

6:00 p.m. Call to Order.

Moment of Silence.

Pledge of Allegiance.

Roll Call.

Proclamations:

1. Juneteenth Freedom Day Celebration

Petitions and Statements of Citizens (3 mins. per speaker).

A. Consent Agenda:

1. Approve the City Council Meeting Minutes of the:
 - a. Board & Commission Interviews of May 27, 2025
 - b. Regular Meeting of May 27, 2025
2. Approve the Accounts Payable Register of June 10, 2025, as presented.
3. Approve the single-source purchase of chip sealing services from Pavement Maintenance Systems in the amount of \$283,415.94 and authorize the City Manager to execute all documents related to this purchase.
4. Award a contract to perform engineering services to Integral Partners, LLC (dba: Land & Resource Engineering) of Walker, Michigan in the amount not to exceed \$164,420 for the reconstruction of the 2026 Local Streets Reconstruction Program and authorize the City Manager to execute all documents related to the contract on behalf of the city.
5. Receive the American Village Development II, LLC, Brownfield Redevelopment Plan Application, with Brownfield Redevelopment Plan Amendment No. 15, American Village Development II, LLC, 1075 Bacon Avenue, Portage MI, and set a Public Hearing for July 8, 2025, at 6:00 p.m. or as soon thereafter as may be heard.
6. Meet in Closed Session immediately following the regularly scheduled City Council Meeting of Tuesday, July 8, 2025, to discuss a personnel matter.
7. Set a Committee of the Whole for Tuesday, June 24, 2025, at 4:00 p.m. to discuss the proposed Portage Community Land Trust Operating Agreement and Stanwood Crossings Declaration of Easements and Restrictive Covenants.
8. Order water and/or sewer charges remaining unpaid as of June 30, 2025, to be transferred to the 2025 city tax roll and assessed against the property on which the services were furnished.
9. Minutes of Boards & Commissions.
10. Materials Transmitted.
11. Calendar of Meetings:

- Environmental Board: Wednesday, June 11 at 7:00 p.m. in Portage City Hall Conference Room 1.
- Senior Citizens Advisory Board: Wednesday, June 18 at 2:30 p.m. at the Portage Zhang Senior Center.

B. Communications:

C. Public Hearings:

1. Amend the Zoning Code to Create Mixed (Use CC-MU) zoning district in the City Centre Subarea, and approve Rezoning Application #24/25-4 to rezone 8120 South Westnedge Avenue and a portion of 129 West

Centre Avenue from B-3 General Business District to CC-MU City Centre Mixed Use District to create opportunities for mixed-use development.

D. Regular Business Agenda:

1. Appoint Francine (Fran) Bruder to the Local Officers Compensation Commission to the remainder of a partial term ending October 2030.

E. Unfinished Business:

F. Council Committee Reports:

G. New Business:

H. Statements of City Council and City Manager.

Adjournment.



CITY OF PORTAGE PROCLAMATION

Juneteenth Celebration Day 2025

- WHEREAS,** Juneteenth is an historic holiday marking the end of chattel slavery in the United States; and
- WHEREAS,** 2025 marks the 19th annual State of Michigan Juneteenth Freedom Day Recognition; and
- WHEREAS,** in 1865, as the Civil War ended, Union Army General Granger landed at the Texas port city of Galveston and read General Order #3, which stated all enslaved are free and that formerly enslaved people had absolute equality and property rights with enslavers; and
- WHEREAS,** as the oldest known celebration commemorating the end of chattel slavery in the United States, the tradition of celebrating Juneteenth has remained necessary in the 21st Century to remember the triumph of the human spirit over the cruelty of human bondage, and to honor the strength, endurance, and faith of African American ancestors; and
- WHEREAS,** it is imperative that Portage citizens strive for a more just and equitable America, and join in acknowledgement of a time in our history that carried out the nation's ideals of equality and democracy, and in celebration of the joys of liberty and justice beholden to every American citizen; and
- WHEREAS,** in June 2005, then-Governor Jennifer Granholm signed legislation officially designating the third Saturday in June as Juneteenth National Freedom Day in Michigan, and in 2021, then-President Biden signed the Juneteenth National Independence Day Act into law, recognizing June 19th as a federal holiday; and
- WHEREAS,** the City of Portage citizens are encouraged to participate in the Juneteenth Freedom Festival and celebrate African American history and culture while continuing to promote diversity, equality, and a strong sense of community in Portage.

NOW, THEREFORE, BE IT RESOLVED THAT I, Patricia M. Randall, Mayor of the City of Portage, do hereby proclaim this city honors and recognizes June 19, 2025 as the annual Juneteenth Celebration Day.

Signed this 10th day of June 2025.

Patricia M. Randall, Mayor

BOARDS & COMMISSIONS INTERVIEW SESSION MINUTES FROM MAY 27, 2025

Mayor Patricia Randall called the Board & Commission Interviews to order at 04:02 PM in Conference Room #1 at Portage City Hall.

ROLL CALL: Councilmembers Vic Ledbetter (4:18 PM), Nicole Miller, Terry Urban, Jihan Young, and Mayor Patricia Randall were present.

ABSENT: Councilmember Chris Burns and Mayor Pro Tem Jim Pearson.

ALSO PRESENT: City Manager Pat McGinnis and City Clerk Erica Eklov.

YOUTH ADVISORY COMMISSION (YAC): At the invitation of the Mayor, the applicants introduced themselves, and stated their school, upcoming grade level, if they previously served on the commission, and what inspired them to apply. Applicants included Dallen Ekola-Labra, Kate Elias, Dharshna Chandra Mouleeswaran, Samanvi Parsa, Mahi Patel, Taryn Ploski, Viktor Robertson-Wicks, Justin Zhou, Sarina Choudhury, Adrian Dudek, Ian Isaak, Aurora Knowlton, Jessica Mastin, Myles Roland, and Devin Stotz-Ghosh.

Returning members were asked to describe the meeting schedule, time commitment, favorite activities, and events the Committee organizes. It was noted that YAC doesn't take as much time as other extracurricular activities, but it is important and requires commitment.

Councilmember Urban relayed the Council had originally established YAC to hear directly from young people about issues the Council themselves would be unaware of. Councilmember Young highlighted the applicants' diversity in extracurricular activities but their shared values in commitment, leadership, and initiative.

Mayor Randall asked applicants if there were any activities or events they wanted to see implemented. Applicants responded with strong support for a winter soup kitchen and/or non-perishable food drive, a pen pal program, and more outdoor events to promote exercise and health. The Council then asked the applicants how they learned about YAC, with responses ranging from word of mouth, social media, the *Portager* and the school newspapers, and adult leaders. Mayor Randall closed with introductions of the YAC staff liaisons from the City Clerk's Office.

CONSTRUCTION BOARD OF APPEALS (CBA): The Council interviewed applicant Ron Pelak and returning member Marvin Potts. Mr. Pelak spoke about his 25-year residence in the City and his employment as a mechanical engineer at Pfizer. Mr. Potts has worked in Portage for six years in consumer stacking and operations.

The Council asked the applicants for their board preferences. Mr. Pelak said he was more interested in the Planning Commission in part due to the infrequency of the CBA meetings. Mr. Potts said he wanted to transition to the Local Officer Compensation Commission, noting that the board had not reviewed an appeal since 2020.

There was additional discussion regarding the oversight of the CBA in comparison with the Planning Commission and Zoning Board of Appeals.

ENVIRONMENTAL BOARD (EB): The City Council interviewed two applicants interviewed for the vacancy. At the invitation of the Mayor, applicant Kristi Potts relayed her background as a student in horticulture and culinary arts at Kalamazoo Valley Community College; she also highlighted her ownership of a zero-waste cookie business. Chase Dechnik spoke about his background in Portage and his participation in 4H. He noted his appreciation for the city's parks and commitment to nature.

Mayor Randall noted that the board currently had only one vacancy and asked the applicants about their other interests. Ms. Potts expressed interest in the Human Services Board, while Mr. Dechnik stated his preference for the Environmental Board as compared with the Parks Board due to their differences in focus.

LOCAL OFFICERS COMPENSATION COMMISSION (LOCC): Following the Environmental Board interviews, the Mayor transitioned to the Local Officers Compensation Commission (LOCC). With no applicants present, she relayed that the two applicants under consideration included Marvin Potts, who had interviewed earlier for the CBA, and former Councilmember Lori Knapp, making both applicants familiar to the Council. She then highlighted that, in addition to the vacancy, current LOCC member, Mr. Roberts, had missed the last two meetings in the prior four years. Clerk Eklov explained that the LOCC typically meets only once every two years, and relayed that her office had sent Mr. Roberts a letter in November 2024 regarding the meeting in the upcoming summer and advisement regarding the absences. Councilmember Urban asked if she had scheduled the upcoming LOCC meeting, and if Mr. Roberts had been responsive. Clerk Eklov noted recent contact efforts with Mr. Roberts had proven unsuccessful. Following some discussion, the Council reached a consensus to appoint Ms. Knapp to the vacant position and Mr. Potts to replace Mr. Roberts.

As time permitted, the Council then returned to discussion of the two EB applicants as well as the EB's current composition. It was decided to recommend Mr. Dechnik for the Environmental Board vacancy and return Ms. Potts' application for consideration with the Human Services Board later.

PLANNING COMMISSION (PC): Mayor Randall reviewed the positions on the Planning Commission, noting former member Sarah Joshi resigned, current member Becky Sue Baldwin was up for reappointment, current member Keith Crowell had finished completing five months of a term that was held by Matt Longjohn, who resigned in December 2024.

Becky Sue Baldwin attended interviews with new applicants, Randy Orwig and Hillary Taylor. At the Council's request, Commissioner Baldwin, who noted she would reach her term limit after this reappointment, explained the expectations for the new applicants, Ms. Taylor noted her experience in city and urban planning but highlighted a conflict with the meeting schedule due to a standing commitment on the first Thursday of each month. Given her background described in her application, Councilmember Urban asked Ms. Taylor about her interest in serving on the Zoning Board of Appeals (ZBA). She confirmed her interest in the ZBA, and that its meeting schedule was ideal. Mr. Orwig spoke about his life in Portage, his volunteer experience with the Portage Rotary Club, and his interest in safeguarding the city's development.

STATEMENTS OF CITIZENS: None.

BOARD AND COMMISSION APPOINTMENTS DISCUSSION: Clerk Eklov reviewed her notes regarding the Council's preferred appointments. The Councilmembers discussed appointing Randy Orwig to the Planning Commission. Councilmember Young inquired about the demographics of the Planning Commission as well as the make-up of each advisory board. There was discussion regarding whether incumbent members were reappointed with new applicants not receiving due consideration, as well as a quick look at which boards would have vacancies at the upcoming interview sessions.

Discussion turned to Mr. Orwig's current appointment on the City Council's Utility Rate Study Committee (URSC) and if this posed a conflict of interest. The Council reached a consensus regarding a conflict, and that this would present a vacancy on the URSC. Discussion then returned to Mr. Pelak's application to consider if he was qualified to serve on the URSC. Clerk Eklov suggested the Council defer the resulting vacancies to the CBA and URSC while the Clerk's Office inquired with Mr. Pelak regarding his interests. The Council agreed.

ADJOURNMENT: Mayor Randall adjourned the meeting at 05:30 PM.

