

- 6:00 p.m. Call to Order.
- Moment of Silence.
- Pledge of Allegiance.
- Roll Call.
- Proclamations:
1. Resolution of Respect for Dr. Romeo E. Phillips
- A. Petitions and Statements of Citizens (3 mins. per speaker).
- B. Consent Agenda:
1. Approve the City Council Meeting Minutes of the:
 - a. Committee of the Whole of November 19, 2024
 - b. Regular Meeting of November 19, 2024
 2. Approve the Accounts Payable Register of December 3, 2024, as presented.
 3. Take the following actions:
 - a. receive the application from Summit Polymers, Inc. for an Industrial Tax Abatement for the property addressed at 6615 South Sprinkle Road;
 - b. adopt the Resolution to include Summit Polymers, Inc. as part of existing District #97; and
 - c. set a public hearing on the proposed Industrial Facilities Exemption Certificate on December 17, 2024.
 4. Amend the General Appropriations Act for the fiscal year ending June 30, 2025.
 5. Adopt a resolution to authorize the reimbursement of expenses from bond proceeds, not to exceed \$4,000,000, for capital improvement projects expensed in Fiscal Year 2024-2025 and authorize the City Manager to execute all documents related to this action on behalf of the city.
 6. Approve a three-year extension to the Employment Agreement with Patrick McGinnis and authorize the Mayor to execute the agreement.
 7. Minutes of Boards & Commissions:
 - a. Senior Citizens Advisory Board of October 16, 2024.
 - b. Planning Commission of November 7, 2024.
 8. Materials Transmitted.
 9. Calendar of Meetings:
 - Historic District Commission: Wednesday, December 4 at 8:30 a.m. in Conference Room 1.
 - Park Board: Wednesday, December 4 at 6:30 p.m. at the Portage Parks & Recreation Building (320 Library Lane).
 - Human Services Board: Thursday, December 5 at 5:30 p.m. in Conference Room 1.
 - ~~Planning Commission: Thursday, December 5 at 7:00 p.m. in the City Council Chambers. CANCELED~~
 - ~~Zoning Board of Appeals: Monday, December 9 at 7:00 p.m. in the City Council Chambers. CANCELED~~
 - Environmental Board: Wednesday, December 11 at 7:00 p.m. in Conference Room 1.
- C. Communications:

D. Public Hearings:

1. Adopt Rezoning Ordinance #24/25-3 to create new mixed-use zoning districts with development standards for the Lake Center Commercial Corridor on Portage Road, subsequent to the public hearing.

E. Regular Business Agenda:

1. Enter into a Closed Session following Council Committee Reports per MCL 15.268(h) for review of a pending Freedom of Information Act appeal, on advice of City Attorney.

F. Unfinished Business:

G. Council Committee Reports:

H. New Business:

I. Statements of City Council and City Manager.

Adjournment.

RESOLUTION HONORING

Dr. Romeo E. Phillips

- WHEREAS,** Dr. Romeo E. Phillips, retired professor emeritus of music and education at Kalamazoo College, previously served as a member of the Portage City Council from November 1991 to November 1999, and from November 2000 to November 2001; and
- WHEREAS,** during his tenure on the City Council, Dr. Phillips served on its Community Survey Committee, City Manager Salary Review/Evaluation Committee, Legal Services Evaluation Committee, Council Ad Hoc Library Committee, and as a Council representative on the Long Lake Governmental Lake Board; and
- WHEREAS,** Dr. Phillips has previously served the City of Portage as a Michigan Municipal League Representative, a member of the Kalamazoo Area Transit Study Policy Committee, the Forum of Kalamazoo County, Community Action Board, Kalamazoo County Convention Bureau Board, FORUM of Kalamazoo County, and as a Boy Scouts of America Council representative; and
- WHEREAS,** Dr. Phillips has also played an active role in supporting the greater Kalamazoo-Portage area, including but not limited to being past President of the Kalamazoo Chapter of the NAACP, founding member of the Southwest Michigan Black Heritage Society, and member emeritus of the Society for History and Racial Equity (SHARE); and
- WHEREAS,** Dr. Phillips served on the City of Portage committee to establish Martin Luther King, Jr. Park, as well as advised on the city's efforts to recognize Black History Month; and
- WHEREAS,** as part of the city's Black History Month celebrations, Dr. Phillips has performed several times as the City of Portage's emcee.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Council of the City of Portage acknowledge the many contributions of Dr. Romeo E. Phillips to the City and the citizens of the City of Portage, and acknowledge his 56 years of faithful and valuable service to this community; and

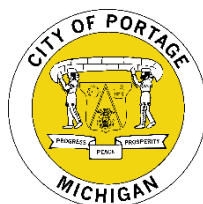
BE IT FURTHER RESOLVED that a copy of this resolution be placed in the Heritage Room of the Portage District Library so the contributions of Dr. Romeo Phillips to the Portage community may be continually recognized by future generations of Portage citizens.

Dated: December 3, 2024

Mayor Patricia M. Randall

Councilmember Chris Burns

Councilmember Vic Ledbetter



Mayor Pro Tem Jim Pearson

Councilmember Nicole Miller

Councilmember Terry Urban

Councilmember Jihan Ain Young

COMMITTEE OF THE WHOLE WORK SESSION
NOVEMBER 19, 2024

CALL TO ORDER: Mayor Patricia Randall called the Committee of the Whole Meeting to order at 4:31 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, Chief Operating Officer Adam Herringa, Chief Development Officer Peter Dame, and City Clerk Erica Eklov.

REVIEW AND DISCUSS OPTIONS RELATED TO THE PROVISION OF LEGAL SERVICES: Mayor Randall introduced the topic for the meeting, noting the City Charter lists the City Attorney as one of two employees, along with the City Manager, who report directly to the Council. She relayed that the City Manager had been researching what other communities do for legal representation, then transitioned the City Manager to present his findings.

City Manager McGinnis explained that his office had informally surveyed communities of similar population size, filtering out specialized legal topics. He noted models varied from in-house legal counsel that occasionally hired private firms for outside consultations to contracted counsel. He relayed that the city's current legal services are in the fifth year of a five-year contract originally signed in July 2020 and expires in August 2025. He stated that the Council would then have the option to renew the current firm under a new contract, publish a Request for Proposals (RFP), or hire an in-house option, and warned that the survey indicated the in-house to be the most expensive. He then opened the discussion to the Mayor for Council input.

Mayor Randall highlighted the terms of the various Councilmembers, and their experience with the current Attorney, and noted the city's length of service with the prior City Attorney, Randall Brown. She explained that unlike with other services, legal counsel is not necessarily tied to the lowest bid and the Council does not need to publish an RFP if they choose to stay with the current attorney.

Mayor Pro Tem Pearson noted the City Charter provision, stating that hiring an on-staff attorney could be problematic because of it, and a contract would be ideal for monitoring cost-effectiveness. He explained his concern that former Attorney Brown lacked a backup option and succession plan, eventually causing issues with Council and staff. He noted his request for how many people bid and found it was only one firm that hired Randy Brown, but then shortly let him go. Mayor Pro Tem Pearson noted his preference to adhere to the Charter and pursue the contract option. He stated that Portage hasn't yet had a competitive bid and hoped that other firms might materialize following a call for bids.

Councilmember Urban relayed the prior history regarding Attorney Brown's transition from his original firm to joining the Bauckham Sparks firm, and the low nature of his public bid. Councilmember Urban noted issues with the bid process and informal bids from other firms. There was additional discussion regarding the history of prior bidding processes. Councilmember Urban asked whether there was a total calculation of the time Bauckham Sparks currently spends on prosecutions. Chief Operating Officer (COO) Herringa responded that he did not have such data.

Mayor Randall asked the City Manager to relay feedback he had received from Chief Arnold regarding the current firm's work on prosecutions. Mr. McGinnis relayed Chief Arnold's satisfaction with the current firm's work. Councilmember Urban noted the communication in the agenda packet

from Attorney Kaufman highlighting the Kalamazoo County Courts' approval of her firm.

Councilmember Burns asked the City Manager to opine on the City Administration's feedback on the current quality of service. The City Manager expressed satisfaction. Discussion followed regarding the quality, cost, and time spent. Councilmember Burns then asked for the level of potential disruption to regular business should the Council seek bids and select a different firm. City Manager McGinnis stated it would not be a problem. Councilmember Burns then asked if the city could separate the various legal functions, noting a prior issue with election questions and complications between various administrative and elected roles entailed in the matter. Councilmember Ledbetter highlighted the outside attorney consult sought for the matter. Mayor Randall relayed discontent with the City Attorney's court response on the matter and various Council meeting responses but stated she has been pleased with the current firm's prosecutions and the local and women-led nature of the business. Councilmember Urban relayed similar issues he had experienced with former Attorney Brown, both on the Council and the Zoning Board of Appeals, expressing consistent arguments but saw it as a positive rather than a detriment.

Councilmember Young suggested that any new legal counsel should understand the Council's expectations for public meetings and other situations. She stated that any responsive bid would be higher than the current contract. She also asked about the option of two different attorneys, with one for the City Administration and one for the Council.

Councilmember Burns asked if anyone on the Council had recently sought an opinion from the Attorney recently. Mayor Randall and Mayor Pro Tem Pearson confirmed that they had done so. Councilmember Burns asked if the procedures could be clarified regarding when opinions are expected, citing that it didn't appear the current counsel understood when to take direction from the Council. Mayor Pro Tem Pearson explained his prior confusion about consulting with the City Attorney, as well as expressed his desire to receive proper bids this time for assurance should Bauckham Sparks remain the lowest bid.

COO Herringa noted the prior bid response from 2015 and relayed the four firms who previously responded. There was additional discussion regarding the proposed amounts and cost breakdown. The City Manager stated that the city has historically had minimal litigation for a city of its size and said he would relay a policy from another jurisdiction for reference that authorized the Mayor and Mayor Pro Tem as points of contact. Councilmember Urban disputed the Mayor and Mayor Pro Tem having greater responsibility beyond the remainder of the Council and any policy could be discussed at a later date. City Manager McGinnis then expressed concern that two different attorneys between the Council and the staff could result in conflicting opinions.

Councilmember Urban asked that the Council be supplied with copies of the 2015 bid response to ensure the firm assessment was comparable and recommended the Council review the RFP prior to publication. Mayor Randall relayed a prior practice by City Manager McGinnis with the City Attorney while employed in Grand Haven and keeping him on call for public meetings to save on costs. Councilmember Ledbetter asked whether the Charter spoke to the Council hiring a firm or a specific person. Councilmember Urban relayed that that question had come up before as a single attorney had been noted but best practices recommended a firm with supporting attorneys.

There was discussion to pursue going out to bid as the desired option. Councilmember Urban offered that the Council could ask the current firm for an initial proposal prior to sending an RFP, but several members expressed concern about affecting a fair approach. Councilmember Ledbetter asked if the current firm had expressed interest, to which Mayor Randall confirmed they had. Other members agreed with a public call for bids. There was discussion on the contract's term, with the consensus being three to five years. Mayor Pro Tem Pearson asked for a consensus of the Council, which was a unanimous request for proposals for a five-year contract. Mayor Randall then asked for clarification on how such a request should be structured. Councilmember Burns asked if the City Administration could research the common approach. City Manager McGinnis confirmed that the

current legal counsel structure is the most common model. Councilmember Urban asked if the specialties had ever been bid. COO Herringa relayed that he would research. The City Manager stated that staff would draft an RFP for the Council to review and prepare ahead of the annual budgeting process.

PETITIONS AND STATEMENTS OF CITIZENS: None.

ADJOURNMENT: Mayor Randall adjourned the meeting at 05:34 PM.

Erica L. Eklov, City Clerk

CITY COUNCIL MEETING MINUTES FROM NOVEMBER 19, 2024

CALL TO ORDER: Mayor Patricia Randall called the Regular Meeting to order at 06:00 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 on the upcoming holiday season and those families who have experienced a loss in the last year. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

Resolution of Respect for Hendrik “Hank” Poppen: Terry Clare from Scouting Troop 244 and Pathfinder District Committee Chair, read alongside several Scouts currently taking the Citizenship in the Nation Merit Badge.

Small Business Saturday 2024: Mr. Mark Nieuwenhuis, owner of Turbo Chicken at 5252 Portage Road, read the proclamation.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Matt Longjohn (2956 Innisbrook) thanked the City Council and the community for his election to State Representative for the 40th District, and relayed his upcoming resignation from the Planning Commission.

CONSENT AGENDA: Mayor Randall shared where the public can access the meeting agenda and asked if any would like an item removed from the Consent Agenda. Motion by Ledbetter, seconded by Urban, to approve the Consent Agenda as presented. Upon a roll call vote, motion carried 7 to 0.

Approval of Minutes: Motion by Ledbetter, seconded by Urban, to approve the City Council Meeting Minutes of the Regular Meeting of November 6, 2024. Upon a roll call vote, motion carried 7 to 0.

Accounts Payable Register: Motion by Ledbetter, seconded by Urban, to approve the Accounts Payable Register of November 19, 2024, as presented. Upon a roll call vote, motion carried 7 to 0.

Brownfield Redevelopment Policy Update: Motion by Ledbetter, seconded by Urban, to approve the proposed Brownfield Incentive Policy except that the interest rate reimbursement shall be a fixed rate of up to 3.5 percent. Upon a roll call vote, motion carried 7 to 0.

Fire Division Uniforms Contract: Motion by Ledbetter, seconded by Urban, to approve a one-year contract with Nye Uniform Company of Grand Rapids, Michigan, for the replacement of fire uniforms with the option for five one-year renewals, and authorize the City Manager to execute all documents related to this matter on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

Final Preliminary Condominium Plan (engineering plans) for McConley Cove Planned Development: Motion by Ledbetter, seconded by Urban, to approve the Final Preliminary Condominium Plan (engineering plans) for McConley Cove Planned Development, 1075 Bacon Avenue. Upon a roll call vote, motion carried 7 to 0.

January Board & Commission Interviews: Motion by Ledbetter, seconded by Urban, to set a Special Meeting for Tuesday, January 7, 2025, at 4:30 p.m. to interview Board and Commission Applicants. Upon a roll call vote, motion carried 7 to 0.

Minutes of Boards & Commissions: Motion by Ledbetter, seconded by Urban, to receive the minutes of the Historic District Commission of October 2, 2024; and Planning Commission of October 17, 2024. Upon a roll call vote, motion carried 7 to 0.

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

COUNCIL COMMITTEE REPORTS: Councilmember Miller provided an update regarding the Farmers Market Committee, noting that the Committee is working on finalizing designs and budgeting for the new market location. She then relayed Discover Kalamazoo Advisory Council with a recent meeting held at Portage City Hall and visitor spending has surpassed 2019 levels as well as Discover Kalamazoo's "Strategies for Growth." Motion by Burns, seconded by Young, to receive the Council Committee Reports as presented. Upon a voice vote, motion carried 7 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban wished everyone from faith or type of holiday celebrated at this time of year a happy holiday and safe travels.

Councilmember Ledbetter had no comment.

Councilmember Miller acknowledged her one-year anniversary since her election to the Council, noting that she has learned a lot and will continue to do so. She then urged the importance of shopping locally during the holidays and supporting small businesses everywhere. Councilmember Miller closed by highlighting several local businesses from the Portage Business Directory.

Councilmember Young wished everyone a safe holiday and thanked those who will be working through the holiday.

Councilmember Burns wished everyone a Happy Thanksgiving and acknowledged the upcoming City Council Goal Setting Session.

City Manager McGinnis also noted the Council's Goal Setting Session, as well as the growing Portage Business Directory.

Mayor Pro Tem Pearson also extended wishes for a safe and happy holiday season.

Mayor Randall thanked the Council for devoting their time to the earlier Committee of the Whole meeting, as well as the upcoming Goal Setting Session. She then wished everyone a happy holiday season with safe travels.

ADJOURNMENT: Mayor Randall adjourned the meeting at 6:23 PM.

Erica L. Eklov, City Clerk

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Accounts Payable Register

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Approve the Accounts Payable Register of December 3, 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 November 10, 2024, through November 23, 2024, and notes \$1,962,554.58 in automated clearing house payments, \$480,511.52 in paper checks, \$140,464.29 in auto-pay payments and \$1,352,684.66 in electronic payments for a grand total of \$3,936,215.05.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of December 3, 2024

ACCOUNTS PAYABLE REGISTER
Check Dates From: 11/10/2024 to 11/23/2024

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Check Type: ACH Transaction

Check Date	Check	Vendor Name	Description	Amount
11/15/2024	22864(A)	ADP, INC.	ADP WORKFORCE NOW	8,426.28
11/15/2024	22865(A)	BAUCKHAM, THALL, SEEGER, KAUFMAN	ATTORNEY FEES NOVEMBER 2024	19,750.32
11/15/2024	22866(A)	DOSTER, KYLE	REIMB FUEL-CRIME PREV ASSOC OF MI CONF	20.01
11/15/2024	22867(A)	GARLOW, BARBARA	REIMBURSEMENT-MISC OFFICE SUPPLIES	64.14
11/15/2024	22868(A)	VANBECK ROOFING & SIDING CO.	MSHDA - HOUSE & GARAGE ROOF REPLACEMENT	15,417.00
11/15/2024	22869(A)	ENVIRONMENTAL SYSTEMS RESEARCH	ARCGIS ONLINE VIEWER USER ANNUAL SUB	1,100.00
11/22/2024	22870(A)	A NEW LEAF	CITY HALL PLANT CARE	118.50
11/22/2024	22871(A)	ABONMARCHE CONSULTANTS, INC	ENG SERVICES - MULT LOCS	26,442.75
11/22/2024	22872(A)	AIRGAS USA LLC	WELDING SUPPLIES	91.87
11/22/2024	22873(A)	AKERS WOOD PRODUCTS	TORNADO - STUMP REMOVAL/DISPOSAL	800.00
11/22/2024	22874(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	3,996.54
11/22/2024	22875(A)	ALL-TRONICS, INC.	FIRE ALARM MONITORING	81.00
11/22/2024	22876(A)	ALRO STEEL CORPORATION	TRAILER REBUILD-MATERIALS & SUPPLIES	345.62
11/22/2024	22877(A)	AMAZON.COM SALES, INC.	OPER SUP-PZSC; TRAD HOL SUP-PK; PATROL SUP-PD	3,089.49
11/22/2024	22878(A)	VOID		0.00
11/22/2024	22879(A)	VOID		0.00
11/22/2024	22880(A)	AMERICAN ARBOR LLC	TORNADO - TREE CLEAN UP/REMOVAL	5,350.00
11/22/2024	22881(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	2,974.00
11/22/2024	22882(A)	AUNALYTICS INC	MONTHLY DISASTER RECOVERY SERVICES	1,918.00
11/22/2024	22883(A)	AVI SYSTEMS, INC.	COUNCIL CHAMBERS UPGRADE PRJ, SUPPORT SVCS	32,667.55
11/22/2024	22884(A)	B S & A SOFTWARE	BS&A SOFTWARE ANNUAL RENEWAL	76,197.00
11/22/2024	22885(A)	BAREITHER, CHAD	STRATEGIC PLANNING SVCS	2,620.83
11/22/2024	22886(A)	BENNETT, ZACHARY J	PER DIEM-BLOODSTAIN PATTERN ANALYSIS II TR	259.50
11/22/2024	22887(A)	BEST WAY DISPOSAL, INC.	CURBSIDE RECYCLING PROG, SWEEPER DUMP DISP	70,248.33
11/22/2024	22888(A)	BLUE CARE NETWORK-GREAT LAKES	HEALTH INSURANCE	183,064.78
11/22/2024	22889(A)	C D W GOVERNMENT, INC.	MONITOR, WIRELESS HEADSET & CORD	574.60
11/22/2024	22890(A)	CARLETON EQUIPMENT CO.	LEAF PICKUP RENTAL LOADERS, LOADER REPAIRS	29,293.79
11/22/2024	22891(A)	CERTASITE LLC	NOVIC SYSTEM SEMI-ANNUAL INSPECTION	395.19
11/22/2024	22892(A)	CHARTER COMMUNICATIONS	CABLE TV	612.25
11/22/2024	22893(A)	CLEAN EARTH ENVIRONMENTAL SERV	POWER WASHING POND AREA @ MILLENNIUM PARK	6,849.00
11/22/2024	22894(A)	COLTER, KEVIN	MI NEIGHBOR-REPLACE FURNACE & A/C	8,450.00
11/22/2024	22895(A)	CONSUMERS CONCRETE CORP.	SILICA SAND BAGS	688.00

ACCOUNTS PAYABLE REGISTER
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Check Date	Check	Vendor Name	Description	Amount
11/22/2024	22896(A)	CORMIER, STEVEN PAUL	PZSC SELF DEFENSE INSTRUCTOR	400.00
11/22/2024	22897(A)	COX, ELISA ROSE	PZSC FITNESS PERSONAL TRAINER	285.00
11/22/2024	22898(A)	CROWN TROPHY	NAME TAGS & PUBLIC PLAQUE FOR STATION	137.50
11/22/2024	22899(A)	D & D PRINTING CO.	PRINTING SERVICES	249.10
11/22/2024	22900(A)	DEER CONTRACTING & LANDSCAPE	SIDEWALK REPAIRS, RETENTION BASIN MAINT	6,750.00
11/22/2024	22901(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	21,121.89
11/22/2024	22902(A)	DUNN, DEREK	REIMB-NFPA FIRE INSPECTOR I RECERT FEE	180.00
11/22/2024	22903(A)	EARLE, SHELIA L	PZSC FITNESS INSTRUCTOR CHAIR YOGA, BARE	1,515.00
11/22/2024	22904(A)	EKLOV, ERICA	REIMB-OFFICE SUPPLIES	203.53
11/22/2024	22905(A)	ENG., INC.	AUSTIN LK TRAIL A&E DESIGN, CONSOL DRAIN REHAB	9,723.75
11/22/2024	22906(A)	ENGINEERED PROTECTION SYSTEMS, INC.	SECURITY QTLY MAINT CHRQ, ALARM MONITORING	22,723.53
11/22/2024	22907(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	TRAILER REBUILD SUPPLIES, COMPRESSOR UPFITTING	5,314.97
11/22/2024	22908(A)	ETNA SUPPLY, INC.	CASTINGS-OAKLAND DR STORM SEWER	1,648.00
11/22/2024	22909(A)	EVANS, JESSICA	PZSC PARKINSON'S GROUP EXERCISE	750.00
11/22/2024	22910(A)	FERRELLGAS, LP	GENERATOR RENTAL	49.00
11/22/2024	22911(A)	FIDELITY SECURITY LIFE INSURANCE CO	VISION INSURANCE	1,583.54
11/22/2024	22912(A)	FOREMOST SALES COMPANY LLC	PARK FACILITIES CLEANING	6,925.00
11/22/2024	22913(A)	FREDRICKSON SUPPLY, LLC	LEAF PICKUP PACKER RENTAL	141,333.12
11/22/2024	22914(A)	GORDON WATER SYSTEMS	WATER SERVICES	700.72
11/22/2024	22915(A)	GOVOS INC	SEAMLESS DOCS RENEWAL	20,329.52
11/22/2024	22916(A)	GRAINGER INC	REPAIR/MAINT SUPPLIES	96.60
11/22/2024	22917(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SVCS	97.00
11/22/2024	22918(A)	HAMBRIGHT, BRANDON	PER DIEM-PISTOL INSTRUCTOR SCHOOL	282.00
11/22/2024	22919(A)	HOFFMAN BROTHERS, INC.	S WESTNEDGE AVE RELIEF STORM SEWER INSTALL	208,429.54
11/22/2024	22920(A)	HOUSEAL LAVIGNE ASSOCIATES, LLC	PROFESSIONAL SERVICES - MASTER PLAN	5,825.63
11/22/2024	22921(A)	HOUSER, DANIEL	PER DIEM-PISTOL INSTRUCTOR SCHOOL	282.00
11/22/2024	22922(A)	INDUSCO SUPPLY CO., INC.	JANITORIAL SUPPLIES	4,993.22
11/22/2024	22923(A)	INSIGHT PUBLIC SECTOR, INC.	CORE SWITCH REPL PROJ, CLOUD SVCS	55,433.63
11/22/2024	22924(A)	INTERNATIONAL CODE COUNCIL, INC	MEMBERSHIP FEE	170.00
11/22/2024	22925(A)	IP CONSULTING, INC.	PHONE SYSTEMS UPGRADE	5,250.00
11/22/2024	22926(A)	IRISH AYRES ENTERPRISES, LLC	MOWING & TRIMMING SVCS	21,345.41
11/22/2024	22927(A)	J & H OIL COMPANY	BULK FUEL DELIVERY	26,370.11
11/22/2024	22928(A)	J & J LAWN SERVICE, INC.	UTILITY MOWING, TRIMMING & WEED CONTROL	10,196.00

ACCOUNTS PAYABLE REGISTER
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Check Date	Check	Vendor Name	Description	Amount
11/22/2024	22929(A)	J RANCK ELECTRIC, INC	TRAFFIC SIGNAL IMPROVEMENTS-MULT LOCS	495,400.00
11/22/2024	22930(A)	JB PRINTING	PZSC NOV/DEC NEWSLETTER, NOV PORTAGER	8,261.31
11/22/2024	22931(A)	KEHOE, EDWARD J	PZSC FITNESS INSTRUCTOR TAI CHI & QIGONG	360.00
11/22/2024	22932(A)	KENT COUNTY DPW	WASTE DISPOSAL RED MED/DRUG	90.00
11/22/2024	22933(A)	KURZAVA, MATTHEW STEPHEN	PZSC FITNESS INSTRUCTOR TAI CHI & PARKINSONS	720.00
11/22/2024	22934(A)	KUSHNER & COMPANY, INC.	COBRA AND FSA ADMINISTRATION	265.41
11/22/2024	22935(A)	LAWSON PRODUCTS, INC	REPAIR/MAINTENANCE SUPPLIES	303.97
11/22/2024	22936(A)	MAPLE HILL SPRINKLING, INC.	CITY HALL IRRIGATION UPGRADES	35,518.00
11/22/2024	22937(A)	MATTISON, MEGAN	PZSC COOKING INSTRUCTOR	590.00
11/22/2024	22938(A)	MCMILLAN, BRANDON	PER DIEM-PISTOL INSTRUCTOR SCHOOL	282.00
11/22/2024	22939(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	166.72
11/22/2024	22940(A)	METRONET HOLDINGS LLC	MONTHLY INTERNET FIBER SERVICES	4,497.34
11/22/2024	22941(A)	MICHIGAN OFFICE ENVIRONMENTS	PZSC ADDITIONAL OFFICE SPACE SUPPLIES	1,938.00
11/22/2024	22942(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	317.34
11/22/2024	22943(A)	MOTOR PARTS AND EQUIPMENT CORP	EQUIP REPAIR/MAINT SUPPLIES	1,733.10
11/22/2024	22944(A)	NOTT, SARAH	PZSC ART INSTRUCTOR INTRO TO EMBROIDERY	250.00
11/22/2024	22945(A)	NYE UNIFORMS	FIRE UNIFORMS	65.00
11/22/2024	22946(A)	ONSTAFF GROUP SERVICES LLC	TEMPORARY EMPLOYEE SERVICES	16,182.33
11/22/2024	22947(A)	PARIS CLEANERS	LAUNDRY SERVICES	1,180.52
11/22/2024	22948(A)	PERRY, TINA	REIMB-WATER FOR OPEN HOUSE EVENT	7.96
11/22/2024	22949(A)	PHILLIPS, KIMBERLY	REIMBURSE FOR PZSC EXPENSES	140.53
11/22/2024	22950(A)	PHILLIPS, KIMBERLY	PER DIEM-MI ASSOC OF SR CENTERS ANNUAL CONF	119.50
11/22/2024	22951(A)	PLASKO, PATRICIA MARIE	PZSC FITNESS INSTRUCTOR BEMOVED, YOGA	650.00
11/22/2024	22952(A)	PRECISION PRINTER SERVICES INC	PRINTER SUPPORT SERVICES	1,661.64
11/22/2024	22953(A)	PREIN & NEWHOF	ENG SERVICES-COOLEY DR RECONSTRUCTION	11,301.90
11/22/2024	22954(A)	PRINTING SERVICES INC	PRINTING SERVICES	112.00
11/22/2024	22955(A)	PROGRESSIVE AE, INC	TRAFFIC STUDIES-WEST CENTRE AVE & OAKLAND	6,850.00
11/22/2024	22956(A)	REED, BRENT LESLIE	SIDEWALK REPAIRS, RETENTION BASIN MAINT	11,831.00
11/22/2024	22957(A)	ROE-COMM, INC.	MISC RADIO SERVICES	35.00
11/22/2024	22958(A)	ROSE, SANDRA K.	PZSC FITNESS CARDIO DRUMMING	300.00
11/22/2024	22959(A)	S B F ENTERPRISES, INC.	PRINT, PROCESS & MAIL WATER & SEWER BILLS	576.66
11/22/2024	22960(A)	SCAVO, TYLER	REIMB-MCOLES RECOG PRIOR TR & EXP TESTING	891.96
11/22/2024	22961(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL MAINTENANCE	9,840.00

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Check Date	Check	Vendor Name	Description	Amount
11/22/2024	22962(A)	SHINY BRITE WASHING SYSTEMS LLC	VEHICLE CAR WASHES	656.99
11/22/2024	22963(A)	SIMPLIFILE LLC	RECORDING & DEED RECORDING FEES	564.50
11/22/2024	22964(A)	SLAVIN, NATHAN	PER DIEM-PISTOL INSTRUCTOR SCHOOL	282.00
11/22/2024	22965(A)	SLIWA, DAVID	PER DIEM-INTL ASSOC OF ELEC INSPEC MEETING	80.50
11/22/2024	22966(A)	SMITH DAWSON & ANDREWS, INC.	FEDERAL ADVOCACY SERVICES	5,000.00
11/22/2024	22967(A)	SNELL, DEBRA	BODY REBOUND, SOCIAL & LINE DANCING	1,620.00
11/22/2024	22968(A)	STOUT, MELISSA JOY	PZSC FITNESS INSTRUCTOR BARRE, CHAIR YOGA	550.00
11/22/2024	22969(A)	SUBSURFACE REFLECTIONS LLC	LEGACY PRIVATE DIG EVALUATION	2,340.00
11/22/2024	22970(A)	TELUS COMMUNICATIONS (U.S.) INC	MONTHLY SKYHAWK GPS ACCESS/SERVICE FEES	851.45
11/22/2024	22971(A)	TMK WORLDWIDE, LLC	METER SERVICE	819.12
11/22/2024	22972(A)	TRUCK & TRAILER SPECIALTIES	VEHICLE PARTS & MAINTENANCE	36.88
11/22/2024	22973(A)	UNITED PETROLEUM	NEW PROBE FOR DIESEL TANK	3,577.00
11/22/2024	22974(A)	VEOLIA WATER CONTRACT OPERATIONS	UTILITY SYS OPER, EMERG STORM SEWER REPAIR	233,435.13
11/22/2024	22975(A)	WARNER NORCROSS & JUDD LLP	LEGAL SERVICES	1,352.00
11/22/2024	22976(A)	WEST MICHIGAN INT'L LLC	CHECK ENGINE LIGHT DIAGNOSIS/REPAIR	164.97
11/22/2024	22977(A)	WEST MICHIGAN STAMP & SEAL, INC	NOTARY STAMP & CRIMPERS	123.00
11/22/2024	22978(A)	WEST SHORE SERVICES, INC	ANNUAL PREVENTATIVE MAINT-WARNING SIRENS	6,748.95
11/22/2024	22979(A)	WIGHTMAN	ENGINEERING SVCS-PORTAGE RD LK CENTER	9,013.22
11/22/2024	22980(A)	XEROX CORPORATION	XEROX FOR RECORDS	179.03
11/22/2024	22981(A)	YOUNGS, KENNETH M	K-9 KENNELING	120.00
Total ACH				1,962,554.58

Check Type: Paper

11/15/2024	329170	ARIF, MUHAMMAD	REIMB EXPS-ITE FALL TECHNICAL SESSION	79.00
11/15/2024	329171	DEARBORN LIFE INSURANCE COMPANY	LIFE, LTD, AND STD INSURANCE	11,594.56
11/15/2024	329172	HAENICKE INSTITUTE FOR GLOBAL EDU	PZSC REFUND FOR RENTAL 3.27.24	100.00
11/15/2024	329173	KALAMAZOO COUNTY TREASURER	PRE CHANGES FOR YEARS 2023-2021	67.99
11/15/2024	329174	MI ASSOC. OF CHIEFS OF POLICE	MACP REGISTRATION FEE	380.00
11/18/2024	329175	CITY EMPLOYEE	REPLACE REJECTED DIRECT DEPOSIT FOR 11/1	248.95
11/22/2024	329176	850 TRADE CENTRE, LLC	DDA CAPTURE REIMBURSEMENT-HOMEWOOD SUITES	32,752.02
11/22/2024	329177	A BETTER WAY TREE CARE LLC	TORNADO & STORM - TREE DAMAGE REMOVAL	8,700.00
11/22/2024	329178	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	1,029.00
11/22/2024	329179	ALLIED MECHANICAL SERVICE	BUILDING REPAIR/MAINTENANCE	360.00

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11/22/2024	329180	ALTA EQUIPMENT CO.	REPAIR MAINTENANCE	968.21
11/22/2024	329181	AMERICAN HEART ASSOCIATION	GRAIN ELEVATOR DEPOSIT REFUND	150.00
11/22/2024	329182	AMERICAN PLANNING ASSOCIATION	AICP MEMBERSHIP	674.00
11/22/2024	329183	ANDERSON, NICHOLAS & SAMANTHA	2024 SUMMER TAX REFUND-PARTIAL VETERAN EXEMP	986.97
11/22/2024	329184	ASCENSION BORGESS HOSPITAL	PHYSICAL EXAM	367.00
11/22/2024	329185	AT&T	ELECTRONIC COMMUNICATIONS	934.62
11/22/2024	329186	AUTOMATIC EQUIPMENT SALES & SERVICE	CITY HALL - HANDICAPPED DOOR OPENER REPAIRS	3,625.47
11/22/2024	329187	B & A HOMES LLC	BD BOND REFUND	795.00
11/22/2024	329188	B & H PHOTO & ELECTRONICS CORP.	REPLACEMENT HEADSET	14.14
11/22/2024	329189	BEARING SERVICE	INNER RACE FORM BEARINGS FOR TINKS	108.98
11/22/2024	329190	BEAVER RESEARCH COMPANY	CLEANING SUPPLIES	1,377.40
11/22/2024	329191	BLAIN SUPPLY, INC.	UAW UNIFORM - COLD WEATHER BIBS	138.67
11/22/2024	329192	BRIK PLUMBING LLC	IRRIGATION REPAIRS	3,030.00
11/22/2024	329193	BURCH, CATHY	PZSC TRIP DEPARTMENT REFUND 24.09.24	20.00
11/22/2024	329194	BUSS, DAVID & CARLEEN	PZSC TRIP DEPARTMENT REFUND 25.04.10	100.00
11/22/2024	329195	C-COMM OF KALAMAZOO, INC.	MISC RADIO REPAIRS	2,552.80
11/22/2024	329196	CITY OF PORTAGE	2024 SUMMER TAX PARCEL 00024-200-K	1,206.56
11/22/2024	329197	CITY OF PORTAGE	PARTIAL 2024 SUMMER TAX REFUND	318.24
11/22/2024	329198	CLARKE, LINDA	PZSC TRIP DEPARTMENT REFUND 24.11.15	20.00
11/22/2024	329199	COMMERCIAL ALLIANCE OF REALTORS	COMM ALLIANCE OF REALTORS ANNUAL DUES	1,260.00
11/22/2024	329200	D L Z MICHIGAN INC	ENG SERVICES - WEST MILHAM AVE	9,950.00
11/22/2024	329201	DALE W. HUBBARD, INC.	PLUMBING SERVICE CALL	282.83
11/22/2024	329202	DAY, LAUREL	PZSC COOKING INSTRUCTOR CHARCUTERIE	225.00
11/22/2024	329203	DEVON TITLE AGENCY	OVER PAYMENT FINAL WATER/SEWER BILL	32.48
11/22/2024	329204	DRIESEN & ASSOCIATES INC	CITY HALL - CONSTRUCTION MATERIAL TESTING	8,849.25
11/22/2024	329205	ED DRESLINSKI CONSULTING INC	FIELD TRAINING OFC SEM REGISTRATIONS	2,535.00
11/22/2024	329206	EDISON ELECTRIC, INC	EMER KAL CO. MARKS 7237 S WESTNEDGE - UP	2,860.00
11/22/2024	329207	EFFECTIVE FITNESS COMBATIVES	LEVEL 1 INSTRUCTOR COURSE REGISTRATION	1,249.00
11/22/2024	329208	ELBEN, SUSAN	ICISF ADVANCED GROUP CLASS	250.00
11/22/2024	329209	EMERGENCY VEHICLE PRODUCTS	POLICE VEHICLE REPAIR/MAINTENANCE	1,896.90
11/22/2024	329210	EMPCO, INC	CUSTOM EXAM DEVELOPMENT	3,390.00
11/22/2024	329211	EWB PROPERTIES, LLC	UTILITY BILL REFUND FOR ACCOUNT	86.73
11/22/2024	329212	FAIRCHILD, JULIE	CENTRAL PARK PAVILION REFUND	110.00

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11/22/2024	329213	FASTENAL CO.	REPAIR PARTS	125.50
11/22/2024	329214	FIRST DAY SHOE FUND	FY 24-25 CDBG HPS FUNDING FOR SHOES	5,000.00
11/22/2024	329215	FLEIS & VANDENBRINK ENGINEERING	LEXINGTON-GREEN RENO A & E SERVICE	3,080.00
11/22/2024	329216	FLETCHER ENTERPRISES	PAINT & TEXTURE MECHANIC RESTROOM	1,725.00
11/22/2024	329217	FORSYTH, LARRY	TORNADO REPAIR TO SANTA CHAIRS & MAILBOX	210.00
11/22/2024	329218	FROHM & WIDMER, INC.	PROFESSIONAL SERVICES-APPRAISAL REPORT	6,000.00
11/22/2024	329219	GILCHRIST, GARY	BD BOND REFUND	600.00
11/22/2024	329220	GORDON FOOD SERVICE	PZSC OPERATING & PROGRAM SUPPLIES	94.74
11/22/2024	329221	HAGERTY, REBECCA	UTILITY BILL REFUND FOR ACCOUNT	60.93
11/22/2024	329222	HALLAHAN & ASSOCIATES, P.C.	ASSESSING LEGAL SERVICES	1,436.43
11/22/2024	329223	HANDY, NIKI	SCHRIER BUILDING DEPOSIT REFUND	150.00
11/22/2024	329224	HERNDON, KAYLIE	GRAIN ELEVATOR DEPOSIT REFUND	150.00
11/22/2024	329225	HERRIMAN, SCOTT E	PZSC MUSICAL PRESENTER	400.00
11/22/2024	329226	HOME DEPOT	REPAIR/MAINT & HOLIDAY SUPPLIES	3,940.79
11/22/2024	329227	VOID		0.00
11/22/2024	329228	VOID		0.00
11/22/2024	329229	IAFC	IAFC MEMBERSHIP	140.00
11/22/2024	329230	ICMA MEMBERSHIP RENEWALS	MEMBERSHIP DUES	3,600.00
11/22/2024	329231	IRISH ROOFING & EXTERIORS	MI NEIGHBORHOOD - ROOF REPLACEMENT	5,980.00
11/22/2024	329232	JOHNSON, DENNIS	LEAGUE FEES & DEPOSIT REFUND	280.00
11/22/2024	329233	KALAMAZOO AREA TRANSPORTATION STUDY	KATS MEMBERSHIP DUES	1,800.00
11/22/2024	329234	KALAMAZOO COUNTY DRAIN COMMISSIONER	AUSTIN LK CONSOLIDATED & LEXINGTON DRAIN ASSESS	4,600.00
11/22/2024	329235	KALAMAZOO COUNTY GOVERNMENT	PARKS & RECREATION BLD DEPOSIT REFUND	150.00
11/22/2024	329236	KALAMAZOO COUNTY TREASURER	COLONIAL ACRES OCT 2024 MOBILE HOME TAXES	252.50
11/22/2024	329237	KALAMAZOO FIRST ASSEMBLY OF GOD	PRECINCT RENTALS	200.00
11/22/2024	329238	KALAMAZOO SYMPHONY ORCHESTRA	PZSC PERFORMER 11.14.24	1,200.00
11/22/2024	329239	KENCO CORPORATION	HEADSTONE LIFTER	3,242.88
11/22/2024	329240	KENT COMMUNICATIONS INC.	MAILING OF PERSONAL PROPERTY STATEMENTS	246.62
11/22/2024	329241	KONICA MINOLTA BUSINESS SOLUTIONS	PRINTING SERVICES	1,408.68
11/22/2024	329242	KOOY, TERESA	PZSC PROGRAM REFUND FOR CLASS	110.00
11/22/2024	329243	KZOO TIRE COMPANY	POLICE VEHICLE REPAIR/MAINTENANCE	960.80
11/22/2024	329244	LEXISNEXIS RISK DATA MANAGEMENT INC	MONTHLY ACCURINT	1,235.00
11/22/2024	329245	LIFE LINE SCREENING	SCHRIER PARK BLD DEPOSIT REFUND	150.00

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11/22/2024	329246	LORD OF LIFE LUTHERAN CHURCH	PRECINCT RENTALS	200.00
11/22/2024	329247	MALSOM, ANDREA JEAN	PZSC PARKINSON EXERCISE INSTRUCTOR	600.00
11/22/2024	329248	MASONRY AND MORE LLC	MI NEIGHBORHOOD - CHIMNEY & APRON WORK	2,505.60
11/22/2024	329249	MAXSON, RUTHANN	PZSC TRIP DEPARTMENT REFUND 24.11.15	20.00
11/22/2024	329250	MCDONALD'S TOWING & RESCUE, INC.	TOWING SERVICES	215.00
11/22/2024	329251	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINTENANCE	4,414.38
11/22/2024	329252	MICHIGAN PAVEMENT MARKINGS LLC	MAJOR ROADS SPECIALTY MARKINGS	37,894.50
11/22/2024	329253	MIDWEST CUSTOM EMBROIDERY COMPANY	UNIFORM/SHIRT	24.00
11/22/2024	329254	MILLER, TRACI	PZSC TRIP DEPARTMENT REFUND 24.11.20	20.00
11/22/2024	329255	MLIVE MEDIA GROUP	LEGAL NOTICE & AFFIDAVIT	4,799.12
11/22/2024	329256	MOORLAG, JOSIE LIN	YOGA 4 LIFE MANAGEMENT FEE	283.20
11/22/2024	329257	MORRISON LANDSCAPE SERVICES LLC	FENCING REPLACEMENT	7,500.00
11/22/2024	329258	NOBLE	NOBLE MEMBERSHIP DUES	175.00
11/22/2024	329259	OFF THE BLOCKS, LLC	CDBG - REPLACE FURNACE & AC	12,316.75
11/22/2024	329260	OFFICE DEPOT, INC.	OFFICE SUPPLIES	587.35
11/22/2024	329261	PATHFINDER CHURCH	PRECINCT RENTAL	100.00
11/22/2024	329262	PERRY, ROB	PER DIEM-MI ASSOC SENIOR CENTERS CONF	88.50
11/22/2024	329263	PETTY CASH-KIM STEWART	REPLENISHMENT CHECK	269.79
11/22/2024	329264	PHENGKHAMKIP, VATSANA	SCHRIER PARK BLD DEPOSIT REFUND	150.00
11/22/2024	329265	PIEL, MICHELLE	PZSC TRIP DEPARTMENT REFUND 24.11.15	20.00
11/22/2024	329266	PIERLUISSI VENTURES, LLC	PZSC ART CRAFT CLASS	425.00
11/22/2024	329267	PLUMMER'S ENVIRONMENTAL SERVICES	STORM STRUCTURE CLEANING 2024	11,985.00
11/22/2024	329268	PORTAGE CHAPEL HILL UMC	PRECINCT RENTAL FOR 11-05-2024	200.00
11/22/2024	329269	PORTAGE ROTARY	QUARTERLY LUNCH DUES	600.00
11/22/2024	329270	PRAIRIE EDGE CHRISTIAN REFORMED CHU	PRECINCT RENTALS	200.00
11/22/2024	329271	PRINCE OF PEACE LUTHERAN CHURCH	PRECINCT RENTAL	100.00
11/22/2024	329272	PROPERTY MANAGEMENT SYSTEMS	MANAGEMENT FEES	460.00
11/22/2024	329273	PURITY CYLINDER GASES, INC	WELDING SUPPLIES	129.54
11/22/2024	329274	RATHCO SAFETY SUPPLY, INC.	ROAD SIGNS MAJORS	42.00
11/22/2024	329275	RENEWED EARTH, INC.	COMPOST SITE MANAGEMENT	8,166.66
11/22/2024	329276	ROBERTS DEVELOPMENT GROUP INC	BD BOND REFUND	855.00
11/22/2024	329277	ROMO, NICOLE	PER DIEM/EXPS-MI ASSOC SENIOR CENTERS CONF	207.76
11/22/2024	329278	S A MORMAN & CO.	PZSC INTERNAL MASTER KEYS	168.00

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11/22/2024	329279	SAMUELS, JESSICA	RAMONA PARKING VOUCHERS REFUND	20.00
11/22/2024	329280	SEELYE FORD, INC.	FIRE APPARATUS MAINT	26.70
11/22/2024	329281	SELNER, WHISPER	GRAIN ELEVATOR DEPOSIT REFUND	150.00
11/22/2024	329282	SHERMAN, PAULA	PZSC RENTAL SECURITY DEPOSIT REFUND	250.00
11/22/2024	329283	SHERRIFF-GOSLIN CO.	WELLHOUSE MAINTENANCE-FLAT ROOF REPLACEMENT	25,700.00
11/22/2024	329284	SMART SOURCE, LLC	PRINTING SERVICES	215.10
11/22/2024	329285	SPIRIT SHOPPE, INC.	FIRE UNIFORMS	528.00
11/22/2024	329286	ST EXTERIORS LLC	KAL CO - REPLACE WINDOWS & ENTRY DOORS	13,940.00
11/22/2024	329287	STATE OF MICHIGAN	SOR FEES	30.00
11/22/2024	329288	STATE OF MICHIGAN (DOT)	PORTAGE ROAD CONST-ROMENCE TO FAIRFIELD	74,121.20
11/22/2024	329289	STATE OF MICHIGAN (MGT & BUDGE	RADIO ACTIVATION FOR PORTABLE RADIOS	1,000.00
11/22/2024	329290	STATE SYSTEMS RADIO, INC	PARKS & RECREATION RADIOS	7,090.92
11/22/2024	329291	STEENSMA LAWN & POWER EQUIPMENT	SNOW BLOWER BUGGY MOUNT, LEAF BLOWER	5,217.75
11/22/2024	329292	STEK, STANLEY J.	AUSTIN LAKE TRAIL LEGAL SERVICES	5,812.00
11/22/2024	329293	STEWART, KIM	NOVEMBER CULINARY ACADEMY REFUND	35.00
11/22/2024	329294	STONEGATE MANAGEMENT, INC.	PRECINCT RENTAL FOR 11-05-2024	100.00
11/22/2024	329295	SUNBELT RENTALS, INC.	MOMASH LGT CART, GENERATORS & SOLAR LGT RENTAL	5,438.90
11/22/2024	329296	SWT EXCAVATING, INC	INSTALL HDPE CONDUIT, BACKFLOW & IRR REPAIRS	11,617.31
11/22/2024	329297	TEAM SUPPORT SERVICES, LLC	PROJECT MANAGEMENT AND RECORD STORAGE	984.60
11/22/2024	329298	TED'S APPLIANCE, LLC	PARKS DEPT - REFRIGERATOR REPAIR	95.00
11/22/2024	329299	THE BRIDGE	PRECINCT RENTALS	200.00
11/22/2024	329300	THE CCIM INSTITUTE	CCIM INSTITUTE 2025 MEMBERSHIP	695.00
11/22/2024	329301	TITLE RESOURCE AGENCY	OVER PAYMENT FINAL WATER/SEWER BILL	53.68
11/22/2024	329302	TN ADVISORS LLC	PROFESSIONAL CONSULTING SERVICES	12,000.00
11/22/2024	329303	TRAFFIC AND PARKING CONTROL CO., IN	STOP/SLOW PADDLES	1,401.84
11/22/2024	329304	TRUGREEN AND ACTION PEST CONTROL	FALL FERTILIZER & BROADLEAF WEED CONTROL	5,658.86
11/22/2024	329305	U S SIGNAL COMPANY, LLC	MONTHLY INTERNET FIBER SERVICES	900.00
11/22/2024	329306	UNITED PARCEL SERVICE	UPS WEEKLY	18.00
11/22/2024	329307	URFER, JANET & WILLIAM	PZSC TRIP DEPARTMENT REIMBURSEMENT 24.11	950.00
11/22/2024	329308	US HYD LLC	TINK CYLINDER REBUILDS	1,775.00
11/22/2024	329309	VANGUARD FIRE & SUPPLY CO., INC.	FIRE FACILITY MAINT	500.00
11/22/2024	329310	VERIZON WIRELESS	WIRELESS CARDS	390.32
11/22/2024	329311	VK ENDEAVOURS LLC	CITY HALL - PROF CONSTRUCTION ENG SVCS	13,642.90

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11/22/2024	329312	W. SOULE & COMPANY	VACTOR ELBOW FABRICATION	4,333.00
11/22/2024	329313	WASHCO, LLC	POWER WASHING - GRAFFITI REMOVAL	250.00
11/22/2024	329314	WEATHERTECH CONSULTING GROUP, INC.	7900 S WESTNEDGE- ROOF REPLACEMENT CONSULT	4,500.00
11/22/2024	329315	WEDEL'S INC.	RIGHT OF WAY TREE PLANTING MAT/LABOR	8,385.60
11/22/2024	329316	WESTMINSTER PRESBYTERIAN CHURCH	PRECINCT RENTAL FOR 11-05-2024	100.00
11/22/2024	329317	WILD, JED	REIMB-STATE OF MI EMS LICENSE RENEWAL	50.00
11/22/2024	329318	WILLIAMS & WORKS	ENG SERVICES - MULT LOCS	22,356.05
11/22/2024	329319	WOLZ, MARI-CLARE	SCHOOLHOUSE DEPOSIT REFUND	50.00
Total Paper Checks				480,511.52
Check Type: Auto-Pay Payments				
11/13/2024		CONSUMERS ENERGY	GAS-ELECTRIC	12,007.93
11/15/2024		CONSUMERS ENERGY	GAS-ELECTRIC	269.46
11/15/2024		MISSIONSQUARE	EMPLOYEE RETIREMENT WITHHOLDINGS	48,173.31
11/18/2024		MISSIONSQUARE	EMPLOYEE RETIREMENT CONTRIBUTIONS	79,620.62
11/20/2024		CITY OF PORTAGE	WATER/SEWER BILLING	392.97
Total Auto-Pay Payments				140,464.29
Check Type: Electronic Payments				
11/15/2024		MULTIPLE	IAFF, PPCOA, PPOA, UAW PENSION PAYMENTS	111,740.12
11/15/2024		MULTIPLE	WEEKLY TAX DISBURSEMENT 11/8/24	133,378.78
11/15/2024		RAYMOND JAMES	INVESTMENT PURCHASE	1,075,854.17
11/22/2024		MULTIPLE	WEEKLY TAX DISBURSEMENT 11/15/24	31,711.59
Total Electronic Payments				1,352,684.66
Grand Total				3,936,215.05

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Industrial Tax Abatement Application - Summit Polymers, Inc. at 6615 South Sprinkle Road

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer
Aaron Powers, City Assessor
Lauren VanderVeen, Finance Director
Jonathon Hallberg, Deputy Director of Economic Development

ACTION RECOMMENDED: Take the following actions:

- a. receive the application from Summit Polymers, Inc. for an Industrial Tax Abatement for the property addressed at 6615 South Sprinkle Road;
- b. adopt the Resolution to include Summit Polymers, Inc. as part of existing District #97; and
- c. set a public hearing on the proposed Industrial Facilities Exemption Certificate on December 17, 2024.

Attached is a request from Summit Polymers, Inc., to receive an Industrial Facilities Tax Exemption Certificate at 6615 South Sprinkle Road for a six-year real property tax abatement. Summit Polymers is requesting to receive this exemption to be included as part of the existing Industrial Development District (IDD) No. 97. As the Council will recall, the city consolidated its various individual industrial development districts in April 2024 to streamline the application process for abatement applicants, who only need to apply for exemption certificates in one of the six resulting, similarly-zoned districts (#95-100).

Jim Haas founded Summit Polymers, Inc. in his garage in 1972 to answer overflow needs from established mold shops, including automotive parts, toys, lawn equipment, and RV parts. Two years later, Summit relocated to its current location on Sprinkle Road. Summit Polymers is now a primary supplier of plastic injection molding (Tier 1 level) parts for vehicle interiors, including manually operated and decorative components and systems for cars and trucks, such as air conditioner registers, steering column covers, cup holders, switch bases and glove compartments. Summit now has more than 3,000 employees at 18 locations worldwide, supplying operations for General Motors, Ford, Fiat/Chrysler, Stellantis, and more.

Summit Polymers is proposing the construction of an additional 20,000 square feet to the existing facility that has been in use since 2003. The planned investment of \$3.14 million in improvements is expected to result in five additional full-time jobs on site, with each position receiving around \$77,303 annually. The goal of the facility expansion is intended to increase machinery construction and pre-production build

purposes for Summit's decorative interior automotive parts manufacturing. Permitted construction began in June 2024 and is slated to be finished by the end of the year.

Therefore, it is recommended that City Council receive the application from Summit Polymers, Inc. for an Industrial Tax Abatement for the property addressed at 6615 South Sprinkle Road; adopt the Resolution to include Summit Polymers, Inc. as part of existing District #97; and set a public hearing on the proposed Industrial Facilities Exemption Certificate on December 17, 2024.

FUNDING: N/A

Attachments:

1. Full Application Packet
2. Summit Polymers IDD - Resolution #3
3. Tax Abatement Agreement
4. Affidavit of Fees
5. Citywide IDD Resolution 2
6. Citywide IDD Resolution 1



Summit Polymers

City of Portage
Attn: City Clerk, Ms. Erica Eklov
Portage City Hall
7900 South Westnedge Avenue
Portage, Michigan 49002

Re: 6615 South Sprinkle Road, Portage, Michigan (Parcel Number: 00012-116-A)

Ms. Eklov:

Sprinkle Engineering Building, LLC, a wholly owned subsidiary of Summit Polymers, Inc. (collectively the "Company") operates an automotive parts manufacturing business from its facility located at 6615 South Sprinkle Road, Portage, Michigan (the "Facility"). The Company is planning an expansion of the Facility and a significant investment in additional equipment, furniture, fixtures, and machinery. In connection with the proposed expansion and investment, please find enclosed the following review and consideration:

1. An Application for Industrial Facilities Tax Exemption Certificate for the Facility
2. A check in the amount of \$2,000 for the application fee
3. A site layout that shows the existing facility and expansion area
4. Legal descriptions of the existing footprint of the Facility and the expansion area
5. Environmental Compliance Statement
6. Jobs and Compensation Schedule, and
7. New Equipment List

By way of background, the Company has been operating from the Facility since 2003. The Company is growing and desires to add approximately 20,000 square feet to the Facility. As shown on the enclosed drawings, the expansion would consist of a single story. The addition is expected to cost approximately \$2,143,492 and would be used for machinery construction (increased sales of approximately \$2.5M) and pre-production build purposes in furtherance of the Company's decorative interior automotive parts manufacturing business.



Summit Polymers

The expansion would also result in an investment of approximately \$694,005 in new machinery and personal property. A more specific list of equipment is enclosed with this letter.

Most importantly, the expansion would enable the Company to add approximately 5 full-time jobs to the Facility. The additional jobs would increase the workforce at the Facility from 26 (25 full-time and 1 part-time) jobs to 31 (30 full-time and 1 part-time) jobs.

It is noted that an industrial development district was previously established. The enclosed drawings and legal descriptions show the existing Facility and expansion area will be in the previously established industrial development district.

The Company has already started construction and would like to move forward as quickly as possible. The Company believes the enclosed information satisfies the application requirements and hope it can be considered by City Council as soon as possible. If there are any deficiencies, or if City staff needs more information to fully evaluate the application, the Company will provide it as quickly as possible.

Thank you in advance for your time and consideration with respect to the enclosed Application. The Company looks forward to presenting the Application, and the opportunities it presents for the City of Portage, to the City Council.

Please contact me with questions. I look forward to hearing from you soon.

Very truly yours,

Summit Polymers, Inc.

Christopher Bergman

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. If you have any questions regarding the completion of this form, call 517-335-7491.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Erica J. Ekko</i>	► Date Received by Local Unit 11/1/2024
STC Use Only	
► Application Number	► Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

► 1a. Company Name (Applicant must be the occupant/operator of the facility) SUMMIT POLYMERS, INC.		► 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3714-01	
► 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 6615 S SPRINKLE RD, PORTAGE, MI 49002		► 1d. City/Township/Village (indicate which) CITY OF PORTAGE	► 1e. County KALAMAZOO
► 2. Type of Approval Requested ☒ New (Sec. 2(5)) ☐ Transfer ☐ Speculative Building (Sec. 3(8)) ☐ Rehabilitation (Sec. 3(6)) ☐ Research and Development (Sec. 2(10)) ☐ Increase/Amendment		► 3a. School District where facility is located PORTAGE	► 3b. School Code 39140
		4. Amount of years requested for exemption (1-12 Years) SIX (6) YEARS	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

SEE ATTACHMENT

6a. Cost of land and building improvements (excluding cost of land)	► \$3,143,493
* Attach list of improvements and associated costs.	
* Also attach a copy of building permit if project has already begun.	
6b. Cost of machinery, equipment, furniture and fixtures	►
* Attach itemized listing with month, day and year of beginning of installation, plus total	
Personal Property Costs	
6c. Total Project Costs	► \$3,143,493
* Round Costs to Nearest Dollar	
Total of Real & Personal Costs	

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	► 06/18/2024	12/31/2024	► ☒ Owned ☐ Leased
Personal Property Improvements	► 06/18/2024	12/31/2024	► ☒ Owned ☐ Leased

► 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. ☐ Yes ☒ No

► 9. No. of existing jobs at this facility that will be retained as a result of this project. 25 full-time and 1 part-time	► 10. No. of new jobs at this facility expected to create within 2 years of completion. 5 full-time
---	--

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	_____
b. TV of Personal Property (excluding inventory)	_____
c. Total TV	_____

► 12a. Check the type of District the facility is located in:
☒ Industrial Development District *97* ☐ Plant Rehabilitation District

► 12b. Date district was established by local government unit (contact local unit)	► 12c. Is this application for a speculative building (Sec. 3(8))? ☐ Yes ☒ No
--	---

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name CHRIS BERGMAN	13b. Telephone Number (269) 352-8568	13c. Fax Number	13d. E-mail Address cbergman@summitpolymers.com
14a. Name of Contact Person CHRIS BERGMAN	14b. Telephone Number (269) 352-8568	14c. Fax Number	14d. E-mail Address cbergman@summitpolymers.com
▶ 15a. Name of Company Officer (No Authorized Agents) ANDREA HAAS			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number	15d. Date 10/27/24
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 6715 S SPRINKLE RD, PORTAGE, MI 49002-9707		15f. Telephone Number (269) 324-9330	15g. E-mail Address ahaas@summitpolymers.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit ☐ Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion ☐ Yes ☐ No ☐ Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable ☐ 1. Original Application plus attachments, and one complete copy ☐ 2. Resolution establishing district ☐ 3. Resolution approving/denying application. ☐ 4. Letter of Agreement (Signed by local unit and applicant) ☐ 5. Affidavit of Fees (Signed by local unit and applicant) ☐ 6. Building Permit for real improvements if project has already begun ☐ 7. Equipment List with dates of beginning of installation ☐ 8. Form 3222 (if applicable) ☐ 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable ☐ 1. Notice to the public prior to hearing establishing a district. ☐ 2. Notice to taxing authorities of opportunity for a hearing. ☐ 3. List of taxing authorities notified for district and application action. ☐ 4. Lease Agreement showing applicants tax liability.		
16c. School Code		
17. Name of Local Government Body		▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

For faster service, email the completed application and additional required documentation to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury
 State Tax Commission
 PO Box 30471
 Lansing, MI 48909

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

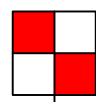
IFT CERTIFICATE APPLICATION, ITEM #5

Summit Polymers, Inc. ("SPI") a Michigan corporation, is a global manufacturer of plastic injection molded, decorative interior automotive components. Incorporated on September 27, 1972, SPI will be celebrating 52 years in Kalamazoo County this year and most of those years in Portage, Michigan. SPI began its Portage residency at 6700 South Sprinkle Road and over the years SPI expanded its operations to new Portage facilities and created new jobs and tax base at 6717 South Sprinkle Road, 4750 Executive Drive and 6615 South Sprinkle Road.

Once again SPI is expanding in Portage at its manufacturing facility at 6615 South Sprinkle Road. Existing operations at 6615 South Sprinkle Road are a Tool Shop and a Build Area. The Tool Shop supports the parts manufacturing plants by designing and building tools and fixtures that support high quality production, efficient operations and employee safety and well-being. The Build Area builds pre-production components, such as prototypes and proof of concepts before final production. The expansion will provide much needed additional manufacturing space (Tool Shop and Build Area), materials storage and office space to keep pace with the SPI's growth in the US and abroad.

Classification	Work To Be Done	Quote #	Vendor	Quoted Price
Building Expansion	200' X 100' Expansion	042424	James Ware Construction Inc.	\$1,266,977
Building Expansion	Frame & Finish 18' X200'	042424	James Ware Construction Inc.	\$346,376
Building Expansion	Install (4) 20 Ton HVAC Units w Pad / Duct Socks	042424	James Ware Construction Inc.	\$208,320
Building Expansion	West Building Face	042424	James Ware Construction Inc.	\$100,510
Building Expansion	Side Wall Insulation South	042424	James Ware Construction Inc.	\$5,175
Building Expansion	Full Heigh Wall Liner (300'X200' Purlins)	042424	James Ware Construction Inc.	\$31,050
Building Expansion	20000 Sq Ft Ceiling Insulation	042424	James Ware Construction Inc.	\$23,000
Building Expansion	40000 Sq Ft Ceiling Liner	042424	James Ware Construction Inc.	\$92,000
Building Expansion	Additional Water Main / Storm Water Connections	042424	James Ware Construction Inc.	\$63,690
Building Expansion	Ceiling Liner	042424	James Ware Construction Inc.	\$36,900
Building Expansion	Demo & Reconnect Small Office	042424	James Ware Construction Inc.	\$7,000
Building Expansion	Additional Bracing in Butler Building (FM)	042424	James Ware Construction Inc.	\$21,654
Building Expansion	Take Down & Remove Crane	042424	James Ware Construction Inc.	\$0
Building Expansion	Remove All Process Pipes	042424	James Ware Construction Inc.	\$6,500
Building Expansion	Remove All Roof Vents	042424	James Ware Construction Inc.	\$8,000
Building Expansion	Remove Interior Wall (+ Conduit & Piping)	042424	James Ware Construction Inc.	\$18,000
Building Expansion	Fire Pump Room / Base / ESFR Upgrade (FM)	042424	James Ware Construction Inc.	\$171,703
Building Expansion	Flooring	042424	James Ware Construction Inc.	\$40,000
Building Expansion	Disconnect & Demo Electrical Connection	060723	ROC Electric	\$850
Building Expansion	Disconnect & Demo Electrical Connection	060723	ROC Electric	\$850
Building Expansion	Install Exhaust Fans / Switches	060723	ROC Electric	\$800
Building Expansion	Fire Pump Room Electrical	Estimated	ROC Electric	\$60,000
Building Expansion	Install Exhaust Fans / Switches	060723	ROC Electric	\$800
Building Expansion	Relocate Air Compressor (Pneumatic)	060623	Vanville	\$2,500
Concrete	Repair Concrete Under Current Tool Room Office Area	Estimated	Burgess Concrete Construction	\$15,000
Demo	Disconnect / Demo Gas Feed (Rapid HV)	Estimated	LaPine HVAC	\$3,500
Demo	Demo Electrical / Wiring From West Wall	060723	ROC Electric	\$6,500
Demo	Disconnect / Demo Power Feed (Rapid HV)	060723	ROC Electric	\$850
Demo	Demo Center Wall Conduit	060723	ROC Electric	\$4,500
Demo	Demo & Discard Current Lighting	060723	ROC Electric	\$3,500
Electrical	Disconnect & Demo Electrical Connection	060723	ROC Electric	\$2,500
Electrical	Relocate Air Compressor (Wiring)	060723	ROC Electric	\$4,500
Electrical	Install Double Door Cooler	060723	ROC Electric	\$750
Electrical	Install (3) Microwaves	060723	ROC Electric	\$1,200
Electrical	Install 75" TV Screen (Wall Mounted)	060723	ROC Electric	\$1,000
Electrical	Install Ice / Water System	060723	ROC Electric	\$750
Electrical	Install Exit Egress w Remote Heads	060723	ROC Electric	\$1,500
Electrical	Relocate Panels, Transformer, Communication Rack From West Wal	060723	ROC Electric	\$17,500
Electrical	Install (40) 480 BUS Plugs	060723	ROC Electric	\$62,000
Electrical	Install (10) Standard 120V Wall Outlets	060723	ROC Electric	\$1,250
Electrical	Install 100" TV Screen (Wall Mounted)	060723	ROC Electric	\$1,650
Electrical	Install (8) Floor Boxes - (2) Per Conference Room	060723	ROC Electric	\$9,500
Electrical	Install (5) TV Mounts w/ Power / Network Lines	060723	ROC Electric	\$8,200
Electrical	Install (10) Standard 120V Wall Outlets	060723	ROC Electric	\$1,250
Electrical	Install 100" TV Screen (Wall Mounted)	060723	ROC Electric	\$1,650
Electrical	Install (30) 6 Gang Box Drops ((4) 120V Outlets, (2) Network Outlets) (B41)	060723	ROC Electric	\$35,000
Electrical	Install (2) GFCI Outlet - Sink Side LH / RH	060723	ROC Electric	\$750
Electrical	Install Air / Hand Dryer	060723	ROC Electric	\$750
Electrical	Install (2) 200A 120V Panels + (2) 75 KVA Transformers	060723	ROC Electric	\$45,000
Electrical	Install Lighting (Match All-Phase Pattern)	060723	ROC Electric	\$75,000
Electrical	Install (2) GFCI Outlet - Sink Side LH / RH	060723	ROC Electric	\$750
Electrical	Install Air / Hand Dryer	060723	ROC Electric	\$750
Electrical	Disconnect & Move Lift Unit	060723	ROC Electric	\$800
Electrical	Install 480V Outlet Near Lift Unit	060723	ROC Electric	\$800
Electrical	Install (16) 480V Outlet Drops (B3)	060723	ROC Electric	\$20,500
Electrical	Install (56) 4 Gang Outlet 120V Drops (B3, B10, B11)	060723	ROC Electric	\$35,000
Electrical	Install (56) 4 Gang Outlet Network Drops (B3, B10, B11)	060723	ROC Electric	\$35,500
Electrical	Disconnect & Demo Electrical Connection	060723	ROC Electric	\$2,280
Electrical	Install BUS Bar on South Side	060723	ROC Electric	\$16,500
Electrical	Install (10) 2 Gang Network Lines	060723	ROC Electric	\$3,500
Electrical	Install (10) 4 Gang 120V Outlets (20 AMP's each)	060723	ROC Electric	\$3,500
Electrical	Install (6) Network Lines	060723	ROC Electric	\$1,000
Electrical	Disconnect / Reconnect Power	060723	ROC Electric	\$1,750
Electrical	Install LED Lighting Dimmer Controls	060723	ROC Electric	\$500
Electrical	Install (8) Standard 120V Wall Outlets	060723	ROC Electric	\$1,000
Electrical	Install (1) 65" TV Screens (Wall Mounted)	060723	ROC Electric	\$1,650
Electrical	Install LED Lighting Dimmer Controls	060723	ROC Electric	\$500
Electrical	Install (8) Standard 120V Wall Outlets	060723	ROC Electric	\$1,000
Electrical	Install (1) 65" TV Screens (Wall Mounted)	060723	ROC Electric	\$1,650
Electrical	Install (36) 4 Gang 120V Outlets (20 AMP's each) (B1, B2)	060723	ROC Electric	\$12,600
Electrical	Install (24) 480V Drops (B2)	060723	ROC Electric	\$36,500
Electrical	Install (36) 4 Gang Network Outlets (B1, B2)	060723	ROC Electric	\$27,000
Electrical	Install LED Lighting Dimmer Controls (14 Cubicle)	060723	ROC Electric	\$7,200
Electrical	Install (24) Standard 120V Wall Outlets	060723	ROC Electric	\$20,500
Fire Supression	Demo & Move Fire Supression Alert System	Estimated	Johnson Cotrols	\$18,500
Lighting	Purchase Lighting (Match All-Phase Pattern)	Q5000132 R2	All-Phase Electric Supply Co.	\$72,358
Lighting	Install LED Lighting	060723	ROC Electric	\$750
Lighting	Install LED Lighting Dimmer Controls	060723	ROC Electric	\$250
Lighting	Install LED Lighting Dimmer Controls	060723	ROC Electric	\$200
Lighting	Install LED Lighting	060723	ROC Electric	\$250
Lighting	Install LED Lighting	060723	ROC Electric	\$250

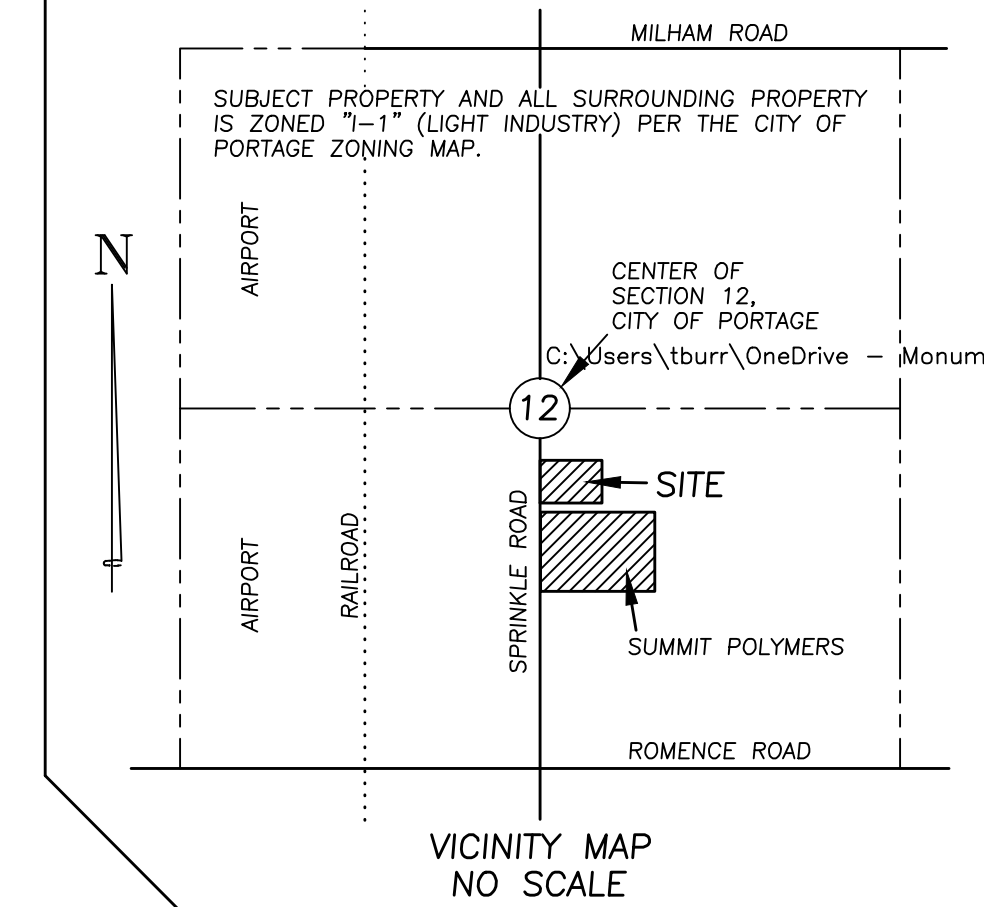
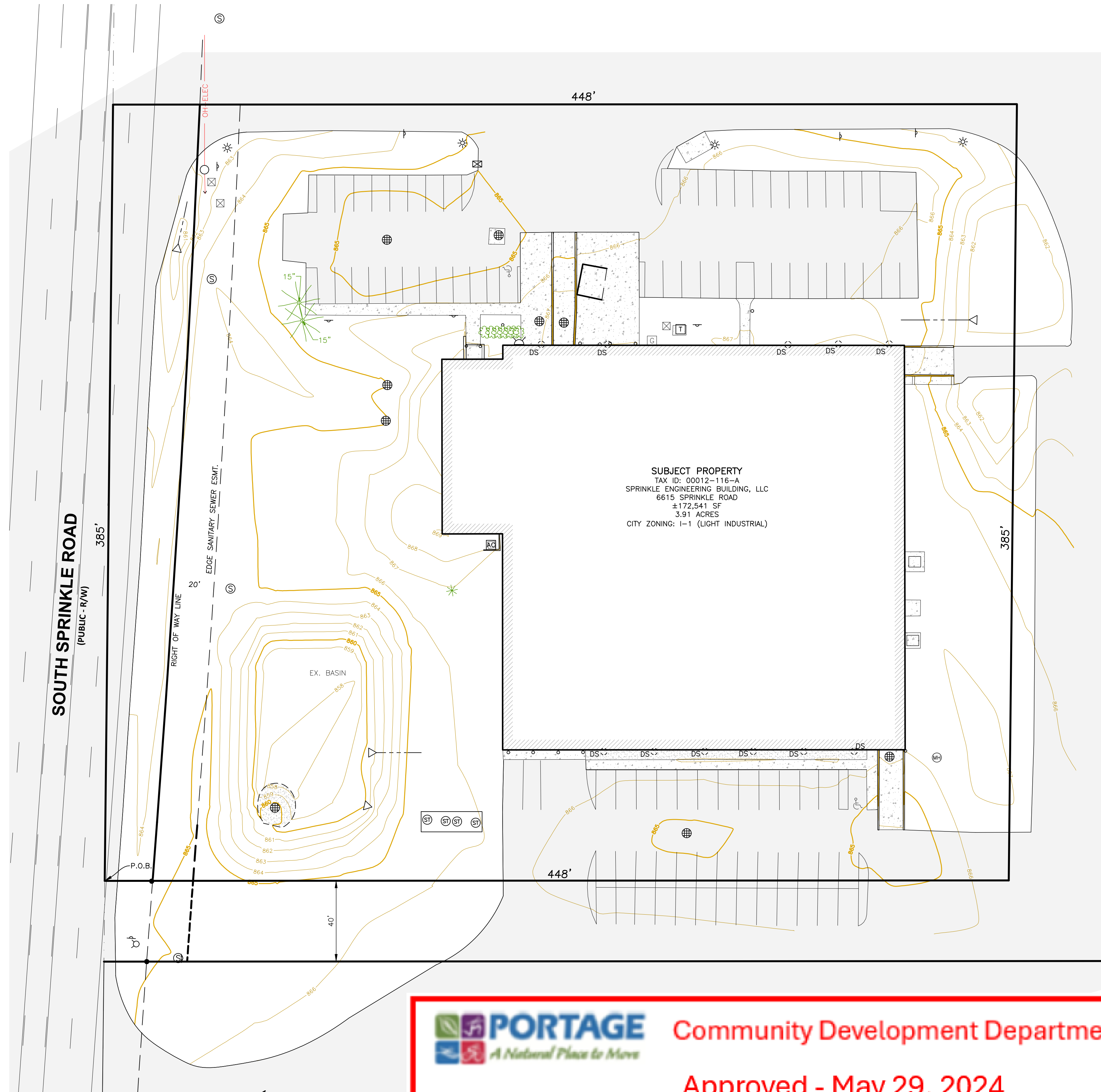
\$3,143,493



N

30' 0' 30' 60' 90'

SITework CONSTRUCTION PLANS for SUMMIT POLYMERS, INC. in PORTAGE, MICHIGAN



INNOVATIVE GEOSPATIAL
& ENGINEERING SOLUTIONS

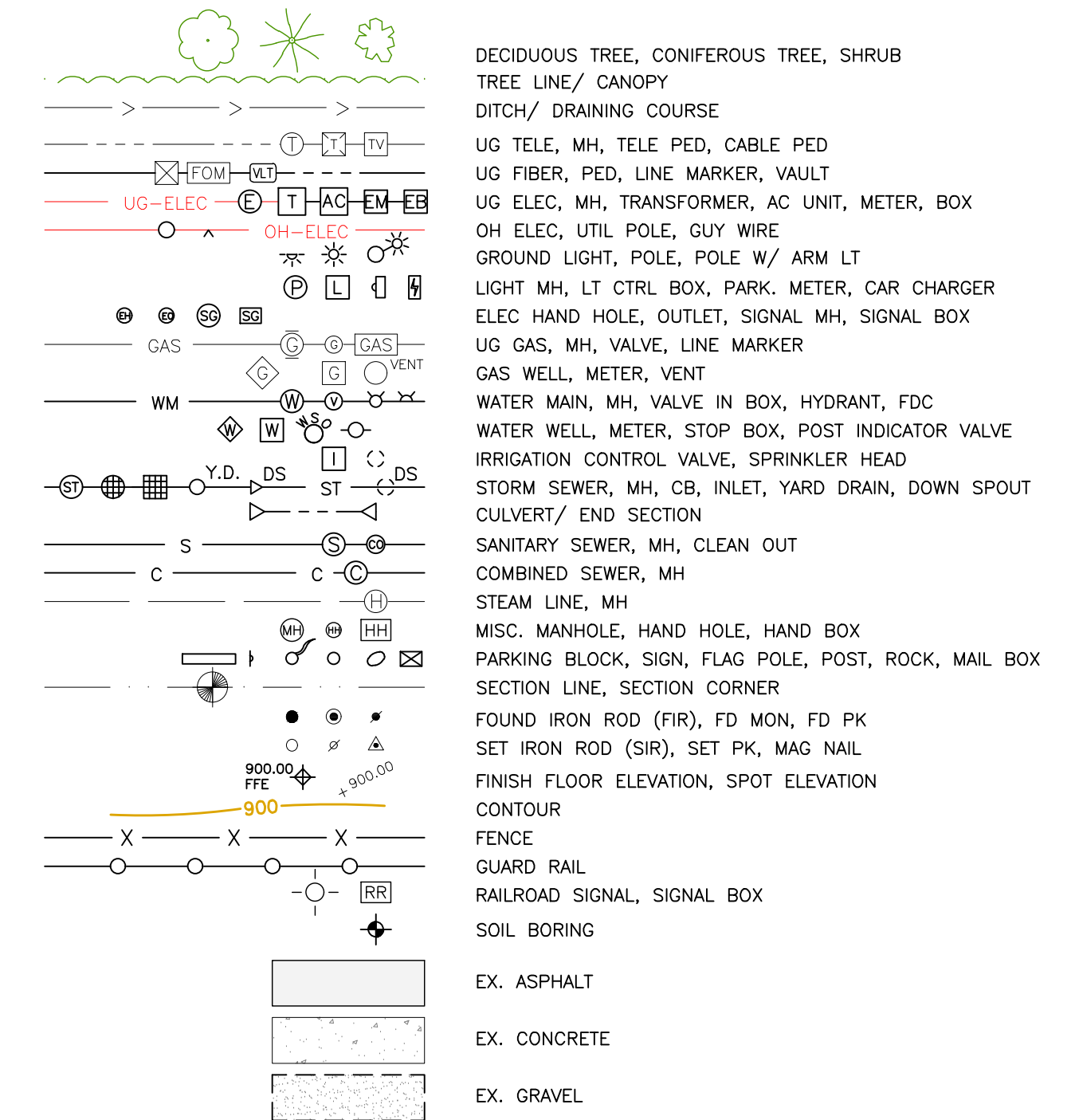
MEGA
MONUMENT ENGINEERING GROUP ASSOCIATES

388 VETERANS DRIVE
PORTAGE, MI 49002
(OFFICE) 517-223-3512
MONUMENTENGINEERING.COM

SERVICE DISABLED VETERAN OWNED
SMALL BUSINESS (SDVOSB)

DRAFT

EXISTING LEGEND



SHEET INDEX:
G-1.0 COVER SHEET
C-1.0 LAYOUT PLAN
C-7.0 GRADING & UTILITY PLAN
C-12.0 SPECIFICATIONS
C-12.1 SPECIFICATIONS

OWNER:
SPRINKLE ENGINEERING BUILDING,
6715 S. SPRINKE RD., LLC
PORTAGE, MI 49002
(269) 324-9323

APPLICANT:
SUMMIT POLYMERS, INC.
6715 S. SPRINKLE ROAD
PORTAGE, MI 49002
(269) 324-9323



Community Development Department

Approved - May 29, 2024

CLIENT :

SUMMIT POLYMERS

6715 S. SPRINKLE RD.
PORTAGE, MI 49002
POC: CHRIS BERGMAN

(269) 352-8568

COVER

SUMMIT POLYMERS
6615 S. SPRINKLE ROAD
PART OF SE 1/4 SEC.12, T3S-R11W,
CITY OF PORTAGE, KALAMAZOO CO., MICHIGAN

DATE	5/10/2023	5/23/2023	8/10/2023	9/21/2023	10/24/2023	3/25/2024	5/10/2024	5/28/2024
PLAN SUBMITTALS/REVISIONS								
SENT TO CLIENT								
REVISED PER CLIENT								
REVISED PER CITY REVIEW								
REVISED PER CITY REVIEW								
REVISED PER CLIENT								
REVISED WATER LINE								
REVISED WATER SERVICES								

ORIGINAL ISSUE DATE:
5/10/2023

PROJECT NO: 22-276

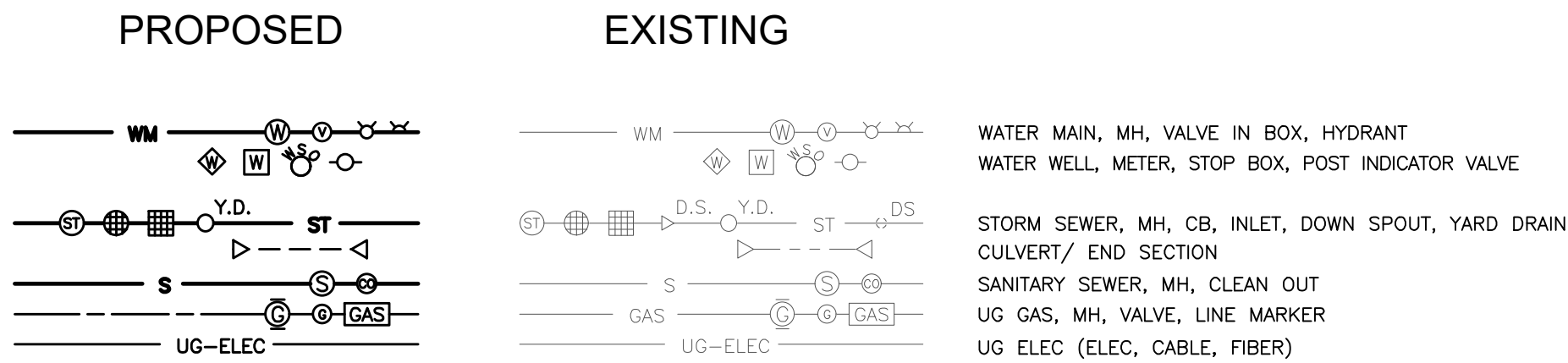
SCALE: N/A
0 1/2" 1"

FIELD:
DRAWN BY: DC, MN
DESIGN BY: PF
CHECK BY: PF

G-1.0

NOT FOR CONSTRUCTION

UTILITY LEGEND



NOTE: NEW FIRE SERVICE WILL REQUIRE 'RPZ' & BYPASS METER TO BE LOCATED AS CLOSE AS PRACTICAL TO THE EXTERIOR WALL OF THE BUILDING NEAR THE POINT WHERE THE SERVICE CROSSES THE FOUNDATION. IF NOT LOCATED ON AN EXTERIOR WALL, A WAIVER RELEASING THE CITY FROM LIABILITY FOR THE PORTION OF THE FIRE LINE PRIOR TO THE RPZ INSIDE THE BUILDING WILL BE REQUIRED. FIRE PROTECTION DRAWINGS SHALL BE PROVIDED TO THE CITY BY OTHERS. RPZ AND BYPASS METER SHALL COMPLY WITH CITY STANDARDS AND REQUIREMENTS.

