mayor and City Council

FROM: City of Portage Planning Commission

DATE: December 27, 2023

SUBJECT: Rezoning Application # 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking to facilitate a future commercial development.

At the December 7, 2023 meeting, the Planning Commission reviewed and discussed the Rezoning Application # 23/24-2 to rezone 6008 and 6018 Chelsea Lane from R-1A One-Family Residential to B-3 General Business District and P-1 Vehicular Parking to facilitate a future commercial development. The applicant, Joshua T. Weiner and his team, MC Weiner Company, LLC and the consultant, Rick Williamson, Cavalier Development presented to discuss the rezoning and future use of the site. Mr. Weiner stated that his team support the secondary alternative rather than the primary recommendation of staff or the original rezoning proposal in the application. The secondary alternative is to rezone 6008 and 6018 Chelsea Lane from R-1A to B-3 and P-1, excluding the southern 65 feet area of 6018 Chelsea Lane which would be rezoned to P-1 (see the attached secondary alternative rezone map). The MC Weiner development team also indicated they will hold a neighborhood meeting for the site plan if the rezoning is approved. Two members of the public provided in-person testimony and expressed opposition to the project due to perceived concerns about the impacts from future car lights, noise from future cars in drive-thru, the impacts on traffic, property value, encroachment to neighborhood, and possible negative impacts on the overall neighborhood. A petition from the adjacent neighborhood at several letters opposing the rezoning were also received in writing. The Planning Commission determined no further discussion was needed and voted to close the public hearing.

After careful consideration, the Planning Commission voted 6-2 to recommend to City Council the approval of the rezoning application # 23/24-2 the secondary alternative to rezone 6008 and 6018 Chelsea Lane from R-1A to B-3 and P-1, excluding the southern 65 feet area of 6018 Chelsea Lane which would be rezoned to P-1 for future commercial development.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION

Dan Corradini
Chairman

Attachments: December 7, 2023, Planning Commission meeting minutes
Original rezone request
Primary staff recommendation rezone map
Secondary alternative rezone map

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

THE CITY OF PORTAGE ORDAINS:

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

Street Address	Parcel ID Numbers	Tax Description
6008 Chelsea Lane	02740-010-O	GLENBROOK VILLAGE LOT 10 BLK 1
6018 Chelsea Lane	02740-011-O	GLENBROOK VILLAGE LOTS 11-12 BLK 1

From One-Family Residential (R-1A) District to General Business District (B-3) and Vehicular Parking District (P-1).

PROPOSED B-3 DISTRICT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF LOTS 10, 11 AND 12, BLOCK 1, OF GLENBROOK VILLAGE SECTION 10, T. 3 S., R. 11 W. TOWNSHIP OF PORTAGE, COUNTY OF KALAMAZOO, MICHIGAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 16 OF PLATS, PAGE 32, KALAMAZOO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT 10, BLOCK 1 SAID POINT BEING ON THE SOUTH LINE OF E. MILHAM AVENUE (33 FEET 1/2 WIDTH); THENCE ALONG SAID SOUTH LINE OF E. MILHAM AVENUE, SAID LINE BEING ALSO PART OF THE NORTH LINE OF SAID LOT 10, SOUTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 66.10 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 06 SECONDS WEST 155.00 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 00 SECONDS WEST 65.69 FEET TO A POINT ON THE WEST LINE OF SAID LOT 12, BLOCK 1; THENCE ALONG THE WEST LINE OF SAID LOT AND THE WEST LINE OF SAID LOTS 11 AND 10, BLOCK 1, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 155.00 FEET TO THE POINT OF BEGINNING.

PROPOSED P-1 DISTRICT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF LOTS 10, 11 AND 12, BLOCK 1, OF GLENBROOK VILLAGE SECTION 10, T. 3 S., R. 11 W., TOWNSHIP OF PORTAGE, COUNTY OF KALAMAZOO, MICHIGAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 16 OF PLATS, PAGE 32, KALAMAZOO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF LOT 10, BLOCK 1, SAID POINT BEING ON THE SOUTH LINE OF E. MILHAM AVENUE (33 FEET 1/2 WIDTH); THENCE ALONG SAID SOUTH LINE OF E. MILHAM AVENUE, SAID LINE BEING ALSO PART OF THE NORTH LINE OF SAID LOT 10, SOUTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 66.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE OF E. MILHAM AVENUE, SAID LINE BEING ALSO PART OF THE NORTH LINE OF SAID LOT 10, SOUTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 58.90 FEET; THENCE 62.86 FEET ALONG THE ARC OF A CURVE CONNECTING THE SOUTH LINE OF SAID E. MILHAM AVENUE WITH THE WEST LINE OF CHELSEA LANE (66 FEET WIDE), CONCAVE TO THE SOUTHWEST, RADIUS 40.10 FEET, CHORD BEARING SOUTH 44 DEGREES 56 MINUTES 32 SECONDS EAST 56.62 FEET TO A POINT ON THE WEST LINE OF CHELSEA LANE, SAID POINT BEING ALSO ON THE EAST LINE OF SAID LOT 10; THENCE ALONG SAID WEST LINE OF CHELSEA LANE, SAID LINE BEING ALSO THE EAST LINE OF SAID LOT 10, 11 AND 12 SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 180.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE ALONG THE SOUTH LINE OF SAID LOT, NORTH 89 DEGREES 51 MINUTES 00