Erica L. Eklov, City Clerk

CITY COUNCIL MEETING MINUTES FROM MAY 27, 2025

Mayor Patricia Randall called the Regular Meeting to order at 06:02 PM in the Council Chambers at Portage City Hall.

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

ABSENT: Mayor Pro Tem Jim Pearson.

ALSO PRESENT: City Manager Pat McGinnis, 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 importance of gun safety in the City of Portage. Following the moment of silence, the City Council recited the Pledge of Allegiance.

PROCLAMATIONS:

National Gun Violence Awareness Day: Ms. Marti Ulmer from Moms Demand Action read the proclamation. She then provided information about upcoming events the group planned to attend to raise awareness.

Resolution of Respect for Portage Public Schools Superintendent Mark Bielang: Mr. Bo Snyder, Portage Public Schools Board of Education Vice President, read the resolution alongside Mr. Bielang. Mr. Bielang thanked the City Council for the recognition and relationship with the city during his tenure.

PETITIONS AND STATEMENTS OF CITIZENS:

1. Alan Loveridge (23965 88th Avenue, Marcellus) expressed ideas regarding the development of an identity verification service.
2. Cheryl Secor (10429 Oakland Drive) inquired about an honoring service for fallen soldiers following the Memorial Day parade.
3. Mark Mowery (7402 Quail Street) thanked the City Council and city staff for introducing the assault & battery and harassment ordinance created and passed at recent meetings.

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

Approval of Minutes: Motion by Young, seconded by Ledbetter, to approve the City Council Meeting Minutes of the Budget Review Session #2 and Regular Meeting of May 13, 2025. Upon a roll call vote, motion carried 6 to 0.

Accounts Payable Register: Motion by Young, seconded by Ledbetter, to approve the Accounts Payable Register of May 27, 2025, as presented. Upon a roll call vote, motion carried 6 to 0.

City Property Landscape & Leaf Maintenance Contract - Bid Tabulation: Motion by Young, seconded by Ledbetter, to award a one-year contract for \$112,365 (option for five one-year renewals for a total of \$696,697) to Clark Logic DBA Earthworks for landscape bed maintenance of various city properties and leaf removal at two locations and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Herbicide Application Contract - Bid Tabulation: Motion by Young, seconded by Ledbetter, to award a one-year contract to TruGreen Commercial for \$62,337.94 (option for five one-year renewals for a total of \$393,235.27) for herbicide applications in the City Center, parks, cemeteries, public facilities, and major street locations, and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

Minutes of Boards & Commissions: Motion by Young, seconded by Ledbetter, to receive the minutes of the Historic District Commission of April 2, 2025, and Environmental Board of April 9, 2025. Upon a roll call vote, motion carried 6 to 0.

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

Materials Transmitted: Motion by Young, seconded by Ledbetter, to receive the Materials Transmitted of May 14, 2025. Upon a roll call vote, motion carried 6 to 0.

COMMUNICATIONS:

Park Board Annual Report Presentation: Park Board Chair Tara Gish presented an update on the board's goals for fiscal year 2025-2026. She highlighted the community's strong interest in the various parks and programming, alongside the Board's partnership with the Portage Parks Foundation and the Bicycle and Arts Sub-Committees. Chair Gish also noted continued support of the Youth Advisory Committee for youth-centered events and initiatives, as well as the traditional community events that the community has come to expect.

Motion by Young, seconded by Ledbetter, to receive the Annual Report Presentation from the Park Board for the 2024/2025 Year. Upon a voice vote, motion carried 6 to 0.

REGULAR BUSINESS AGENDA:

Proposed Fiscal Year 2025-2026 Budget, General Appropriations Act, Salary, and Wage Resolutions: Motion by Young, seconded by Urban, to approve the Fiscal Year 2025-2026 Proposed Budget and adopt the General Appropriations Act and Salary and Wage Resolutions. Upon a roll call vote, motion carried 6 to 0.

Appointments to Boards & Commissions: Motion by Urban, seconded by Miller, to appoint all applicants and participants, as noted in the Interview Session summary, with terms ending June 30, 2026, to the Youth Advisory Committee; re-appoint Bill Koopsen, and Barney Martlew, with terms ending June 1, 2028, to the Construction Board of Appeals; appoint Chase Dechnik, with a term ending October 1, 2027, to the Environmental Board; appoint Lori Knapp, with a term ending October 1, 2030, and appoint Marvin Potts to replace Gary Roberts with a term ending October 1, 2028, to the Local Officers Compensation Commission; re-appoint Keith Crowell and Becky Sue Baldwin, as well as appoint Randy Orwig, with terms ending May 30, 2028, to the Planning Commission. Upon a voice vote, motion carried 6 to 0.

Portage Community Land Trust Operating Agreement and Stanwood Crossings Declaration of Easements and Restrictive Covenants: Councilmember Urban explained his concerns regarding the proposed documents, which he wished to discuss in more depth. He highlighted the inclusion of restrictive covenants and a lack of definitions. He suggested scheduling a Committee of the Whole meeting to discuss the matter further, as he had anticipated greater Council education and participation in the development of this project. Councilmember Miller echoed Councilmember Urban's concerns, including the stipulation that potential homeowners seek legal review of the agreements before moving forward. Councilmember Burns expressed willingness to approve the recommended action if the proposed documents permitted later revisions by the City Council. Mayor Randall inquired about the neighborhood's standards as compared with others within the city.

At the Mayor's invitation, Chief Development Officer (CDO) Pete Dame responded to the

various concerns, beginning with a summary of the Stanwood Crossings project. He assured that the proposed documents could be amended in the future if needed, but the City Administration desired to start during the 2025 construction season to ensure current costs.

Following CDO Dame's explanations, Attorney Tim Orlebeke, whom the City Administration contracted to develop the community land trust (CLT) based upon his prior experience, presented his information. He responded to the individual concerns raised by both Councilmembers Urban and Miller. He noted CLTs are emerging as many can no longer afford to buy houses due to home prices outpacing the rate of compensation. He also addressed the limited liability company (LLC) structure and management, with the City of Portage as the sole member, giving full governance control.

Attorney Orlebeke then stated that the covenants and restrictions were based on other CLTs and developed in collaboration with staff. Regarding Councilmember Miller's concerns, he relayed that legal representation for the buyer was key in explaining the CLT concept to homebuyers, as it is often misunderstood. There was additional discussion regarding the role of the managers noted and the city's role in the future of the LLC and CLT.

Mayor Randall asked about a prior understanding of operations in perpetuity. Attorney Orlebeke clarified there is legal prohibition for utilizing perpetuity, noting that most states required 99 years, whereas the State of Michigan required 89 years. He also noted this timeline would be renewed with each homeowner.

Mayor Randall asked Councilmember Urban for his position. He still hoped for the Council to review to allow for individual decisions, seeing the item presently before the Council as the staff's recommendation to serve as a foundation to build on. Councilmember Urban then asked CDO Dame whether the city was expected to be part of the proposed LLC forever or for control to eventually be turned over to another entity. CDO Dame relayed that the city was unsure of future operations based on those involved at that time, but the LLC allowed for structural flexibility.

City Manager McGinnis suggested an ad-hoc committee could accomplish the same goals as a Committee of the Whole without complicating the Council's summer schedule. Mayor Randall surveyed the Council's preferences between a subcommittee or Committee of the Whole (COW). Councilmembers Urban, Ledbetter, and Young supported a COW, and Councilmember Miller supported either method. Mayor Randall urged the Councilmembers to send in their questions to the City Administration ahead of any meeting.

Discussion on the best course of action followed. Councilmember Urban motioned to decline the action recommended as outlined in Item A.5. Councilmember Miller seconded. Urban explained that the current documents, as presented, needed additional discussion. Following additional discussion and a roll call vote, the motion failed 6 to 0.

Discussion followed among the City Council, City Manager, City Attorney, and City Clerk regarding the best direction for the Council's desired next steps.

Motion by Burns, seconded by Young, to table Item A.5 to the June 10, 2025, Regular City Council meeting and ask the City Manager to return to the Council with a Committee of the Whole meeting date. Upon a roll call vote, motion passed 6-0.

UNFINISHED BUSINESS:

City of Portage Recognition Guidelines (Proclamations): Mayor Randall introduced the item, noting its return from the May 13 Regular City Council meeting. Councilmember Burns expressed gratitude for the suggestions previously provided by Councilmember Urban and for the newly proposed revisions.

Motion by Burns, seconded by Young, to adopt the updated *City of Portage Recognition Guidelines*. Upon a roll call vote, motion carried 6 to 0.

COUNCIL COMMITTEE REPORTS: None.

NEW BUSINESS: Dick Hewitt, chair of the Park Board's Bicycle Sub-Committee complimented the Park Board's earlier presentation by providing an update regarding the subcommittee's initiatives, programs, and events promoting bicycle education and safety in the city.

Motion by Miller, seconded by Burns, to receive the annual update from the Park Board's Bicycle Sub-Committee. Upon a roll call vote, motion carried 6 to 0.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban had no comments.

Councilmember Ledbetter thanked his fellow Councilmembers for their efforts in addressing the recent neighbor disputes on Quail Street and the Ramona Park neighborhood flooding issues.

Councilmember Miller highlighted the recent Memorial Day parade and thanked the Parks Department for its recent opening of the East Central Trail.

Councilmember Young also noted the Memorial Day parade, thanking Public Safety for their support. She acknowledged the East Central Trail ribbon cutting as well, plus several other recent grand openings in the area. Councilmember Young closed by highlighting the recent storms and reminded citizens to ensure emergency preparedness.

Councilmember Burns had no comments.

City Manager McGinnis provided reminders about the upcoming classic car show at the Portage Zhang Senior Center and invited the Council to the Stanwood Crossings groundbreaking.

Mayor Randall began by thanking everyone for participating in the board and commission interviews. She then highlighted the upcoming celebrations for the Stanwood Crossings project and the Tall Timbers apartments project, as well as the recent KRESA Career Center. Mayor Randall closed with a commendation for the new Career Center and its contribution to the area.

ADJOURNMENT: Mayor Randall adjourned the meeting at 7:41 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 June 10, 2025, 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 May 18, 2025, through May 31, 2025, and notes \$1,248,630.78 in automated clearing house payments, \$659,870.21 in paper checks, \$47,455.65 in auto-pay payments and \$1,375,527.84 in electronic payments for a grand total of \$3,331,484.48.