CB#1: 48" DIAMETER
RIM = 864.12
12" INV (W) = 861.00

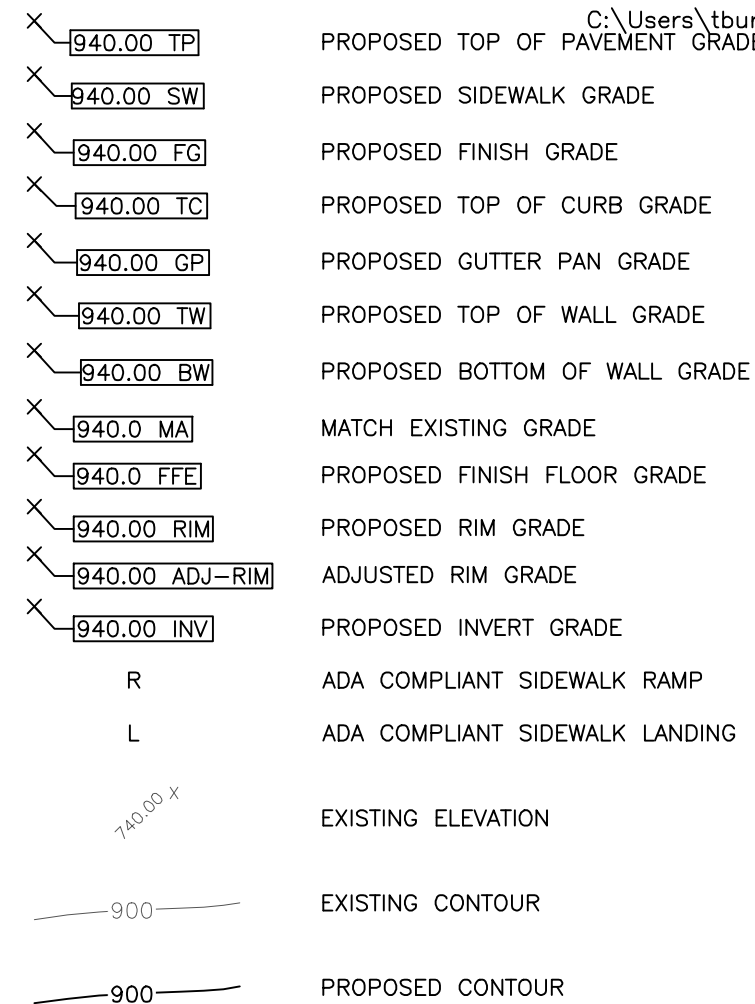
MH#2: 48" DIAMETER
RIM = 865.00
12" INV (E) = 861.55
12" INV (S) = 861.40

12" INV @ BASIN = 859.60

CB#1 TO MH#2:
55.0' - 12" RCP STORM @ 1.00%

MH#2 TO BASIN:
280' - 12" STORM @ 0.64%

GRADING LEGEND



ELEVATION BENCHMARKS

DATUM: NAVD88

BM A:
RAILROAD SPIKE IN SOUTH FACE UTILITY POLE, 45'± EAST OF SUBJECT'S WEST PROPERTY LINE & 86'± NORTH OF SUBJECT'S NORTH BUILDING WALL.
ELEV = 863.15

BM B:
CHISELED "X" ON EAST SIDE FLANGE BOLT ON HYDRANT, 31'± SOUTH OF SUBJECT'S SOUTH PROPERTY LINE & 181'± WEST OF SUBJECT'S WEST BUILDING WALL.
ELEV = 865.67

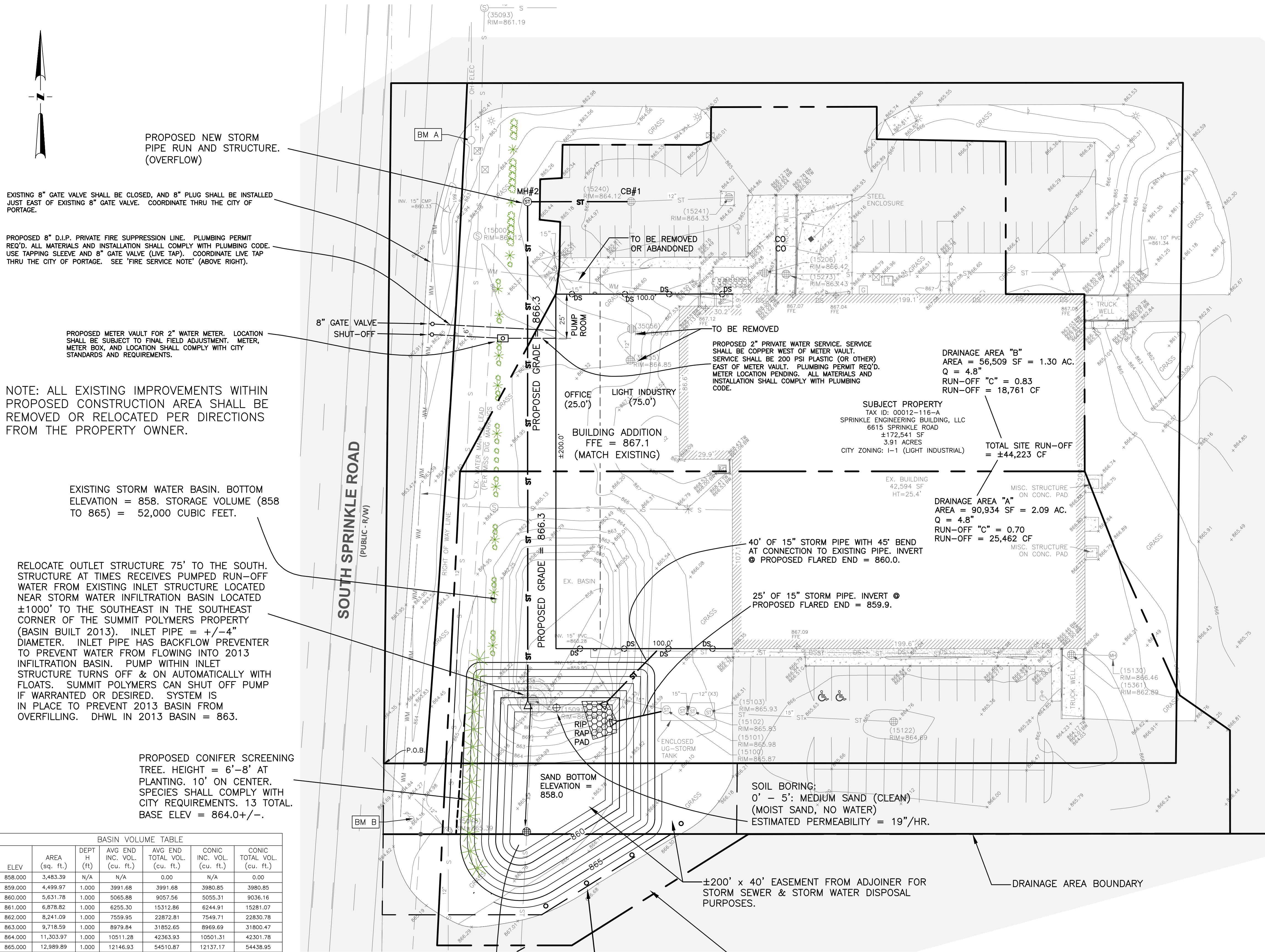
SOIL/GROUNDWATER CONTAMINATION NOTES:

IF SOIL OR GROUNDWATER CONTAMINATION IS ENCOUNTERED OR SUSPECTED DURING CONSTRUCTION THE FOLLOWING STEPS SHALL BE FOLLOWED:

- 1) CONTRACTOR SHALL STOP WORK IMMEDIATELY AND NOTIFY OWNER AND/OR OWNER'S REPRESENTATIVE.
- 2) OWNER AND/OR OWNER'S REPRESENTATIVE SHALL NOTIFY THE CITY.
- 3) OWNER SHALL ENGAGE THE SERVICES OF A QUALIFIED ENVIRONMENTAL CONSULTANT.
- 4) CONSULTANT SHALL CONDUCT A SITE ASSESSMENT AND REPORT TO THE ABOVE PARTIES.
- 5) CONSULTANT SHALL DEVELOP A PLAN TO ADDRESS ANY CONTAMINATION WHICH MAY BE FOUND DURING CONSTRUCTION.
- 6) THE CONSULTANT TOGETHER WITH THE DESIGN ENGINEER SHALL COMPLETE A SITE EVALUATION PROCESS FOLLOWING THE DOCUMENT ENTITLED IMPLEMENTING STORMWATER INFILTRATION PRACTICES AT VACANT PARCELS AND BROWNFIELD SITES (EPA, 2013) TO DETERMINE IF THE STORMWATER MANAGEMENT SYSTEM REQUIRES REDESIGN AND RESUBMITAL TO THE CITY FOR REVIEW AND APPROVAL.
- 7) OWNER AND/OR OWNER'S REPRESENTATIVE SHALL SUBMIT TO THE CITY SUPPORTING DOCUMENTATION OF THE SITE EVALUATION PROCESS. A REVISED STORMWATER REVIEW PACKAGE MUST ALSO BE SUBMITTED IF IT BECOMES NECESSARY TO CHANGE THE DESIGN OF THE STORMWATER MANAGEMENT SYSTEM.
- 8) MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY (EGLE) REMEDIATION OF REDEVELOPMENT DIVISION (RRD) STAFF SHALL BE NOTIFIED AS APPLICABLE.

NOTE: A "STORM WATER BEST PRACTICES OPERATIONS AND MAINTENANCE AGREEMENT SHALL BE PREPARED AND PROVIDED TO THE CITY BY THE APPLICANT

NOTE: STORM SEWER PIPE, STRUCTURES, AND BASIN SHALL BE INSPECTED AT LEAST TWICE PER YEAR, OR AS OTHERWISE SPECIFIED IN 'STORM WATER OPERATIONS AND MAINTENANCE AGREEMENT'. SYSTEM SHALL BE CLEANED AND MAINTAINED AS REQUIRED AND PER THE 'AGREEMENT'. AN ANNUAL 'STORM WATER REPORT' NEEDS TO BE SUBMITTED TO THE CITY OF PORTAGE PER THE CONDITIONS OF THE STORM WATER AGREEMENT.



BASIN VOLUME TABLE						
ELEV	AREA (sq. ft.)	DEPT (ft.)	AVG END INC. VOL. (cu. ft.)	AVG END TOTAL VOL. (cu. ft.)	CONIC INC. VOL. (cu. ft.)	CONIC TOTAL VOL. (cu. ft.)
858.000	3,483.39	N/A	N/A	0.00	N/A	0.00
859.000	4,499.97	1.000	3991.68	3991.68	3980.85	3980.85
860.000	5,631.78	1.000	5065.88	9057.56	5055.31	9036.16
861.000	6,878.82	1.000	6255.30	15312.86	6244.91	15281.07
862.000	8,241.09	1.000	7559.95	22872.81	7549.71	22830.78
863.000	9,718.59	1.000	8979.84	31852.65	8969.69	31800.47
864.000	11,303.97	1.000	10511.28	42363.93	10501.31	42301.78
865.000	12,989.89	1.000	12146.93	54510.87	12137.17	54438.95

PROPOSED RELOCATED STORM WATER BASIN. BOTTOM ELEVATION = 858.0. DESIGN HIGH WATER LEVEL = 864.2. SIDE SLOPES = 4:1 (HORIZ/VERTICAL). STORAGE VOLUME (858 TO 864.2) = 44,600 CUBIC FEET. REQUIRED STORAGE VOLUME = 44,300 CUBIC FEET (ASSUMING 4.8" RAIN).

PROPOSED 6" x 6" TREATED WOOD POST (TYPICAL)

EASEMENT FROM SUMMIT POLYMERS FOR STORM SEWER & STORM WATER DISPOSAL PURPOSES.

±200' x 40' EASEMENT FROM ADJOINER FOR STORM SEWER & STORM WATER DISPOSAL PURPOSES.

DRAINAGE AREA BOUNDARY

SOIL BORING:
0' - 5': MEDIUM SAND (CLEAN)
(MOIST SAND, NO WATER)
ESTIMATED PERMEABILITY = 19"/HR.

DRAINAGE AREA "A"
AREA = 90,934 SF = 2.09 AC.
Q = 4.8"
RUN-OFF "C" = 0.70
RUN-OFF = 25,462 CF

DRAINAGE AREA "B"
AREA = 56,509 SF = 1.30 AC.
Q = 4.8"
RUN-OFF "C" = 0.83
RUN-OFF = 18,761 CF

40' OF 15" STORM PIPE WITH 45° BEND AT CONNECTION TO EXISTING PIPE. INVERT @ PROPOSED FLARED END = 860.0.

25' OF 15" STORM PIPE. INVERT @ PROPOSED FLARED END = 859.9.

SUBJECT PROPERTY
TAX ID: 00012-116-A
SPRINKLE ENGINEERING BUILDING, LLC
6615 SPRINKLE ROAD
±172,541 SF
3.91 ACRES
CITY ZONING: I-1 (LIGHT INDUSTRIAL)

BUILDING ADDITION
FFE = 867.1
(MATCH EXISTING)

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GENERAL NOTES

- ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE LOCAL MUNICIPALITY, THE LOCAL WATER AUTH/OR SEWER AUTHORITY, THE COUNTY DRAIN, THE COUNTY ROAD COMMISSIONER, MICHIGAN DEPARTMENT OF TRANSPORTATION, MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY, THE STATE OF MICHIGAN, AND THE COUNTY ROAD COMMISSION WHERE APPLICABLE.
- RULES, REGULATIONS OR LAWS OF ANY CONTROLLING GOVERNMENTAL AGENCY SHALL GOVERN, WHEN THEY ARE MORE STRINGENT THAN THE REQUIREMENTS OF THESE SPECIFICATIONS.
- SHOULD THE CONTRACTOR ENCOUNTER A CONFLICT BETWEEN THESE PLANS AND SPECIFICATIONS EITHER AMONG THEMSELVES OR WITH THE REQUIREMENTS OF ANY AND ALL REVIEWING AND PERMIT-ISSUING AGENCIES, CONTRACTOR SHALL SEEK CLARIFICATION IN WRITING FROM THE ENGINEER BEFORE COMMENCEMENT OF CONSTRUCTION. FAILURE TO DO SO SHALL BE AT SOLE EXPENSE TO THE CONTRACTOR.
- THE CONTRACTOR SHALL PROVIDE ALL MATERIALS, LABOR AND EQUIPMENT TO COMPLETE THE TYPE OF WORK WHICH IS BID, IN ACCORDANCE WITH THE PLANS, SPECIFICATIONS, DETAILS AND TO THE SATISFACTION OF THE OWNER AND OWNER'S REPRESENTATIVE.
- CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL HOURS AND CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE WORK ON THIS PROJECT, EXPECTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.
- ANY WORK WITHIN STREET OR HIGHWAY RIGHT-OF-WAYS SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF THE GOVERNMENTAL AGENCIES HAVING JURISDICTION AND SHALL NOT BEGIN UNTIL PERMITS HAVE BEEN ISSUED BY THESE GOVERNING AUTHORITIES.
- ALL NECESSARY PERMITS, BONDS, INSURANCES, ETC., SHALL BE PAID FOR BY THE CONTRACTOR.
- ALL ELEVATIONS SHOWN ARE BASED ON BENCHMARKS PROVIDED BY THE LOCAL MUNICIPALITY UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- ALL ITEMS OF WORK NOT SPECIFICALLY INDICATED AS PAY ITEMS ON THE DRAWINGS OR IN THE BID PACKAGE SHALL BE CONSIDERED INCIDENTAL ITEMS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR DUST CONTROL DURING THE PERIODS OF CONSTRUCTION.
- AT LEAST THREE (3) WORKING DAYS PRIOR TO ANY EXCAVATION, THE CONTRACTOR SHALL CONTACT MISS DIG (1-800-482-7171) TO VERIFY THE LOCATION OF ANY EXISTING UNDERGROUND UTILITIES AND SHALL NOTIFY REPRESENTATIVES OF OTHER UTILITIES IN THE VICINITY OF THE WORK.
- ALL PROPERTIES OR FACILITIES IN THE SURROUNDING AREAS, PUBLIC OR PRIVATE, DESTROYED OR OTHERWISE DISTURBED BY CONSTRUCTION SHALL BE REPLACED AND/OR RESTORED TO THE ORIGINAL CONDITION BY THE CONTRACTOR, AT NO ADDITIONAL COST TO THE OWNER.
- MANHOLE, CATCH BASIN, GATE WELLS RIMS AND HYDRANT FINISH GRADE ELEVATIONS MUST BE AS-BUILT AND APPROVED BY THE ENGINEER BEFORE THE CONTRACTOR'S WORK IS CONSIDERED COMPLETE. AGENCY REQUIREMENTS FOR RECORD DRAWINGS ALSO APPLY.
- CONTRACTOR SHALL REMOVE AND DISPOSE OF OFF-SITE ANY TREES, BRUSH, STUMPS, TRASH OR OTHER UNWANTED DEBRIS, AT THE OWNER'S DIRECTION, INCLUDING OLD BUILDING FOUNDATIONS AND FLOORS, THE BURNING OR BURYING OF TRASH, STUMPS OR OTHER DEBRIS WILL NOT BE ALLOWED.
- ALL REFERENCES TO M.D.O.T. SPECIFICATIONS REFER TO THE MOST CURRENT STANDARD SPECIFICATIONS FOR CONSTRUCTION.
- ALL CONTRACTORS BIDDING THIS PROJECT SHALL HAVE VISITED THE SITE TO BECOME THOROUGHLY FAMILIAR WITH THE SITE AND THE CONDITIONS IN WHICH THEY WILL BE CONDUCTING THEIR OPERATIONS, ANY VARIANCE FOUND BETWEEN THE PLANS AND EXISTING CONDITIONS SHALL BE REPORTED IMMEDIATELY TO THE DESIGN ENGINEER.
- THE LOCATIONS AND DIMENSIONS SHOWN ON THE PLANS FOR EXISTING UNDERGROUND FACILITIES ARE IN ACCORDANCE WITH AVAILABLE INFORMATION PROVIDED BY THE UTILITY COMPANIES AND GOVERNMENTAL AGENCIES WITHOUT UNCOVERING AND MEASURING. THE DESIGN ENGINEER DOES NOT GUARANTEE THE ACCURACY OF THIS INFORMATION OR THAT ALL EXISTING UNDERGROUND FACILITIES ARE SHOWN.
- THE OWNER MAY EMPLOY AND PAY FOR THE SERVICES OF AN ENGINEER TO PROVIDE ON-SITE INSPECTION AND VERIFY IN THE FIELD THAT ALL BACKFILL, PAVEMENTS AND CONCRETE CURB AND GUTTER HAVE BEEN PLACED AND COMPACTED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS. IF, IN THE OPINION OF THE ENGINEER, THE WORK DOES NOT MEET THE TECHNICAL OR DESIGN REQUIREMENTS STIPULATED FOR THE WORK, THE CONTRACTOR SHALL MAKE ALL NECESSARY ADJUSTMENTS AS DIRECTED BY THE ENGINEER. THE CONTRACTOR SHALL MAKE NO DEVIATIONS FROM THE CONTRACT DOCUMENTS WITHOUT SPECIFIC WRITTEN APPROVAL OF THE OWNER.
- ALL EXCAVATED MATERIAL REMOVED FROM THE SANITARY SEWER, STORM SEWER AND WATER MAIN TRENCHES UNDER, THROUGH AND WITHIN 3 FEET OF THE 45° ZONE OF INFLUENCE LINE, OR EXISTING OR PROPOSED PAVING, SIDEWALK AREAS AND PER PLANS, NOT SUITABLE FOR BACKFILL, SHALL BE REMOVED FROM THESE AREAS AND DISPOSED OF.
- THE CONTRACTOR SHALL RESTORE TO THEIR PRESENT CONDITIONS ANY PAVEMENT OR PUBLIC RIGHTS-OF-WAY THAT IS DISTURBED BY THE OPERATIONS OF THE CONTRACTOR. ALL RESTORATION WORK IN PUBLIC RIGHTS-OF-WAY SHALL BE PERFORMED TO THE SATISFACTION OF THE GOVERNMENT AGENCIES HAVING JURISDICTION.
- THE CONTRACTOR SHALL PROVIDE ALL NECESSARY BARRICADES, SIGNAGE AND LIGHTS TO PROTECT THE WORK AND SAFELY MAINTAIN TRAFFIC, IN ACCORDANCE WITH LOCAL REQUIREMENTS AND THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION).
- O.S.H.A. SAFETY REQUIREMENTS – ALL WORK, WORK PRACTICE, AND MATERIALS SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL SAFETY, OCCUPATIONAL HEALTH AND ENVIRONMENTAL REGULATIONS AND ALSO NFPA AND ANSI CODES AS APPLICABLE. ALL WORK INSIDE A CONFINED SPACE SUCH AS MANHOLES OR UNDERGROUND STRUCTURES SHALL BE COORDINATED WITH UTILITY OWNER AND ALL WORKERS STRICTLY ENFORCED. LAND SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE FOR OR SUPPLY TEMPORARY WATER SERVICE, SANITARY FACILITIES AND ELECTRICITY.
- CONTRACTOR SHALL PROVIDE FOR THE CONTINUOUS OPERATION OF EXISTING FACILITIES WITHOUT INTERRUPTION DURING CONSTRUCTION UNLESS SPECIFICALLY AUTHORIZED OTHERWISE BY THE RESPECTIVE AUTHORITY.
- THE CONTRACTOR SHALL NOTE EXISTING UNDERGROUND UTILITIES IN THE PROJECT PLANS. TRENCH BACKFILL FOR EXISTING UTILITIES SHALL BE EXAMINED CRITICALLY. ANY TRENCH WHICH, IN THE OPINION OF THE SOLS ENGINEER ARE FOUND TO BE SOFT, UNSTABLE OR UNSUITABLE MATERIAL SHALL BE COMPLETELY EXCAVATED AND BACKFILLED WITH SUITABLE MATERIAL. SAND BACKFILL SHALL BE USED UNDER PAVEMENT OR WITHIN 3 FEET OF THE 45° INFLUENCE LINE OF PAVEMENT OR STRUCTURES.

EROSION CONTROL STANDARDS

- ALL EROSION AND SEDIMENT CONTROL WORK SHALL CONFORM TO STANDARDS AND SPECIFICATIONS OF THE JURISDICTIONAL AGENCY UNDER PART 91 OF ACT 451 OF 1994, AS AMENDED.
- UNDER "MICHIGAN'S PERMIT-BY-RULE FOR CONSTRUCTION ACTIVITIES", PROMULGATED UNDER ACT 245, PUBLIC ACTS OF 1929 AS AMENDED, AN NPDES STORM WATER DISCHARGE COVERAGE PERMIT IS REQUIRED FOR ANY CONSTRUCTION ACTIVITY THAT DISTURBS 1 ACRE OR MORE OF LAND. A CERTIFIED STORM WATER OPERATOR IS REQUIRED FOR THE SUPERVISION AND INSPECTION OF THE SOIL EROSION CONTROL MEASURES AT THE CONSTRUCTION SITE IN ACCORDANCE WITH THE PROVISIONS OF THESE RULES.
- DAILY INSPECTIONS SHALL BE MADE BY CONTRACTOR WHILE WORKING TO DETERMINE THE EFFECTIVENESS OF EROSION AND SEDIMENT CONTROL MEASURES. ANY NECESSARY REPAIRS SHALL BE PERFORMED WITHOUT DELAY. ALL SOIL EROSION CONTROL PROVISIONS SHALL BE PROPERLY MAINTAINED DURING CONSTRUCTION.
- EROSION AND ANY SEDIMENTATION FROM WORK ON THIS SITE SHALL BE CONTAINED ON THE SITE AND NOT ALLOWED TO COLLECT ON ANY OFF-SITE AREAS OR IN WATERWAYS. WATERWAYS INCLUDE BOTH NATURAL AND MAN-MADE OPEN DITCHES, STREAMS, STORM DRAINS, LAKES, AND PONDS.
- CONTRACTOR SHALL APPLY TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES WHEN REQUIRED AND AS DIRECTED ON THESE PLANS. CONTRACTOR SHALL REMOVE TEMPORARY MEASURES AS SOON AS PERMANENT STABILIZATION OF SLOPES, DITCHES, AND OTHER EARTH CHANGE AREAS HAVE BEEN COMPLETED.

EROSION CONTROL STANDARDS CONTINUED

- STAGING THE WORK WILL BE DONE BY THE CONTRACTOR AS DIRECTED IN THESE PLANS AND AS REQUIRED TO ENSURE PROGRESSIVE STABILIZATION OF DISTURBED EARTH.
- SOIL EROSION CONTROL PRACTICES WILL BE ESTABLISHED IN EARLY STAGES OF CONSTRUCTION BY THE CONTRACTOR. SEDIMENT CONTROL PRACTICES WILL BE APPLIED AS A PERIMETER DEFENSE AGAINST ANY TRANSPORTING OF SILT OFF THE SITE.
- DUST SHALL BE CONTROLLED BY WATERING OR BY OTHER APPROVED MEANS THROUGHOUT ALL CONSTRUCTION OPERATIONS.
- ALL WATER FROM DEWATERING OR SURFACE DRAINAGE FROM THE CONSTRUCTION SITE SHALL BE CONTROLLED TO ELIMINATE SEDIMENT CONTAMINATION OF OFF-SITE WATERWAYS OR STORM SEWERS. SUCH MEASURES SHALL BE APPROVED BY THE ENGINEER PRIOR TO ANY DEWATERING OR LAND DISTURBANCE.
- PERMANENT SOIL EROSION CONTROL MEASURES FOR SLOPES, CHANNELS, DITCHES OR ANY DISTURBED LAND AREA SHALL BE COMPLETED WITHIN 5 CALENDAR DAYS AFTER FINAL GRADING OR THE FINAS EARTH CHANGE HAS BEEN COMPLETED. WHEN IT IS NOT POSSIBLE TO PERMANENTLY STABILIZE A DISTURBED AREA AFTER AN EARTH CHANGE HAS BEEN COMPLETED OR WHERE SIGNIFICANT EARTH CHANGE HAS BEEN COMPLETED OR WHERE SIGNIFICANT EARTH CHANGE ACTIVITY CEASES, TEMPORARY SOIL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED WITHIN 5 CALENDAR DAYS. ALL TEMPORARY SOIL EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL PERMANENT SOIL EROSION CONTROL MEASURES ARE IMPLEMENTED AND ESTABLISHED BEFORE A CERTIFICATE OF COMPLIANCE IS ISSUED.
- ALL SESC STANDARDS MUST CONFORM TO THE TERMS OF THE PERMIT ISSUED BY THE CITY OF PORTAGE.

STORM SEWER SPECIFICATIONS

- THESE SPECIFICATIONS SHALL BE USED IN CONJUNCTION WITH THE GENERAL SPECIFICATIONS AND THE SPECIFICATIONS AND DETAIL SHEETS OF THE GOVERNING AGENCIES. IF ANY CONFLICT IS FOUND BETWEEN THE SPECIFICATIONS, THE STRICTER SPECIFICATIONS SHALL BE FOLLOWED.
- CONTRACTOR SHALL FURNISH CERTIFIED EVIDENCE THAT ALL MATERIAL TESTS AND INSPECTIONS HAVE BEEN PERFORMED AND THAT THE PRODUCT HAS BEEN MANUFACTURED IN COMPLIANCE WITH THE APPLICABLE SPECIFICATIONS.
- PROPER IMPLEMENTS, TOOLS AND FACILITIES SHALL BE PROVIDED AND USED FOR UNLOADING AND DISTRIBUTING MATERIALS ALONG THE LINE OF WORK. ANY PIPE OR FITTING DAMAGED IN TRANSPORTATION OR HANDLING SHALL BE REJECTED AND IMMEDIATELY REMOVED FROM THE JOB SITE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFE STORAGE OF ALL MATERIAL INTENDED FOR THE WORK. HE SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO MATERIALS, EQUIPMENT AND WORK.
- PIPE BEDDING, UNLESS OTHERWISE INDICATED, SHALL BE CL. II SAND, CRUSHED STONE OR ROUNDED GRAVEL. BEDDING MATERIAL SHALL HAVE 95% PASSING A 3/4" SIEVE AND AT LEAST 50% RETAINED ON A NO. 4 SIEVE.
- POROUS FILTER MATERIAL FOR PERFORATED SUBSURFACE DRAINS SHALL BE CRUSHED ROCK OR GRAVEL GRADED BETWEEN 1 1/2" AND 3/4" OR PER PLANS AND DETAILS.
- BACKFILL, UNLESS OTHERWISE NOTED, SHALL BE COARSE SAND, FINE GRAVEL OR EARTH HAVING A LOW PLASTICITY INDEX, FREE OF ROCKS, DEBRIS AND OTHER FOREIGN MATERIALS AND DEFINED AS AIR PASSING THROUGH A 3/8" SIEVE AND NOT MORE THAN 10% BY VOLUME PASSING THROUGH A 200-MESH SIEVE.
- STORM SEWER PIPING AND FITTINGS SHALL BE OF THE SIZE AND TYPE INDICATED ON THE DRAWINGS AND SHALL CONFORM TO THE FOLLOWING:
 - POLYVINYL CHLORIDE (PVC) AND ACRYLONITRILE BUTADIENE STYRENE (ABS) FOR PIPE UP TO AND INCLUDING 10" IN DIAMETER, SHALL CONFORM TO ASTM D3034, SDN 23.5 FOR PVC PIPE AND ASTM D2751 FOR ABS PIPE WITH ELASTOMERIC GASKET JOINTS CONFORMING TO ASTM D3212 OR CHEMICALLY WELDED PIPE JOINTS CONFORMING TO ASTM F545.
 - REINFORCED CONCRETE PIPE, FOR PIPE 12" IN DIAMETER AND UP, SHALL CONFORM TO ASTM C-76, CLASS II, UNLESS OTHERWISE NOTED. DRAWINGS. JOINTS SHALL BE MODIFIED GROOVED TONGUE WITH RUBBER GASKET CONFORMING TO ASTM C-443.
 - PERFORATED SUBSURFACE DRAIN PIPE SHALL BE PVC CONFORMING TO ASTM D-2729 OR PERFORATED, CORRUGATED HIGH DENSITY POLYETHYLENE PIPE CONFORMING TO AASHTO M-294. JOINTS FOR PVC AND POLYETHYLENE PIPE SHALL BE PREFABRICATED COUPLING WITH SOLVENT WELD.
- MANHOLES, CATCH BASINS, AND INLETS SHALL BE OF THE SIZE AND TYPE INDICATED ON THE DRAWINGS AND SHALL BE CONSTRUCTED OF THE FOLLOWING:
 - REINFORCED PRE-CAST CONCRETE MANHOLE SECTIONS INCLUDING CONCENTRIC OR ECCENTRIC CONES AND GRADE RINGS SHALL BE 4000 PSI CONCRETE AND CONFORM TO ASTM C-478-64T.
 - BRICK SHALL BE SOUND, HARD-BURNED THROUGHOUT AND OF UNIFORM SIZE AND QUALITY AND SHALL BE IN ACCORDANCE WITH AASHTO M 91, GRADE MS.
 - CONCRETE MASONRY SHALL BE SOLID PRE-CAST SEGMENTAL UNITS CONFORMING TO ASTM C-139.
- IRON CASTINGS SHALL CONFORM TO ASTM A-48, CLASS 30. BEARING SURFACES BETWEEN CAST IRON FRAMES, COVERS AND GRATES SHALL BE MACHINED, FITTED TOGETHER AND MATCH-MARKED TO PREVENT ROCKING. SYSTEM IDENTIFYING LETTERS "2" HIGH SHALL BE STAMPED OR CAST INTO ALL COVERS SO THAT THEY ARE PLAINLY VISIBLE. SEE MUNICIPALITY STANDARDS FOR ACTUAL WORKING.
- CASTINGS SHALL BE MANUFACTURED BY EAST JORDAN IRON WORKS, INC., NEEHAH FOUNDRY COMPANY OR EQUAL.
- CONCRETE AND MASONRY MATERIALS FOR CONSTRUCTION OF STORM DRAINAGE STRUCTURES SHALL CONSIST OF THE FOLLOWING:
 - PORTLAND CEMENT SHALL BE STANDARD BRAND OF PORTLAND CEMENT CONFORMING TO ASTM C-150, TYPE I OR IA.
 - FINE AND COARSE AGGREGATES FOR CONCRETE SHALL BE PER ASTM C-33.
 - AGGREGATE FOR CEMENT MORTAR SHALL BE CLEAN, SHARP SAND CONFORMING TO ASTM C-144.
 - HYDRATED LIME SHALL COMPLY WITH ASTM C-207, TYPE S.
 - WATER SHALL MEET THE REQUIREMENTS OF MDOT SPEC SECTION 911.
 - REINFORCING STEEL FOR CONCRETE SHALL BE INTERMEDIATE-GRADE NEW BILLET STEEL CONFORMING TO ASTM A-615, GRADE 60.
- CONCRETE, UNLESS OTHERWISE NOTED, SHALL HAVE COMPRESSIVE STRENGTH AFTER 28 DAYS OF 3000 PSI MINIMUM WITH 3" MAXIMUM SLUMP.
 - CONCRETE FILL BELOW GRADE MAY BE 2500 PSI AT 28 DAYS.
 - CONCRETE, WHERE EXPOSED TO THE WEATHER, SHALL BE AIR-ENTRAINED. AIR ENTRAINMENT SHALL BE ACCOMPLISHED BY THE USE OF ADDITIVES CONFORMING TO ASTM C-260. AIR CONTENT SHALL BE 6% ± 1% ADDITIVE SHALL BE USED STRICTLY IN ACCORDANCE WITH MANUFACTURER'S PRINTED DIRECTIONS.
 - READY-MIX CONCRETE SHALL CONFORM TO THE REQUIREMENTS OF ASTM C-94.
- MORTAR SHALL BE SPECIFIED HEREINAFTER. USE METHOD OF MIXING MORTAR AT JOB SO THAT SPECIFIED PROPORTIONS OF MORTAR MATERIALS CAN BE CONTROLLED AND ACCURATELY MAINTAINED DURING WORK PROGRESS. MORTAR SHALL NOT BE MIXED IN GREATER QUANTITIES THAN REQUIRED FOR IMMEDIATE USE, WITH AMOUNT OF WATER CONSISTENT WITH SATISFACTORY WORKABILITY. RE-TAMPERING OF MORTAR IS NOT PERMITTED.
 - MORTAR FOR LAYING BRICK OR CONCRETE MASONRY UNITS SHALL CONFORM TO ASTM C-270, TYPE M, AVERAGE COMPRESSIVE STRENGTH 2500 PSI MINIMUM AT 28 DAYS. MORTAR MIX SHALL BE PROPORTIONED BY VOLUME.
 - MORTAR FOR PLASTERING SHALL CONSIST OF 1 PART PORTLAND CEMENT AND 2-1/2 PARTS SAND.
 - MORTAR FOR GROUTING OF RIP-RAP SHALL CONSIST OF 1 PART PORTLAND CEMENT AND 3-1/2 PARTS SAND.
- PERFORM ALL EXCAVATING AND TRENCHING TO DIMENSIONS AND ELEVATIONS INDICATED ON DRAWINGS.

STORM SEWER SPECIFICATIONS, CONTINUED

- OPEN NO MORE TRENCH IN ADVANCE OF PIPE LAYING THAN IS NECESSARY TO EXPEDITE THE WORK.
- CARE SHALL BE TAKEN NOT TO EXCAVATE BELOW THE DEPTHS INDICATED ON DRAWINGS. WHERE EXCESSIVE OR UNAUTHORIZED EXCAVATION TAKES PLACE, THE OVERDEPTH SHALL BE BACKFILLED TO THE PROPER GRADE WITH COMPACTED BEDDING MATERIAL, AT NO EXPENSE TO THE OWNER.
- WHERE UNSTABLE SOIL IS ENCOUNTERED, CONTRACTOR SHALL NOT PLACE PIPE UNTIL A SOLID BED HAS BEEN PROVIDED.
- EXCAVATION FOR DRAINAGE STRUCTURES SHALL EXTEND A SUFFICIENT DISTANCE FROM THE WALLS AND FOOTINGS TO ALLOWS FOR FORMS, CONSTRUCTION OF WALLS, CONNECTIONS AND FOR INSPECTION.
- POURED REQUIRED TIMBER SHEETING, BRACING AND SHORING TO PROTECT SIDES OF EXCAVATION. DO NOT BRACE SHEETING AGAINST PIPE. PROVIDE SUITABLE LADDERS FOR SAFE ENTRY TO AND EXIT FROM EXCAVATION.
- DURING EXCAVATION, MATERIAL SUITABLE FOR BACKFILLING SHALL BE PILED IN AN ORDERLY MANNER A SUFFICIENT DISTANCE FROM THE BANKS OF TRENCHES TO AVOID OVERLOADING, AND TO PREVENT SLIDES OR CAVE-INS.
- WHEN WET EXCAVATION IS ENCOUNTERED, THE TRENCH SHALL BE DE-WATERED UNTIL THE PIPE HAS BEEN LAID AND BACKFILLED TO A POINT AT LEAST 1 FOOT ABOVE TOP OF PIPE.
- MANHOLES AND CATCH BASINS SHALL BE CONSTRUCTED OF BRICK, CONCRETE MASONRY UNITS OR PRE-CAST CONCRETE WITH CAST IRON FRAMES, COVERS AND MANHOLE STEPS.
- THE WALL THICKNESS OF MANHOLES AND CATCH BASINS CONSTRUCTED OF VARIOUS MATERIALS AND SET AT VARIOUS DEPTHS SHALL MEET THESE MINIMUMS. ADHERE TO REQUIREMENTS OF THE GOVERNING AGENCY IF THEY EXCEED THESE THICKNESSES:

DEPTH	BRICK	CONCRETE BLOCK	PRE-CAST CONCRETE
0' - 10'	8"	6"	6"
10' - 16"	12"	8"	8"
16' - 25'	16"	12"	12"
- WHENEVER EXISTING MANHOLES OR SEWER PIPE ARE TO BE TAPPED, DRILL HOLES 4" CENTER, TO CENTER, AROUND THE PERIPHERY OF OPENINGS TO CREATE A PLANE OF WEAKNESS JOINT BEFORE BREAKING SECTION OUT.
- MANHOLE STEPS SHALL BE BUILT INTO AND THOROUGHLY ANCHORED TO WALLS. STEPS SHALL BE FACTORY INSTALLED IN PRE-CAST STRUCTURES.
- ALL PIPING ENTERING OR LEAVING DRAINAGE STRUCTURES SHALL BE ADEQUATELY SUPPORTED BY POURED IN-PLACE CONCRETE FILL FROM PIPE CENTER TO UNDISTURBED GROUND.
- SET FRAMES IN FULL BED OF STIFF MORTAR OR BITUMINOUS MASTIC JOINTING COMPOUND AT FINAL ELEVATION.
- ALL TIMBER SHEETING BELOW A PLANE 12" ABOVE TOP OF PIPE SHALL REMAIN IN PLACE IN ORDER NOT TO DISTURB PIPE GRADING. BEFORE BACKFILLING, REMOVE ALL OTHER SHEETING BRACING AND SHORING.
- BEDDING USED FOR TRENCH BOTTOM SHALL BE EXTENDED UP THE SIDES AND CAREFULLY PLACED AROUND AND OVER PIPE IN 6" MAXIMUM LAYERS. EACH LAYER SHALL BE THOROUGHLY AND CAREFULLY COMPACTED TO 95% OF MAXIMUM DRY DENSITY AS PER ASTM D-1557 (MODIFIED PROCTOR) UNTIL 12" OF COVER EXISTS OVER PIPE.
- REMAINDER OF TRENCH SHALL BE BACKFILLED WITH SPECIFIED BACKFILL MATERIAL TO SPECIFIED SUBGRADE ELEVATION. BACKFILLING SHALL BE COMPACTED TO 90% OF MAXIMUM DRY DENSITY PER ASTM D-1557.
- WITHIN 3' OF THE 45° INFLUENCE LINE OF THE SUBGRADE OF STREETS, DRIVES, PARKING LOTS AND OTHER AREAS TO HAVE OR HAVING IMPROVED HARD SURFACES, BACKFILL SHALL BE MATERIAL SPECIFIED AND SHALL BE DEPOSITED IN 6" LOOSE LAYERS AT OPTIMUM MOISTURE CONTENT (±2%) COMPACTED TO 95% OF MAXIMUM DRY DENSITY PER ASTM D1557. (MODIFIED PROCTOR) SUITABLE MATERIALS FOUND ON SITE MAY BE USED.
- BEFORE BACKFILLING AROUND DRAINAGE STRUCTURES, ALL FORMS, TRASH AND DEBRIS SHALL BE REMOVED AND CLEARED AWAY. SELECTED EXCAVATED MATERIAL SHALL BE PLACED SYMMETRICALLY ON ALL SIDES IN 8" MAXIMUM LAYERS. EACH LAYER SHALL BE MOISTENED AND COMPACTED WITH MECHANICAL OR HAND TAMPERS.
- AFTER INSTALLATION OF PIPES AND DRAINAGE STRUCTURES, CLEAN THEM, AND ADJUST TOPS TO FINISH GRADE. PIPE SHALL BE STRAIGHT BETWEEN STRUCTURES, WITH THE FULL INSIDE DIAMETER VISIBLE WHEN SIGHTING BETWEEN STRUCTURES.
- ENDS OF HEADWALL AND END SECTIONS FOR PIPES LARGER THAN 6 INCHES, SHALL BE FITTED WITH A #4 ROUNO MINIMUM WELDED STEEL ROD GRATING. RODS SHALL BE SPACED 6" O.C. MAXIMUM. WELD ROD AT ALL INTERSECTIONS. GRATE SHALL BE REMOVABLE FOR ACCESS AND CLEANING.
- RIP-RAP SHALL BE LAID FROM THE BOTTOM UPWARD; STONES SHALL BE LAID BY HAND WITH 8" MINIMUM DIMENSION PERPENDICULAR TO GRADE WITH WELL-BROKEN JOINTS, COMPACTED AS IT GOES, TRUE TO LINE. ALL JOINTS SHALL BE FILLED WITH CEMENT MORTAR. SURFACE STONE TO BE EXPOSED. CLEAN JOINTS WITH WIRE BRUSH.
- THE CONTRACTOR SHALL DO ALL REQUIRED EXCAVATION AND TRENCHING WORK AND THE CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR THE COMPLETION OF THE WORKS HEREIN REGARDLESS OF THE NATURE OF MATERIALS ENCOUNTERED DURING THE COURSE OF THE WORK. THE OWNER WILL NOT BE LIABLE FOR ANY COSTS WHATSOEVER ASSOCIATED WITH, BUT NOT LIMITED TO, THE PRESENCE OF ROCK, PEAT, SUBTERRANEAN STREAMS, EXCESSIVE WATER OR OTHER DIFFICULT OR UNANTICIPATED SUB-SURFACE PHENOMENA.
- ALL CONNECTIONS TO EXISTING SEWERS SHALL BE PER MUNICIPAL REQUIREMENTS, AND ALL COSTS INCLUDING TESTING AND/OR VIDEO OF SEWERS SHALL BE INCIDENTAL TO THE JOB.

WATER MAIN SPECIFICATIONS

- WATER MAIN SPECIFICATIONS SHALL BE USED IN CONJUNCTION WITH THE GENERAL SPECIFICATIONS, THE WATER MAIN SPECIFICATIONS, AND THE DETAIL SHEETS OF THE GOVERNING AGENCIES. IF ANY CONFLICT IS FOUND BETWEEN THE SPECIFICATIONS, THE STRICTER SPECIFICATIONS SHALL BE FOLLOWED.
- DUCTILE IRON PIPE, 16" DIAMETER AND SMALLER, SHALL CONFORM TO ANSI/AWWA SPECIFICATION C151/A21.51, CLASS 54. DUCTILE IRON FITTINGS SHALL CONFORM TO ANSI/AWWA SPECIFICATION C110/A21.10 FOR STANDARD FITTINGS OR TO ANSI/AWWA SPECIFICATION C153/A21.53 FOR COMPACT FITTINGS. DUCTILE IRON PIPE AND FITTINGS SHALL HAVE A DOUBLE THICKNESS CEMENT MORTAR LINING CONFORMING TO ANSI SPECIFICATION A21.4.
- JOINTS FOR DUCTILE IRON WATER MAIN SHALL BE U.S. PIPE AND FOUNDRY COMPANY "TYTON JOINT" OR APPROVED EQUAL.
- POLYVINYL CHLORIDE (PVC) WATER MAIN SHALL CONFORM TO AWWA C900 FOR PIPE SIZES 4 TO 12 INCHES, AND SHALL CONFORM TO AWWA C905 FOR PIPE SIZES 14 TO 24 INCHES. ALL PIPES SHALL HAVE A MINIMUM DIMENSION RATIO OF (D) OF 18 CORRESPONDING TO A WORKING PRESSURE OF 235 PSI FOR PVC TYPE 1120 PIPE.
 - RESTRAINTS FOR PVC PIPE SHALL BE EBA IRON SERIES 200PV, UNIFLANGE SERIES 1350C, 1390C, 1500 OR APPROVED EQUAL.
 - SERVICES SHALL BE INSTALLED WITH ALL STAINLESS STEEL SADDLES SUCH AS SMITH-BEAR 372, FORD F5303, CASCADE C622, OR APPROVED EQUAL.
 - ALL PVC PIPE USED FOR POTABLE WATER SHALL BE BLUE IN COLOR, MANUFACTURED WITHIN THE LAST 12 MONTHS AS DETERMINED FROM THE DATE STAMP ON THE PIPE, AND FREE FROM DEFECTS.
 - ALL PIPES SHALL BE MARKED WITH THE MANUFACTURER'S NAME, DATE, NOMINAL SIZE, TYPE OF PLASTIC AND PRESSURE RATING. PIPE O.D. SHALL BE EQUIVALENT TO DUCTILE IRON PIPE OF THE SAME NOMINAL SIZE.
 - FITTING SHALL CONFORM TO AWWA C907 AND C908, UNLESS OTHERWISE APPROVED BY THE ENGINEER.
- ALL WATER MAIN SHALL BE INSTALLED WITH A MINIMUM COVER OF FIVE FEET, OR AS SPECIFIED BY THE LOCAL GOVERNING MUNICIPALITY, BELOW FINISH GRADE, UNLESS OTHERWISE NOTED IN THE PLANS. WHEN WATER MAINS MUST DIP TO PASS UNDER A STORM SEWER OR SANITARY SEWER, THE SECTIONS WHICH ARE DEEPER THAN NORMAL SHALL BE KEPT TO A MINIMUM LENGTH BY THE USE OF VERTICAL 11-1/4 BENDS PROPERLY ANCHORED.
- SEE THE WATER MAIN STANDARD DETAIL SHEETS OF THE GOVERNING AGENCY FOR THE SPECIFIC TYPE OF HYDRANTS AND VALVES TO BE USED FOR THIS PROJECT. THESE DETAIL SHEETS ARE INCLUDED AS PART OF THE PLANS.
- PRIOR TO HYDROSTATIC TESTING AND BEFORE PLACING THE WATER MAIN IN SERVICE, ALL NEW WATER PIPELINES SHALL BE CHLORINATED IN ACCORDANCE WITH AWWA C651. VERIFICATION OF DISINFECTION SHALL BE PERFORMED BY A CERTIFIED TESTING LABORATORY.

WATER MAIN SPECIFICATIONS, CONTINUED

- BEFORE ANY WATER MAIN WILL BE ACCEPTED BY THE GOVERNING AGENCY, IT MUST PASS A HYDROSTATIC PRESSURE TEST IN ACCORDANCE WITH AWWA C605 AND COMPLYING WITH THE CURRENT SPECIFICATIONS AND PROCEDURES OF THE AGENCY.
- PRIOR TO BEING PLACED INTO SERVICE, WATER MAIN SHALL BE FLUSHED OF CHLORINATED WATER AND FILLED WITH WATER FROM THE DISTRIBUTION SYSTEM. CHLORINATED WATER SHALL BE PUMPED INTO THE SANITARY SEWER. NO CHLORINATED WATER SHALL BE ALLOWED IN THE STORM SEWER OR DISCHARGED TO SURFACE WATERS.
- BEFORE ANY WATER MAIN SYSTEM WILL BE ACCEPTED BY THE GOVERNING AGENCY, THE FIRE HYDRANTS MUST BE PAINTED AS INDICATED ON THE WATER MAIN STANDARD DETAIL SHEETS.
- TWO INCH (2") DIAMETER CORPORATION STOPS SHALL BE PROVIDED IN BOTH THE EXISTING WATER MAIN AND THE NEW WATER MAIN AT ALL NEW CONNECTIONS.
- ALL TEES, BENDS CONNECTIONS, ETC. ARE INCIDENTAL TO THE JOB.
- PHYSICAL CONNECTIONS SHALL NOT BE MADE BETWEEN EXISTING AND NEW WATERMANS UNTIL TESTING IS SATISFACTORILY COMPLETED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFE STORAGE OF ALL MATERIAL INTENDED FOR THE WORK. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO MATERIALS EQUIPMENT AND WORK.
- PIPE BEDDING, UNLESS OTHERWISE INDICATED, SHALL BE CRUSHED STONE OR ROUNDED GRAVEL. BEDDING MATERIAL SHALL HAVE 95% PASSING A 3/4" SIEVE AND 50% RETAINED ON A NO. 4 SIEVE; LOAD FACTOR SHALL BE 1.9.
- BACKFILL, UNLESS OTHERWISE NOTED, SHALL BE COARSE SAND, FINE GRAVEL OR EARTH HAVING A LOW PLASTICITY INDEX, FREE OF ROCKS, DEBRIS AND OTHER FOREIGN MATERIALS AND DEFINED AS ALL PASSING THROUGH A 3/8" SIEVE AND NOT MORE THAN TEN PERCENT (10%) BY VOLUME PASSING THROUGH A 200 MESH SIEVE.
- GATE WELLS SHALL BE REINFORCED PRE-CAST CONCRETE SECTIONS INCLUDING CONCENTRIC OR ECCENTRIC CONES AND GRADE RINGS SHALL BE 4000 PSI CONCRETE AND CONFORM TO ASTM C-478.
- THRUST BLOCKS, IF REQUIRED BY THE MUNICIPALITY, SHALL BE MADE OF 3000 PSI CONCRETE WET MIX.
- THE MAXIMUM WIDTH OF TRENCH TO TOP OF PIPE SHALL BE AS FOLLOWS:

PIPE DIAMETER	TRENCH WIDTH
THROUGH 12"	36"
15" THROUGH 36"	O.D. PLUS 24"
42" THROUGH 60"	O.D. PLUS 30"
66" AND LARGER	O.D. PLUS 36"
- OPEN NO MORE TRENCH IN ADVANCE OF PIPE LAYING THAN IS NECESSARY TO EXPEDITE THE WORK.
- CARE SHALL BE TAKEN NOT TO EXCAVATE BELOW THE DEPTHS INDICATED ON DRAWINGS. WHERE EXCESSIVE OR UNAUTHORIZED EXCAVATION TAKES PLACE, THE OVERDEPTH SHALL BE BACKFILLED AT THE PROPER GRADE WITH COMPACTED BEDDING MATERIAL, AT NO EXPENSE TO THE OWNER.
- WHERE UNSTABLE SOIL IS ENCOUNTERED, CONTRACTOR SHALL NOT PLACE PIPE UNTIL A SOLID BED HAS BEEN PROVIDED.
- EXCAVATION FOR STRUCTURES SHALL EXTEND A SUFFICIENT DISTANCE FROM THE WALLS AND FOOTINGS TO ALLOW FOR FORMS, CONSTRUCTION OF WALLS, CONNECTIONS AND FOR INSPECTION.
- GATE WELLS SHALL BE CONSTRUCTED OF BRICK, CONCRETE MASONRY UNITS OR PRE-CAST CONCRETE WITH CAST IRON FRAMES, COVERS AND MANHOLE STEPS, AS INDICATED ON DRAWINGS AND SPECIFIED HEREIN.
 - COMPLETELY FILL JOINTS ON PRE-CAST CONCRETE SECTIONS WITH BITUMINOUS MASTIC JOINTING COMPOUND OR JOINTS SHALL BE MADE WITH CEMENT MORTAR WITH INSIDE POINTING AND OUTSIDE RUBBER WRAP.
 - BRICK SHALL BE WET WHEN LAID. LAY BRICK OR CONCRETE MASONRY UNITS IN MORTAR SO AS TO FORM FULL BED, WITH END AND SIDE JOINTS IN ONE OPERATION, WITH JOINTS NOT MORE THAN 3/8" WIDE EXCEPT WHEN BRICKS OR CONCRETE MASONRY UNITS ARE LAID RADIIALLY, IN WHICH CASE THE NARROWEST PART OF JOINT SHALL NOT EXCEED 1/4". LAY IN TRUE LINE. WHENEVER PRACTICAL, JOINTS SHALL BE CAREFULLY STRUCK AND POINTED ON INSIDE.
 - PROTECT FRESH BRICK WORK FROM FREEZING, FROM DRYING EFFECTS OF SUN AND WIND, AND FOR SUCH TIME AS DIRECTED BY THE GEOTECHNICAL ENGINEER, IN FREEZING WEATHER, HEAT SUFFICIENTLY TO REMOVE ICE AND FROST FROM BRICK WORK.
- GATE WELL STEPS SHALL BE BUILT INTO AND THOROUGHLY ANCHORED TO WALLS.
- ALL PIPING ENTERING OR LEAVING GATE WELLS SHALL BE ADEQUATELY SUPPORTED BY POURED-IN-PLACE CONCRETE FILL FROM PIPE CENTER TO UNDISTURBED GROUND.
- THE OUTSIDE SURFACES OF BRICK OR CONCRETE MASONRY PORTION OF GATE WELLS SHALL BE PLASTERED AND TROWELED SMOOTH WITH 1/2" LAYERS OF CEMENT MORTAR.
- SET FRAMES IN FULL BED OF STIFF MORTAR OR BITUMINOUS MASTIC JOINTING COMPOUND AT FINAL ELEVATION.
- IF REQUIRED BY THE MUNICIPALITY, PLACE HORIZONTAL AND/OR VERTICAL THRUST BLOCKS AT ALL PLUGS, CAPS, TEES AND FITTINGS. THE COST OF THRUST BLOCKS SHALL BE INCLUDED IN THE PRICE BID PER FOOT FOR WATER MAIN. THRUST BLOCKS SHALL NOT BE BACKFILLED PRIOR TO OBSERVATION BY THE CONTROLLING GOVERNMENTAL AGENCY. IF THRUST BLOCKS ARE NOT UTILIZED, ALL FITTINGS SHALL HAVE RESTRAINED JOINTS PER THE MANUFACTURER.
- IN UNSTABLE SOIL CONDITIONS, THRUST BLOCKS SHALL BE SUPPORTED BY PILING DRIVEN TO FIRM FOUNDATIONS OR BY REMOVAL OF THE UNSTABLE SOILS AND REPLACEMENT WITH BALLAST OF SUFFICIENT STABILITY TO RESIST THE THRUSTS. THE COST OF PILING OR BALLAST AT THRUST BLOCKS SHALL BE INCLUDED IN THE PRICE BID FOR WATER MAIN.
- PLACE ALL CONCRETE ANCHORAGES AND ENCASEMENTS, AS CALLED FOR ON THE DRAWINGS. THE COST OF RESTRAINED JOINTS OR ANCHORAGE AND ENCASEMENTS SHALL BE INCLUDED IN THE PRICE BID FOR WATER MAIN.

- BEDDING USED FOR TRENCH BOTTOM SHALL BE EXTENDED UP THE SIDES AND CAREFULLY PLACED AROUND AND OVER PIPE IN 6" MAXIMUM LAYERS. EACH LAYER SHALL BE THOROUGHLY AND CAREFULLY COMPACTED TO 95% OF MAXIMUM DRY DENSITY AS PER ASTM D-1557(MODIFIED PROCTOR) UNTIL 12" OF COVER EXISTS OVER PIPE.
- REMAINDER OF TRENCH SHALL BE BACKFILLED WITH SPECIFIED BACKFILL MATERIAL TO SPECIFIED SUBGRADE ELEVATION. BACKFILLING SHALL BE COMPACTED TO 90% OF MAXIMUM DRY DENSITY PER ASTM D-1557.
- WITHIN 3' OF THE 45° INFLUENCE LINE OF THE SUBGRADE OF STREETS, DRIVES, PARKING LOTS AND OTHER AREAS PAVED, OR AREAS PROPOSED TO BE PAVED, PLACE SAND BACKFILL IN 6" LOOSE LAYERS AT OPTIMUM MOISTURE CONTENT (±2%) AND COMPACTED TO 95% OF MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-1557 (MODIFIED PROCTOR).
- BEFORE BACKFILLING AROUND STRUCTURES, ALL FORMS, TRASH AND DEBRIS SHALL BE REMOVED AND CLEARED AWAY. SELECTED EXCAVATED MATERIAL SHALL BE PLACED SYMMETRICALLY ON ALL SIDES IN 8" MAXIMUM LAYERS; EACH LAYER SHALL BE MOISTENED AND COMPACTED WITH MECHANICAL OR HAND TAMPERS.
- THE CONTRACTOR SHALL DO ALL REQUIRED EXCAVATION AND TRENCHING WORK AND THE CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR THE COMPLETION OF THE WORKS HEREIN REGARDLESS OF THE NATURE OF MATERIALS ENCOUNTERED DURING THE COURSE OF THE WORK. THE OWNER WILL NOT BE LIABLE FOR ANY COSTS WHATSOEVER ASSOCIATED WITH, BUT NOT LIMITED TO, THE PRESENCE OF ROCK, PEAT, SUBTERRANEAN STREAMS, EXCESSIVE WATER OR OTHER DIFFICULT OR UNANTICIPATED SUB-SURFACE PHENOMENA.
- ALL WATER MAIN WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTAGE STANDARD SPECIFICATIONS

SANITARY SEWER SPECIFICATIONS

- THESE SPECIFICATIONS SHALL BE USED IN CONJUNCTION WITH THE GENERAL SPECIFICATIONS AND THE SANITARY SEWER SPECIFICATIONS AND DETAIL SHEETS OF THE GOVERNING AGENCIES. IF ANY CONFLICT IS FOUND BETWEEN THE SPECIFICATIONS, THE STRICTER SPECIFICATIONS WILL BE FOLLOWED.
- THE GOVERNING AGENCY WILL INSPECT THE INSTALLATION OF ALL SANITARY SEWER PIPING.