SECONDS WEST 165.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE ALONG PART OF THE WEST LINE OF SAID LOT 12, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 65.00 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 65.69 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 06 SECONDS EAST 155.00 FEET TO THE POINT OF BEGINNING.

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 _____, 2024.

_____
Erica Eklov, City Clerk

Approved as to Form:
Date: 1-2-2024
By: Catherine A. Kaufman
City Attorney

ADOPTION OF ZONING ORDINANCE
CITY OF PORTAGE, MICHIGAN
NOTICE

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

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was adopted by the City Council at a regular meeting held on the _____ day of _____, 2024, and will become effective _____, 2024.

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

THE CITY OF PORTAGE ORDAINS:

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

Street Address	Parcel ID Numbers	Tax Description
6008 Chelsea Lane	02740-010-O	GLENBROOK VILLAGE LOT 10 BLK 1
6018 Chelsea Lane	02740-011-O	GLENBROOK VILLAGE LOTS 11-12 BLK 1

From One-Family Residential (R-1A) District to General Business District (B-3) and Vehicular Parking District (P-1).

PROPOSED B-3 DISTRICT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF LOTS 10, 11 AND 12, BLOCK 1, OF GLENBROOK VILLAGE SECTION 10, T. 3 S., R. 11 W. TOWNSHIP OF PORTAGE, COUNTY OF KALAMAZOO, MICHIGAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 16 OF PLATS, PAGE 32, KALAMAZOO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT 10, BLOCK 1 SAID POINT BEING ON THE SOUTH LINE OF E. MILHAM AVENUE (33 FEET 1/2 WIDTH); THENCE ALONG SAID SOUTH LINE OF E. MILHAM AVENUE, SAID LINE BEING ALSO PART OF THE NORTH LINE OF SAID LOT 10, SOUTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 66.10 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 06 SECONDS WEST 155.00 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 00 SECONDS WEST 65.69 FEET TO A POINT ON THE WEST LINE OF SAID LOT 12, BLOCK 1; THENCE ALONG THE WEST LINE OF SAID LOT AND THE WEST LINE OF SAID LOTS 11 AND 10, BLOCK 1, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 155.00 FEET TO THE POINT OF BEGINNING.

PROPOSED P-1 DISTRICT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF LOTS 10, 11 AND 12, BLOCK 1, OF GLENBROOK VILLAGE SECTION 10, T. 3 S., R. 11 W., TOWNSHIP OF PORTAGE, COUNTY OF KALAMAZOO, MICHIGAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 16 OF PLATS, PAGE 32, KALAMAZOO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF LOT 10, BLOCK 1, SAID POINT BEING ON THE SOUTH LINE OF E. MILHAM AVENUE (33 FEET 1/2 WIDTH); THENCE ALONG SAID SOUTH LINE OF E. MILHAM AVENUE, SAID LINE BEING ALSO PART OF THE NORTH LINE OF SAID LOT 10, SOUTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 66.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE OF E. MILHAM AVENUE,

SAID LINE BEING ALSO PART OF THE NORTH LINE OF SAID LOT 10, SOUTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 58.90 FEET; THENCE 62.86 FEET ALONG THE ARC OF A CURVE CONNECTING THE SOUTH LINE OF SAID E. MILHAM AVENUE WITH THE WEST LINE OF CHELSEA LANE (66 FEET WIDE), CONCAVE TO THE SOUTHWEST, RADIUS 40.10 FEET, CHORD BEARING SOUTH 44 DEGREES 56 MINUTES 32 SECONDS EAST 56.62 FEET TO A POINT ON THE WEST LINE OF CHELSEA LANE, SAID POINT BEING ALSO ON THE EAST LINE OF SAID LOT 10; THENCE ALONG SAID WEST LINE OF CHELSEA LANE, SAID LINE BEING ALSO THE EAST LINE OF SAID LOT 10, 11 AND 12 SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 180.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE ALONG THE SOUTH LINE OF SAID LOT, NORTH 89 DEGREES 51 MINUTES 00 SECONDS WEST 165.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE ALONG PART OF THE WEST LINE OF SAID LOT 12, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 65.00 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 65.69 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 06 SECONDS EAST 155.00 FEET TO THE POINT OF BEGINNING.