FUNDING: Not Applicable

Attachments: 1. Accounts Payable Register of June 10, 2025

ACCOUNTS PAYABLE REGISTER
Check Dates From: 5/18/2025 to 5/31/2025

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Check Date	Check	Vendor Name	Description	Amount
Check Type: ACH Transaction				
05/23/2025	24070(A)	13 COOKIES LLC	SNAP REIMBURSEMENT	41.00
05/23/2025	24071(A)	ABONMARCHE CONSULTANTS, INC	FARMERS MARKET A&E	10,000.00
05/23/2025	24072(A)	ALL CITY MANAGEMENT SERVICES, INC.	CROSSING GUARD CONTRACT	3,996.54
05/23/2025	24073(A)	ALL-TRONICS, INC.	FIRE ALARM MONITORING	81.00
05/23/2025	24074(A)	AMAZON.COM SALES, INC.	MISC PATROL & TECH SUP-PD; FITNESS PROG-PZSC	2,186.18
05/23/2025	24075(A)	AMERICAN SAFETY & FIRST AID	FIRST AID SUPPLIES	163.16
05/23/2025	24076(A)	ANIMAL REMOVAL SERVICE, LLC	ANIMAL REMOVAL SERVICES	864.00
05/23/2025	24077(A)	AUNALYTICS INC	DISASTER RECOVERY SERVICES	1,918.00
05/23/2025	24078(A)	BALKEMA CONSTRUCTION, INC.	LEXINGTON GREEN PARK CONSTRUCTION	140,629.50
05/23/2025	24079(A)	BAREITHER, CHAD	STRATEGIC PLANNING	2,620.83
05/23/2025	24080(A)	BARRON, DIANE E	PZSC TAP CLASS INSTRUCTOR	180.00
05/23/2025	24081(A)	BENNETT, THOMAS L	SNAP REIMBURSEMENT	47.00
05/23/2025	24082(A)	BLUE CARE NETWORK-GREAT LAKES	HEALTH INSURANCE	219,455.39
05/23/2025	24083(A)	BOUND TREE MEDICAL LLC	FIRE EMS SUPPLIES	389.40
05/23/2025	24084(A)	C D W GOVERNMENT, INC.	COMPUTING DEVICES REPLACEMENT	146,520.71
05/23/2025	24085(A)	CARLSON, PATRICIA	REIMB EXPS-WARNER NORCROSS HR SEMINAR	83.86
05/23/2025	24086(A)	CERTASITE LLC	HYDROTEST SCBA 4500 PSI	4,299.51
05/23/2025	24087(A)	CHARTER COMMUNICATIONS	CABLE TV	646.24
05/23/2025	24088(A)	COX, ELISA ROSE	PZSC PERSONAL TRAINER	405.00
05/23/2025	24089(A)	CROWN TROPHY	DEPARTMENT PLAQUES	315.00
05/23/2025	24090(A)	DATA CONSTRUCTS LLC	DNS FAILOVER SERVICES	80.50
05/23/2025	24091(A)	DEARBORN LIFE INSURANCE COMPANY	LIFE, LTD, AND STD INSURANCE	11,627.26
05/23/2025	24092(A)	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE	20,560.92
05/23/2025	24093(A)	DEPATIE FLUID POWER CO., INC.	HYDRAULIC REPAIRS	1,077.28
05/23/2025	24094(A)	EARLE, SHELIA L	PZSC FITNESS INSTRUCTOR & PERSONAL TRAINER	1,895.00
05/23/2025	24095(A)	EKLOV, ERICA	REIMB-PURCH MINUTES AI SOFTWARE-COUNCIL	105.99
05/23/2025	24096(A)	ENGINEERED PROTECTION SYSTEMS, INC.	ALARM MONITORING SERVICES-MULT LOCS	4,258.35
05/23/2025	24097(A)	ESCAPE FIRE & SAFETY SERVICES, INC.	TRAILER FABRICATION	5,220.00
05/23/2025	24098(A)	FERRELLGAS, LP	PROPANE TANK RENTAL	360.00
05/23/2025	24099(A)	FISHER, LACEY	PER DIEM-POLICE MOUNTAIN BIKE TRAINING	306.00
05/23/2025	24100(A)	GABRIELLI, CARLIN	REIMB EXPS-POL SCHOOL OF STAFF & COMMAND	20.00
05/23/2025	24101(A)	GARLOW, BARBARA	REIMBURSE EVENT SUPPLIES	27.56

ACCOUNTS PAYABLE REGISTER
Check Dates From: 5/18/2025 to 5/31/2025

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Check Date	Check	Vendor Name	Description	Amount
05/23/2025	24102(A)	GARRISON, AUSTIN	PER DIEM-POLICE MOUNTAIN BIKE TRAINING	306.00
05/23/2025	24103(A)	GLOBAL EQUIPMENT CO., INC.	MISC BUILDING SUPPLIES	790.09
05/23/2025	24104(A)	GORDON WATER SYSTEMS	WATER SERVICES	601.76
05/23/2025	24105(A)	GRAHAM, WILLIAM	REIMB EXPS-COMMUNITY RISK REDUCTION CONF	1,832.42
05/23/2025	24106(A)	GRAINGER INC	SAFETY GAS CANS	328.00
05/23/2025	24107(A)	GRIFFIN PEST SOLUTIONS	PEST CONTROL SERVICES	135.00
05/23/2025	24108(A)	INSIGHT PUBLIC SECTOR, INC.	CISCO FLEX-CALL MGR SMARTNET, MS365 CLOUD	24,196.05
05/23/2025	24109(A)	J & H OIL COMPANY	BULK FUEL DELIVERY	25,389.55
05/23/2025	24110(A)	JB PRINTING	MAY PORTAGER PRINTING SVCS	3,491.88
05/23/2025	24111(A)	JONS TO GO PORTABLE RESTROOM	PORT-A-JON RENTAL & SERVICING	32.22
05/23/2025	24112(A)	KALBLUE GROUP, INC	PRINTING SERVICES	63.42
05/23/2025	24113(A)	KEHOE, EDWARD J	PZSC FITNESS INSTRUCTOR TAI CHI & QIGONG	235.00
05/23/2025	24114(A)	KENDALL ELECTRIC, INC.	ELECTRICAL SERVICES-LAKEVIEW PARK	308.82
05/23/2025	24115(A)	KENDIG KEAST COLLABORATIVE	ZONING CODE UPDATE & CONSULT FEES	24,356.30
05/23/2025	24116(A)	KONICA MINOLTA BUSINESS SOLUTIONS	NEW PRINTER, PRINTER MAINT FEES	3,216.11
05/23/2025	24117(A)	KURZAVA, MATTHEW STEPHEN	PZSC FITNESS INSTRUCTOR TAI CHI & PARKINSONS	720.00
05/23/2025	24118(A)	LIFEGUARD STORE	RAMONA STAFF UNIFORMS	1,270.23
05/23/2025	24119(A)	MAPLE HILL SPRINKLING, INC.	STREETS/PARKS IRRIGATION STARTUP & REPAIRS	8,446.00
05/23/2025	24120(A)	MCGUIRE, INGRID	REIMB EXPS-MI MUNI TREASURERS ASSOC INST	658.44
05/23/2025	24121(A)	MCNALLY ELEVATOR CO.	ELEVATOR MAINTENANCE	166.72
05/23/2025	24122(A)	MIDWEST ENERGY & COMMUNICATIONS	STREETLIGHT ENERGY COSTS	317.34
05/23/2025	24123(A)	MUNICIPAL EMERGENCY SERVICES INC	FIRE SCBA MAINTENANCE	1,132.13
05/23/2025	24124(A)	MY GREEN MICHIGAN	MGM FOOD WASTE COMPOST SVC AGREEMENT	1,284.00
05/23/2025	24125(A)	NYE UNIFORM CO	MISC UNIFORMS RETURN	3,962.29
05/23/2025	24126(A)	OFF THE CUFF CATERING	CATERING SERVICES	1,660.00
05/23/2025	24127(A)	ONE WAY PRODUCTS	JANITORIAL SUPPLIES	3,827.92
05/23/2025	24128(A)	ONSTAFF GROUP SERVICES LLC	TEMPORARY EMPLOYEE SERVICES	5,637.24
05/23/2025	24129(A)	PARIS CLEANERS	LAUNDRY SERVICES	822.38
05/23/2025	24130(A)	PEARSON, GERALD	PARK FACILITY CLEANING	4,970.00
05/23/2025	24131(A)	PERCEPTIVE CONTROLS, INC.	WELL HOUSE UPGRADES	30,190.88
05/23/2025	24132(A)	PETERS CONSTRUCTION CO.	EMERGENCY STORM STRUCTURE REPAIR	7,946.93
05/23/2025	24133(A)	PLM LAKE & LAND MANAGEMENT	AQUATIC WEED MANAGEMENT	505.33
05/23/2025	24134(A)	PRECISION PRINTER SERVICES INC	PRINTER SUPPORT SERVICES	648.49

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Check Date	Check	Vendor Name	Description	Amount
05/23/2025	24135(A)	PRINTING SERVICES INC	PRINTING SERVICES	531.38
05/23/2025	24136(A)	REED, BRENT LESLIE	COLUMBARIUM FOUNDATIONS, BASIN MAINT	41,320.00
05/23/2025	24137(A)	REPUBLIC SERVICES OF WEST MICHIGAN	SPRING PICKUP DISPOSAL FEES	19,038.61
05/23/2025	24138(A)	RIDDERMAN & SONS OIL CO. INC.	DIESEL FUEL FOR GENERATORS	3,565.15
05/23/2025	24139(A)	ROSE, SANDRA K.	PZSC FITNESS INSTRUCTOR CARDIO DRUMMING	500.00
05/23/2025	24140(A)	SAFETY COMPANY, LLC	CUES C542 200' CAMERA	12,661.00
05/23/2025	24141(A)	SARKOZY BAKERY LLC	SNAP REIMBURSEMENT	14.00
05/23/2025	24142(A)	SEVERANCE ELECTRIC COMPANY, INC	TRAFFIC SIGNAL MAINTENANCE	4,920.00
05/23/2025	24143(A)	SHINY BRITE WASHING SYSTEMS LLC	CAR WASHES	133.00
05/23/2025	24144(A)	SIMPLIFILE LLC	RECORDING FEES	169.25
05/23/2025	24145(A)	SMITH GARSON, INC.	FEDERAL ADVOCACY SERVICES	5,000.00
05/23/2025	24146(A)	STANDARD & POOR'S	ANALYTICAL SERVICES FOR CIP BOND SERIES	15,500.00
05/23/2025	24147(A)	STOUT, MELISSA JOY	PZSC FITNESS INSTRUCTOR CHAIR YOGA, BARR	510.00
05/23/2025	24148(A)	SULLIVAN, WHITNEY	CITY HALL PLANT CARE	125.00
05/23/2025	24149(A)	TMK WORLDWIDE, LLC	METER SERVICE	1,222.18
05/23/2025	24150(A)	TRUMAN, JACQUELINE	REIMB EXPS-TYLER CONNECT CONFERENCE	475.29
05/23/2025	24151(A)	UNITED PARCEL SERVICE	UPS WEEKLY	67.11
05/23/2025	24152(A)	VEOLIA WATER CONTRACT OPERATIONS	UTILITY SYSTEM OPERATION, MCAP RECON	373,811.97
05/23/2025	24153(A)	VERPLANK TRUCKING CO.	DURAPATCH MATERIALS - LIMESTONE	1,875.42
05/23/2025	24154(A)	VIRIDIS DESIGN GROUP	A&E EAST CENTRAL TRAIL	2,930.00
05/23/2025	24155(A)	WARNER NORCROSS & JUDD LLP	LEGAL SERVICES	660.00
05/23/2025	24156(A)	WIGHTMAN	ENGINEERING SVCS-MULT LOCATIONS	13,041.44
05/23/2025	24157(A)	WRIGHT, SHAUN	MI NEIGH-REPLACE HVAC SYSTEM	10,100.00
05/23/2025	24158(A)	XEROX CORPORATION	XEROX COPIER FEES	177.86
05/30/2025	24159(A)	S B F ENTERPRISES, INC.	PRINTING, PROCESS, MAIL WATER & SEWER BILLS	452.00
Total ACH				1,248,630.78