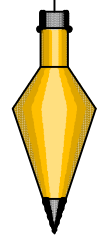
SANITARY SEWER SPECIFICATION, CONTINUED

- PROPER IMPLEMENTS, TOOLS AND FACILITIES SHALL BE PROVIDED AND USED FOR UNLOADING AND DISTRIBUTING MATERIALS ALONG THE LINE OF WORK. ANY PIPE OR FITTING DAMAGED IN TRANSPORTATION OR HANDLING SHALL BE REJECTED AND IMMEDIATELY REMOVED FROM THE JOB SITE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFE STORAGE OF ALL MATERIAL INTENDED FOR THE WORK. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO MATERIALS, EQUIPMENT AND WORK.
- THE CONTRACTOR SHALL DO ALL REQUIRED EXCAVATION AND TRENCHING WORK AND THE CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR THE COMPLETION OF THE WORKS HEREIN REGARDLESS OF THE NATURE OF MATERIALS ENCOUNTERED DURING THE COURSE OF THE WORK. THE OWNER WILL NOT BE LIABLE FOR ANY COSTS WHATSOEVER ASSOCIATED WITH, BUT NOT LIMITED TO, THE PRESENCE OF ROCK, PEAT, SUBTERRANEAN STREAMS, EXCESSIVE WATER OR OTHER DIFFICULT OR UNANTICIPATED SUB-SURFACE PHENOMENA.
- IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE AND SCHEDULE THE SANITARY SEWER INSTALLATION WITH THE GRADING, EXCAVATION AND OTHER SITE UTILITY SUBCONTRACTORS AND THE OWNERS REPRESENTATIVE SO AS TO PROVIDE FOR A SMOOTH AND ORDERLY PROGRESSION OF THE WORK.
- SANITARY SEWER PIPING AND FITTINGS SHALL BE OF THE SIZE AND TYPE INDICATED ON THE DRAWINGS AND SHALL CONFORM TO THE REQUIREMENTS OF THE GOVERNING AGENCY.
- REINFORCED PRE-CAST CONCRETE MANHOLE SECTIONS INCLUDING CONCENTRIC OR ECCENTRIC CONES AND GRADE RINGS SHALL BE 4000 PSI CONCRETE AND CONFORM TO ASTM C-478 OR AASHTO M-199.
- OPEN NO MORE TRENCH IN ADVANCE OF PIPE LAYING THAN IS NECESSARY TO EXPEDITE THE WORK.
- CARE SHALL BE TAKEN NOT TO EXCAVATE BELOW THE DEPTHS INDICATED ON DRAWINGS. WHERE EXCESSIVE OR UNAUTHORIZED EXCAVATION TAKES PLACE, THE OVERDEPTH SHALL BE BACKFILLED AT THE PROPER GRADE WITH COMPACTED BEDDING MATERIAL, AT NO EXPENSE TO THE OWNER.
- PROVIDE REQUIRED TIMBER SHEETING, BRACING AND SHORING TO PROTECT SIDES OF EXCAVATION. DO NOT BRACE SHEETING AGAINST PIPE. PROVIDE STAGING AND SUITABLE LADDERS FOR SAFE ENTRY TO AND EXIT FROM EXCAVATION.
- DURING EXCAVATION, MATERIAL SUITABLE FOR BACKFILLING SHALL BE PILED IN AN ORDERLY MANNER A SUFFICIENT DISTANCE FROM THE BANKS OF TRENCHES TO AVOID OVERLOADING, AND TO PREVENT CAVE-INS.
- WHEN WET EXCAVATION IS ENCOUNTERED, THE TRENCH SHALL BE DE-WATERED UNTIL THE PIPE HAS BEEN LAID AND BACKFILLED TO A POINT AT LEAST 1 FOOT ABOVE TOP OF PIPE.
- SANITARY SEWER CROSSINGS SHALL BE MADE WITH 18" OF VERTICAL CLEARANCE FROM ANOTHER UTILITY AND SHALL BE MADE WITHOUT PLACING POINT LOADS ON EITHER PIPE. CONSTRUCT SADDLES, OR PLACE PROTECTIVE CONCRETE CAP TO PREVENT DAMAGE.
- ALL CONNECTION BRANCHES IN THE SEWER PIPE SHALL BE SECURELY AND COMPLETELY FASTENED TO OR FORMED INTO THE WALL OF THE PIPE DURING THE COURSE OF MANUFACTURE. ALL PIPE CONTAINING SUCH CONNECTION BRANCHES SHALL BE INSTALLED WITH THE MAIN SEWER. THE PROPOSED LOCATION OF THE BRANCH SHALL BE PER PLAN OR AS DIRECTED BY THE OWNER OR OWNER'S REPRESENTATIVE.
- SERVICE LEADS SHALL TERMINATE (WITH AN APPROVED STOPPER) PER PLANS OR AS DIRECTED BY OWNER OR OWNER'S REPRESENTATIVE.
- EACH RISER AND/OR SERVICE LEAD SHALL BE MARKED WITH A 2 INCH X 2 INCH X 8 FOOT LONG HARDWOOD MARKER, PLACED VERTICALLY AT THE END OF THE PIPE.
- DOWNSPOUTS, WEEP TILE, FOOTING DRAINS, OR ANY CONDUIT, THAT CARRIES STORM OR GROUND WATER SHALL NOT BE ALLOWED TO DISCHARGE INTO A SANITARY SEWER.
- ANY CONNECTION TO AN EXISTING SANITARY SEWER MANHOLE SHALL BE MADE IN STRICT CONFORMANCE WITH THE PLANS AND SPECIFICATIONS, WITH ALL WORK BEING DONE IN A WORKMANLIKE MANNER. THIS WORK SHALL INCLUDE THE CONSTRUCTION OF A PROPER CHANNEL IN THE EXISTING MANHOLE AT WHICH THE CONNECTION IS TO BE MADE, TO DIRECT THE FLOW OF INCOMING FLUIDS TO THE EXISTING OUTLET IN A MANNER WHICH WILL TEND TO CREATE THE LEAST AMOUNT OF TURBULENCE. ANY PORTION OF THE EXISTING STRUCTURE WHICH WOULD INTERFERE WITH SUCH CONSTRUCTION SHALL BE REMOVED. THE COST OF ALL CONNECTIONS, INCLUDING ALL TESTING AND/OR TELEVISION REQUIRED BY THE LOCAL MUNICIPALITY, SHALL BE INCLUDED IN THE CONTRACT PRICE FOR THE MAIN SEWER UNLESS OTHERWISE PROVIDED IN THE PROPOSAL.
- WHEN CONNECTIONS ARE MADE WITH SEWERS OR DRAINS CARRYING FLUIDS, SPECIAL CARE MUST BE TAKEN THAT NO PART OF THE WORK IS BUILT UNDER WATER. A FLUME OR DAM MUST BE INSTALLED AND PUMPING MAINTAINED, IF NECESSARY, AND THE PUMPING MUST BE KEPT DRY UNTIL COMPLETED AND ANY CONCRETE OR MORTAR HAS SET.
- ALL TIMBER SHEETING BELOW A PLANE 12" ABOVE TOP OF PIPE SHALL REMAIN IN PLACE IN ORDER NOT TO DISTURB PIPE GRADING. BEFORE BACKFILLING, REMOVE ALL OTHER SHEETING, BRACING AND SHORING.
- BEDDING USED FOR TRENCH BOTTOM SHALL BE EXTENDED UP THE SIDES AND CAREFULLY PLACED AROUND AND OVER PIPE IN 6" MAXIMUM LAYERS. EACH LAYER SHALL BE THOROUGHLY AND CAREFULLY COMPACTED TO 95% OF MAXIMUM DRY DENSITY AS PER ASTM D-1557 (MODIFIED PROCTOR) UNTIL 12" OF COVER EXISTS OVER PIPE.
- REMAINDER OF TRENCH SHALL BE BACKFILLED WITH SPECIFIED BACKFILL MATERIAL AS APPROVED BY THE GEOTECHNICAL ENGINEER TO SPECIFIED SUBGRADE ELEVATION. BACKFILLING SHALL BE COMPACTED TO 90% OF MAXIMUM DRY DENSITY PER ASTM D-1557.
- WITHIN 3' OF THE 45° INFLUENCE LINE OF THE SUBGRADE OF STREETS, DRIVES, PARKING LOTS AND OTHER AREAS TO HAVE OR HAVING IMPROVED HARD SURFACES, BACKFILL SHALL BE MATERIAL SPECIFIED AND SHALL BE DEPOSITED IN 6" LOOSE LAYERS AT OPTIMUM MOISTURE CONTENT (±2%) AND COMPACTED TO 95% OF MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-1557 (MODIFIED PROCTOR). SUITABLE MATERIALS FOUND ON SITE MAY BE USED IF APPROVED BY THE GEOTECHNICAL ENGINEER AND OWNER'S REPRESENTATIVE. WHERE SERVICE OR UTILITY LINES CROSS, PAVEMENT OR SIDEWALK, BEDDING SHALL BE CARRIED TO 3 FEET BEHIND THE CURB LINE OR 3 FEET BEHIND THE SIDE OF SIDEWALK FARTEST AWAY FROM THE PROPOSED PAVEMENT.
- BEFORE BACKFILLING AROUND MANHOLES, ALL FORMS, TRASH AND DEBRIS SHALL BE REMOVED AND CLEARED AWAY. SELECTED EXCAVATED MATERIAL SHALL BE PLACED SYMMETRICALLY ON ALL SIDES IN 8" MAXIMUM LAYERS; EACH LAYER SHALL BE MOISTENED AND COMPACTED WITH MECHANICAL AND HAND TAMPERS.
- SANITARY SEWER MANHOLES MUST BE WATER-TIGHT AND SHALL BE PRECAST SECTIONS WITH MODIFIED GROOVED TONGUE JOINTS WITH RUBBER GASKETS, CONFORMING TO ASTM DETAIL C478. CAST IRON STEPS SHALL BE CAST INTO THE MANHOLE SECTIONS AT 16" O.C. DURING MANUFACTURE AND AT 45° FROM THE CENTERLINE OF THE SEWER. MANHOLE STEPS SHALL BE NEEHAH R-1980-E, EAST JORDAN IRON WORKS, 8500 OR APPROVED EQUAL.
- WHEN EXISTING REINFORCED CONCRETE MANHOLES OR SEWER PIPES ARE TO BE TAPPED, A HOLE OF THE APPROPRIATE DIAMETER, SHALL BE CORE DRILLED, THROUGH THE WALL OF THE MANHOLE OR SEWER PIPE, TO ACCEPT A RESILIENT CONNECTOR CONFORMING TO ASTM DESIGNATION C-923, RESILIENT CONNECTORS SHALL BE "KOR-N-SEAL" AS MANUFACTURED BY "THE CORE AND SEAL CO." OR APPROVED EQUAL.
- ALL SEWERS SHALL BE SUBJECTED TO INFILTRATION, AIR OR EXFILTRATION TESTS OR A COMBINATION THEREOF IN ACCORDANCE WITH THE FOLLOWING REQUIREMENTS, OR PER THE SEWER AUTHORITY'S STANDARDS, PRIOR TO ACCEPTANCE OF THE SYSTEM AND PRIOR TO REMOVAL OF THE BULKHEADS.
 - ALL SEWERS OVER 24" DIAMETER SHALL BE SUBJECTED TO INFILTRATION TESTS. ALL SEWERS OF 24" DIAMETER OR SMALLER, WHERE GROUND WATER LEVEL ABOVE THE TOP OF THE SEWER IS OVER SEVEN (7) FEET, SHALL BE SUBJECTED TO AN INFILTRATION TEST.
 - ALL SEWERS OF 24" DIAMETER OF LESS, WHERE THE GROUND WATER LEVEL ABOVE THE TOP OF THE SEWER IS SEVEN (7) FEET OR LESS, SHALL BE SUBJECT TO AIR TESTS OR EXFILTRATION TESTS.
- NO SANITARY SEWER INSTALLATION OR PORTION THEREOF SHALL HAVE INFILTRATION EXCEEDING 100 GALLONS PER INCH DIAMETER PER MILE OF PIPE PER 24 HOUR PERIOD.
- ALL SANITARY SEWER WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTAGE STANDARD

GRADING AND EARTHWORK SPECIFICATIONS

- ALTHOUGH A SUB-SURFACE INVESTIGATION MAY HAVE BEEN MADE BY THE OWNER, THE BIDDER AND ANY SUB-CONTRACTORS SHALL MAKE A PERSONAL INVESTIGATION OF SITE AND EXISTING SURFACE AND SUBSTRATE CONDITIONS. THE CONTRACTOR IS RESPONSIBLE TO ACQUANT HIMSELF WITH CONDITIONS OF THE WORK AREA. THE CONTRACTOR IS ADVISED TO DETERMINE THE SUB-SURFACE SOIL CONDITIONS AND GROUND WATER CONDITIONS TO HIS OWN SATISFACTION PRIOR TO BIDDING. NO MODIFICATIONS TO THE UNIT PRICES BID FOR ANY ITEM WILL BE MADE DUE TO VARIABLE SUB-SURFACE CONDITIONS. DOWATERING, IF DETERMINED NECESSARY BY THE CONTRACTOR, SHALL BE WELL POINTING OR DEEP WELLS WILL BE INCIDENTAL TO THE INSTALLATION COST OF THE ITEM.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR HAVING DETERMINED TO HIS SATISFACTION PRIOR TO THE SUBMISSION OF HIS BID THE CONFIRMATION OF THE GROUND, THE CHARACTER AND QUALITY OF THE SUBSTRATA, THE TYPES AND QUANTITIES OF MATERIALS TO BE ENCOUNTERED, THE NATURE OF THE UNDERLYING CONDITIONS, THE PRODUCTION OF THE WORK, THE GENERAL AND LOCAL CONDITIONS INCLUDING RECENT CLIMATIC CHANGES, THE TIME OF YEAR IN WHICH CONSTRUCTION WILL TAKE PLACE AND ALL OTHER MATTERS WHICH CAN IN ANY WAY AFFECT THE WORK UNDER THIS CONTRACT.
- PRIOR TO COMMENCING THE EXCAVATION THE CONTRACTOR SHALL SUBMIT A PLAN OF HIS PROPOSED OPERATIONS AND TIME SCHEDULE TO THE OWNER & OWNERS REPRESENTATIVE FOR THEIR APPROVAL.
- THE CONTRACTOR SHALL CONSIDER, AND HIS PLAN FOR EXCAVATION SHALL REFLECT, THE EQUIPMENT AND METHODS TO BE EMPLOYED IN THE EXCAVATION AND WHAT METHODS WILL BE USED WHEN WET CONDITIONS ARE ENCOUNTERED REQUIRING GROUNDWATER CONTROL, OR OTHER MOISTURE CONDITIONING. THE CONTRACTOR SHALL SUBMIT AN OUTLINE OF HIS EARTHWORK METHODS WHICH SHALL TAKE INTO ACCOUNT THE OVERALL CONSTRUCTION SCHEDULE. THE PRICES ESTABLISHED IN THE PROPOSAL FOR THE WORK TO BE DONE SHALL REFLECT ALL COSTS PERTAINING TO THE WORK. NO CLAIMS OR EXTRAS BASED ON SUBSTRATA OR GROUNDWATER TABLE CONDITIONS OR MOISTURE CONDITIONING WILL BE ALLOWED.
- THE CONTRACTOR SHALL KEEP INFORMED AND THE OWNER'S REPRESENTATIVE INFORMED AT ALL TIMES AS TO A "FILL SURPLUS OR SHORTAGE" SITUATION. SHORTAGE OR SURPLUS OF SUITABLE MATERIAL AT THE CONCLUSION OF THE GRADING AND EARTHWORK OPERATION SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND HE WILL BE REQUIRED TO SUPPLY THE DEFICIENCY OR DISPOSE OF THE SURPLUS WITHOUT ADDITIONAL COST TO THE OWNER.
- THE CONTRACTOR SHALL REMOVE VEGETATION, DEBRIS, UNSATISFACTORY SOIL MATERIALS, OBSTRUCTIONS, AND OTHER DELETERIOUS MATERIAL FROM GROUND SURFACE PRIOR TO CUT OR FILL OPERATIONS. SUCH MATERIAL SHALL BECOME PROPERTY OF THE CONTRACTOR TO BE DISPOSED OF IN A LEGAL MANNER OFF SITE.
- MATERIALS FOR FILL OR BACKFILL REQUIRED TO GRADE THE SITE AND ACHIEVE DESIGN ELEVATIONS SHALL BE EITHER ON OR OFF-SITE SLOES WHICH ARE FREE OF ORGANIC MATTER AND DEBRIS. NO TOPSOIL SHALL BE USED AS ENGINEERED FILL.
- NO FILL MAY BE PLACED UNTIL THE EXPOSED SURFACES HAVE BEEN APPROVED BY THE GEOTECHNICAL ENGINEER. ALL FILL MATERIALS SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT.
- IF ANY UNKNOWN SUBSURFACE STRUCTURES ARE ENCOUNTERED DURING CONSTRUCTION, THEY SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE AND DESIGN ENGINEER PRIOR TO PROCEEDING.
- ALL FILL MATERIAL SHALL BE PLACED AND COMPACTED AT THE OPTIMUM MOISTURE CONTENT OR AS DIRECTED BY THE GEOTECHNICAL ENGINEER.
- NO FROZEN MATERIAL SHALL BE USED AS FILL NOR WILL ANY FILL BE PLACED ON A FROZEN BASE.
- NO ROCK OR SIMILAR MATERIAL GREATER THAN 6" DIAMETER SHALL BE PLACED IN THE FILL UNLESS RECOMMENDATIONS FOR SUCH PLACEMENT HAVE BEEN SUBMITTED BY THE GEOTECHNICAL ENGINEER IN ADVANCE AND APPROVED BY THE OWNER AND OWNER'S REPRESENTATIVE.
- COMPACT FILL MATERIAL TO AT LEAST THE FOLLOWING PERCENTAGE OF MAXIMUM DRY DENSITY, AS DETERMINED BY ASTM D-1557 (MODIFIED PROCTOR), AND VARIATION FROM THESE COMPACTION DENSITIES WILL BE ALLOWED UNLESS SPECIFICALLY RECOMMENDED BY THE GEOTECHNICAL ENGINEER AND APPROVED BY THE OWNER AND OWNER'S REPRESENTATIVE.

FILL AREAS	% OF MAXIMUM DRY DENSITY
FILL UNDER BUILDING (EXTENDING 5' BEYOND FOOTINGS AT A SLOPE OF 1 ON 1)	98%
FILL UNDER PAVEMENT OR SIDEWALKS	95%
FILL PLACED UNDER OR BEHIND RETAINING WALLS	95%
ALL OTHER WALLS	90%
- ALL FILL MATERIAL SHALL BE PLACED AND COMPACTED IN LIFTS, THAT WILL NOT EXCEED THE DEPTH IN WHICH THE COMPACTION EQUIPMENT CAN ACHIEVE THE MAXIMUM DENSITY REQUIRED FOR THE ENTIRE DEPTH OF THE MATERIAL PLACED IN THE LIFT.
- ALL AREAS WHERE FILL HAS BEEN PLACED OR THE EXISTING SOILS HAVE BEEN DISTURBED SHALL BE SUBJECT TO COMPACTION TESTING BY THE GEOTECHNICAL ENGINEER AND SHALL BE TO THE SATISFACTION OF THE GEOTECHNICAL ENGINEER, OWNER AND OWNER'S REPRESENTATIVE.
- FILL MATERIAL UNDER PAVEMENTS OR STRUCTURES SHALL BE FREE OF ORGANIC OR DELETERIOUS MATERIALS. IT SHALL BE SUITABLE FOR SUPPORTING PAVEMENTS AND STRUCTURES WITHOUT ADVERSE SHRINKING OR SWELLING.
- FILL MATERIAL IN BERMS AND LANDSCAPE AREAS SHALL BE SUITABLE TO SUPPORT GROWTH OF THE LANDSCAPING MATERIALS (TYPICAL FOR THE LOCAL CLIMATE) AND AS PROPOSED BY THE LANDSCAPE ARCHITECT.
- THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF, IN A LEGAL MANNER, ANY TREES, BRUSH OR DEBRIS THAT ARE WITHIN THE DESIGNATED CUTTING AND FILLING AREAS TO BRING THE SITE TO PROPOSED GRADES.
- THE CONTRACTOR SHALL STOCKPILE EXCAVATED MATERIAL ONLY IN DESIGNATED AREAS AS DIRECTED BY THE OWNER OR OWNER'S REPRESENTATIVE.
- DURING THE PERFORMANCE OF SITE GRADING OPERATIONS, THE SUBGRADE SHALL BE EXAMINED CRITICALLY, AND ANY AREAS DISCOVERED WHICH, IN THE OPINION OF THE OWNER'S REPRESENTATIVE OR GEOTECHNICAL ENGINEER, ARE SOFT AND UNSTABLE, SHALL BE EXCAVATED TO SUCH DEPTHS AS MAY BE NECESSARY TO INSURE SATISFACTORY SUPPORTING PROPERTIES AS DETERMINED BY THE GEOTECHNICAL ENGINEER. THESE AREAS OF EXCAVATION SHALL BE BACKFILLED IMMEDIATELY AND SHALL BE BROUGHT BACK TO THE ELEVATION OF THE SURROUNDING AREAS WITH APPROVED FILL MATERIAL AND IN ACCORDANCE WITH THE EARTH FILL CONSTRUCTION PROCEDURE.
- NEWLY GRADED AREAS SHALL BE PROTECTED FROM THE ACTION OF THE ELEMENTS, ANY SETTLEMENT, DISPLACEMENT, PONDING OR WASHING OUT THAT MAY OCCUR PRIOR TO COMMENCING THE NEXT PHASE OF CONSTRUCTION SHALL BE REPAIRED, AND GRADES REESTABLISHED TO THE REQUIRED ELEVATIONS AND SLOPES.
- THE FINISHED SUBGRADE SURFACE SHALL BE SHAPED TO INDICATED PROFILES AND SHALL BE REASONABLY SMOOTH AND FREE FROM IRREGULAR SURFACE CHANGES AND SHALL BE NO MORE THAN 1 INCH ABOVE OR BELOW THE INDICATED SUBGRADE ELEVATIONS.
- THE GRADING CONTRACTOR SHALL BACKFILL ALL PARKING LOT PLANTERS AND LAWN AREAS TO WITHIN 2 INCHES OF THE TOP ADJACENT CURB GRADES. THE TOP 4 INCHES MINIMUM SHALL BE TOPSOIL, FREE FROM DEBRIS AND STONES LARGER THAN 1 INCH IN DIAMETER.
- THE CONTRACTOR SHALL PROVIDE ALL NECESSARY PUMPS, DITCHING, WELL POINT SYSTEMS AND OTHER MEANS FOR REMOVING WATER FROM EXCAVATIONS, TRENCHES, SUBGRADES AND OTHER PARTS OF THE WORK. THE CONTRACTOR SHALL CONTINUE DRAINAGE OPERATIONS UNTIL THE WATER HAS BEEN REMOVED ENTIRELY. UPON COMPLETION OF WATER REMOVAL THE CONTRACTOR SHALL TAKE APPROPRIATE ACTION TO DRY THE SOILS, REGRADE TO PROPOSED ELEVATIONS AND COMPACT SOILS TO THE SATISFACTION OF THE GEOTECHNICAL ENGINEER AND OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL DISPOSE OF WATER IN A SAFE AND SANITARY WAY TO PREVENT FLOODING OR INJURY TO PUBLIC OR PRIVATE PROPERTY AND SHALL OBTAIN APPROVAL OF THE LOCAL GOVERNING AUTHORITY BEFORE DISCHARGING RUN-OFF WATER TO THEIR SYSTEM. SEE EROSION CONTROL NOTES FOR ADDITIONAL REQUIREMENTS.
- THE CONTRACTOR SHALL PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING GRADES AND NEW GRADES.



BITUMINOUS PAVING SPECIFICATIONS

- REFERENCE SPECIFICATIONS WHERE APPLICABLE TO WORK UNDER THIS SECTION ARE REFERRED TO BY ABBREVIATION AS FOLLOWS:
 - AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO).
 - THE ASPHALT INSTITUTE (TAI)
 - MICHIGAN DEPARTMENT OF TRANSPORTATION/ CURRENT STANDARD SPECIFICATIONS FOR CONSTRUCTION (MDOT)
 - AMERICAN SOCIETY FOR TESTING MATERIALS (ASTM)
- AGGREGATE BASE COURSE SHALL MEET THE REQUIREMENTS OF SECTION 902 OF MDOT STANDARD SPECIFICATION FOR CONSTRUCTION AND SHALL CONSIST OF 21A CRUSHED AGGREGATE. THE USE OF SLAG IS PROHIBITED.
- TACK COAT SHALL BE EMULSIFIED ASPHALT MEETING REQUIREMENTS OF MDOT SECTION 904, GRADE CSS-1H.
- AGGREGATE SHALL CONSIST OF CRUSHED STONE, CRUSHED GRAVEL, A MIXTURE OF UNCRUSHED GRAVEL WITH EITHER CRUSHED STONE OR CRUSHED GRAVEL, OR OTHER INERT MATERIAL HAVING SIMILAR CHARACTERISTICS. IT SHALL BE COMPOSED OF CLEAN, TOUGH DURABLE FRAGMENTS FROM EXCESS OF FLAT OR ELONGATED PIECES, AND SHALL BE FREE OF ORGANIC MATTER AND DELETERIOUS SUBSTANCES AND MEET THE REQUIREMENTS OF MDOT STANDARD SPECIFICATIONS, SECTION 902, 21A. CONTRACTOR MAY USE CRUSHED HMA AGGREGATE SCREENED TO MEET THE REQUIREMENTS OF MDOT 21A MATERIAL.
- FINE AGGREGATE SHALL BE WELL GRADED FROM COARSE TO FINE AND CONSIST OF NATURAL SAND, STONE SCREENINGS, OR A BLEND OF NATURAL SAND AND STONE SCREENINGS. IT SHALL BE COMPOSED OF ROUGH SURFACED AND ANGULAR GRAINS OF QUARTZ OR OTHER HARD DURABLE ROCK AND MEET THE REQUIREMENTS OF MDOT STANDARD SPECIFICATIONS, SECTION 902 FOR CLASS II OR CLASS III GRANULAR MATERIAL. CONTRACTOR MAY USE CRUSHED HMA AGGREGATE SCREENED TO MEET THE REQUIREMENTS OF MDOT CLASS II OR CLASS III MATERIAL.
- ASPHALT CEMENT SHALL COMPLY WITH THE REQUIREMENTS OF MDOT SECTION 904.
- HOT MIXED ASPHALT (HMA) SHALL COMPLY WITH MDOT SECTION 501 OF STANDARD SPECIFICATIONS FOR CONSTRUCTION.
- BITUMINOUS LEVELING COURSE SHALL BE MDOT HMA, 13A, UNLESS OTHERWISE REQUIRED BY THE MUNICIPALITY OR ROAD AGENCY WITH JURISDICTION.
- BITUMINOUS WEARING COURSE SHALL BE MDOT HMA, 36A UNLESS OTHERWISE REQUIRED BY THE MUNICIPALITY OR ROAD AGENCY WITH JURISDICTION. CONTRACTOR MAY SUBSTITUTE 13A WITH THE APPROVAL OF THE OWNER AND ENGINEER.
- THE CONTRACTOR SHALL SUBMIT, TO THE OWNER, TWO COPIES OF MATERIALS CERTIFICATES SIGNED BY MATERIAL PRODUCER AND CONTRACTOR. CERTIFICATES SHALL STATE THAT EACH MATERIAL ITEM MEETS SPECIFIED REQUIREMENTS.
- THE CONTRACTOR SHALL SUBMIT TO THE GEOTECHNICAL ENGINEER, JOB-MIX FORMULAS FOR EACH REQUIRED ASPHALT AGGREGATE MIXTURE. MIX DESIGNS SHALL BE WITHIN ALLOWABLE TOLERANCES AS SPECIFIED BY MDOT FOR THE PARTICULAR APPLICATION.
- SUBGRADE PREPARATIONS SHALL CONSIST OF THE FINAL MACHINING OF THE SUBGRADE IMMEDIATELY PRIOR TO PLACING THE BITUMINOUS BASE COURSE. THE SUBGRADE SHALL BE COMPACTED PER PLANS AND DETAILS. THE SUBGRADE SHALL BE TRUE TO LINE AND GRADE.
- CRUSHED AGGREGATE BASE COURSE SHALL BE COMPACTED TO A DENSITY EQUAL TO AT LEAST 95 PERCENT OF THE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D-1557 (MODIFIED PROCTOR).
- BITUMINOUS CONCRETE PAVEMENT CONSTRUCTION METHODS SHALL CONFORM TO APPLICABLE PORTIONS OF SECTION 501 OF THE MDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.
- THE CONTRACTOR SHALL NOT PLACE THE AGGREGATE BASE COURSE OR THE BITUMINOUS BASE COURSE PRIOR TO THE APPROVAL OF THE SUBGRADE BY THE GEOTECHNICAL ENGINEER.
- EACH LIFT AND COURSE OF BITUMINOUS CONCRETE SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER, PRIOR TO THE PLACEMENT OF A SUCCEEDING COURSE OR LIFT.
- APPLY BITUMINOUS TACK COATS ONLY WHEN TEMPERATURE HAS NOT BEEN BELOW 35 DEGREES F. FOR 12 HOURS IMMEDIATELY PRIOR TO APPLYING AND CONSTRUCT BITUMINOUS CONCRETE WEARING COURSE ONLY WHEN ATMOSPHERIC TEMPERATURE IS ABOVE 40-DEGREES F AND RISING, AND PROCEEDING COURSE OR LIFT IS CLEAN AND DRY. BASE COURSE MAY BE LAID WHEN TEMPERATURE IS ABOVE 35 DEGREES F, AND RISING AND APPROVED BY THE GEOTECHNICAL ENGINEER.
- THE BITUMINOUS CONCRETE SHALL BE TRANSPORTED FROM THE MIXING PLANT TO THE POINT OF USE IN VEHICLES CONFORMING TO THE REQUIREMENTS OF SECTION 501 OF THE MDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION. DELIVERIES SHALL BE SCHEDULED SO THAT SPREADING AND ROLLING OF ALL BITUMINOUS CONCRETE PREPARED FOR ONE DAY'S RUN CAN BE COMPLETED DURING DAYLIGHT, UNLESS ADEQUATE ARTIFICIAL LIGHTING IS PROVIDED. HAULING OVER FRESHLY PLACED BITUMINOUS MAT SHALL NOT BE PERMITTED UNTIL THE BITUMINOUS CONCRETE HAS BEEN COMPACTED, AS SPECIFIED, AND ALLOWED TO COOL TO ATMOSPHERIC TEMPERATURE.
- UPON ARRIVAL, THE BITUMINOUS CONCRETE SHALL BE SPREAD TO A THICKNESS NOT TO EXCEED 3-INCHES AND TO THE FULL WIDTH BY AN APPROVED BITUMINOUS PAYER. IT SHALL BE STRUCK OFF IN A UNIFORM LAYER OF SUCH DEPTH THAT, WHEN THE WORK IS COMPLETED, IT SHALL HAVE THE REQUIRED THICKNESS AND CONFORM TO THE GRADE AND CONTOUR INDICATED. THE SPEED OF THE PAYER SHALL BE REGULATED TO ELIMINATE PULLING AND TEARING OF THE BITUMINOUS MAT. UNLESS OTHERWISE DIRECTED, PLACEMENT OF THE BITUMINOUS CONCRETE SHALL BEGIN ALONG THE CENTERLINE OF A CROWLEDGE OR ON THE HIGH SIDE OF AREAS WITH A ONE-WAY SLOPE. THE BITUMINOUS CONCRETE SHALL BE PLACED IN CONSECUTIVE ADJACENT STRIPS HAVING A MINIMUM WIDTH OF 10 FEET, EXCEPT WHERE EDGE LAYERS REQUIRE LESS THAN 10 FEET. JOINTS IN CONSECUTIVE JOINTS IN ADJACENT LANES SHALL BE OFFSET A MINIMUM OF 10 FEET. WHERE POSSIBLE, JOINTS SHALL BE LOCATED AT THE LANE EDGES.
- ON AREAS WHERE IRREGULARITIES OR UNAVOIDABLE OBSTACLES MAKE THE USE OF MECHANICAL SPREADING AND FINISHING EQUIPMENT IMPRACTICAL, THE BITUMINOUS CONCRETE MAY BE SPREAD AND RAKED BY HAND TOOLS.
- THE BITUMINOUS CONCRETE SHALL BE PLACED AT A TEMPERATURE OF NOT LESS THAN 250 NOR HIGHER THAN THE RECOMMENDED TEMPERATURE OF THE BINDER PRODUCER OR AS DIRECTED BY THE GEOTECHNICAL ENGINEER.
- THE BITUMINOUS CONCRETE MIXTURE SHALL BE THOROUGHLY AND UNIFORMLY COMPACTED BY ROLLING. THE SURFACE SHALL BE TRUE TO LINE AND THE BITUMINOUS MAT HAS ATTAINED SUFFICIENT STABILITY SO THAT THE ROLLING DOES NOT CAUSE UNDEE DISPLACEMENT, CRACKING AND SHOWING. THE SEQUENCE OF ROLLING OPERATIONS SHALL BE AS AT THE DISCRETION OF THE CONTRACTOR.
- THE SPEED OF THE ROLLER SHALL, AT ALL TIMES, BE SUFFICIENTLY SLOW TO AVOID DISPLACEMENT OF THE HOT BITUMINOUS CONCRETE. ANY DISPLACEMENT OCCURRING AS A RESULT OF REVERSING THE DIRECTION OF THE ROLLER, OR FROM ANY OTHER CAUSE, SHALL BE CORRECTED AT ONCE.
- SUFFICIENT ROLLERS SHALL BE FURNISHED TO HANDLE THE OUTPUT OF THE PLANT. ROLLING SHALL CONTINUE UNTIL ALL ROLLER MARKS ARE ELIMINATED, THE SURFACE IS OF UNIFORM TEXTURE AND TRUE TO GRADE AND CROSS-SECTION, AND THE REQUIRED FIELD DENSITY IS OBTAINED.
- TACK COAT SHALL BE APPLIED TO THE SURFACE OF PREVIOUS LIFTS AND COURSES OF BITUMINOUS CONCRETE AND TO SURFACES ABUTTING OR PROJECTING INTO THE BITUMINOUS CONCRETE.
- IMMEDIATELY BEFORE PLACING A SUCCEEDING LIFT OR COURSE OF BITUMINOUS CONCRETE THE PRECEDING LIFT OR COURSE SHALL BE CLEARED OF ANY DEBRIS OR STANDING WATER BY APPROPRIATE METHODS.
- TO PREVENT ADHESION OF THE BITUMINOUS CONCRETE TO THE ROLLER, THE WHEELS SHALL BE KEPT PROPERLY MOISTENED, BUT EXCESSIVE WATER WILL NOT BE PERMITTED.
- IN AREAS NOT ACCESSIBLE TO THE ROLLER, THE BITUMINOUS CONCRETE SHALL BE THOROUGHLY COMPACTED WITH HOT HAND TAMPERS.
- ANY BITUMINOUS CONCRETE THAT BECOMES LOOSE AND BROKEN, MIXED WITH DIRT, OR IN ANY WAY DEFECTIVE SHALL BE REMOVED AND REPLACED WITH FRESH HOT BITUMINOUS CONCRETE AND IMMEDIATELY COMPACTED TO CONFORM TO THE SURROUNDING AREA. THIS WORK SHALL BE DONE AT THE CONTRACTOR'S EXPENSE. SKIN PATCHING SHALL NOT BE ALLOWED.
- THE CONTRACTOR SHALL PROVIDE AT LEAST TWO ROLLERS FOR EACH PAYER OPERATING ON THE WORK. THE CONTRACTOR SHALL USE ADDITIONAL ROLLERS AS REQUIRED TO OBTAIN THE SPECIFIED PAVEMENT DENSITY.
- THE CONTRACTOR SHALL CAREFULLY MAKE JOINTS BETWEEN OLD AND NEW PAVEMENTS, OR BETWEEN SUCCESSIVE DAYS' WORK, TO ENSURE A CONTINUOUS BOND BETWEEN ADJUNCT WORK. CONSTRUCT JOINTS TO HAVE THE SAME TEXTURE, DENSITY AND SMOOTHNESS AS OTHER SECTIONS OF THE BITUMINOUS CONCRETE COURSE. THE CONTRACTOR SHALL CLEAN CONTACT SURFACES OF SAND, DIRT, OR OTHER OBJECTIONABLE MATERIAL AND APPLY TACK COAT BEFORE MAKING THE JOINT

BITUMINOUS PAVING SPECIFICATIONS, CONTINUED

- THE CONTRACTOR SHALL TEST THE FINISHED SURFACE OF EACH BITUMINOUS CONCRETE COURSE FOR SMOOTHNESS, USING A 10 FOOT STRAIGHTEDGE APPLIED PARALLEL WITH AND AT RIGHT ANGLES TO CENTERLINE OF PAVED AREA. SURFACE SHALL NOT BE ACCEPTABLE IF EXCEEDING THE FOLLOWING TOLERANCES FOR SMOOTHNESS.
 - LEVELING COURSE SURFACE: 1/4 INCH, PLUS OR MINUS 1/4 INCH.
 - SURFACE COURSE: 1/4 INCH
- THE CONTRACTOR SHALL TEST CROWNED SURFACES WITH A CROWN TEMPLATE, CENTERED AND AT RIGHT ANGLES TO THE CROWN. SURFACES WILL NOT BE ACCEPTABLE IF THE FINISHED CROWN SURFACES VARY MORE THAN 1/4 INCH FROM THE CROWN TEMPLATE.
- AFTER FINAL ROLLING, THE CONTRACTOR SHALL NOT PERMIT VEHICULAR TRAFFIC ON THE BITUMINOUS CONCRETE PAVEMENT UNTIL IT HAS COOLED AND HARDENED, AND IN NO CASE SOONER THAN SIX HOURS OR AS DIRECTED BY THE GEOTECHNICAL ENGINEER.
- THE AGGREGATE BASE MUST EXTEND A MINIMUM OF 1' BEHIND THE BACK-OF-CURB OR BEYOND EDGE OF PAVEMENT WHEN NO CURB IS PROPOSED.
- ALL WORK WITHIN THE SPRINKLE ROAD RIGHT OF WAY WILL BE SUBJECT TO PERMITTING THROUGH THE ROAD COMMISSION OF KALAMAZOO COUNTY AND THEIR CONSTRUCTION STANDARDS.
- THESE SPECIFICATIONS SHALL GOVERN THE CONSTRUCTION OF ALL PAVEMENTS, CURB AND GUTTER, SIDEWALKS, SERVICE WALKS, DRIVEWAY APPROACHES, AND LOADING DOCK AREAS, AS INDICATED ON THE DRAWINGS.
 - AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO).
 - AMERICAN CONCRETE INSTITUTE (ACI)
 - MICHIGAN DEPARTMENT OF TRANSPORTATION/ CURRENT STANDARD SPECIFICATIONS FOR CONSTRUCTION (MDOT)
 - AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM)
- THE FINE AGGREGATE SHALL MEET ALL REQUIREMENTS OF SECTION 902 OF MDOT SPECIFICATION FOR NO. 2MS NATURAL SAND.
- THE COARSE AGGREGATE SHALL MEET ALL REQUIREMENTS OF SECTION 902 OF M.D.O.T. SPECIFICATIONS FOR 6AA COARSE AGGREGATE.
- THE CONTRACTOR SHALL SUBMIT, TO THE OWNER, TWO COPIES OF MATERIALS CERTIFICATES SIGNED BY MATERIAL PRODUCER AND CONTRACTOR. CERTIFICATES SHALL STATE THAT EACH MATERIAL ITEM MEETS SPECIFIED REQUIREMENTS.
- THE CONTRACTOR SHALL SUBMIT TO THE GEOTECHNICAL ENGINEER, JOB MIX-FORMULAS FOR EACH REQUIRED CEMENT-AGGREGATE MIXTURE. MIX DESIGNS SHALL BE WITHIN ALLOWABLE TOLERANCES AS SPECIFIED FOR THE PARTICULAR APPLICATION.
- CONCRETE MIX SHALL BE AIR-ENTRAINED AND PROPORTIONED TO PROVIDE THE FOLLOWING:
 - COMPRESSIVE STRENGTH AT 28 DAYS: 3500 PSI MIN, OR AS INDICATED ON PLANS.
 - TOTAL AIR CONTENT BY VOLUME: 5% TO 8%.
 - SLUMP 3 INCH MAXIMUM, OR AS INDICATED ON PLANS.
- THE CONTRACTOR SHALL AT HIS EXPENSE FURNISH SAMPLES OF FRESH CONCRETE AND PROVIDE SAFE AND SATISFACTORY FACILITIES FOR OBTAINING THE SAMPLES.
- CONSTRUCT CONCRETE CURBING ONLY WHEN GROUND TEMPERATURE IS ABOVE 35 DEGREES F, AND BASE IS DRY.
- ALL CEMENT USED IN CURB CONSTRUCTION SHALL BE PORTLAND CEMENT, TYPE I OR IA ASTM C-150.
- WATER USED IN CONCRETE SHALL MEET THE REQUIREMENTS OF MDOT SECTION 911.
- AIR ENTRAINING ADMIXTURE SHALL BE SELECTED FROM THE MDOT QUALIFIED PRODUCTS LIST.
- ALL READY-MIXED CONCRETE SUPPLIERS MUST BE APPROVED BY THE OWNER AND MEET THE CURRENT REQUIREMENTS OF THE NATIONAL READY MIX CONCRETE ASSOCIATION (NRMA). IF REQUESTED BY THE OWNER, SUBMIT A WRITTEN DESCRIPTION OF PROPOSED READY-MIXED CONCRETE MANUFACTURER, GIVING QUALIFICATIONS OF PERSONAL, LOCATION OF BATCHING PLANT, LIST OF PROJECTS SIMILAR IN SCOPE OF SPECIFIED WORK, AND OTHER INFORMATION AS MAY BE REQUESTED BY THE OWNER.
- THE CONTRACTOR SHALL SUBMIT A STATEMENT OF PURCHASE FOR READY-MIXED CONCRETE: PRIOR TO ACTUAL DELIVERY OF CONCRETE, SUBMIT TO THE GEOTECHNICAL ENGINEER FOUR COPIES OF STATEMENT OF PURCHASE, GIVING THE DRY WEIGHTS OF CEMENT AND SATURATED SURFACE DRY WEIGHTS OF FINE AND COARSE AGGREGATES AND QUANTITIES, TYPE AND NAME OF ADMIXTURES (IF ANY) AND OF WATER PER CYLTD., THAT WILL BE USED IN THE MANUFACTURE OF THE CONCRETE. THE CONTRACTOR SHALL ALSO FURNISH EVIDENCE TO THE GEOTECHNICAL ENGINEER THAT THE MATERIALS TO BE USED AND PROPORTIONS SELECTED WILL PRODUCE CONCRETE OF THE QUALITY SPECIFIED. WHATEVER STRENGTHS ARE OBTAINED, THE QUANTITY OF CEMENT USED SHALL NOT BE LESS THAN THE MINIMUM SPECIFIED.
- READY-MIXED CONCRETE DELIVERY TICKETS: SUBMIT ONE COPY OF EACH DELIVERY TICKET TO THE GEOTECHNICAL ENGINEER AND CONTRACTOR IN ACCORDANCE WITH SECTION 16 OF ASTM C94.
- READY-MIXED CONCRETE SHALL BE BATCHED, MIXED AND TRANSPORTED IN ACCORDANCE WITH ASTM C94, AND COMPLY WITH ACI 304 "RECOMMENDED PRACTICE FOR MEASURING, MIXING, TRANSPORTING AND PLACING CONCRETE," EXCEPT AS OTHERWISE SPECIFIED HEREIN.
- READY-MIXED CONCRETE SHALL BE MIXED AND DELIVERED TO THE POINT OF DISCHARGE AT THE JOB BY MEANS OF A READY MIX CONCRETE TRUCK.
- NO WATER FROM THE TRUCK WATER SYSTEM OR ELSEWHERE SHALL BE ADDED AFTER THE INITIAL INTRODUCTION OF THE MIXING WATER FOR THE BATCH. UNDER NO CIRCUMSTANCES SHALL THE APPROVED MAXIMUM WATER CONTENT BE EXCEEDED NOR SHALL THE SLUMP EXCEED THE MAXIMUM SPECIFIED.
- DISCHARGE OF THE CONCRETE SHALL BE COMPLETED WITHIN 1-1/2 HOURS OR BEFORE THE DRUM HAS REVOLVED 300 REVOLUTIONS, WHICHEVER COMES FIRST, AFTER THE INTRODUCTION OF THE MIXING WATER TO THE CEMENT AND AGGREGATES OR THE INTRODUCTION OF THE CEMENT TO THE AGGREGATES.
- IN HOT WEATHER (AIR TEMPERATURE 80-DEGREES F. AND ABOVE) OR UNDER CONDITIONS CONTRIBUTING TO QUICK STIFFENING OF THE CONCRETE, THE TIME SHALL BE REDUCED TO ONE HOUR.
- CONCRETE DELIVERED IN COLD WEATHER (AIR TEMPERATURE 45-DEGREES F. AND LOWER) SHALL HAVE A TEMPERATURE NOT LESS THAN 40-DEGREES F. AT THE POINT OF DISCHARGE AT THE JOB, AND IN COMPLIANCE WITH ACI 306R "COLD WEATHER CONCRETING". CONCRETE PLACING WILL NOT BE PERMITTED WHEN THE AIR TEMPERATURE IS 35-DEGREES F. OR LOWER.
- CONCRETE DELIVERED UNDER HOT WEATHER CONDITIONS CONTRIBUTING TO QUICK STIFFENING OF CONCRETE, OR IN AIR TEMPERATURE OF 80-DEGREES F. AND OVER, SHALL HAVE A TEMPERATURE BETWEEN 60- AND 90-DEGREES F. AT THE POINT OF DISCHARGE AT THE JOB, AND IN ACCORDANCE WITH ACI 305R "HOT WEATHER CONCRETING."
- IN NO CASE SHALL THE MIXER OR TRUCK BE FLUSHED OUT ONTO THE STREET PAVEMENT, IN A CATCH BASIN OR SEWER MANHOLE, OR IN ANY PUBLIC RIGHT-OF-WAY. SEE SOIL EROSION CONTROL PLAN FOR CONCRETE WASHOUT LOCATION.
- REINFORCEMENT BARS SHALL BE PER MDOT SECTION 905.
- TIE WIRE SHALL BE BLACK, ANNEALED STEEL WIRE, NOT LESS THAN 16 GAUGE.

CONCRETE CURB, SIDEWALK AND PAVEMENT SPECIFICATIONS, CONTINUED

- BAR SUPPORTS SHALL CONFORM TO THE BAR SUPPORT SPECIFICATIONS CONTAINED IN CONCRETE REINFORCING STEEL INSTITUTE'S (CRSI) "MANUAL OF STANDARD PRACTICE." PROVIDE CHAIRS, SPACERS AND OTHER DEVICES SUITABLE FOR PROPER SPACING SUPPORTING AND FASTENING REINFORCING BARS.
- WHEN FORMS ARE USED AND THE CURB RADIUS IS LESS THAN 200 FEET, THE CURVED ALIGNMENT SHALL BE PROVIDED FOR BY EITHER STANDARD STEEL FORMS EQUIPPED WITH FLEXIBLE LINES OR BY FLEXIBLE FORMS. THE FORMS SHALL BE OF THE FULL DEPTH OF THE SECTION. CURB AND GUTTER FORMS SHALL BE SO CONSTRUCTED AS TO PERMIT THE INSIDE OF THE FORMS TO BE SECURELY FASTENED TO THE OUTSIDE FORMS.
- ALL NEW CURB SHALL BE PLACED ONLY ON A PREPARED SUBGRADE, SMOOTH AND LEVELED TO THE GRADES ESTABLISHED BY THE ENGINEER.
- COMPACT AND CUT-TO-GRADE SUBGRADE UNDER FORMS SO THAT FORMS WHEN SET WILL BE UNIFORMLY SUPPORTED FOR THE ENTIRE LENGTH. SECURELY STAKE AND BRACE OR TIE FORMS TO PREVENT LEAKAGE OF MORTAR. BRACING WITH EARTH WILL NOT BE PERMITTED.
- COAT SURFACES OF FORMS TO BE IN CONCRETE WITH A LIGHT CLEAR PARAFFIN OIL OR PARTING COMPOUND WHICH WILL NOT STAIN THE CONCRETE.
- THE INTERIOR SURFACES OF CONCRETE CONVEYING EQUIPMENT SHALL BE MAINTAINED FREE OF HARDENED CONCRETE, DEBRIS, WATER, SNOW, ICE AND OTHER DELETERIOUS MATERIALS.
- CURBING MAY BE CONSTRUCTED EITHER BY USE OF FORMS OR BY A MECHANICAL CURB AND GUTTER PAYER, PROVIDED THE REQUIRED FINISH, AND CROSS-SECTION, BE OBTAINED. CURBING MAY BE OBTAINED BY EITHER METHOD. THE CONTRACTOR MAY USE ONE COURSE MONOLITHIC STRUCTURE WITHOUT THE USE OF MORTAR TOPPING OR SAND-CEMENT DRIER. CONCRETE SHALL BE SPADED OR VIBRATED SUFFICIENTLY TO ENSURE SATISFACTORY CONSOLIDATION.
- PROVIDE REINFORCEMENT FOR CONCRETE CURB AS SHOWN ON THE DRAWINGS. REINFORCEMENT SHALL BE KEPT CLEAN AND FREE FROM OBJECTIONABLE RUST. BENDS OR KINKS IN REINFORCING BARS SHALL BE CORRECTED BEFORE PLACING. ALL REINFORCEMENT SHALL BE ACCURATELY LOCATED IN FORMS AND SECURELY HELD IN PLACE BEFORE AND DURING CONCRETE PLACING, BY SUPPORTS ADEQUATE TO PREVENT DISPLACEMENT DURING THE COURSE OF CONSTRUCTION.
- THE CONCRETE CURB SURFACE SHALL BE STRUCK OFF THE REQUIRED CROSS-SECTION WITH A TEMPLATE. AFTER THE CONCRETE CURB HAS BEEN FLOATED TO AN EVEN SURFACE, THE CONTRACTION JOINT SHALL BE CUT AND ALL SLAB EDGES ROUNDED WITH A 1/2 INCH RADIUS EDGING TOOL THAT WILL FINISH TO A WIDTH OF 2 INCHES. AFTER THE CONCRETE HAS SLIGHTLY SET, A BROOM SHALL BE BRUSHED LIGHTLY ACROSS THE SURFACE PARALLEL TO FORMS SO AS TO IMPART A ROUGH FINISH.
- CONTRACTION JOINTS SHALL BE CUT IN CONCRETE CURBING AT MINIMUM 10' INTERVALS. THE JOINT SHALL CUT 1/4 INCH WIDE BY 1/3 THE DEPTH OF THE CONCRETE CURB SECTION. JOINTS SHALL ALSO BE LOCATED ADJACENT TO CURB DROPS.
- ISOLATION JOINTS SHALL BE PLACED IN CURBING AT TANGENT POINTS IN CURB RETURNS AT INTERSECTIONS, AT BOTH SIDES OF STRUCTURES LOCATED IN THE LINE AND IN RUNS OF CURB AT INTERVALS NOT EXCEEDING 400 FEET. ISOLATION JOINTS SHALL BE 1" THICK PRE-FORMED JOINT FILLER STRIPS. THE STRIPS SHALL EXTEND THE FULL DEPTH OF THE CONCRETE CURB SECTION. ISOLATION JOINTS SHALL BE PLACED IN CURB AT THE END OF EACH DAYS POUR AND WHEN ABUTTING PREVIOUSLY POURED CURB.
- THE CURING COMPOUND SHALL BE A WHITE PARAFIN BASED COMPOUND SELECTED FROM MDOT'S QUALIFIED PRODUCTS LIST APPLIED AT 200 SQ.FT./GAL.
- ALL CONTRACTION JOINTS IN CONCRETE CURB SECTIONS SHALL BE SEALED WITH EITHER HOT FILLER JOINT SEALER OR COLD APPLIED JOINT SEALER.
- SLIGHTLY UNDERFILL JOINT GROOVE WITH JOINT SEALER TO PREVENT EXTRUSION OF THE SEALER. REMOVE EXCESS JOINT SEALER MATERIALS AS SOON AFTER SEALING AS POSSIBLE.
- FRESHLY PLACED CONCRETE SHALL BE PROTECTED AS REQUIRED TO MAINTAIN THE TEMPERATURE OF THE CONCRETE AT NOT LESS THAN 50 DEGREES F. NOR MORE THAN 80 DEGREES F. AND IN A MOST CONDITION CONTINUOUSLY FOR THE PERIOD OF TIME NECESSARY FOR THE CONCRETE TO MAINTAIN THE TEMPERATURE OF THE CONCRETE DURING CURING SHALL BE AS UNIFORM AS POSSIBLE AND SHALL NOT EXCEED 5 DEGREES F. IN ANY ONE HOUR, NOR 50 DEGREES F. IN ANY 24 HOUR PERIOD.
- COLD WEATHER PROTECTION: WHEN THE TEMPERATURE OF THE ATMOSPHERE IS 40-DEGREES F. AND BELOW, THE CONCRETE SHALL BE PROTECTED BY HEATING, INSULATION, OR COVERING, OR A COMBINATION THEREOF AS REQUIRED TO MAINTAIN THE TEMPERATURE OF THE CONCRETE AT OR ABOVE 50-DEGREES F. AND IN A MOST CONDITION CONTINUOUSLY FOR THE CONCRETE CURING PERIOD. COLD WEATHER PROTECTION SHALL MEET THE REQUIREMENTS OF ACI 306R "COLD WEATHER CONCRETING".
- HOT WEATHER PROTECTION: WHEN THE TEMPERATURE OF THE ATMOSPHERE IS 90-DEGREES F. AND ABOVE, OR DURING OTHER CLIMATIC CONDITIONS WHICH WILL CAUSE TOO RAPID DRYING OF THE CONCRETE, THE CONCRETE SHALL BE PROTECTED BY WINDBREAKS, SHADING, FOG SPRAYING LIGHT COLORED MOISTURE RETAINING COVERINGS, OR A COMBINATION THEREOF AS REQUIRED TO MAINTAIN THE TEMPERATURE OF THE CONCRETE BELOW 80-DEGREE F. AND IN A MOST CONDITION CONTINUOUSLY FOR THE CONCRETE CURING PERIOD. HOT WEATHER PROTECTION SHALL MEET THE REQUIREMENTS OF ACI 305R "HOT WEATHER CONCRETING".
- ALL FORMS, RAILS AND STAKES SHALL BE REMOVED WITHIN 24 HOURS AFTER COMPLETION OF SECTION OR CURB. THE REMOVAL OF CONCRETE SHALL BE IMMEDIATELY BACKFILLED OR SPRAYED WITH CURING COMPOUND.
- AFTER COMPLETION OF CONCRETE CURBING IN AN AREA, REMOVE ALL WEATHER PROTECTION MATERIALS, RUBBER AND DEBRIS RESULTING FROM SPECIFIED WORK, SWEEP CONCRETE CURBS CLEAN, AND SEAL JOINTS.
- ALL CEMENT USED IN SIDEWALK CONSTRUCTION SHALL BE PORTLAND CEMENT, TYPE I OR IA ASTM C-150.
- ALL NEW WALKS AND CONCRETE PAVEMENTS SHALL BE PLACED ONLY ON A PREPARED SUBGRADE, SMOOTHED AND LEVELED TO THE GRADES ESTABLISHED BY THE ENGINEER. IN CLAY SOILS THE SUBGRADE SHALL BE EXCAVATED 2-INCHES BELOW THE SIDEWALK BASE AND FILLED WITH APPROVED SAND MEETING MDOT CLASS II, SAND DESIGNATION.
- CONSTRUCT CONCRETE SURFACE COURSE ONLY WHEN GROUND TEMPERATURE IS ABOVE 35 DEGREES F. AND BASE IS DRY.
- SIDEWALKS SHALL PITCH TOWARD THE STREET OR AWAY FROM BUILDINGS WITH A MAXIMUM CROSS SLOPE OF 1/4-INCH PER FOOT OF WIDTH AND A MINIMUM CROSS SLOPE OF 1/8-INCH PER FOOT OF WIDTH. CROSS SLOPE DIRECTION TRANSITIONS SHALL BE ACCOMPLISHED IN LENGTHS OF 10 FEET OR LESS.
- PRIOR TO PLACING THE CONCRETE, ALL DEBRIS, STONES, DIRT, ETC., SHALL BE REMOVED FROM THE SUBGRADE. THE SUBGRADE SHALL BE MOISTENED WITH WATER IN SUCH A MANNER AS TO THOROUGHLY WET THE MATERIAL WITHOUT FORMING PUDDLES OR POCKETS OF WATER. NO CONCRETE SHALL BE PLACED ON FROZEN SUBGRADE.
- FORMS SHALL BE METAL OR WOOD AND OF AN APPROVED SECTION. THEY SHALL BE STRAIGHT, FREE FROM DISTORTION AND SHALL SHOW NO TRUE PLANE VARIATION GREATER THAN 1/8-INCH IN 10-FOOT LENGTHS FROM THE TRUE PLANE SURFACE ON THE TOP OF THE FORMS. IN 10-FOOT STRAIGHT LENGTHS, THEY SHALL NOT SHOW NO LATERAL VARIATION GREATER THAN 1/4-INCH IN 10-FOET FROM THE TRUE PLANE SURFACE OF THE LATERAL FACE OF THE FORM WHEN TESTED WITH A 10-FOOT STRAIGHTEDGE. THEY SHALL BE OF THE DEPTH SPECIFIED FOR THE SIDEWALK, OR CONCRETE PAVEMENT PER PLANS AND DETAILS, AND BE SECURELY HELD IN PLACE AND TRUE TO LINE AND GRADE.
- THE CONCRETE SHALL BE DEPOSITED CONTINUOUSLY IN THE FORMS IN SUCH A MANNER AS TO AVOID SEGREGATION AND IT SHALL BE THOROUGHLY TAMPED OR VIBRATED SO THAT THE FORMS ARE ENTIRELY FILLED AND THE CONCRETE THOROUGHLY CONSOLIDATED. THE SLABS SHALL BE PLACED IN SECTIONS OR BLOCKS IN ONE OPERATION AS A MONOLITH.
- THE CONCRETE SURFACE SHALL BE STRUCK OFF TO A PLANE SURFACE WITH A STRAIGHTEDGE. AFTER THE CONCRETE HAS BEEN FLOATED TO AN EVEN SURFACE, THE CONTRACTION JOINT SHALL BE CUT AND ALL SLAB EDGES ROUNDED WITH A 1/2-INCH RADIUS EDGING TOOL THAT WILL FINISH TO A WIDTH OF 2-INCHES. AFTER THE CONCRETE HAS SLIGHTLY SET, A BROOM SHALL BE BRUSHED LIGHTLY ACROSS THE SURFACE AT RIGHT ANGLES TO FORMS SO AS TO IMPART A ROUGH FINISH.
- CONTRACTION JOINTS SHALL BE PLACED AT RIGHT ANGLES TO THE EDGE OF THE SIDEWALK OR CONCRETE PAVEMENT AND PERPENDICULAR TO THE SURFACE AND AT A DEPTH OF AT LEAST 1/4 THE SLAB THICKNESS WITH A MINIMUM DEPTH OF 1-1/4-INCHES FOR SIDEWALKS AND 3-INCHES FOR CONCRETE PAVEMENT SLABS.
- CONTRACTION JOINTS IN SIDEWALKS SHALL BE SPACED AT A MINIMUM OF EVERY 5-FEET IN 4" SIDEWALK, OR 8-FEET IN 6" SIDEWALK, OR AS SHOWN ON THE PLANS.

CONCRETE CURB, SIDEWALK AND PAVEMENT SPECIFICATIONS, CONTINUED

- ISOLATION PAPERS SHALL BE OF THE PRE-MOLDED, NON-EXTRUDING, ASPHALT IMPREGNATED TYP, NOT LESS THAN 1/2-INCH THICK. THE LENGTH SHALL BE EQUAL TO THE WIDTH OF THE SLAB, AND THE DEPTH EQUAL TO THE THICKNESS OF THE SLAB PLUS 1-INCH.
- ISOLATION JOINTS SHALL BE PLACED AT THE FOLLOWING LOCATION FOR SIDEWALKS AND CONCRETE PAVEMENTS:
 - AT THE BACK OF THE CURB AND FRONT EDGE OF THE SIDEWALKS AND PAVEMENT SLABS ADJACENT TO EACH DRIVEWAY APPROACH AND SERVICE WALK.
 - AT INTERVALS NOT TO EXCEED 50-FEET IN ALL PUBLIC SIDEWALKS.
 - AT THE BACK OF THE CURB WHERE THE RAMPS EXTEND FROM THE KEY FLAG TO THE PAVEMENT.
 - BETWEEN THE KEY FLAG AND THE RAMP IN ALL CASES, EXCEPT WHERE THERE ARE EXISTING EXPANSION JOINTS AT THE INTERSECTIONS OF THE SIDEWALKS AND THE KEY FLAG.
 - AT ANY PLACE WHERE A SIDEWALK OR CONCRETE PAVEMENT ABUTS A BUILDING OR FIXED STRUCTURE.
 - AT ANY OTHER LOCATIONS INDICATED ON THE PLAN.
- CONTRACTION JOINTS IN THE CONCRETE PAVEMENT WILL BE AS FOLLOWS:
 - TRANSVERSE JOINTS SHALL BE AT MAXIMUM 10-FOOT INTERVALS OR AS SHOWN ON PLANS AND DETAILS.
 - LONGITUDINAL JOINTS SHALL BE AT MAXIMUM 12-FOOT INTERVALS OR AS SHOWN ON PLANS AND DETAILS.
- PRIOR TO APPLYING JOINT SEALER, CLEAN JOINT GROOVE OF FOREIGN MATTER AND LOOSE PARTICLES, AND DRY SURFACE.

TRAFFIC LANE AND PARKING LOT MARKING

- PROVIDE ALL MATERIALS, LABOR, EQUIPMENT, AND SERVICES NECESSARY TO CONSTRUCT ALL TRAFFIC LANE AND PARKING LOT MARKINGS AS INDICATED IN THE CONSTRUCTION DOCUMENTS.
- WORK INCLUDES, BUT NOT LIMITED TO PAINTING OF LETTERS, MARKINGS, STRIPES AND ISLANDS ON THE PAVEMENT SURFACE APPLIED IN ACCORDANCE WITH THIS SPECIFICATION AND AT THE LOCATIONS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER.
- TRAFFIC MARKING PAINT SHALL MEET THE REQUIREMENTS OF FEDERAL SPECIFICATION TT-P-1952F, WITH OR WITHOUT REFLECTORIZED BEADS AS REQUIRED ON THE PLANS, OR SHALL BE A PRODUCT FROM THE CURRENT MDOT QUALIFIED PRODUCTS LIST.
- COLOR SHALL BE AS SPECIFIED ON THE PLANS OR AS FOLLOWS:
 - TRAFFIC LANE STRIPING SHALL BE WHITE OR YELLOW REFLECTORIZED, AS SHOWN ON THE PLANS.
 - TRAFFIC MARKING AND CURB FACES SHALL BE WHITE UNLESS NOTED OTHERWISE.
 - PARKING LOT STRIPING SHALL BE WHITE, UNLESS NOTED OTHERWISE.
 - HANDICAP STALL STRIPING MEETING CURRENT ADA REQUIREMENTS SHALL BE BLUE UNLESS NOTED OTHERWISE.
- THE PAINTING SHALL BE PERFORMED ONLY WHEN THE EXISTING SURFACE IS DRY AND CLEAN, WHEN THE ATMOSPHERIC TEMPERATURE IS ABOVE 40-DEGREES F. AND WHEN THE WEATHER IS NOT EXCESSIVELY WINDY, DUSTY OR FOGGY AND WHEN RAIN IS NOT FORECASTED FOR AT LEAST 2 HOURS AFTER PAINT IS APPLIED.
- ALL EQUIPMENT FOR THE WORK SHALL BE APPROVED BY THE CONTRACTOR AND SHALL INCLUDE THE APPARATUS NECESSARY TO PROPERLY CLEAN THE EXISTING SURFACE, A MECHANICAL MARKING MACHINE, AND SUCH AUXILIARY HAND EQUIPMENT AS MAY BE NECESSARY TO SATISFACTORILY COMPLETE THE JOB.
- THE MECHANICAL MARKER SHALL BE AN APPROVED ATOMIZING SPRAY-TYPE MARKING MACHINE SUITABLE FOR APPLICATION OF TRAFFIC PAINT. IT SHALL PRODUCE AN EVEN AND UNIFORM FILM THICKNESS AT THE REQUIRED COVERAGE AND SHALL BE DESIGNED TO APPLY MARKINGS OF UNIFORM CROSS-SECTIONS AND CLEAR-OUT EDGES WITHOUT RUNNING OR SPATTERING AND WITHIN THE LIMITS FOR STRAIGHTNESS SET FORTH HEREIN. WHEN NEEDED, A DISPENSER SHALL BE FURNISHED, WHICH IS PROPERLY DESIGNED FOR ATTACHMENT TO THE MECHANICAL MARKER AND SUITABLE FOR DISPENSING THE REQUIRED QUANTITY OF REFLECTIVE BEADS.
- SUITABLE ADJUSTMENTS SHALL BE PROVIDED ON THE SPRAYER/SPRAYERS OF A MACHINE FOR PAINTING THE WIDTH REQUIRED. MULTIPLE PATTERN PASSES TO PAINT THE REQUIRED WIDTH WILL NOT BE ALLOWED.
- IMMEDIATELY BEFORE APPLICATION OF THE PAINT, THE EXISTING SURFACE SHALL BE DRY AND ENTIRELY FREE FROM DIRT, GREASE, OIL, ACIDS, DEBRIS, OR OTHER FOREIGN MATTER WHICH WOULD REDUCE THE BOND BETWEEN THE COAT OF PAINT AND THE PAVEMENT. THE SURFACE SHALL BE THOROUGHLY CLEANED BY SWEEPING AND BLOWING AS REQUIRED TO REMOVE ALL DIRT, DEBRIS AND LOOSE MATERIALS. AREAS WHICH CANNOT BE SATISFACTORILY CLEANED BY BROOMING AND BLOWING SHALL BE SCRUBBED AS DIRECTED WITH A WATER SOLUTION OF TRISODIUM PHOSPHATE (10% BY WEIGHT) OR AN APPROVED EQUAL SOLUTION. AFTER SCRUBBING, THE SOLUTION SHALL BE RINSED OFF AND THE SURFACE DRIED PRIOR TO PAINTING.
- EXISTING MARKINGS OR STRIPES WHICH ARE TO BE ABANDONED OR REMOVED SHALL BE OBLITERATED BY THE BEST METHOD SUITED FOR THE PURPOSE AND TO THE SATISFACTION OF THE OWNER OR OWNER'S REPRESENTATIVE.
- THE CONTRACTOR IS RESPONSIBLE FOR LAYING OUT A SAMPLE SECTION OF STRIPING WHICH IS TO BE APPROVED BY THE OWNER OR OWNERS REPRESENTATIVE AS TO QUALITY BEFORE THE CONTRACTOR MAY PROCEED WITH THE STRIPING. THE CONTRACTOR IS TO INSURE THAT ALL SUBSEQUENT STRIPING MEETS THE QUALITY OF THE APPROVED SAMPLE APPLICATION.
- ON THOSE SECTIONS OF PAVEMENTS WHERE NO PREVIOUSLY APPLIED FIGURES, MARKINGS, OR STRIPES ARE AVAILABLE TO SERVE AS A GUIDE, SUITABLE LAYOUTS AND LINES OF PROPOSED STRIPES SHALL BE SPOTTED IN ADVANCE OF THE PAINT APPLICATION. CONTROL POINTS SHALL BE SPACED AT SUCH INTERVALS AS WILL ENSURE ACCURATE LOCATION OF ALL MARKINGS.
- THE CONTRACTOR SHALL PROVIDE AN EXPERIENCED TECHNICIAN TO SUPERVISE THE LOCATION ALIGNMENT, LAYOUT, DIMENSIONS AND APPLICATION OF THE PAINT.
- MARKINGS SHALL BE APPLIED AT THE LOCATIONS AND TO THE DIMENSIONS AND SPACING INDICATED ON THE PLANS OR AS SPECIFIED. PAINT SHALL NOT BE APPLIED UNTIL THE INDICATED ALIGNMENT IS LAID OUT AND THE CONDITIONS OF THE EXISTING SURFACE HAVE BEEN APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE.
- THE PAINT SHALL BE MIXED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS BEFORE APPLICATION. THE PAINT SHALL BE THOROUGHLY MIXED AND APPLIED TO THE SURFACE OF THE PAVEMENT WITH THE MARKING MACHINE AT ITS ORIGINAL CONSISTENCY WITHOUT THE ADDITION OF THINNER. THE PAINT SHALL BE APPLIED BY BRUSH, THE SURFACE SHALL RECEIVE TWO (2) COATS. THE FIRST COAT SHALL BE THOROUGHLY DRY BEFORE THE SECOND COAT IS APPLIED.
- A MINIMUM OF ONE (1) WEEK SHALL ELAPSE BETWEEN APPLICATION OF THE BITUMINOUS SEAL COAT, SLURRY SEAL OR THE PLACEMENT OF THE BITUMINOUS SURFACE COURSE AND THE MARKING OF THE PAVEMENT. THE PAINT SHALL NOT BEED EXCESSIVELY CURED OR DISCLOSED BEFORE IT IS APPLIED TO BITUMINOUS OR CONCRETE SURFACES. DURING COMPOUND MUST BE REMOVED FOR THE ENTIRE WIDTH OF THE PAINTED STRIPE OR SYMBOL PRIOR TO PAINTING NEW CONCRETE.
- IN THE APPLICATION OF STRAIGHT STRIPES, ANY DEVIATION IN THE EDGES EXCEEDING 1/2-INCH IN 50-FEET SHALL BE OBLITERATED AND THE MARKING CORRECTED. THE WIDTH OF THE MARKINGS SHALL BE AS DESIGNATED WITHIN A TOLERANCE OF 5 PERCENT (5%). ALL PAINTING SHALL BE PERFORMED TO THE SATISFACTION OF THE OWNER OR OWNER'S REPRESENTATIVE BY COMPETENT AND EXPERIENCED EQUIPMENT OPERATORS, LABORERS, AND ARTISANS IN A NEAT AND WORKMANLIKE MANNER.
- PAIN SHALL BE APPLIED UNIFORMLY BY SUITABLE EQUIPMENT AT A RATE OF 0.0094 GAL./S.F. FOR STENCILS AND 0.00313 GAL./FT. FOR STRIPING. PAINT APPLICATION SHALL PRODUCE AN AVERAGE WET FILM THICKNESS OF 0.015-INCHES.
- AFTER APPLICATIONS OF THE PAINT, ALL MARKINGS SHALL BE PROTECTED WHILE THE PAINT IS DRYING. THE FRESH PAINT SHALL BE PROTECTED FROM INJURY OR DAMAGE OF ANY KIND. THE CONTRACTOR SHALL BE DIRECTLY RESPONSIBLE AND SHALL ERECT OR PLACE SUITABLE WARNING SIGNS, LAGS, OR BARRICADES. PROTECTIVE SCREENS OR COVERINGS AS REQUIRED. ALL SURFACES SHALL BE PROTECTED FROM DISFIGURATION BY SPATTER, SPLASHES, SPILLAGE, DRIPPINGS OF PAINT OR OTHER MATERIAL.

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www.missdig.org
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT UTILITY LOCATIONS AND DEPTHS PRIOR TO THE START OF ANY SMALL SCALE PROJECT.

CLIENT :

SUMMIT POLYMERS
6715 S. SPRINKLE RD.
PORTAGE, MI 49002
POC: CHRIS BERGMAN
<

Legal Description

6651 S. Sprinkle Rd., Portage MI, 49002

PP#: 00012-116-A

SECTION 12-3-11 COM S 1/4 POST SEC 12, TH N 1862.70 FT FOR POB, TH CONT N 385 FT, TH E 448.18 FT, TH S 385 FT, TH W 448.18 FT TO POB, SUBJ TO WLY HWY EASEMENTS.

Classification	Work To Be Done	Quote #	Vendor	Quoted Price
Appliances	Refrigerator, Canteen, Ice / Water Machine, Microwaves, Vending Coolers	Break Room Expansion	Break Room Expansion	\$31,000
Engineering Work Stations	Purchase (30) Sets of (1) 12' X 4' Table & (2) Chairs	Online	Uline	\$53,688
Flooring	Grind 40,000 sq. ft. to 800 grit (\$151,200)	051923	Burgess Concrete Construction	\$0
Furniture	Install (3) 10'X30" High Top Tables	QTE0167025-4	West Michigan Office	\$13,196
Furniture	Install (24) Aluminum Chairs	QTE0167025-4	West Michigan Office	Common 25-4
Furniture	Install (4' X 10' Tapered) Conference Room Table	QTE0167016-7	West Michigan Office	Common 16-7
Furniture	Install (8) Chairs	QTE0167016-7	West Michigan Office	Common 16-7
Furniture	Install (4' X 10' Tapered) Conference Room Table	QTE0167016-7	West Michigan Office	\$7,012
Furniture	Install (8) Chairs	QTE0167016-7	West Michigan Office	Common 16-7
Furniture	Install (4' X 6' Tapered) Conference Room Table	QTE0167020-4	West Michigan Office	\$4,702
Furniture	Install (5) Chairs	QTE0167020-4	West Michigan Office	Common 20-4
Furniture	Install (4' X 6' Tapered) Conference Room Table	QTE0167020-4	West Michigan Office	Common 20-4
Furniture	Install (5) Chairs	QTE0167020-4	West Michigan Office	Common 20-4
Furniture	Install (14) Standard Cubicle's (w Chairs)	QTE0167012-6	West Michigan Office	\$60,933
IT	Purchase IT Network Equipment	052223	IT Department	\$53,647
IT	Install (19) Access Points	052223	IT Department	Common
IT	Install (2) PDP's	052223	IT Department	Common
IT	Bore & Install New Fiber Line From TC	060723	ROC Electric	\$60,000
IT	Install IT Communication Rack	060723	ROC Electric	\$3,500
IT	Install (9) Fiber Lines For Access Points	060723	ROC Electric	\$6,500
IT	Install Network Line Cable Tracks	060723	ROC Electric	\$31,500
New Equipment	CNC Machine + Tooling	0000098256	Haas	\$200,000
Pneumatics	Demo Current Air Lines	060623	Vanville	Common
Pneumatics	Install (16) Tool Room Machining Area Drops	060623	Vanville	Common
Pneumatics	Install (24) Tool Room Department Area Drops	060623	Vanville	Common
Pneumatics	Install (30) Engineering Work Area Drops (B41)	060623	Vanville	Common
Pneumatics	Install (56) Machine Run Off Area Drops (B3, B10, B11)	060623	Vanville	Common
Pneumatics	Install Air Line System	060623	Vanville	\$75,832
Storage	Install Storage Racks	20-23-0423Q	National Warehouse Logistics	\$66,495
TV	Purchase TV's	IT	IT	\$26,000
Vending	Install Canteen Vending Machines	TBD	Canteen	TBD
				\$694,005

JOBS AND COMPENSATION SCHEDULE

In connection with the submission of an Industrial Facilities Tax Exemption Certificate application for property located at 6615 South Sprinkle Road, Portage, Michigan, the applicant intends to create 5 full time jobs. The jobs will receive annual compensation of approximately \$77,303. Following the additions, the applicant will have 30 full time positions. The applicant intends to retain 1 part time job.

Summit Polymers, Inc
6615 S Sprinkle Road, Portage, MI Building Expansion
IFT Application - Jobs and Compensation Support
Information as of 9-12-24

This schedule has been created for determining the compensation range for the new employees reported in the Jobs and Compensation Schedule. The Build Area and Tool Shop are the departments where the new jobs will be created.

Curent employment Build Area

3 employees, full-time

Wage range	High	\$ 58,507.00	Low	\$ 37,003.00	Average	\$ 50,113.00
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Current employment Tool Shop

1 employee, full-time, Tool Shop Manager (salary not included in wage range)

15 employees, full-time

Wage range	High	\$ 101,000.00	Low	\$ 46,461.00	Average	\$ 77,303.00
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Current employment Corporate Manufacturing

1 employee, full-time, Corporate Manufacturing Manager (salary not included in wage range)

5 employees, full-time

Wage range	High	\$ 126,000.00	Low	\$ 68,000.00	Average	\$ 96,500.80
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Current employment Intern, Corporate Manufacturing

1 employee, part-time

Wage range	High	\$ 38,480.00	Low	\$ 38,480.00	Average	\$ 38,480.00
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Employee Summary at 6615 S Sprinkle Road

Build Area	3 employees - 3 FT
Tool Shop	16 employees - 16 FT
Corp Mfg	<u>7 employees - 6 FT, 1 PT</u>
TOTAL	26 employees - 25 FT, 1 PT

Com Addition Permit

Property Address 6615 S SPRINKLE RD
Parcel Number 00012-116-A
Tenant Name
Subdivision Name
Property Zoning I-1
Application Valuation 1,479,200.00

Permit No: PCOM23-0092
Project No: J23-1206
Date Applied 05/28/2024
Date Issued 06/18/2024

Owner

SPRINKLE ENGINEERING BUILDING
6715 S SPRINKLE RD
PORTAGE MI 49002

Contractor

JAMES WARE CONSTRUCTION INC
903 NORTH CLAY STREET
STURGIS MI 49091-____
(269) 651-4747

Contractor Requirements

CONTRACTORS LICENSE 03/02/2025
WORKER COMP. CARRIER 1392125 FRANKENMUT
FED I.D. 38-3543740
MESC
OR REASON FOR EXEMPTION

Structure Information

Construction Type 2B - Unprotected Fully Non - C
Occupancy Type
Other Struct Info Full Baths: 0 Half Baths: 0 Bedrooms: 0 Total SF: 20000
Floors: 1 Occupancy Load: 30

Work Description: 200' X 100' COMMERCIAL ADDITION

Invoice Item Description	Amount Total	Amount Paid	Amount Due
Application Fee (non-refundable)	50.00	50.00	0.00
7. Com Permit Fee (1,000,001+)	8,427.28	8,427.28	0.00
Building Plan Review	400.00	400.00	0.00

Required Inspections

02	Public Infrastructure Document	06	Footings and Foundations
07	Slab	08	Framing
09	Insulation	10	Above ceiling
11	Final - Building	12	Final - Engineering
13	Final - Fire	14	Final - Planning/Landscaping
15	Final - Grade/Drainage	16	Final to Close Project
18	Service - Electrical	19	Rough - Electrical
20	Underground - Electrical	21	Final - Electrical
23	Rough - Mechanical	24	Underground Duct - Mechanical
25	Final - Mechanical	27	Underground - Plumbing
28	Rough - Plumbing	29	Sewer Connection
30	Water Connection	31	Backflow Prevention Device
32	Final - Plumbing	34	Final - Sewer Use

Special Notes and Comments

1. NO FORM EXECUTED BY THIS DEPARTMENT IMPLIES OR PROVIDES EXEMPTION FROM ANY CODE OR ORDINANCE REQUIREMENT.

- 2. APPLICANT IS RESPONSIBLE FOR BEING SUFFICIENTLY FAMILIAR WITH, AND HAVE A WORKING KNOWLEDGE OF MATERIALS, CODES AND ORDINANCES OF THE CITY OF PORTAGE TO ENSURE COMPLIANCE WITH SAME.
 - 3. IT IS THE APPLICANTS RESPONSIBILITY TO CALL FOR NECESSARY INSPECTIONS.
 - 4. EXPIRATION: PERMIT SHALL EXPIRE AND BECOME NULL AND VOID IF THE BUILDING OR WORK AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS FROM THE DATE OF ISSUANCE, OR IF THE BUILDING OR WORK AUTHORIZED IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS.
 - 5. WORK TO COMPLY WITH STATE OF MICHIGAN PUBLIC ACT 174 OF 2013 FOR PROTECTION OF UNDERGROUND FACILITIES AND UTILITIES. CONTACT MISS DIG (TOLL FREE) AT 1-800-482-7171 THREE BUSINESS DAYS PRIOR TO UNDERGROUND WORK.
 - 6. FOLLOW-UP INSPECTIONS NECESSITATED BY NONCOMPLIANCE OF CODES MAY BE SUBJECT TO RE-INSPECTION FEES.
 - 7. SECTION 23A OF THE STATE CONSTRUCTION CODE ACT OF 1972, ACT NO. 230 OF PUBLIC ACTS OF 1972, BEING SECTION 125.1523A OF THE MICHIGAN COMPILED LAWS, PROHIBITS A PERSON FROM CONSPIRING TO CIRCUMVENT THE LICENSING REQUIREMENTS OF THIS STATE. VIOLATORS OF SECTION 23A ARE SUBJECT TO CIVIL FINES.
 - 7. IT IS THE RESPONSIBILITY OF THE WELL OWNER TO PROPERLY PLUG ALL ABANDONED WELLS ON THEIR PROPERTY. MICHIGAN'S WELL CONSTRUCTION CODE (PART 127, ACT 368, P.A. 1976) REQUIRES THAT ABANDONED WELLS BE PLUGGED AND SPECIFIES PLUGGING METHODS AND MATERIALS. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT KALAMAZOO COUNTY ENVIRONMENTAL HEALTH AT 269-373-5337.
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ENVIRONMENTAL COMPLIANCE CERTIFICATE

In connection with the submission of an Industrial Facilities Tax Exemption Certificate for the property located at 6615 South Sprinkle Road, Portage, Michigan, the undersigned states and certifies as follows:

Sprinkle Engineering Building, LLC, a Michigan limited liability company, states and certifies that the property located at 6615 South Sprinkle Road, Portage, Michigan is (i) not subject to an enforcement action by the Michigan Department of Environment, Great Lakes and/or Energy of the US Environmental Protection Agency; and (ii) to the knowledge of the undersigned, the property is in compliance with applicable environmental requirements.

In Witness Whereof, the undersigned has executed this Certificate on October 01, 2024.

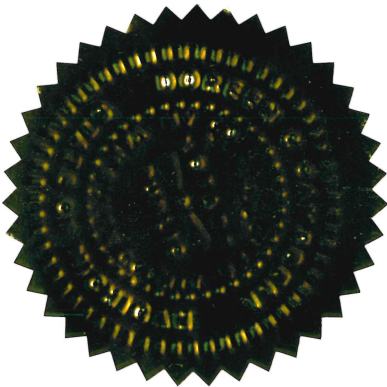
Sprinkle Engineering Building, LLC
a Michigan limited liability company

By: [Signature]

Title: President

State of Michigan, County of Kalamazoo

The foregoing instrument was acknowledged before me this 1st Day of October, 2024, by Christopher Bergman, who is personally known to me or who have produced identification.



doreen c. campbell
Print Name (Notary Public)

doreen c. campbell
Notary Public Signature

6/01/2028
My Commission Expires

DOREEN C CAMPBELL
Notary Public, State of Michigan
County of Van Buren
My Commission Expires 06-01-2028
Acting in the County of Kalamazoo

**CITY OF PORTAGE, MICHIGAN
RESOLUTION NO. 3
CONDUCT A PUBLIC HEARING ON A FACILITIES TAX
EXEMPTION CERTIFICATE FOR SUMMIT POLYMERS, INC.
INDUSTRIAL DEVELOPMENT DISTRICT NO. 97**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on December 3, 2024 at 6:00 p.m., local time in the City Hall in the City of Portage.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Councilmember _____, and supported by Councilmember _____.

WHEREAS, pursuant to 1974 PA 198, MCLA Sec. 207.551, et seq., the City Council has established Industrial Development District No.97;

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

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

NOW THEREFORE, BE IT RESOLVED as follows:

- 1) That the application of SUMMIT POLYMERS, INC. for an Industrial Facilities Exemption Certificate shall remain on file in the office of the City Clerk.
- 2) That the City Council shall meet at City Hall on _____, 2024 at 6:00 p.m. local time, or as soon thereafter as may be heard, and shall provide to the City Assessor and a representative of each of the taxing units an opportunity to be heard on the question of SUMMIT POLYMERS, INC. application for an Industrial Facilities Exemption Certificate with regard to proposed new facility and associated installations within said Industrial Development District.