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

APPROVED AS TO FORM FOR CITY OF PORTAGE
BAUCKHAM, THALL, SEEBER,
KAUFMAN & KOCHES, PC
Catherine Kaufman
By: CATHERINE P. KAUFMAN
Date: 1-2-2024

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 _____, 2024, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2024, at 7:00 p.m. or as soon thereafter as may be heard.

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

THE CITY OF PORTAGE ORDAINS:

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

Street Address	Parcel ID Numbers	Tax Description
6008 Chelsea Lane	02740-010-O	GLENBROOK VILLAGE LOT 10 BLK 1
6018 Chelsea Lane	02740-011-O	GLENBROOK VILLAGE LOTS 11-12 BLK 1

From One-Family Residential (R-1A) District to General Business District (B-3) and Vehicular Parking District (P-1).

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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

APPROVED AS TO FORM FOR CITY OF PC
BAUCKHAM, THALL, SEEBER,
KAUFMAN & KOCHES, PC
By: CATHERINE P. KAUFMAN
Date: 1-2-2024

From: Biqi Zhao
To: Peter Dame; Erica Eklov
Subject: FW: Comment on rezoning Chelsea Lane
Date: Monday, January 8, 2024 8:17:45 AM

Good morning,

Please see the email below received this weekend for the comments on rezoning No. 23/24-2 to rezone 6008 and 6018 Chelsea Lane (City Council tomorrow evening 's meeting).

Thanks,

Biqi Zhao, Ph.D., AICP
Deputy Director of Planning and Zoning | City of Portage Community Development
7900 S. Westnedge Avenue, Portage, MI 49002
o 269-329-4475 | f 269-324-0537

-----Original Message-----
From: Fran Denny <franceshdenny@gmail.com>
Sent: Saturday, January 6, 2024 1:20 PM
To: Eric Feldt <feldte@portagemi.gov>; Biqi Zhao <zhaob@portagemi.gov>
Subject: Comment on rezoning Chelsea Lane

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER Do not click on links or open attachments unless this is from a sender you know and trust.

Hello:

I would like to register my support for rezoning the properties on Chelsea Lane. I am supportive of a plan that would strongly protect the adjacent residential neighborhood from any additional noise, air and light pollution, trash accumulation, and accessibility and road safety concerns.

I think that the southeast corner of Westnedge and Milham is looking rundown and new development would be good for our community, maybe even the property values of the adjacent residential area, especially if the Chelsea Lane entry area has lovely landscaping. The proposed plan might be improved to assure that.

The new WellNow building on the southwest corner of Westnedge and Milham has been a big improvement to the feel of prosperity and sustainability to that area.

My one concern is some doubt that this fast food chicken business could be successful in this location. There is another similar business that appears to be very successful nearby. We do not want a vacant, limited use and unattended building at Westnedge and Milham in a few years should this business fail or relocate.

Thank you for considering my perspective.

Frances Denny
Portage MI resident
Sent from my iPhone

January 11, 2024

TO: Portage City Commission

RE: Glenbrook Village Zoning Change Request

I have lived in Glenbrook Village for over 40 years and have had the majority of our residents sign the Petition that has been provided to you. We respectfully request that our Zoning status remain at single family residential. The only residents who did not sign are those who are renting, deceased or otherwise unavailable. No one expressed assent to this change.

We have all faithfully paid our taxes annually to maintain the current status of our residential neighborhood. A zoning change would severely alter the reflection of our homes. Our plat was constructed in the 1950's and could qualify for historic status. Destroying the stature of this plat is inconceivable.

Most distressing is the thought that they want to destroy two beautiful homes to build a fast food chicken restaurant that would remain open until 2:00 a.m. This would result in a huge traffic influx for anyone wanting to make a left-turn onto Milham. They would need to turn right onto Chelsea, go around the block and make a left turn from Salem onto Milham. They would most likely speed through threatening children and others in the neighborhood. The restaurant would also bring air, noise and garbage pollution so very late into the night. We would be faced with an array of unwanted consequences and a likely decrease in property values.

Would you want this situation in your neighborhood? You were elected to support and serve us and we plead that you approve our request.

We beg you to please leave our zoning as Single Family Residential. I speak for all of my neighbors who have signed the Petition.

Respectfully,

Mary Skinner

404 Windsor Lane

From: Eric Feldt
To: Peter Dame; Biqi Zhao
Subject: FW: Rezoning 23/24-6008.6018 Chelsea Lane
Date: Thursday, January 25, 2024 1:08:10 PM

The email below is in regards to the Raising Cane's rezone. I see that it was send to all Council members and Pat.