Check Type: Paper

05/22/2025	330642	3900 CENTRE LLC	TORNADO BUSINESS GRANT AGREEMENT	26,400.00
05/22/2025	330643	KALAMAZOO OPHTHALMOLOGY LLC	TORNADO BUSINESS GRANT AGREEMENT	26,400.00
05/22/2025	330644	M & A TRUCKING SERVICES, INC.	TORNADO BUSINESS GRANT AGREEMENT	26,400.00
05/22/2025	330645	MEYERS BROS. INSULATION	TORNADO BUSINESS GRANT AGREEMENT	26,400.00
05/22/2025	330646	RIPPLE EFFECTS COMMUNITY INCLUSION	TORNADO BUSINESS GRANT AGREEMENT	26,400.00

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Check Date	Check	Vendor Name	Description	Amount
05/23/2025	330647	A BETTER WAY TREE CARE LLC	TREE REMOVAL SERVICES	2,700.00
05/23/2025	330648	A S C A P	2025 MUSIC LICENSE	447.75
05/23/2025	330649	ALERT-ALL CORP.	FIRE PREVENTION SUPPLIES	3,250.00
05/23/2025	330650	ALLEGRA PRINT & IMAGING	PRINTING SERVICES	1,435.00
05/23/2025	330651	ALLIED MECHANICAL SERVICE	HVAC PREVENTATIVE MAINT, SERVICES	1,045.00
05/23/2025	330652	ALTA EQUIPMENT CO.	SERVICE CALL TROUBLE SHOOT SLOW BOOM HYD	1,898.31
05/23/2025	330653	AMERICAN HOIST AIR & LUBE EQUIP INC	LIFT REPAIRS/SVC CALL	2,000.00
05/23/2025	330654	APEX SOFTWARE	SOFTWARE MAINTENANCE RENEWAL	1,530.00
05/23/2025	330655	BAILEY'S MEATS	SNAP REIMBURSEMENT	47.00
05/23/2025	330656	BAY AREA TOUCHLESS CARWASH LLC	CAR WASHES	512.00
05/23/2025	330657	BIBLES FOR MISSIONS THRIFT CENTERS	BD BOND REFUND	3,916.00
05/23/2025	330658	BIDDLE CONSULTING GROUP, INC.	TESTGENIUS SOFTWARE	1,980.00
05/23/2025	330659	BRONSON HEALTHCARE GROUP	LEGAL BLOOD DRAWS	200.00
05/23/2025	330660	BROWN, GREG	WHEEL ALIGNMENT	85.00
05/23/2025	330661	BRUCE'S TRUCK & AUTO ACCESSORIES	VEHICLE UPFITTING	820.00
05/23/2025	330662	BURCO, PEGGY	PICKLEBALL LEAGUE REFUND	25.00
05/23/2025	330663	CAPITOL STRATEGIES, LLC	CONSULTING SERVICES	6,000.00
05/23/2025	330664	CHANG, LAURA	PICKLEBALL LEAGUE REFUND	25.00
05/23/2025	330665	CHICAGO TITLE OF MICHIGAN, INC.	CDBG-TITLE SEARCHES	600.00
05/23/2025	330666	CONSORT DISPLAY GROUP	VETERANS BANNERS	1,396.00
05/23/2025	330667	DAVE'S CONCRETE PRODUCTS, INC.	CONCRETE FOR FOUNDATIONS @ CEMETERIES	550.00
05/23/2025	330668	DETROIT SALT CO.	BACK UP SALT DELIVERY	52,614.68
05/23/2025	330669	DEVON TITLE AGENCY	REFUND OVER PAYMENT FINAL UTILITY BILL	245.20
05/23/2025	330670	DORRANCE FORD INC	MAINTENANCE REPAIR SUPPLIES	40.34
05/23/2025	330671	DOTY & SONS CONCRETE PRODUCTS, INC.	LAKEVIEW CONCRETE GAME EQUIPMENT	15,850.00
05/23/2025	330672	ED DRESLINSKI CONSULTING INC	FIRST LINE SUPERVISION TRAINING REG	595.00
05/23/2025	330673	EDWARDS INDUSTRIAL SALES, INC.	FLEET REPAIR/MAINTENANCE	15.48
05/23/2025	330674	EMERGENCY VEHICLE PRODUCTS	POLICE VEHICLE REPAIR/MAINTENANCE	829.00
05/23/2025	330675	FISH WINDOW CLEANING	WINDOW CLEANING SERVICES	325.00
05/23/2025	330676	FLETCHER ENTERPRISES	PAINTING SERVICES	1,500.00
05/23/2025	330677	FORD, WILLIAM L JR & JUDITH K	BD BOND REFUND	1,258.00
05/23/2025	330678	FRANZ, JILL	PICKLEBALL BEGINNER CLINIC REFUND	60.00
05/23/2025	330679	GENUINE PARTS COMPANY INC	EQUIPMENT REPAIR/MAINTENANCE SUPPLIES	1,883.84

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05/23/2025	330680	GORDON FOOD SERVICE	PZSC PROGRAM EVENT & COFFEE SUPPLIES	107.88
05/23/2025	330681	GRAHAM, STEPHANIE	GRAIN ELEVATOR DEPOSIT REFUND	150.00
05/23/2025	330682	GROTHAUSE, DAVID	SNAP REIMBURSEMENT	27.00
05/23/2025	330683	HALLAHAN & ASSOCIATES, P.C.	ASSESSING LEGAL SERVICES	330.56
05/23/2025	330684	HANSEN, MARCUS	FARMERS MARKET APPLICATION FEE REFUND	75.00
05/23/2025	330685	HOME DEPOT	REPAIR & MAINTENANCE SUPPLIES	7,281.18
05/23/2025	330686	VOID		0.00
05/23/2025	330687	VOID		0.00
05/23/2025	330688	HOWE PATIO & WINDOWS, INC.	MI NEIGH-REPLACE WINDOWS & STORM DOOR	4,038.00
05/23/2025	330689	HUNT, TIMOTHY & CHRISTIE	BD BOND REFUND	400.00
05/23/2025	330690	JOHNSTON, AMY	FARM TOUR CANCELLATION REFUND	30.00
05/23/2025	330691	JORGENSEN, MISTY	STUART MANOR DEPOSIT REFUND	150.00
05/23/2025	330692	KALAMAZOO AREA TRANSPORTATION STUDY	TRAFFIC TECH SERVICES	2,350.00
05/23/2025	330693	KALAMAZOO COUNTY	PZSC KALAMAZOO COUNTY REFUND	7,957.34
05/23/2025	330694	KALAMAZOO COUNTY TREASURER	OAKBROOK MAY 2025 MOBILE HOME TAXES	537.50
05/23/2025	330695	KALAMAZOO COUNTY TREASURER	MTT 24-001899 TAXABLE VALUE CHANGE	20,707.43
05/23/2025	330696	KALAMAZOO LANDSCAPE SUPPLIES	LANDSCAPING SUPPLIES-MULT LOCS	2,092.50
05/23/2025	330697	KALAMAZOO PICKLEBALL OUTREACH	PICKLEBALL TOURNAMENT REFUND	2,190.00
05/23/2025	330698	KZOO TIRE COMPANY	POLICE VEHICLE REPAIR/MAINTENANCE	1,090.50
05/23/2025	330699	LAVALLEY, WILLIAM	FRIDAY AT THE FLATS MAY MUSICIAN	200.00
05/23/2025	330700	LEATHERMAN, CARRIE	FARM TOUR CANCELLATION REFUND	30.00
05/23/2025	330701	LOCKWOOD, MAX	CONCERT JUNE 5 THE INSIDERS	2,190.50
05/23/2025	330702	MACALLISTER MACHINERY CO., INC.	TORNADO - BOOM LIFT RENTAL FOR BLDG REPAIRS	4,742.00
05/23/2025	330703	MCDONALD'S TOWING & RESCUE, INC.	POLICE TOWING SERVICES	75.00
05/23/2025	330704	MENARDS	TORNADO - SALT BARN REPAIRS	91.50
05/23/2025	330705	MENCH, CHARLES	FARMERS MARKET MUSIC PERFORMANCE	100.00
05/23/2025	330706	MICH MUNICIPAL POLICE & FIRE REPAIR	POLICE VEHICLE REPAIR & MAINTENANCE	2,080.77
05/23/2025	330707	MICHAEL TODD & CO., INC.	GRACO SPRAYER FOR PAVEMENT MARKINGS	6,030.81
05/23/2025	330708	MIDWEST ELECTRIC MOTORS, INC	CRANE MOTOR REBUILD	323.48
05/23/2025	330709	OFFICE DEPOT, INC.	OFFICE SUPPLIES	969.50
05/23/2025	330710	OPEN ROADS BIKE PROGRAM	SPRING EARN A BIKE 2025	1,725.00
05/23/2025	330711	P&T PRODUCTS, LLC	CRACKSEAL MATERIALS/DURAMELT	27,648.00
05/23/2025	330712	PENCE, MICHAEL	INTERMEDIATE PICKLEBALL CLINIC REFUND	40.00