- 3) That the City Clerk immediately inform, by letter, the City Assessor, and the legislative body of each taxing unit which levies ad valorem taxes in the City of Portage on the property located within said Industrial Development District, as follows:
- a. The City of Portage established Industrial Development District No. 97 and has received and will consider an application for a Facilities Exemption Certificate for building construction, site improvements, and associated installations within said district.
 - b. That the City Council shall meet on _____, 2024, at the City Hall at 6:00 p.m. local time, or as soon thereafter as may be heard, to afford the City Assessor and a representative of each of the taxing units an opportunity to be heard with regard to the said application.
 - c. That, as to SUMMIT POLYMERS, INC. Industrial Development District No. 97, the Industrial Facilities Exemption Certificate would be in the amount of \$3,143,493, for expenditures for land and building improvements.
- 4) All resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

ADOPTED: AYES: Councilmember _____

NAYS: Councilmember _____

ABSENT: Councilmember _____

Erica Eklov, City Clerk

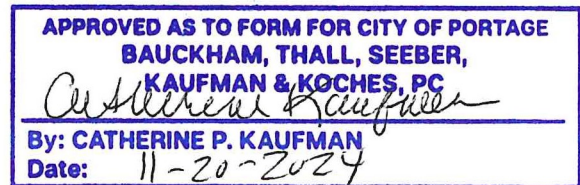
CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on

the _____ day of _____, 2024, the original of which is in the official proceedings of the City Council.

Erica Eklov, City Clerk

Prepared by:
Catherine P. Kaufman
Portage City Attorney
Bauckham, Sparks, Thall, Seeber & Kaufman, PC
470 W. Centre Ave., Ste. A
Portage, MI 49024



TAX ABATEMENT AGREEMENT

This Agreement is made between THE CITY OF PORTAGE, a Michigan Municipal Corporation, of 7900 South Westnedge Avenue, Portage, Michigan 49002, hereinafter referred to as "CITY", and SUMMIT POLYMERS, INC. a Michigan corporation, of 6715 S. Sprinkle Road, Portage, Michigan 49002, hereinafter referred to as "APPLICANT."

THE PARTIES AGREE AS FOLLOWS:

1. The CITY has established Industrial Development District #97 in which the APPLICANT proposes to locate a facility in the City of Portage, County of Kalamazoo, State of Michigan and which is described as follows:

See attached.

2. The APPLICANT has filed an application (which is incorporated herein by reference) with the CITY requesting an industrial facilities exemption certificate ("certificate") for real property and building improvements ("facility") located at 6615 S. Sprinkle Road, Portage, Michigan, within existing Industrial Development District #97.

3. The APPLICANT has represented that the application relates to a new facility within the meaning of Public Act 198 of 1974, MCLA 207.551, et seq.

4. The term of the certificate granted by the CITY shall be six (6) years after completion of the facility (building). This agreement shall remain in force as to each certificate granted for the term of said certificate.

5. The APPLICANT has represented to the CITY that granting of the certificate will enable the facility to be completed, which will have the reasonable likelihood to create employment, retain employment, and prevent a loss of employment within the CITY.

6. The APPLICANT agrees to maintain at least 31 existing employees. Failure to maintain these positions shall be considered a material breach of this Agreement unless APPLICANT can show by clear and convincing evidence that the breach was caused by unfavorable economic business conditions, loss of business, or some other reason beyond the control of APPLICANT.

7. The APPLICANT agrees to maintain the facility for the entire period of the Certificate within the CITY and not to move or relocate the facility, business, or any material portion of either outside the CITY without replacing the relocated portion with real property improvements of equal or greater value, without first obtaining the permission of the CITY. If APPLICANT relocates the facility, business, or any material portion of either without this replacement and without the CITY's consent outside of the CITY during the period in which the industrial facilities exemption certificate is in effect, the APPLICANT is liable to the CITY for an amount equal to the difference between the industrial facilities tax to be paid by the owner or lessee of that relocated facility for the tax years remaining under the industrial facilities exemption certificate that is in effect and the general ad valorem property tax that the Applicant would have paid if the Applicant did not have an industrial facilities exemption certificate in effect for those years. The CITY will not impose this liability without first giving the APPLICANT an opportunity to meet with CITY representatives. The payment provided in this section shall be distributed in the same manner as the industrial facilities tax is distributed.

8. The APPLICANT agrees that during the term of the certificate, all CITY taxes shall be timely paid. Further, APPLICANT agrees that by accepting the benefits of the tax abatement, it waives appeal of personal and/or real property tax assessments concerning property which is the subject of the certificate. Appeal of the personal and/or real property taxes which is the subject of the certificate during the term of the certificate shall result in revocation of the certificate and/or termination of the district and APPLICANT

shall repay to the CITY and all taxing authorities the amount of taxes that were abated by reason of the certificate. This waiver does not apply to the first annual assessment after completion of construction.

9. The APPLICANT further agrees that during the term of the certificate, the APPLICANT shall be in full compliance with all applicable CITY codes.

10. The APPLICANT further agrees that during the term of the certificate, the APPLICANT shall not discriminate against any person on the basis of race, creed, color, sex, religious orientation, or other criteria not reasonably related to the job.

11. The APPLICANT further agrees to submit an annual project performance report to the CITY, addressed to City Council, provided under oath, setting forth the progress in attaining and maintaining the requirements of this Agreement and the provisions of the certificate application. Such reports shall be furnished in duplicate on or before July 1 of each year and shall contain if applicable, at minimum, the following:

- (a) The number of new jobs promised in the certificate and the actual number of new jobs created.
- (b) The number of employees at the time of the application and the current number of employees.
- (c) If projection for creation or retention of jobs was not reached, give explanation.
- (d) The estimated project cost given in the application and the actual project cost.
- (e) If actual project costs differ substantially from projected cost, give explanation.

12. The APPLICANT agrees that if employment has not been retained or reached as represented, the construction and/or expansion project has not been completed or expenditures made as described in the Application, or if APPLICANT fails to fulfill any other provision of this Agreement as well as the provisions of Act 198 of 1974, the CITY shall have the right (after giving APPLICANT an opportunity to meet with CITY representatives) to reduce the term or revoke the certificate and APPLICANT shall repay to the CITY and all taxing authorities the amount of taxes that were abated by reason of the certificate plus all accrued interest, penalties and administrative fees applicable to said tax exemptions in the amount as would be collected if the same were considered delinquent. Any payments due under this paragraph may be collected by either court proceedings or by adding to the next taxes due against the APPLICANT'S property on the next tax roll of the CITY. This section does not apply to the extent that the APPLICANT demonstrates to the CITY by clear and convincing evidence that the failure was caused by unfavorable economic business conditions, loss of business, or some other reason beyond the control of APPLICANT.

13. After the certificate is issued, the CITY agrees to maintain the same in full force and effect during the term of the certificate, subject to any regulations and requirements of state law, and subject to any breach of the provisions of this agreement by APPLICANT.

14. The parties agree that the CITY, in approving the tax abatement, has relied on the actions, representations and promises (including the Application) of the APPLICANT. Default of any of the provisions of this Agreement may be enforced in law or equity. The parties agree that exclusive jurisdiction to resolve any disputes on this contract shall be Kalamazoo County, Michigan.

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

16. The benefits herein shall accrue to and the obligations hereof shall bind the successors, assignees, and transferees of the APPLICANT.

17. The APPLICANT further agrees that should ownership of the business and/or facility for which the Public Act 198 exemption certificate is issued be changed in the future, thereby requiring a hearing in front of the City of Portage Council under state law, that the transferee or new owner shall abide by all the terms and conditions of this Agreement, and that APPLICANT will communicate all terms and conditions of this Agreement to the transferee or new owner and assist the CITY in obtaining the signature of the authorized agent of the transferee or new owner on this Agreement or an identically worded Agreement.

By signatures of representatives of both the APPLICANT and the CITY below, it is understood that both the APPLICANT's investment in the project and the CITY's investment through the granting of a certificate is to encourage economic growth. It is also acknowledged that certain economic conditions can, at times, prohibit the maintenance of the APPLICANT's targeted status. It is understood that if such conditions exist at the time of the designated APPLICANT reports, the governing body of the CITY will carefully evaluate the APPLICANT's situation, and will inform the APPLICANT if any action is considered in order to give the APPLICANT an opportunity for correction.

Dated: _____, 2024

SUMMIT POLYMERS, INC.

By: _____

Its

WITNESSED:

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

On this ____ day of _____, 2024 before me personally came the above named _____ on behalf of Summit Polymers, Inc. who acknowledges that he/she has read the foregoing Tax Abatement Agreement by him/her subscribed and knows the contents thereof, and that he/she has the authority of said corporation to execute this Agreement, and acknowledges that he/she executed the same as his/her free act and deed.

_____, Notary Public
Kalamazoo County, Michigan
My Commission Expires: _____
Acting in Kalamazoo County, Michigan

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

CITY OF PORTAGE, a Michigan Municipal Corporation

By: _____
Patricia M. Randall

Its: Mayor

By: _____
Erica Eklov
Its: Clerk

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

On this _____ day of _____, 2024 before me personally came the above named Patricia M. Randall and Erica Eklov, to me personally known, who being duly sworn, did and each for themselves say that they are respectively the Mayor and Clerk of the municipal corporation named in and who executed the within instrument and that said instrument was signed on behalf of said corporation by authority of its City Council; and said Patricia M. Randall and Erica Eklov acknowledge said instrument to be the free act and deed of said municipal corporation.

_____, Notary Public
Kalamazoo County, Michigan
My Commission Expires: _____

Prepared by:
Catherine P. Kaufman (P65412)
Portage City Attorney
470 W. Centre Ave, Suite A
Portage, Michigan 49024

Approved as to Form:
Date: 11-20-2024
By: Catherine P. Kaufman
City Attorney

**AFFIDAVIT WITH REGARD TO FEES
PA 198 of 1974
APPLICATION FOR SUMMIT POLYMERS, INC.**

STATE OF MICHIGAN)
)ss.
COUNTY OF KALAMAZOO)

NOW COME Affiants, Erica Eklov and _____, and state as follows:

1. Erica Eklov is the City Clerk and an official for the City of Portage.
2. Andrea Haas is the President of the applicant, Summit Polymers, Inc., who is an applicant for an industrial facilities exemption certificate.

3. Affiants are aware of the following provision, being Section 5(3) of Act No. 198 of the Public Acts of 1974, as amended:

The local government unit may charge the applicant an application fee to process an application for an industrial facilities exemption certificate. The application fee shall not exceed the actual cost incurred by the local government or unit in processing the application or 2% of the total property taxes stated under this Act for the term that the industrial facilities exemption certificate is in effect, whichever is less. A local government unit shall not charge an applicant any other fee under this Act.

4. Affiants state that no payment of any kind in excess of the fee allowed by the above provision of Act 198 as amended has been made or promised in exchange for favorable consideration of an exemption certificate application.

5. Affiants realize that any fee, payment in lieu of taxes, donations, or any other such payments as a condition precedent to approving industrial facilities exemption certificates would be contrary to the legislative intent of Act 198.

6. Each affiant has the authority to make this affidavit on behalf of the entity he or she represents.

CITY OF PORTAGE, a Michigan Municipal Corporation

Date: _____, 2024

By: _____
ERICA EKLOV
Its: City Clerk

Subscribed and sworn to before me this _____ day of _____, 2024

Notary Public

County, Michigan
My commission expires: _____
Acting in Kalamazoo County, Michigan

SUMMIT POLYMERS, INC.
A _____ Corporation

Date: _____, 2024

By: _____
ANDREA HAAS
Its: President

Subscribed and sworn to before me this _____ day of _____, 2024.

Notary Public
Kalamazoo County, Michigan
My commission expires: _____
Acting in Kalamazoo County, Michigan

APPROVED AS TO FORM:

DATE 11/20/2024

Catherine P. Kaufman
CITY ATTORNEY

Prepared by:
Catherine P. Kaufman (P654120)
Bauckham Sparks
470 W. Centre Ave., Suite A
Portage, MI 49024

**CITY OF PORTAGE, MICHIGAN
RESOLUTION NO. 2**

**DESIGNATING PORTAGE INDUSTRIAL DEVELOPMENT
DISTRICTS NO. 95, 96, 97, 98, 99 and 100**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on April 9, 2024, at 6:00 p.m. local time at City Hall in the City of Portage, Michigan.

PRESENT: Burns, Ledbetter, Miller, Pearson, and Young.

ABSENT: Randall and Urban.

The following resolution was offered by:

COUNCILMEMBER: Burns, and supported by:

COUNCILMEMBER: Young.

WHEREAS, the City Council has met in public hearing as heretofore resolved and noticed for the purpose of determining whether certain described areas and/or properties, as referenced on attached Exhibit A, may be established as Industrial Development Districts 95, 96, 97, 98, 99, and 100, pursuant to 1974 PA 198, MCLA 207.551, et seq.; and

WHEREAS, such location meets all of the prerequisites of the cited Act;

NOW THEREFORE, BE IT RESOLVED that the following described areas and/or properties, as referenced on attached Exhibit A be designated as Industrial Development Districts 95, 96, 97, 98, 99, and 100:

Please see attached Exhibit "A"

ADOPTED: AYES: Councilmember Burns, Ledbetter, Miller, Pearson, and Young.

NAYS: Councilmember None.

ABSENT: Councilmember Randall and Urban.

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

RESOLUTION DECLARED ADOPTED:

Erica Eklov, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of Resolution #2 adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on April 9, 2024, the original of which is in the official proceedings of the City Council.

Erica Eklov, City Clerk

PREPARED BY:
Catherine Kaufman (P65412)
Portage City Attorney
Bauckham Sparks
470 W. Centre Ave, Suite A
Portage, Michigan 49024

Previously Approved as to Form:
by Catherine Kaufman,
City of Portage Attorney,
on January 3, 2024

**CITY OF PORTAGE, MICHIGAN
RESOLUTION NO. __ - 24**

**ESTABLISHING A PUBLIC HEARING FOR THE CREATION OF
INDUSTRIAL DEVELOPMENT DISTRICTS NO 95, 96, 97, 98, 99 and 100
CITY OF PORTAGE INDUSTRIAL DEVELOPMENT DISTRICTS**

Minutes of a regular meeting of the City Council of the City of Portage, Michigan, held on March 5, 2024, at 6:00 p.m. local time at the City Hall in the City of Portage, Michigan.

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember _____, and supported by Councilmember _____.

BE IT RESOLVED:

That a public hearing be held on the 9th day of April, 2024, at 6:00 p.m. or as soon thereafter as may be heard at the City Hall, in the City of Portage, Michigan for the creation of Industrial Development Districts No 95, 96, 97, 98, 99 and 100, under Michigan Act No. 198 of P.A. 1974; and

That written notice by certified mail of said hearing be sent to the owners of all real property and the legislative body of each taxing unit which levies ad valorem taxes on the property located within the proposed district described in the attached Exhibit A at least ten (10) days before said hearing; and

That notice in substantially the form attached as Exhibit A be published in the Kalamazoo Gazette at least ten (10) days prior to said hearing.

ADOPTED: YEAS: Councilmember: _____

NAYS: Councilmember: _____

ABSENT: Councilmember: _____

RESOLUTION DECLARED ADOPTED:

Erica Eklov, City Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on the 5th day of March, 2024, the original of which is in the official proceedings of the City Council.

Erica Eklov, City Clerk

Prepared by:
Catherine Kaufman (P65412)
Portage City Attorney
Bauckham Sparks
470 W. Centre Ave, Suite A
Portage, MI 49024

Approved as to Form:

Date: 2-26-2024

By: Catherine Kaufman
City Attorney

EXHIBIT A

**CITY OF PORTAGE
NOTICE OF HEARING ON THE ESTABLISHMENT OF
INDUSTRIAL DEVELOPMENT DISTRICTS NO. 95, 96, 97, 98, 99 AND 100
UNDER ACT 198 OF P.A. 1974**

PLEASE TAKE NOTICE that on the 9th day of April, 2024, at 6:00 p.m. or as soon thereafter as may be heard, a public hearing will be held at the City Hall in the City of Portage, Michigan for the establishment of six Industrial Development Districts under Michigan Act 198 of P.A. 1974.

PLEASE TAKE FURTHER NOTICE that said districts are commonly described as properties zoned for industrial use in the City of Portage, Michigan, and more particularly described as follows:

See attached map as Exhibit B.

Any resident or taxpayer of the City or other interested person shall have the right to appear and be heard at said hearing.

Dated: _____, 2024

Erica Eklov, City Clerk

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Amend the General Appropriations Act (Budget)

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2025.

The normal government procurement process involves the issuance of purchase orders to obtain goods and services necessary to provide service to citizens. Purchase orders specify the description, quantity, and price of the required goods. Each purchase order initiates an encumbrance into the city accounting system to reserve budgeted funds to pay for the goods. The encumbrances are relieved as goods are received and related invoices paid. At the end of each fiscal year, open purchase orders (encumbrances) are carried forward to the next fiscal year to reserve funds required to pay for goods and services already ordered. This is completed by adding the encumbered funds to the annual budget for the next fiscal year. The “encumbrance carry forward” process is a standard practice in governmental accounting. The City of Portage Charter, Section 7.6(d), requires the production of this listing for approval by the City Council.

For Fiscal Year 2023-2024, the amount recommended being rolled forward is \$3,436,951, consisting of:

Street Projects	\$ 2,271,521
Fleet & Facilities Fund	\$ 671,191
Utility Projects	\$ 343,291
General Fund	\$ 150,948
Total	\$ 3,436,951

A significant portion of the funds to be rolled forward for the street funds (\$2,271,521) is included for mill and fill programs and chip sealing programs for major and local streets. The Fleet & Facilities Fund roll forward primarily consists of \$167,150 for replacement fleet vehicles and \$504,041 for new fleet vehicle upfitting. The utility funds primarily consist of \$161,776 in Veolia maintenance expenditures; \$88,639 for water service material verification; \$41,250 for a new Milham #1 Well pump; and \$28,950 for storm sewer pipelining on Woodhams Avenue. General Fund significant projects include Lakeview Park equipment (\$49,007), and Police Department Equipment (\$23,490).

The amount rolled forward from Fiscal Year 2022-2023 was \$2,955,947, consisting of \$1,758,455 for street projects; \$679,716 in equipment for Fleet and Facilities; \$395,077 in utility projects; \$120,824 for programs and projects in the General Fund; and \$1,875 in the West Lake Weed Fund.

The attached list shows the dollar value of open purchase orders as of June 30, 2024, all for necessary supplies and services. Receipt of these goods and services will require subsequent payment by the city. Council action to amend the Fiscal Year 2024-2025 budget will allow payment for goods and services

ordered in Fiscal Year 2023-2024 from the Fiscal Year 2024-2025 budget. Therefore, it is recommended that City Council amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2025.

FUNDING: N/A

Attachments: 1. 2023-2024 Purchase Orders to Roll into 2024-2025 Budget

2023-2024 Purchase Orders to Roll into 2024-2025 Budget

	PO Number	Vendor Name	Carry-Forward Amount
1	93750	HOUSEAL LAVIGNE ASSOCIATES, LLC	3,714.08
2	94208	MICHIGAN PAVEMENT MARKINGS LLC	11,029.90
3	94318	MICHIGAN PAVEMENT MARKINGS LLC	16,817.70
4	94882	MICHIGAN PAVEMENT MARKINGS LLC	663,877.65
6	95483	PAVEMENT MAINTENANCE SYSTEMS, LLC	49,336.95
7	96644	ELITE PIPELINE SERVICES, INC	23,490.00
8	97264	PEERLESS-MIDWEST, INC.	41,250.00
9	97412	SUMMIT FIRE PROTECTION CO.	10,446.00
10	97413	TWELVE BASKETS FOOD PANTRY	20,000.00
11	97550	VENTURE TACTICAL, LLC	5,960.00
12	97601	MICHIGAN OFFICE ENVIRONMENTS	7,727.06
14	97689	TAPLIN GROUP, LLC	88,639.49
15	97720	WIGHTMAN	1,750.00
16	97797	INTERSTATE OFFICE INTERIORS	3,705.00
17	97840	PEERLESS-MIDWEST, INC.	15,750.00
18	97861	TNVC, INC.	25,542.45
19	97862	NATIONAL HOSE TESTING SPECIALTIES	13,608.10
20	97887	SEVERANCE ELECTRIC COMPANY, INC	5,634.32
21	97976	DIVE RESCUE INTERNATIONAL INC	2,658.67
22	98000	SEVERANCE ELECTRIC COMPANY, INC	2,480.00
23	98024	B S & A SOFTWARE	1,200.00
25	98073	JB PRINTING	1,737.00
26	98094	LUNGHAMER FORD OF OWOSSO, LLC	167,150.00
27	98097	TRUCK & TRAILER SPECIALTIES	497,248.00
28	98143	MICHIGAN PAVEMENT MARKINGS LLC	63,673.87
29	98166	MICHIGAN PAVEMENT MARKINGS LLC	70,000.00
32	98244	VEOLIA WATER CONTRACT OPERATIONS	65,000.00
33	98245	VEOLIA WATER CONTRACT OPERATIONS	65,000.00
34	98257	LANDSCAPE FORMS	30,492.06
36	98297	VEOLIA WATER CONTRACT OPERATIONS	12,385.19
37	98317	TRUCK & TRAILER SPECIALTIES	6,793.10
38	98318	VEOLIA WATER CONTRACT OPERATIONS	16,432.21
39	98319	VEOLIA WATER CONTRACT OPERATIONS	15,343.69
41	98502	SPECTRUM PRINTERS, INC.	4,303.50
42	98518	LANDSCAPE FORMS	18,514.88
43	98564	C D W GOVERNMENT, INC.	1,339.36
44	98659	LAKELAND ASPHALT CORP.	1,049,127.45
45	98920	PAVEMENT MAINTENANCE SYSTEMS, LLC	337,793.67
			\$ 3,436,951.35

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Adoption of Reimbursement Resolution

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Adopt a resolution to authorize the reimbursement of expenses from bond proceeds, not to exceed \$4,000,000, for capital improvement projects expensed in Fiscal Year 2023-2024 and authorize the City Manager to execute all documents related to this action on behalf of the city.

The Capital Improvement Program (CIP) budget includes bond proceeds as part of the total revenue to fund projects each fiscal year. Bonding is necessary for projects approved and appropriated during Fiscal Year 2024-2025 to ensure a solid foundation for the CIP fund. This reimbursement resolution authorizes the city to proceed with CIP projects prior to the issuance of bonds and to incur capital expenditures for CIP projects before the issuance of bonds, and to be reimbursed for such expenditures from the proceeds of the bonds, which are expected to be Capital Improvement Bonds, Series 2025.

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

- improvements to the city's street system, including, without limitation, right of way acquisition, base construction and reconstruction, paving and repaving, traffic signal replacement and timing optimization, fiber optic installation and repaving, storm sewer and drainage improvements, including without limitation, curb and gutter, signage, restoration;
- bikeway and trailway improvements, including without limitation constructing, reconstructing, and repairing bikeways and trailways;
- public safety improvements, including without limitation, fire station facility improvements;
- public facilities, including without limitation, design and resurfacing of parking lots and walkways, design and implementation of landscaping;
- parks and recreation improvements, including without limitation, park and parking lot improvements and renovations;
- and other capital improvements the city shall determine to make.

The issuance of bonds in an amount of up to \$4,000,000 will be the funding mechanism to pay for the above 2024-2025 CIP projects. In Fiscal Year 2024-2025, approximately \$6.3 million in debt principal will be paid and redeemed. With the addition of \$4 million of new debt, total debt will decrease by \$2.3 million from the prior fiscal year to an overall balance of approximately \$45.5 million. Approval of this agenda item is not an indication that \$4 million in new debt will be issued. Rather, it authorizes the reimbursement of CIP expenses up to a \$4 million maximum. Even if the maximum amount is utilized,

the overall debt level of the city will be reduced. For reference, last fiscal year, the City Council authorized the reimbursement of expenses from bond proceeds in the not-to-exceed amount of \$5 million. This funding mechanism was not utilized as the City Council approved the use of the excess General Fund balance to cover capital expenses.

The attached resolution authorizing reimbursement of expenses from bond proceeds was prepared by the City of Portage Bond Counsel, Dickinson Wright. A resolution approving the Notice of Intent will be presented to the City Council in early 2025 and, approximately two months later, a resolution authorizing the issuance of the Capital Improvement Bonds, Series 2025, and the Undertaking to Provide Continuing Disclosure will be presented. It is recommended that the City Council adopt the resolution to authorize the reimbursement of expenses from bond proceeds in an amount not to exceed \$4,000,000 and authorize the City Manager to execute all documents related to this action on behalf of the city.

FUNDING: N/A

Attachments: 1. Reimbursement Resolution CIP 2025

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

RESOLUTION NO. _____

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

A regular meeting of the City Council of the City of Portage was held on December ____, 2024, at ____ p.m., Local time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City of Portage (the “City”) intends to make improvements including the design, acquisition, and construction certain capital improvements, including without limitation: improvements to the city’s street system, including, without limitation, right of way acquisition, base construction and reconstruction, paving and repaving, traffic signal replacement and timing optimization, fiber optic installation, storm sewer and drainage improvements, including without limitation, curb and gutter, signage, restoration; bikeway and trailway improvements, including without limitation, constructing, reconstructing and repairing bikeways and trailways; public safety improvements, including without limitation, fire station facility improvements; public facilities, including without limitation, design and resurface of parking lots and walkways, design and implementation of landscaping; parks and recreation improvements, including without limitation, park and parking lot improvements and renovations; and other capital improvements included in the City’s 2024-2030 Capital Improvement Program and such other capital improvements as the city shall determine to make (the “Improvements”).

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

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

NOW, THEREFORE, BE IT RESOLVED that:

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

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

3. The amount of capital expenditures for which the City will seek reimbursement from the proceeds of the Bonds is estimated not to exceed \$4,000,000.

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

5. The City Finance Director is authorized to make additional declarations of intent to seek reimbursement from proceeds of Bonds for any capital improvements the City may make during the 2024/2025 fiscal year.

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

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

YEAS: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

Erica Eklov, Clerk
City of Portage

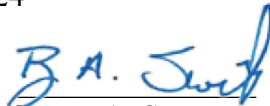
CERTIFICATION

The undersigned, duly qualified and acting Clerk of the City of Portage, Kalamazoo County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said City Board at a regular meeting held on December ___, 2024, the original of which is part of the City Board's minutes. The undersigned further certifies that notice

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

Dated: December __, 2024

Approved as to Form: By:


Roger A. Swets

Erica Eklov Clerk
City of Portage

TO: Portage City Council

FROM: Patricia M. Randall, Mayor

SUBJECT: City Manager Employment Agreement Extension

ACTION RECOMMENDED: Approve a three-year extension to the Employment Agreement with Patrick McGinnis and authorize the Mayor to execute the agreement.

At its regular meeting on May 24, 2022, the Portage City Council approved a three-year contract with Patrick McGinnis to serve as the Portage City Manager, and he began his new role on July 12, 2022. At this time, Mr. McGinnis' contract is set to expire on July 12, 2025.

The City Manager Salary Review/Evaluation Committee is currently recommending an addendum to City Manager McGinnis's contract to secure extending his employment with the City of Portage for an additional three years, covering the period of July 12, 2025, to July 12, 2028. No other changes are required at this time.

As such, I recommend that the City Council approve an additional three-year period to the Employment Agreement with Patrick McGinnis and authorize the Mayor to execute the agreement.

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

Attachments: None

Minutes of Boards & Commissions

City of Portage Senior Citizens Advisory Board

MINUTES: October 16, 2024

Location: Portage Zhang Senior Center

ATTENDANCE: Linda Zoeller, Joan Stommen, Karl Hokenmaier, John Lobo, Kim Phillips, Larry Smith, Sharon White, Jean Balazs, Shirley Wahmhoff, Tonya Weilandt, Mickey Wong, Dan Gabriel, Lavonia.

Absent Excused: None

Absent Un-excused: None

Guests: Nate

Staff: Kim Phillips

Linda, Advisory Board Chair, called the meeting to order at 2:33 PM.

Shirley motioned to approve the meeting minutes from 8/21/2024, Joan seconded. Motion carried.

Travel Program:

- No report.
- This role is currently open. Kim offered to invite Janelle Pound the Trip Program Manager to provide updates during future meetings. The Board agreed with the proposal.

Legislative Update:

- No report.
- This role is currently open.

Friends of PSC Board Update, Kim Phillips:

- The Purse and Jewelry Sale raised over \$13k. Another \$4.5k was raised from sale of unsold items to an estate jeweler.
- The Fall appeal for donations will be mailed soon.
- An appeal for Planned Giving will be emailed soon.
- A donor appreciation event is scheduled for Tuesday October 22 from 5PM to 7PM. Kim will send invitations to the Board members.
- Election of new slate of officers in November.
- Revising the Ruth Ann Meyer Scholarship guidelines to improve management of scholarship budget. The Board supported a proposed \$250 annual limit for each recipient.

Youth Advisory Board:

- Lavonia is the Youth Advisory Council (YAC) liaison.
- YAC has a number of events planned:
 - Leaf-a-Legacy tree planting on October 27, 10AM – 12PM. The goal is to plant 400 trees.

- Miles for Smiles 5k run/walk on October 20, 9AM. Fundraiser to purchase materials for PE classes for students in African countries.
- Future events include Greenathon and Pigout.
- Lavonia will ask YAC members for ideas on collaborating with PZSC. The next YAC meeting is scheduled for November 11, 6PM at City Hall.

Dementia Friendly Community (DFC) Initiative Update, Sharon Ritchie:

- No report.

Volunteer Management, Karl Hokenmayer:

- There were 18 attendees at the last meeting; most were female. There is a desire to increase male participation.
- A volunteer appreciation event is scheduled for December 19.
- There is a need for more volunteers, particularly for greeters and Metro van drivers.
- Lavonia suggested that there may be interest from the Portage Central student body in volunteering opportunities at PZSC. Dan suggested that there could be some form of recognition for volunteer students as this can help in college applications. Lavonia stated that the Student Council tracks volunteer hours for each student.

Monthly Manager's Report, Kim Phillips:

- The current membership count is over 4300. Membership is expected to pickup during the Fall and Winter months as people begin to look for more indoor activities.
- There were 2 flu and COVID-19 vaccination clinics held that served over 200.
- A shingles vaccination clinic is planned.
- An application for the Senior Millage fund was submitted to the County. The application included a \$30k request for a virtual reality program to be used in health-related programs for older adults.
 - Last year the City Council awarded \$400k to PZSC.

Building/Program Updates, Kim Phillips:

- The PZSC will be closed on January 3 until noon for an all-staff meeting and training.
- The PZSC policy does not require the Center to close during school snow closures, however, it may cancel some instructor-led classes.
- A tentative date is set for the installation of blinds on the general/pickleball room. The PZSC will make an announcement once the date is finalized.
- Completed tornado damage repairs.
- The Zhang family supported Disaster Preparedness for Seniors Series has kicked off. Meteorologist Jeff Porter from WWMT was the guest speaker at the first session. Participants will receive disaster kits at the end of the series.

New Business, Kim Phillips:

- Appointments for Advisory Board positions are due in November.

Activities Reminders, Kim Phillips:

- Holiday Bazaar on November 2. People interested in donating baked goods for the Sale should deliver them on November 1.

Citizens Comments:

- None

Advisory Board Comments:

- Shirley asked about support groups or programs for improving sleep habits as studies indicate that proper sleep can counteract the development of dementia. Kim stated that the Aging Mastery program offers courses on proper sleep science but there is a need for a speaker on the topic.
- There were brief introduction from all participants for the benefit of new members, Dan Gabriel, new Advisory Board member and Lavonia, the Youth Council liaison.
- Lavonia is a senior at PCHS who recently moved to the area from Germany. She is originally from Kansas.
- Dan is a former Navy pilot and Boeing employee. He is a native of Kalamazoo County.
- Nate is a prospective Board member.

Shirley motioned to adjourn the meeting. Larry seconded. Motion carried.

Time Adjourned: 3:44 PM

Next meeting: November 20, 2024

CITY OF PORTAGE PLANNING COMMISSION

**Thursday, November 7, 2024
7:00 PM Portage
Portage City Hall Council Chamber**

The City of Portage Planning Commission meeting of November 7, 2024, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

- Eric Feldt, Senior City Planner
- Josh Thall, City Attorney
- Biqi Zhao, Deputy Director of Planning and Zoning

ROLL CALL

Staff called the roll: Chairman Corradini (yes); Vice Chair Baldwin (yes); Secretary Freiman (yes), Adams (yes); Copp (no); Joshi (no); Fries (yes); Youngs (yes); and Longjohn (no).
6-Present; 3-Absent.

Motion by Vice Chair Baldwin, seconded by Commissioner Joshi to approve the excused commissioners. Upon a voice vote, motion carried 6-0.

Commissioner Longjohn later arrived at the Public Hearing item.

APPROVAL OF MINUTES

1. Minutes dated October 17, 2024.

Motion by Vice Chair Baldwin, seconded by Secretary Freiman to approve the Planning Commission Meeting minutes dated October 17, 2024, as submitted. Upon a voice vote, motion carried 6-0.

PUBLIC HEARINGS

1. Active Home Occupation at 6734 Oakland Drive

Eric Feldt provided a presentation that outlined project details, pictures, site location and layout, surrounding area parcels, a description of the home occupation elements and hours of operation, explained applicable codes, including the differences between passive and active home occupation, and indicated the 11 criteria required for operating active home occupations. He stated that required public notice was distributed, no public comments were received by staff, and that the applicant has contacted all adjacent owners with no objections received. The applicant was unable to make it to the meeting. Mr. Feldt concluded his presentation by recommending approval of an active home occupation and 6734 Oakland Dr.

Chair Corradini opened the public hearing.

No public comments made, motion by Chair Corradini, seconded by Commissioner Adams to close the hearing. Upon a voice vote, motion carried 7-0.

Commissioner Fries indicated that he found it redundant and unnecessary to hold this applicant to the same standard as a developer by requiring a neighborhood meeting since public notification mailers are also required to be distributed to adjacent properties.

Commissioner Adams asked clarifying questions regarding parking locations, parking on unimproved surfaces, parking of vehicles/equipment storage, and commercial business' parking/ storage. He stated that he has seen a lot of cars parked around the house and on Google maps, and that it is an eyesore from of a major thoroughfare.

Mr. Feldt indicted that the vehicles and equipment for the Active Home Occupation not generally used during the season will be parked on the grass in the side yard which the code allows. Anything in front of the house will need to be stored on an improved surface.

Commissioner Adams indicated his support to require parking to the side of the house be on an improved surface be in the new zoning ordinance update.

Motion by Commissioner Fries, supported by Vice Chair Baldwin, to approve active home occupation at 6734 Oakland Dr.

Mr. Feldt provided roll call vote; motion carried 7-0.

SITE/FINAL PLANS

None.

OLD BUSINESS

None.

NEW BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS/ STAFF

Commissioner Adams asked about updates to the zoning ordinance project, regarding a contractor for the and a timeline for the project.

Ms. Zhao indicated that the contract has been signed and staff has initiated this project.

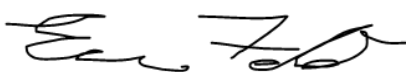
Vice Chair Baldwin congratulated Commissioner Longjohn on being a newly elected a House district representative.

Mr. Feldt indicated that City Council has set a public hearing and vote for the Lake Center Rezoning for December 3rd, and the Council approved the Tentative Plan Amendment and Preliminary Condo Plan of McConley Cove increasing the number of housing units from 40 to 54 lots for future single-family homes.

ADJOURNMENT

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 7:27 p.m.

Respectfully submitted,



Eric Feldt
Senior City Planner

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Lake Center Commercial Corridor Mixed-Use Zoning Districts

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Adopt Rezoning Ordinance #24/25-3 to create new mixed-use zoning districts with development standards for the Lake Center Commercial Corridor on Portage Road, subsequent to the public hearing.

The City of Portage seeks to amend Article 4 Zoning of Chapter 42 by rezoning and creating new mixed-use zoning districts with development standards for parcels abutting Portage Road between East Centre Avenue and East Osterhout Avenue. The 172 subject parcels are shown in the attached proposed zoning map. This area comprises the commercial properties in what is known as the Lake Center Commercial District. The proposed development standards are attached as the 'Lake Center District Zoning Amendment'. The purpose of these rezoning and development standards is to implement the city's Master Plan for this commercial district and one of the recommendations of the Lake Center District Corridor & Placemaking Plan (Lake Center Plan). The city's approved planning documents for the Lake Center commercial corridor envision the area as a mixed-use traditional physical form of a neighborhood corridor with safe streets, wide sidewalks, buildings close to the sidewalks, parking lots behind buildings, and more compatible physical form and uses to encourage a pedestrian-friendly and walkable character. The proposed zoning and development standards will guide future development towards this vision as new development or major redevelopment happens.

The existing development along Portage Road is a mix of residential and commercial uses consisting of a general suburban design, with a variety of multiple existing zoning districts and buildings located behind front parking lots. There is no clear sense of uniformity or connection between or within the business-zoned areas. It appears that over the decades when this area was developed, there was not a guiding direction for the area.

Portage Road consists of a multi-lane road with fast and high-volume traffic. Older and renovated single-family homes are scattered in, among, and between commercial uses. Non-conforming houses remain within commercially zoned areas. Overall, the current mix and design of land use do not form a well-planned, cohesive corridor. More descriptions of the existing zoning districts are provided in detail later in this memo. But by rezoning these parcels and requiring design standards, the overall suburban development setting will change toward a more walkable traditional physical form of a neighborhood commercial corridor setting.

More recently, the city's plans have envisioned Portage Road taking a more traditional physical design form, with buildings closer together, more like a village, serving as a neighborhood business district that is more pedestrian-oriented and bike and transit-friendly. Over time, the goal is to create a better sense of

place within the community, taking advantage of the unique opportunity to connect with lakes, residential neighborhoods, commercial places, parks, schools, trails, etc. The 2014 Comprehensive Plan was one of the first attempts to establish a better concept for the area, which led to the 2021 Lake Center District Corridor and Placemaking Plan to provide a vision. The vision approved in the 2021 plan was largely reaffirmed by the Lake Center Subarea section of the Master Plan adopted this year.

The following sections address this vision:

MASTER PLAN

The city's new [Forward Together 2045 Master Plan](#) and previous 2014 Comprehensive Plan highlighted the unique location and local interest in creating a lake center district. The Lake Center District envisioned a future 'main street' character that was more walkable -- with a narrower road, wide sidewalks, and street trees, as well as buildings located close to the street and parking behind. A district that prioritized people, appearance, and enhanced economic vitality over a vehicle-centric orientation. The Master Plan has an entire section dedicated to the Lake Center Subarea and recommends key policies such as updating land use standards, promoting a redesign of Portage Road to increase safety, establishing walkability, mixed-uses, and more. The plan's Future Land Use Map classifies large areas on the corridor between Osterhout Road and Centre Street as 'Mixed Residential', 'Mixed-Use', 'Local Commercial', and 'Single-Family Residential'.

LAKE CENTER PLAN

The Lake Center Subarea in the Master Plan draws from the 2021 [Lake Center District Corridor and Placemaking Plan](#) adopted by the City Council. It provides a more detailed vision by illustrating how improved land use planning and zoning, complemented by a redesign of the transportation elements according to complete street principles, would help fulfill the vision of an enhanced business district. This vision includes future pedestrian crosswalks, future building improvements, future code regulations and design guidelines, future traffic lights at the Forest Drive & Portage Road intersection, and more. The 2021 plan recommended zoning changes to achieve this redesign as it applies to private commercial properties and led to the start of this rezoning initiative.

DRAFTING PROPOSED REZONING; PLANNING PROCESS

To direct future private and public development towards this vision, in late 2023, McKenna Associates (planning consultants) was selected to assist city staff in a planning process to establish future code regulations and design guidelines for the Lake Center area. Starting in January 2024, staff and McKenna held three public meetings inviting all Portage Road residents, businesses, and property owners to provide feedback on various village-like illustrations of building designs, parking lot and landscaping designs, multi-story residential and mixed-use buildings, and more. Also, a Stakeholder Committee comprised of neighborhood interests was formed to provide a more local-based representation for further review. Based on public meeting feedback and guidance from the adopted city plans for the area, McKenna provided drafts of the rezoning districts and development guidelines for the Stakeholder Committee review. Development concepts and ordinance drafts were reviewed in depth throughout six public Stakeholder Committee meetings. The Stakeholder Committee unanimously supported the draft rezoning and development standards on August 14, 2024, and recommended Planning Commission consideration and adoption.

PLANNING COMMISSION MEETINGS On September 5, 2024, McKenna provided a presentation in summary of the draft zoning regulations and guidelines to the Planning Commission at their public meeting. On September 19, staff provided a public workshop on this draft to the Commission for a more detailed discussion. All property owners on Portage Road were also invited to this workshop to learn

about the proposed new zoning and make comments before the public hearing. No public comments were received from property owners or the public on the rezoning except for one resident in support of narrowing Portage Road. The Commission was generally supportive of continued consideration of the draft zoning regulations and guidelines and did not suggest any changes.

The draft zoning regulations and guidelines are the subject of this memo and are discussed in detail. In short, the proposed ordinance establishes and replaces the existing mix of commercial zones with a new zoning district for the Lake Center Commercial District. The new district has three sections based on location within the district, referred to as the Edge, Core, or Business. The three sections have some variations in heights and uses for new or significantly expanded buildings, but all three sections would allow mixed-use buildings with commercial on the ground floor and residential above. New or significantly expanding buildings would also be subject to development standards intended to create an enhanced and more walkable district.

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, this rezoning request was recommended to the City Council for approval after a public hearing by the Planning Commission on October 17, 2024, Planning Commission meeting. At the November 6, 2024, City Council meeting, the City Council received the Planning Commission's recommendation and set up a public hearing for December 3, 2024. The Planning Commission determined this 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, neighborhood harmony, impacts of the proposed zoning classification, and impacts on adjacent streets and utilities.

ANALYSIS

The area of proposed rezoning is along Portage Road between East Centre Avenue (north point) and East Osterhout Avenue (south point). The subject parcels are those abutting Portage Road. See attached map. Some parcels that do not have any street frontage but are connected to development fronting Portage Road are also included. Parcels along Portage Road which are currently zoned as One-Family Residential areas are not included (except for a small city-owned parcel).

Existing Zoning Districts

There are a total of 172 parcels considered in the proposed rezoning. The following provides the number of parcels in their associated existing district:

- 104 zoned B-3 General Business
- 53 zoned I-1 Light Industrial
- 8 zoned RM-1 Multifamily Residential
- 2 zoned OS-1 Office Service
- 2 zoned B-1 Local Business
- 1 zoned B-2 Community Business
- 1 zoned P-1 Parking
- 1 zoned R-1C One Family Residential (City-Owned)

Due to the mix of zoning districts and permitted uses within these districts, there is a wide variety of allowed land uses, yard setbacks, parking requirements, and other elements that resulted in a non-cohesive development pattern having a more suburban setting. This mix of standards can be seen in Table 1 below. Without an overall direction or vision, these districts cannot create a well-planned cohesive mixed-use village setting.

	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING
	OS-1 Service Office	B-1 Local Business	B-2 Community Business	B-3 General Business	I-1 Light Industrial
Uses Allowed	Professional, Medical Offices Salons, Spas Art/photography studios	Same as OS-1, plus small restaurants and retail businesses, etc.	Same as B-1, plus larger restaurants and retail businesses, theaters, contractor's offices, breweries, etc.	Same as B-2, plus car washes, auto repair, churches, hotels/ motels, dry cleaners, etc.	Manufacturing, processing, assembly and similar uses
Max. Building Height	35 ft	35 ft	35 ft	35 ft	30-40ft
Setbacks	Front: 27' Sides: 0 or 15' where abutting Residential) Rear: 20'	Front: 27' Sides: 0 or 15' where abutting Rear: 20'	Front: 75' Sides: 0 or 15' where abutting Residential) Rear: 20'	Front: 27' Sides: 0-15' (where abutting Residential) Rear: 20'	Front: 75' Sides: 12-75' (where abutting Residential) Rear: 12-75' (where abutting Residential)

Table 1. Summary of development standards in existing zoning districts along Portage Road.

Proposed Zoning Districts

Three new zoning districts are proposed to direct future development to achieve the cohesive village goal: 1) Lake Center Edge (LC-E), 2) Lake Center Core (LC-C), and 3) Lake Center Business (LC-B). See the proposed zoning map for the general locations of these new districts.

All 172 parcels would fall into one of these three new districts (See Parcel List of Existing, Proposed Zoning District). Below is the total number of parcels in each of the three proposed districts and the summary of site development standards for each proposed district:

- 78 rezoned to LC – Edge
- 19 rezoned to LC – Core
- 75 rezoned to LC – Business

	PROPOSED	PROPOSED	PROPOSED
	LC - Edge	LC - Core	LC - Business
Uses Allowed	Residential Multifamily, Townhomes	Residential only on upper floors	Residential only on upper floors
	Offices, Animal Vet., Restaurants (w/ out drive-thru), etc.	Offices, Animal Vet., Restaurants (w/ out drive-thru), etc.	Offices, Animal Vet., Restaurants (w/ out drive-thru), etc.
	Art Galleries, Salons, Retail	Art Galleries, Salons, Retail	Art Galleries, Salons, Retail
Max. Building Height	50 ft	30 ft	40 ft
Setbacks (Min. - Max. Distance)	Front: 0-10'	Front: 0-5'	Front: 10-15'
	Sides: 0 or 10' where abutting Non-LC District)	Sides: 0 or 10' where abutting Non-LC District)	Sides: 0 or 10' where abutting Non-LC District)
	Rear: 5 or 10' where abutting Non-LC District)	Rear: 5 or 10' where abutting Non-LC District)	Rear: 5 or 10' where abutting Non-LC District)

Table 2. Summary of site development standards of proposed zoning districts along Portage Road

The LC-Edge (northern district) starts at the intersection of East Centre Avenue and stretches south near the Forest Drive intersection, is the largest district, and generally allows larger buildings. The LC-Core (Forest Drive to Clarence Drive) is the smallest district, is located in the ‘isthmus’ between Austin and West Lakes, and consists of the most specific sites and building standards as being the most critical area for creating a walkable village. Finally, the LC-Business (southern district) is located in three separate areas: 1) Woodbine Avenue to Bacon Avenue; 2) the area just north of Wetherbee Avenue; and 3) between Lancelot Court and East Osterhout Avenue. This district allows the greatest amount of commercial/industrial uses and is separated by existing single-family zoning districts.

Proposed Building Standards

In addition to the new site development standards in Table 2, all three proposed districts require all future buildings and additions to meet specific exterior building materials, window sizing, and overall façade design. Further, new buildings and major additions would need to meet specific frontage types. Details of these standards are included in the attached Lake Center District Zoning Amendments. These new building standards will ensure future developments create a mixed-use, walkable village.

Future Portage Road Construction

Though not part of the subject rezoning but within the scope area, the city is pursuing redesigning and narrowing Portage Road to improve vehicular and pedestrian/ bicycle safety. Another goal is to transform the road into a ‘main street’ setting with wide sidewalks, street trees, street lighting, and more. This critical improvement will greatly link the public sidewalks to private businesses and land use along Portage Road. The city has hired an engineering firm and will provide multiple opportunities for public participation in the process for the future Portage Road redesign.

Overall, the proposed rezoning will achieve the goals of the Master Plan and Lake Center District Corridor and Placemaking Plan to guide future development along Portage Road toward a mixed-use walkable village setting.

PLANNING COMMISSION PUBLIC HEARING

At the October 17, 2024, Planning Commission meeting, the Planning Commission reviewed and discussed the requested Rezoning #24/25-3 to create new mixed-use zoning districts with development standards in the Lake Center Commercial Corridor on Portage Road. City staff provided a presentation explaining existing and proposed zoning districts in the area and related development standards, indicated the total number of parcels involved in the rezoning and corresponding proposed zoning districts, stated the removal of two residential parcels erroneously placed in the proposed rezoning area, explained in detail the proposed site and building development standards, listed many Michigan and few non-Michigan communities having similar development standards, showed two downtown pictures as examples of needing development standards, and summarizing the overall purpose of the proposed new zoning districts and development standards.

During the public hearing on October 17, two written comments were received and are attached. In addition, there were public comments verbally made during the hearing that raised questions about various items including the proposed permitted uses, the application of design standards, non-conforming uses, and an expression of general concern.

After careful consideration, the Planning Commission voted (7-0) to recommend to the City Council approval of Rezoning Ordinance #24/25-3 to create new mixed-use zoning districts with development standards in the Lake Center Commercial Corridor on Portage Road.

After the Planning Commission's public hearing, additional comments were received and are attached. The non-conforming section of the proposed ordinance amendment has been further clarified, based on input received, to allow more time to obtain a building permit and to completely reconstruct a non-conforming building or use affected by an act of God (e.g. tornado or fire) affecting a non-conforming.

RECOMMENDATION

It is recommended that City Council adopt Rezoning Ordinance #24/25-3 to create new mixed-use zoning districts with development standards in the Lake Center Commercial Corridor on Portage Road, subsequent to the Public Hearing.

FUNDING: N/A

- Attachments:**
1. Parcel List of Existing, Proposed zoning Districts
 2. Proposed Zoning Map
 3. Approved Planning Commission Minutes 10 17 2024
 4. Ordinance to Rezone #24/25-3
 5. Lake Center District Ordinance Text Amendment
 6. Planning Commission - public comments
 7. City Council - 1st Meeting - public comment
 8. Public Hearing written comments - opposition
 9. Public Hearing written comments - support

Address	Parcel Number	Existing Zoning	Proposed Zoning
		RM-1;R-1A;R-	
10429 PORTAGE RD	00520-011-O	1B	LC-B
10420 PORTAGE RD	05760-009-O	B-3	LC-B
10496 PORTAGE RD	05760-006-A	B-3	LC-B
10412 PORTAGE RD	05760-010-O	B-3	LC-B
10406 PORTAGE RD	05760-012-O	B-3	LC-B
10336 PORTAGE RD	05760-013-O	B-3	LC-B
10334 PORTAGE RD	05760-014-O	B-3	LC-B
10371 PORTAGE RD	00520-001-O	RM-1	LC-B
10341 PORTAGE RD	00035-045-O	RM-1	LC-B
10351 PORTAGE RD	00035-050-O	RM-1;R-1B	LC-B
10331 PORTAGE RD	00035-040-O	RM-1	LC-B
10332 PORTAGE RD	05760-015-A	B-3	LC-B
10244 PORTAGE RD	05760-019-O	R-1C	LC-B
10145 PORTAGE RD	00035-012-O	RM-1	LC-B
10143 PORTAGE RD	00035-011-O	RM-1	LC-B
10131 PORTAGE RD	00035-010-H	RM-1	LC-B
9950 PORTAGE RD	00026-041-O	I-1	LC-B
9918 PORTAGE RD	00026-045-O	I-1	LC-B
9945 PORTAGE RD	00026-155-V	I-1	LC-B
9848 PORTAGE RD	00026-040-O	I-1	LC-B
9879 PORTAGE RD	00026-155-Y	I-1	LC-B
9830 PORTAGE RD	00026-050-O	I-1	LC-B
9835 PORTAGE RD	00026-156-O	I-1	LC-B
9820 PORTAGE RD	00026-055-O	I-1	LC-B
9810 PORTAGE RD	00026-056-O	I-1	LC-B
9801 PORTAGE RD	00026-159-O	I-1	LC-B
9782 PORTAGE RD	00026-057-O	I-1	LC-B
9764 PORTAGE RD	00026-058-O	I-1	LC-B
9741 PORTAGE RD	00026-165-O	I-1	LC-B
9735 PORTAGE RD	00026-160-O	B-2	LC-B
9717 PORTAGE RD	00026-095-O	I-1	LC-B
9711 PORTAGE RD	00026-090-O	I-1	LC-B
9718 PORTAGE RD	00026-060-O	I-1	LC-B
9702 PORTAGE RD	00026-065-O	I-1	LC-B
9650 PORTAGE RD	00026-066-O	I-1	LC-B
9651 PORTAGE RD	00026-085-B	B-3	LC-B
9599 PORTAGE RD	00026-085-A	B-3	LC-B
9617 PORTAGE RD	00026-070-J	B-3	LC-B
9616 PORTAGE RD	00026-070-B	OS-1	LC-B
9551 PORTAGE RD	00026-080-O	B-3	LC-B
CONDO BARN	COMMON AREA	I-1	LC-B

9917 PORTAGE RD UNIT 18	01630-018-O	I-1	LC-B
9917 PORTAGE RD UNIT 28	01630-028-O	I-1	LC-B
9917 PORTAGE RD UNIT 19	01630-019-O	I-1	LC-B
9917 PORTAGE RD UNIT 29	01630-029-O	I-1	LC-B
9917 PORTAGE RD UNIT 20	01630-020-O	I-1	LC-B
9917 PORTAGE RD UNIT 30	01630-030-O	I-1	LC-B
9917 PORTAGE RD UNIT 1	01630-001-O	I-1	LC-B
9917 PORTAGE RD UNIT 21	01630-021-O	I-1	LC-B
9917 PORTAGE RD UNIT 17	01630-017-O	I-1	LC-B
9917 PORTAGE RD UNIT 27	01630-027-O	I-1	LC-B
9917 PORTAGE RD UNIT 2	01630-002-O	I-1	LC-B
9917 PORTAGE RD UNIT 22	01630-022-O	I-1	LC-B
9917 PORTAGE RD UNIT 16	01630-016-O	I-1	LC-B
9917 PORTAGE RD UNIT 3	01630-003-O	I-1	LC-B
9917 PORTAGE RD UNIT 26	01630-026-O	I-1	LC-B
9917 PORTAGE RD UNIT 23	01630-023-O	I-1	LC-B
9917 PORTAGE RD UNIT 15	01630-015-O	I-1	LC-B
9917 PORTAGE RD UNIT 4	01630-004-O	I-1	LC-B
9917 PORTAGE RD UNIT 25	01630-025-O	I-1	LC-B
9917 PORTAGE RD UNIT 24	01630-024-O	I-1	LC-B
9917 PORTAGE RD UNIT 14	01630-014-O	I-1	LC-B
9917 PORTAGE RD UNIT 5	01630-005-O	I-1	LC-B
9917 PORTAGE RD UNIT 13	01630-013-O	I-1	LC-B
9917 PORTAGE RD UNIT 6	01630-006-O	I-1	LC-B
9917 PORTAGE RD UNIT 12	01630-012-O	I-1	LC-B
9917 PORTAGE RD UNIT 7	01630-007-O	I-1	LC-B
9917 PORTAGE RD UNIT 11	01630-011-O	I-1	LC-B
9917 PORTAGE RD UNIT 10	01630-010-O	I-1	LC-B
9917 PORTAGE RD UNIT 9	01630-009-O	I-1	LC-B
9917 PORTAGE RD UNIT 8	01630-008-O	I-1	LC-B
9830 NAVY PIER ST	00605-130-R	I-1	LC-B
2050 STANLEY AVE	00026-157-O	I-1	LC-B
2020 STANLEY AVE	00026-155-T	I-1	LC-B
9138 PORTAGE RD	02140-005-O	B-3	LC-C
9125 PORTAGE RD	02140-083-O	B-3	LC-C
9113 PORTAGE RD	02140-081-A	B-3	LC-C
9110 PORTAGE RD	02140-001-A	B-3	LC-C
9029 PORTAGE RD	00026-001-B	B-3;R-1A	LC-C
9009 PORTAGE RD	00026-005-O	B-3	LC-C
9001 PORTAGE RD	00026-003-O	B-3;R-1A	LC-C
9008 PORTAGE RD	00340-058-O	B-3	LC-C
8948 PORTAGE RD	00340-061-O	B-3	LC-C
8991 PORTAGE RD	00023-364-O	B-3	LC-C
8944 PORTAGE RD	00340-062-O	B-3	LC-C

8969 PORTAGE RD	00023-360-O	B-3	LC-C
8928 PORTAGE RD	00340-066-O	B-3	LC-C
8901 PORTAGE RD	00023-356-B	B-3	LC-C
8910 PORTAGE RD	00340-069-O	B-3	LC-C
8847 PORTAGE RD	00023-355-A	B-3	LC-C
8842 PORTAGE RD	00340-087-A	B-3	LC-C
8827 PORTAGE RD	00023-350-O	B-3	LC-C
8915 PORTAGE RD	00023-356-C	B-3	LC-C
8817 PORTAGE RD	00023-345-O	B-3	LC-E
8822 PORTAGE RD	00340-089-A	B-3	LC-E
8811 PORTAGE RD	00023-347-O	B-3	LC-E
8818 PORTAGE RD	00340-091-O	B-3	LC-E
8810 PORTAGE RD	00340-093-A	B-3	LC-E
8801 PORTAGE RD	00023-348-O	B-3	LC-E
8748 PORTAGE RD	00340-094-A	B-3	LC-E
8736 PORTAGE RD	00340-096-A	B-3	LC-E
8726 PORTAGE RD	00340-098-O	B-3;R-1B	LC-E
8725 PORTAGE RD	00023-336-O	B-3	LC-E
8715 PORTAGE RD	00023-340-O	B-3	LC-E
8724 PORTAGE RD	00340-099-A	B-3	LC-E
8712 PORTAGE RD	00340-101-O	B-3;R-1B	LC-E
8705 PORTAGE RD	00023-337-D	B-3	LC-E
8710 PORTAGE RD	00340-102-O	B-3;R-1B	LC-E
8648 PORTAGE RD	00340-104-O	B-3;R-1B	LC-E
8642 PORTAGE RD	00340-105-O	B-3;R-1B	LC-E
8636 PORTAGE RD	00340-106-O	B-3;R-1B	LC-E
8675 PORTAGE RD	00023-337-C	B-3	LC-E
8632 PORTAGE RD	00340-107-O	B-3;R-1B	LC-E
8626 PORTAGE RD	00340-108-O	B-3;R-1B	LC-E
8639 PORTAGE RD	00023-337-B	B-3	LC-E
8620 PORTAGE RD	00340-109-O	B-3;R-1B	LC-E
8606 PORTAGE RD	00340-111-O	B-3	LC-E
8542 PORTAGE RD	00340-112-A	B-3	LC-E
8585 PORTAGE RD	00023-337-A	B-3	LC-E
8534 PORTAGE RD	00340-113-A	B-3	LC-E
8524 PORTAGE RD	00340-115-O	B-3	LC-E
8516 PORTAGE RD	00340-116-O	B-3	LC-E
8509 PORTAGE RD	00023-346-O	B-3	LC-E
8502 PORTAGE RD	00340-117-O	B-3;R-1B	LC-E
8444 PORTAGE RD	00340-120-O	B-3	LC-E
2485 ZYLMAN AVE	00023-126-O	I-1	LC-E
8441 PORTAGE RD	00023-135-O	B-3	LC-E
8434 PORTAGE RD	00340-122-O	B-3	LC-E
8435 PORTAGE RD	00023-130-O	B-3	LC-E

8430 PORTAGE RD	00340-123-O	B-3;R-1B	LC-E
8415 PORTAGE RD	00023-125-A	B-3;I-1	LC-E
8418 PORTAGE RD	00340-125-O	B-3;R-1B	LC-E
8414 PORTAGE RD	00340-126-O	B-3;R-1B	LC-E
8405 PORTAGE RD	00023-120-A	B-3	LC-E
8404 PORTAGE RD	00340-127-O	B-3;R-1B	LC-E
8344 PORTAGE RD	00340-129-O	B-3;R-1B	LC-E
8379 PORTAGE RD	00023-115-D	B-3	LC-E
8340 PORTAGE RD	00340-130-O	B-3;R-1B	LC-E
8328 PORTAGE RD	00340-132-O	B-3;R-1B	LC-E
8387 PORTAGE RD	00023-115-C	B-3	LC-E
8324 PORTAGE RD	00340-133-O	B-3;R-1B	LC-E
8318 PORTAGE RD	00340-134-O	B-3;R-1B	LC-E
8314 PORTAGE RD	00340-135-O	B-3;R-1B	LC-E
8312 PORTAGE RD	00340-136-O	B-3;R-1B	LC-E
8302 PORTAGE RD	00340-137-O	B-3;R-1B	LC-E
8229 PORTAGE RD	00023-110-O	B-3;I-2	LC-E
8232 PORTAGE RD	00340-140-O	B-3;R-1B	LC-E
8222 PORTAGE RD	06780-001-O	B-3	LC-E
8211 PORTAGE RD	00023-100-A	B-3	LC-E
8204 PORTAGE RD	06780-026-O	B-3	LC-E
8131 PORTAGE RD	00023-075-O	B-3	LC-E
8136 PORTAGE RD	00023-195-O	B-3	LC-E
8139 PORTAGE RD	00023-080-A	B-3;I-2	LC-E
8127 PORTAGE RD	00023-065-O	B-3	LC-E
8118 PORTAGE RD	00023-200-O	B-3	LC-E
8119 PORTAGE RD	00023-060-O	B-3;I-2	LC-E
8111 PORTAGE RD	00023-055-O	B-3	LC-E
8043 PORTAGE RD	00023-504-O	B-3	LC-E
8037 PORTAGE RD	00023-045-A	B-3	LC-E
8086 PORTAGE RD	00023-205-E	B-3;R-1B	LC-E
8015 PORTAGE RD	00023-501-O	B-3	LC-E
8050 PORTAGE RD	00023-140-O	B-3	LC-E
7920 PORTAGE RD	00014-080-A	OS-1	LC-E
7908 PORTAGE RD	00014-015-O	B-1;1-2	LC-E
CENTREPORT COMMONS	COMMON AREA	B-3	LC-E
8722 PORTAGE RD	00340-099-B	B-3;R-1B	LC-E
2327 PROSPERITY DR	06780-025-O	B-3	LC-E
2404 PLEASANT DR	06780-027-O	P-1	LC-E
8061 PORTAGE RD	00023-505-O	B-3	LC-E
2700 E CENTRE AVE	00023-503-A	B-3	LC-E
7171 PORTAGE RD	00014-001-C	B-1	LC-E

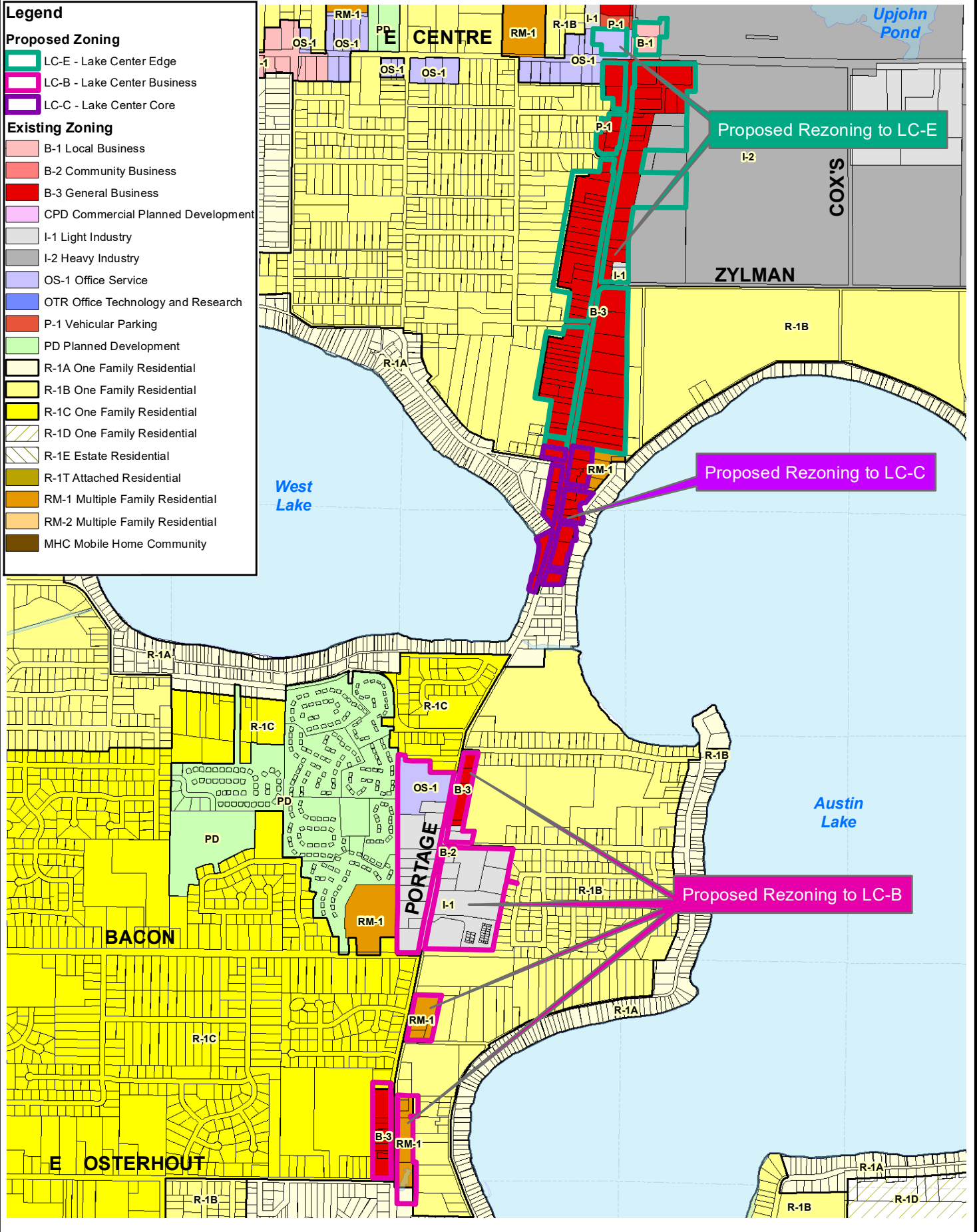
Legend

Proposed Zoning

- LC-E - Lake Center Edge
- LC-B - Lake Center Business
- LC-C - Lake Center Core

Existing Zoning

- B-1 Local Business
- B-2 Community Business
- B-3 General Business
- CPD Commercial Planned Development
- I-1 Light Industry
- I-2 Heavy Industry
- OS-1 Office Service
- OTR Office Technology and Research
- P-1 Vehicular Parking
- PD Planned Development
- R-1A One Family Residential
- R-1B One Family Residential
- R-1C One Family Residential
- R-1D One Family Residential
- R-1E Estate Residential
- R-1T Attached Residential
- RM-1 Multiple Family Residential
- RM-2 Multiple Family Residential
- MHC Mobile Home Community



CITY OF PORTAGE PLANNING COMMISSION

**Thursday, October 17, 2024
7:00 PM Portage
Portage City Hall Council Chamber**

The City of Portage Planning Commission meeting of October 17, 2024, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

- Peter Dame, Chief Development Officer
- Eric Feldt, Senior City Planner
- Catherine Kaufman, City Attorney

ROLL CALL

Staff called the roll: Chairman Corradini (yes); Vice Chair Baldwin (yes); Secretary Freiman (yes), Adams (yes); Copp (yes); Joshi (yes); Fries (absent); Youngs (absent); and Longjohn (yes).
7-Present; 2-Absent.

Motion by Vice Chair Baldwin, seconded by Commissioner Joshi to approve the excused commissioners. Upon a voice vote, motion carried 7-0.

APPROVAL OF MINUTES

1. Minutes dated September 19, 2024.

Motion by Vice Chair Baldwin, seconded by Secretary Freiman to approve the September 19, 2024, as submitted. Upon a voice vote, motion carried 7-0.

PUBLIC HEARINGS

1. Parking reduction request for 6400 S. Westnedge Avenue

Eric Feldt provided a presentation outlining project details and review process, showed various site pictures and project images, explained applicable codes, and indicated that the reduction is to support a future Chase Bank located on the nearby site at 6460 S. Westnedge Avenue. He indicated that the applicant spoke with adjacent property owners about the proposal and did not receive any neighborhood comments. Mr. Feldt further indicated that eleven parking spaces located on 6430 S. Westnedge Avenue is expected to be shared with the 6400 S. Westnedge Avenue through a drafted private parking agreement easement. He also stated that a new City parking agreement has been drafted for this proposal explaining the parking reduction, shared parking spaces, and proposed lower parking requirement which is suggested as a condition of approval and later recorded. He concluded his presentation by recommending approval of the Parking Reduction for 6400 S. Westnedge Avenue be approved with the following condition:

1. Prior to issuance of a Building Permit for developing 6460 S. Westnedge Avenue, the attached City Parking Agreement shall be recorded.

Applicant, Salim Harik, 4668 Vintage Ranch Ln, Santa Barbara, CA was represented by Terron Wright, The Architects Partnership LTD 200 S. Michigan Ave., Chicago, IL and Brock Bosack, Kimley-Horn, 3000 Town Center STE 2600 Southfield, MI. Mr. Bosack indicated that he does not have any additional comments beyond what was provided by Mr. Feldt's presentation.

Chair Corradini opened the public hearing.

1. Tim Timmons, representative of Village Green Properties, LLC, indicated support for the proposal and coordination of the submitted private parking agreement easement from 6430 S. Westnedge Avenue to assist in the proposal.

Seeing no additional public comments, motion by Commissioner Copp, seconded by Vice Chair Baldwin to close the hearing. Upon a voice vote, motion carried 7-0.

Motion by Commissioner Copp, supported by Commissioner Adams, to approve the Parking Reduction for 6400 S. Westnedge Avenue be approved with the following condition: 1. Prior to issuance of a Building Permit for developing 6460 S. Westnedge Avenue, the attached City Parking Agreement shall be recorded.

2. Rezoning #24/25-3 to create new mixed use zoning districts with development standards in the Lake Center Commercial Corridor on Portage Road.

Mr. Dames provided background information indicating past City plans, history and uniqueness of the Lake Center area, recent public meetings leading to the proposed development standards, recent creation of a Stakeholder Committee assisting in drafting and reviewing proposed development standards, explained existing variety of land uses and zoning districts in the area.

Mr. Feldt provided a presentation explaining existing and proposed zoning districts in the area and related development standards, indicated the total number of parcels involved in the rezoning and corresponding proposed zoning districts, stated the removal of two residential parcels erroneously placed in the proposed rezone area, explained in detail the proposed site and building development standards, listed many Michigan and few non-Michigan communities having similar development standards, showed two downtown pictures as examples of needing development standards, and summarizing the overall purpose of the proposed new zoning districts and development standards. He indicated that the proposal required providing public notices to the subject parcels and in the Kalamazoo Gazette. Mr. Feldt stated that the city received two public comments which were printed and provided to all Commissioners. One comment was a no objection, and the second comment opposed the proposal.

Chair Corradini opened the public hearing.

1. Blake Crocker, Crocker Law Firm II, LLC, representing owner of Crystal Car Wash, 8387 Portage Road, spoke in opposition to the rezone as it prohibits car washes turning the Crystal Car Wash into a non-conforming use and alleging that it would negatively affect the value. He supported adding car wash land use as a permitted use in the proposed Lake Center Edge zoning district.
2. Jamie Schuring, indicated he lives at 626 Anchor Ln. and owns a business at 9848 Portage Rd, expressed to want more time for the Planning Commissioners to hear from more business owners within the rezone area of Portage Road before acting on the proposal.
3. Jake Lohse, owner of Presidential Brewery at 8302 Portage Rd, stated being a member of the Stakeholder Committee for the proposal, supported the overall planning process of proposed Lake Center rezoning project, and stated support of the proposed rezoning because it allows more breweries to the area.

4. Gregg Marvin, 9830 Portage Road, had concerns about rezoning the industrial areas of Portage Road within the rezone area and how it may affect possible rebuilding of those existing industrial buildings.
5. Shana Wartner lives at 9986 Sailor Ct, owns businesses at 9719 Portage Rd, and owns the building at 10334 Portage Rd. She indicated general support of creating a walkable and more inviting Portage Road corridor, she stated concerns of the proposed development standards not fitting the existing industrial developments in the south end of scope of rezone, stated concerns of the level of change required by the proposed development standards, and lastly, she stated concerns that the proposed development standards may result in cookie-cutter development and supports more flexibility.
6. Deb Polderman, owner of the flower shop at 8710 Portage Rd, expressed concerns about the proposed development standards creating too similar-looking buildings, and supports taking more time to review the proposal.

Seeing no additional public comments, motion by Commissioner Joshi, seconded by Vice Chair Baldwin to close the hearing. Upon a voice vote, motion carried 7-0

Various Commissioners asked staff about the proposed zoning districts creating non-conforming uses of existing businesses not listed as permitted uses, and about if they could rebuild or add additions. Staff indicated that these businesses are not listed as permitted uses because they would not contribute to an overall walkable, mixed-use village environment. Those businesses may continue to operate in the future under current or future owners. Rebuilding of those businesses may only be allowed under circumstances out of control of the owner such as an Act of God event or similar but must occur within 18 months of the event. Additions to those businesses would not be allowed.

Motion by Secretary Freiman, supported by Vice Chair Baldwin, to recommend to City Council the approval of Rezoning #24/25-3 to rezone and create new mixed use zoning districts with development standards of Lake Center Commercial Corridor on Portage Road.

Mr. Feldt provided roll call vote; motion carried 7-0.

SITE/FINAL PLANS

None.

OLD BUSINESS

None.

NEW BUSINESS

None.

STATEMENT OF CITIZENS

None.

STATEMENT OF COMMISSIONERS/ STAFF

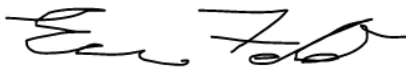
Commissioner Joshi congratulated staff and the public for creating and participating in the drafting of the proposed Lake Center development standards.

Commissioner Joshi indicated her planned absence for the November 7th Planning Commission meeting.

ADJOURNMENT

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 8:38 p.m.

Respectfully submitted,

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

Eric Feldt
Senior City Planner

**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:

1. Parcel Number: 00014-001-C

Property Address: 7171 PORTAGE RD

Legal Description: Rezoning only that area of the following description at the northeast corner of Portage Road & Centre Avenue currently designated as Zone B-1.

COM AT THE S 1/4 COR OF SEC 14-T3S-R11W; TH N 00DEG 13' 33" W 50 FT ALONG THE N&S 1/4 LI OF SAID SEC; TH S 89DEG 53' 29" E 51.16 FT PARALLEL WITH THE S LI OF THE SE 1/4 OF SAID SEC 14 TO THE E ROW LI OF PORTAGE RD & THE POB; TH N01DEG09'37"E 214.03 FT ALONG SAID E ROW LI; TH S 89DEG 53' 29" E 356.16 FT PARALLEL WITH SAID S LI; TH N 00DEG 13' 33" W 220 FT PARALLEL WITH SAID N & S 1/4 LI; TH N89DEG53'29"W 82.50 FT PARALLEL WITH SAID S LI; TH S 00DEG 13' 33" E 55 FT PARALLEL WITH SAID N & S 1/4 LI; TH N 89DEG 53' 29" W 269.67 FT PARALLEL WITH SAID S LI TO SAID E ROW LI; TH N 01DEG 09' 37" E 55.01 FT ALONG SAID E ROW LI; TH N 89DEG 53'29" W 61.66 FT PARALLEL WITH SAID S LI TO SAID N&S 1/4 LI; TH N 00DEG 13' 33" W 286 FT ALONG SAID N & S 1/4 LI; TH S 89DEG 53' 29" E 68.58 FT PARALLEL WITH SAID S LI TO SAID E ROW LI; TH N 01DEG 09' 37" E 111.50 FT ALONG SAID E ROW LI; TH S 89DEG 29' 06" E 1967.74 FT; TH N 00DEG 04' 23" W 1038.52 FT; TH S 89DEG 55' 37" W 85 FT; TH N 00DEG 04' 23" W 58.50 FT; TH N 88DEG 48' 37" W 553.30 FT; TH S 00DEG 08' 26" E 550.91 FT; TH S 89DEG 44' 06" W 293.55 FT; TH S00 DEG 12' 30" E 162.07 FT; TH S 88DEG 58' 34" W 1029.38 FT TO SAID E ROW LI OF PORTAGE RD; TH N 01DEG 09' 37" E 90.93 FT ALONGSAID E ROW LI; TH N 00DEG 26' 49" W 1331.43 FT ALONG SAID E ROW LI TO THE E & W QUARTER LI OF SAID SEC 14; TH N 00DEG 47' 10" W 2672.31FT ALONG SAID E ROW LI TO THE N LI OF THE NE 1/4 OF SAID SEC 14; TH N 00DEG 26'56"W 126.62 FT ALONG SAID E ROW LI TO THE S ROW LI OF ROMENCE RD; TH S 86DEG 07' 31"E 201.42 FT ALONG SAID S ROW LI; TH SOUTHEASTERLY 145.03 FT ALONG SAID S ROW LI ALONG THE ARC OF A CURVE TO THE R HAVING A RADIUS OF 1050 FT, A CENTRAL ANGLE OF 07DEG 54' 50" & A CHORD OF S 82DEG 10' 06" E 144.91 FT; TH S 78DEG 12' 41" E 447.04 FT ALONG SAID S ROW LI TO SAID N LI OF THE NE 1/4 OF SAID SEC 14; TH N 89DEG 52' 06" E 1820.14 FT ALONG SAID N LI TO THE NE COR OF SAID SEC 14; TH N 88DEG 49' 29" E 1239.24 FT ALONG THE N LI OF THE NW 1/4 OF SEC 13 TO THE WESTERLY RAILROAD ROW LI; TH S 00DEG 16' 14" E 5285.50 FT ALONG SAID WESTERLY RAILROAD ROW TO THE N ROW LI OF E CENTRE AVE; TH S 88DEG 28' 28" W 1302.84 FT ALONG SAID N ROW LI; TH N 89DEG 53' 29" W 2541.72 FT ALONG SAID N ROW LI TO THE POB. SUBJECT TO EASEMENTS, CONDITIONS & RESTRICTIONS OF RECORD. EXCEPT: A PARCEL OF LAND SITUATED IN THE SE 1/4 OF SEC 14-T3S-R11W BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMM AT THE SW COR OF THE SE 1/4 OF THE SE 1/4 OF SEC 14-T3S-R11W; TH N 264 FT FOR THE POB; TH N 36 FT; TH E 258.52 FT; TH S 36 FT; TH W TO THE POB. THE SUBJECT PARCEL CONTAINS 435.98 ACRES OF LAND. PARCEL BEING SUBJECT TO ROW ALONG THE N LI FOR ROMENCE RD AND ROW ALONG THE W LI FOR PORTAGE RD.