Eric Feldt, AICP, CFM
City Senior Planner
Department of Community Development
City of Portage, MI
Ph: (269) 329-4471
Email: feldte@portagemi.gov
City of Portage – Zoning Code

From: dpkosanke@chartermi.net <dpkosanke@chartermi.net>
Sent: Thursday, January 25, 2024 12:27 PM
To: Eric Feldt <feldte@portagemi.gov>
Cc: Patricia Randall <randallp@portagemi.gov>; Chris Burns <burnsc@portagemi.gov>; Jim Pearson <councilmemberjp@portagemi.gov>; Victor Ledbetter <ledbettv@portagemi.gov>; Nicole Miller <millern@portagemi.gov>; Terry Urban <urbant@portagemi.gov>; Jihan Young <youngj@portagemi.gov>; Pat McGinnis <mcginnip@portagemi.gov>
Subject: Rezoning 23/24-6008.6018 Chelsea Lane

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.

I would like to expand on my letter to Planning Commission on the rezoning from residential to commercial on Chelsea Lane. First expanding on the traffic problem, it will cause for local residents. The ins and outs of this corner has never been good. Rezoning will not make it better but make ii worst. because Raising Cane is going to greatly increase traffic. Traffic leaving Rasing Cane onto Milham would have trouble turning left get back to Westnedge so they would tend to turn right then need to turnaround in our neighborhood causing more traffic than what has normal in the past. Traffic in our neighborhood usually consists of people who live or have business here which makes traffic low, and people are diligent. This is what makes our neighborhood desirable. Rezoning would change all off that and change our neighborhood and the lifes of the residents forever.

Secondly it creates safety problems for local residents. If a driver wants to leave neighborhood off Chelsea it becomes more difficult due the increase in traffic on Milham. This corner can be difficult now depending on the Milham traffic and blocked vision from oncoming traffic from the west. the increase in traffic also creates concerns for pedestrians, bicycle riders and children who play or catch school buses made worst by the absent of sidewalks not to say the type of drivers leaving Raising Cane when they are open til 3am. We have never to my knowledge had a

incident in our neighborhood before but the rezoning might change all of that. Any idea of creating a service road into Chelsea is a terrible idea for residents you know as I do if there is a service road customers will use it to avoid traffic. It seems the Planning Commision has ignored the 37 names on the petition against this rezoning. If it is your decision to allow this rezoning, please at least guarantee we can sell our homes at fair market value as the demise of our neighborhood is sure to come. A alterative could be Rising Cane to go farther south on Westnedge instead of rezoning on Chelsea.

Sincerely yours

Dennis and Vickie Kosanke
216 Windsor Lane

Portage MI 49002

From: Eric Feldt
To: Bigi Zhao; Peter Dame
Subject: FW: Glenbrook Village Proposed Historic District Designation
Date: Thursday, February 1, 2024 10:30:24 AM

Here is a Glenbrook Village neighborhood comment for both HDC new district and rezone. In summary, this person is against the new historic district and supports the rezone.

Eric Feldt, AICP, CFM
City Senior Planner
Department of Community Development
City of Portage, MI
Ph: (269) 329-4471
Email: feldte@portagemi.gov
City of Portage – Zoning Code

From: zach pearson <zachpearson1@gmail.com>
Sent: Thursday, February 1, 2024 10:28 AM
To: Eric Feldt <feldte@portagemi.gov>
Subject: Glenbrook Village Proposed Historic District Designation

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.

Mr. Feldt,

My name is Zach Pearson and I am a resident of the proposed historic district of Glenbrook village at 404 E Milham Ave. I have lived at this address since 2017. I have been following the communications regarding the proposed redevelopment of the properties located at the corner of S. Westnedge and Chelsea Ln. I was approached by a neighbor with a petition against the proposed redevelopment, which I ultimately signed. After further research and having watched the 12/7/23 Planning Commission meeting, I would like this email to serve as a retraction of my signature of that petition and announce my full support for the redevelopment of the properties.

I would also like to state that I am firmly opposed to the designation of a historic district for this neighborhood. I think the pursuit of this designation is a misguided attempt to stop the development of two properties within the neighborhood. I do not believe that the residents that have initiated this historic designation have considered the negative impacts this could have on the other property owners. Historic Districts are important for the preservation of deserving areas, but they are not meant to be created to block future developments. The restrictions that would be imposed on any future changes, whether voluntary or involuntary, to the properties in our neighborhood would certainly create hardships for property owners. The requirements to maintain historic status are not worth the trade-off to block a development unwanted by a select group. Please include this email in public comment of the upcoming meeting that will discuss this topic further as I will not be able to

attend and provide my comments in person.

Thank you,

Zach Pearson