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Check Date	Check	Vendor Name	Description	Amount
05/23/2025	330713	PENCHURA, LLC	LAKEVIEW & LEXINGTON GREEN PARK SHELTERS	165,269.26
05/23/2025	330714	PETERMAN CONCRETE CO.	SIDEWALK REPAIR	179.25
05/23/2025	330715	PETTY CASH-MEGAN HUBER	REPLENISHMENT CHECK	1,286.43
05/23/2025	330716	PIO, DAWN	SCHRIER BUILDING DEPOSIT REFUND	150.00
05/23/2025	330717	PLUMMER'S ENVIRONMENTAL SERVICES	STORM SEWER CLEANING & VIDEO	2,440.70
05/23/2025	330718	PREMIER COLUMBARIA LLC	COLUMBARIUMS @ SOUTH CEMETERY	17,667.00
05/23/2025	330719	RATHCO SAFETY SUPPLY, INC.	SIGN REPAIR/REPLACEMENT	85.00
05/23/2025	330720	REED, CALYSTA	SOFTBALL FEES & DEPOSIT REFUND	550.00
05/23/2025	330721	RITER, DEBBIE	SCHRIER BUILDING DEPOSIT REFUND	150.00
05/23/2025	330722	ROAD COMMISSION OF KALAMAZOO COUNTY	DURAPATCHER EMULSION	3,132.69
05/23/2025	330723	RUSCH PRODUCTIONS INC	CONCERT TONY GUITARIST OPENER	300.00
05/23/2025	330724	S & T LAWN SERVICE	RESTORATION & HYDROSEEDING @ CELERY FLAT	23,660.00
05/23/2025	330725	SACHS, DIANNA	FARM TOUR CANCELLATION REFUND	30.00
05/23/2025	330726	SAGARA, BARBARA	FARM TOUR CANCELLATION REFUND	30.00
05/23/2025	330727	SCHUMANN, PIERRE A.	FRI AT THE FLATS MAY MUSICIAN & SOUND	200.00
05/23/2025	330728	SCOTT, DANA MARIE	FARMERS MARKET MUSIC PERFORMANCE	100.00
05/23/2025	330729	SHI INTERNATIONAL CORP.	SPAM TITAN PLUS SOFTWARE	10,935.00
05/23/2025	330730	SHORE LINE HEATING & COOLING	OSTERHOUT BLOCK STATION - EMERG REPAIR	2,286.00
05/23/2025	330731	SIGN SHOP OF WESTERN MICHIGAN	STAFFING BOARD MAGNET	45.00
05/23/2025	330732	SITEONE LANDSCAPE SUPPLY LLC	PARKS IRRIGATION REPAIR SUPPLIES	220.63
05/23/2025	330733	SMART SOURCE, LLC	PRINTING SERVICES	76.62
05/23/2025	330734	SPEARS, TONIA	GRAIN ELEVATOR DEPOSIT REFUND	150.00
05/23/2025	330735	STATE SYSTEMS RADIO, INC	RADIO SERVICES FEES	561.00
05/23/2025	330736	STEENSMA LAWN & POWER EQUIPMENT	EXMARK VERTEX MOWER, LAWN ROLLER	14,362.41
05/23/2025	330737	TERPSTRA, HALEY	FARMERS MARKET APPLICATION FEE REFUND	75.00
05/23/2025	330738	TRUGREEN AND ACTION PEST CONTROL	FERTILIZER/WEED CONTROL APPLICATIONS	1,817.56
05/23/2025	330739	TWELVE BASKETS FOOD PANTRY	FOOD PANTRY SERVICES CDBG HPS	10,000.00
05/23/2025	330740	ULINE, INC.	OFFICE FURNITURE	597.32
05/23/2025	330741	VALADE, JASON	FARMERS MARKET APPLICATION FEE REFUND	75.00
05/23/2025	330742	VALLEY CITY SIGN	GARDEN LANE TRAIL WAYFINDING SIGN	5,194.00
05/23/2025	330743	VERIZON WIRELESS	WIRELESS CARDS	589.86
05/23/2025	330744	WASTE MANAGEMENT	WTP IRON WASTE REMOVAL	458.50
05/23/2025	330745	WEATHERTECH CONSULTING GROUP, INC.	ROOF REPLACEMENT CONSULTANT	3,500.00

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05/23/2025	330746	WESTERN MICHIGAN UNIVERSITY	RESPECTING DIFFERENCES 2025 EXPENSES	3,999.74
05/23/2025	330747	WOOD, DIANE	PZSC RENTAL SECURITY DEPOSIT 5.14.25	250.00
05/23/2025	330748	ZERO WASTE USA, INC.	DOG WASTE BAGS	2,731.39
05/23/2025	330749	ZOLMAN TIRE INC.	TIRES FOR FLEET VEHICLES	151.52
05/29/2025	330750	STONEGATE MANAGEMENT INC	TORNADO BUSINESS GRANT RELIEF AGREEMENT	26,400.00
05/30/2025	330751	JERGENS PIPING CORPORATION	BACKFLOW PREVENTOR REPAIR	22,701.00
05/30/2025	330752	STATE OF MICHIGAN (TREASURY)	2025 BOND FILING FEE	682.00
05/30/2025	330753	T-MOBILE USA INC	MISC CELL PHONE CHARGES	3,340.28
Total Paper Checks				659,870.21
Check Type: Auto-Pay Payments				
05/19/2025		CONSUMERS ENERGY	GAS-ELECTRIC	275.69
05/27/2025		FINTECHEFT	PZSC PROGRAM SUPPLIES	134.76
05/30/2025		CONSUMERS ENERGY	GAS-ELECTRIC	154.08
05/30/2025		MISSIONSQUARE	EMPLOYEE RETIREMENT WITHHOLDINGS	46,891.12
Total Auto-Pay Payments				47,455.65
Check Type: Electronic Payments				
05/22/2025		RAYMOND JAMES	INVESTMENT PURCHASE	1,373,527.84
05/30/2025		HUNTINGTON NATIONAL BANK	DEBT SERVICE FEES	2,000.00
Total Electronic Payments				1,375,527.84
Grand Total				3,331,484.48

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Chip Sealing Services - Single Source

SUPPORTING PERSONNEL: Rodney Russell, Director of Public Works

ACTION RECOMMENDED: Approve the single-source purchase of chip sealing services from Pavement Maintenance Systems in the amount of \$283,415.94 and authorize the City Manager to execute all documents related to this purchase.

Chip sealing is an excellent method and industry standard that is utilized to increase the service life of roadway infrastructure. This method of road maintenance increases PASER ratings up to an eight and supports residential and commercial satisfaction with our transportation network. Chip sealing services from Pavement Maintenance Systems qualify as a single source because they have offered and agreed to hold the same pricing as quoted in last year's bid offering. This service has been put out to bid several times and, since 2021, Pavement Maintenance Systems has been the only bidder. This is an excellent opportunity to address additional roadways at last year's pricing. Additionally, the company will waive the standard \$25,000 mobilization charge as they will already be present in the community.

The additional roadways that would be addressed include:

- Angling Road (Centre to 8945 Angling)
- Constitution Boulevard (Romence to Milham)
- Lovers Lane (Centre to Romence)
- Mandigo (Autumnview to East Shore)
- Romence (Lovers Lane to Portage Road)

Current roadways that are going to be addressed via the existing contract include:

- West Osterhout Avenue (South Westnedge Avenue to Shaver Road)
- Oakland Drive (West Centre Avenue to Milham Avenue)
- East Centre Avenue (Lovers Lane to Portage Road)
- Mandigo Avenue (Andrews Street to Autumn View Lane)

It is recommended that City Council approve the single-source purchase of chip sealing services from Pavement Maintenance Systems in the amount of \$283,415.94 and authorize the City Manager to execute all documents related to this purchase.

FUNDING: Sufficient funds exist in the Department of Public Works FY24/25 budget (202-451.00-813.000).

Attachments: 1. Exhibit C - Pricing Schedule - revised 6-2-25 (filled out)

EXHIBIT C – PRICING SCHEDULE

Contractor Name: Pavement Maintenance Systems

BASE BID			L	W	Unit	Unit Price	Bid
ITEM	DESCRIPTION	Stone	(FT)	(FT)	(SYD)	Per SYD	Total
1	Angling Rd (Centre to 8945 Angling)	Seal, Single Chip & Fog, CST – 1/4" Trap Rock	2,170	33	7,957	\$ 3.07	\$ 24,427.99
2	Consitution (Romence to Milham)	Seal, Single Chip & Fog, CST – 1/4" Trap Rock	5,200	42	27,094	\$ 3.05	\$ 82,636.70
3	Lovers Lane (Centre to Romence)	Seal, Single Chip & Fog, CST – 1/4" Trap Rock	4,290	45	27,170	\$ 3.05	\$ 82,868.50
4	Mandigo (Autumnview to East Shore)	Seal, Single Chip & Fog, CST – 1/4" Trap Rock	2804	32	10,230	\$ 3.07	\$ 31,406.10
5	Romence (Lovers to Portage)	Seal, Single Chip & Fog, CST – 1/4" Trap Rock	3873	42	20,353	\$ 3.05	\$ 62,076.65
Base Bid Totals			18,337		92,804		\$ 283,415.94

The pricing outlined herein is exclusively applicable when executed in direct association with the original Project. Any modifications or extensions outside the scope of the original Project may be subject to revised pricing.

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: 2026 Local Streets Reconstruction Program - Award of Engineering Contract

SUPPORTING PERSONNEL: Kendra Gwin, Director of Transportation & Utilities

ACTION RECOMMENDED: Award a contract to perform engineering services to Integral Partners, LLC (dba: Land & Resource Engineering) of Walker, Michigan, in the amount not to exceed \$164,420 for the reconstruction of the 2026 Local Streets Reconstruction Program and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The FY 2025-2026 Capital Improvement Program budget includes funding for the 2026 Local Street Reconstruction Program. The project involves milling and resurfacing the streets, storm sewer improvements, addition of sidewalk where gaps exist, and sidewalk ramp improvements to ensure compliance with the Americans with Disabilities Act.

Local street reconstruction projects are selected based on pavement conditions. In the State of Michigan, street conditions are rated using the PASER (Pavement Surface Evaluation Rating) system. The standard breakdown for the PASER ratings with a general description is as follows:

Rating & Description

9-10: Excellent (new pavement)

8: Very Good (little to no maintenance required)

6-7: Good (sound structural condition with crack seal maintenance)

4-5: Fair (candidates for pavement overlay)

3: Poor (needs patching and repair to remove failed areas prior to an overlay)

2: Very Poor (severe deterioration, needs reconstruction with total base repair)

1: Failed (requires total reconstruction)

On a scale of 1-10, the streets in the Local Street Reconstruction Program have a PASER rating of 2-3, which is poor condition. The resurfacing of these sections of roadway will improve the structural strength of the pavement, add longevity to the pavement life and provide a smooth driving surface. This project meets standard asset management strategies for this rating and will bring this roadway to a 9 PASER rating for resurfaced streets when the project is complete.

On May 29, 2025, seven proposals were received for design and construction engineering services for the 2026 Local Street Reconstruction Program. Based on a review of the proposals, staff has determined that the proposal from Integral Partners, LLC in the amount of \$164,420 best fits the needs of the project.

Integral Partners, LLC is Michigan Department of Transportation prequalified and has successfully completed several projects for the city.

It is recommended that City Council award a contract to perform engineering services to Integral Partners, LLC (dba: Land & Resource Engineering) of Walker, Michigan in the amount not to exceed \$164,420 for the 2026 Local Streets Reconstruction Program and authorize the City Manager to execute all documents related to the contract on behalf of the city.

FUNDING: Sufficient funding exists in the FY 2024-2025 Capital Improvement Program budget.