From B-1 Local Business District to LC-E Lake Center Edge District.

2. Parcel Number: 00014-015-O

Property Address: 7908 PORTAGE RD

Legal Description: That portion of the following description lying East of Portage Road: Section 14-3-11 Beginning at a point 348.52 feet north of the S 1/4 post of Section 14; thence North 158.98 feet along the N&S 1/4 line; thence West 281.81 feet parallel with the south line of Section 14; thence North 75 degrees 20 minutes 15 seconds West 100.94 feet; thence North 797.69 feet parallel with the N&S 1/4 line; thence West 2246.6 feet parallel with the south line of Section 14; thence South 132 feet parallel with the N&S 1/4 line; thence East 1784.64 feet parallel with the south line of Section 14; thence South 69 feet; thence East 297 feet; thence South 129 feet; thence West 15.5 feet; thence South 192 feet parallel with the NW 1/4 line; thence East 12 feet; thence South 459.5 feet parallel with the N&S 1/4 line; thence East 548.0 feet parallel with the south line of Section 14 to the point of beginning. Also beginning at a point 264 feet North of the south 1/4 post of Section 14; thence East 412.5 feet parallel with the south line of Section 14; thence North 220 feet parallel with the N&S 1/4 line of Section 14; thence West 82.5 feet parallel with the south line of Section 14; thence South 55 feet; thence West 330 feet to the N&S 1/4 line; thence South 165 feet along the N&S 1/4 line to the point of beginning.

From B-1 Local Business District and I-2 Heavy Industrial District to LC-E Lake Center Edge District.

3. Parcel Number: 00014-080-A

Property Address: 7920 PORTAGE RD

Legal Description: SECTION 14-3-11 BEG S 1/4 POST SEC 14, TH N 348.52 FT, TH W 449 FT, TH S 185 FT, TH E 100 FT, TH S 163 FT, TH E 349 FT TO P.O.B., EXC RD ROWS.

From OS-1 Office Service District to LC-E Lake Center Edge District.

4. Parcel Number: 00023-045-A

Property Address: 8037 PORTAGE RD

Legal Description: A PARCEL OF LAND SITUATED IN THE NE 1/4 OF SEC 23, T3S, R11W; COMM AT THE N 1/4 CORNER OF SEC 23, T3S, R11W; TH S 89DEG 53' 29" E 660.02 FT ALONG THE N LI OF THE NE 1/4 OF SAID SEC TO THE E LI OF THE W 660 FT (PERPENDICULAR MEASURE) OF SAID NE 1/4; TH S 00DEG 17' 25" E 462.00 FT ALONG SAID E LI; TH N 89DEG 53' 29" W 300.00 FT PARALLEL WITH SAID N LI TO THE POB; TH N 89DEG 53' 29" W 360.02 FT PARALLEL WITH SAID N LI TO THE W LI OF SAID NE 1/4; TH N 00DEG 17' 25" W 132.00 FT ALONG SAID W LI; TH S 89DEG 53' 29" E 360.02 FT PARALLEL WITH SAID N LI; TH S 00DEG 17' 25" E 132.00 FT PARALLEL WITH SAID W LI TO THE POB; CONTAINING 1.09 ACRES OF LAND. PARCEL SUBJECT TO HIGHWAY EASEMENT FOR PORTAGE RD.

From B-3 General Business District to LC-E Lake Center Edge District.

5. Parcel Number: 00023-055-O

Property Address: 8111 PORTAGE RD

Legal Description: SEC 23-3-11 BEG AT PT IN CTR LI PORTAGE RD 38 R S OF N LI SEC 23 TH S 89 DEG 36 MIN E PAR N LI 150 FT TH S 10 DEG 40 MIN W PAR CTR LI SD RD 50 FT TH N 89 DEG 36 MIN W 150 FT TO CTR LI TH N 10 DEG 40 MIN E ALG CTR LI 50 FT TO BEG

From B-3 General Business District to LC-E Lake Center Edge District.

6. Parcel Number: 00023-060-O

Property Address: 8119 PORTAGE RD

Legal Description: SEC 23-3-11 BEG AT PT 38 R S & 40 R E OF N1/4 POST TH W PAR N SEC LI 501.9 FT TO PT 170 FT E OF CTR LI PORTAGE RD TH S 10 DEG 40 MIN W 50 FT TH W 167.18 FT TO CTR LI PORTAGE RD TH S 10 DEG 40 MIN W ALG CTR LI 96.44 FT TO PT 564.5 FT NLY AS MEAS ALG SD CTR LI FROM ITS INT WITH S LI NW1/4 NE1/4 TH E PAR S LI TO PT S OF BEG TH N TO BEG

From B-3 General Business District and I-2 Heavy Industrial District to LC-E Lake Center Edge District.

7. Parcel Number: 00023-065-O

Property Address: 8127 PORTAGE RD

Legal Description: SEC 23-3-11 COM AT INT CTR LI PORTAGE RD WITH S LI NE1/4 NW1/4 SEC 23 SD INT BEING 141.02 FT W OF SE COR SD NE1/4 NW1/4 SD SEC TH N 10 DEG 40 MIN E ALG CTR LI SD RD 443.5 FT FOR BEG, CONT TH N 10 DEG E ALG CL PORTAGE RD 121 FT TH E 239.25 FT TH S 10 DEG 40 MIN W 121 FT TH W 239.25 FT TO BEG

From B-3 General Business District to LC-E Lake Center Edge District.

8. Parcel Number: 00023-075-O

Property Address: 8131 PORTAGE RD

Legal Description: SEC 23-3-11 COM AT INTERSEC CTR LI PORTAGE ROAD WITH S LI NE1/4 NW1/4 SEC 23 SD INTERSEC BEING 141.02 FT W OF SE COR SD NE1/4 NW1/4 SD SEC TH N 10 DEG 40 MIN E ALG CTR LI SD ROAD 383 FT FOR BEG CONT TH N 10 DEG 40 MIN E ALG CL PORTAGE RD 60.5 FT TH E 239.25 FT TH S 10 DEG 40 MIN W 60.5 FT TH W 239.25 FT TO BEG.

From B-3 General Business District to LC-E Lake Center Edge District.

9. Parcel Number: 00023-080-A

Property Address: 8139 PORTAGE RD

Legal Description: SEC 23-3-11 BEG AT A PT IN CL PORTAGE ROAD BEFORE ROAD WAS WIDENED 1069.21 FT S OF N 1/4 POST SEC 23, TH E 394 FT, TH N 290.01 FT, TH W 100.65 FT, TH S 10 DEG 40 MIN W 181.5 FT, TH W 239.25 FT, TH S ALG CL PORTAGE ROAD 114.71 FT TO PL OF BEG ALSO SEC 23-3-11 COM AT A PT IN CL PORTAGE ROAD BEFORE IT WAS WIDENED 1069.21 FT SLY FROM N 1/4 POST SEC 23, TH E 394 FT FOR PL OF BEG, TH E 359.01 FT, TH N 290.91 FT, TH W 358.01 FT, TH S 290.01 FT TO PL OF BEG.

From B-3 General Business District and I-2 Heavy Industrial District to LC-E Lake Center Edge District.

10. Parcel Number: 00023-100-A

Property Address: 8211 PORTAGE RD

Legal Description: SECTION 23-3-11 BEG AT INT OF E LI PORTAGE RD AND N 1/8 LI SEC 23, TH E 247 FT (280 FT FROM CENTER OF PORTAGE RD, WHICH INCLUDES 33 FT ROW), TH NLY PAR WITH E LI OF PORTAGE RD 268.29 FT, TH W TO E LI OF PORTAGE RD, TH

SLY ALG SD E LI TO P.O.B.

From B-3 General Business District to LC-E Lake Center Edge District.

11. Parcel Number: 00023-110-O

Property Address: 8229 PORTAGE RD

Legal Description: SEC 23-3-11 N 393.27 FT OF THAT PART OF SE1/4 NW1/4 SEC 23 WHICH LIES E OF PORTAGE RD ALSO N 393.27 FT OF W1/2 SW1/4 NE1/4 SD SEC

From B-3 General Business District and I-2 Heavy Industrial District to LC-E Lake Center Edge District.

12. Parcel Number: 00023-115-C

Property Address: 8387 PORTAGE RD

Legal Description: SECTION 23-3-11 COM 516.42 FT N OF C 1/4 POST SEC 23, TH N 7 DEG E 238.86 FT FOR P.O.B., TH S 89 DEG W 244.21 FT TO ELY LI OF PORTAGE RD, TH N 8 DEG E ALG SD E LI 47.21 FT, TH N 10 DEG E 106.60 FT, TH E 243.59 FT, TH S 10 DEG W 106.60 FT, TH S 8 DEG W 48.73 FT TO P.O.B.

From B-3 General Business District to LC-E Lake Center Edge District.

13. Parcel Number: 00023-115-D

Property Address: 8379 PORTAGE RD

Legal Description: SECTION 23-3-11 BEG 516.42 FT N OF C 1/4 POST SEC 23, TH S 89 DEG W 28.54 FT, TH N 84 DEG W 214.64 FT TO THE ELY LI OF PORTAGE RD, TH N 8 DEG E ALG SD E LI 215.20 FT, TH N 89 DEG E 244.21 FT, TH S 7 DEG W 238.86 FT TO P.O.B.

From B-3 General Business District to LC-E Lake Center Edge District.

14. Parcel Number: 00023-120-A

Property Address: 8405 PORTAGE RD

Legal Description: That part of the NW ¼ of Section 23, T3S, R11W, described as follows: Beginning at a point of the N&S ¼ line of Section 23 that is 2142.53 feet South 00 degrees 47 minutes 58 seconds West of the north ¼ corner of Section 23; Thence South 00 degrees 04 minutes 58 seconds West 103.14 feet along said N&S ¼ line to a point that is 408.01 feet North 00 degrees 47 minutes 58 seconds East of the center of Section 23; thence North 81 degrees 12 minutes 21 seconds West 259.78 feet to the east right-of-way line of Portage Road; thence North 09 degrees 17 minutes 30 seconds East 100.0 feet (recorded as North 08 degrees 04 minutes East) on said east right-of-way; thence South 81 degrees 12 minutes 21 seconds East 216.12 feet (recorded as South 83 degrees 06 minutes East 215.05 feet); thence South 89 degrees 30 minutes 13 seconds East 28.54 feet more-or-less to the point of beginning.

From B-3 General Business District to LC-E Lake Center Edge District.

15. Parcel Number: 00023-125-A

Property Address: 8415 PORTAGE RD

Legal Description: THAT PART OF THE NORTHWEST QUARTER OF SECTION 23, T3S, R11W, DESCRIBED AS: BEGINNING AT A POINT ON THE NORTH AND SOUTH QUARTER

LINE OF SECTION 23 THAT IS 2245.67 FEET SOUTH 00 degrees 47' 68" WEST OF THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 00 degrees 47' 58" WEST ON SAID NORTH AND SOUTH QUARTER LINE 202.13 FEET TO A POINT THAT IS 205.88 FEET NORTH 00' 47' 58" EAST OF THE CENTER OF SAID SECTION 23; THENCE NORTH 88°11' 21" WEST PARALLEL WITH THE EAST AND WEST QUARTER LINE OF SAID SECTION 23 A DISTANCE OF 181.16 FEET; THENCE NORTH 08° 31' 53" EAST 55.00 FEET; THENCE NORTH 80° 21' 36" WEST 109.28 FEET TO THE EAST RIGHT OF WAY LINE OF PORTAGE ROAD; THENCE NORTH 09' 17' 28" EAST ON SAID EAST RIGHT OF WAY LINE 165.67 FEET; THENCE SOUTH 81° 12' 02" EAST 259.78 FEET TO THE POINT OF BEGINNING.

From B-3 General Business District and I-1 Light Industrial District to LC-E Lake Center Edge District.

16. Parcel Number: 00023-126-O

Property Address: 2485 ZYLMAN AVE

Legal Description: SEC 23-3-11 BEG AT C 1/4 POST SEC 23 TH N 89 DEG 25 MIN 50 SEC W ALG E & W 1/4 LI SD SEC 209.05 FT TH N 7 DEG 18 MIN E 207.27 FT, TH E TO N & S 1/4 LI, TH S ALG SAID N & S 1/4 LI TO P.O.B.

From I-1 Light Industrial District to LC-E Lake Center Edge District.

17. Parcel Number: 00023-130-O

Property Address: 8435 PORTAGE RD

Legal Description: SEC 23-3-11 COM AT C1/4 POST SEC 23 TH N 89 DEG 25 MIN 50 SEC W ALG E&W1/4 LI SD SEC 322.76 FT TO ELY LI PORTAGE RD TH N 8 DEG 04 MIN E ALG ELY LI PORTAGE RD 223.60 FT FOR PL BEG TH CONT N 8 DEG 04 MIN E ALG ELY LINE PORTAGE RD 55 FT TH S 83 DEG 05 MIN E 109.26 FT TH S 7 DEG 18 MIN W 55 FT TH N 83 DEG 04 MIN W 110 FT TO PL OF BEG

From B-3 General Business District to LC-E Lake Center Edge District.

18. Parcel Number: 00023-135-O

Property Address: 8441 PORTAGE RD

Legal Description: SEC 23-3-11 BEG IN E&W1/4 LI SEC 23 AT A PT N 89 DEG 24 MIN W 209.05 FT FROM C1/4 POST SD SEC TH N 89 DEG 24 MIN W ALG SD E&W1/4 LI 147 FT TO CL PORTAGE RD TH NELY 227.26 FT TH S 83 DEG 4 MIN E 143 FT TH S 7 DEG 18 MIN W 207.27 FT TO POB RES WLY 33 FT AS MEAS AT RT ANGLES TO CL PORTAGE RD & ALSO RES BEG AT SELY COR OF ABOVE DESC PARCEL OF LAND TH W ALG E&W1/4 LI SD SEC 113.71 FT TO ELY LI PORTAGE RD TH N ALG ELY LI SD RD 27.56 FT TO N LI ZYLMAN AVE TH E ALG N LI SD AVE 113.57 FT TO ELY LI OF ABOVE DESC PROP TH S 7 DEG 18 MIN W THEREON 29.55 FT TO POB FOR HWY PURPOSES

From B-3 General Business District to LC-E Lake Center Edge District.

19. Parcel Number: 00023-140-O

Property Address: 8050 PORTAGE RD

Legal Description: SEC 23-3-11 THE E 330 FT OF THE N1/2 OF THE N 1/2 - NE 1/4 NW 1/4 - SEC 23. EXC N 50 FT FOR HWY

From B-3 General Business District to LC-E Lake Center Edge District.

20. Parcel Number: 00023-195-O

Property Address: 8136 PORTAGE RD

Legal Description: SEC 23-3-11 COM AT PT IN CTR LI PORTAGE ROAD 643.5 FT S OF N1/4 POST SEC 23 & 7.5 FT W OF N&S1/4 LI SD SEC TH S 10 DEG 40 MIN W ALG CTR LI SD ROAD 201.48 FT FOR BEG TH S 10 DEG 40 MIN W ALG CL PORTAGE RD 201.48 FT TH W 214.5 FT TH N 10 DEG 40 MIN E 201.48 FT TH E 214.5 FT TO BEG .97 A

From B-3 General Business District to LC-E Lake Center Edge District.

21. Parcel Number: 00023-200-O

Property Address: 8118 PORTAGE RD

Legal Description: SEC 23-3-11 BEG AT PT IN CTR LI PORTAGE ROAD 643.5 FT S OF N1/4 POST SEC 23 & 7.5 FT W OF N&S1/4 LI SD SEC TH S 10 DEG 40 MIN W ALG CTR LI PORTAGE ROAD 201.48 FT TH W 220 FT TH N 10 DEG 40 MIN E 201.48 FT TH E 220 FT TO BEG 1 A

From B-3 General Business District to LC-E Lake Center Edge District.

22. Parcel Number: 00023-205-E

Property Address: 8086 PORTAGE RD

Legal Description: SECTION 23-3-11 COM AT N 1/4 POST TH S 00 DEG 20'30" EAST ON THE N & S 1/4 LINE OF SD SEC 23 A DISTANCE 331.69 FT TO THE NE CORNER OF THE S 3/4 OF THE NE 1/4 OF THE NW 1/4 OF SD SEC 23, TH N 89 DEG 51'31" W ON THE N LINE OF SD S 3/4 56.18 FT TO THE W ROW LINE OF PORTAGE RD AND THE POB OF THE LAND HEREIN DESCRIBED, THE S 00 DEG 43'30" W ON SD W ROW LINE 49.10 FT, TH CONTINUING SWSTRLY 214.98 FT ON SD W ROW LINE AND ON A 3072.61 FT RADIUS CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 4 DEG 00'32" AND WHOSE CHORD BEARS S 02 DEGREES 43'46" W 214.93 FT TH N 89 DEG 51'31" W ON THE N ROW LINE OF PLEASANT DR AND PARALLEL WITH SD N LINE OF SD S 3/4 125.48 FT, TH N 00 DEG 43'30" E PARALLEL WITH SD W ROW LINE 123.25 FT, TH N 89 DEG 51'31" W PARALLEL WITH SD N LINE OF SD S 3/4 123.02 FT, TH N 00 DEG 45'37" E PARALLEL WITH THE E LINE OF LOT 52 PROSPERITY PLAT, A DISTANCE OF 140.58 FT TO SD N LINE OF SD S 3/4, TH S 89 DEG 51'31" E ON SD N LINE 255.93 FT TO THE POB. CONTAINING 1.19 ACRES

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

23. Parcel Number: 00023-336-O

Property Address: 8725 PORTAGE RD

Legal Description: SEC 23 T3S, R11W; BEG AT A POINT ON C/L OF PORTAGE RD 1053.5' N OF S LINE OF SEC TH N'LY ALG SD C/L 350' TH S 81 DEG 01' E TO N-S SEC LINE TH S'LY TO A POINT S 81 DEG 01' E OF POB TH N 81 DEG 01' W TO POB.

From B-3 General Business District to LC-E Lake Center Edge District.

24. Parcel Number: 00023-337-A

Property Address: 8585 PORTAGE RD

Legal Description: SECTION 23-3-11 COM AT INT OF CL OF PORTAGE RD & S LI OF SEC 23, TH N ALG SD CL 2113.50 FT TO P.O.B., TH S 81 DEG E 446.30 FT TO THE N & S 1/4 LI SEC 23, TH N ALG SD LI 288 FT, TH W TO CL OF PORTAGE RD, TH S ALG SD CL TO P.O.B.

From B-3 General Business District to LC-E Lake Center Edge District.

25. Parcel Number: 00023-337-B

Property Address: 8639 PORTAGE RD

Legal Description: SECTION 23-3-11 BEG 617 FT S OF C 1/4 POST SEC 23, TH N 81 DEG W 446.30 FT TO CL OF PORTAGE RD, TH S ALG SD CL 220 FT, TH S 81 DEG E 480.28 FT TO N & S 1/4 LI SEC 23, TH N ALG SD CL 222.61 FT TO P.O.B.

From B-3 General Business District to LC-E Lake Center Edge District.

26. Parcel Number: 00023-337-C

Property Address: 8675 PORTAGE RD

Legal Description: SECTION 23-3-11 BEG 839.61 FT S OF C 1/4 POST SEC 23, TH N 81 DEG 01'00" W 480.28 FT TO CL OF PORTAGE RD, TH S 08DEG 15'00" W ALG SD CL 220 FT, TH S 81 DEG 01'00" E 514.25 FT TO N & S 1/4 LI SEC 23, TH N 0DEG 12'15" E ALG SD CL 222.61 FT TO P.O.B.

From B-3 General Business District to LC-E Lake Center Edge District.

27. Parcel Number: 00023-337-D

Property Address: 8705 PORTAGE RD

Legal Description: SECTION 23-3-11 BEG 1062.22 FT S OF C 1/4 POST SEC 23, TH N 81 DEG W 514.25 FT TO CL OF PORTAGE RD, TH S ALG SD CL 220 FT, TH S 81 DEG E 150 FT, TH S 8 DEG W 50 FT, TH S 81 DEG E TO THE N & S 1/4 LI, TH N ALG SD LI TO P.O.B.

From B-3 General Business District to LC-E Lake Center Edge District.

28. Parcel Number: 00023-340-O

Property Address: 8715 PORTAGE RD

Legal Description: SEC 23-3-11 COM AT INTERSEC OF S LI SEC 23 WITH CTR LI PORTAGE RD TH N 8 DEG 59 MIN E ALG SD CTR LI 1403.5 FT FOR PL OF BEG TH N 8 DEG 59 MIN E ALG SD CTR LI 50 FT TH S 81 DEG 1 MIN E 150 FT TH S 8 DEG 59 MIN W 50 FT TH N 81 DEG 1 MIN W 150 FT TO BEG .17 A

From B-3 General Business District to LC-E Lake Center Edge District.

29. Parcel Number: 00023-345-O

Property Address: 8817 PORTAGE RD

Legal Description: Section 23, Town 3 South Range 11 West; Commencing at the intersection of the centerline of Portage Road with the south line of Section 23; thence North 08 degrees 59 minutes East 753.5 feet along the centerline of Portage Road to the point of beginning; thence North 08 degrees 59 minutes East 100 feet along the centerline of Portage Road; thence South 81 degrees 01 minutes East 640.88 feet to the North & South 1/4 line of Section 23; thence South

101.20 feet along said North & South 1/4 line; thence North 81 degrees 01 minutes West 656.44 feet to the point of beginning, reserving the Westerly 33 feet for road purposes.

From B-3 General Business District to LC-E Lake Center Edge District.

30. Parcel Number: 00023-346-O

Property Address: 8509 PORTAGE RD

Legal Description: SEC 23-3-11 BEG AT C 1/4 POST SEC 23, TH S 33 FT, TH W ALG S LI OF ZYLMAN RD TO E LI OF PORTAGE RD, TH SWLY ALG E LI 300 FT, TH E PAR N LI TO N&S1/4 LI, TH N TO P.O.B.

From B-3 General Business District to LC-E Lake Center Edge District.

31. Parcel Number: 00023-347-O

Property Address: 8811 PORTAGE RD

Legal Description: Section 23, Town 3 South Range 11 West; Commencing at the intersection of the centerline of Portage Road with the south line of Section 23; thence North 08 degrees 59 minutes East 853.5 feet along the centerline of Portage Road to the point of beginning; thence North 08 degrees 59 minutes East 100 feet along the centerline of Portage Road; thence South 81 degrees 01 minutes East 625.32 feet to the North & South 1/4 line of Section 23; thence South 101.20 feet along said North & South 1/4 line; thence North 81 degrees 01 minutes West 640.88 feet to the point of beginning, reserving the Westerly 33 feet for road purposes.

From B-3 General Business District to LC-E Lake Center Edge District.

32. Parcel Number: 00023-348-O

Property Address: 8801 PORTAGE RD

Legal Description: SEC 23 T3S, R11W; COM INT C/L PORTAGE ROAD WITH S LI SEC 23, TH N 08 DEG 59' E 953.5' ALG SD C/L TO POB TH CON'T N'LY ALG SD C/L 100' TH S 81 DEG 01' E 609.76' TO N-S 1/4 LINE SEC 23, TH S ALG SD N-S 1/4 LINE 101.21' TH N 81 DEG 01' W 625.32' TO POB.

From B-3 General Business District to LC-E Lake Center Edge District.

33. Parcel Number: 00023-501-O

Property Address: 8015 PORTAGE RD

Legal Description: UNIT 1 CENTREPORT COMMONS

From B-3 General Business District to LC-E Lake Center Edge District.

34. Parcel Number: 00023-503-A

Property Address: 2700 E CENTRE AVE

Legal Description: UNIT 2 & 3 CENTREPORT COMMONS

From B-3 General Business District to LC-E Lake Center Edge District.

35. Parcel Number: 00023-504-O

Property Address: 8043 PORTAGE RD
Legal Description: UNIT 4 CENTREPORT COMMONS

From B-3 General Business District to LC-E Lake Center Edge District.

36. Parcel Number: 00023-505-O

Property Address: 8061 PORTAGE RD
Legal Description: UNIT 5 CENTREPORT COMMONS

From B-3 General Business District to LC-E Lake Center Edge District.

37. Parcel Number: 00340-089-A

Property Address: 8822 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOTS 89 & 90

From B-3 General Business District to LC-E Lake Center Edge District.

38. Parcel Number: 00340-091-O

Property Address: 8818 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOTS 91 & 92 EXC SLY 15FT LOT 91 USED AS ROW IN COMMON WITH OTHERS.

From B-3 General Business District to LC-E Lake Center Edge District.

39. Parcel Number: 00340-093-A

Property Address: 8810 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOT 93

From B-3 General Business District to LC-E Lake Center Edge District.

40. Parcel Number: 00340-094-A

Property Address: 8748 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOT 94 & 95

From B-3 General Business District to LC-E Lake Center Edge District.

41. Parcel Number: 00340-096-A

Property Address: 8736 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOTS 96 & 97

From B-3 General Business District to LC-E Lake Center Edge District.

42. Parcel Number: 00340-098-O

Property Address: 8726 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOT 98 & UNPLATTED LAND IN SW1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 98 TH N 81 DEG 22 MIN W 200 FT TH N 8

DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR SD LOT 98 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT 98 TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

43. Parcel Number: 00340-099-A

Property Address: 8724 PORTAGE RD

Legal Description: AMES WEST LAKE PARK E 200 FT LOTS 99 & 100

From B-3 General Business District to LC-E Lake Center Edge District.

44. Parcel Number: 00340-099-B

Property Address: 8722 PORTAGE RD

Legal Description: AMES WEST LAKE PARK W 64 FT OF LOTS 99 & 100 & UNPLATTED LAND IN SW1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 99 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 120 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR SD LOT 100 TH S 8 DEG 32 MIN W 120 FT ALG WLY LI SD LOTS 99 & 100 TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

45. Parcel Number: 00340-101-O

Property Address: 8712 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 101 & UNPLATTED LAND IN SW1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 101 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR SD LOT 101 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT 101 TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

46. Parcel Number: 00340-102-O

Property Address: 8710 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOTS 102 & 103 AND BEG AT SW COR LOT 102 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 120 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR LOT 103 TH S 8 DEG 32 MIN W 120 FT ALG WLY LI SD LOTS 102 & 103 TO PL OF BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

47. Parcel Number: 00340-104-O

Property Address: 8648 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 104 & UNPLATTED LAND IN SW1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 104 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR SD LOT 104 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT 103 TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

48. Parcel Number: 00340-105-O

Property Address: 8642 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 105 & UNPLATTED LAND IN SW 1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 105 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 32 MIN E 200 FT TO NW COR SD LOT 105 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT 105 TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

49. Parcel Number: 00340-106-O

Property Address: 8636 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 106 & UNPLATTED LAND IN SW1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 106 TH N 81 DEG 22 MIN W 200 FT TH N 81 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR SD LOT 106 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT 106 TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

50. Parcel Number: 00340-107-O

Property Address: 8632 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 107 & UNPLATTED LAND IN SW1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 107 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR SD LOT 107 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT 107 TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

51. Parcel Number: 00340-108-O

Property Address: 8626 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 108 & UNPLATTED LAND IN SW1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 108 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR SD LOT 108 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT 108 TO BEG.

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

52. Parcel Number: 00340-109-O

Property Address: 8620 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOTS 109 & 110 AND BEG AT SW COR LOT 109 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 120 FT TH S 81 DEG 22 MIN E 200

FT TO NW COR LOT 110 TH S 8 DEG 32 MIN W 120 FT ALG WLY LI SD LOTS TO PL OF BEG.

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

53. Parcel Number: 00340-111-O

Property Address: 8606 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 111

From B-3 General Business District to LC-E Lake Center Edge District.

54. Parcel Number: 00340-112-A

Property Address: 8542 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 112

From B-3 General Business District to LC-E Lake Center Edge District.

55. Parcel Number: 00340-113-A

Property Address: 8534 PORTAGE RD

Legal Description: AMES WEST LAKE PARK, LOT 113 & S 1/2 OF LOT 114

From B-3 General Business District to LC-E Lake Center Edge District.

56. Parcel Number: 00340-115-O

Property Address: 8524 PORTAGE RD

Legal Description: AMES WEST LAKE PARK, LOT 115 & N 1/2 OF LOT 114

From B-3 General Business District to LC-E Lake Center Edge District.

57. Parcel Number: 00340-116-O

Property Address: 8516 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 116

From B-3 General Business District to LC-E Lake Center Edge District.

58. Parcel Number: 00340-117-O

Property Address: 8502 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOTS 117, 118 & LOT 119 & UNPLATTED LAND IN SW1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 117 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 120 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR LOT 118 TH S 8 DEG 32 MIN W 120 FT TO PL OF BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

59. Parcel Number: 00340-120-O

Property Address: 8444 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOT 120 & 121

From B-3 General Business District to LC-E Lake Center Edge District.

60. Parcel Number: 00340-122-O

Property Address: 8434 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOT 122

From B-3 General Business District to LC-E Lake Center Edge District.

61. Parcel Number: 00340-123-O

Property Address: 8430 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOTS 123 & 124 AND BEG AT NW COR LOT 124 TH W 200 FT TH S PAR W LI SD LOT 360 FT TH E 200 FT TH N 8 DEG 32 MIN E 360 FT TO PL OF BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

62. Parcel Number: 00340-125-O

Property Address: 8418 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOT 125 & UNPLATTED LAND IN NW1/4 SEC 23-3-11 DESC AS FOL BEG AT SW COR SD LOT 125 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR SD LOT 125 TH S 8 DEG 32 MIN W 60 FT ALG W LI SD LOT 125 TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

63. Parcel Number: 00340-126-O

Property Address: 8414 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOT 126 & UNPLATTED LAND IN NW1/4 SEC 23-3-11 DES AS FOL BEG AT SW COR LOT 126 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR LOT 126 TH S 8 DEG 32 MIN W 60 FT ALG THE WLY LI SD LOT TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

64. Parcel Number: 00340-127-O

Property Address: 8404 PORTAGE RD
Legal Description: AMES WEST LAKE PARK LOT 127 & LOT 128 & UNPLATTED LAND IN NW1/4 SEC 23-3-11 DESC AS FOL BEG SW COR LOT 127 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 120 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR LOT 128 TH S 8 DEG 32 MIN W 120 FT ALG WLY LI SD LOT TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake

Center Edge District.

65. Parcel Number: 00340-129-O

Property Address: 8344 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 129 & UNPLATTED LAND IN NW1/4 SEC 23-3-11 DES AS FOL BEG AT SW COR LOT 129 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR LOT 129 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT TO BEG.

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

66. Parcel Number: 00340-130-O

Property Address: 8340 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOTS 130 & 131 AND BEG AT SW COR LOT 130 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 120 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR LOT 131 TH S 8 DEG 32 MIN W 120 FT ALG WLY LI SD LOTS TO PL OF BEG.

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

67. Parcel Number: 00340-132-O

Property Address: 8328 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 132 & UNPLATTED LAND IN NW1/4 SEC 23-3-11 DES AS FOL COM AT SW COR LOT 132 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR LOT 132 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

68. Parcel Number: 00340-133-O

Property Address: 8324 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 133 & UNPLATTED LAND IN NW1/4 SEC 23-3-11 DES AS FOL COM AT SW COR LOT 133 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR LOT 133 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

69. Parcel Number: 00340-134-O

Property Address: 8318 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 134 & UNPLATTED LAND IN NW1/4 SEC 23-3-11 DES AS FOL COM AT SW COR LOT 134 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 60 FT TH S 81 DEG 22 MIN E 200 FT TO NW COR LOT 134 TH S 8 DEG 32 MIN W 60 FT ALG WLY LI SD LOT TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

70. Parcel Number: 00340-135-O

Property Address: 8314 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 135

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

71. Parcel Number: 00340-136-O

Property Address: 8312 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 136

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

72. Parcel Number: 00340-137-O

Property Address: 8302 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOTS 137-138-139 & UNPLATTED LAND IN NW1/4 SEC 23-3-11 DESC AS FOL COM AT NW COR LOT 139 TH N 81 DEG 22 MIN W 200 FT TH S 8 DEG 32 MIN W 300 FT TH S 81 DEG 22 MIN E 200 FT TH N 8 DEG 32 MIN E 300 FT TO PL OF BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

73. Parcel Number: 00340-140-O

Property Address: 8232 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 140 & UNPLATTED LAND IN NW1/4 SEC 23-3-11 DES AS COM AT SW COR LOT 140 TH N 81 DEG 22 MIN W 200 FT TH N 8 DEG 32 MIN E 49.83 FT TH S 89 DEG 44 MIN E 202.1 FT TO NW COR LOT 140 TH S 8 DEG 32 MIN W 79.1 FT ALG WLY LI SD LOT TO BEG

From B-3 General Business District and R-1B One-Family Residential District to LC-E Lake Center Edge District.

74. Parcel Number: 06780-001-O

Property Address: 8222 PORTAGE RD

Legal Description: PROSPERITY PLAT LOT 1

From B-3 General Business District to LC-E Lake Center Edge District.

75. Parcel Number: 06780-025-O

Property Address: 2327 PROSPERITY DR

Legal Description: PROSPERITY PLAT LOT 25

From B-3 General Business District to LC-E Lake Center Edge District.

76. Parcel Number: 06780-026-O

Property Address: 8204 PORTAGE RD

Legal Description: PROSPERITY PLAT LOT 26

From B-3 General Business District to LC-E Lake Center Edge District.

77. Parcel Number: 06780-027-O

Property Address: 2404 PLEASANT DR

Legal Description: PROSPERITY PLAT LOT 27

From P-1 Vehicle Parking District to LC-E Lake Center Edge District.

78. Parcel Number: CENTREPORT COMMON AREA

Property Address:

Legal Description:

A parcel of land situated in the NE 1/4 and the NW 1/4 of Section 23, T3S, R11W; Commencing at the N 1/4 corner of Section 23, T3S, R11W; thence South 89 degrees 53' 29" East 648.32 feet along the north line of the NE 1/4 of said Section to the west line of the East 1/2 of the NW 1/4 of said NE 1/4; thence South 89 degrees 53' 29" East 170 feet along said north line; thence South 00 degrees 28' 10" East 50 feet parallel with said west line to the south right-of-way of Centre Avenue and the point of beginning; thence South 00 degrees 28' 10" East 318 feet parallel with said west line; thence North 89 degrees 53' 29" West 96.45 feet parallel with said north line to the east line of the west 660 feet (perpendicular measure) of said NE 1/4; thence South 00 degrees 17' 25" East 259.01 feet along said east line to a point South 00 degrees 17' 25" East 627 feet parallel with said east line from the north line; thence North 89 degrees 53' 29" West 681.33 feet parallel with said north line to the center line of Portage Road; thence Northerly 165.34 feet along the arc of a non-tangent curve to the left having a radius of 3125.36 feet and a chord bearing North 03 degrees 45' 51" East 165.00 feet to a point South 00 degrees 17' 25" East 462 feet parallel with said east line from said north line; thence South 89 degrees 53' 29" East 369.64 feet parallel with said north line to a point North 89 degrees 53' 29" West 300 feet from said east line; thence North 00 degrees 17' 25" W 132.00 feet parallel with said east line; thence North 89 degrees 53' 29" West 310.00 feet parallel with said north line to the east line of the west 50 feet of said NE 1/4; thence North 00 degrees 17' 25" W 280.00 feet along said east line of the west 50 feet to said south right-of-way line of Centre Avenue; thence S 89 degrees 53' 29" East 705.47 feet along said south right-of-way line to the point of beginning. Contains approximately 8.09 Acres of land. Parcel subject to highway easement for Portage Road. Excluding from the above description Unit 1, Unit 2, Unit 3, Unit 4 & Unit 5 of Centreport Commons.

From B-3 General Business District to LC-E Lake Center Edge District.

79. Parcel Number: 00023-350-O

Property Address: 8827 PORTAGE RD

Legal Description: SEC 23-3-11 ALL THAT PART SWFR1/4 DES AS FOL COM IN CTR LI PORTAGE RD 603.5 FT N 8 DEG 59 MIN E AS MEAS ALG CTR LI SD RD FROM S LI SD SEC TH N 8 DEG 59 MIN E ALG CTR LI SD RD 150 FT TH S 81 DEG 1 MIN E AT RGT ANGLES TO CTR LI SD RD 265.87 FT TH S 1 DEG 43 MIN W 151.22 FT TH N 81 DEG 1 MIN W 285 FT TO PL OF BEG RES WLY 33 FT AS MEAS AT RGT ANGLES TO CTR LI OF RD FOR PUBLIC HWY

PURPOSES

From B-3 General Business District to LC-C Lake Center Core District.

80. Parcel Number: 00023-355-A

Property Address: 8847 PORTAGE RD

Legal Description: From the West quarter corner of Section 23, Town 3 South, Range 11 West; thence South 88 degrees 11 minutes 27 seconds East along the east and West quarter line 2,635.44 feet to the center of said Section; thence South 00 degrees 56 minutes 50 seconds West 1,992.85 feet along the North and South quarter line; thence North 80 degrees 17 minutes 58 seconds West 656.07 feet (recorded as North 81 degrees 01 minute West 656.44 feet) to the centerline of Portage Road at a point recorded as being North 08 degrees 59 minutes East 753.5 feet from the intersection of the centerline of Portage Road and the South line of said Section and also the Point of Beginning; thence North 09 degrees 42 minutes 58 seconds East 123.00 feet (recorded as North 08 degrees 59 minutes East) along said centerline; thence South 80 degrees 20 minutes 57 seconds East 285.18 feet (recorded as South 81 degrees 01 minutes East 285.00 feet); thence South 09 degrees 44 minutes 56 seconds West 123.03 feet (recorded as 123 feet); thence North 80 degrees 20 minutes 39 seconds West 35.50 feet; thence North 09 degrees 39 minutes 21 seconds East 26.59 feet; thence North 80 degrees 09 minutes 03 seconds West 51.12 feet; thence South 09 degrees 40 minutes 54 seconds West 9.76 feet; thence North 80 degrees 20 minutes 39 seconds West 54.88 feet; thence South 09 degrees 39 minutes 21 feet West 17.00 feet; thence North 80 degrees 20 minutes 39 seconds West (recorded as North 81 degrees West) 143.61 feet to the Point of Beginning.

From B-3 General Business District to LC-C Lake Center Core District.

81. Parcel Number: 00023-356-B

Property Address: 8901 PORTAGE RD

Legal Description: From the West quarter corner of Section 23, Town 3 South, Range 11 West, S 88 degrees 11 minutes 27 seconds East along the East and West Quarter line 2635.44 feet to the center of said section; thence South 00 degrees 56 minutes 50 seconds West along the North and South quarter line 1992.85 feet; thence North 80 degrees 17 minutes 58 seconds West 656.07 feet (recorded as North 81 degrees 01 minutes West 656.44 feet) to the centerline of Portage Road at a point recorded as being North 08 degrees 59 seconds East 753.5 feet from the intersection of the centerline of Portage Road and the South line of said Section; thence South 09 degrees 42 minutes 58 seconds West (recorded as South 08 degrees 59 minutes West) along said centerline 456.00 feet to the North right-of-way line of McClish Court at a point recorded as being North 08 degrees East 297.5 feet from the intersection of the centerline of Portage Road and the South line of said Section, said point also being the Point of Beginning; thence North 09 degrees 42 minutes 58 seconds East (recorded as North 08 degrees East) along said centerline 183.00 feet; thence South 80 degrees 20 minutes 39 seconds East (recorded as South 81 degrees East) 143.61 feet; thence North 09 degrees 39 minutes 21 seconds East 17.00 feet; thence South 80 degrees 20 minutes 39 seconds East 54.88 feet to the intersection with the northerly extension of an existing party wall between two buildings; thence South 09 degrees 40 minutes 54 seconds West 24.92 feet along said party wall and its Northerly extension; thence North 80 degrees 10 minutes 42 seconds West 20.55 feet along said party wall; thence South 09 degrees 37 minutes 29 seconds West 60.71 feet along said party wall; thence North 80 degrees 44 minutes 57 West 32.74 feet along said party wall; thence South 09 degrees 50 minutes 22 seconds West 114.21 feet along the Westerly edge of an existing building and its Southerly extension to the North right-of-way line of McClish Court; thence North 80 degrees 20 minutes 25

seconds West 145.04 feet along said right-of-way line to the Point of Beginning.

From B-3 General Business District to LC-C Lake Center Core District.

82. Parcel Number: 00023-356-C

Property Address: 8915 PORTAGE RD

Legal Description: From the West Quarter Corner of Section 23, Town 3 South, Range 11 West, South 88 degrees 11 minutes 27 seconds East along the East and West quarter line 2635.44 feet to the center of said section; thence South 00 degrees 56 minutes 50 seconds West along the North and South quarter line 1992.85 feet; thence North 80 degrees 17 minutes 58 seconds West 656.07 feet (recorded as North 81 degrees 01 seconds West 656.44 feet) to the centerline of Portage record at a point recorded as North 08 degrees 59 minutes East 753.5 feet from the intersection of the centerline of Portage Road and the South line of said Section; thence South 09 degrees 42 minutes 58 seconds West (recorded as South 08 degrees 59 minutes West) along said centerline 456.00 feet to the North right-of-way line of McClish Court at a point recorded as being North 08 degrees East 297.5 feet from the intersection of the centerline of Portage Road and the Southline of said Section; thence South 80 degrees 20 minutes 25 seconds East along the North right-of-way line of McClish Court 145.04 feet to the intersection with the Southerly extension of the Westerly wall of an existing building and said point being the Point of Beginning; thence North 09 degrees 50 minutes 22 seconds East 114.21 feet; thence South 80 degrees 44 minutes 57 seconds East along said party wall between two buildings 32.74 feet; thence North 09 degrees 37 minutes 29 seconds East along a party wall 60.71 feet; thence South 80 degrees 10 minutes 42 seconds East along said party wall 20.55 feet; thence North 09 degrees 40 seconds 54 minutes East along said party wall and it's Northly extension 34.68 feet; thence South 80 degrees 09 minutes 03 seconds East 51.12 feet; thence South 09 degrees 39 minutes 21 seconds West 26.59 feet; thence South 80 degrees 20 minutes 39 seconds East (recorded as South 81 degrees East) 35.50 feet; thence South 09 degrees 44 minutes 56 seconds West 183.02 feet (recorded as South 08 degrees West 183.00 feet) to the North right-of-way line of McClish Court; thence North 80 degrees 20 minutes 25 seconds West along said right-of-way line 139.96 feet to the Point of Beginning.

From B-3 General Business District to LC-C Lake Center Core District.

83. Parcel Number: 00023-360-O

Property Address: 8969 PORTAGE RD

Legal Description: SEC 23-3-11 COM S LI SEC 23 & CTR LI PORTAGE RD TH N 8 DEG 59 MIN E ALG CTR LI SD ROW 117.5 FT FOR PL OF BEG TH CONT NE ALG CTR LI SD ROW 120 FT TH S 81 DEG 01 MIN E 183 FT TH S 8 DEG 59 MIN W PAR CTR LI SD ROW 120 FT TH N 81 DEG 01 MIN W 183 FT TO PL OF BEG RES WLY 33 FT FOR HWY PURPOSES

From B-3 General Business District to LC-C Lake Center Core District.

84. Parcel Number: 00023-364-O

Property Address: 8991 PORTAGE RD

Legal Description: SEC 23-3-11 COMM AT A PT ON THE CENTERLINE OF PORTAGE RD 117.5' NLY OF ITS INTERSECTINO WITH S LI OF SEC 23; TH ELY PERPENDICULAR TO SD CENTERLINE 33' FOR POB; TH S 81DEG 01' E 149.90'; TH N 08DEG 59' E 120', TH S 81DEG 01' E ALONG SLY LI OF MCCLISH CT 187.70'; TH S 38DEG 31' 00" W ALONG NWLY LI OF AUSTIN DR 140.37'; TH WLY & SLY ALONG A 50' WIDE CURVE TO THE LEFT ALONG A CUL-

DESAC ON AUSTIN DR AN ARC DISTANCE OF 124.51', SD CURVE BEING SUBTENDED BY A CORD WHICH BEARS S 38DEG 16' 21" W 94.90'; TH S 16DEG 34' 41" E 103.17'; TH S 70DEG 46' 28" E 5.90'; TH N 73DEG 13' 18" W 66.62'; TH NE 08DEG 59' 00" E ALONG ELY LI OF PORTAGE RD 180.22 TO POB. EXCLUDING: SEC 26-3-11 BEG AT A PT 278.47 FT NLY OF NW COR LOT 88 ASSRS PLAT OF DIXIE MAC PARK, TH S 81 DEG 01 MIN E 203.43 FT, TH S 18 DEG 15 MIN W 60.93 FT, TH S 79 DEG 36 MIN E 66.68 FT, TH N 18 DEG 59 MIN E 60 FT, TH N 70 DEG 46 MIN 28 SEC W 5.90 FT, TH N 16 DEG 21 MIN 19 SEC W 103.27 FT TH N 38 DEG 33 MIN 17 SEC E 3.81 FT, TH W 220 FT, TH SLY TO P.O.B.

From B-3 General Business District to LC-C Lake Center Core District.

85. Parcel Number: 00026-001-B

Property Address: 9029 PORTAGE RD

Legal Description: A PARCEL OF LAND SITUATED IN THE NW FRACTIONAL 1/4 OF SEC 26-T3W-R11W; BEG AT THE NE COR OF LOT 88 ASSESSOR'S PLAT OF DIXIE-MAC PARK SUBDIVISION ACCORDING TO THE PLAT THEREOF; TH N08DEG48'00"E 97.70 FT ALONG THE E ROW LI OF PORTAGE RD; TH S81DEG12'00"E 8 FT PERPENDICULAR WITH SAID EAST ROW LI; TH N08DEG48'00"E 79.97 FT PARALLEL WITH SAID E ROW LI; TH S80DEG59'42"E 182 FT; TH S08DEG05'34"E 63 FT; TH S02DEG26'40"W 70.19 FT; TH S24DEG28'09"E 20.60 FT; TH S19DEG54'00"W 30 FT (MEASURED AT S20DEG05'01"W 30.14 FT) TO THE N LI OF SAID LOT 88; TH N81DEG19'00"W 33.52 FT (MEASURED AT N81DEG06'55"W 33.80 FT) ALONG SAID N LI OF LOT 88 TO A POINT ON SAID S LI OF LOT 88, 187.76 FT (MEASURED AT 187.68 FT) EASTERLY FROM SAID NW COR OF LOT 88; TH S14DEG18'00"W 37.18 FT)MEASURED AT S14DEG12'11"W) ALONG A LINE WHICH EXTENDS SOUTHWESTERLY TO A POINT ON THE S LI OF SAID LOT 88, 20 FT WESTERLY FROM THE EASTERLY LI OF AUSTIN STREET; TH N81DEG19'00"W 184.20 FT (MEASURED AT N81DEG16'09"W 184.18 FT) PARALLEL WITH SAID N LI OF LOT 88 TO THE W LI OF SAID LOT 88 AND SAID EAST ROW LI OF PORTAGE RD; TH N08DEG48'00"E 37 FT ALONG SAID W LI OF LOT 88 & THE E ROW LI OF PORTAGE RD TO THE POB, CONTAINING 1.00 ACRES OF LAND.

From B-3 General Business District and R-1A One-Family Residential District to LC-C Lake Center Core District.

86. Parcel Number: 00026-003-O

Property Address: 9001 PORTAGE RD

Legal Description: SEC 26-3-11 BEG AT A PT 278.47 FT NLY OF NW COR LOT 88 ASSRS PLAT OF DIXIE MAC PARK, TH S 81 DEG 01 MIN E 203.43 FT, TH S 18 DEG 15 MIN W 60.93 FT, TH S 79 DEG 36 MIN E 66.68 FT, TH N 18 DEG 59 MIN E 60 FT, TH N 70 DEG 46 MIN 28 SEC W 5.90 FT, TH N 16 DEG 21 MIN 19 SEC W 103.27 FT TH N 38 DEG 33 MIN 17 SEC E 3.81 FT, TH W 220 FT, TH SLY TO P.O.B.

From B-3 General Business District and R-1A One-Family Residential District to LC-C Lake Center Core District.

87. Parcel Number: 00026-005-O

Property Address: 9009 PORTAGE RD

Legal Description: SEC 26-3-11 COM AT PT IN ELY LI PORTAGE RD N 8 DEG 59 MIN E 218.47 FT FROM NW COR LOT 88 OF ASSESSORS PLAT OF DIXIE MAC PARK TH N 8 DEG

59 MIN E ALG ELY LI SD RD 60 FT TH S 81 DEG 01 MIN E 203.43 FT TH S 18 DEG 59 MIN W 60.93 FT TH N 81 DEG 01 MIN W 192.86 FT TO PL OF BEG

From B-3 General Business District to LC-C Lake Center Core District.

88. Parcel Number: 00340-058-O

Property Address: 9008 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOTS 58 THRU 60

From B-3 General Business District to LC-C Lake Center Core District.

89. Parcel Number: 00340-061-O

Property Address: 8948 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOT 61

From B-3 General Business District to LC-C Lake Center Core District.

90. Parcel Number: 00340-062-O

Property Address: 8944 PORTAGE RD

Legal Description: AMES WEST LAKE PARK Lot 62, Lot 63, Lot 64, Lot 65

From B-3 General Business District to LC-C Lake Center Core District.

91. Parcel Number: 00340-066-O

Property Address: 8928 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOTS 66-67-& S 12 FT LOT 68

From B-3 General Business District to LC-C Lake Center Core District.

92. Parcel Number: 00340-069-O

Property Address: 8910 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOTS 69-70-71 & N 32 FT LOT 68

From B-3 General Business District to LC-C Lake Center Core District.

93. Parcel Number: 00340-087-A

Property Address: 8842 PORTAGE RD

Legal Description: AMES WEST LAKE PARK LOTS 87 & 88

From B-3 General Business District to LC-C Lake Center Core District.

94. Parcel Number: 02140-001-A

Property Address: 9110 PORTAGE RD

Legal Description: ASSESSORS PLAT OF DIXIE-MAC PARK LOTS 1-4 & N 10 FT OF LOT 5 ALSO AMES WEST LAKE PARK LOT 57 ALSO ASSESSORS PLAT OF DIXIE-MAC PARK LOT 89 EXC THAT PART BEG SW COR TH N 3 DEG 22 MIN W ALG WLY LI SD LOT 60 FT TH S

84 DEG 17 MIN E PAR S LI SD LOT 110.71 FT TH S 16 DEG 46 MIN W ALG WLY LI PORTAGE RD 60.37 FT TO SE COR SD LOT TH W ALG S LI SD LOT 89.67 FT TO PL OF BEG ALSO ASSESSORS PLAT OF DIXIE-MAC PARK THAT PART OF LOT 89 BEG SW COR TH N 3 DEG 22 MIN W ALG WLY LI SD LOT 60 FT TH S 84 DEG 17 MIN E PAR S LI SD LOT 110.71 FT TH S 16 DEG 46 MIN W ALG WLY LI PORTAGE RD 60.37 FT TO SE COR SD LOT TH W ALG S LI SD LOT 89.67 FT TO PL OF BEG

From B-3 General Business District to LC-C Lake Center Core District.

95. Parcel Number: 02140-005-O

Property Address: 9138 PORTAGE RD

Legal Description: ASSESSORS PLAT OF DIXIE-MAC PARK TH S 45 FT OF LOT 5, LOTS 6 & 7, ALSO N 40 FT OF LOT 8

From B-3 General Business District to LC-C Lake Center Core District.

96. Parcel Number: 02140-081-A

Property Address: 9113 PORTAGE RD

Legal Description: ASSESSORS PLAT OF DIXIE-MAC PARK LOTS 80-81-82-84-85-86-87-88 EXC COM N W COR SD LOT 88 TH S 81 DEG 19 MIN E ALG N LI 187.76 FT TO PL OF BEG TH S WLY 174 FT TO PT IN S LI LYING 20 FT WLY OF N W COR LOT 79 TH E ALG S LI LOT 88 TO S E COR TH NELY ALG E LI SD LOT TO NE COR SD LOT TH WLY ALG N LI TO P.O.B. ALSO EXC THE NLY 37 FT OF LOT 88.

From B-3 General Business District to LC-C Lake Center Core District.

97. Parcel Number: 02140-083-O

Property Address: 9125 PORTAGE RD

Legal Description: ASSESSORS PLAT OF DIXIE-MAC PARK LOT 83

From B-3 General Business District to LC-C Lake Center Core District.

98. Parcel Number: 00026-040-O

Property Address: 9848 PORTAGE RD

Legal Description: Section 26-3-11 Beginning at a point on the west line of Section 26 at a point 300.01 feet north of the SW corner of Section 26; thence North 340.19 feet; thence East 372.18 feet to the westerly right-of-way line of Porage Road; thence Southwesterly 225 feet along said westerly line; thence West 187.01 feet; thence South 115 feet; thence West 142.21 feet to the place of beginning.

From I-1 Light Industrial District to LC-B Lake Center Business District.

99. Parcel Number: 00026-041-O

Property Address: 9950 PORTAGE RD

Legal Description: SEC 26-3-11 BEG SW COR SEC 26 TH N ALG W LI SD SEC 300.01 FT, TH E 307.24 FT TO WLY ROW PORTAGE RD, TH S 10 DEG 32 MIN W ALG SD ROW 305.15 FT TO S LI SD SEC, TH W ALG S LI 249.93 FT TO PL OF BEG. RES S 33 FT FOR HWY. 1.92 A

From I-1 Light Industrial District to LC-B Lake Center Business District.

100. Parcel Number: 00026-045-O

Property Address: 9918 PORTAGE RD

Legal Description: SEC 26-3-11 COM AT SW COR SEC 26 TH E ALG S LI SEC 249.93 FT TO WLY LI OF PORTAGE RD TH N 10 DEG 32 MIN E ALG W LY LI SD RD 305.15 FT FOR POB TH W PAR S LI SD SEC 165.03 FT TH N 0 DEG 17 MIN 30 SEC W PAR W LI SEC 115 FT TH E PAR S LI SEC 187.01 FT TO WLY LI PORTAGE RD TH S 10 DEG 32 MIN W ALG WLY LI SD RD 116.97 FT TO PL OF BEG 0.46 A

From I-1 Light Industrial District to LC-B Lake Center Business District.

101. Parcel Number: 00026-050-O

Property Address: 9830 PORTAGE RD

Legal Description: SEC 26-3-11 COM SW COR SEC 26 TH N 0 DEG 17 MIN 30 SEC W ALG W LI SD SEC 640.20 FT FOR PL OF BEG. TH CONT N 0 DEG 17 MIN 30 W 190 FT TO A PT TH S 89 DEG 54 MIN E PAR N LI S1/4 S1/2 SD SEC 408.46 FT TO W ROW LI PORTAGE RD TH S10 DEG 32 MIN W ALG SD ROW 193.19 FT TH N 89 DEG 54 MIN W PAR N LI S1/2 S1/2 SD SEC 372.18 FT TO PL OF BEG.

From I-1 Light Industrial District to LC-B Lake Center Business District.

102. Parcel Number: 00026-055-O

Property Address: 9820 PORTAGE RD

Legal Description: SEC 26-3-11 COM SW COR SEC 26 TH N 0 DEG 17 MIN 30 SEC W ALG W LI SD SEC 830.20 FT FOR PL OF BEG TH CONT N ALG W LI 100 FT TH E 427.56 FT TO W ROW LI PORTAGE RD, TH S 10 DEG 32 MIN W ALG SD ROW TO A POINT 408.46 FT E OF PL OF BEG, TH W 408.46 FT TO PL OF BEG.

From I-1 Light Industrial District to LC-B Lake Center Business District.

103. Parcel Number: 00026-056-O

Property Address: 9810 PORTAGE RD

Legal Description: SEC 26-3-11 COM SW COR SEC 26 TH N 930.20 FT FOR PL OF BEG, TH CONT N ALG W LI 100 FT, TH E 446.66 FT TO W ROW LI PORTAGE RD, TH S 10 DEG 32 MIN W ALG SD ROW 101.68 FT, TH W 427.56 FT TO PL OF BEG.

From I-1 Light Industrial District to LC-B Lake Center Business District.

104. Parcel Number: 00026-057-O

Property Address: 9782 PORTAGE RD

Legal Description: SEC 26-3-11 COM SW COR SEC 26 TH N 1030.20 TO PL OF BEG, TH CONT N ALG W LI 110 FT, TH E 467.67 FT TO W ROW LI PORTAGE RD, TH S 10 DEG 32 MIN W ALG SD ROW 111.85 FT, TH W 446.66 FT TO PL OF BEG.

From I-1 Light Industrial District to LC-B Lake Center Business District.

105. Parcel Number: 00026-058-O

Property Address: 9764 PORTAGE RD

Legal Description: SEC 26-3-11 COM SW COR SEC 26 TH N 1140.20 FT FOR PL OF BEG TH CONT N 122.14 FT TH E 491 FT TO W R O W LI PORTAGE ROAD, TH S 10 DEG 32 MIN W ALG SD ROW LI TO A PT 467.67 FT E OF PL OF BEG, TH W 467.67 FT TO PL OF BEG.

From I-1 Light Industrial District to LC-B Lake Center Business District.

106. Parcel Number: 00026-060-O

Property Address: 9718 PORTAGE RD

Legal Description: SEC 26-3-11 BEG AT PT ON W LI PORTAGE RD 50.78 FT S OF CTR LI STANLEY AVE IN SEC 26, TH W 490.71 FT, TH N 0DEG 17'30"W 394.46 FT, TH E 331.61 FT, TH S 136.81 FT, TH E 206.47 FT TO W LI PORTAGE RD, TH S 9DEG 57'19" W 262.45' FT TO P.O.B.

From I-1 Light Industrial District to LC-B Lake Center Business District.

107. Parcel Number: 00026-065-O

Property Address: 9702 PORTAGE RD

Legal Description: SEC 26-3-11 BEG AT A PT ON W LI PORTAGE RD 201.22 FT N OF CTR LI STANLEY AVE IN SEC 26, TH NELY ALG SD W LI 167.68 FT, TH W 230.47 FT, TH SWLY PAR CL PORTAGE ROAD 28.9 FT, TH S 136.81 FT, TH E 206.47 FT TO PL OF BEG.

From I-1 Light Industrial District to LC-B Lake Center Business District.

108. Parcel Number: 00026-066-O

Property Address: 9650 PORTAGE RD

Legal Description: SEC 26-3-11 BEG AT A PT ON W LI PORTAGE ROAD 368.89 FT NELY ALG W LI SD ROAD FROM ITS INTERSECTION WITH CL STANLEY AVE TH NELY ALG SD W LI 132 FT, TH W PAR S LI SD SEC 302.44 FT, TH SWLY PAR PORTAGE ROAD 132 FT TH E 302.44 FT TO PL OF BEG

From I-1 Light Industrial District to LC-B Lake Center Business District.

109. Parcel Number: 00026-070-B

Property Address: 9616 PORTAGE RD

Legal Description: SECTION 26-3-11 BEG AT A PT 500.9 FT NELY OF INT OF STANLEY & PORTAGE RD, TH W 335.44 FT, TH SWLY PAR CL PORTAGE RD 132 FT, TH E 71.91 FT, TH SWLY 28.9 FT, TH W 331.61 FT TO W LI OF SEC 26, TH N ALG SD LI TO S LI MCCAMLEY GARDENS PLAT, TH E ALG SD LI TO NW COR OF LOT 24, TH S 70 FT, TH E TO CL OF PORTAGE RD, TH SWLY 290 FT TO P.O.B. ALSO THE FOLLOWING LOTS IN THE SUPERVISORS PLAT OF MCCAMLEYS GARDENS, THE SOUTH 198 FEET OF LOT 1, LOTS 12 - 20 AND LOT 24. Excluding from the rezoning that part of the above described parcel lying North of Fairlane Lane, an unimproved right-of-way.

From OS-1 Office Service District to LC-B Lake Center Business District.

110. Parcel Number: 00026-070-J

Property Address: 9617 PORTAGE RD

Legal Description: Rezoning only that area of the following description that is currently Zone B-3.

SECTION 26-3-11 BEG AT SW COR OF LOT 32 PLAT OF MCCAMLEY MANOR, TH S 10 DEG W 221.72 FT, TH W 165 FT, TH S 10 DEG W 67.13 FT, TH E 165 FT, TH S 10 DEG W 369.2 FT, TH W 165 FT, TH S 10 DEG W 67.13 FT, TH E 165 FT, TH S 10 DEG W 64.94 FT, TH E 165.15 FT, TH S 10 DEG W 134.13 FT, TH E 382.08 FT, TH N 200 FT, TH E 220 FT, TH N 712.60 FT, TH W TO P.O.B.

From B-3 General Business District to LC-B Lake Center Business District.

111. Parcel Number: 00026-080-O

Property Address: 9551 PORTAGE RD

Legal Description: SEC 26-3-11 N1/2 OF FLWG DESC PROP BEG AT INT OF ELY LI PORTAGE RD WITH N LI STANLEY DR TH NELY ALG ELY LI PORTAGE RD 701.72 FT FOR POB SD PT BEING 610.5 FT S OF E&W1/4 LI SEC 26 TH NELY ALG ELY LI OF SD RD 369.2 FT TO PT 247.5 FT S OF E&W1/4 LI TH E PAR SD E&W1/4 LI 165 FT TH SWLY PAR TO ELY LI PORTAGE RD 369.2 FT TH W 165 FT TO BEG

From B-3 General Business District to LC-B Lake Center Business District.

112. Parcel Number: 00026-085-A

Property Address: 9599 PORTAGE RD

Legal Description: SECTION 26-3-11 THE S 1/2 OF FOLLOWING, COM AT INT OF ELY LI OF PORTAGE RD WITH N LI OF STANLEY AVE, TH NLY ALG E LI OF PORTAGE RD 701.72 FT FOR P.O.B., TH CONT NLY ALG SD RD 369.2 FT, TH E 165 FT, TH SWLY PAR WITH E LI OF PORTAGE RD 369.2 FT, TH W 165 FT TO P.O.B.

From B-3 General Business District to LC-B Lake Center Business District.

113. Parcel Number: 00026-085-B

Property Address: 9651 PORTAGE RD

Legal Description: Section 26-3-11 COM AT INT OF ELY LI PORTAGE RD WITH N LI OF STANLEY AVE, TH NLY ALG E LI OF PORTAGE RD 265.39 FT FOR P.O.B., TH CONT ALG SD E LI 369.2 FT, TH E 165 FT, TH SWLY PAR WITH E LI OF PORTAGE RD 369.2 FT, TH W 165 FT TO P.O.B.

From B-3 General Business District to LC-B Lake Center Business District.

114. Parcel Number: 00026-090-O

Property Address: 9711 PORTAGE RD

Legal Description: Section 26-3-11 Commencing at the intersection of the easterly line of Portage Road with the north line of Stanley Avenue; thence Northeasterly 134.13 feet along the easterly line of Portage Road for the point of beginning; thence East 164.85 feet parallel to the north line of Stanley Avenue; thence Northeasterly 64.94 feet parallel with the easterly line of Portage Road to a point which is 1105.5 feet south of the E&W ¼ line of Section 26; thence West 165 feet parallel with said E&W ¼ line to the easterly line of Portage Road; thence Southwesterly 64.13 feet along the easterly line of Portage Road to the place of beginning.

From I-1 Light Industrial District to LC-B Lake Center Business District.

115. Parcel Number: 00026-095-O

Property Address: 9717 PORTAGE RD

Legal Description: SEC 26-3-11 BEG AT INT OF ELY LI PORTAGE RD WITH N LI STANLEY AVE IN SEC 26 TH NELY ALG ELY LI PORTAGE RD 134.13 FT TH E PAR TO N LI STANLEY AVE 330 FT TH SWLY PAR TO ELY LI PORTAGE RD 134.13 FT TO N LI STANLEY AVE TH W THEREON 330 FT TO PL OF BEG

From I-1 Light Industrial District to LC-B Lake Center Business District.

116. Parcel Number: 00026-155-T

Property Address: 2020 STANLEY AVE

Legal Description: That part of the SW ¼ of Section 26 T3S R11W, commencing at the south 1/4 post of Section 26; thence South 90 degrees 00' 00" West 1315.07 feet along the south line of Section 26; thence North 00 degrees 30' 00" West 82.50 feet to a point that is 1050.18 feet (recorded as 1050.11) east of the easterly line of Portage Road (66 feet wide); thence South 90 degrees 00' 00" West 250.11 feet to a point that is 800.07 feet (recorded as 800.00) east of the easterly line; thence North 10 degrees 32' 00" East 668.83 feet parallel with said easterly line; thence North 81 degrees 07' 12" West 297.88 feet to the point of beginning of this description; thence South 87 degrees 48' 35" West 57.66 feet; thence South 90 degees 00' 00" West 225.00 feet; thence North 10 degrees 32'00" E 326.54 feet; thence North 89 degrees 57' 30" West 82.97 feet; thence North 10 degrees 32' 00" East 175.53 feet to the south line of Stanley Avenue (66 feet wide); thence North 89 degrees 59' 00" East 365.21 feet along said south line; thence South 10 degrees 32' 00" West 500.00 feet to the point of beginning. Contains approximately 3.53 Acres

From I-1 Light Industrial District to LC-B Lake Center Business District.

117. Parcel Number: 00026-155-V

Property Address: 9945 PORTAGE RD

Legal Description: PHASE II - PART OF THE SW 1/4 OF SEC 26, TOWN 3 SOUTH, RANGE 11 WEST; COM AT THE S 1/4 POST OF SAID SEC 26; TH S 90 DEG 00'00" W ON THE S LI OF SAID SEC 1257.87 FT (RECORDED AS 1315.07 FT); TH N 00 DEG 30'00" W 82.50 FT TO A POINT THAT IS 1050.18 FT N 90 DEG 00'00"E OF THE EASTERLY RIGHT-OF-WAY LI OF PORTAGE RD (56 FT WIDE); TH S 90 DEG 00'00"W PARALLEL WITH SAID S SEC LI 638.66 FT TO THE POB OF THE LAND HEREIN DESCRIBED; TH CONTINUING S 90 DEG 00'00" W 167.38 FT; TH N 10 DEG 32'00"W 364.06 FT; TH S 79 DEG 28'00" E 134.00 FT; TH SOUTHEASTERLY 48.69 FT ON A 31.00 FOOT RADIUS CURVE TO THE RIGHT WHIE CHORD BEARS S 24 DEG 28'00" E 43.84 FT; TH S 10 DEG 32'00" W 302.38 FT TO THE POB. CONTAINING 1.32 ACRES MORE OR LESS. PHASE III - PART OF THE SW 1/4 OF SEC 26, TOWN 3 SOUTH, RANGE 11 WEST; COM AT THE S 1/4 POST OF SAID SEC 26; TH S 90 DEG 00'00" W ON THE S LI OF SAID SEC 1257.87 FT (RECORDED AS 1315.07 FT); TH N 00 DEG 30'00" W 82.50 FT TO A POINT THAT IS 1050.18 FT ; TH N 90 DEG 00'00" W OF THE EASTERLY RIGHT-OF-WAY LI OF PORTAGE RD (66 FT WIDE); TH S 90 DEG 00'00" W PARALLEL WITH SAID S SEC LINE 806.49 FT TO THE POB OF LAND HEREIN DESCRIBED; TH CON S 90 DEG 00'00" W 243.69 FT TO THE EASTERLY RIGHT-OF-WAY LI OF SAID PORTAGE RD; TH N 10 DEG 32'00"W ON SAID EASTERLY RIGHT-OF-WAY LI 321,09 FT; TH NORTHEREASTERLY 19.34 FT ON A 34.00 FOOT RADIUS CURVE TO THE R WHOSE CHORD BEARS N 73 DEG 46'51" E 19.08 FT; TH S 89 DEG 55'27" E 23.66 FT; TH

NORTHEASTERLY 15.24 FT ON A 26.09 FT RADIUS CURVE TO THE L WHOSE CHORD BEARS N 76 DEG 44'05" E 15.02 FT; TH N 54 DEG 42'39" E 82.97 FT; TH NORTHEASTERLY 24.34 FT ON A 31.00 FT RADIUS CURVE TO THE R WHOSE CHORD BEARS N 78 DEG 02'24" E 23.72 FT; TH S 79 DEG 28'00" E 105.81 FT; TH S 10 DEG 32'00" W 364.06 FT TO THE POB. CONTAINING 1.98 ACRES MORE OR LESS.

From I-1 Light Industrial District to LC-B Lake Center Business District.

118. Parcel Number: 00026-155-Y

Property Address: 9879 PORTAGE RD

Legal Description: COM IN THE SW CORNER OF SEC 26, TOWN 3 S, RANGE 11 W; TH E ALONG THE S LN OF SD SEC 316.98 FT; TH N 10 DEG 32 MIN E 497.27 FT FOR THE PLACE OF BEGINNING; TH E 440.0 FT; TH N 10 DEG 32 MIN E 300.0 FT; TH W 440.0 FT; TH S 10 DEG 32 MIN W 300.0 FT TO THE POB. ALSO INCLUDING THAT PART OF THE SW 1/4 OF SEC 26, TOWN 3 S, RANGE 11 W DESCRIBED AS: COMM AT THE S 1/4 CORNER OF SD SEC 26; TH S 90 DEG 00 MIN 00 SEC W ALONG THE S LN OF SD SEC 1315.07 FT; TH N 00 DEG 30 MIN 00 SEC W 82.50 FT TO A PT THAT IS 1050.18 (RECORDED AS 1050.11) FT E OF THE ELY LN OF PORTAGE ROAD (66 FT WIDE); TH S 90 DEG 00 MIN 00 SEC W 250.11 FT TO A PT THAT IS 800.07 (RECORDED AS 800.00) FT E OF SD ELY LN; TH N 10 DEG 32 MIN 00 SEC E PARALLEL WITH SD ELY LN 346.23 FT TO THE PT OF BEGINNING OF THIS DESCRIPTION; TH N 81 DEG 07 MIN 12 SEC W 427.56 FT; TH N 90 DEG 00 MIN 00 SEC E 74.63 FT; TH N 10 DEG 32 MIN 00 SEC E 300.00 FT; TH N 87 DEG 48 MIN 35 SEC E 57.66 FT; TH S 81 DEG 07 MIN 12 SEC E 297.88 FT; TH S 10 DEG 32 MIN 00 SEC W 322.60 FT TO THE POB.

From I-1 Light Industrial District to LC-B Lake Center Business District.

119. Parcel Number: 00026-156-O

Property Address: 9835 PORTAGE RD

Legal Description: SEC 26-3-11 COM SW COR SEC 26, TH E ALG S LI SD SEC 316.98 FT, TH N 10 DEG 32 MIN E 797.27 FT FOR PL OF BEG, TH E 215 FT, TH N 10 DEG 32 MIN E 140.3 FT TH W 215 FT, TH S 10 DEG 32 MIN W 140.3 FT TO PL OF BEG.

From I-1 Light Industrial District to LC-B Lake Center Business District.

120. Parcel Number: 00026-157-O

Property Address: 2050 STANLEY AVE

Legal Description: SEC 26-3-11 COM S 1/4 POST SECTION 26, TH W ALG S LI SD SEC 1315.07 FT, TH N 82.5 FT, TH W 250.11 FT, TH N 10 DEG 32 MIN E 968.83 FT TO PL OF BEG, TH N 10 DEG 32 MIN 33 SEC E 256.88 FT TO S LI STANLEY AVE, TH N 89 DEG 57 MIN 30 SEC W 302.88 FT, TH S 10 DEG 32 MIN W 200 FT, TH S 79 DEG 08 MIN E 297.78 FT TO PL OF BEG. 1.56 AC +/-

From I-1 Light Industrial District to LC-B Lake Center Business District.

121. Parcel Number: 00026-159-O

Property Address: 9801 PORTAGE RD

Legal Description: SEC 26-3-11 COM S 1/4 POST SECTION 26, TH W ALG S LI SD SEC 1315.07 FT, TH N 82.5 FT, TH W 1050.11 FT TO E LI PORTAGE RD, TH N 10 DEG 32 MIN E

ALG SD E LI 853.66 FT TO PL OF BEG; TH S 89 DEG 57 MIN 30 SEC E 215 FT, TH N 10 DEG 32 MIN E 186.4 FT, TH N 89 DEG 57 MIN 30 SEC W 215 FT, TH S 10 DEG 32 MIN W 186.4 FT TO PL OF BEG.

From I-1 Light Industrial District to LC-B Lake Center Business District.

122. Parcel Number: 00026-160-O

Property Address: 9735 PORTAGE RD

Legal Description: SEC 26-3-11 COM AT INT OF S LI STANLEY AVE & E LI PORTAGE RD TH E ALG S LI STANLEY AVE 132 FT TH S 10 DEG 15 MIN W PAR TO E LI PORTAGE RD 99 FT TH W PAR TO S LI STANLEY AVE 132 FT TO E LI PORTAGE RD TH N ALG E LI PORTAGE RD 99 FT TO BEG

From B-2 Community Business District to LC-B Lake Center Business District.

123. Parcel Number: 00026-165-O

Property Address: 9741 PORTAGE RD

Legal Description: Section 26-3-11 Commencing at the intersection of the south line of Stanley Avenue with the east line of Portage Road; thence South 10 degrees 15 minutes West 99 feet along the easterly line of Portage Road for the place of beginning; thence South 10 degrees 15 minutes west 80 feet along the easterly line of Portage Road; thence East 132 feet parallel to the south line of Stanley Avenue; thence North 80 feet parallel to the easterly line of Portage Road; thence West 132 feet parallel to the south line of Stanley Avenue to the place of beginning.

From I-1 Light Industrial District to LC-B Lake Center Business District.