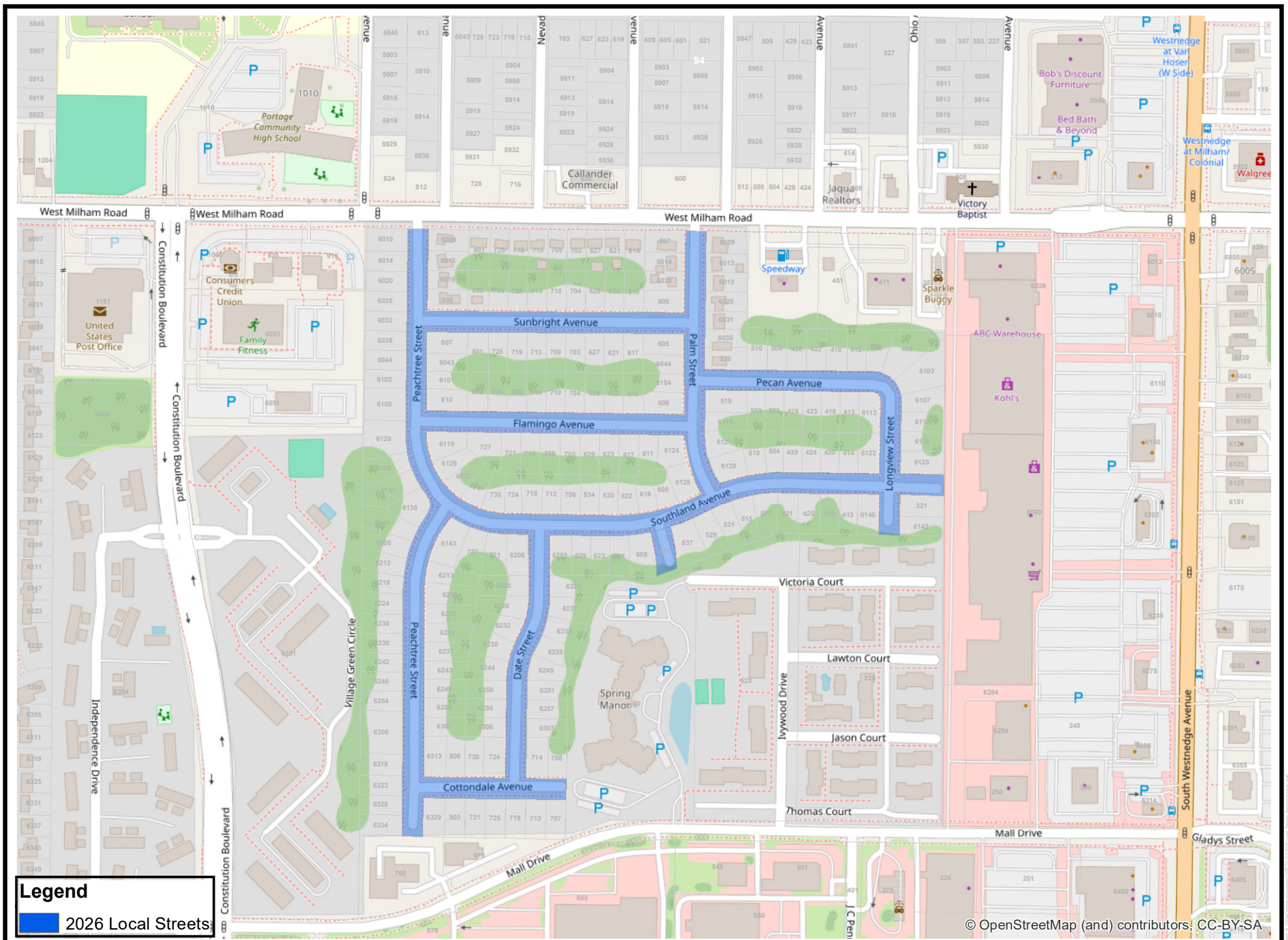
Attachments:

1. Tabulation of Proposals - 2026 Local Streets Reconstruction
2. 2026 Local Streets Reconstruction Map

2025 RFP 2026 LOCAL STREETS RECONSTRUCTION PROGRAM
PROFESSIONAL ENGINEERING SERVICES
PROPOSAL TABULATION
PROPOSAL OPENING ON MAY 29, 2025 AT 3 PM

Land & Resource Engineering 2121 3 Mile Walker, Michigan 49544	\$	164,420.00
Prein & Newhof 3355 Evergreen Drive NE Grand Rapids, Michigan 49525	\$	208,000.00
Williams & Works 549 Ottawa Ave NW Ste 310 Grand Rapids, Michigan 49503	\$	214,547.00
Spalding DeDecker Associates 905 South Blvd E. Rochester Hills, Michigan 48307	\$	215,056.00
Wrightman & Associates Inc 2303 Pipestone Road Benton Harbor, Michigan 49022	\$	279,415.00
Abonmarche Consultants Inc. 261 E. Kalamazoo Avenue Kalamazoo, Michigan 49007	\$	284,000.00
Orchard Hiltz & McCliment Inc. 34000 Plymouth Road Livonia, Michigan 48150	\$	340,000.00

Opened by: Justin R. Williams
Justin R. Williams, Assistant to the City Manager



Project Location Map 2026 Local Street Reconstruction

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Brownfield Redevelopment Plan Amendment No. 15, American Village Development II, LLC, 1075 Bacon Avenue, Portage MI

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer
Jonathon Hallberg, Deputy Director of Economic Development
Andrew Falkenberg, Deputy City Assessor

ACTION RECOMMENDED: Receive the American Village Development II, LLC, Brownfield Redevelopment Plan Application, with Brownfield Redevelopment Plan Amendment No. 15, American Village Development II, LLC, 1075 Bacon Avenue, Portage MI, and set a Public Hearing for July 8, 2025, at 6:00 p.m. or as soon thereafter as may be heard.

I. INTRODUCTION

The [Brownfield Redevelopment Financing Act \(PA 381 of 1996, as amended\)](#) ("Act") allows a city, village, township or county to establish a Brownfield Redevelopment Program for the purposes of facilitating the reuse of contaminated, blighted, or functionally obsolete properties; historic resources; land bank properties; properties in targeted redevelopment areas, housing properties; and parcels that are adjacent and contiguous with qualified properties.

Per the resolution adopted by the City Council in July 2001, the City of Portage Brownfield Redevelopment Program was established to facilitate reuse of environmentally distressed, functionally obsolete, and/or blighted buildings and property in the community. This economic development program is intended to place vacant and/or underutilized/blighted properties back into productive use, fostering reinvestment in the city and, also, discouraging sprawl development.

AVD II, LLC, d.b.a. American Village Builders, has submitted a brownfield plan for a single-family site condominium development on 15.85 acres at 1075 Bacon Ave. called "McConley Cove". The Developer intends to redevelop and improve the Property by establishing 54 condominium lots for construction of owner-occupied single-family homes by affiliate entity, AVB, LLC. Costs to AVD II, LLC, for construction of the infrastructure and site preparation are \$3,815,391. AVB, LLC, will follow and build based upon market absorption, which they hope will be between six and eight years. However, they have provided a more conservative estimated absorption rate of +/- five homes per year, with a general estimate of total capital investment of +/- \$30,000,000 over 10 years.

McConley Cove will be a built-to-suit community offering eight floor plans and several option packages for one- and two-story homes. Sale price for these homes in present dollars can range anywhere from \$450,000 to \$650,000. The homes will be an average of 1750 square feet, plus basement. All homes will be priced at market rate and dependent on market performance for the anticipated return. The City has

granted full approval of this project through the Planned Development process.

As discussed below, the McConley Cove Brownfield Redevelopment Plan Application is eligible for tax incremental financing under the Act.

II. PROPOSED BROWNFIELD REDEVELOPMENT PLAN

Attached is a copy of the McConley Cove Act 381 Brownfield Plan and application. The plan outlines various eligible site preparation, infrastructure improvements, and contingency costs. As this is an infrastructure-only housing TIF application, no housing subsidy financing gap costs are included. The property is eligible under the Act because of being defined as a “Housing Property.” Eligible activities proposed to be funded through local tax reimbursement include the following:

Michigan State Housing Development Authority (MSHDA) and Local Tax Capture Eligible Activities

- Infrastructure Improvements Necessary for Housing: construction of stormwater retention systems, sanitary sewer and water main construction, gas and electric infrastructure, sidewalk development, landscaping, and roads. Engineering and design of these activities are also included as eligible activities. The total cost is anticipated to be \$2,708,166.
- Contingency of 15%; estimated at \$406,225.
- Brownfield Plan/Act 381 Work Plan Preparation, Implementation, and Application Fee, estimated at \$23,815.
- Interest of 3.5% on unreimbursed eligible expenses, estimated at \$156,294.

The Applicant seeks reimbursement for eligible activities through capture of both local and school tax dollars:

1. Specifically, the Applicant anticipates reimbursement of \$329,789 over 12 years based on a 2.0% inflation rate from school tax increment revenues for costs associated with the MSHDA Eligible Activities above, including: housing-specific infrastructure, water and sewer mains, stormwater management facility, site preparation, and brownfield/Act 381 work plan expenses. Therefore, the Applicant is preparing an Act 381 Work Plan for approval by the Michigan State Housing Development Authority (MSHDA).
2. In addition, the Act 381 Brownfield Plan anticipates capture of \$636,364 for Authority administrative cost, \$329,789 for the State Brownfield Redevelopment Fund, and \$2,762,565 for the Local Brownfield Revolving Fund.
3. As shown in Table 1 (Eligible Activity Costs) in the Plan, the estimated cost to complete all eligible activities, including a 15% contingency (\$406,225), and estimated interest of 3.5% on unpaid balances (\$156,294) is \$3,294,501.
4. The base year taxable value for purposes of capture of Tax Increment Revenue (TIR) is proposed to be 2027.

Consistent with the [City of Portage Brownfield Redevelopment Incentive Policy](#) and state statute, capture of tax increment revenue for reimbursement of eligible expenses would be limited to 25 years (including projected capture of tax increment revenue for the Local Brownfield Revolving Fund, which occurs after year 20 of the Plan). The applicant is requesting a 17-year Brownfield Plan, including an interest allowance. Capture of tax increment revenue for the LBRF would begin in year 13 and would involve five full years of capture after the developer reimbursement period.

III. CONCLUSION

The City of Portage's Brownfield Redevelopment Plan Application is eligible for tax incremental financing under the Act. In accordance with the [City of Portage Brownfield Redevelopment Incentive Policy](#) ("Policy") and State Statute, the project would conditionally be eligible for up to a 20-year TIF capture period for reimbursement of Eligible Expenses to the Applicant and would also be eligible for consideration of annual simple interest reimbursement at up to 3.5%.

AVD II, LLC, has requested 12 years of TIF capture, plus the interest allowance, based upon fulfillment of three (3) investment criteria under the Policy.

1. AVD II, LLC, is extending sidewalks north of the development off-site to connect with sidewalks to the north at the request of the City, which qualifies for one investment criterion.
2. An applicant that generates \$10 million in taxable value has met one investment criterion. If they generate \$15 million, they are granted two investment criteria points. AVD II, LLC, indicates that an affiliate company (AVB, LLC) is the planned developer of the 54 homes, to be built over several years, which are projected to generate more than \$15 million in taxable value. Because AVD II, LLC, is only involved in site preparation and infrastructure development at the project, they are not directly responsible for the potential increase in taxable value. Having conferred with the applicant, staff recommends the following:
 - The allowance of interest shall be contingent upon an affiliate company of AVD II, LLC, constructing all the homes within 10 years of the start of the TIF Capture period homes, and
 - The combined taxable value increase of each home, at the time of certificate of occupancy issuance, totals \$15 million, and excludes inflation in the taxable value for the years between completion and the end of the ten-year term.

Notwithstanding the above, approval of any Brownfield Redevelopment Plan Application is discretionary, and the ultimate decision to approve, or deny, an application lies with the Brownfield Redevelopment Authority ("Authority"). MCL § 125.2657. Though each plan is unique, the Authority should generally consider the following when evaluating each plan:

- **Meeting Goals of City of Portage Plans** (primarily City of Portage Comprehensive Plan, City of Portage Housing Needs Assessment and/or Market Analysis, or City of Portage Attainable Housing Plan of 2022)
- **Job Creation** (quality of the jobs created by a plan, generally for non-housing applications)
- **Investment** (how much it will cost to implement a plan)
- **Location** (whether a plan is in a blighted area where the Authority seeks redevelopment, and whether the proposed use is consistent with zoning and urban planning)
- **Project Type** (whether the plan is a project that the city wants to encourage in the community).

Along with the above considerations, the [City of Portage Brownfield Redevelopment Incentive Policy](#) ("Policy") lists a number of factors for the Authority to consider. While this is a City of Portage project, the City Council generally uses the following criteria when reviewing applications:

- The financial incentives to be provided for the plan will not result in the impairment of the operation or the financial soundness of any affected taxing unit.
- A public purpose will be served (expanded tax base, additional employment, income and capital investment in the community).
- The plan will provide for an expansion of the employment base in the community.

- The plan's proposed facilities will be compatible with the present and future requirements. for city services such as roads, utilities, and public safety.
- The applicant meets current financial obligations to the city, is in compliance with all applicable state and city codes and ordinances and has no pending or current litigation against the City.
- That the project pro forma, financial structure and financing commitments justify the project need and financial viability.
- That the applicant will actively pursue State of Michigan funding through an Act 381 Work Plan and will collaborate with the Community Development Department throughout the application process.
- That the requested level of incentive is commensurate with the number of Investment Criteria met within the Policy.

IV. RECOMMENDATION

In accordance with the Policy, the applicant has requested, and the application qualifies for, a Brownfield of up to 12 years for purposes of reimbursement of Eligible Expenses along with an additional five-year capture period contributing to the Local Brownfield Revolving Fund. The Portage Brownfield Redevelopment Authority has established a draft Development and Reimbursement Agreement for the Plan with the following conditions:

- Allowance of interest conditioned upon 1) an affiliate company of AVD II, LLC, constructing all the homes within 10 years of the start of the TIF Capture period homes and 2) the combined taxable value increase of the homes, at the time of the full tax year following each certificate of occupancy issuance equaling a total of \$15 million, excluding any inflation in the taxable value for the years between completion and the end of the ten-year term. Otherwise, the reimbursement of interest as an Eligible Cost will become ineligible.
- If the combined taxable value increase of the homes, at the time of the full tax year following each certificate of occupancy issuance does not equal a total of \$10 million, excluding any inflation in the taxable value for the years between completion and the end of the ten-year term, the Brownfield will be limited to 10 years for reimbursement of Eligible Expenses, along with an additional five-year capture period contributing to the Local Brownfield Revolving Fund.

The Portage Brownfield Redevelopment Authority unanimously recommended this application be forwarded to the City Council through a formal vote on June 5, 2025. It is therefore recommended that the City Council receive the American Village Development II, LLC, Brownfield Redevelopment Plan Application, with Brownfield Redevelopment Plan Amendment No. 15, American Village Development II, LLC, 1075 Bacon Avenue, Portage MI, and set a Public Hearing for July 8, 2025, at 6:00 p.m. or as soon thereafter as may be heard.

FUNDING: N/A

Attachments:

1. McConley Cove Brownfield Plan
2. Draft Development Reimbursement Agreement_McConleyCove_2025.06.05
3. 2025 06 05 DRAFT BRA Meeting Minutes

ACT 381 BROWNFIELD PLAN

**American Village Development II, LLC
1075 Bacon Avenue
Kalamazoo County, City of Portage
City of Portage Brownfield Redevelopment Authority**

May 27, 2025



Prepared by
Michigan Growth Advisors
100 W Michigan Avenue
Suite #200
Kalamazoo, MI 49007

Approved by the Brownfield Redevelopment Authority on _____

Approved by the City of Portage on _____

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ACT 381 BROWNFIELD PLAN

1.0 INTRODUCTION

1.1 **Proposed Redevelopment and Future Use for Each Eligible Property**

The proposed redevelopment consists of one vacant parcel totaling approximately 15.85 acres in the City of Portage. The project will involve preparing the site as the McConley Cove subdivision, in preparation for the development of 54 housing units in the subdivision. The project includes the development of a road, utility mains, and other infrastructure to accommodate single family home development. The development of the site is expected to include McConley Cove Way, which will connect through the property to the existing Chaucer Avenue to the South and Gulf Breeze Road to the North. McConley Cove Way will have two branching cul-de-sacs to the East and West to reach the future residential lots. The proposed street names are Aberlour Court at the Northern end of the property and Teeling Trail on the Southern end of the property.

The total capital investment is expected to be approximately \$3.8 million. Construction on the project is planned to begin in the summer of 2025 and will be completed in summer of 2026.

1.2 **Identification of Housing Need**

Specific Housing Need

The Kalamazoo County Housing Plan prepared by the Upjohn Institute in 2022 identified that the county required 7,750 new housing units in order to appropriately house the growth anticipated in the county. Survey results from the Kalamazoo County Housing Plan indicate that the vast majority of residents prefer single family homes, however the current supply of single-family homes does not reflect this preference in the region. Additionally, according to the "Portage-East" section of the Partnership J Housing Data included in the Statewide Housing Plan, approximately 50.3% of the existing housing stock was built before 1970 in this area. The for-sale vacancy rate in this area was 0.4% and the for-rent vacancy rate in this area was 0.9%, indicating an aging and very tight housing supply.

Job Growth Data

Southwest Michigan First, the economic development organization serving the 7-county region of Southwest Michigan, has announced 4,666 new jobs to the region between 2021 to 2023. This includes significant investment and job creation in Kalamazoo County and the City of Portage, including Pfizer Global Supply's 2022 announcement of a \$870M expansion which is expected to create 550 jobs, and Midwest Fasteners, which announced a \$10.4M expansion that will create and retain 124 jobs in Portage. The region is undergoing significant corporate investment that will require new employees in the region. Based on the specific housing need and job growth data in the area, the absorption of these new residential units is expected

to be accelerated.

1.3 Eligible Property Information

Basis of Eligibility

Section 2(y)(i) of Public Act 381 of 1996 ("Act 381"), as amended, defines "Housing Property" as "A property on which 1 or more units of residential housing are proposed to be constructed, rehabilitated, or otherwise designated to be used as a dwelling." The development proposes 54 housing units on Parcel #10-00027-150-B, thus this parcel is eligible property under Act 381.

Location and Legal Description

1075 Bacon Avenue Parcel ID: 10-00027-150-B 15.85 Acres
Portage, MI 49002

Legal Description:

SEC 27 T3S R11W PART SE1/4 COM 660 FT N OF SW COR THEREOF N 1023 FT E 993.67 FT S 643 FT E 338 FT S 120 FT S89DEG 47'00"W 356.14 FT S62DEG 14'56"W 312.26 FT S74DEG 38'51"W 84.99 FT S15DEG 21'09"E 127.89 FT S89DEG 47'00"W 120 FT S00DEG 16'50"E 120 FT S89DEG 47'00"W 41 FT S00DEG 16'50"E 180 FT S89DEG 47'00"W 279 FT M/L TO PT 209.67 FT E OF N & S 1/4 LINE N 330 FT W 209.67 FT TO BEG EXC THAT PART PLATTED TO THE PINES NO. 2

2.0 Information Required by Section 13(2) of the Statute

2.1 Description of Costs to Be Paid for With Tax Increment Revenues

Tax increment revenues will be used to reimburse American Village Development II, LLC ("Developer") for the cost of eligible activities as authorized by Act 381. Michigan State Housing Development Authority ("MSHDA") approved non-environmental eligible activities will be reimbursed with local and school tax increment revenues ("TIR"). All of the housing property for which housing development activities are identified under this Plan will be sold or rented at market rate and will not be subsidized, therefore, reimbursement of these costs are statutorily approved for reimbursement with school taxes pursuant to Section 13b(4) of Act 381.

The total cost of eligible activities in this Brownfield Plan including contingency are anticipated to be \$3,138,206. Simple interest on unreimbursed eligible activities is also included as an eligible activity at 3.5%. Funding to the State Brownfield Redevelopment Fund is anticipated to be \$329,789. The estimated cost of all eligible activities under this plan are summarized in Table 1.

Environmental Activities

This Plan does not contemplate department specific activities.

Non-Environmental Activities

Because the basis of property eligibility is "Housing Property" under Public Act 381, additional non-environmental costs can be reimbursed through a brownfield plan. This plan provides for reimbursement of eligible "housing development activities" including infrastructure activities that are necessary for new housing development on eligible property.

2.2 Summary of Eligible Activities

2.2..1 Infrastructure

Infrastructure activities will include the construction of stormwater retention systems, sanitary sewer and water main construction, gas and electric infrastructure, sidewalk development, landscaping, and roads. Engineering and design of these activities are also included as eligible activities. The total cost of these infrastructure activities is anticipated to be \$2,708,166.

2.2..2 Interest

Financing costs for the project are considered an eligible activity. This plan allows for 3.5% interest rate on the developer's unreimbursed eligible activities.

2.2..3 Contingency

A 15% contingency is included as an eligible activity. The contingency is estimated to be \$406,225.

2.2..4 Brownfield Plan Preparation

The cost to prepare the Brownfield Plan is anticipated to be \$15,000.

2.2..5 Brownfield Plan Application Fee

The cost to apply for the Brownfield Plan is included as an eligible activity and is estimated to cost \$3,815.

2.2..6 Brownfield Plan Implementation

The cost of implementing the Brownfield Plan is anticipated to be \$5,000.

2.2..7 Local Brownfield Revolving Fund

Local Brownfield Revolving Fund capture is also included in this plan. Capture to the Local Brownfield Revolving Fund is anticipated to be \$2,762,565.

2.3 Estimate of Captured Taxable Value and Tax Increment Revenues

An estimate of the captured taxable value for this redevelopment by year is depicted in Table 2. This plan captures all available TIR, including real and personal property TIR.

2.4 Method of Financing and Description of Advances Made by the Municipality

The eligible activities will be financed by the developer and reimbursed as outlined in this plan and accompanying development agreement. No advances from the City or County are anticipated at this time.

2.5 Maximum Amount of Note or Bonded Indebtedness

No note or bonded indebtedness for this project is anticipated at this time. Therefore, this section is not applicable.

2.6 Duration of Brownfield Plan

The duration of this plan is estimated to be 12 years of reimbursement to Developer, with an additional 5 years of capture to the Local Brownfield Revolving Fund ("LBRF"). It is estimated that the first homes will be completed in 2026 and that full recapture of eligible costs and eligible administrative costs of the authority will continue until 2043. Capture of TIR is expected to begin in 2027, however could be delayed for up to 5 years after the approval of this plan as permitted by Act 381. In no event shall capture extend beyond 30 year as required by Act 381. An analysis showing the reimbursement schedule is attached as Table 3.

2.7 Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions

An estimate of the impact of tax increment financing on the revenues of all taxing jurisdictions is illustrated in detail within Table 2.

2.8 Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property

The property consists of one parcel which total 15.85 acres in size and is located at 1075 Bacon Avenue in Portage, Kalamazoo County (Parcel Identification Number 10-00027-150-B). A legal description of the property along with a scaled map showing eligible property dimensions, is attached as Figure 1.

The parcel is considered "eligible property" due to the development of residential housing units on the property, as defined within the definition of "Housing Property" in Section 2(y) of Public Act 381 of 1996, as amended.

Taxable personal property, if any, is included in this plan.

2.9 Estimates of Residents and Displacement of Individuals/Families

No persons reside at the property therefore this section is not applicable.

2.10 Plan for Relocation of Displaced Persons

No persons reside at the property thus none will be displaced. Therefore, this section is not applicable.

2.11 Provisions for Relocation Costs

No persons reside at the property thus none will be displaced. Therefore, this section is not applicable.