124. Parcel Number: 00035-010-H

Property Address: 10131 PORTAGE RD

Legal Description: Part of the northwest 1/4 of Section, T3S, T11W, described as: commencing at the northwest corner of Section 35; thence North 89 degrees 52 minutes 01 seconds East 317.57 feet (recorded as 322.53 feet and 317.07 feet) on the north line of Section 35 to the easterly right of way line of Portage Road; thence South 10 degrees 32 minutes 00 seconds West 454.24 feet (recorded 454.14 feet) on said easterly right of way line to the point of beginning of the land herein described; thence North 89 degrees 52 minutes 01 seconds East 302.55 feet; thence South 10 degrees 32 minutes 00 seconds West 110.60 feet; thence South 89 degrees 52 minutes 01 seconds West 302.55 feet to said easterly right of way line; thence North 10 degrees 32 minutes 00 seconds East 110.60 feet on said easterly right of way line to the point of beginning. Also part of the northwest 1/4 of Section 35, T3S, R11W, described as: commencing at the northwest corner of Section 35; thence North 89 degrees 52 minutes 01 seconds East 317.57 feet (recorded as 322.53 feet and 317.07 feet) on the north line of Section 35 to the easterly right of way line of Portage Road; thence South 10 degrees 32 minutes 00 seconds West 564.84 feet on said easterly right of way line to the point of beginning of the land herein described; thence North 89 degrees 52 minutes 01 seconds East 302.55 feet; thence South 10 degrees 32 minutes 00 seconds West 110.61 feet; thence South 89 degrees 52 minutes 01 seconds West 302.55 feet to said easterly right of way line; thence North 10 degrees 32 minutes 00 seconds East 110.61 feet on said easterly right of way line to the point of beginning. Also part of the northwest 1/4 of Section 35, T3S, R11W, described as: commencing at the northwest corner of Section 35; thence North 89 degrees 52 minutes 01 seconds East 317.57 feet (recorded as 322.53 feet and 317.07 feet) on the north line of Section 35 to the easterly right of way line of Portage Road; thence South

10 degrees 32 minutes 00 seconds West 675.45 feet on said easterly right of way line to the point of beginning of the land herein described: thence North 89 degrees 52 minutes 01 seconds East 302.55 feet; thence South 10 degrees 32 minutes 00 seconds West, 110.61 feet; thence South 89 degrees 52 minutes 01 seconds West 302.55 feet to said easterly right of way line; thence North 10 degrees 32 minutes 00 seconds East 110.61 feet on said easterly right of way line to the point of beginning. Also part of the northwest 1/4 of Section 35, T3S, R11W, described as: commencing at the northwest corner of Section 35; thence North 89 degrees 52 minutes 01 seconds East 317.57 feet (recorded as 322.53 feet and 317.07 feet) on the north line of Section 35 to the easterly right of way line of Portage Road; thence South 10 degrees 32 minutes 00 seconds West 786.06 feet on said easterly right of way line; thence North 89 degrees 52 minutes 01 seconds East 200.00 feet to the point of beginning of the land herein described; thence North 89 degrees 52 minutes 01 seconds East 102.55 feet; thence South 10 degrees 32 minutes 00 seconds West 229.61 feet to the north right-of-way line of Weatherbee Road; thence South 89 degrees 39 minutes 11 seconds West (recorded as South 89 degrees 44 minutes 03 seconds West) 102.62 feet (recorded as 100.00 feet) on said north right of way line; thence North 10 degrees 32 minutes 00 seconds East 230.00 feet to the point of beginning.

From RM-1 Multi-Family Residential District to LC-B Lake Center Business District.

125. Parcel Number: 00035-011-O

Property Address: 10143 PORTAGE RD

Legal Description: SEC 35-3-11 BEG AT A PT 317.07 FT E AND S 10 DEG 32 MIN W 785.96 FT FROM NW COR SEC 35, TH E 200 FT, TH S 10 DEG 32 MIN W 110 FT, TH W 200 FT TO E LI PORTAGE ROAD, TH N 10 DEG 32 MIN E 110 FT TO PL OF BEG.

From RM-1 Multi-Family Residential District to LC-B Lake Center Business District.

126. Parcel Number: 00035-012-O

Property Address: 10145 PORTAGE RD

Legal Description: SEC 35-3-11 BEG AT A PT 317.07 FT E AND S 10 DEG 32 MIN W 895.96 FT FROM NW COR SEC 35, TH E 200 FT, TH S 10 DEG 32 MIN W 120 FT TO N LI WEATHERBEE ROAD, TH W ALG N LI SD ROAD 200 FT TO E LI PORTAGE ROAD, TH N 10 DEG 32 MIN E 120 FT TO PL OF BEG.

From RM-1 Multi-Family Residential District to LC-B Lake Center Business District.

127. Parcel Number: 00035-040-O

Property Address: 10331 PORTAGE RD

Legal Description: SEC 35-3-11 COM 950 FT N OF W1/4 POST SEC 35 TH N 50 FT, TH N 89 DEG 57 MIN E 165 FT, TH S 50 FT TH S 89 DEG 57 MIN W 165 FT TO BEG .15 A

From RM-1 Multi-Family Residential District to LC-B Lake Center Business District.

128. Parcel Number: 00035-045-O

Property Address: 10341 PORTAGE RD

Legal Description: SEC 35-3-11 BEG AT PT IN W LI SEC 35 824 FT N OF W1/4 POST SD SEC TH N 126 FT TH N 89 DEG 57 MIN E 165 FT, TH S 126 FT, TH S 89 DEG 57 MIN W 165 FT TO P.O.B.

From RM-1 Multi-Family Residential District to LC-B Lake Center Business District.

129. Parcel Number: 00035-050-O

Property Address: 10351 PORTAGE RD

Legal Description: SEC 35-3-11 BEG IN W LI SEC 35 748 FT N OF W1/4 POST, TH N 76 FT, TH S 89 DEG 57 MIN E 165 FT, TH N 176 FT, TH N 89 DEG 57 MIN E 99 FT, TH S 242 FT, TH S 89 DEG 57 MIN W 264 FT TO BEG ALSO N 10FT OF LOT 1 RECD PLAT OF AUSTIN GROVE.

From RM-1 Multi-Family Residential District and R-1B One-Family Residential District to LC-B Lake Center Business District.

130. Parcel Number: 00520-001-O

Property Address: 10371 PORTAGE RD

Legal Description: AUSTIN GROVE LOT 1 EXC N 10 FT. ALSO LOTS 2 TH 10 ALSO BEG SE COR LOT 10 TH ELY 27 FT TH N TO A PT ON A LINE THAT IS A CONTINUATION OF THE S LI OF N 10 FT OF LOT 1 TH W TO E LI SD LOT 1 TH S ALG E LI LOTS 1 THRU 10 SD PLAT TO PL OF BEG

From RM-1 Multi-Family Residential District to LC-B Lake Center Business District.

131. Parcel Number: 00520-011-O

Property Address: 10429 PORTAGE RD

Legal Description: AUSTIN GROVE LOTS 11 THRU 20 ALSO BEG AT NE COR LOT 11, TH S ALG W LINE OUT LOT A TO SE COR LOT 20, TH E 60 FT, TH N PAR W LINE OUT LOT A TO EXT E OF N LI LOT 11, TH W 60 FT TO PL OF BEG.

From RM-1 Multi-Family Residential District, R-1A One-Family Residential District, and R-1B One-Family Residential District to LC-B Lake Center Business District.

132. Parcel Number: 00605-130-R

Property Address: 9830 NAVY PIER ST

Legal Description: Commencing at the south 1/4 post of Section 26, thence North 90 degree 00 mintues 00 seconds West 1315.07 feet along the south line of Section 26 to a point North 90 degrees 00 minutes 00 seconds West 517.63 feet from the southwest corner of AUSTIN VIEW NO 4; thence North 00 degrees 30 minutes 00 seconds West 82.50 feet; thence North 90 degrees 00 minutes 00 seconds West 250.11 feet parallel to said south line to a point which is South 90 degrees 00 minutes 00 seconds East 800.00 feet from the east line of Portage Road (66 feet wide); thence North 10 degrees 32 minutes 00 seconds East 668.83 feet parallel to the east line of Portage Road to the point of beginning of this description; thence North 10 degrees 32 minutes 00 seconds East 300.00 feet; thence North 81 degrees 07 minutes 12 seconds West 297.88 feet; thence South 10 degrees 32 minutes 00 seconds West 300.00 feet; thence South 81 degrees 07 minutes 12 seconds East 297.88 feet to the point of beginning

From I-1 Light Industrial District to LC-B Lake Center Business District.

133. Parcel Number: 01630-001-O

Property Address: 9917 PORTAGE RD UNIT 1

Legal Description: UNIT 1, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

134. Parcel Number: 01630-002-O

Property Address: 9917 PORTAGE RD UNIT 2
Legal Description: UNIT 2, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

135. Parcel Number: 01630-003-O

Property Address: 9917 PORTAGE RD UNIT 3
Legal Description: UNIT 3, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

136. Parcel Number: 01630-004-O

Property Address: 9917 PORTAGE RD UNIT 4
Legal Description: UNIT 4, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

137. Parcel Number: 01630-005-O

Property Address: 9917 PORTAGE RD UNIT 5
Legal Description: UNIT 5, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

138. Parcel Number: 01630-006-O

Property Address: 9917 PORTAGE RD UNIT 6
Legal Description: UNIT 6, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

139. Parcel Number: 01630-007-O

Property Address: 9917 PORTAGE RD UNIT 7
Legal Description: UNIT 7, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

140. Parcel Number: 01630-008-O

Property Address: 9917 PORTAGE RD UNIT 8
Legal Description: UNIT 8, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

141. Parcel Number: 01630-009-O

Property Address: 9917 PORTAGE RD UNIT 9
Legal Description: UNIT 9, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

142. Parcel Number: 01630-010-O

Property Address: 9917 PORTAGE RD UNIT 10
Legal Description: UNIT 10, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

143. Parcel Number: 01630-011-O

Property Address: 9917 PORTAGE RD UNIT 11
Legal Description: UNIT 11, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

144. Parcel Number: 01630-012-O

Property Address: 9917 PORTAGE RD UNIT 12
Legal Description: UNIT 12, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

145. Parcel Number: 01630-013-O

Property Address: 9917 PORTAGE RD UNIT 13
Legal Description: UNIT 13, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

146. Parcel Number: 01630-014-O

Property Address: 9917 PORTAGE RD UNIT 14
Legal Description: UNIT 14, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

147. Parcel Number: 01630-015-O

Property Address: 9917 PORTAGE RD UNIT 15
Legal Description: UNIT 15, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

148. Parcel Number: 01630-016-O

Property Address: 9917 PORTAGE RD UNIT 16
Legal Description: UNIT 16, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

149. Parcel Number: 01630-017-O

Property Address: 9917 PORTAGE RD UNIT 17

Legal Description: UNIT 17, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

150. Parcel Number: 01630-018-O

Property Address: 9917 PORTAGE RD UNIT 18

Legal Description: UNIT 18, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

151. Parcel Number: 01630-019-O

Property Address: 9917 PORTAGE RD UNIT 19

Legal Description: UNIT 19, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

152. Parcel Number: 01630-020-O

Property Address: 9917 PORTAGE RD UNIT 20

Legal Description: UNIT 20, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

153. Parcel Number: 01630-021-O

Property Address: 9917 PORTAGE RD UNIT 21

Legal Description: UNIT 21, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

154. Parcel Number: 01630-022-O

Property Address: 9917 PORTAGE RD UNIT 22

Legal Description: UNIT 22, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

155. Parcel Number: 01630-023-O

Property Address: 9917 PORTAGE RD UNIT 23

Legal Description: UNIT 23, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

156. Parcel Number: 01630-024-O

Property Address: 9917 PORTAGE RD UNIT 24

Legal Description: UNIT 24, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

157. Parcel Number: 01630-025-O

Property Address: 9917 PORTAGE RD UNIT 25

Legal Description: UNIT 25, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

158. Parcel Number: 01630-026-O

Property Address: 9917 PORTAGE RD UNIT 26

Legal Description: UNIT 26, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

159. Parcel Number: 01630-027-O

Property Address: 9917 PORTAGE RD UNIT 27

Legal Description: UNIT 27, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

160. Parcel Number: 01630-028-O

Property Address: 9917 PORTAGE RD UNIT 28

Legal Description: UNIT 28, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

161. Parcel Number: 01630-029-O

Property Address: 9917 PORTAGE RD UNIT 29

Legal Description: UNIT 29, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

162. Parcel Number: 01630-030-O

Property Address: 9917 PORTAGE RD UNIT 30

Legal Description: UNIT 30, CONDO BARN PORTAGE

From I-1 Light Industrial District to LC-B Lake Center Business District.

163. Parcel Number: 05760-006-A

Property Address: 10496 PORTAGE RD

Legal Description: NORTONS SUBDIVISION LOTS 6-7-8-9 & S 31.5 FT OF LOT 10, EXC THE S 7.35 FT OF THE E 169 FT OF LOT 10, ALSO EXC THE N 51.40 FT OF THE E 169 FT OF LOT 9.

From B-3 General Business District to LC-B Lake Center Business District.

164. Parcel Number: 05760-009-O

Property Address: 10420 PORTAGE RD

Legal Description: NORTONS SUBDIVISION THE S 7.35 FT OF E 169 FT OF LOT 10 & THE N 51.40 FT OF E 169 FT OF LOT 9

From B-3 General Business District to LC-B Lake Center Business District.

165. Parcel Number: 05760-010-O

Property Address: 10412 PORTAGE RD

Legal Description: NORTONS SUBDIVISION N 39.9 FT OF LOT 10 & S 40.1 FT OF LOT 11

From B-3 General Business District to LC-B Lake Center Business District.

166. Parcel Number: 05760-012-O

Property Address: 10406 PORTAGE RD

Legal Description: NORTONS SUBDIVISION N 31.3 FT LOT 11 & LOT 12

From B-3 General Business District to LC-B Lake Center Business District.

167. Parcel Number: 05760-013-O

Property Address: 10336 PORTAGE RD

Legal Description: NORTONS SUBDIVISION LOT 13

From B-3 General Business District to LC-B Lake Center Business District.

168. Parcel Number: 05760-014-O

Property Address: 10334 PORTAGE RD

Legal Description: NORTONS SUBDIVISION LOT 14

From B-3 General Business District to LC-B Lake Center Business District.

169. Parcel Number: 05760-015-A

Property Address: 10332 PORTAGE RD

Legal Description: NORTONS SUBDIVISION LOT 15

From B-3 General Business District to LC-B Lake Center Business District.

170. Parcel Number: 05760-019-O

Property Address: 10244 PORTAGE RD

Legal Description: NORTONS SUBDIVISION, OUTLOT A, 0.32 AC

From B-3 General Business District to LC-B Lake Center Business District.

171. Parcel Number: 05760-019-O

Property Address: 10244 PORTAGE RD

Legal Description: NORTONS SUBDIVISION, LOT 19, 0.33 AC

From R-1C One-Family Residential District to LC-B Lake Center Business District.

172. Parcel Number: Common area for Condo Barn Portage

Property Address:

Legal Description: Part of the SW 1/4 of Section 26 T3S R11W described as: commencing at the south 1/4 post of Section 26; thence South 90 degrees 00 minutes 00 seconds West 1257.87 feet (recorded as 1315.07 feet); thence North 00 degrees 30 minutes 00 seconds West 82.50 feet to a point that is 1050.18 feet North 90 degrees 00 minutes 00 seconds East of the easterly right-of-way line of Portage Road (66 feet wide); thence South 90 degrees 00 minutes 00 seconds West 250.11 feet parallel with the south line of Section 26 to the southwest corner of AUSTIN VIEW NO. 5, Liber 42 of Plats Page 04, and the point of beginning of the land herein described; thence South 90 degrees 00 minutes 00 seconds West 388.55 feet; thence North 10 degrees 32 minutes 00 seconds East 302.38 feet; thence Northwesterly 48.69 feet on a 31.00 foot radius curve to the left whose chord bears North 34 degrees 28 minutes 01 seconds West 43.84 feet; thence North 79 degrees 28 minutes 00 seconds West 239.81 feet; thence Southwesterly 24.34 feet on a 31.00 foot radius curve to the left whose chord bears South 78 degrees 02 minutes 24 seconds West 23.72 feet; thence South 54 degrees 42 minutes 39 seconds West 82.97 feet; thence Southwesterly 15.24 feet on a 26.09 foot radius curve to the right whose chord bears South 76 degrees 44 minutes 05 seconds West 15.02 feet; thence North 89 degrees 55 minutes 27 seconds West 23.66 feet; thence Southwesterly 19.34 feet on a 34.00 foot radius curve to the left whose chord bears South 73 degrees 46 minutes 51 seconds West 19.08 feet to the easterly right-of-way line of Portage Road; thence North 10 degrees 32 minutes 00 seconds East 92.27 feet along the easterly right-of-way line of Portage Road; thence South 90 degrees 00 minutes 00 seconds East 365.37 feet; thence South 81 degrees 07 minutes 12 seconds East 427.56 feet to the west line of AUSTIN VIEW NO. 5; thence South 10 degrees 32 minutes 00 seconds West 346.23 feet along the west line of said Plat to the point of beginning. Contains approximately 3.84 acres. Excluding from above description condominium units 1 through 30 of Condo Barn Portage.

From I-1 Light Industrial District to LC-B Lake Center Business District.

Severability

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

Repeal of Conflicting Ordinances, Savings Clause

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. Any proceedings pending, including prosecutions for violations, under any previous ordinance provision being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to said previous Ordinance provisions.

Effective Date

The zoning amendment shall become effective 15 days after publication of the notice of adoption unless a different effective date is approved by council.

COUNCIL SETS PUBLIC HEARING:

PUBLIC HEARING:

EFFECTIVE DATE:

Patricia M. Randall, Mayor

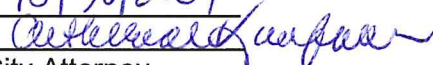
STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

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: 10/30/2024

By: 
City Attorney

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING SUBDIVISION 16,
CCMU COMMERCIAL CORRIDOR MIXED USE FLOATING DISTRICT AND ADDING NEW
SUBDIVISION 17, LAKE CENTER (LC) CORRIDOR DISTRICT, ARTICLE 4 ZONING,
DIVISION 4, CHAPTER 42, LAND DEVELOPMENT REGULATIONS**

THE CITY OF PORTAGE ORDAINS:

That Chapter 42 shall be amended by amending Article 4, Division 4, Subdivision 16 CCMU Commercial Corridor Mixed Use Floating District, by deleting Sections 42-444 through 42-459 and relocating those sections to new (added) Subdivision 17, Lake Center (LC) Corridor District as follows:

ARTICLE 4. ZONING, DIVISION 4, SUBDIVISION 17 LAKE CENTER (LC) CORRIDOR DISTRICT.

Sec. 42-444. – Statement of purpose and instructions.

The purpose of the Lake Center (LC) District is to create clear and simple regulations on the design of new mixed-use development or redevelopment in the Lake Center District along Portage Road. Specifically, these regulations encourage a pedestrian friendly and walkable character; permit a mixture of land uses; encourage streets that serve the needs of pedestrians, bicycles, and motorized vehicle traffic equitably; encourage places for informal social activity and recreation in the corridor area; and encourage building frontages that define the public space of streets. With proper physical form, a building can accommodate a wide range of uses without generating undue impact on neighboring properties or the corridor as a whole.

The Lake Center (LC) District is commonly referred to as "LC" throughout this subdivision.

It is further the purpose of the LC district to:

1. Create a core corridor area that establishes the traditional physical form of a neighborhood commercial corridor.
2. Create a unique walkable mixed-use district including residential, retail, entertainment, office, and other compatible uses.
3. Promote the orderly development, redevelopment, and continued maintenance of Portage's Lake Center business district.
4. Encourage shared parking areas throughout the corridor rather than requiring each individual property owner to provide physical parking space on their property.
5. Create quantitative and qualitative building design guidelines that ensure new development is compatible with the recommended building quality standards in this section.
6. Ensure buildings create a solid street wall that helps to define streets as public spaces.
7. Ensure that permitted uses complement each other in terms of character and location, and to ensure that uses in the LC district do not have an adverse impact on the overall economic and social vitality of the corridor area, street capacity, public utilities or services, or the overall image and function of the district.
8. Lessen automobile-oriented development to achieve a more walkable, character of the corridor area.
9. Encourage harmonious residential infill and adaptive reuse of noteworthy buildings to provide a mix of housing types, unit sizes, and compatible uses within walking distance of Portage's Lake Center area.
10. Encourage a variety of housing options in the corridor area.
11. Create a new zoning district to guide development that achieves the purpose of this district.

Sec. 42-445. Instructions.

1. **Application of requirements.** The provisions of this article are activated by "shall" or "must" when required, "should" or "encouraged" when recommended, and "may" when optional.

2. **Applicability to sub-areas.** The regulations herein shall apply to both the corridor core, and the corridor edge, and the corridor business sub-areas of the LC district unless specifically noted otherwise herein.
3. **Conflict.** Wherever there is, or appears to be, a conflict between the regulations of this article and other sections of this chapter (as applied to a particular development), the requirements specifically set forth in this article shall prevail. For development standards not addressed in this article, the other applicable sections of this chapter shall be used as the requirement.

Sec. 42-446. Lake Center (LC) district sub-areas.

The Lake Center (LC) district is comprised of three subareas: Core, Edge, and Business as shown on the City of Portage Zoning Map. The Core is the smallest subarea, is located in the 'isthmus' between Austin and West Lakes, and consists of the most specific site and building standards as being the center of the Portage Road corridor. The Edge is the northern subarea, establishes the north point of entry into the corridor, is the largest subarea, and generally allows larger buildings. Lastly, the Business subarea is the southern subarea, is mostly commercial/industrial in nature, and has three separated areas. Although, each subarea consists of unique site and building standards, they collectively help achieve the purpose of the LC district.

Sec. 42-447. Approval process.

1. **Site plan approval.** Site plan approval shall be required in accordance with the requirements of Article 4, Division 5 Subdivision 2 of this chapter, and shall follow the procedures established therein and submit elevation designs of the building with material list/samples and exterior color template (architectural renderings may also be needed).
2. **Special land use approval.** Any development that contains a use requiring special land use approval shall be reviewed following the procedures and review criteria of Article 4, Division 5, Subdivision 1.

Sec. 42-448. Existing development in the LC district.

1. **Expansions of developed sites.**
 - a. Whenever a building expansion of greater than 50% of the floor area is proposed, the improved area shall comply with the requirements of this section. However, any new building area or site improvements should result in the site being more compliant and shall not result in the site being less compliant with the requirement of this Subdivision.
 - b. More than 50 percent of existing condition: Whenever a building or site improvement expansion of greater than 50 percent of the existing condition is proposed, measured by square footage, or other relevant measure, the improved area shall comply with the requirements of this article.
 - c. Expansions measured cumulatively: For the purposes of determining compliance with this section, expansions shall be measured cumulatively, with the baseline being the building area and improved site area that existed at the date of adoption of this chapter.
2. **Redevelopment.** Redevelopment of existing buildings shall comply with the following requirements, in addition to the requirements of subsection 42-448.1, above.
 - a. Whenever 50 percent or less of the existing building will be demolished or replaced, measured by square footage, the development activity need not comply with the requirements of this article. However, any site layout or building design changes that may occur as a result of the development activity should result in the site being more compliant with the requirements of this article.
 - b. Whenever more than 50 percent of an existing building will be demolished or replaced, measured by square footage, the development activity shall comply with all of the requirements of this article.
 - c. Renovated areas measured cumulatively: For the purposes of determining compliance with this section, renovations shall be measured cumulatively, with the baseline being the building area and improved site area that existed at the date of adoption of this chapter. For acts of god Section 42-448, 4.e.ii. shall apply.
3. **Change in Use.** Change in use of the existing building and/or site shall comply with the following requirement, in addition to the requirements of the sections listed within this Article.
 - a. For the purpose of determining compliance with this section, a change in use that is **more**

intensive than the previous lawful existing use shall render the need to conform to this Article.

4. Non-Conforming lots, buildings, structures and uses in the LC district

a. General requirements.

- i* It is the intent of this article to permit nonconforming lots, buildings, structures or uses to continue until they are removed, but not to encourage their survival.
- ii* It is recognized that there exist, within the districts established by this article, lots, buildings, structures and uses of land and structures which were lawful before this article was adopted or amended, which would be prohibited, regulated or restricted under this article or future amendments thereto. Nonconformities are declared by this article to be incompatible with permitted uses in the districts involved.
- iii* It is further the intent of this article that nonconformities shall not be enlarged upon, expanded or extended or used as grounds for adding other structures or uses prohibited elsewhere in the same district.
- iv* The following are declared to be an extension or enlargement of a nonconformity and are hereby prohibited:
 - 1 Attachment on a nonconforming structure, building, or use of additional signs intended to be seen from off the premises.
 - 2 The addition of other uses to an existing nonconforming use of a nature that would be prohibited generally in the district involved.
- v* To avoid undue hardship, nothing in this article shall be deemed to require a change in the plans, construction or designated use of a building on which actual construction was lawfully begun prior to December 14, 1965, or prior to the effective date of amendment of this article, and upon which actual building construction has been diligently carried on. As used in this section, the term "actual construction" includes the placing of construction materials in a permanent position and fastening them in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall also be deemed to be actual construction, provided that work is diligently carried on until completion of the building involved.

b. Nonconforming lots.

- iv* Any nonconforming lot existing and of record on December 14, 1965, may be used for any principal permitted use or special land use, (after approval in accordance with division 5, subdivision 1) in the district in which it is located, provided that any specific lot area requirements for a special land use are satisfied.
- v* Except as noted in division 4, subdivision 10, Schedule of Regulations, any use established on a nonconforming lot shall meet all other requirements of division 4, subdivision 10, Schedule of Regulations, other than lot area and width, of the district in which it is located. Yard requirement variances may be applied for through the zoning board of appeals.
- vi* If there exists two or more nonconforming lots or combinations of nonconforming lots and portions of lots with continuous frontage and in single ownership, the lands involved shall be considered to be an undivided parcel for the purposes of this article.
- vii* No division of a nonconforming parcel shall be made which leaves remaining any lot with a width or area below the requirements stated in this article.

d. Nonconforming uses.

- iv* No nonconforming use shall be enlarged, increased or extended to occupy a greater area of land than was occupied at the time it became nonconforming.
- v* No nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by the use.

- vi A nonconforming use may be extended throughout any part of a building manifestly arranged or designed for the use, but no nonconforming use shall be extended to occupy any land outside the building.
 - vii Changes to a nonconforming use in business or industrial districts.
 - 1 If no structural alterations are made, a nonconforming use may be changed to another nonconforming use of the same or a more conforming nature; To determine that the use is the same or more conforming the zoning board of appeals shall find that:
 - A The proposed use is equally appropriate or more appropriate to the district in terms of intensity of use, operational characteristics, parking requirements, or other similar factors, than the existing nonconforming use;
 - B The request will not unreasonably extend the duration of the nonconforming use, and
 - C The proposed use will not adversely affect neighboring properties.
 - 2 In permitting the change, the board may require appropriate conditions and safeguards in accordance with the purpose and intent of this article.
 - viii In any district where a nonconforming use is hereafter changed to a more conforming use, it shall not thereafter be changed to a less conforming use.
 - ix Except for seasonal uses, if a nonconforming use is abandoned for any reason for a period of not less than 180 days, any subsequent use shall conform to the requirements of this article. A nonconforming use shall be considered abandoned if a combination of the following conditions exists that is deemed by the director to constitute an intent on the part of the property owner to abandon the nonconforming use:
 - 1 Utilities and other public services, such as water, gas and electricity to the property, have been discontinued;
 - 2 The property, buildings, and grounds, have fallen into disrepair;
 - 3 Sign structures or other indications of the existence of the nonconforming use have been removed;
 - 4 Removal of equipment or fixtures that are necessary for the operation of the nonconforming use; or
 - 5 Other actions, which constitute an intention of the part of the property owner or lessee to abandon the nonconforming use.
 - 6 Failure to institute procedures to rebuild facilities and buildings necessary to conduct the nonconforming use, such as submission of building plans for a building permit, within 180 days from the time the use is discontinued shall also be considered as an intent to abandon the nonconforming use.
 - x There may be a change of tenancy, ownership or management of any existing nonconforming use, provided that there is no change in the nature or character of the nonconforming use.
 - xi Any time a nonconforming use is superseded by a use permitted in the district in which it is located, the use shall thereafter conform to the regulations of the district in which it is located, and a nonconforming use may not thereafter be resumed.
 - xii Any use for which a special land use or use variance is granted shall not be deemed a nonconforming use, but shall without further action be deemed a conforming use in the district.
- e. Nonconforming buildings and structures.
- i No nonconforming building or structure may be enlarged or altered in a way that

increases its nonconformity.

- ii* Should a nonconforming building or structure be destroyed by an act of God or the public enemy to an extent of more than 60 percent of its replacement cost, exclusive of the foundation, it shall be reconstructed in conformity with the provisions of this article unless it is reconstructed to its original location within 24 months of the date destroyed.
- iii* Should a nonconforming building or structure be moved any distance for any reason, it shall thereafter conform to the regulations of the district in which it is located after it is moved.
- iv* The intentional removal or destruction of the nonconforming portion of a building or structure by the property owner or his/her agent shall eliminate the nonconforming status of the building or structure.
- v* Nothing in this article shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an official charged with protecting the public safety, upon order of such official, provided that the area of the building as it existed on December 14, 1965, or at the time of amendment of this article is not increased.

Sec. 42-449. Waiver of requirements.

1. **Purpose and limitations.** The Planning Commission may grant a waiver from certain dimensional requirements contained in this article. Regulations that may be altered through the waiver process are described in the various sections of this article, along with the specific parameters by which the regulation may be altered.
 - a. Waivers are separate and distinct from dimensional variances in that they are limited in their bounds and are intended to permit reasonable use of property where the strict application of the requirements of this article would not further the public purpose, and a relaxed or altered dimensional standard will still meet the intent and purpose of the LC district.
 - b. Whenever a regulation may be altered through the waiver process, specific bounds are listed within which the waiver must be maintained. If an alteration to a dimensional requirement is requested that is greater than that listed in this article, the applicant must obtain a variance following the procedures and review standards **Sec. 42-622.B.**
2. **Application and review procedures.** The applicant shall clearly identify all requested waivers on the application and site plan. The reviewing authority shall evaluate the requested waivers and approve, approve with conditions, or deny the waiver request. In evaluating a waiver request, the reviewing authority shall take into account the following considerations:
 - a. Approval of the waiver will not result in development that is incompatible with, or will negatively impact, existing or potential future development in the vicinity of the property to be developed.
 - b. The requested waiver is consistent with the intent and purpose of this article.
 - c. The waiver will result in a superior development when compared with what could be achieved through the strict application of the requirements of this article.
 - d. A lesser waiver will not accomplish the same purpose as the requested waiver.
 - e. The waiver will not negatively impact the potential of adjacent parcels to develop according to the requirements of this article.

Sec. 42-450. Permitted use table.

The following uses are or may be permitted in the LC district. For uses that are similar to those uses listed below as permitted, but are not expressly identified, the Director of Community Development (or their designee) may permit such use.

Key:	Principal Permitted Use: P	Special Land Use: S	[—] Use Not Permitted
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USE	SUB AREA			DESIGN STANDARD
	CORE	EDGE	BUSINESS	
RESIDENTIAL USES:				
Multi-Family Residential	—	P	S	Section 42.455.A
Assisted Living Facility	—	S	P	Section 42.455.A or Section 42.455.B
Attached Single-Family Dwelling Unit	—	P	S	Section 42.455.D
Bed and Breakfast	—	—	S	Section 42.455.A or Section 42.455.B Section 42.451.7
Housing for the Elderly (55 years or older and independent)	—	S	P	Section 42.455.A or Section 42.455.B
Nursing/Convalescent Home	—	S	P	Section 42.455.A or Section 42.455.B
Upper Story Dwelling Unit / Mixed Used Building	P	P	P	Section 42.455.B

COMMUNITY AND INSTITUTIONAL USES:				
	CORE	EDGE	BUSINESS	
Municipal and Government Buildings and Uses	P	P	P	
Private Clubs and Lodge Halls	—	S	S	Section 42.451.6
Public Parks and Rec Facilities	P	P	P	
Religious Institutions	S	—	P	Section 42.451.3 Not permitted on the ground floor in the Core area
COMMERCIAL, OFFICE AND RETAIL USES:				
Bakeries, Coffee shops, ice cream parlors and other similar establishments	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Bank/Credit Union	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Banquet Hall/Conference Center	—	S	S	Single Story Commercial see Section 42.454.C Multi Story Mixed Use see Section 42.455.B xxxx
Commercial Recreation - indoor	—	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Day Care Centers	—	P	P	Single Story Commercial see section 42.455.C Multi Story Mixed Use see Section 42.455.B Section 42.451.5
Drive-in or Drive-through facility such as banks, pharmacies	—	P	—	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Gallery (art, photography, etc.)	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Hotel	—	S	S	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Micro-Brewery/ Brewpub / Winery/ Distillery	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B Section 42.451.2

	CORE	EDGE	BUSINESS	
				Multi Story Mixed Use see Section 42.455.B
Office, medical or professional (ground floor)	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Office medical or professional (upper story or rear ground floor)	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Personal Service Establishment	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Restaurant: carry out	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Restaurant: drive-in or drive-through	—	S	—	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Restaurant: sit down	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Restaurant having sidewalk café or outdoor patio	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Retail Sales <15,000 sq. ft. gross area	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
≥15,000 sq. ft. gross area	—	S	S	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Outdoor Retail	S	S	S	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Studio (dance, martial arts, music, etc.)	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B

Theatre, live performance	S	P	P	Single Story Commercial see Section 42.455.C
	CORE	EDGE	BUSINESS	
Trades Showroom	—	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B
Veterinary Clinic	P	P	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B Section 42.451.1
INDUSTRIAL, TRANSPORTATION AND UTILITY USES:				
Utility and Public Service Buildings	S	S	S	No outdoor storage permitted Section 42.458
Warehouse Light Manufacturing and Wholesale/Retail Outlets; Under 20,000 Sq. Ft.	—	—	S	No outdoor storage permitted. Section 42.458
Wireless Communication Facilities	—	—	P	Section 42.135

Section 42.451 Supplementary Design and Land Use Standards

1. Veterinary clinics, subject to the following:

- Buildings housing this use shall be freestanding and not connected to any other building containing any other use.
- The part of the lot shall not abut a residential district or use lot line.
- No boarding of animals for reasons other than medical procedures or recovery shall be permitted.
- No services shall be provided to large animals, such as horses, cows, and other similar size animals.
- No cremations or crematory facilities shall be operated on the premises.

2. Microbrewers, Brewpubs, Wineries, and Distilleries, subject to the following requirements,

- Brewery production shall not exceed 18,000 barrels per year.
- No outdoor storage of any kind shall be permitted.
- The use shall also include a seating or tasting area having a minimum seating occupancy of 25 persons serving food for consumption on premises. These uses do not include those for the exclusive production and/or service of alcoholic beverages.
- An off-street loading space shall be required in the rear yard, as approved by the director.
- Temporary food vendors and food trucks are permitted, with City approval, within 150 feet of the property line provided parking requirements are met. Vehicles shall not be parked in one place for a period of more than 24-hours.

3. Religious institutions.

- The main building of a religious institution, not including the height exceptions of section 42-123.C may exceed the maximum height allowed in this district, provided that the front, side and rear yard setbacks are increased above the minimum required setback by one foot for each one foot of building height over the maximum height allowed.
- The site shall be located to have at least one property line abutting a major thoroughfare, as designated on the major thoroughfare plan. All ingress to and egress from the site shall be directly onto such major thoroughfare or a marginal access service drive thereof.
- Existing religious institutions and religious institution lands purchased before December 14, 1965, and not meeting the requirements of this subsection shall not be prevented from constructing

and/or expanding their facilities and, for the purposes of this article, shall be considered a conforming use or building.

- 4. Utility and public service buildings.** without storage yards, when operating requirements necessitate the locating of the building within the district in order to serve the immediate vicinity.

5. Day care centers, not including dormitories.

- a. A minimum of 150 square feet of outdoor play area for each child cared for shall be provided and maintained, except in no case shall the play area shall have less than 5,000 square feet. The play area shall be screened from any adjoining residential district lot.
- b. Lots containing these uses must be located adjacent to an R-1T, RM-1, RM-2 district or OS-1, OTR, LC, B-1, B-2, B-3, or CPD district and not located in the interior part of any one-family residential district.

6. Private Clubs and Lodge Halls.

- a. The proposed site shall have one property line abutting a major thoroughfare as designated on the major thoroughfare plan, and the site shall be so planned as to provide ingress and egress directly onto or from such major thoroughfare. The planning commission may allow access from any other public street provided that a majority of the members live within one mile of the facility.
- b. Front, side and rear setbacks shall be at least 80 feet, except on those sides adjacent to nonresidential districts, and shall be landscaped in trees, shrubs, grass and terrace areas. Sufficient off-street parking shall be provided to accommodate not less than one-half of the member families and/or individuals. Bylaws of the organization shall be provided with the application for the special land use to compute off-street parking requirements.
- c. When the planning commission finds that travel to the facility would be safe and convenient, the requirement for frontage on a major thoroughfare may be waived and the off-street parking requirements reduced to a number the commission deemed sufficient.

7. Bed and breakfast establishments.

- a. Bed and breakfast establishments shall be located in a one-family residence existing at the date of the adoption of this article.
- b. The property on which the use is located shall be at least 500 feet from the property line of any other bed and breakfast establishment.
- c. The site shall be so located as to have one property line abutting a major or collector thoroughfare as designated on the major thoroughfare plan. All ingress to and egress from the site shall be directly on to such major thoroughfare or marginal access service drive thereof. The planning commission may allow access from a local street when it finds that no adverse effects on the surrounding area would result.
- d. No exterior alterations to the main building are permitted for additional sleeping accommodations and all accommodations must be within the main building.
- e. There shall be no more than one kitchen or other similar area in the main building and all cooking appliances must be located in the allowable cooking area.
- f. All food shall be served on the premises and be for the consumption of the innkeeper and guests only.
- g. The bed and breakfast establishment must be the innkeeper's principal residence.
- h. The maximum stay of any guest is 14 days on any single occasion. A guest register is required to be maintained showing the arrival and departure dates of guests and must be made available for inspection by the director or his representative.
- i. One wall sign and one freestanding sign are permitted. No sign shall be illuminated or animated, or exceed 16 square feet in area. The freestanding sign shall be no more than ten feet in height and placed at least ten feet from any property line.

8. Warehouses, Wholesale/Retail Outlets under 20,000 Sq. Ft.

- a. Due to the nature of their operations, the size of their buildings, or some other peculiarity, warehouses and wholesale/retail outlets are equally or better suited to be located in an I-1 district with access to a major thoroughfare. Planning Commission shall find that the thoroughfare is sufficient for the amount of traffic volume generated by the wholesale retail outlet and not disturb other developments in the district.

Sec. 42-452. Dimension and Design Standards.

The following dimensional and design standards regulate the physical characteristics of development in the LC district. The standards are broken into sections addressing a specific development characteristic: Blocks and streets, lot requirements, and building requirements.

Sec. 42-452.A. Purpose of Dimension and Design Standards.

The purpose of the development design standards in this article is to establish design standards applicable to new commercial and office development located inside the Lake Center district to improve and enhance the visual and functional impact of new development in the City of Portage, and therefore, to enhance the public health, safety, and welfare. The intent of these regulations is to provide specific design guidelines that achieve the following:

1. Encourage development and redevelopment that protects and enhances the traditional small-town character, fits within the traditional urban form and creates a character that reinforces a sense of community identity.
2. Encourage a form of development that will achieve the physical qualities necessary to maintain and enhance the economic vitality of the various business districts, maintain the desired character of the city, prevent the creation of blight and protect property values.
3. Promote the preservation and renovation of structures, and ensure new buildings are compatible with, and enhance the character of, the City's cultural, social, economic, and architectural heritage.
4. Establish an integrated pedestrian system to encourage a walkable pedestrian environment.
5. Encourage quality development to provide employment and diversify the tax base.
6. Ensure that new development services the anticipated increased population and is designed to complement the community character.
7. Encourage new development of existing areas.
8. Implement recommendations of the City of Portage's current and future plans. For example, city's master plan, parks and recreation plan, et al.

Section 42.452.B. Site Layout.

1. **Physical features and site relationships.** All development in the LC district shall minimize its impact on the natural environment and adjacent properties. Site design should preserve and incorporate any natural features unique to the site. Specifically.
 - a. Topography and grading. Site improvements should be designed to minimize changes to existing topography. Topography and existing vegetation should be utilized for screening, buffering, and transition of uses and developments. Grading should be blended with the contours of adjacent properties.
 - b. Existing site features. The design should retain and incorporate existing natural site amenities such as, creeks, wetlands, views, trees, natural ground forms, and similar features into the overall site design.
 - c. Building orientation. The design should be sensitive to the existing terrain, existing buildings in the surrounding area in terms of size, design, and orientation of buildings. Outdoor spaces should be sensitive to views, climate, and the nature of outdoor activities that could occur in association with the project.
 - d. Building design. The design of buildings should neither impair nor interfere with the development or enjoyment of other properties in the area. Through site planning and design, projects proposed near dissimilar land uses should carefully address potential negative impacts on existing uses. These impacts may include, but are not limited to, traffic, parking, circulation and safety issues, light and glare, noise, odors, dust control, and security concerns.
 - e. Distance between buildings. In a development in which there is more than one building, the distance between buildings should be limited. Covered walks, arcades, landscaping and/or special paving should be provided to connect buildings with each other and with the street. A variety in building size and massing should be encouraged provided that architectural and spatial consistency can be maintained through the use of proportion, height, materials and design.
2. **Streetscape and pedestrian orientation.** Developments shall create a walkable, pedestrian scale. Site

and building design shall address pedestrian needs and include creative approaches to improving pedestrian interest, access, and enjoyment.

- a. Spatial gaps and interruptions caused by parking or other non-pedestrian elements, such as building gaps, driveways, and service entries shall be avoided. Continuous pedestrian activity is strongly encouraged.
- b. Pedestrian spaces, such as covered walkways, courtyards, and plazas are encouraged to be provided and are accessible and visible from the street. The design shall encourage the development of open and attractive passageways between buildings and adjoining developments.
- c. Solid, blank walls and other "dead" or dull spaces at street level are to be avoided. Visually interesting building facades should be maintained and/or established to engage pedestrian interest. Outdoor seating and dining areas are encouraged.
- d. Decorative outdoor lighting and sidewalk design shall be consistent and uniform.
- e. Intersections, crosswalks, and main building entries should be emphasized by a change in sidewalk color, texture, or material. The use of paint striping to accentuate these areas is discouraged.
- f. Rear façades of both new and existing buildings must be designed to permit public access from parking lots whenever appropriate.
- g. Vehicular cross-access between properties shall be provided to minimize the number of curbs cut openings onto public streets. Generally, vehicular access shall be limited, with no more than one access per street frontage.

3. **Pedestrian and vehicular circulation.** Developments shall be conveniently accessible to both pedestrians and automobiles. On-site circulation patterns shall be designed to adequately accommodate all types of traffic. Potential negative impacts of pedestrian and vehicular circulation on adjacent property must be minimized and mitigated.

- a. Pedestrian circulation patterns shall be safe, clearly defined, and direct. Unintentional pedestrian routes, which provide unsafe "shortcuts" and tend to damage landscape areas, shall be discouraged by providing appropriately located pedestrian routes along with pedestrian friendly barriers such as decorative fencing, feature walls, or landscaping to protect appropriate pedestrian routes.
- b. Pedestrian access routes shall be buffered from the street, vehicular traffic, and parking areas through the use of greenspace and landscaping where possible. Pedestrian amenities such as benches, pergolas, gazebos, and water features along pedestrian access routes are strongly encouraged.
- c. Pedestrian access to building entrances from public sidewalks and parking areas shall be provided. The pedestrian access routes shall be designed to separate pedestrian and vehicular traffic, and shall not detract from the design of the building and adjacent properties. Pedestrian circulations shall take precedence over vehicular circulation.
- d. Pedestrian linkages between adjacent uses shall be provided and emphasized. Distinct pedestrian access routes leading to primary buildings or structures from parking areas in large commercial developments, such as shopping centers or multi-use developments are encouraged.
- e. Bicycle parking shall be located in highly visible areas and be designed to permit users to lock bicycles to the parking rack. An internal bike circulation system is encouraged for large developments and shopping centers.
- f. Developments should consolidate access driveways to lessen walking distances between buildings and conflicts with vehicles. Alleys should also be used to achieve this.

Sec. 42-452.C. Building scale and relationships.

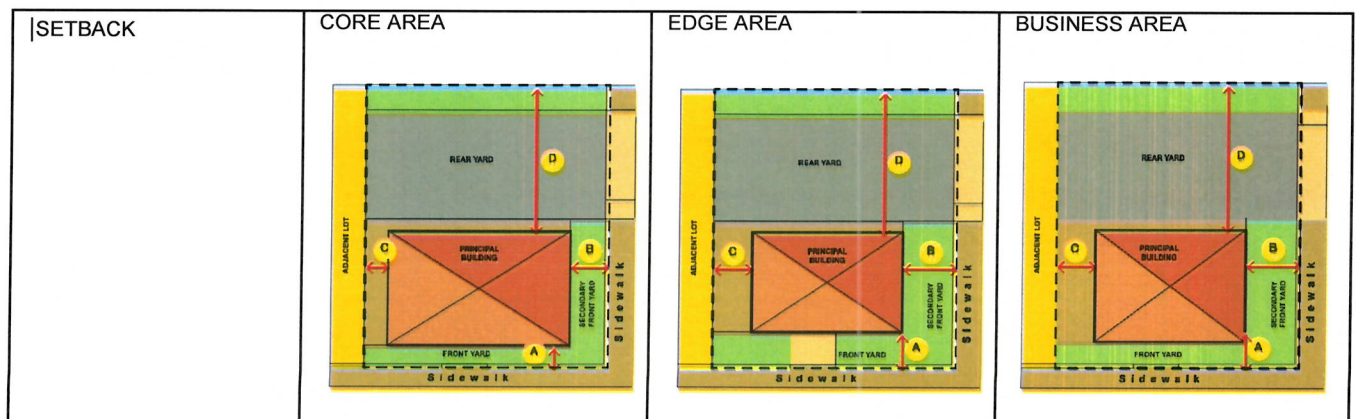
The following building design standards are applicable to all buildings. Refer also to [Section 42-455.B](#) and [Section 42-455.C](#), for design standards applicable to mixed use and single story retail buildings:

1. **Scale.** Building and site design shall be compatible with the architecture, mixture of uses, and compact layout of a traditional small town.
 - a. Scale. Buildings should be designed with a walkable village setting. When building transitions are deemed necessary and architecturally appropriate, such transitions shall be well articulated and defined.
 - b. Human scale design. All building designs should be based on a human scale instead of incorporating overly large or exaggerated design elements oriented towards high-speed vehicular traffic. Wall insets, offsets, balconies, entries, and window projections are examples of building elements that shall be used.
 - c. Mass and proportion. The mass and proportion of structures should be similar to structures on adjacent lots and on the opposite side of the street as long as those buildings comply with design standards identified in this ordinance. Larger buildings may be broken up with varying building lines and rooflines to provide a series of smaller scale sections, which are individually similar in mass and proportion to surrounding structures.
 - d. Residential density. Residential density in the LC district shall be determined by building height, setbacks and parking requirements. There is no minimum dwelling unit size provided units are consistent with Michigan Building Code.
2. **Relationships to neighboring development.** The site design and building features of the proposed development shall be consistent with the design standards set forth in [Section 42-455](#)
 - a. Compatibility with the area. Architectural design shall be compatible with the developing character of the area. Design compatibility shall include complementary building style, form, size, color and materials.
 - b. Compatibility within the site. Multiple buildings on the same site shall be designed to create a cohesive visual relationship between the buildings.
 - c. Public spaces. Buildings shall be located to provide functional outdoor and public spaces that enhance the use of the building and the neighboring buildings or properties.

Sec. 42-452.D. Lot requirements.

The following requirements apply to the development of lots in the LC district. For the purposes of determining compliance with these regulations, lots that are assembled under one ownership may be considered a single lot.

1. **Lot width and area.** The minimum lot width in the LC district is 50 feet, and the minimum lot area is 5,000 square feet.
2. **Setbacks.** Buildings in the LC district shall comply with the following minimum and maximum setback requirements. When there is a minimum and a maximum requirement for a setback, the building must be located in the build-to area that is created by the minimum and maximum setback requirement.



	MIN.	MAX.	MIN.	MAX.	MIN.	MAX.
Primary Front Yard- A	0 ft.	5 ft.	5 ft.	10 ft.	5 ft.	10 ft.
Secondary Front Yard- B	0 ft.	10 ft.	5 ft.	15 ft.	5 ft.	15 ft.
Side Yard- C						
adjacent to LC zoning district	0 ft.	—	0 ft.	—	0 ft.	—
adjacent to any non-LC zoning district	5 ft.	—	10 ft.	—	10 ft.	—
Rear Yard- D						
adjacent to LC zoning district	5 ft.	—	5 ft.	—	5 ft.	—
adjacent to any non-LC zoning district	10 ft.	—	10 ft.	—	10 ft.	—

- a. Primary vs. secondary front yards. When a lot is located on a corner lot, the primary front yard setback shall be measured from the right-of-way line of the street having higher pedestrian importance or intensity (e.g. traffic volume, number of lanes, etc.). Any lot line that borders on a street shall be considered a front yard.
 - i. The applicant shall identify primary and secondary front yards on any site plan for approval by the reviewing authority. In reviewing an applicant's designation of primary and secondary front yards, the reviewing authority shall consider the following:
 1. Every lot shall have at least one primary front yard.
 2. A lot may have more than one primary or secondary front yard.
 3. Yards along Portage Road shall always be designated a primary front yard whenever a lot has sufficient developable frontage on Portage Road.
 4. The yard facing a minor street may be considered a primary or a secondary front yard.
 - b. Waiver. The maximum setback requirements may be increased by up to 50 percent following the waiver procedures in **Sec. 42-449**.
3. **Required Building Frontage.** In order to maintain a pedestrian scale environment, it is important that buildings maintain a minimum frontage within the front setback area. This prevents buildings from being spaced too far apart, which creates gaps in the street wall. Building frontage is defined as the width of the building in the build-to area divided by the lot width at the front property line. By way of example, a building that is 70 feet wide in the build-to area located on a lot that is 100 feet wide would have a building frontage of 70 percent ($70/100 = 70\%$).

STREET TYPE	BUILDING FRONTAGE REQUIREMENT		
	CORE AREA	EDGE AREA	BUSINESS AREA
Portage Road	90%	70%	60%
Cross Streets	70%	60%	50%

- a. Waiver. The frontage requirements may be altered by the Planning Commission if the applicant can demonstrate that, in addition to the review considerations in **Sec. 42-449** if meets the following:
 - i. The building is designed consistent with the intent of the frontage requirements; and that
 - ii. Reasonable development potential exists on adjacent lots or on the same lot in the future to fill in the street wall over time.

Sec. 42-453. Building & Frontage Design.

Buildings in the LC district shall comply with the following requirements, in addition to any applicable requirements of **Section 42-451** and **Section 42-455**. The requirements of this section and **Section 42-455** are intended to be

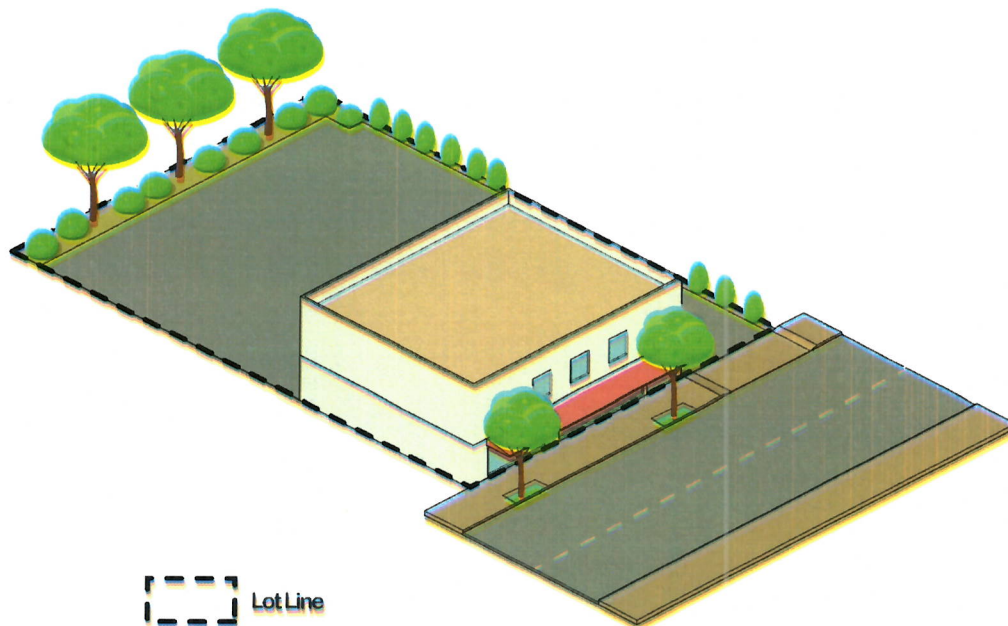
complimentary; however, in any instance where there is an apparent conflict, the provisions of this section shall prevail.

1. **Private frontage.** The private frontage is the area between the right-of-way and the principal building façade and must contain architectural elements consistent with one of the following four Frontages Types. Each frontage is designed to be consistent with some or all of the uses permitted in the LC district.

Note that the following table includes specific dimensional requirements for each of the frontages. Unless otherwise noted, the dimensional requirements are in addition to any other dimensional requirement of this article.

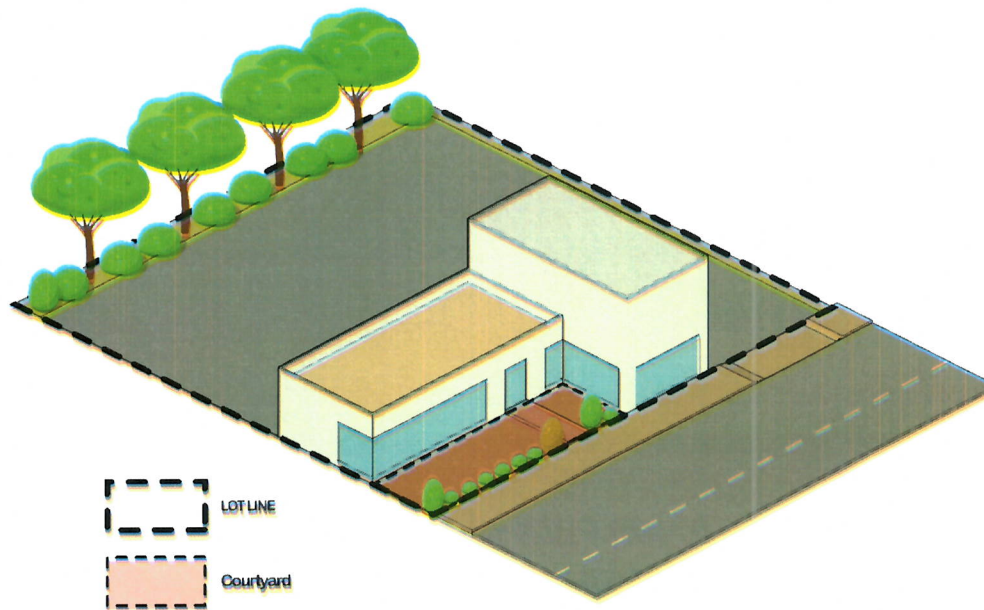
FRONTAGE TYPE	WHERE PERMITTED	DIMENSIONAL REQUIREMENTS
Shopfront. A frontage where the building facade is located close to the front lot line with the building entrance at sidewalk grade. This frontage type is suitable for nonresidential uses on the first floor.	Core area Edge area Business area	The build to line shall comply with minimum setback for the Core, Edge, and Business Areas.

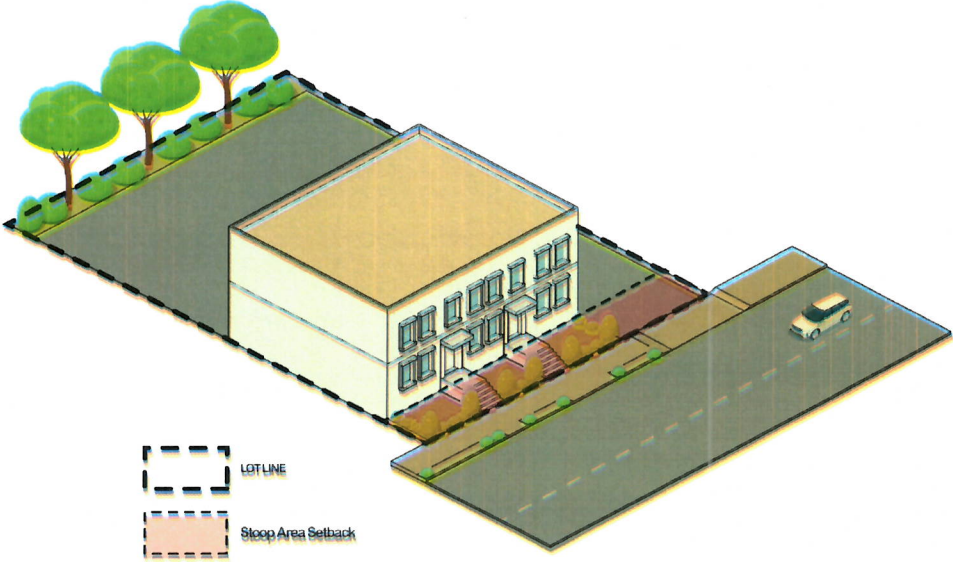
Shopfront Illustration:



Courtyard. A frontage where a portion of the building facade is close to the front lot line with a portion set back. This frontage is suitable for any building use.	Core area Edge area Business area	The build to line shall comply with minimum setback for the Core, Edge, and Business Areas. The courtyard area shall be considered part of the front building facade for the purposes of determining compliance. Items within this private space may include lawn, hardscape, landscaping, outdoor dining and furniture, and others approved by the Director.
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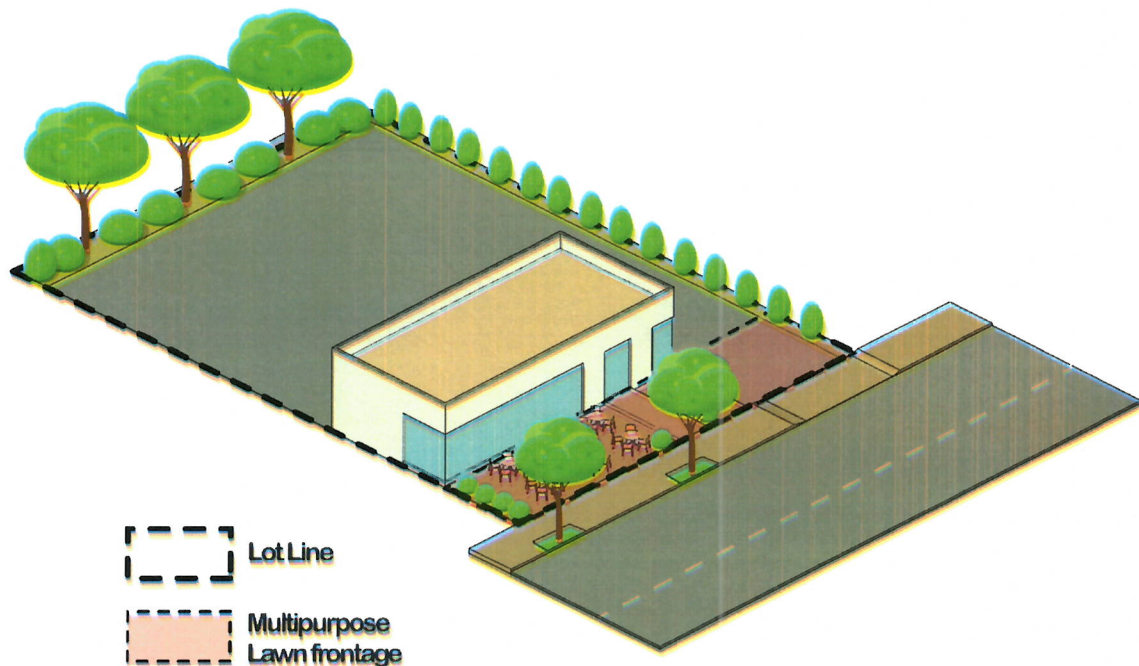
Courtyard Illustration:



Stoop. A frontage where the first floor is elevated from the sidewalk to provide privacy for first floor windows. The entrance is usually from an exterior stair and landing. This frontage is suitable for ground-floor residential use.	Edge area Business area	The build to line shall comply with minimum setback for the Edge, and Business Areas from the front lot line. The stoop or porch area shall be set back a minimum of 2 feet from the front lot line. Items within this private space may include lawn, landscaping and furniture, and others approved by the Director.
Stoop Illustration: 		

Lawn. A frontage where the building is set back from the street with a landscaped front yard area. This frontage is suitable for any building use.	Edge area Business area	The build to line shall comply with maximum setback for the Edge and Business Areas. Unenclosed front porches shall be set back a minimum of 5 feet from the front lot line. Items within this private space may include lawn, landscaping, outdoor dining and furniture, and others approved by the Director.
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Lawn Illustration:



Section 42-454. Building Design. Building design shall complement the intended small-town character and architectural heritage of the community. The design shall consider the adaptive reuse of the building. Building design shall incorporate a clear and well-articulated design concept, and architectural detailing that creates a positive and visually consistent image shall be encouraged.

1. Building height.

	Edge	Core	Business
Maximum Height	50	30	40

- a. **See Section 42-123** for height exceptions.

2. Base, middle, and cap. All buildings shall incorporate a base, middle, and cap, as is applicable.

- a. **Base.** The base shall include an entryway with transparent windows and a horizontal molding or reveal placed between the first and second stories or over the second story.
- b. **Middle.** The middle shall include windows having a symmetrical, matching, or pattern design and

may include balconies.

- c. **Cap.** The cap includes the area from the top floor to the roof of the building and shall include a cornice or roof overhang. Changes in roof height between facades or bays shall be required to include a terminating vertical break.



Figure 1 : A-Cap of the building. B-Middle includes the windows and balconies of this second floor units. C- The base encompasses the first floor and the street-front of this buildings with primary entrances to units above and or units on the first floor. E- Deep protruding cornice and molding. D- Horizontal molding to separate the base and the middle.

Figure 1: A regular 2 story building with a base, middle and a cap. The horizontal molding or reveal (A) can be considered as base with entrances located in between and the windows of the first floor sitting between the horizontal band and the "middle (B)" which visually separates the first floor and the second floor. The Cap (C) is the thick molding on the roof running along the perimeter of the building.

- 3. **Alignment.** Windowsills, moldings, and cornices shall align with those of adjacent buildings. The bottom and top line defining the edge of the windows (the "windowsill alignment") shall not vary more than two feet from the alignment of surrounding buildings as long as the surrounding buildings comply with design standards identified in his ordinance. If the adjoining buildings have windowsill alignments that vary by more than two feet from one another, the proposed building shall align with one of the adjoining buildings. This requirement may be waived per **Sec. 42-449**
- 4. **Ground floor design.**
 - a. **Building entrance(s).** All buildings shall have their principal entrance or entrances open onto a street, sidewalk, or public space. The principal building entrance shall not open onto a parking lot, although a secondary or subordinate entrance may be provided to a parking lot.
 - b. **Entryway alignment.**
 - i. **Nonresidential Ground-floor Uses.** First floor of building shall have the principal entrance grade align with the elevation of the adjacent sidewalk. Sunken terraces or stairways to a basement shall not constitute principal entrances for the purposes of this section. It is not the intent of this section to preclude the use of below or above grade entryways, provided that such entryways are not principal entrances. Main entrances to buildings shall incorporate features such as canopies, roof overhangs, recessed entranceways, or other similar features to provide protection from the elements. In addition, long blank walls along the sidewalk leading to the entrance should be avoided.

- ii. Residential Ground-floor Uses. First-floor of building (including principal entrance) in the Edge and Business areas may be raised up to three feet above the grade of the adjacent sidewalk. This is intended to create greater privacy for first floor residential uses by elevating windows above the view of passing pedestrians.

5. Encroachments. The following building elements may encroach into a public right-of-way or setback area:

- a. Balconies. Balconies on upper stories may encroach up to eight feet into any required setback area and up to four feet into any right-of-way area.
- b. Stoops. Unenclosed and uncovered front stoops may encroach up to five feet into a front yard setback area, provided that the stoop maintains a minimum setback of five feet from any right-of-way line.
- c. Awnings.
 - i. Ground-story awnings may encroach up to 6 feet (B in diagram) from the face of the building into the setback or right-of-way area, but may not interfere with street lighting or trees.
 - ii. Awnings shall have at least 8 feet (C in diagram) above grade of sidewalk from the bottom of the awning or any support structure, and no higher than 12 feet (A in diagram) to the highest point of the canopy.
 - iii. Awnings shall be constructed out of fabric, and may not be internally illuminated. Metal or other materials may be used for awnings if a waiver is approved per **Sec. 42-449**.
- d. Bay windows. Bay windows on the ground story may encroach up to three feet into any setback area, but shall not encroach into the right-of-way. On upper floors, they may encroach up to three feet into any setback or right-of-way.
- e. Eaves. Roof eaves may encroach up to three feet into any setback or right-of-way area.

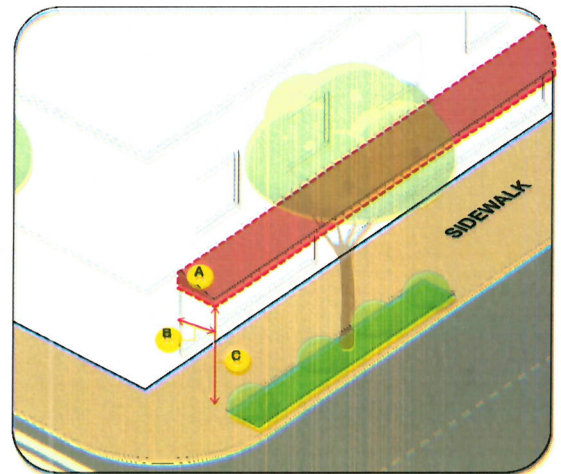


Figure 2. A. Awning projection to be reduced to accommodate streetlights and street trees., 12 Ft. B. Maximum Encroachment 6 Ft. C. Minimum clear Height, 8 FT.

6. Service areas. All service areas, including utility access, above ground equipment shall be screened from any public view per **Section 42-575**. Dumpsters shall be located in the rear or non-required side yards and shall be screened from view of any public right-of-way with a solid wall, fence or live landscape material of at least six feet high per **Section 42-574**.

7. Mechanical and utility equipment. Mechanical equipment, electrical and gas meter and service components, and similar utility devices (whether ground level, wall mounted, or roof mounted) shall be screened from view of any public right-of-way or adjacent residential district or use by a wall, fence, or live landscape material and not face primary street. Exterior screening materials shall be the same as the predominant exterior materials of the principal building.

8. Front façade design. All building façade that are visible from a public street or public space such as a plaza or square shall conform to the following design criteria:

- a. Blank walls are prohibited on the front façade.
- b. Encourage architectural features, details and ornaments such as archways, colonnades, cornices, contrasting bases, contrasting masonry courses, water tables, molding pilasters, columns, and corbelling, contrasting bands of color, stone or accent features.
- c. Windows. Large window openings shall be provided at ground level with transparent, nonreflective, minimally tinted glass. Window shapes should be rectangular, square or Palladian (mostly rectangular

with a semi-circular top). Circular, octagonal, or diamond shaped windows may be allowed as accent features or when part of a specific architectural style. Windows above the ground floor should have a height to width ratio of at least 2:1, or have a ratio that complements the architectural style.

- d. Ground floor facade transparency.
 - i. All buildings with first floor nonresidential uses shall maintain transparency for at least 70 percent of the first-floor facade area between two and eight feet above grade level. Doors and windows may be included.
 - ii. All windows shall use transparent, non-reflective glass.
 - iii. Areas of solid wall shall not exceed a length of 20 feet, unless otherwise specified.
- e. Recessed entrances encouraged. Doors are encouraged to be recessed into the face of the building to create a sense of entry and to add variety to the streetscape.

9. Rear or side wall design. All sides of a building shall be similar in detail and material to present a cohesive appearance to the front façade.

10. Building materials. The selection of materials shall enhance the architectural ambiance of the area and shall reinforce the permanency of the structure and the development as set forth herein.

a. Materials visible from the street. Permitted Primary Materials (≥ 60% of building façade)	CORE	EDGE / BUSINESS
Brick, cut stone, field stone, cast stone, manufactured stone, or burnished concrete masonry	•	•
Timber or dimensional wood	•	•
Fiber cement siding or panels	•	•
Engineered equivalent of any material listed above ^a	NP	•

^a Engineered building materials should convincingly match the appearance of natural building materials.

Permitted Accent Materials	CORE	EDGE / BUSINESS
Clear or lightly tinted glass	•	•
Metal and metal paneling	•	•
Decorative masonry veneer	NP	•
Timber or dimensional wood	•	•
Polymer plastic (e.g., Fypon, Azek)	•	•
Stucco, not to exceed 10% of building façade	•	•
Pre-cast concrete	•	•
Split-face masonry (not to exceed 5% of total wall area)	•	•
Permitted Roofing Materials	CORE	EDGE / BUSINESS
Architectural shingles (e.g., cedar, asphalt, and fiberglass)	•	•
Standing metal seam	•	•
Natural or artificial slate	•	•
Copper	•	•
Clay tile	•	•
EPDM, rubber sheet, or other layered roofing system	•	•

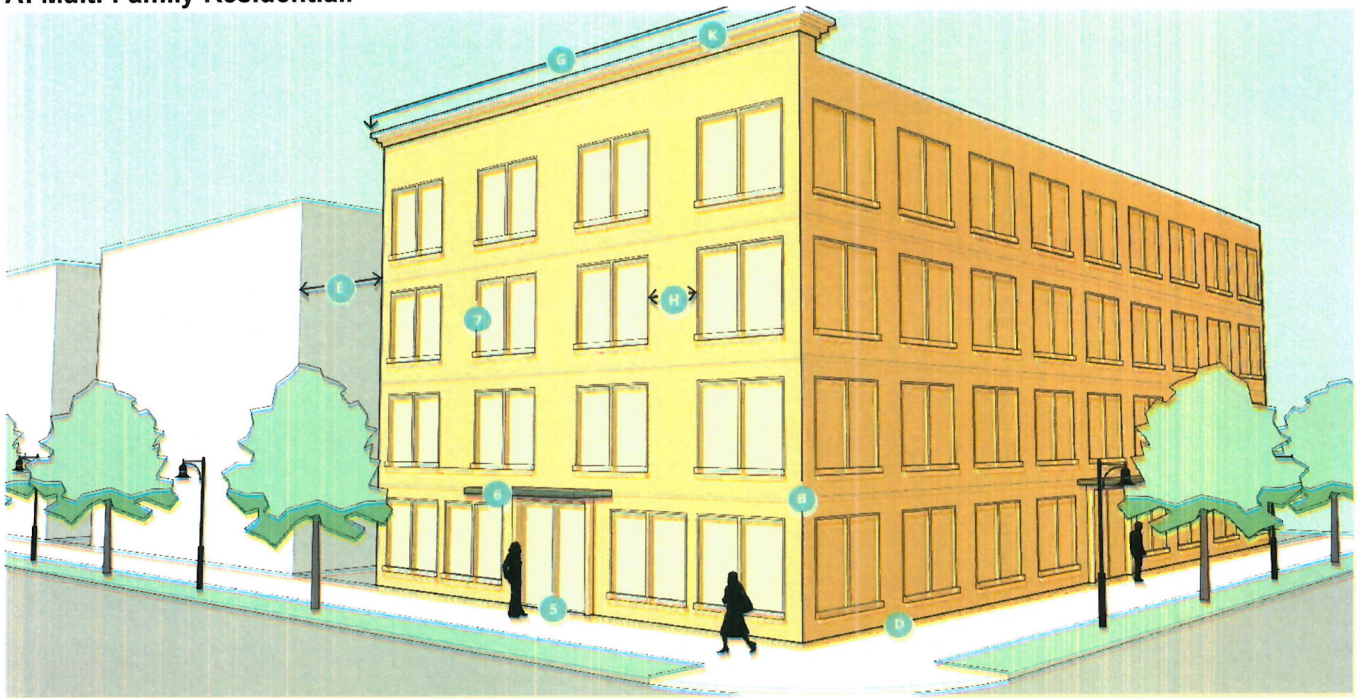
1. **Prohibited Materials.** Prohibited materials include, but are not limited to: vinyl, Exterior Insulation and Finishing Systems (EIFS), painted or scored concrete masonry units (CMU), dark-tinted, reflective, or mirrored glass, and exposed neon, except as permitted with a waiver by the Planning Commission who shall determine consistency with the intent of Building Design standards.

c. Material or color changes. Material or color changes shall only occur at a change of plane. Material changes at the outside corners of buildings shall be integrated into the overall architectural design of the building as a corner treatment. Inconsistent adornment and frequent changes in material or color shall be avoided.

- i. **Building material colors.** The Community Development Director, or designee, shall review building colors as a part of site plan approval.
 1. For new construction, a color palette showing primary and accent colors of exterior finish materials shall be provided.
 2. For building additions or renovations, exterior finish materials and colors shall be consistent or compatible with existing finish materials/colors.
 3. As part of review, samples of building materials may be required.
- d. **Soffits and other architectural elements.** Soffits and other architectural elements visible to the public shall utilize materials compatible with other exterior materials on the building.
- e. **Accessory buildings.** Accessory buildings that are part of a new development shall incorporate the same materials and colors as are utilized in the primary structure. Accessory buildings that are connected to an existing site should incorporate a unifying element(s) with the existing principal building. The structure should meet the requirements listed in Section 42-121.
- f. **Stylized or prototype buildings.** Building design such that the building itself is an advertisement shall not be permitted. Building architecture shall not be of a design which intends to advertise a particular corporate or franchise style.

Sec. 42-455. Design Standards for Specific Uses and Buildings

A: Multi-Family Residential.



Building Form and Massing Standards

Main Body	Min.	Max.	Massing and Composition	Min.	Maxi.
A Minimum building height	2 stories	Varies	G Bay Width	20'	40'
B Ground floor height	12'	15'	H Blank wall length	--	20'
C Upper floor height	10'	15'	I Flat (low-slope) roof	Permitted	
D Finished floor elevation	0'	3'	J Pitched roof	Permitted	
E Building separation	0' / 15'*		K Terminating vertical break	Required	
F Pedestrian pass-through	Not Required		L Roof pitch (rise: run)	4":12"	12":12"

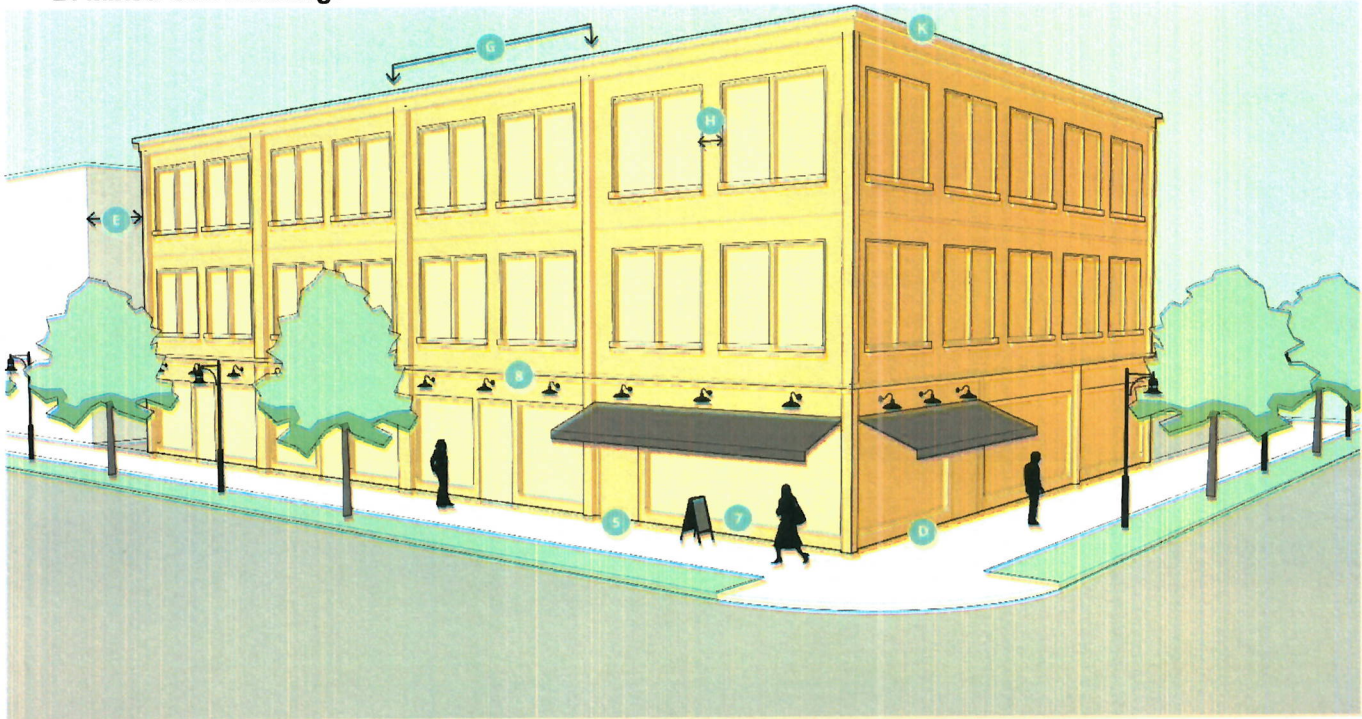
*0 feet where connected to adjacent building or 15 feet where separation between buildings is provided.

General Design Notes:

1. All exterior building walls are designed with attention to detail and quality of material especially when facing streets and public accesses. There are no blank or unarticulated façades.
2. Pattern of solids and voids generated by the vertical and horizontal alignment of similarly-sized windows and doors. Distance between façade breaks, bay widths, and spacing of windows and doors consistent with scale and rhythm of adjacent buildings.
3. Primary building entrances open onto a street, sidewalk, or public space. Secondary entrances may be provided from a parking lot. Corner buildings have at least one entrance addressing each street frontage.
4. All architectural features, including awnings, overhangs, roof projections, window accents, and the like are compatible with the style, materials, and colors of the building.

5. Primary building entrances at grade for accessibility.
6. Building entrances clearly defined by recessing the entrance, or utilizing elements such as lintels, pediments, pilasters, columns, awnings, overhangs, or solar shades.
7. Windows and doors shall be into the facade wall, to appear as if they were "punched" through the building façade.
8. Ground floor may contain interior lobby, vestibule, and similar areas and, amenities, such as mail rooms, fitness centers, and community rooms. Ground floor apartments are allowed in the Edge and Business areas only.
9. In larger developments with more than one multifamily building, buildings shall be arranged and clustered to maximize opportunities for shared circulation and parking. The location and design of buildings and uses (including community amenities and open space) shall be designed for pedestrian access. Internal setbacks between all buildings shall be based on the provision of adequate light, ventilation, parking, and all other applicable building codes.

B. Mixed-Use Building.



Building Form and Massing Standards

Main Body	Min.	Max.	Massing and Composition	Min.	Max.
A Minimum building height	2 stories	Varies**	G Bay Width	16'	40'
B Ground floor height	12'	15'	H Blank wall length	--	16'
C Upper floor height	10'	15'	I Flat (low-slope) roof	Required	
D Finished floor elevation	0'	3'	J Pitched roof	Not Permitted	
E Building separation	0' / 15'*		K Terminating vertical break	Required	
F Pedestrian pass-through	P (Min. 15')		L Roof pitch (rise: run)	NA	NA

*0 feet where connected to adjacent building or 15 feet where separation between buildings is provided.

**Maximum of two-stories in LC Core area.

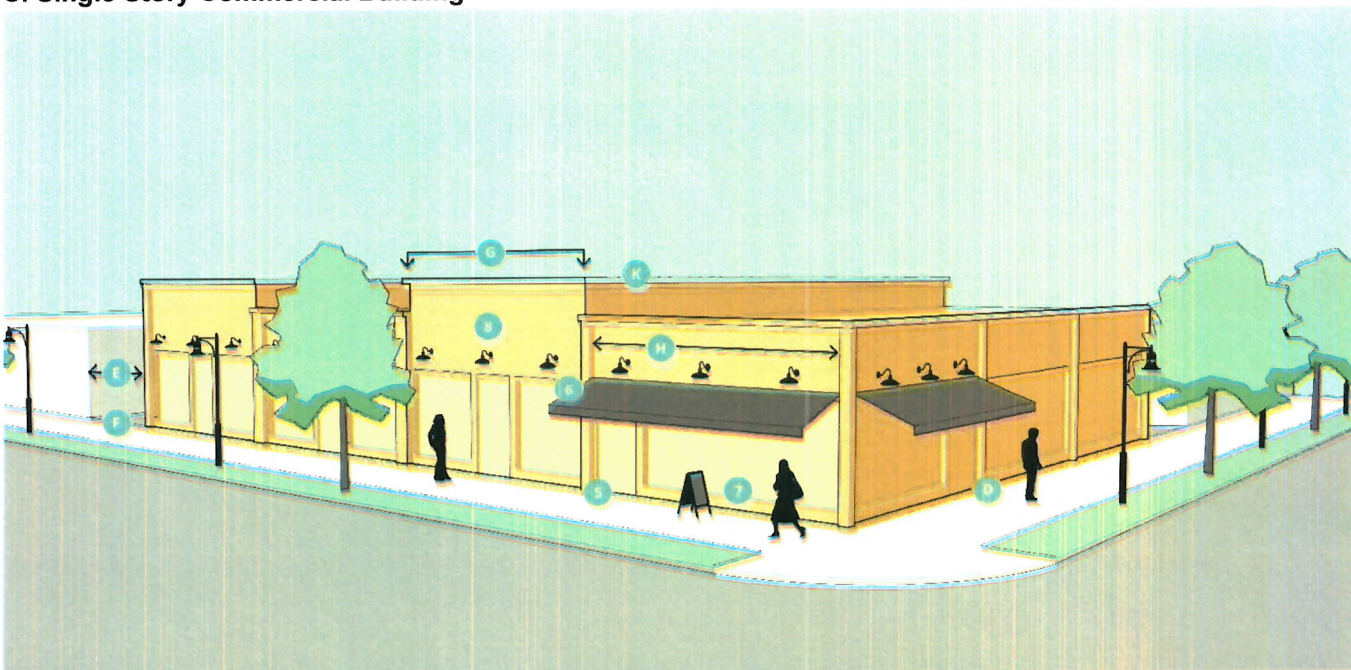
General Design Notes:

10. All exterior building walls are of equal importance. All visible façades designed with attention to detail and quality of material. There are no blank or unarticulated façades, unless façade is not visible from public right-of-way, residential zoning district, or parking lot.
11. Pattern of solids and voids generated by the vertical and horizontal alignment of similarly-sized windows and doors. Distance between façade breaks, bay widths, and spacing of windows and doors consistent with scale and rhythm of adjacent buildings.
12. Primary building entrances open onto a street, sidewalk, or public space. Secondary entrances may be provided from a parking lot. Corner buildings should have at least one entrance addressing each street frontage.
13. Primary building entrances at grade for accessibility.
14. Building entrances clearly defined by recessing the entrance, or utilizing elements such as lintels,

pediments, pilasters, columns, awnings, overhangs, or solar shades.

15. Entablatures, sign bands, cornices, or a similar horizontal expression line define the transition of ground floor storefronts and the second floor of all mixed-use buildings.
16. Windows and doors recessed into the facade wall, to appear as if they were "punched" through the building façade. Storefronts need not meet this standard.
17. Windows above the first floor are vertical in proportion, with a height to width ratio of at least 2:1, or have a ratio that complements the architectural.
18. (Core Only) Non-storefront windows shall have decorative sills and/or hoods. Full and segmented arches are allowed atop rectangular windows on upper stories.
19. All architectural features, including awnings, overhangs, roof projections, window accents, and similar are compatible with the style, materials, and colors of the building.
20. Buildings with multiple storefronts are unified in storefront design treatment, such as the design of windows and door openings, materials, and colors.
21. Pedestrian pass-through connects the front of the building to rear parking or alleys.

C. Single Story Commercial Building



Building Form and Massing Standards

Main Body	Min.	Max.	Massing and Composition	Min.	Max.
A Minimum building height	1 story	NA	G Bay Width	16'	40'
B Ground floor height	12'	24'	H Blank wall length	--	16'
C Upper floor height	NA	NA	I Flat (low-slope) roof	Permitted	
D Finished floor elevation	0'	3'	J Pitched roof	Permitted	
E Building separation	0' / 15'*		K Terminating vertical break	Required	
F Pedestrian pass-through	1 per 200 feet (Min. 15')		L Roof pitch (rise: run)	4":12"	12":12"

*0 feet where connected to adjacent building or 15 feet where separation between buildings is provided.

General Design Notes:

1. All exterior building walls are of equal importance. All visible façades designed with attention to detail and quality of material. There are no blank or unarticulated façades, unless façade is not visible from public right-of-way, residential zoning district, or parking lot.
2. Pattern of solids and voids generated by the vertical and horizontal alignment of similarly-sized windows and doors. Distance between façade breaks, bay widths, and spacing of windows and doors consistent with scale and rhythm of adjacent buildings.
3. Primary building entrances open onto a street, sidewalk, or public space. Secondary entrances may be provided from a parking lot. Corner buildings should have at least one entrance addressing each street frontage.
4. Primary building entrances at grade for accessibility.
5. Building entrances clearly defined by recessing the entrance, or utilizing elements such as lintels, pediments, pilasters, columns, awnings, overhangs, or solar shades.
6. Entablatures, sign bands, cornices, or a similar horizontal expression line define the

transition of ground floor storefronts and the second floor of all mixed-use buildings.

7. Windows and doors recessed into the facade wall, to appear as if they were “punched” through the building façade. Storefronts need not meet this standard.
8. Windows above the first floor are vertical in proportion, with a height to width ratio of at least 2:1, or have a ratio that complements the architectural.
9. (Core Only) Non-storefront windows shall have decorative sills and/or hoods. Full and segmented arches are allowed atop rectangular windows on upper stories.
10. All architectural features, including awnings, overhangs, roof projections, window accents, and similar are compatible with the style, materials, and colors of the building.
11. Buildings with multiple storefronts are unified in storefront design treatment, such as the design of windows and door openings, materials, and colors.
12. Pedestrian pass-through connects the front of the building to rear parking or alleys.

D. Attached Single-Family.



Building Form and Massing Standards

Main Body	Min.	Max.	Massing and Composition	Min.	Max.
A Minimum building height	2 stories		G Bay Width	16'	25'
B Ground floor height	10'	14'	H Blank wall length	--	16'
C Upper floor height	10'	14'	I Flat (low-slope) roof	Permitted	
D Finished floor elevation	0'	3'	J Pitched roof	Permitted	
E Building separation	0 / 10'*		K Terminating vertical break	Required	
F Pedestrian pass-through	P (15' min.)		L Roof pitch (rise: run)	4":12"	12":12"

*0 feet where connected to adjacent building or 10 feet where separation between buildings is provided.

General Design Notes:

1. All four facades are of equal importance. All visible façades designed with attention to detail and quality of material. There are no blank or unarticulated façades.
2. Pattern of solids and voids generated by the vertical and horizontal alignment of similarly-sized windows and doors.
3. Distance between façade breaks, bay widths, and spacing of windows and doors consistent with scale and rhythm of adjacent buildings.
4. Windows and doors recessed into the facade wall, to appear as if they were "punched" through the building façade. Exceptions shall be approved by the Community Development Director, or designee, where integrated into architectural design.
5. Primary building entrances open onto a street, sidewalk, or public space. Secondary entrances may be provided from a garage or parking lot.
6. All architectural features, including decorative railings and posts, overhangs, roof

projections, window accents, and the like, are compatible in style, materials, and colors to the primary building.

7. Each entrance to a unit shall consist of a porch, stoop, or similar and designed with railings, spindles, columns, etc. Entrances may be shared between units when stacked or horizontally attached.
8. Garages are permitted in only the rear of the ground floor of individual units. No garage or individual unit driveway shall front onto a public street, except alleys.
9. Shared parking lots may be located in a side or rear yard.

Sec. 42-456.A. Signs.

All signs shall be architecturally integrated and complement their surroundings in terms of size, shape, color, texture, and lighting. Signs shall complement the overall design of the building and shall not be designed to be in visual competition with other signs in the area.

1. **Materials and Color.** Signs should incorporate the same building materials and color used in the primary structure and should be in scale and style with the architecture of the principal building. Lettering should be selected that is consistent with the building.
2. **Overall sign plan.** All development shall have a sign plan which anticipates future development. New building design shall provide logical sign areas, allowing flexibility for new and additional users. Design shall provide for convenient and attractive replacement of signs. Buildings with multiple tenants shall include all tenants in the sign plan.
3. **Neon Lettering and Outlines.** Neon, and similar outlines lights signs are prohibited, with the exception of open and closed signs that are included in a site plan approval.
4. For each zoning lot, there is permitted one freestanding accessory sign, up to 50 square feet in area per side, for lots 125 feet or less in width, to be increased at a ratio of one square foot per each 2½ feet of lot frontage in excess of the initial 125 feet, up to a lot 300 feet wide. A zoning lot having in excess of 320 feet of frontage may have one additional sign based upon the same ratio of one square foot of sign area for each 2½ feet of lot frontage over the initial 320 feet of frontage. The maximum size for any one sign is 120 square feet.
5. When multiple-use zoning lots are involved, for each additional use on the zoning lot beyond the initial use, 15 square feet of sign area is permitted, the total area of freestanding signs not to exceed 50 percent over the sign size originally permitted for the lot.
6. For a lot with frontages on more than one street, each frontage may be treated as a separate frontage for the purpose of establishing permitted freestanding sign area and number.
7. **Freestanding Signs.** For a corner lot, the distance between permitted freestanding signs shall be not less than 100 feet, as measured along the property lines, but in no case shall there be a distance of less than 70 feet between such signs. Each such sign shall be oriented to the street frontage it serves. If one freestanding sign is used, then the percentage of freestanding sign area permitted on one street frontage may be increased 100 percent to a maximum of 120 square feet in area per side, provided that such sign is located not more than 25 feet from both street frontages.
8. Where a zoning lot is permitted to have more than one freestanding accessory sign under this section, the distance between such freestanding signs shall not be less than 300 feet.
9. Signs may not exceed 15 feet in height.
10. Signs must be at least ten feet from any property line.
11. **Wall Signs:** For each use on a zoning lot, there are permitted wall signs, the combined area of which shall not exceed 15 percent of the total area of the wall to which the signs are attached. The total shall not exceed 100 square feet per street frontage. If no freestanding sign is used, the percentage of total wall area for wall signs may be increased by 33 percent per street frontage. Lots with dual frontages may not combine permissible signs for one frontage with another frontage for the purpose of placing a combined area of sign area on one frontage.
12. **Additional Area for Wall Signs:** In addition to the wall signage permitted in subsection 11

above, the permitted wall sign area may be increased if the criteria listed below is satisfied:

- For buildings with wall frontage at the main building entrance that exceeds 99 lineal feet:

Wall (in lineal feet)	Additional Sign Area Permitted (in square feet)
100-199	25
200—299	50
300—399	75
400—499	100
Greater than 500	125

- For buildings with wall frontage at the main building entrance that exceeds 99 lineal feet and with a setback greater than 299 feet from a public or private street:

Building Setback (in feet)	Additional Sign Area (in square feet)
300—399	50
400—499	75
500—599	100
Greater than 600	125

13. **Canopy or Awning Signs.** Sign copy may comprise up to 35 percent of the total exterior surface of a canopy or awning. Canopies or awnings with back-lit graphics or other kinds of internal illumination are prohibited.

Sec. 42-456.B. Screening (fences and walls).

The impact of those elements of a site, which have an adverse effect on the subject site and surrounding sites, should be minimized.

1. The intent of this section is to protect neighboring residential and park properties from any adverse external effects and negative impacts of nonresidential development. A screen and buffer required by this section is intended to limit visual contact between uses and to create a strong impression of spatial separation.
2. Screening materials.
 - a. Screening materials shall consist of evergreen trees and shrubs, walls, fences and berms or a combination thereof and be opaque in all seasons of the year from the ground to a height of at least six feet.
 - b. Screening fences shall not be constructed of corrugated metal, corrugated fiberglass, sheet metal, chain link or wire mesh. If a long stretch of screening is required, options should be combined or alternated, or plant materials should be varied.
 - c. Other creative options, such as changes in elevation, existing vegetation, or plant materials within a buffer area, are encouraged, but the applicant must demonstrate that comparable or superior screening will be provided.
3. Except as provided in subsection 7, below, a zoning lot that contains a parking lot, office, commercial, industrial use or any combination thereof which abuts a public park facility or a residential district or use shall be separated by screening as specified in subsection 2, above, between it and all abutting areas of such park or residential district or use. In addition to the above screening, there shall be required a landscaped green strip of at least ten feet in width and one tree for each 30 feet or fraction thereof of land adjacent to the parking lot and use.
4. An industrial or research park development, or combination thereof abutting a public park facility or a residential district or use must have as separation screening an earth berm with a minimum height of eight feet. The berm shall meet the requirements of section 42-576.I in regards to slope and erosion control. The berm shall also be landscaped with at least one tree and five shrubs per 30 lineal feet.

5. Non-residential uses with a minimum zoning lot area of three acres abutting a public park or land principally used or zoned for residential purposes shall have a separation screening and earth berm with a minimum height of six feet. The berm shall meet the requirements of section 42-576(l) material standards in regards to slope and erosion control. The berm shall also be landscaped with at least one tree and five shrubs per 30 lineal feet.
6. **Existing screening.**
 - a. For the purposes of 2 3, and 4, above, the planning commission may approve screening consisting of existing vegetation, planted vegetation and topographic characteristics of the land or a combination thereof if it satisfies the intent and purpose of this subdivision concerning opaque screening.
 - b. The planning commission shall consider the characteristics of the land and vegetation present, the adequacy of the screening proposed, and other factors which impact upon adjoining residential and park uses.
 - c. The planning commission on approving the use of existing topographical characteristics of the land or existing and/or planted vegetation may condition such approval on the planting of new vegetation in the number, size and type to satisfy the intent and purpose of this section.
7. **Additional landscaping.**
 - a. The planning commission may increase the height of the separation screening and/or require additional landscaping as part of the site plan review under division 5, subdivision 2 if the minimum requirements of subsection 2 would not adequately protect existing or future abutting residential uses.
 - b. In deciding whether the requirements of subsection 2 protect abutting residential uses, the planning commission may consider factors which include, but are not limited to, the topography of the land, the type(s) of use(s) involved, the materials and vegetation to be utilized and the distance between structures and uses.

Sec. 42-457.A. Street design.

1. Street design guidelines.

- a. Travel. Two-way streets are encouraged in the LC district. One-way streets are not permitted, excepting alleys.
- b. Curb radius. The curb radius at the intersection of two streets should be the minimum necessary to permit vehicle circulation. A smaller curb radius shortens the distance that pedestrians must travel to cross the street, and leads to a safer pedestrian environment by reducing the speed at which cars can travel around corners. It is recommended that the curb radius not exceed 30 feet at the intersection of any two streets.
- c. Sidewalks at driveway crossings. When a sidewalk crosses a vehicle driveway, the driveway shall retain the elevation of the sidewalk. The appearance of the sidewalk shall be maintained across the driveway to indicate that the sidewalk is a part of the pedestrian zone and that pedestrians have the right-of-way.
- d. Pedestrian zone. The pedestrian zone is considered to be the area in between the curb and the edge of the right-of-way, frontage, or building facade, and includes area for sidewalks, landscape plantings, street furniture, public transit facility, and other pedestrian-scale uses and amenities. The treatment of the pedestrian zone determines the character of the street, and the quality of the public realm within the right-of-way. Streets are the most common public space in the city, and must be designed to be welcoming and accommodating for pedestrians as well as motorized traffic.

As shown in Figure 1 below, the pedestrian zone in the LC district should contain four distinct areas:

- 1) Edge area that allows car doors to open freely and accommodates parking meters, streetlights;

- 2) Furnishings area that accommodates amenities such as landscaping, planters, and sidewalk furniture;
- 3) Walkway area where pedestrians walk;
- 4) Frontage area adjacent to the building.

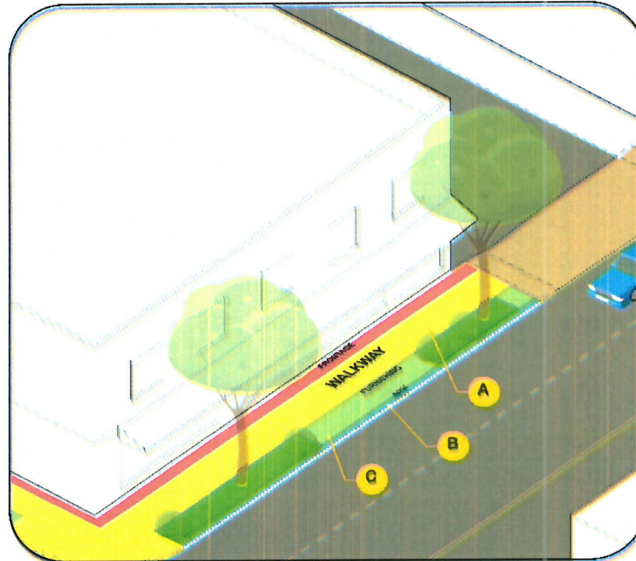


Figure 3. A- min 5 -feet. B-min 1.5 feet. C- min 5 feet

The following design requirements and recommendations are intended to create an inviting public space alongside city streets:

- i. Pedestrian zone width. The pedestrian zone should have a minimum width of 10 feet. A lesser width may be appropriate in constrained areas.
- ii. Edge/Curb area. The edge/curb area should have a minimum width of 1.5 feet, normally contained within the right-of-way, and should remain clear of obstructions to permit the doors of parked cars to open freely. Streetscape elements such as parking meters, streetlights, traffic control signs, and tree grates may be located in the edge area. The edge area may be paved, or if a tree lawn is combined, it may be combined with the furnishings area and landscaped.
- iii. Furnishings area. The furnishings area accommodates amenities such as street trees, planters, public transit facilities, and sidewalk furniture. The furnishings area can be paved (with street trees located in tree grates), or it may be landscaped with a street lawn. Outdoor eating areas, sidewalk cafes, or other similar uses associated with a use in a directly adjacent building may be located in the furnishings area. The furnishings area should have a minimum width of 5 feet.
- iv. Walkway area. The walkway area is the basic sidewalk area where pedestrians walk. The walkway area must maintain a 5-foot-wide clear path free of obstructions at all times to permit free pedestrian travel. No permanent structures or uses may be located in the walkway area.
- v. Frontage area. The frontage area is the portion of the pedestrian zone adjacent to the edge of the right-of-way. The frontage area is an optional area and may be used for street furniture or other uses accessory to the use in the adjacent building. When a building is constructed at the lot line, the frontage area should have a minimum width of two feet to accommodate opening doors and window shopping; in the LC-Edge and LC- Business

area, the frontage area can be in the required setback.

- vi. Access Management and Driveways. Driveway consolidation is required when feasible to share access between properties. Additionally, driveways providing access to parcels and parking lots are encouraged to be accessed from minor streets.

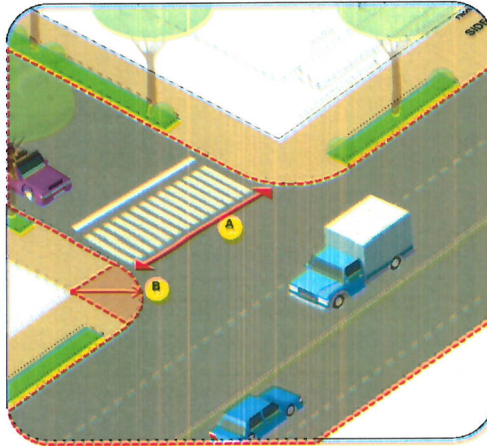


Figure 4. B-It is recommended that the radius be less than 30-feet. A- Least possible distance recommended for increased pedestrian safety.

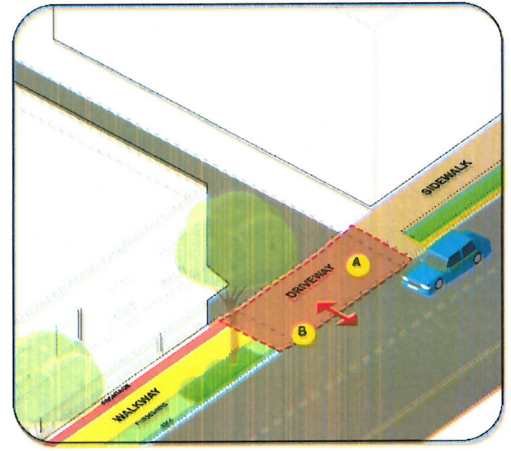


Figure 5. A-Shared driveway access between properties is encouraged. B-Driveways should emulate the material of sidewalk for continuity and should be at the same level as the travel lanes.

Sec. 42-457.B. Parking.

The following parking requirements are applicable in the LC, and replace any similar requirements set forth in Division 6, Subdivision 1, Off Street Parking:

1. **Minimum parking required.** All new development or expansions of existing sites shall provide off-street parking spaces for the use according to the following requirements. The parking spaces shall be provided within 500 feet of the building.
 - a. Residential uses. One parking spaces per residential dwelling unit.
 - b. Nonresidential uses. One parking space per 500 square feet of nonresidential building space.
 - c. Waiver. The minimum parking requirements may be reduced by the Planning Commission per [Section 42-520](#).
3. **Parking lot layout.** Off-street parking lot layout, maintenance, and construction shall comply with all of the requirements of [Article 4, Division 6, Subdivision 1](#).
4. **Parking lot access. Multiple** entrances to parking lots must be consolidated in the Core area of the LC district. Where feasible, shared cross access between parcels shall be provided.
 - a. Setback Portage Road: All parking spaces shall comply with the maximum setback of the Core, Edge and Business areas.
 - b. Setback from cross streets: All parking spaces shall be set back a minimum of 5 feet from any cross street.
 - c. Loading space must be consistent with Section 42.522.

Sec. 42-458.A. Outdoor amenity space.

Any development or redevelopment of a building with more than 20,000 square feet of floor area, or 1 acre in total lot size, in the LC district shall provide outdoor amenity space. The outdoor amenity space shall have a minimum area of two percent of the gross floor area of the building. The size and disposition of the amenity space shall be proportionate to the size and scale of the development, and any amenity

space used to satisfy this requirement shall be adjacent to or visible and accessible from a public right-of-way. The emphasis of the amenity space requirement is on the quality rather than the quantity of the space.

Sec. 42-458.B. Temporary Outdoor Retail Sales.

Outdoor retail sales are permitted in the Core and Edge subareas subject to the following requirements:

1. **No permit required.** Temporary or moveable outdoor retail sales activity or displays accessory to a principal use in the LC district are permitted, subject to the following requirements:
 - a. **Area.** The total of all outdoor sales display areas on the site shall not exceed 0.75 square feet per linear foot of building frontage in the build-to zone.
 - b. **Location.** Outdoor sales areas may be located in the build-to zone, in an area adjacent to and not extending farther than 20 feet from the rear of the building, and/or in the right-of-way. Outdoor sales in the right-of-way shall be located in the frontage or furnishings area of the pedestrian zone directly adjacent to the building containing the use to which it is accessory. A minimum six-foot wide clear pedestrian pathway on the sidewalk shall be maintained at all times.
 - c. **Time.** The outdoor sales display shall only be set out during business hours.
2. **Permit required.** A permit from Community Development Director or his/her designee is required for outdoor sales that exceed the area limitations in subsection (a), above; for special outdoor sales events that will be located anywhere besides the frontage or furnishings area of the pedestrian zone; or for times outside of normal business hours. The permit will specify the permitted size and duration for the outdoor sales event.

Sec. 42-458.C. Outdoor storage.

In the Core and Edge subareas, limited outdoor storage of merchandise, materials, or equipment is permitted in the rear yard if it is not visible from public ROW. In no case shall materials or merchandise being stored outdoors exceed a height of six feet.

Sec. 42-459. Definitions used in this article.

This division provides definitions for terms that are used in this article that are technical in nature or that might not otherwise reflect a common usage of the term. Where a definition in this section conflicts with a definition provided in **Section 42-112**, the definition presented in this section shall prevail for the purposes of administering the LC district requirements. If a term is not defined in this section, the planning and development director shall determine the correct definition of the term.

Balcony: An open portion of an upper floor that extends beyond or indents into a building's exterior wall.

Block: The aggregate of private lots, pedestrian pass-throughs, rear lanes and alleys, the perimeter of which abuts perimeter or internal streets.

Block perimeter: The linear distance around a block measured along the right-of-way line or road easement.

Buffer: An area of land, including landscaping, walls, and fences located between land uses of different characters and which is intended to mitigate negative impacts of the more intense land use on the less intense land use.

Build-to area: An area at the front of the lot in which a front building facade must be located.

Floorplate: The total indoor floor area of any given story of a building, measured to the exterior of the wall or balcony.

Frontage lot line: The lot line that coincides with the public right-of-way or edge of a space dedicated for public use. Building facades parallel to frontage lines define public space and are therefore subject to a higher level of regulation than the elevations that face other lot lines.

Habitable space: Building space that involves human presence with direct view of the enfronting streets or public or private open space. Habitable space does not include parking garages, storage facilities, warehouses, and display windows separated from retail activity.

Liner shop or Liner building: A building or part of a building with habitable space specifically designed to enfront a public space while masking a function without the capacity to monitor public space such as a parking garage, storage facility, or large building exceeding the building width limitations of this article.

Tree lawn: A grassed or landscaped area located between the sidewalk and the curb of the street intended to accommodate street tree plantings.

Severability

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

Repeal of Conflicting Ordinances, Savings Clause

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. Any proceedings pending, including prosecutions for violations, under any previous ordinance provision being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to said previous Ordinance provisions.

Effective Date

The zoning amendment shall become effective 15 days after publication of the notice of adoption unless a different effective date is approved by council.

COUNCIL SETS PUBLIC HEARING:

PUBLIC HEARING:

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: 11-27-2024

By: [Signature]
City Attorney

For and with permission of
Catherine Kaufman

Eric Feldt

From: Compliance Osprey <compliance@osprey-management.com>
Sent: Wednesday, October 9, 2024 1:32 PM
To: Eric Feldt
Subject: Fw: Portage,MI - Stowaway Storage (Portage) - Rezoning proposal
Attachments: Portage rezone.pdf

Follow Up Flag: Follow up
Flag Status: Completed

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Eric,

Thank you for taking my call. I appreciate you explaining the changes to me in details.
There is no objection on our side for this re-zoning.

Dalton Manley
Compliance Coordinator

702-472-7877
www.osprey-management.com

From: Tyra Al Mujadidi
Sent: Wednesday, October 9, 2024 10:26 AM
To: Compliance Osprey <compliance@osprey-management.com>
Subject: Portage,MI - Stowaway Storage (Portage) - Rezoning proposal

Tyra Al Mujadidi
Support Specialist



CROCKER LAW FIRM II, PLLC
ATTORNEYS AT LAW

BLAKE D. CROCKER, JD, LL.M.
blake@crockerlawfirm.com

October 16, 2024

City of Portage Planning Commission
Council Chambers
Portage City Hall
Portage Michigan 49002

Re: Proposed Zoning Amendments for the Lake Center District
October 17, 2024 Meeting of the City Planning Commission

Dear Planning Commission:

We are the attorneys for Crystal Car Wash II, PLLC. Our Client has owned and operated a car wash business at 8387 Portage Road, Portage, Michigan for over 18 years; Mr. Kothawala, the owner, has been a car wash owner and operator for over 30 years. He designed and built his car wash in a location where the Portage zoning ordinance permitted its operation. Our client's car wash business is a small enclosed automatic car wash, located North of Zylman Avenue and South of Centre Street. It is not located near the two lakes which are the focus of the plan and the revision of the zoning ordinance. As the name of the zone indicates, it is on the "edge". In reliance upon his rights to operate his business in that location, our client has invested hundreds of thousands of dollars in his business over the past 18 years. The value of this business represents a lifetime investment of our client's time, money and skill.

Currently, our client's business is a Permitted Use under Section B-3, General Business District, of the current zoning ordinance. The proposed amendments to the City of Portage Zoning Ordinance changing the zone in which our client is located to LC-E would arbitrarily remove car washes from the list of "permitted uses", irreparably damaging our client's business value, potentially causing his business to close. The entire focus of the re-zoning appears designed to unfairly target our client's legitimate family-owned small business which utilizes drive through vehicles as a means of generating revenue and devaluing that business, potentially putting him out of business.

Zone B-3 is currently defined as follows:

"Sec. 42-262. - B-3 general business district.

A. Intent: The B-3 general business district is designed to provide sites for more diversified businesses and are often located to serve pass by traffic. Locations for the B-3 district are thus typically mapped along major traffic arteries and/or adjacent to B-2 community business districts.

B. Principal permitted uses: In a B-3 general business district, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article:

1. Any principal permitted use in the B-1 local business district, or uses permitted subject to special conditions.

4th Floor KALAMAZOO BUILDING
107 W. MICHIGAN AVENUE
KALAMAZOO, MICHIGAN 49007

CROCKER LAW FIRM II, PLLC

Attorneys at law

City of Portage Planning Commission

October 16, 2024

Page 2

2. Any principal permitted use in the B-2 community business district, or uses permitted subject to special conditions.

3. Automatic and self-service carwashes, when completely enclosed in a building.

It appears the proposed zoning amendment will re-zone our client's property to Lake Center Edge (LC-E), which is promoted as Mixed Use, and that this zone does not permit drive through car washes.

Furthermore, the proposed Lake District Plan reduces the number of vehicle lanes, among other things, to reduce the number of vehicles utilizing Portage Road right in front of our client's business. This unfairly and specifically damages his drive through car wash business; therefore, unfairly and arbitrarily targeting our client's legitimate and lawful business, damaging its value, threatening to reduce his revenues, and potentially killing his business.

We are writing in order to communicate our client's serious concerns and strong objections to the proposed amendments and the overall plan for the LC-E zone which incorporates his business, as follows:

1. It is unfair to remove our client's business from "permitted uses" thereby converting his legitimate business into a non-conforming use, specifically damaging our client's business.
2. Reducing the number of vehicle lanes in the "edge", the LC-E zone, in which our client is located will specially damage our client because his business is directly reliant upon drive through vehicle traffic which passes in front of its business.
3. Shutting down traffic during the lengthy period of construction of the "edge" zone (the LC-E) will directly damage our client, causing him to suffer significant monetary losses as a direct result of closing off the road for lengthy construction.

Our client respectfully requests the Commission consider the inordinate and extraordinary impact the reduction of vehicle lanes and removal of car washes as a permitted use will have on our client's long time business.

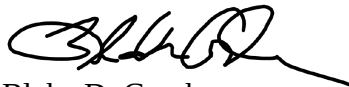
Given the above, our client requests the Commission simply revise the plan and proposed zoning ordinance amendments as follows:

1. Keep the road a 5 lane road between Centre and Zylman; and,
2. Retain our client's car wash as a permitted use under the new ordinance.

Thank you for your prompt attention to this matter.

Yours truly,

CROCKER LAW FIRM II, PLLC



Blake D. Crocker

Direct; (269) 501-4516

From: [Eric Feldt](#)
To: [Biqi Zhao](#)
Cc: [Peter Dame](#)
Subject: FW: Rezoning #24/25-3 for Lake Center Commercial Corridor
Date: Wednesday, October 30, 2024 4:29:35 PM

Biqi,

Can you put this public comment in the Council packet for the Lake Center 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: richardnellums@charter.net <richardnellums@charter.net>
Sent: Monday, October 28, 2024 6:33 PM
To: Patricia Randall <randallp@portagemi.gov>; Jim Pearson <councilmemberjp@portagemi.gov>; Chris Burns <burnsc@portagemi.gov>; Victor Ledbetter <ledbettv@portagemi.gov>; Nicole Miller <millern@portagemi.gov>; Terry Urban <urbant@portagemi.gov>; Jihan Young <youngj@portagemi.gov>
Cc: Peter Dame <damep@portagemi.gov>; Eric Feldt <feldte@portagemi.gov>; Pat McGinnis <mcginnip@portagemi.gov>
Subject: Rezoning #24/25-3 for Lake Center Commercial Corridor

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I was disappointed to watch the Planning Commission approve the Lake Center Commercial Corridor Rezoning plan at their 17 October meeting, and recommend it to the City Council for passage, even though reasonable public concerns had been expressed at the hearing, and some of the commissioners acknowledged that the document still needed improvement.

Understanding that something is better than nothing, I believe that new standards of this significance should have better opportunities for revision before being implemented wholesale, and unless the City Council can agree and enumerate expected changes as part of their vote to approve, I would prefer that they vote AGAINST passage and send the package back for more work.

The Planning Commission noted the large amount of effort that has gone into this document so far, by staff, consultants, and a Stakeholder Committee composed of different perspectives. But a stakeholder committee of nine representatives cannot be expected to anticipate all of the inputs of Portage stakeholders (no matter how long they work), and receiving only one public comment since 1 October shows that

people are not sufficiently engaged, not that they all are satisfied with the intentions. Here are my concerns about the zoning regulations as written, along with what I learned from watching the Planning Commission meeting:

1) The vision is to have Lake Center Core buildings “shoulder-to-shoulder” along the sidewalk, with shopping windows right up against the property line, except for set backs to allow for frontal decoration or dining space as pedestrians stroll by. It seems to me that even one-story buildings of this arrangement will block the public’s lake views that were supposed to be the major attraction to this strolling shopping area in the first place.

2) Street parking is to be discouraged in favor of pedestrian accessibility. Where on the narrow strip of the Lake Center District is the parking supposed to be? I assume that the answer will be detailed when the new complete streets plans are unveiled in detail, but in the meantime it is impossible to consider pros and cons of building definitions without at least a description of how pedestrian, bicycle, and automobile traffic are going to interact. My specific concern is safety for all, when intersecting the different modes with different intents (enjoying the lakes, window shopping, making a purchase, attending an event, or wanting to pass through without stopping).

3) The zoning is described as allowing existing properties to persist as long as they do not require more than a 50% change, so it will be many years before major elements of the desired harmony of facades will be implemented for more than a lot or two. If the detail defined in the zoning is truly appropriate and viable for the two miles of the Lake Center District, then a separate effort needs to be mounted to fund adherence on existing properties, so that harmony can be attained earlier (without further burdening the current owners). My vote would be to relax the new codes so that conforming buildings would not be so jarringly different from current constructions. I am not convinced that Portage needs quite so much of a downtown look in the Lake Center District, and I believe that it would be acceptable to have multi-family housing in buildings along the corridor that would sufficiently blend with the existing architecture.

4) The drive-through restrictions do not appear to be thoroughly settled. Understanding that “park and walk” behavior would be compromised by drive through services, there are reasonable exceptions where customers are going to want drive-through service in a business district, and just requiring a walk-in feature does not create a fair distinction. Hence the car wash, coffee shop, bank and fast-food businesses are not judged equally, and building approvals or restrictions on changing by more than 50% would be unfairly applied.

5) If the vision is really to have a more industrial district in the Lake Center Business zone, then it makes sense to relax the shoulder-to-shoulder downtown appearance to allow for more industrial building options such as steel siding, concrete or cinder block. I don’t know how a roller rink, performance center or bowling alley would be constructed, but if someone wanted to build one there, I doubt it would conform to the code as proposed.

6) Finally, I think that lakefront owners (like me) deserve consideration about how the

development of the Lake Center District will impact our environment. What used to be a semi-remote natural area lined with residences, parks and a boat launch is being planned to become the focal point of a two-mile downtown-like business district with more light, noise and waste pollution resulting from increased commercial activities, parking lots and higher population loading. Please consider adding constraints on night-time noise, outdoor lights not directed straight down, and trash/contamination exposure, so that those who live on the lakes (and the wildlife in the area) are not further disrupted by this effort to take advantage of the special attraction of two beautiful lakes adjoining property that can be used for business purposes.

If the City Council can agree on conditions for approving the rezoning plan for the Lake Center Commercial Corridor that addresses concerns like the ones above, then I hope they do. If the City Council feel that concerns such as these have not been properly addressed, I hope that they reject the rezoning plan for further revisions based on public input. It would be a shame to present all of these opportunities for public input, and then approve a rezoning plan without addressing the concerns that members of the public have raised, just because the current proposal is considered better than nothing.

Eric Feldt

From: richardnellums@charter.net
Sent: Tuesday, November 5, 2024 11:05 PM
To: Patricia Randall; Jim Pearson; Chris Burns; Victor Ledbetter; Nicole Miller; Terry Urban; Jihan Young
Cc: Peter Dame; Eric Feldt; Pat McGinnis
Subject: RE: Rezoning #24/25-3 for Lake Center Commercial Corridor

Follow Up Flag: Follow up
Flag Status: Flagged

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To the City Council:

Having accomplished a first reading through the entire Lake District Zoning document that was included in the City Council minutes, I can now understand why some officials may have been willing to pass it along rather than insisting on getting everything right on the first draft. But there are a number of editing and image errors as well as questionable that provisions that should be addressed before submitting it to public scrutiny and hearings. I have listed several that I found on first reading, but a more careful review would probably find more.

- 1) After defining what "shall," "must," "should," "encouraged" and "may" are intended to mean for provision enforcement, there are quite a few provisions in the document where the active verb is left out, so the level of requirement is unclear. An editorial review of the provisions would reveal many such oversights, especially in Section 42-455.
- 2) Figure 1 in Section 42-454.2 has identifying letters, while the second descriptive text under the image calls out numbers. The dimensions cited in Section 42-454.5 do not seem to align with the notes for A and B in Figure 2.
- 3) Section 42-454.4.b.ii (residential ground floor design) says first floor of building may be raised up to three feet above grade, and Section 42-454.5.b describes unenclosed and uncovered stoops. But Section 42-455 Note 4 says "Primary building entrances at grade for accessibility." Are all residential properties to be ADA compliant? And are stoops with railings considered as shown in Figure D of Section 42-455 considered "unenclosed?" How about external stairways/fire escapes?
- 4) Some provisions conflict with each other. Site improvements "should" be designed to minimize changes in existing topography, natural areas and views as indicated in Section 42.452.B.1.a, b and c. But then Section 42-456.B (screening) requires or encourages berms of at least six feet, and changes in elevation as two of the options to provide opaque separation between sites.
- 5)Section 42-454.8.d.ii (ground floor transparency) says solid wall shall not exceed a length of 20 feet, and Figure C in Section 42-455 (single-story commercial building) says dimension H (blank wall length) has a maximum of 16'. But the image of Figure C shows the neighboring building with a blank wall above

the glass openings in a bay width (dimension G) of 16' to 40', and the image of Figure D shows what appears to be a blank wall on the building side where numbers 12 and 15 are located. There does not seem to be clarity about which sides of buildings are constrained by how much from having blank walls (expecially when signs are allowed).

6) Conflicts between automobile and pedestrian traffic are recognized in section 42.452.B, and "Developments shall be conveniently accessible to both pedestrians and automobiles." But most of the provisions then speak to pedestrians, without much description about how automobiles are supposed to gain equal access to the sites. And unless there is a definition where "pedestrian" includes bicycle riders, it seems that bicyclists are not allowed on the sidewalk side of buildings except in the street, where it will be difficult to have access to the front door.

7) The image in Figure A (multi-family residential) of Section 42-455 has several errors: Dimension G does not have a right edge, K is in the wrong position, and the numbers 7, 6 and 5 appear without explanation. The chart under the image in Figure B (mixed-use building) indicates that pitched roof is not permitted, but roof pitch dimensions are provided. There are two asterisks that appear to refer to item F, but in fact the second one refers to Item A. The image in Figure C (single story commercial building) seems to show dimension H (blank wall length) as longer than dimension G (Bay width) even though the former is to be 16' max, and the latter is to be 40' max and at least 16'. There are also unexplained numbers 5 and 7. The image in Figure D (attached single family) does not have a letter B or C, and does have unexplained numbers 7, 10, 12 and 15.

8) I have no training in zoning codes, so I cannot determine how much of the entire Section 42-456.A (signs) makes sense.

9) Section 42-457.a.1.d (street design) cites Figure 1, which does not appear (nor does Figure 2). Figure 3 contains letter indications, but all of the text uses numbers, so the dimensions are difficult to relate. If the pedestrian corridor is a minimum of 5-foot-wide, then bikes are clearly not expected to be anywhere but the street.

I apologize for the length of this and my earlier message, but I feel that (however much time and talent has gone into it so far) the importance of correct zoning codes deserves several chances to find and correct inconsistencies. I hope that you will make sure that some action is taken before this document is released to the public for comment and improvement.

Regards,

Richard Nellums
9240 East Shore Drive

From: <richardnellums@charter.net>

To: <patricia.randall@portagemi.gov>, <councilmemberjp@portagemi.gov>,
<chris.burns@portagemi.gov>, <vic.ledbetter@portagemi.gov>, <nicole.miller@portagemi.gov>,
<terry.urban@portagemi.gov>, <jihan.young@portagemi.gov>

Cc: <damep@portagemi.gov>, <feldte@portagemi.gov>, <mcginnip@portagemi.gov>

Sent: October 28, 2024 at 6:32 PM EDT

Subject: Rezoning #24/25-3 for Lake Center Commercial Corridor

I was disappointed to watch the Planning Commission approve the Lake Center Commercial Corridor Rezoning plan at their 17 October meeting, and recommend it to the City Council for passage, even though reasonable public concerns had been expressed at the hearing, and some of the commissioners acknowledged that the document still needed improvement.

Understanding that something is better than nothing, I believe that new standards of this significance should have better opportunities for revision before being implemented wholesale, and unless the City Council can agree and enumerate expected changes as part of their vote to approve, I would prefer that they vote AGAINST passage and send the package back for more work.

The Planning Commission noted the large amount of effort that has gone into this document so far, by staff, consultants, and a Stakeholder Committee composed of different perspectives. But a stakeholder committee of nine representatives cannot be expected to anticipate all of the inputs of Portage stakeholders (no matter how long they work), and receiving only one public comment since 1 October shows that people are not sufficiently engaged, not that they all are satisfied with the intentions.

Here are my concerns about the zoning regulations as written, along with what I learned from watching the Planning Commission meeting:

- 1) 1) The vision is to have Lake Center Core buildings “shoulder-to-shoulder” along the sidewalk, with shopping windows right up against the property line, except for set backs to allow for frontal decoration or dining space as pedestrians stroll by. It seems to me that even one-story buildings of this arrangement will block the public’s lake views that were supposed to be the major attraction to this strolling shopping area in the first place.
- 2) 2) Street parking is to be discouraged in favor of pedestrian accessibility. Where on the narrow strip of the Lake Center District is the parking supposed to be? I assume that the answer will be detailed when the new complete streets plans are unveiled in detail, but in the meantime it is impossible to consider pros and cons of building definitions without at least a description of how pedestrian, bicycle, and automobile traffic are going to interact. My specific concern is safety for all, when intersecting the different modes with different intents (enjoying the lakes, window shopping, making a purchase, attending an event, or wanting to pass through without stopping).
- 3) 3) The zoning is described as allowing existing properties to persist as long as they do not require more than a 50% change, so it will be many years before major elements of the desired harmony of facades will be implemented for more than a lot or two. If the detail defined in the zoning is truly appropriate and viable for the two miles of the Lake Center District, then a separate effort needs to be mounted to fund adherence on existing properties, so that harmony can be attained earlier (without further burdening the current owners). My vote would be to relax the new codes so that conforming buildings would not be so jarringly different from current constructions. I am not convinced that Portage needs quite so much of a downtown look in the Lake Center District, and I believe that it would be acceptable to have multi-family housing in buildings along the corridor that would sufficiently blend with the existing architecture.
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customers are going to want drive-through service in a business district, and just requiring a walk-in feature does not create a fair distinction. Hence the car wash, coffee shop, bank and fast-food businesses are not judged equally, and building approvals or restrictions on changing by more than 50% would be unfairly applied.

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- 6) 6) Finally, I think that lakefront owners (like me) deserve consideration about how the development of the Lake Center District will impact our environment. What used to be a semi-remote natural area lined with residences, parks and a boat launch is being planned to become the focal point of a two-mile downtown-like business district with more light, noise and waste pollution resulting from increased commercial activities, parking lots and higher population loading. Please consider adding constraints on night-time noise, outdoor lights not directed straight down, and trash/contamination exposure, so that those who live on the lakes (and the wildlife in the area) are not further disrupted by this effort to take advantage of the special attraction of two beautiful lakes adjoining property that can be used for business purposes.

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CROCKER LAW FIRM II, PLLC
ATTORNEYS AT LAW

BLAKE D. CROCKER, JD, LL.M.

blake@crockerlawfirm.com

December 2, 2024

Portage City Commission
Council Chambers
Portage City Hall
Portage Michigan 49002

Re: Proposed Zoning Amendments for the Lake Center District
December 3, 2024 Meeting of the Portage City Commission

Dear Honorable City Commissioners:

We are the attorneys for Crystal Car Wash 2, PLLC and its owner, Shashin Kothowala. Our client has owned and operated his automatic car wash business at 8387 Portage Road, Portage, Michigan for over 18 years. Our client's car wash is a small enclosed automatic car wash, located North of Zylman Avenue and South of Centre Street and is slated to become part of the Lake Center Edge District. Our client has invested hundreds of thousands of dollars in its business and improvements located on the property in reliance upon its classification as a Permitted Use.

Our client is not generally opposed to the overall plan, just this aspect of it.

The value of his business represents a lifetime of our client's time, money and skill. Throughout that time, our client has been a successful small business in this corridor, just what the City of Portage has encouraged. At all times, our client has complied with the City's ordinances and cooperated with the City each time he re-invested in the business and the facility. At all times, our client has been a Permitted Use.

Changing our client's property classification to a Non-Conforming is damaging to the value of our client's property and our client's business, in this case.

The proposed amendments to the City of Portage Zoning Ordinance remove automated and enclosed car washes from the list of "Permitted Uses", irreparably damaging our client's business and property value.

Please see attached letter from Burgoyne Appraisal Company, which outlines Mr. Burgoyne's opinion that the value of our client's property is damaged by the amendment. We also assert the value of his business is damaged by the amendment. Mr. Burgoyne's letter describes five (5) ways our client's current property rights are damaged by this amendment, above and beyond the general inconvenience and economic losses which may be suffered by surrounding property owners.

We have reviewed the hundreds of pages relating to the Lake Center District Plan, and there appears to be no analysis whatsoever of the damage to those existing businesses in the Lake Center District whose classification is being changed from Permitted Use to Non-Conforming Use. Therefore, the only analysis performed on that issue is by Mr. Burgoyne.

4th Floor KALAMAZOO BUILDING
107 W. MICHIGAN AVENUE
KALAMAZOO, MICHIGAN 49007

CROCKER LAW FIRM II, PLLC

Attorneys at law

Portage City Commission
December 2, 2024
Page 2

It appears that the theme and focus of the Lake District re-zoning is to target our client's legitimate, family-owned small business as a "drive through service" and, as a consequence, devaluing that business and our client's property, in particular, causing our client special damages. The regulation of our client's use of its property is so severe, we assert it is a regulatory taking which entitles our client to just compensation under the Michigan and U.S. Constitution.

For these reasons, our client objects to the proposed zoning amendments as a violation of its property rights resulting in special damages.

We request the Commission consider continuing our client's status as a Permitted Use. Or, in the alternative, designate our client has having been granted a Special Land Use permit, without the necessity of further proceedings in that our client has been operating lawfully in his location for over 18 years.

We propose a Special Land Use permit be granted to our client on the following conditions, to wit:

Automatic carwashes.

a. All services shall be performed within a completely enclosed building, except that exterior vacuum devices customary and incidental to carwashes are permitted provided they are located at least 100 feet from a residential district or use lot line.

b. Parking and maneuvering areas according to the current approved site plan.

The granting of a Special Land Use permit to our client, in this situation, would not impair the overall new Lake District Plan.

Thank you for your prompt attention to this matter.

Yours truly,

CROCKER LAW FIRM II, PLLC



Blake D. Crocker
(269) 501-4516



BURGOYNE
APPRAISAL COMPANY

December 2, 2024

Mr. Shashin Kothawala, Owner
Crystal Car Wash 2, LLC
c/o Blake D. Crocker, Attorney at Law
Crocker Law Firm II, PLLC
107 West Michigan Avenue
Kalamazoo, MI 49007

Re: Impact of Proposed Rezoning by the City of Portage
8387 Portage Road, Portage, Michigan 49002
Parcel Number 00023-115-C
City of Portage, Kalamazoo County, Michigan

Gentlemen:

The purpose of this preliminary letter is to generally address the impact on the marketability of nonconforming properties (in terms of zoning classification), as well as the potential impact of rezoning on the highest and best use (and value) of the underlying site. I have considered the assignment and am familiar with the scope of the analysis that will be required. The assignment is performed in accordance with the *Uniform Standards of Professional Appraisal Practice* (USPAP), and the Codes of Ethics and Standards of Practice of the International Right-of-Way Association and American Society of Appraisers.

Although an Appraisal Report per USPAP may eventually be required, this letter is NOT an appraisal report per USPAP subject to the requirements of USPAP Standards 1 and 2. This letter does not purport to estimate the value of the subject property nor quantify the damage that would accrue as a result of rezoning that renders the property nonconforming. This letter is only intended to address the general effects of zoning non-conformity upon real property like the subject.

Please note that fees for this assignment are not contingent on any third-party reimbursement. In addition, fees are neither dependent upon the outcome of this matter nor based on events resulting from your use of these consulting services. Our fees are in no way contingent upon the results of the assignment, the conclusions of the assignment, estimated damages, or the market value of property rights.

The property as issue is the Crystal Car Wash located at 8387 Portage Road, just about a third of a mile south of East Centre Avenue, in the City of Portage, County of Kalamazoo, State of Michigan. Aerials of the subject location are reproduced on the pages following, while photographs of the property are included in the addenda to this letter.

Crystal Car Wash 2, LLC c/o Blake D. Crocker, Attorney at Law
Impact of Proposed Rezoning by the City of Portage
8387 Portage Road, City of Portage, Kalamazoo County, Michigan
Parcel Number 00023-115-C
December 2, 2024. Page 2.



The property at 8387 Portage Road, also known as Parcel Number 00023-115-C, is an improved commercial lot containing 0.97 acres. With 172 lineal feet of frontage on Portage Road and a depth of about 243 lineal feet, the property is improved with a tunnel car wash (and associated improvements) containing 5,805 square feet (along with an 84 square foot shed). The improvements were constructed in 2006. The property was developed in 2006 in full compliance with the existing City of Portage Zoning Ordinance.

It is my understanding that the City of Portage is both proposing and intending to rezone the subject property. The property is currently zoned B-3, General Commercial, and has been zoned B-3, General Commercial, since it was developed in 2006.



The property is currently zoned B-3, General Commercial, and has been zoned B-3, General Commercial, since it was developed in 2006. The B-3 General Business district is typically reserved for auto-oriented businesses. Businesses in the B-3 district are usually located along major arterial roadways. Examples of auto-oriented uses allowed within the district , auto repair, hotels, and drive-through establishments. The property was developed under the B-3, General Business, classification and has been operating as zoned B-3 for 18 years. The table immediately following summarizes the development standards of the current B-3 General Business classification.

	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING
	OS-1 Service Office	B-1 Local Business	B-2 Community Business	B-3 General Business	I-1 Light Industrial
Uses Allowed	Professional, Medical Offices Salons, Spas Art/photography studios	Same as OS-1, plus small restaurants and retail businesses, etc.	Same as B-1, plus larger restaurants and retail businesses, theaters, contractor's offices, breweries, etc.	Same as B-2, plus car washes, auto repair, churches, hotels/ motels, dry cleaners, etc.	Manufacturing, processing, assembly and similar uses
Max. Building Height	35 ft	35 ft	35 ft	35 ft	30-40ft
Setbacks	Front: 27'	Front: 27'	Front: 75'	Front: 27'	Front: 75'
	Sides: 0 or 15' where abutting Residential)	Sides: 0 or 15' where abutting	Sides: 0 or 15' where abutting Residential)	Sides: 0-15' (where abutting Residential)	Sides: 12-75' (where abutting Residential)
	Rear: 20'	Rear: 20'	Rear: 20'	Rear: 20'	Rear: 12-75' (where abutting Residential)

Table 1. Summary of development standards in existing zoning districts along Portage Rd.

The proposed rezoning involves the new Lake Center District created by the City of Portage. It will change the property from a Permitted Use under the B-3 classification to a Nonconforming Use under the LC-E classification. This was confirmed at the Planning Commission meeting on October 17, 2024. After said proposed change, the property will be in the new Lake Center Edge zone, aka the LC-E zoning classification. The table immediately following summarizes the development standards of the proposed new LC-E classification.

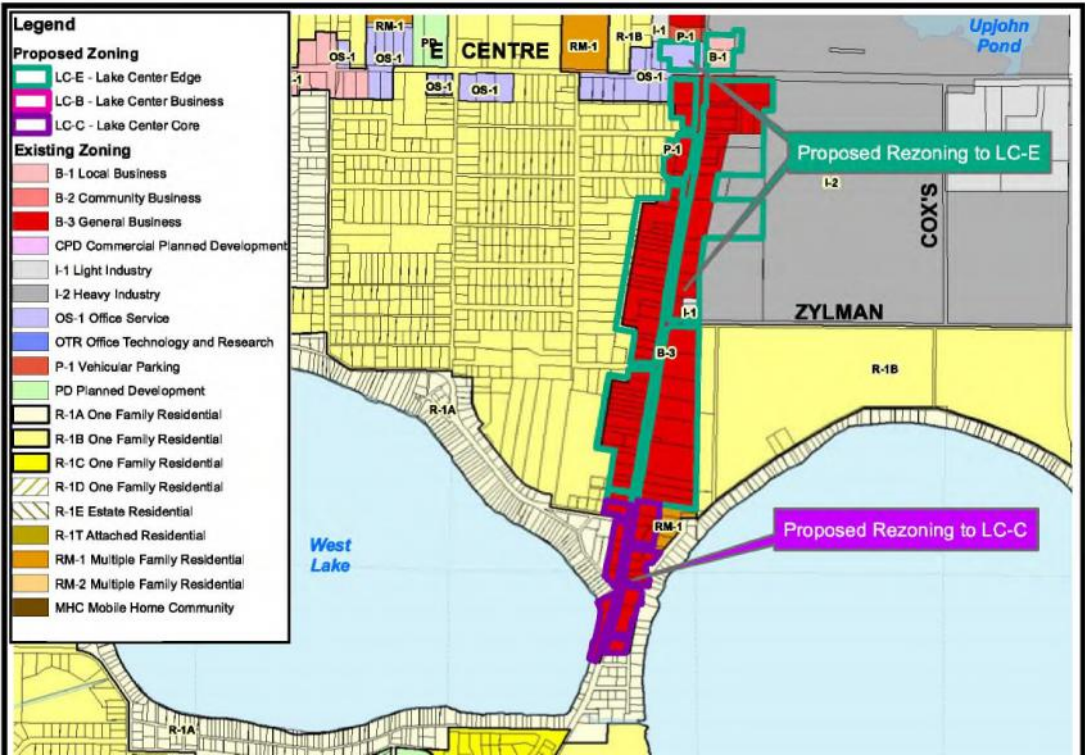
	PROPOSED	PROPOSED	PROPOSED
	LC - Edge	LC - Core	LC - Business
Uses Allowed	Residential Multifamily, Townhomes	Residential only on upper floors	Residential only on upper floors
	Offices, Animal Vet., Restaurants (w/ out drive-thru), etc.	Offices, Animal Vet., Restaurants (w/ out drive-thru), etc.	Offices, Animal Vet., Restaurants (w/ out drive-thru), etc.
	Art Galleries, Salons, Retail	Art Galleries, Salons, Retail	Art Galleries, Salons, Retail
Max. Building Height	50 ft	30 ft	40 ft
Setbacks (Min. - Max. Distance)	Front: 0-10'	Front: 0-5'	Front: 10-15'
	Sides: 0 or 10' where abutting Non-LC District)	Sides: 0 or 10' where abutting Non-LC District)	Sides: 0 or 10' where abutting Non-LC District)
	Rear: 5 or 10' where abutting Non-LC District)	Rear: 5 or 10' where abutting Non-LC District)	Rear: 5 or 10' where abutting Non-LC District)

Table 2. Summary of development standards of proposed zoning districts along Portage Rd.

Portions of the proposed re-zoning application and the associated map are reproduced in part on the following pages. The entire document is reproduced in the addenda. This first table shows the subject and that entire 8300 Block of Portage Road.

8344 PORTAGE RD	00340-129-O	B-3;R-1B	LC-E
8379 PORTAGE RD	00023-115-D	B-3	LC-E
8340 PORTAGE RD	00340-130-O	B-3;R-1B	LC-E
8328 PORTAGE RD	00340-132-O	B-3;R-1B	LC-E
8387 PORTAGE RD	00023-115-C	B-3	LC-E
8324 PORTAGE RD	00340-133-O	B-3;R-1B	LC-E
8318 PORTAGE RD	00340-134-O	B-3;R-1B	LC-E
8314 PORTAGE RD	00340-135-O	B-3;R-1B	LC-E
8312 PORTAGE RD	00340-136-O	B-3;R-1B	LC-E
8302 PORTAGE RD	00340-137-O	B-3;R-1B	LC-E

The following map, also from the City of Portage, graphically displays the proposed zoning change. The dark red area to the north contains the 800 Block of Portage Road (and, of course, the subject property). The area outlined in green is proposed for rezoning to LC-E.



The rezoning of the subject from B-3, General Business, the classification under which the property was developed with full conformance, will render the property as nonconforming under the current City of Portage Zoning Ordinance. The schedule of regulations for B-3, General Business, are reproduced on Page 4 of this letter. A small excerpt that includes the intent of the district is included below.

Sec. 42-262. - B-3 general business district.

A. Intent: The B-3 general business district is designed to provide sites for more diversified businesses and are often located to serve pass by traffic. Locations for the B-3 district are thus typically mapped along major traffic arteries and/or adjacent to B-2 community business districts.

B. Principal permitted uses: In a B-3 general business district, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article.

- 1. Any principal permitted use in the B-1 local business district, or uses permitted subject to special conditions.*
- 2. Any principal permitted use in the B-2 community business district, or uses permitted subject to special conditions.*
- 3. Automatic and self-service carwashes, when completely enclosed in a building.*

A wide range of uses, specifically including “Automatic and Self-Service carwashes, when completely enclosed within a building” are permitted in this most inclusive commercial district, as are all uses permitted in B-1 and B-2

There are three basic classifications of non-conformance that can apply to a piece of real estate. These are nonconforming LOTS, nonconforming BUILDINGS (and structures or other improvements), and nonconforming USES. The City of Portage Zoning ordinance addresses said non-conformance. That portion is reproduced here in four (4) parts (*in italics.*)

Those sections that deal with the three types of non-conformances immediately follow my discussion of same. This first section deals with General Provisions regarding non-conformity.

Sec. 42-133. - Nonconforming lots, buildings, structures, and uses.

A. General requirements.

1. *It is the intent of this article to permit nonconforming lots, buildings, structures or uses to continue until they are removed, but not to encourage their survival.*
2. *It is recognized that there exist, within the districts established by this article, lots, buildings, structures and uses of land and structures which were lawful before this article was adopted or amended, which would be prohibited, regulated or restricted under this article or future amendments thereto. Nonconformities are declared by this article to be incompatible with permitted uses in the districts involved.*
3. *It is further the intent of this article that nonconformities shall not be enlarged upon, expanded or extended or used as grounds for adding other structures or uses prohibited elsewhere in the same district.*
4. *The following are declared to be an extension or enlargement of a nonconformity and are hereby prohibited:*
 - a. *Attachment on a nonconforming structure, building, or use of additional signs intended to be seen from off the premises.*
 - b. *The addition of other uses to an existing nonconforming use of a nature that would be prohibited generally in the district involved.*
5. *To avoid undue hardship, nothing in this article shall be deemed to require a change in the plans, construction or designated use of a building on which actual construction was lawfully begun prior to December 14, 1965, or prior to the effective date of amendment of this article, and upon which actual building construction has been diligently carried on. As used in this section, the term "actual construction" includes the placing of construction materials in a permanent position and fastening them in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall also be deemed to be actual construction, provided that work is diligently carried on until completion of the building involved.*

An important point to note here is that nonconformities are permitted to continue (with many limitations) but their survival is not encouraged.

Nonconforming lots refers to lots or sites that do not meet the minimum requirements in terms of size or dimensions such as width and depth. It could also include access. The excerpt from the City of Portage Zoning Ordinance that deals with nonconforming lots is reproduced below.

B. Nonconforming lots.

1. Any nonconforming lot existing and of record on December 14, 1965, may be used for any principal permitted use or special land use, (after approval in accordance with division 5, subdivision 1) in the district in which it is located, provided that any specific lot area requirements for a special land use are satisfied.

2. Except as noted in division 4, subdivision 10, Schedule of Regulations, any use established on a nonconforming lot shall meet all other requirements of division 4, subdivision 10, Schedule of Regulations, other than lot area and width, of the district in which it is located. Yard requirement variances may be applied for through the zoning board of appeals.

3. If there exists two or more nonconforming lots or combinations of nonconforming lots and portions of lots with continuous frontage and in single ownership, the lands involved shall be considered to be an undivided parcel for the purposes of this article.

4. No division of a nonconforming parcel shall be made which leaves remaining any lot with a width or area below the requirements stated in this article.

After the proposed zoning change to LC-E, it is believed that the lot remains in conformance with the ordinance.

Nonconforming buildings (and improvements) relate to the size and location of the building and/or site improvements. Lots that are smaller or narrower than required minimums established by the zoning ordinance are typical examples of this non-conformance. The excerpt from the City of Portage Zoning Ordinance that deals with nonconforming buildings and structures is reproduced below.

D. Nonconforming buildings and structures.

1. No nonconforming building or structure may be enlarged or altered in a way that increases its nonconformity.

2. Should a nonconforming building or structure be destroyed by an act of God or the public enemy to an extent of more than 60 percent of its replacement cost, exclusive of the foundation, it shall be reconstructed in conformity with the provisions of this article unless it is reconstructed to its original location within 18 months of the date destroyed.

3. Should a nonconforming building or structure be moved any distance for any reason, it shall thereafter conform to the regulations of the district in which it is located after it is moved.

4. The intentional removal or destruction of the nonconforming portion of a building or structure by the property owner or his/her agent shall eliminate the nonconforming status of the building or structure.

5. Nothing in this article shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an official charged with protecting the public safety, upon order of such official, provided that the area of the building as it existed on December 14, 1965, or at the time of amendment of this article is not increased.

After the proposed zoning change to LC-E, it is believed that the building (but not its use or purpose) remains in conformance with the ordinance. According to the tables on page 4, the maximum building height allowed has been increased from 35 to 50 feet. Furthermore, the required front setback has been decreased from 27 feet to 0 to 5 feet, and the rear setback has been decreased from 20 feet to 5 to 10 feet.

After the proposed zoning change to LC-E, the side setback has changed from 0 to 15 feet (where abutting residential) to 0 to 10 feet where abutting non-LC districts. As the side of the subject abuts B-3 before the change and LC-E after the proposed change, the required side setback is the same (zero) before and after the proposed change.

Nonconforming uses involve situations where are given use of a property perseveres despite not being permitted in the existing zoning district. Examples of this include an industrial use in a residential zone, or an Automatic Car Wash (completely enclosed within a building) locates in an LC-E district (as is proposed by the City of Portage). The excerpt from the City of Portage Zoning Ordinance that deals with nonconforming uses is reproduced below.

C. *Nonconforming uses.*

1. *No nonconforming use shall be enlarged, increased or extended to occupy a greater area of land than was occupied at the time it became nonconforming.*

2. *No nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by the use.*

3. *A nonconforming use may be extended throughout any part of a building manifestly arranged or designed for the use, but no nonconforming use shall be extended to occupy any land outside the building.*

4. *Changes to a nonconforming use in business or industrial districts.*

a. *If no structural alterations are made, a nonconforming use may be changed to another nonconforming use of the same or a more conforming nature; To determine that the use is the same or more conforming the zoning board of appeals shall find that:*

(1) *The proposed use is equally appropriate or more appropriate to the district in terms of intensity of use, operational characteristics, parking requirements, or other similar factors, than the existing nonconforming use;*

(2) *The request will not unreasonably extend the duration of the nonconforming use, and*

(3) *The proposed use will not adversely affect neighboring properties.*

b. *In permitting the change, the board may require appropriate conditions and safeguards in accordance with the purpose and intent of this article.*

c. *In any district where a nonconforming use is hereafter changed to a more conforming use, it shall not thereafter be changed to a less conforming use.*

5. *Except for seasonal uses, if a nonconforming use is abandoned for any reason for a period of not less than 90 days, any subsequent use shall conform to the requirements of this article. A nonconforming use shall be considered abandoned if a combination of the following conditions exists that is deemed by the director to constitute an intent on the part of the property owner to abandon the nonconforming use:*

- a. Utilities and other public services, such as water, gas and electricity to the property, have been discontinued;*
- b. The property, buildings, and grounds, have fallen into disrepair;*
- c. Sign structures or other indications of the existence of the nonconforming use have been removed;*
- d. Removal of equipment or fixtures that are necessary for the operation of the nonconforming use; or*
- e. Other actions, which constitute an intention of the part of the property owner or lessee to abandon the nonconforming use.*
- f. Failure to institute procedures to rebuild facilities and buildings necessary to conduct the nonconforming use, such as submission of building plans for a building permit, within 90 days from the time the use is discontinued shall also be considered as an intent to abandon the nonconforming use.*

6. *There may be a change of tenancy, ownership or management of any existing nonconforming use, provided that there is no change in the nature or character of the nonconforming use.*

7. *Any time a nonconforming use is superseded by a use permitted in the district in which it is located, the use shall thereafter conform to the regulations of the district in which it is located, and a nonconforming use may not thereafter be resumed.*

8. *Any use for which a special land use or use variance is granted shall not be deemed a nonconforming use, but shall without further action be deemed a conforming use in the district.*

However, the proposed zoning change to LC-E (from B-3) by the City of Portage changes the zoning conformity of the subject property in terms of use. After the proposed zoning district change, the existing use as a carwash (specifically an automatic carwash completely enclosed within a building) is no longer permitted and is a NONCONFORMING use.

Please see **Sec. 42-262. - B-3 general business district (B)(3)** as to principal permitted uses where *“Automatic and self-service carwashes, when completely enclosed in a building” are specifically permitted.* In fact B-3, General Business, is the only Zoning District in the City of Portage that allows carwashes as a matter of right. They are also permitted as a Special Land Use under the B-2, Community Business, District. Carwashes are not permitted under B-1 or any industrial zone. They are also not permitted under any of the new proposed Lake Center districts including Lake Center – Edge (LC-E), as proposed for the subject nor LC-C (Core) nor LC-B (Business). In fact, none of the LC, Lake Center, Districts permit Automotive or Highway Uses such as automatic carwashes, self-service carwashes, auto repair, motels or any drive-throughs, all of which are permitted by right in the B-3, General Business, District.

As a direct result of the proposed zoning districts change from B-3, General Business, to LC- E, Lake Center- Edge, the subject will become nonconforming to the City of Portage Zoning Ordinance. The subject’s use as an automatic carwash (completely enclosed within a building) will be a nonconforming use as defined in **Sec. 42-133. - Nonconforming lots, buildings, structures, and uses (C).**

Application of zoning regulations as an exercise of Police Power has been established as appropriate (and upheld) by the Supreme Court of the United States. Zoning regulations are considered a legitimate exercise of police power as they protect the health, welfare, and safety of the people.

Of course, logically, if zoning regulations are an appropriate exercise of police power as they promote the health and welfare of the people, safety, and aesthetics, violating those regulations, either illegally or lawfully as with nonconformity, by definition introduces an increased risk of those things that zoning regulations are designed to protect, health, welfare, safety, and aesthetics.

In general, a property's nonconforming status can have a significant impact on its value and marketability. A property is considered nonconforming if it doesn't meet current zoning requirements but was originally legal, as has been discussed. Here are some ways nonconforming status can affect a property's value:

- **Financing:** Mortgage companies often won't finance nonconforming properties, making them harder to purchase.
- **Insurance:** Nonconforming properties can be more difficult to insure.
- **Selling:** Nonconforming properties can be more difficult to sell.
- **Legal conflicts:** Nonconforming properties can lead to legal conflicts and enforcement actions.
- **Reduced Conformity of Use (Balance):** Consistency of use in a neighborhood supports higher market values.
- **Reduced Safety and Aesthetics:** If zoning regulations are an appropriate exercise of police power as they promote the health and welfare of the people, safety, and aesthetics, violating those regulations, either illegally or lawfully as with nonconformity, by definition introduces an increased risk of those things that zoning regulations are designed to protect, health, welfare, safety, and aesthetics.

Subsection (C) of **Sec. 42-133. - Nonconforming lots, buildings, structures, and uses**, indicates some of the specific impacts of nonconformance in terms of use with the City of Portage Zoning Ordinance. It indicates the following.

- After the proposed change, the use as an automatic carwash cannot be expanded as it could have been before the zoning change created a nonconforming use.
- After the proposed change, any improvements associated with the use as an automatic carwash cannot be move onsite as it could have been before the zoning change created a nonconforming use.
- In additions to restrictions on movement and expansion, Subsection (5) lays out multiple ways that can result in a loss of lawful nonconformance status that would require full compliance and loss of the nonconforming use.

These include lack of use for a period exceeding 90 days, constituting abandonment, Utility disconnection, disrepair, removal of signage or other indications of removal of the use, removal of equipment required for the nonconforming use, failure to rebuild, and changes in use. There is significant risk of losing one's right to a nonconforming use as a result.

Scholarly research has revealed an article titled Appraising Legally Nonconforming Uses – Ther Allocation Problem that was published by the International Right-of-Way Association's RIGHT OF WAY Magazine in January/February 2000. This entire article is contained in my work file. While the article specifically addresses peripheral issues like allocation between land and improvements, it makes it very clear that land value is impacted and reduced by rezoning to a nonconforming state. Frankly, it is very clear that land that is appropriately zoned for intense commercial uses such as carwashes, automotive, drive-throughs, and motel is substantially more value in local markets than land that is limited to development as residential, offices, conventional restaurants, and general retail (as the subject is after the proposed zoning).

Although an Appraisal Report per USPAP may eventually be required, this letter is NOT an appraisal report per USPAP subject to the requirements of USPAP Standards 1 and 2. This letter does not purport to estimate the value of the subject property nor quantify the damage that would accrue as a result of rezoning that renders the property nonconforming. This letter is only intended to address the general effects of zoning non-conformity upon real property like the subject. However, it is certainly clear that damages in terms of a reduction in value would occur from rezoning the property to create a nonconforming use.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "David E. Burgoyne", with a long horizontal flourish extending to the right.

David Edward Burgoyne, ASA, SR/WA
Certified General Real Estate Appraiser Michigan 1205-000222

*Crystal Car Wash 2, LLC c/o Blake D. Crocker, Attorney at Law
Impact of Proposed Rezoning by the City of Portage
8387 Portage Road, City of Portage, Kalamazoo County, Michigan
Parcel Number 00023-115-C
December 2, 2024. Page 15.*

ADDENDA

*Crystal Car Wash 2, LLC c/o Blake D. Crocker, Attorney at Law
Impact of Proposed Rezoning by the City of Portage
8387 Portage Road, City of Portage, Kalamazoo County, Michigan
Parcel Number 00023-115-C
December 2, 2024. Page 16.*



Photograph taken by David Burgoyne on November 17, 2024

*Crystal Car Wash 2, LLC c/o Blake D. Crocker, Attorney at Law
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CROCKER LAW FIRM II, PLLC
ATTORNEYS AT LAW

BLAKE D. CROCKER, JD, LL.M.
blake@crockerlawfirm.com

October 16, 2024

City of Portage Planning Commission
Council Chambers
Portage City Hall
Portage Michigan 49002

Re: Proposed Zoning Amendments for the Lake Center District
October 17, 2024 Meeting of the City Planning Commission

Dear Planning Commission:

We are the attorneys for Crystal Car Wash II, PLLC. Our Client has owned and operated a car wash business at 8387 Portage Road, Portage, Michigan for over 18 years; Mr. Kothawala, the owner, has been a car wash owner and operator for over 30 years. He designed and built his car wash in a location where the Portage zoning ordinance permitted its operation. Our client's car wash business is a small enclosed automatic car wash, located North of Zylman Avenue and South of Centre Street. It is not located near the two lakes which are the focus of the plan and the revision of the zoning ordinance. As the name of the zone indicates, it is on the "edge". In reliance upon his rights to operate his business in that location, our client has invested hundreds of thousands of dollars in his business over the past 18 years. The value of this business represents a lifetime investment of our client's time, money and skill.

Currently, our client's business is a Permitted Use under Section B-3, General Business District, of the current zoning ordinance. The proposed amendments to the City of Portage Zoning Ordinance changing the zone in which our client is located to LC-E would arbitrarily remove car washes from the list of "permitted uses", irreparably damaging our client's business value, potentially causing his business to close. The entire focus of the re-zoning appears designed to unfairly target our client's legitimate family-owned small business which utilizes drive through vehicles as a means of generating revenue and devaluing that business, potentially putting him out of business.

Zone B-3 is currently defined as follows:

"Sec. 42-262. - B-3 general business district.

A. Intent: The B-3 general business district is designed to provide sites for more diversified businesses and are often located to serve pass by traffic. Locations for the B-3 district are thus typically mapped along major traffic arteries and/or adjacent to B-2 community business districts.

B. Principal permitted uses: In a B-3 general business district, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this article:

1. Any principal permitted use in the B-1 local business district, or uses permitted subject to special conditions.

4th Floor KALAMAZOO BUILDING
107 W. MICHIGAN AVENUE
KALAMAZOO, MICHIGAN 49007

CROCKER LAW FIRM II, PLLC
Attorneys at law

City of Portage Planning Commission
October 16, 2024
Page 2

2. Any principal permitted use in the B-2 community business district, or uses permitted subject to special conditions.

3. Automatic and self-service carwashes, when completely enclosed in a building.”

It appears the proposed zoning amendment will re-zone our client’s property to Lake Center Edge (LC-E), which is promoted as Mixed Use, and that this zone does not permit drive through car washes.

Furthermore, the proposed Lake District Plan reduces the number of vehicle lanes, among other things, to reduce the number of vehicles utilizing Portage Road right in front of our client’s business. This unfairly and specifically damages his drive through car wash business; therefore, unfairly and arbitrarily targeting our client’s legitimate and lawful business, damaging its value, threatening to reduce his revenues, and potentially killing his business.

We are writing in order to communicate our client’s serious concerns and strong objections to the proposed amendments and the overall plan for the LC-E zone which incorporates his business, as follows:

1. It is unfair to remove our client’s business from “permitted uses” thereby converting his legitimate business into a non-conforming use, specifically damaging our client’s business.
2. Reducing the number of vehicle lanes in the “edge”, the LC-E zone, in which our client is located will specially damage our client because his business is directly reliant upon drive through vehicle traffic which passes in front of its business.
3. Shutting down traffic during the lengthy period of construction of the “edge” zone (the LC-E) will directly damage our client, causing him to suffer significant monetary losses as a direct result of closing off the road for lengthy construction.

Our client respectfully requests the Commission consider the inordinate and extraordinary impact the reduction of vehicle lanes and removal of car washes as a permitted use will have on our client’s long time business.

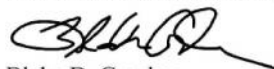
Given the above, our client requests the Commission simply revise the plan and proposed zoning ordinance amendments as follows:

1. Keep the road a 5 lane road between Centre and Zylman; and,
2. Retain our client’s car wash as a permitted use under the new ordinance.

Thank you for your prompt attention to this matter.

Yours truly,

CROCKER LAW FIRM II, PLLC



Blake D. Crocker
Direct; (269) 501-4516

CITY OF PORTAGE PLANNING COMMISSION

AGENDA

**Thursday, October 17, 2024
7:00 PM**

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES:

1. Minutes dated September 19, 2024

PUBLIC HEARINGS

- * 1. Parking reduction request for 6400 S Westnedge Avenue
- * 2. Rezoning #24/25-3 to create new mixed use zoning districts with development standards in the Lake Center Commercial Corridor on Portage Road.

SITE/FINAL PLANS:

OLD BUSINESS:

NEW BUSINESS:

STATEMENT OF CITIZENS:

ADJOURNMENT:

Star (*) indicates printed material within the agenda packet.



Department of Community Development

TO: Planning Commission

DATE: October 17, 2024

FROM: Peter Dame, Chief Development Officer

SUBJECT: Rezoning to create new mixed use zoning districts in the Lake Center Commercial Corridor on Portage Road

I. INTRODUCTION:

The City of Portage seeks to amend Article 4 Zoning of Chapter 42 by rezoning and creating new mixed use zoning districts with development standards for parcels abutting Portage Road between E. Centre Avenue and E. Osterhout Avenue. The 172 subject parcels are shown in the attached proposed zoning map. This area comprises the commercial properties in what is known as the Lake Center commercial district. The proposed development standards are attached as the 'Lake Center District Zoning Amendment'. The purpose of this rezone and development standards is to implement the City's Master Plan and one of the recommendations of the Lake Center District Corridor & Placemaking Plan (aka 'Lake Center District') both of which envision the area as a mixed-use traditional physical form of a neighborhood corridor with safe streets, wide sidewalks, buildings close to the sidewalks, and parking lots behind buildings, and more compatible physical form and uses to encourage a pedestrian friendly and walkable character. The proposed zoning and development standards will guide future development towards this vision.

The existing development along Portage Road is a mix of residential and commercial uses consisting of a general suburban design, with a mix of multiple existing zoning districts. Buildings are located behind front parking lots. Portage Road consists of a multi-lane road with fast and high-volume traffic. Older and renovated single family homes are scattered in and among and between commercial uses even within commercially zoned areas. Overall, the current mix and design of land use do not form a well-planned cohesive corridor. More descriptions of the existing zoning districts are provided in detail later in this memo. By rezoning these parcels and requiring design standards, the overall suburban development setting will change toward a more walkable traditional physical form of a neighborhood commercial corridor setting.

II. BACKGROUND INFORMATION:

For over 20 years, various City's plans have envisioned Portage Road near West Lake and Austin Lake as a traditional physical form of a neighborhood commercial corridor with a unique sense of place within the community that connects to lakes, residential neighborhoods, commercial places, parks, schools, and more unique assets. The following sections address this vision:

MASTER PLAN

The City's new [Forward Together 2045 Master Plan](#) and previous 2014 Comprehensive Plan highlighted the unique location and local interest in creating a lake center district consisting of a future

Rezoning to create new mixed use zoning districts in the Lake Center Commercial Corridor on Portage Road
Page 2

‘main street’ character with a narrower road, wide sidewalks, street trees, and overall more walkable as well as buildings located close to the street and parking behind. The Master Plan has an entire section dedicated to the Lake Center Subarea recommends key policies such as updating land use standards, promoting a redesign of Portage Road to increase safety, establishing a walkable mixed-use center, and more. Further, the Plan’s Future Land Use Map classifies large areas in this area for ‘Mixed Residential’, ‘Mixed-Use’, ‘Local Commercial’, and ‘Single Family Residential’.

LAKE CENTER PLAN

The Lake Center Subarea in the Master Plan draws from the 2021 [Lake Center District Corridor and Placemaking Plan](#) (Lake Center Plan) adopted by City Council. It provides a more detailed vision by illustrating a redesign of Portage Road from 5 lanes to 3 lanes, future pedestrian crosswalks, future building improvements, future code regulations and design guidelines, future traffic lights at Forest Drive & Portage Road intersection, future connecting alleys and more. This plan recommended zoning changes to achieve this redesign as it applies to private properties.

DRAFTING PROPOSED REZONING: PLANNING PROCESS

To direct future private and public development towards this vision, in late 2023 the Council approved a contract with McKenna Associates (planning consultants) to assist city staff in a planning process to establish future code regulations and design guidelines for the Lake Center area. Starting in January of this year, staff and McKenna held three public meetings inviting all Portage Road residents, businesses and property owners to provide feedback on various village-like illustrations of building designs, parking lot and landscaping designs, multi-story residential and mixed-use buildings, and more. Also, a Steering Committee made of neighborhood interests was formed to provide a more local-based representation for further review. Based on public meeting feedback and guidance from the adopted City plans for the area, McKenna provided drafts of the rezoning districts and development guidelines for Steering Committee review. Development concepts and ordinance drafts were reviewed in depth over the course of six public Steering Committee meetings. The Steering Committee unanimously supported the draft rezoning and development standards on August 14, 2024 and recommended Planning Commission consideration and adoption.

PLANNING COMMISSION MEETINGS

On September 5, 2024, McKenna provided a presentation in summary of the draft zoning regulations and guidelines to the Planning Commission. On September 19, staff provided a workshop on this draft to the Commission for a more detailed discussion. The Commission was generally supportive of continued consideration of the draft zoning regulations and guidelines and did not suggest any changes.

The draft zoning regulations and guidelines are the subject of this memo and are discussed in detail later in this memo. In short, the proposed ordinance establishes and replaces the existing mix of commercial zones with a new zoning district for the Lake Center area. The new district has three sections based on location within the district referred to as the Edge, Core or Business. The three sections have some variations in heights and uses for new or significantly expanded buildings, but all three sections would allow mixed-use buildings with commercial on the ground floor and residential above. New or significantly expanding buildings would also be subject to development standards intended to create an enhanced and more walkable district.

III. ANALYSIS:

The following sections of Chapter 42. Division 8. Subsection 651 *Amendments to this Article*. procedures and regulations apply and 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, neighborhood harmony, impacts of the proposed zoning classification, and impacts to adjacent streets and utilities.

ANALYSIS

The area of proposed rezoning is along Portage Road between E. Centre Avenue (north point) and E Osterhout Avenue (south point). The subject parcels are those abutting Portage Road. See attached map. Some parcels that do not have any street frontage but are connected to development fronting Portage Road are also included. Parcels along Portage Road which are currently zoned One-Family Residential area are not included (except for a small City-owned parcel).

Existing Zoning Districts

There are a total of 172 parcels considered in the proposed rezoned. The following provides the number of parcels in their associated existing district.

- 104 zoned B-3 General Business
- 53 zoned I-1 Light Industrial
- 8 zoned RM-1 Multifamily Residential
- 2 zoned OS-1 Office Service
- 2 zoned B-1 Local Business
- 1 zoned B-2 Community Business
- 1 zoned P-1 Parking
- 1 zoned R-1C One Family Residential (City-Owned)

Due to the mix of zoning districts and permitted uses within these districts, there is a wide variety of allowed land uses, yard setbacks, parking requirements, and other elements which resulted in a non-cohesive development pattern having a more suburban setting. This mix of standards can be seen in Table 1. Without any overall direction or vision, these districts cannot create a well-planned cohesive mixed-use village setting.

Rezoning to create new mixed use zoning districts in the Lake Center Commercial Corridor on Portage Road
 Page 4

	EXISTING	EXISTING	EXISTING	EXISTING	EXISTING
	OS-1 Service Office	B-1 Local Business	B-2 Community Business	B-3 General Business	I-1 Light Industrial
Uses Allowed	Professional, Medical Offices Salons, Spas Art/photography studios	Same as OS-1, plus small restaurants and retail businesses, etc.	Same as B-1, plus larger restaurants and retail businesses, theaters, contractor's offices, breweries, etc.	Same as B-2, plus car washes, auto repair, churches, hotels/ motels, dry cleaners, etc.	Manufacturing, processing, assembly and similar uses
Max. Building Height	35 ft	35 ft	35 ft	35 ft	30-40ft
Setbacks	Front: 27'	Front: 27'	Front: 75'	Front: 27'	Front: 75'
	Sides: 0 or 15' where abutting Residential)	Sides: 0 or 15' where abutting	Sides: 0 or 15' where abutting Residential)	Sides: 0-15' (where abutting Residential)	Sides: 12-75' (where abutting Residential)
	Rear: 20'	Rear: 20'	Rear: 20'	Rear: 20'	Rear: 12-75' (where abutting Residential)

Table 1. Summary of development standards in existing zoning districts along Portage Rd.

Proposed Zoning Districts

Three new zoning districts are proposed to direct future development to achieve the cohesive village goal: 1) Lake Center Edge (LC-E), 2) Lake Centre – Core (LC-C), and 3) Lake Center-Business (LC-B). See the proposed zoning map for the general locations of these new districts.

All 172 parcels would fall into one of these new districts (See Parcel List of Existing, Proposed Zoning District). Below provides the total number of parcels in each of the three proposed districts.

- 78 rezoned to LC- Edge
- 19 rezoned to LC – Core
- 75 rezoned to LC – Business

Rezoning to create new mixed use zoning districts in the Lake Center Commercial Corridor on Portage Road
 Page 5

	PROPOSED LC - Edge	PROPOSED LC - Core	PROPOSED LC - Business
Uses Allowed	Residential Multifamily, Townhomes	Residential only on upper floors	Residential only on upper floors
	Offices, Animal Vet., Restaurants (w/ out drive-thru), etc.	Offices, Animal Vet., Restaurants (w/ out drive-thru), etc.	Offices, Animal Vet., Restaurants (w/ out drive-thru), etc.
	Art Galleries, Salons, Retail	Art Galleries, Salons, Retail	Art Galleries, Salons, Retail
Max. Building Height	50 ft	30 ft	40 ft
Setbacks (Min. - Max. Distance)	Front: 0-10'	Front: 0-5'	Front: 10-15'
	Sides: 0 or 10' where abutting Non-LC District	Sides: 0 or 10' where abutting Non-LC District	Sides: 0 or 10' where abutting Non-LC District
	Rear: 5 or 10' where abutting Non-LC District	Rear: 5 or 10' where abutting Non-LC District	Rear: 5 or 10' where abutting Non-LC District

Table 2. Summary of development standards of proposed zoning districts along Portage Rd.

The LC-Edge (northern district) starts at the intersection of E. Center Ave and stretches south near Forest Drive intersection, is the largest district, and generally allows larger buildings. The LC-Core (Forest Drive to Clarence Drive) is the smallest district, is located in the 'isthmus' between Austin and West Lakes, and consists of the most specific site and building standards as being the most critical area for creating a walkable village. And, the LC-Business (southern district) is located in three separate areas: 1) Woodbine Avenue to Bacon Avenue; 2) area just north of Wetherbee Avenue; and 3) between Lancelot Court and E. Osterhout Avenue. This district allows the greatest amount of commercial/ industrial uses and is separated by existing single family zoning districts.

Proposed Building Standards

In addition to new site development standards in Table 2, all three proposed districts require all future buildings and additions to meet specific exterior building material, window sizing, and overall façade design. Further, new buildings and major additions would need to meet specific frontage types. Details of these standards are included in the attached Lake Center District Zoning Amendments. These new building standards will ensure future development creates a mixed-use, walkable village.

Future Portage Road Construction

Though not part of the subject rezoning but within the scope area, the City is pursuing redesigning and narrowing Portage Road to improve vehicular and pedestrian/ bicycle safety. Another goal is to transform the road into a 'main street' setting with wide sidewalks, street trees, street lighting, and more. This critical improvement will greatly link the public sidewalks to private businesses and land uses along Portage Road. The City will provide a public planning process in the future for the Portage Road redesign.

Rezoning to create new mixed use zoning districts in the Lake Center Commercial Corridor on Portage Road
Page 6

Overall, the proposed rezoning will achieve the goals of the Master Plan and Lake Center Plan to guide future development along Portage Road toward a mixed-use walkable village setting.

PUBLIC NOTICING REQUIREMENTS

Public notice was published in the Kalamazoo Gazette and a notice was sent to all property owners of the 172 subject parcels on October 1, 2024. As of the date of this report (Wednesday, October 9, 2024), no public comments have been received.

IV. RECOMMENDATION:

If no additional public comment is requested by and the Commission is supportive of the proposed rezoning, staff recommend the Planning Commission to City Council the approval of the Rezoning #24/25-3 to rezone and create new mixed use zoning districts with development standards of Lake Center Commercial Corridor on Portage Road.

Attachments:

1. Parcel List of Existing, Proposed zoning Districts
2. Proposed Lake Center District Zoning Amendments
3. Proposed Zoning Map

Crystal Car Wash 2, LLC c/o Blake D. Crocker, Attorney at Law
 Impact of Proposed Rezoning by the City of Portage
 8387 Portage Road, City of Portage, Kalamazoo County, Michigan
 Parcel Number 00023-115-C
 December 2, 2024. Page 28.

Address	Parcel Number	Existing Zoning	Proposed Zoning
		RM-1;R-1A;R-	
10429 PORTAGE RD	00520-011-O	1B	LC-B
10420 PORTAGE RD	05760-009-O	B-3	LC-B
10496 PORTAGE RD	05760-006-A	B-3	LC-B
10412 PORTAGE RD	05760-010-O	B-3	LC-B
10406 PORTAGE RD	05760-012-O	B-3	LC-B
10336 PORTAGE RD	05760-013-O	B-3	LC-B
10334 PORTAGE RD	05760-014-O	B-3	LC-B
10371 PORTAGE RD	00520-001-O	RM-1	LC-B
10341 PORTAGE RD	00035-045-O	RM-1	LC-B
10351 PORTAGE RD	00035-050-O	RM-1;R-1B	LC-B
10331 PORTAGE RD	00035-040-O	RM-1	LC-B
10332 PORTAGE RD	05760-015-A	B-3	LC-B
10244 PORTAGE RD	05760-019-O	R-1C	LC-B
10145 PORTAGE RD	00035-012-O	RM-1	LC-B
10143 PORTAGE RD	00035-011-O	RM-1	LC-B
10131 PORTAGE RD	00035-010-H	RM-1	LC-B
9950 PORTAGE RD	00026-041-O	I-1	LC-B
9918 PORTAGE RD	00026-045-O	I-1	LC-B
9945 PORTAGE RD	00026-155-V	I-1	LC-B
9848 PORTAGE RD	00026-040-O	I-1	LC-B
9879 PORTAGE RD	00026-155-Y	I-1	LC-B
9830 PORTAGE RD	00026-050-O	I-1	LC-B
9835 PORTAGE RD	00026-156-O	I-1	LC-B
9820 PORTAGE RD	00026-055-O	I-1	LC-B
9810 PORTAGE RD	00026-056-O	I-1	LC-B
9801 PORTAGE RD	00026-159-O	I-1	LC-B
9782 PORTAGE RD	00026-057-O	I-1	LC-B
9764 PORTAGE RD	00026-058-O	I-1	LC-B
9741 PORTAGE RD	00026-165-O	I-1	LC-B
9735 PORTAGE RD	00026-160-O	B-2	LC-B
9717 PORTAGE RD	00026-095-O	I-1	LC-B
9711 PORTAGE RD	00026-090-O	I-1	LC-B
9718 PORTAGE RD	00026-060-O	I-1	LC-B
9702 PORTAGE RD	00026-065-O	I-1	LC-B
9650 PORTAGE RD	00026-066-O	I-1	LC-B
9651 PORTAGE RD	00026-085-B	B-3	LC-B
9599 PORTAGE RD	00026-085-A	B-3	LC-B
9617 PORTAGE RD	00026-070-J	B-3	LC-B
9616 PORTAGE RD	00026-070-B	OS-1	LC-B
9551 PORTAGE RD	00026-080-O	B-3	LC-B
CONDO BARN	COMMON AREA	I-1	LC-B

9917 PORTAGE RD UNIT 18	01630-018-O	I-1	LC-B
9917 PORTAGE RD UNIT 28	01630-028-O	I-1	LC-B
9917 PORTAGE RD UNIT 19	01630-019-O	I-1	LC-B
9917 PORTAGE RD UNIT 29	01630-029-O	I-1	LC-B
9917 PORTAGE RD UNIT 20	01630-020-O	I-1	LC-B
9917 PORTAGE RD UNIT 30	01630-030-O	I-1	LC-B
9917 PORTAGE RD UNIT 1	01630-001-O	I-1	LC-B
9917 PORTAGE RD UNIT 21	01630-021-O	I-1	LC-B
9917 PORTAGE RD UNIT 17	01630-017-O	I-1	LC-B
9917 PORTAGE RD UNIT 27	01630-027-O	I-1	LC-B
9917 PORTAGE RD UNIT 2	01630-002-O	I-1	LC-B
9917 PORTAGE RD UNIT 22	01630-022-O	I-1	LC-B
9917 PORTAGE RD UNIT 16	01630-016-O	I-1	LC-B
9917 PORTAGE RD UNIT 3	01630-003-O	I-1	LC-B
9917 PORTAGE RD UNIT 26	01630-026-O	I-1	LC-B
9917 PORTAGE RD UNIT 23	01630-023-O	I-1	LC-B
9917 PORTAGE RD UNIT 15	01630-015-O	I-1	LC-B
9917 PORTAGE RD UNIT 4	01630-004-O	I-1	LC-B
9917 PORTAGE RD UNIT 25	01630-025-O	I-1	LC-B
9917 PORTAGE RD UNIT 24	01630-024-O	I-1	LC-B
9917 PORTAGE RD UNIT 14	01630-014-O	I-1	LC-B
9917 PORTAGE RD UNIT 5	01630-005-O	I-1	LC-B
9917 PORTAGE RD UNIT 13	01630-013-O	I-1	LC-B
9917 PORTAGE RD UNIT 6	01630-006-O	I-1	LC-B
9917 PORTAGE RD UNIT 12	01630-012-O	I-1	LC-B
9917 PORTAGE RD UNIT 7	01630-007-O	I-1	LC-B
9917 PORTAGE RD UNIT 11	01630-011-O	I-1	LC-B
9917 PORTAGE RD UNIT 10	01630-010-O	I-1	LC-B
9917 PORTAGE RD UNIT 9	01630-009-O	I-1	LC-B
9917 PORTAGE RD UNIT 8	01630-008-O	I-1	LC-B
9830 NAVY PIER ST	00605-130-R	I-1	LC-B
2050 STANLEY AVE	00026-157-O	I-1	LC-B
2020 STANLEY AVE	00026-155-T	I-1	LC-B
9138 PORTAGE RD	02140-005-O	B-3	LC-C
9125 PORTAGE RD	02140-083-O	B-3	LC-C
9113 PORTAGE RD	02140-081-A	B-3	LC-C
9110 PORTAGE RD	02140-001-A	B-3	LC-C
9029 PORTAGE RD	00026-001-B	B-3;R-1A	LC-C
9009 PORTAGE RD	00026-005-O	B-3	LC-C
9001 PORTAGE RD	00026-003-O	B-3;R-1A	LC-C
9008 PORTAGE RD	00340-058-O	B-3	LC-C
8948 PORTAGE RD	00340-061-O	B-3	LC-C
8991 PORTAGE RD	00023-364-O	B-3	LC-C
8944 PORTAGE RD	00340-062-O	B-3	LC-C

8969 PORTAGE RD	00023-360-O	B-3	LC-C
8928 PORTAGE RD	00340-066-O	B-3	LC-C
8901 PORTAGE RD	00023-356-B	B-3	LC-C
8910 PORTAGE RD	00340-069-O	B-3	LC-C
8847 PORTAGE RD	00023-355-A	B-3	LC-C
8842 PORTAGE RD	00340-087-A	B-3	LC-C
8827 PORTAGE RD	00023-350-O	B-3	LC-C
8915 PORTAGE RD	00023-356-C	B-3	LC-C
8817 PORTAGE RD	00023-345-O	B-3	LC-E
8822 PORTAGE RD	00340-089-A	B-3	LC-E
8811 PORTAGE RD	00023-347-O	B-3	LC-E
8818 PORTAGE RD	00340-091-O	B-3	LC-E
8810 PORTAGE RD	00340-093-A	B-3	LC-E
8801 PORTAGE RD	00023-348-O	B-3	LC-E
8748 PORTAGE RD	00340-094-A	B-3	LC-E
8736 PORTAGE RD	00340-096-A	B-3	LC-E
8726 PORTAGE RD	00340-098-O	B-3;R-1B	LC-E
8725 PORTAGE RD	00023-336-O	B-3	LC-E
8715 PORTAGE RD	00023-340-O	B-3	LC-E
8724 PORTAGE RD	00340-099-A	B-3	LC-E
8712 PORTAGE RD	00340-101-O	B-3;R-1B	LC-E
8705 PORTAGE RD	00023-337-D	B-3	LC-E
8710 PORTAGE RD	00340-102-O	B-3;R-1B	LC-E
8648 PORTAGE RD	00340-104-O	B-3;R-1B	LC-E
8642 PORTAGE RD	00340-105-O	B-3;R-1B	LC-E
8636 PORTAGE RD	00340-106-O	B-3;R-1B	LC-E
8675 PORTAGE RD	00023-337-C	B-3	LC-E
8632 PORTAGE RD	00340-107-O	B-3;R-1B	LC-E
8626 PORTAGE RD	00340-108-O	B-3;R-1B	LC-E
8639 PORTAGE RD	00023-337-B	B-3	LC-E
8620 PORTAGE RD	00340-109-O	B-3;R-1B	LC-E
8606 PORTAGE RD	00340-111-O	B-3	LC-E
8542 PORTAGE RD	00340-112-A	B-3	LC-E
8585 PORTAGE RD	00023-337-A	B-3	LC-E
8534 PORTAGE RD	00340-113-A	B-3	LC-E
8524 PORTAGE RD	00340-115-O	B-3	LC-E
8516 PORTAGE RD	00340-116-O	B-3	LC-E
8509 PORTAGE RD	00023-346-O	B-3	LC-E
8502 PORTAGE RD	00340-117-O	B-3;R-1B	LC-E
8444 PORTAGE RD	00340-120-O	B-3	LC-E
2485 ZYLMAN AVE	00023-126-O	I-1	LC-E
8441 PORTAGE RD	00023-135-O	B-3	LC-E
8434 PORTAGE RD	00340-122-O	B-3	LC-E
8435 PORTAGE RD	00023-130-O	B-3	LC-E

8430 PORTAGE RD	00340-123-O	B-3;R-1B	LC-E
8415 PORTAGE RD	00023-125-A	B-3;I-1	LC-E
8418 PORTAGE RD	00340-125-O	B-3;R-1B	LC-E
8414 PORTAGE RD	00340-126-O	B-3;R-1B	LC-E
8405 PORTAGE RD	00023-120-A	B-3	LC-E
8404 PORTAGE RD	00340-127-O	B-3;R-1B	LC-E
8344 PORTAGE RD	00340-129-O	B-3;R-1B	LC-E
8379 PORTAGE RD	00023-115-D	B-3	LC-E
8340 PORTAGE RD	00340-130-O	B-3;R-1B	LC-E
8328 PORTAGE RD	00340-132-O	B-3;R-1B	LC-E
8387 PORTAGE RD	00023-115-C	B-3	LC-E
8324 PORTAGE RD	00340-133-O	B-3;R-1B	LC-E
8318 PORTAGE RD	00340-134-O	B-3;R-1B	LC-E
8314 PORTAGE RD	00340-135-O	B-3;R-1B	LC-E
8312 PORTAGE RD	00340-136-O	B-3;R-1B	LC-E
8302 PORTAGE RD	00340-137-O	B-3;R-1B	LC-E
8229 PORTAGE RD	00023-110-O	B-3;I-2	LC-E
8232 PORTAGE RD	00340-140-O	B-3;R-1B	LC-E
8222 PORTAGE RD	06780-001-O	B-3	LC-E
8211 PORTAGE RD	00023-100-A	B-3	LC-E
8204 PORTAGE RD	06780-026-O	B-3	LC-E
8131 PORTAGE RD	00023-075-O	B-3	LC-E
8136 PORTAGE RD	00023-195-O	B-3	LC-E
8139 PORTAGE RD	00023-080-A	B-3;I-2	LC-E
8127 PORTAGE RD	00023-065-O	B-3	LC-E
8118 PORTAGE RD	00023-200-O	B-3	LC-E
8119 PORTAGE RD	00023-060-O	B-3;I-2	LC-E
8111 PORTAGE RD	00023-055-O	B-3	LC-E
8043 PORTAGE RD	00023-504-O	B-3	LC-E
8037 PORTAGE RD	00023-045-A	B-3	LC-E
8086 PORTAGE RD	00023-205-E	B-3;R-1B	LC-E
8015 PORTAGE RD	00023-501-O	B-3	LC-E
8050 PORTAGE RD	00023-140-O	B-3	LC-E
7920 PORTAGE RD	00014-080-A	OS-1	LC-E
7908 PORTAGE RD	00014-015-O	B-1;I-2	LC-E
CENTREPORT COMMONS	COMMON AREA	B-3	LC-E
8722 PORTAGE RD	00340-099-B	B-3;R-1B	LC-E
2327 PROSPERITY DR	06780-025-O	B-3	LC-E
2404 PLEASANT DR	06780-027-O	P-1	LC-E
8061 PORTAGE RD	00023-505-O	B-3	LC-E
2700 E CENTRE AVE	00023-503-A	B-3	LC-E
7171 PORTAGE RD	00014-001-C	B-1	LC-E



Lake Center District Zoning Amendments

TO: City of Portage Planning Commission
Paul Lippens, AICP, NCI
FROM: Kyle Mucha, AICP
Aayush Patel
SUBJECT: Lake Center Zoning District Standards
DATE: August 28, 2024

Subdivision 17, Lake Center (LC) Corridor District

Sec. 42-4xx. Statement of purpose.

The purpose of the Lake Center (LC) District is to create clear and simple regulations on the design of new mixed-use development or redevelopment in the Lake Center District along Portage Road. Specifically, these regulations encourage a pedestrian friendly and walkable character; permit a mixture of land uses; encourage streets that serve the needs of pedestrians, bicycles, and motorized vehicle traffic equitably; encourage places for informal social activity and recreation in the corridor area; and encourage building frontages that define the public space of streets. With proper physical form, a building can accommodate a wide range of uses without generating undue impact on neighboring properties or the corridor as a whole.

The Lake Center (LC) District is commonly referred to as "LC" throughout this subdivision.

It is further the purpose of the LC district to:

1. Create a core corridor area that establishes the traditional physical form of a neighborhood commercial corridor.
2. Create a unique walkable mixed-use district including residential, retail, entertainment, office, and other compatible uses.
3. Promote the orderly development, redevelopment, and continued maintenance of Portage's Lake Center business district.
4. Encourage shared parking areas throughout the corridor rather than requiring each individual property owner to provide physical parking space on their property.
5. Create quantitative and qualitative building design guidelines that ensure new development is compatible with the recommended building quality standards in this section.
6. Ensure buildings create a solid street wall that helps to define streets as public spaces.
7. Ensure that permitted uses complement each other in terms of character and location, and to ensure that uses in the LC district do not have an adverse impact on the overall economic and social vitality of the corridor area, street capacity, public utilities or services, or the overall image and function of the district.
8. Lessen automobile-oriented development to achieve a more walkable, character of the corridor area.
9. Encourage harmonious residential infill and adaptive reuse of noteworthy buildings to provide a mix of housing types, unit sizes, and compatible uses within walking distance of Portage's Lake Center area.
10. Encourage a variety of housing options in the corridor area.
11. Create a new zoning district to guide development that achieves the purpose of this district.



Sec. 42-4xx. Instructions.

1. **Application of requirements.** The provisions of this article are activated by "shall" or "must" when required, "should" or "encouraged" when recommended, and "may" when optional.
2. **Applicability to sub-areas.** The regulations herein shall apply to both the corridor core, and the corridor edge, and the corridor business sub-areas of the LC district unless specifically noted otherwise herein.
3. **Conflict.** Wherever there is, or appears to be, a conflict between the regulations of this article and other sections of this chapter (as applied to a particular development), the requirements specifically set forth in this article shall prevail. For development standards not addressed in this article, the other applicable sections of this chapter shall be used as the requirement.

Sec. 42-4xx. Lake Center (LC) district sub-areas.

The Lake Center (LC) district is comprised of three subareas: Core, Edge, and Business as shown on the City of Portage Zoning Map. The Core is the smallest subarea, is located in the 'isthmus' between Austin and West Lakes, and consists of the most specific site and building standards as being the center of the Portage Road corridor. The Edge is the northern subarea, establishes the north point of entry into the corridor, is the largest subarea, and generally allows larger buildings. Lastly, the Business subarea is the southern subarea, is mostly commercial/ industrial in nature, and has three separated areas. Although, each subarea consists of unique site and building standards, they collectively help achieve the purpose of the LC district.

Sec. 42-4xx. Approval process.

1. **Site plan approval.** Site plan approval shall be required in accordance with the requirements of Article x, Division x Subdivision x of this chapter, and shall follow the procedures established therein and submit elevation designs of the building with material list/samples and exterior color template (architectural renderings may also be needed).
2. **Special land use approval.** Any development that contains a use requiring special land use approval shall be reviewed following the procedures and review criteria of Article X, Division X Subdivision X.

Sec. 42-4xx. Existing development in the LC district.

1. **Expansions of developed sites.**
 - a. Whenever a building expansion of greater than 50% of the floor area is proposed, the improved area shall comply with the requirements of this section_article. However, any new building area or site improvements should result in the site being more compliant, and shall not result in the site being less compliant with the requirement of this Subdivision.
 - b. More than 50 percent of existing condition: Whenever a building or site improvement expansion of greater than 50 percent of the existing condition is proposed, measured by square footage, or other relevant measure, the improved area shall comply with the requirements of this article.
 - c. Expansions measured cumulatively: For the purposes of determining compliance with this section, expansions shall be measured cumulatively, with the baseline being the building area and improved site area that existed at the date of adoption of this chapter.
2. **Redevelopment.** Redevelopment of existing buildings shall comply with the following requirements, in addition to the requirements of subsection xx-xxx(x), above.
 - a. Whenever 50 percent or less of the existing building will be demolished or replaced, measured by square footage, the development activity need not comply with the requirements of this article. However, any site layout or building design changes that may occur as a result of the development activity should result in the site being more compliant with the requirements of this article.
 - b. Whenever more than 50 percent of an existing building will be demolished or replaced, measured by square footage, the development activity shall comply with all of the requirements of this article.
 - c. Renovated areas measured cumulatively: For the purposes of determining compliance with this



section, renovations shall be measured cumulatively, with the baseline being the building area and improved site area that existed at the date of adoption of this chapter. For acts of god Section 42-133, D. 2. shall apply.

3. **Change in Use.** Change in use of the existing building and/or site shall comply with the following requirement, in addition to the requirements of the sections listed within this Article.
 - a. For the purpose of determining compliance with this section, a change in use that is **more** intensive than the previous lawful existing use shall render the need to conform to this Article.

Sec. 42-4xx. Waiver of requirements.

1. **Purpose and limitations.** The Planning Commission may grant a waiver from certain dimensional requirements contained in this article. Regulations that may be altered through the waiver process are described in the various sections of this article, along with the specific parameters by which the regulation may be altered.
 - a. Waivers are separate and distinct from dimensional variances in that they are limited in their bounds and are intended to permit reasonable use of property where the strict application of the requirements of this article would not further the public purpose, and a relaxed or altered dimensional standard will still meet the intent and purpose of the LC district.
 - b. Whenever a regulation may be altered through the waiver process, specific bounds are listed within which the waiver must be maintained. If an alteration to a dimensional requirement is requested that is greater than that listed in this article, the applicant must obtain a variance following the procedures and review standards **Sec. xxx.**
2. **Application and review procedures.** The applicant shall clearly identify all requested waivers on the application and site plan. The reviewing authority shall evaluate the requested waivers and approve, approve with conditions, or deny the waiver request. In evaluating a waiver request, the reviewing authority shall take into account the following considerations:
 - a. Approval of the waiver will not result in development that is incompatible with, or will negatively impact, existing or potential future development in the vicinity of the property to be developed.
 - b. The requested waiver is consistent with the intent and purpose of this article.
 - c. The waiver will result in a superior development when compared with what could be achieved through the strict application of the requirements of this article.
 - d. A lesser waiver will not accomplish the same purpose as the requested waiver.
 - e. The waiver will not negatively impact the potential of adjacent parcels to develop according to the requirements of this article.



Sec. 42-4xx. Permitted use table.

The following uses are or may be permitted in the LC district. For uses that are similar to those uses listed below as permitted, but are not expressly identified, the Director of Community Development (or their designee) may permit such use.

Key:	Principal Permitted Use: P	Special Land Use: S	[—] Use Not Permitted
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USE	SUB AREA			DESIGN STANDARD
	CORE	EDGE	BUSINESS	
RESIDENTIAL USES:				
Multi-Family Residential	—	P	S	section xxxx
Assisted Living Facility	—	S	P	section xxxx
Attached Single-Family Dwelling Unit	—	P	S	section xxxx
Bed and Breakfast	—	—	S	section xxxx
Housing for the Elderly (55 years or older and independent)	—	S	P	section xxxx
Nursing/Convalescent Home	—	S	P	section xxxx
Upper Story Dwelling Unit / Mixed Used Building	P	P	P	section xxxx



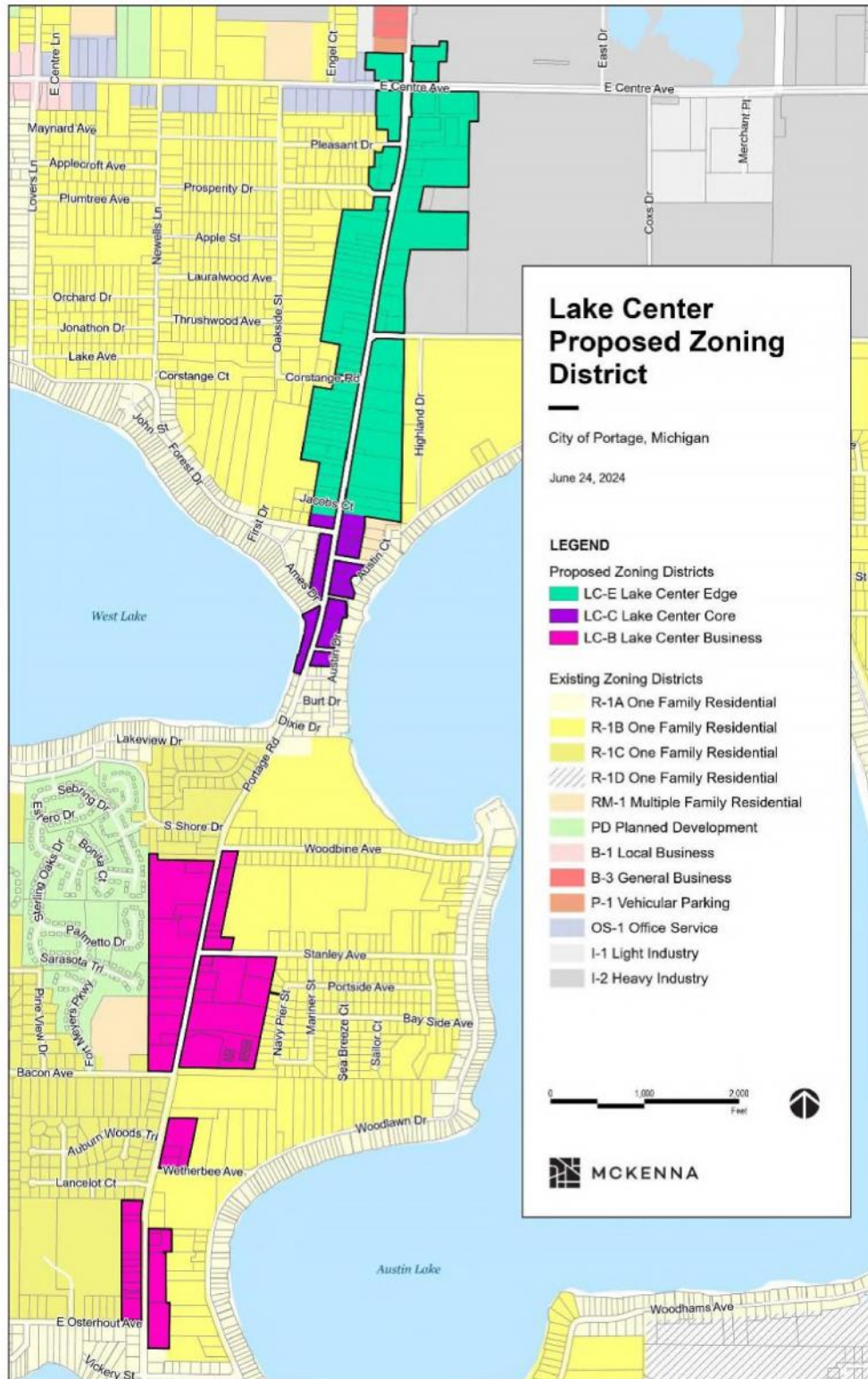
COMMUNITY AND INSTITUTIONAL USES:				
	CORE	EDGE	BUSINESS	
Municipal and Government Buildings and Uses	P	P	P	
Private Clubs and Lodge Halls	—	S	S	
Public Parks and Recreation Facilities	P	P	P	
Religious Institutions	S	—	P	section xxxx Not permitted on the ground floor in the Core area
COMMERCIAL, OFFICE AND RETAIL USES:				
Bakeries, Coffee shops, ice cream parlors and other similar establishments	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Bank/Credit Union	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Banquet Hall/Conference Center	—	S	S	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Commercial Recreation - indoor	—	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Day Care Centers	—	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Drive-in or Drive-through facility such as banks, pharmacies	—	P	—	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Gallery (art, photography, etc.)	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Hotel	—	S	S	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Micro-Brewery/ Brewpub / Winery/ Distillery	P	P	P	Single Story Commercial see section xxxx

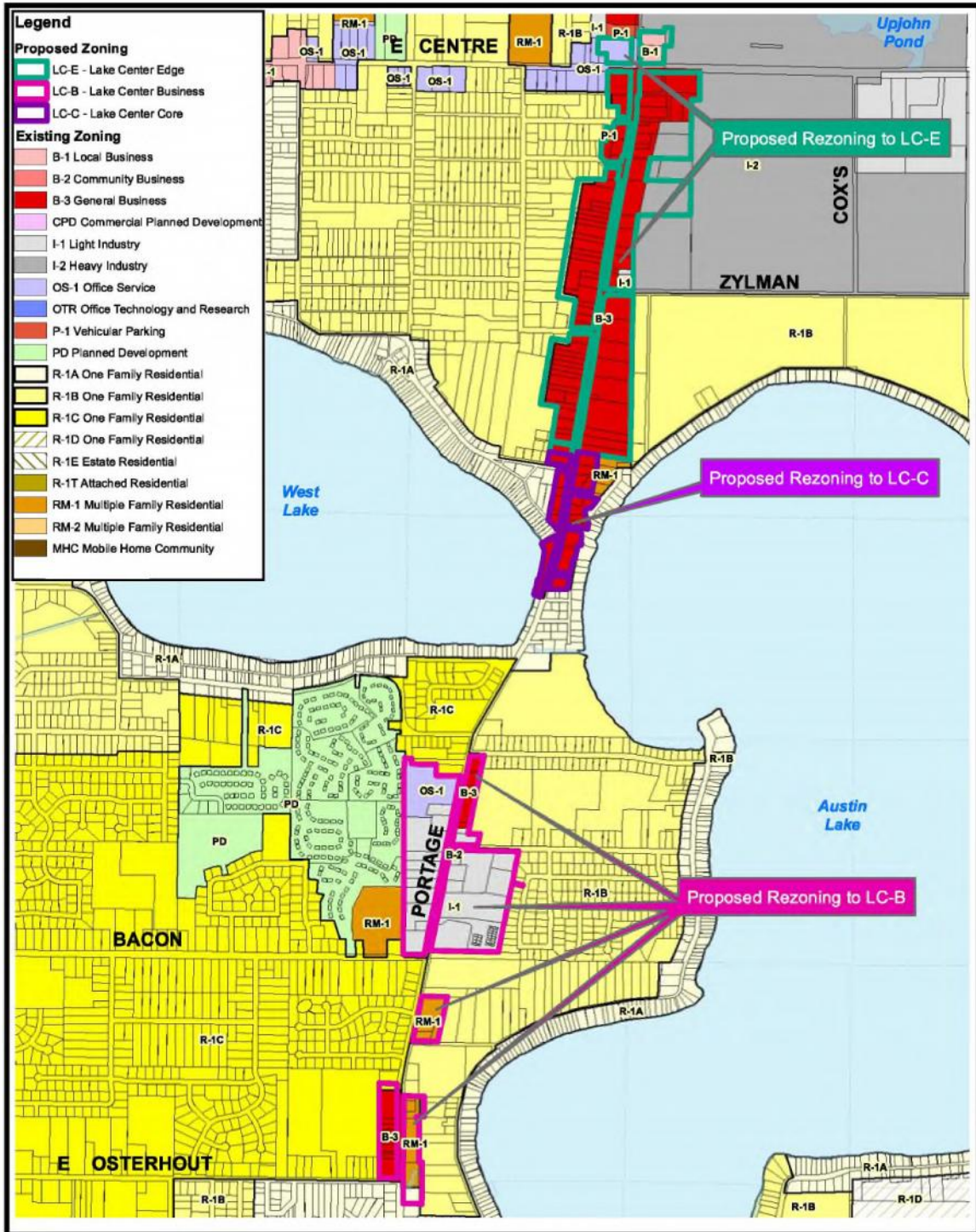


	CORE	EDGE	BUSINESS	
				Multi Story Mixed Use see section xxxx
Office, medical or professional (ground floor)	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Office medical or professional (upper story or rear ground floor)	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Personal Service Establishment	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Restaurant: carry out	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Restaurant: drive-in or drive-through	—	S	—	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Restaurant: sit down	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Restaurant having sidewalk café or outdoor patio	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Retail Sales <15,000 sq. ft. gross area	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
≥15,000 sq. ft. gross area	—	S	S	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Outdoor Retail	S	S	S	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Studio (dance, martial arts, music, etc.)	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Theatre, live performance	S	P	P	Single Story Commercial see section xxxx



	CORE	EDGE	BUSINESS	
				Multi Story Mixed Use see section xxxx
Trades Showroom	—	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
Veterinary Clinic	P	P	P	Single Story Commercial see section xxxx Multi Story Mixed Use see section xxxx
INDUSTRIAL, TRANSPORTATION AND UTILITY USES:				
Utility and Public Service Buildings	S	S	S	No outdoor storage permitted
Warehouse Light Manufacturing and Wholesale/Retail Outlets; Under 20,000 Sq. Ft.	—	—	S	No outdoor storage permitted. section xxxx
Wireless Communication Facilities	—	—	P	section xxxx





Rezoning 24/25-03
 Lake Center Zoning Districts
 East Centre Avenue to East Osterhout Avenue



1 inch = 1,500 feet
 Date: 9/30/2024
 (83)

December 2024

**QUALIFICATIONS OF DAVID E. BURGOYNE, ASA, SR/WA, R/W-AC
CERTIFIED GENERAL REAL ESTATE APPRAISER - MICHIGAN
IDAHO, INDIANA, SOUTH CAROLINA, AND WASHINGTON
AQB CERTIFIED USPAP INSTRUCTOR**

David E. Burgoyne, ASA, SR/WA, R/W-AC is a native of Ann Arbor, Michigan and attended Greenhills School in Ann Arbor. He graduated in 1981 from Colgate University in Hamilton, New York with a Bachelor of Arts Degree in Liberal Arts with a concentration in Physics-Astronomy. He also served as a graduate instructor at the University of Wyoming as a Doctoral Candidate in Astrophysics.

Mr. Burgoyne is an independent fee appraiser currently licensed as a Certified General Real Estate Appraiser by the States of Michigan, Idaho, Indiana, South Carolina, and Washington. Michigan State licensure and certification is administered and appraisers are regulated by the Department of Licensing and Regulatory Affairs, PO Box 30004, Lansing, Michigan 48909. Continuing education is required. Mr. Burgoyne holds Michigan Certified General Real Appraiser License No. 1205-000222, first issued in August 1991. His current Michigan license expires July 31, 2026. He also currently holds Certified General Real Appraiser Licenses in Idaho – No. CGA-5985, Indiana - No. CG 41300020, South Carolina - #7473, and Washington State - #1102579.

Mr. Burgoyne is a Senior Member of the American Society of Appraisers holding the ASA Designation for Real Property. Mr. Burgoyne is currently re-accredited as an ASA through June 10, 2027. He is also a senior member holding the SR/WA designation and is a Past Chapter President of the International Right of Way Association. Mr. Burgoyne is currently re-certified as an SR/WA through June 15, 2028. He is also Appraisal Certified (R/W-AC) by IRWA, currently certified through February 1, 2026.

Mr. Burgoyne is an AQB Certified USPAP Instructor #44603 (expiring March 31, 2026) and is also both a PEAK and CLIMB Certified Instructor of right-of-way appraisal and other courses for IRWA, including courses on the appraisal of partial takings, easement valuation, appraisal review, ethics and standards, USPAP, adult education, and the valuation of contaminated properties. He is an Indiana Registered Continuing Education Instructor (#INST001074). Mr. Burgoyne contributed to the course development for the Alliance for Valuation Education's first new course. Mr. Burgoyne is also a Master Scuba Diver Trainer (#197535) certified by PADI, the Professional Association of Diving Instructors.

In 2015, Mr. Burgoyne was awarded the 2014 W. Howard Armstrong International Instructor of the Year Award by the International Right of Way Association. This is the highest award given to instructors by the IRWA. He was also a finalist for the 2013 Award in 2014.

Mr. Burgoyne has qualified as an expert witness in the United States Court of Federal Claims, the United States District Courts for the Eastern and Western Districts of Michigan; the Michigan Circuit Courts of Allegan, Barry, Cass, Eaton, Genesee, Grand Traverse, Huron, Ingham, Jackson, Kent, Lapeer, Leelanau, Lenawee, Macomb, Montmorency, Muskegon, Oakland, Ottawa, Tuscola, Washtenaw, Wayne, and Wexford Counties; Bonneville County, Idaho; Washington County, Rhode Island; Allen, Hamilton, and Marion Counties in Indiana; The Michigan Public Service Commission; and The Michigan Tax Tribunal. He has also been appointed as an independent appraiser by the U. S. District Court, Eastern District of Michigan.

FORMAL EDUCATION

Greenhills School - Ann Arbor, Michigan (1976)

Colgate University - Hamilton, New York: BA in Liberal Arts - concentrating in Physics-Astronomy (1981)
Courses included Architecture, Economics, Mathematics, Statistics and Economic Geography.

University of Wyoming - Laramie, Wyoming: Ph.D. candidate in Astrophysics. (1981-1982)

REAL ESTATE APPRAISAL & RIGHT OF WAY EDUCATION

International Right of Way Association:

Course 102	Elevating your Ethical Awareness (2024)	
Course 103	Ethics and the Right of Way Profession (1992, 2000, & 2007)	
Course 104	Standards of Practice for the Right of Way Professional	
Course 201	Communications in Right of Way Acquisition	
Course 205	Bargaining Negotiations	
Course 219	Introduction to Presentation, Instruction, and Facilitation	
Course 406B	National 7 Hour USPAP Update	
Course 407	Valuation of Contaminated Properties	
Course 409	Integrating Appraisal Standards	
Course 417	Valuation of Environmentally Contaminated RE (Exam Challenged)	
Course 421	Appraisal of Partial Acquisitions	
Course 431	Problems in the Valuation of Partial Acquisitions	
Course 802	Legal Aspects of Easements	
Course 901	Engineering Plan Development and Application	
Course 902	Property Descriptions	
	Instructor Clinic (1990)	Master Instructor Clinic (2009)
	CLIMB Instructor Training (2016)	PEAK Instructor Training (2023)
	New Course 100 Training (2017)	New Course 219 Training (2023)

American Institute of Real Estate Appraisers/Appraisal Institute:

Course 1A-1	Principles of Real Estate Appraisal
Course 1A-2	Basic Valuation Procedures (Exam Challenged in Lieu of Attendance)
Course 1B-A	Capitalization Theory & Techniques Part One (Exam Challenged)
Course 1B-B	Capitalization Theory & Techniques Part Two (Exam Challenged)
Course 2-1	Case Studies in Real Estate Valuation (Exam Challenged)
Course SPP/410	Standards of Professional Practice (1988). Also Part A (1993) Small Hotel/Motel Valuation – Limited Service Lodging (2010)

American Society of Appraisers:

Course AR120-WEB	Delivering Expert Testimony via Online Technology (2020)
Course AR122-WEB	Appraisal Review: Applying the Standards (2020)
Course AR201-OOO	Appraisal Review and Management Overview (2020)
Course AR204-OOO	Appraisal Review and Management Application (2021)

The Appraisal Foundation: 1999 National USPAP Instructor Orientation Seminar, Atlanta, Georgia
 2003 USPAP Instructor Certification Course, Detroit, Michigan
 2006 USPAP Instructor Re-certification Course, Charlotte, North Carolina
 2009, 2011, 2013, 2015, 2017, 2020, 2022, and 2024 USPAP Instructor Recertification

Marshall Valuation Service: Seminars on the use of building cost estimating services

McKissock Learning: Uniform Appraisal Standards for Federal Land Acquisition (Yellow Book)
 Appraisal of Assisted Living Facilities
 Appraisal of Self Storage Facilities
 Expert Witness Testimony for Appraisers
 Commercial Land Valuation
 National 7-Hour USPAP Update and Michigan License Law Courses
 2-Hour California License Law Course.
 3-Hour West Virginia License Law Course
 Other Law Courses
 Supervisor/Trainee Courses – Michigan, Virginia and West Virginia

PRESENTATION, INSTRUCTION AND FACILITATION EXPERIENCE

State Bar of Michigan: 1988 & 1989 Seminars on Evidence and Expert Testimony
Michigan Municipal League: 1990 Understanding Appraisals for Local Government – Special Problems
CLE International: 2005 USPAP and Licensing Law for the Real Estate Appraiser in Litigation
 2004 Special Purpose Properties for Eminent Domain
People’s Republic of China: Presentations in Guangzhou and Shenzhen on Valuation for Acquisition in the USA
International R/W Association: International Conference – Portland 2019. San Antonio 2021. Cleveland 2022.
 Denver 2023. Long Beach 2024. Chapter Presentations Michigan - 2002, 2006,
 2009, 2011, 2014, 2018, and 2023. Anchorage 2017. Portland 2024.

International Right of Way Association – PEAK and CLIMB Certified Appraisal Instructor:

Instructor Clinic - Instructor Certification Clinic – Chicago 2010
SR/WA Review Course - Ann Arbor 2007 & 2015, Indianapolis 2008, Milwaukee 2011 &
 2017, Madison, WI 2013, Seattle, WA 2016, & Minneapolis, MN 2018. Virtually Online 2021
 and 2024.
 Assisted with revision of SR/WA Review Course as Subject Matter Expert (SME) 2022-2023.
Course 900 - Principles of Real Estate Engineering - Dhahran, Saudi Arabia 2015
Course 804 - Skills of Expert Testimony - Mackinac Island, MI 1991. Nashville, IN 1995. Springfield,
 IL 1995. Indianapolis 1996 and 2002. Parkersburg, WV 2002. Williamsburg, VA 2006
Course 603 - Understanding Environmental Contamination in RE - Dhahran, Saudi Arabia 2015
Course 431 - Problems in the Valuation of Partial Acquisitions – Boise ID and Lincoln NE 2015.
 Carrollton, KY 2017. Springfield, IL 2017. Boise, ID 2022.
Course 421 - The Appraisal of Partial Acquisitions - Lansing 1991. Bismarck 1992. Ann Arbor 1990,
 1996, 2000, & 2004. Charleston 1999. Indianapolis 1993, 1998 & 2002. Toledo OH 2003.
 Beijing and Guangzhou, People’s Republic of China 2014 and 2015. Springfield, IL 2019.
Course 417 - Valuation of Environmentally Contaminated RE Ann Arbor 2016.
Course 415 - USPAP and the Yellow Book. Ann Arbor 2019. Boise, ID 2019.
Course 413 - Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book).
 Virtually Online 2021 and 2024.
Course 410 - Reviewing Appraisals for Eminent Domain - Charleston WV 2005. Lincoln NE 2008
 and 2019, Newington, CT 2012. Seattle, WA 2015. Boise, ID 2019, Seattle, WA 2023.
Course 409 - Integrating Appraisal Standards - Charleston 2007. Lincoln NE 2008. Boise, ID 2015.
Course 407 - Valuation of Contaminated Properties - Petoskey 1999. Kalamazoo 2002.
Course 406B - 7-Hour USPAP - Ann Arbor 2003, 2005, 2006, 2010, 2013, 2016 & 2018, Traverse City
 2008, Charleston WV 2006, 2008, & 2010. Petoskey MI 2014. Online 2020, 2021, and 2022.
Course 406A - 15-Hour USPAP - Ann Arbor 1996 & 2000. Newington, CT 2009
Course 405 - Preparation of the Narrative Appraisal Report - Lansing 1991.
Course 403 - Easement Valuation - Indianapolis 1991. Chicago 1992. Traverse City 1993. Columbus
 1994. Louisville 1996. Omaha 1996. Kansas City 1996 & 1997. Ann Arbor 1998. Charleston
 WV 2006 and 2011. Lincoln, NE 2015. Dhahran, Saudi Arabia 2014 and 2015. Boise, ID
 2022.
Course 402 - Introduction to Income Capitalization Approach - Ann Arbor 1998. Charleston 2009
Course 400 - Principles of Real Estate Appraisal - Ann Arbor 2001, 2003 & 2006. Charleston WV
 2007. Cincinnati 2009. Louisville 2010. Dhahran, Saudi Arabia 2014 and 2015. Anchorage,
 AK 2017. Portland, OR 2024. Virtually Online (2021).
 Assisted with development of Online Course 400 as Subject Matter Expert (SME).
Course 219 - Adult Communication Principles and Methods - Charleston WV 2013, South Haven,
 MI 2013, Ann Arbor 2014, Jackson, MI 2015, Charleston, SC 2019, and Ft. Worth, TX 2023.
Course 104 - Standards of Practice for the Right of Way Professional - Indianapolis 2002
Course 103 - Ethics & the Right-of-Way Profession - Chicago 1992. Indianapolis 1996 and 2008.
 Columbus 2003. Dhahran, Saudi Arabia 2013. Beijing, China 2014.
Course 101A - Appraisal Segment of Principles of Right of Way - Lansing 1991. Jefferson City, MO
 1992. Okemos, MI 1997. Indianapolis 1993 and 1999.
Course 100 - Principles of Land Acquisition - Ann Arbor 1998, 2001 & 2003. Ames, IA 1999.
 Indianapolis 2007. Dhahran, Saudi Arabia 2013 & 2014. Cedar Rapids, IA 2014. Wisconsin
 Dells, WI 2016. Boise, ID and Green Bay, WI 2018. Virtually Online 2020 (Twice) and 2022
 (Twice). Rockford, IL 2022. Assisted with revision of Course 100 as Subject Matter Expert
 (SME) 2021-2023.

LICENSES AND PROFESSIONAL AFFILIATIONS

- Michigan Certified General Real Estate Appraiser - ID #1205-000222 (Expires July 31, 2026)
- Idaho Certified General Real Estate Appraiser - ID #CGA-5985 (Expires April 30, 2024)
- Indiana Certified General Real Appraiser License No. CG 41300020 (Expires June 30, 2026)
- South Carolina Certified General Real Appraiser License No. 7473 (Expires June 30, 2024)
- Washington Certified General Real Appraiser License #1102579. (Expires April 30, 2025)
- American Society of Appraisers: ASA Real Property #00725800 - Reaccredited to June 10, 2027
- International Right of Way Association:
 - Senior Member #735337 - SR/WA Designation #3993. Re-certified through June 15, 2028
 - PEAK and CLIMB Certified Instructor – IRWA Instructor since 1990
 - Right of Way – Appraisal Certified. R/W-AC. Certified through February 1, 2026.
 - 2015 2014 Recipient W. Howard Armstrong Instructor of the Year Award (International)
 - 2011-2013 Member of International Instructors Task Force
 - 1991 Professional of the Year Award - Michigan Chapter Seven
 - 1991 Chapter President and International Director
- AQB Certified USPAP Instructor #44603 (Expires March 31, 2026)

APPRAISAL EXPERIENCE

Over the past 40 years, Mr. Burgoyne has appraised and/or reviewed agricultural, developmental, residential, commercial, dealership, office, industrial, aggregate (sand, gravel, and peat) mining, landfill, environmentally contaminated, waterfront (including Great Lakes and Detroit River waterfront, as well as Missouri River floodplain and Chesapeake Bay area), deep water marine terminals, billboards, easements, corridors, special purpose property, subsidized housing projects, assisted and independent living facilities, underground storage of natural gas, fast food restaurants, and properties having identifiable conservation values. He has appraised vacant and improved property for estate, insurance, consulting, development, sale, and litigation purposes. Litigation appraisals include right of way acquisition, airports and aviation easements, Ad Valorem tax appeals, class actions, special assessment benefit analysis, partnership disputes, environmental contamination (including PFAS as well as CWD), construction defects, divorce, permanent and temporary easements, erosion, zoning, bankruptcy, encroachments, inverse condemnation, trespass, regulatory takings, total and partial takings.

REPRESENTATIVE LIST OF CLIENTS

MUNICIPALITIES

- Charter Township of Ann Arbor - Washtenaw County, Michigan
- City of Bay City - Bay County, Michigan
- Village of Clinton - Lenawee County, Michigan
- City of Dearborn Heights - Wayne County, Michigan
- City of Dowagiac - Cass County, Michigan
- City of Howell - Livingston County, Michigan
- Isle of Wight County, Commonwealth of Virginia
- City of Lincoln Park - Wayne County, Michigan
- City of Marysville - St. Clair County, Michigan
- Village of Northport - Leelanau County, Michigan
- City of Plymouth - Wayne County, Michigan
- City of Romulus - Wayne County, Michigan
- City of Southfield - Oakland County, Michigan
- City of Suffolk - Suffolk, Commonwealth of Virginia
- City of Taylor - Wayne County, Michigan
- City of Troy - Oakland County, Michigan
- City of Westland - Wayne County, Michigan
- City of Ann Arbor - Washtenaw County, Michigan
- Charter Township of Bloomfield, Oakland County, Michigan
- City of Dearborn - Wayne County, Michigan
- City of Detroit - Wayne County, Michigan
- City of Grosse Pointe Woods - Wayne County, Michigan
- City of West Des Moines - West Des Moines, Iowa
- City of Kalamazoo - Kalamazoo County, Michigan
- City of Marshall - Calhoun County, Michigan
- City of Midland - Midland and Bay Counties, Michigan
- Charter Township of Oshtemo - Kalamazoo County, Michigan
- City of Riverview - Wayne County, Michigan
- City of Royal Oak - Oakland County, Michigan
- Charter Township of Sumpter, - Wayne County, Michigan
- City of Traverse City - Grand Traverse County, Michigan
- Charter Township of Washington - Macomb County, Michigan
- City of Adrian - Lenawee County, Michigan

OTHER GOVERNMENTAL AGENCIES

- Chelsea Area Fire Authority - Chelsea, Michigan
- Detroit Wayne County Stadium Authority - Detroit, Michigan
- East Chicago Water Management District - Lake County, Indiana
- Federal Aviation Administration, Great Lakes Region - Chicago
- Federal Deposit Insurance Corporation - Washington, D.C.
- Flint Bishop Airport - Genesee County, Michigan
- Idaho Transportation Department - Boise, Idaho
- Little Traverse Conservancy, Harbor Springs, Michigan
- County of Livingston - Howell, Michigan
- Macomb County Office of Public Works - Mt. Clemens, Michigan
- Michigan Department of Management & Budget - Lansing, Michigan
- Michigan Department of Natural Resources - Lansing, Michigan
- United States Army Corps of Engineers - Detroit, Michigan
- United States Department of Justice, Environment & Natural Resources Division and Tax Division - Washington, DC
- United States District Court, Eastern District of Michigan - Detroit
- Virginia Department of Transportation - Richmond, Virginia
- Washtenaw County Road Commission - Scio Township, Michigan
- Washtenaw County Water Resources Commissioner - Scio Township, Michigan
- Ypsilanti Community Utility Authority, Ypsilanti, Michigan

SCHOOL DISTRICTS AND UNIVERSITIES

- Allendale Christian School - Allendale, Ottawa County, Michigan
- Ann Arbor Learning Community - Washtenaw County, Michigan
- Avondale School District - Auburn Hills, Rochester Hills and Troy, Michigan
- Birmingham Public Schools - Birmingham, Oakland County, Michigan
- Bloomfield Hills School District - Bloomfield Hills, Oakland County, Michigan
- Center Line Public Schools - Center Line, Macomb County, Michigan
- Clarkston School District - Oakland County, Michigan
- Crescent Academy - Southfield, Oakland County, Michigan
- Dr. Charles Drew Academy - Ecorse, Wayne County, Michigan
- Farmington Public Schools - City of Farmington, Oakland County, Michigan
- Grand Valley State University - Allendale, Michigan
- Hamtramck Public Schools - Hamtramck, Wayne County, Michigan
- Hazel Park School District - Hazel Park & Ferndale, Oakland County, Michigan
- Huron Valley Public Schools - Highland, Oakland County, Michigan
- Lake Orion Community Schools - Lake Orion, Oakland County, Michigan
- Lakeshore Schools - Stevensville, Berrien County, Michigan
- Lakeview Schools - St. Clair Shores, Macomb County, Michigan
- Lapeer School District - City of Lapeer, Lapeer County, Michigan
- Livonia Public Schools - City of Livonia, Wayne County, Michigan
- Macomb Community College - Clinton Township, Macomb County, Michigan
- Northville Schools - City of Northville, Wayne County, Michigan
- Plymouth Canton Community Schools - Wayne County, Michigan
- Rochester Community Schools - Rochester & Rochester Hills, Oakland County, Michigan
- Romeo Community Schools - Washington & Bruce Townships, Macomb County, Michigan
- Royal Oak Schools - Oakland County, Michigan
- St. Paul Lutheran Church and School - Frankenlust Township, Bay County, Michigan
- Taylor School District - City of Taylor, Wayne County, Michigan
- Troy School District - City of Troy, Oakland County, Michigan
- University of Michigan - City of Ann Arbor, Michigan
- Warren Fitzgerald School District - City of Warren, Macomb County, Michigan
- West Bloomfield School District - West Bloomfield, Oakland County, Michigan

PUBLIC UTILITIES AND RAILROADS

- Adrian & Blissfield Rail Road – Westland, Michigan
- Bonneville Power Authority
- Canadian National North America/Grand Trunk Western Railroad
- DTE Energy (and Detroit Edison Company) - Detroit, Michigan
- Michigan Bell Telephone
- Michigan Star Clipper Dinner Train - Walled Lake, Michigan
- RES Americas – Denver, CO and Minneapolis, MN
- Vector Pipeline Company - East Lansing, Michigan
- Idaho Power – Boise, Idaho
- Burlington Northern Santa Fe Railroad - Chicago, Illinois
- Consumers Energy Company - Jackson, Michigan
- Merit Energy Company – Dallas, Texas
- Michigan Consolidated Gas – prior to merger with DTE Energy
- Mirant Pipeline – Wyandotte, Riverview and Brownstown Township
- Union Pacific Railroad - Omaha, Nebraska
- Wolverine Pipeline – Chicago, Illinois

SELECT CORPORATIONS AND BUSINESSES

- Arcelor-Mittal – Lapeer County, Michigan
- Ajax Paving/Bald Mountain West – Troy and Orion Township
- Arnie's Hot Dogs – Munster, Indiana
- Arrowhead Properties (Flint Ink) – Washtenaw County, Michigan
- Art Van Furniture - Warren, Michigan
- Benton Harbor Fruit Market – Berrien County, Michigan
- Bill Fox Jeep Eagle – Rochester Hills, Michigan
- Bosch Corporation – Flat Rock, Michigan
- Canada Creek Ranch Association - Montmorency County, Michigan
- Central Transport – Warren, Michigan
- Coast to Coast – The Collection, Exotic Imports – Indianapolis, Indiana
- Crown Enterprises – Warren, Michigan
- Chrysler Motors Corporation – Auburn Hills, Michigan
- Detroit Marine Terminal – Detroit, Michigan
- Domino's Farms Development and TSM Properties, Inc. - Ann Arbor
- Detroit International Bridge Company – Detroit and Warren, Michigan
- Detroit RiverFront Conservancy – Detroit, Michigan
- Exxon-Mobil Corporation – Fairfax, Virginia (Also Mobil Oil Corporation – prior to merger with Exxon)
- First American Title Company - Troy, Michigan
- Fox Toyota - Rochester Hills, Michigan
- General Motors Corporation – Detroit, Michigan
- Gilboa Quarry – Gilboa, Ohio
- Graphic Packaging International – Kalamazoo, Michigan
- Grosse Ile Bridge Company – Trenton, Michigan
- Grosse Ile Country Club – Grosse Ile, Michigan
- The Hayman Company – Troy, Michigan
- JP Morgan Chase Bank – New York, New York
- Kurtis Kitchens and Bath Centers - Livonia, Michigan
- LaSalle Bank (now Bank of America) – Troy, Michigan
- Marathon Oil Company - Findlay, Ohio
- McNabb Carpet - Milford, Michigan
- Meridian National Corporation - Toledo, Ohio
- Meritor Automotive, a Rockwell Heritage Company – Troy, Michigan
- Michigan Caterpillar – Novi, Michigan
- New Holland North America – New Holland, Michigan
- Peerless Metal Powders – Detroit, Michigan
- Reddman Farms Golf Club – Chelsea, Michigan
- Rock Superior LLC (Rock Financial) – Troy, Michigan
- Edward Rose & Sons & Occidental Development – Farmington Hills & Kalamazoo
- Sanimax – Green Bay, Wisconsin
- Saudi Aramco – Dhahran, Eastern Province, Saudi Arabia
- Severstal North America – Inc., Dearborn, Michigan
- Sunrise Development Inc. – McLean, Virginia
- Thetford Inc. – Scio Township, Michigan
- Thomas & Betts Automotive Inc. - Clinton Township
- Union Oil Company of California - Schaumburg, Illinois
- United Parcel Service (Royoak, Inc.) - Atlanta, Georgia
- United States Steel Corporation, Ecorse and River Rouge, Michigan
- Universal Truckload Services – Warren, Michigan
- Veolia North America, Boston, MA
- Walbridge Aldinger – Detroit, Michigan
- Ray Wiegand's Nursery – Macomb Township, MI
- White Chapel Cemetery – Troy, Michigan
- Woodmere Cemetery – Detroit and Dearborn, Michigan

AGGREGATE MINING & LANDFILL PROPERTY

- Driggs Properties for Lenawee County Airport Expansion – Madison Township, Lenawee County (Class II Sand)
- Hoag and Souders Properties for Lenawee County Airport Expansion – Madison Township, Lenawee County (Class II Sand)
- Finnerty, Michael and Norma - Eaton County, Michigan (Class II Sand)
- France Stone Company - Sylvania, Ohio and Monroe, Michigan (Crushed Limestone for Aggregate)
- Gardenscape, Inc. - Edinburg, PA, Archbold, OH, and Eaton Rapids, MI (Black, Reed/Sedge & Sphagnum Peat)
- Great Lakes Gravel - Addison Township, Oakland County (Gravel)
- William Kettlewell - Ft. Gratiot Township, St. Clair County, Michigan (Landfill)
- Lemrow Property - Expansion of Southeast Berrien County Landfill – Berrien County, Michigan (Landfill & Cover Dirt)
- Edward C. Levy Company, Farmington Hills, Michigan [Property in Metamora Township, Lapeer County] (Sand and Gravel)
- Mauthe Property - Expansion of Southeast Berrien County Landfill – Berrien County, Michigan (Landfill & Cover Dirt)
- Michigan Peat - Minden and Sandusky, MI and Houston, TX (Sphagnum Mass, Horticultural & Reed/Sedge Peat)
- Review of Triple Crown Aggregates – Nampa, Idaho
- West Des Moines Sand for the City of West Des Moines, Iowa

From: [Trent Pierre](#)
To: [Erica Eklov](#)
Cc: [Peter Dame](#)
Subject: Support for the new Lake Center Commercial Zoning
Date: Monday, December 2, 2024 3:02:24 PM
Attachments: [image001.png](#)

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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

Good afternoon,

I am writing in support of the new Lake Center Commercial Zoning project. I believe this will provide the area with a good and cohesive look for the future to come. I feel that the community has had plenty of time to review this and ask questions and this should move forward.

Thanks

Trent Pierre

G. Trent Pierre

Vice President of Commercial Lending
C: (269) 932-2465 • F: (269) 694-0973
1300 W. Centre Ave., Suite 103
Portage, MI 49024
trent.pierre@cnbb.bank



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From: [468 Wine](#)
To: [Erica Eklov](#)
Subject: Letter in Support of Lake Center District Rezoning
Date: Tuesday, December 3, 2024 2:14:43 PM

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Dear Erika,

As a local business owner, I am writing to express my full support for the proposed redevelopment zoning changes for Portage Road - Lake Center District. I believe these updates have the potential to revitalize the area, making it a thriving destination for residents and visitors alike.

The proposed changes will create opportunities for small businesses to grow and attract more foot traffic, ultimately fostering a vibrant community hub. I am excited about the prospect of seeing Portage Road flourish and becoming a model for successful suburban redevelopment.

Thank you for considering this important initiative. I hope to see it move forward to benefit both our local economy and community.

Best regards,

Lauren Bodamer
Founder, **468 Wine**
(269) 271-0384
www.468wine.com
cheers@468wine.com

From: [Terry Patterson](#)
To: [Erica Eklov](#)
Cc: [Peter Dame](#); [Pat McGinnis](#)
Subject: Support of proposed Lake Center Commercial Zoning
Date: Tuesday, December 3, 2024 2:37:56 PM

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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Portage City Council:

Please allow this communication to voice support for the Lake Center District Commercial Zoning being presented to you. I was a member of the initial Lake Center District Study Committee created in 2020 and a present member of the current Stakeholder Committee. Many hours of thought process and hard work have gone into this study and the City of Portage can be proud of the final product.

This is an exciting and one of a kind area of Portage which, when the proposed zoning, infrastructure, design, and redevelopment takes place, will become a destination hub for the citizens of Portage and surrounding areas to enjoy and that Portage will be proud to share.

Thank you for your review and ultimate approval of the proposed commercial zoning.

Sincerely,

Terry Patterson
Treystar



Terry Patterson

Retail Leasing and Development

241 E. Michigan Avenue

Suite 135

Kalamazoo, MI 49007

(269) 329-1808 Office

From: [Lori Knapp](#)
To: [Erica Eklov](#)
Subject: Lake Center Commercial Zoning
Date: Tuesday, December 3, 2024 3:51:06 PM

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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Mayor and Council,

It was a pleasure to be part of and to Chair the Steering Committee for the proposed Lake Center Commercial Zoning ordinance.

Pete Dame did an outstanding job of building a fair, transparent and thorough process for the best possible outcome. The public had ample opportunity to participate along the way and their input was incorporated into discussion at every Committee meeting. The Committee itself was not rushed and was provided with solid staff support. The consultants were well-prepared, knowledgeable, and receptive to all comments and questions.

Pete also put together an excellent Committee. The members were an objective, thoughtful and open-minded group of stakeholders representing the broad spectrum that is the Lake District. Everyone was enthusiastic, committed and determined to create a workable yet forward-thinking recommendation.

The net result is a proposal that is a great and appropriate balance of the Portage Road corridor as it is today and the City's vision of it for the future.

I wholeheartedly support the Committee's recommendation.

Sincerely,
Lori Knapp

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Closed Session - FOIA Appeal

SUPPORTING PERSONNEL: Erica Eklov, City Clerk
Catherine Kaufman, City Attorney

ACTION RECOMMENDED: Enter into a Closed Session per MCL 15.268(h) for review of a pending Freedom of Information Act appeal, on the advice of the City Attorney.

In accordance with the Open Meetings Act (PA 267 of 1976), a public body may meet in a closed session for several reasons, one being "to consider material exempt from discussion or disclosure by state or federal statute." An appeal regarding a Freedom of Information Act request has been received, and a review by the City Council in Closed Session is recommended.

FUNDING: N/A

Attachments: None