2.12 Strategy for Compliance with Michigan's Relocation Assistance Law

No persons reside at the property thus none will be displaced. Therefore, this section is not applicable.

2.13 Other Material that the Authority or Governing Body Considers Pertinent

None.

Figure 1

Legal Description and Eligible Property Map



**1075 Bacon Avenue
Portage, MI 49002**

Parcel ID: 10-00027-150-B

15.85 Acres

Legal Description:

SEC 27 T3S R11W PART SE1/4 COM 660 FT N OF SW COR THEREOF N 1023 FT E 993.67 FT S 643 FT E 338 FT S 120 FT S89DEG 47'00"W 356.14 FT S62DEG 14'56"W 312.26 FT S74DEG 38'51"W 84.99 FT S15DEG 21'09"E 127.89 FT S89DEG 47'00"W 120 FT S00DEG 16'50"E 120 FT S89DEG 47'00"W 41 FT S00DEG 16'50"E 180 FT S89DEG 47'00"W 279 FT M/L TO PT 209.67 FT E OF N & S 1/4 LINE N 330 FT W 209.67 FT TO BEG EXC THAT PART PLATTED TO THE PINES NO. 2

Table 1

Eligible Activity Costs



Eligible Activities Table
American Village Development II, LLC
 1075 Bacon Avenue
 Portage, MI
 May 2025

MSDHA Housing Development Activities Costs and Schedule		
MSHDA Eligible Activities	Cost	Completion Season/Year
Infrastructure Sub-Total	\$ 2,708,166	Summer 2025
<i>Sewer and Water Tap Fees</i>	\$ 44,197	
<i>Water Mains</i>	\$ 424,300	
<i>Electric and Natural Gas Utilities</i>	\$ 40,000	
<i>Stormwater System</i>	\$ 304,907	
<i>Sewer Main</i>	\$ 268,177	
<i>Road, Sidewalk, and Curb Construction</i>	\$ 1,153,293	
<i>Landscaping</i>	\$ 310,000	
<i>Site Lightning</i>	\$ 5,000	
<i>Street Signage</i>	\$ 5,000	
<i>Engineering and design of the above</i>	\$ 153,292	
Brownfield Plan/Act 381 Work Plan	\$ 15,000	Summer 2025
Brownfield Plan Implementation	\$ 5,000	
Brownfield Plan Application Fee	\$ 3,815	
MSHDA Eligible Activities Sub-Total	\$ 2,731,981	
Contingency (15%)	\$ 406,225	
Interest	\$ 156,294	
Total Brownfield Eligible Activities	\$ 3,294,501	

Table 2

Tax Capture Schedule



Estimated Taxable Value (TV) Increase Rate: 2%

Plan Year	1	2	3	4	5	6	7	8	9	10	11
Calendar Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
*Base Taxable Value	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700
Estimated New TV	\$ 1,260,000	\$ 2,570,400	\$ 3,932,712	\$ 5,348,488	\$ 6,819,323	\$ 8,346,851	\$ 9,932,753	\$ 11,578,752	\$ 13,286,617	\$ 15,058,166	\$ 16,588,076
Incremental Difference (New TV - Base TV)	\$ 1,117,300	\$ 2,427,700	\$ 3,790,012	\$ 5,205,788	\$ 6,676,623	\$ 8,204,151	\$ 9,790,053	\$ 11,436,052	\$ 13,143,917	\$ 14,915,466	\$ 16,445,376

School Capture	Millage Rate	1	2	3	4	5	6	7	8	9	10	11
State Education Tax (SET)	6.0000	\$ 6,704	\$ 14,566	\$ 22,740	\$ 31,235	\$ 40,060	\$ 49,225	\$ 58,740	\$ 68,616	\$ 78,864	\$ 89,493	\$ 98,672
School Operating Tax	0.0000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
School Total	6.0000	\$ 6,704	\$ 14,566	\$ 22,740	\$ 31,235	\$ 40,060	\$ 49,225	\$ 58,740	\$ 68,616	\$ 78,864	\$ 89,493	\$ 98,672
Local Capture	Millage Rate	1.4942	1.669	3.627	5.663	7.778	9.976	12.259	14.628	17.088	19.640	22.287
District Library	1.4942	\$ 556	\$ 1,209	\$ 1,887	\$ 2,592	\$ 3,325	\$ 4,086	\$ 4,875	\$ 5,695	\$ 6,546	\$ 7,428	\$ 8,190
Library Extra	0.4980	\$ 1,603	\$ 3,482	\$ 5,436	\$ 7,467	\$ 9,577	\$ 11,768	\$ 14,043	\$ 16,404	\$ 18,854	\$ 21,395	\$ 23,589
County Public Safety	0.7434	\$ 831	\$ 1,805	\$ 2,817	\$ 3,870	\$ 4,963	\$ 6,099	\$ 7,278	\$ 8,502	\$ 9,771	\$ 11,088	\$ 12,225
County Housing	0.3462	\$ 387	\$ 840	\$ 1,312	\$ 1,802	\$ 2,311	\$ 2,840	\$ 3,389	\$ 3,959	\$ 4,550	\$ 5,164	\$ 5,693
County Senior	0.6442	\$ 720	\$ 1,564	\$ 2,442	\$ 3,354	\$ 4,301	\$ 5,285	\$ 6,307	\$ 7,367	\$ 8,467	\$ 9,609	\$ 10,594
County 911	0.0997	\$ 111	\$ 242	\$ 378	\$ 519	\$ 666	\$ 818	\$ 976	\$ 1,140	\$ 1,310	\$ 1,487	\$ 1,640
County Veterans	10.6400	\$ 11,888	\$ 25,831	\$ 40,326	\$ 55,390	\$ 71,039	\$ 87,292	\$ 104,166	\$ 121,680	\$ 139,851	\$ 158,701	\$ 174,979
City of Portage	2.7729	\$ 3,098	\$ 6,732	\$ 10,509	\$ 14,435	\$ 18,514	\$ 22,749	\$ 27,147	\$ 31,711	\$ 36,447	\$ 41,359	\$ 45,601
KVCC	6.9785	\$ 7,797	\$ 16,942	\$ 26,449	\$ 36,329	\$ 46,593	\$ 57,253	\$ 68,320	\$ 79,806	\$ 91,725	\$ 104,088	\$ 114,764
KRESA	0.4983	\$ 557	\$ 1,210	\$ 1,889	\$ 2,594	\$ 3,327	\$ 4,088	\$ 4,878	\$ 5,699	\$ 6,550	\$ 7,432	\$ 8,195
School Site Sinking Fund	4.6202	\$ 5,162	\$ 11,216	\$ 17,511	\$ 24,052	\$ 30,847	\$ 37,905	\$ 45,232	\$ 52,837	\$ 60,728	\$ 68,912	\$ 75,981
County Operating	0.8933	\$ 998	\$ 2,169	\$ 3,386	\$ 4,650	\$ 5,964	\$ 7,329	\$ 8,745	\$ 10,216	\$ 11,741	\$ 13,324	\$ 14,691
CCTA Transportation	0.3102	\$ 347	\$ 753	\$ 1,176	\$ 1,615	\$ 2,071	\$ 2,545	\$ 3,037	\$ 3,547	\$ 4,077	\$ 4,627	\$ 5,101
KCTA Transportation	31.9735	\$ 35,724	\$ 77,622	\$ 121,180	\$ 166,447	\$ 213,475	\$ 262,315	\$ 313,022	\$ 365,651	\$ 420,257	\$ 476,900	\$ 525,816
Local Total												

Non-Capturable Millages	Millage Rate	1	2	3	4	5	6	7	8	9	10	11
School Debt	6.8500	\$ 7,654	\$ 16,630	\$ 25,962	\$ 35,660	\$ 45,735	\$ 56,198	\$ 67,062	\$ 78,337	\$ 90,036	\$ 102,171	\$ 112,651
County Juvenile Home Debt	0.1176	\$ 131	\$ 285	\$ 446	\$ 612	\$ 785	\$ 965	\$ 1,151	\$ 1,345	\$ 1,546	\$ 1,754	\$ 1,934
Total Non-Capturable Taxes	6.9676	\$ 7,785	\$ 16,915	\$ 26,407	\$ 36,272	\$ 46,520	\$ 57,163	\$ 68,213	\$ 79,682	\$ 91,582	\$ 103,925	\$ 114,585
	44.9411											

Total Tax Increment Revenue (TIR) Available for Capture \$ 42,428 \$ 92,188 \$ 143,920 \$ 197,682 \$ 253,535 \$ 311,540 \$ 371,763 \$ 434,267 \$ 499,121 \$ 566,392 \$ 624,488

Footnotes:

Average Home taxable Value \$ 252,000

Total Units	54
New Units Constructed	5
Cumulative units	5
	10
	15
	20
	25
	30
	35
	40
	45
	50
	54



12	13	14	15	16	17	TOTAL
2037	2038	2039	2040	2041	2042	
\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ 142,700	\$ -
\$ 16,919,838	\$ 17,258,234	\$ 17,603,399	\$ 17,955,467	\$ 18,314,576	\$ 18,680,868	\$ -
\$ 16,777,138	\$ 17,115,534	\$ 17,460,699	\$ 17,812,767	\$ 18,171,876	\$ 18,538,168	\$ -
\$ 100,663	\$ 102,693	\$ 104,764	\$ 106,877	\$ 109,031	\$ 111,229	\$ 1,194,172
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
\$ 100,663	\$ 102,693	\$ 104,764	\$ 106,877	\$ 109,031	\$ 111,229	\$ 1,194,172
\$ 25,068	\$ 25,574	\$ 26,090	\$ 26,616	\$ 27,152	\$ 27,700	\$ 297,389
\$ 8,355	\$ 8,524	\$ 8,695	\$ 8,871	\$ 9,050	\$ 9,232	\$ 99,116
\$ 24,065	\$ 24,551	\$ 25,046	\$ 25,551	\$ 26,066	\$ 26,591	\$ 285,487
\$ 12,472	\$ 12,724	\$ 12,980	\$ 13,242	\$ 13,509	\$ 13,781	\$ 147,958
\$ 5,808	\$ 5,925	\$ 6,045	\$ 6,167	\$ 6,291	\$ 6,418	\$ 68,904
\$ 10,808	\$ 11,026	\$ 11,248	\$ 11,475	\$ 11,706	\$ 11,942	\$ 128,214
\$ 1,673	\$ 1,706	\$ 1,741	\$ 1,776	\$ 1,812	\$ 1,848	\$ 19,843
\$ 178,509	\$ 182,109	\$ 185,782	\$ 189,528	\$ 193,349	\$ 197,246	\$ 2,117,665
\$ 46,521	\$ 47,460	\$ 48,417	\$ 49,393	\$ 50,389	\$ 51,404	\$ 551,886
\$ 117,079	\$ 119,441	\$ 121,849	\$ 124,306	\$ 126,812	\$ 129,369	\$ 1,388,921
\$ 8,360	\$ 8,529	\$ 8,701	\$ 8,876	\$ 9,055	\$ 9,238	\$ 99,176
\$ 77,514	\$ 79,077	\$ 80,672	\$ 82,299	\$ 83,958	\$ 85,650	\$ 919,552
\$ 14,987	\$ 15,289	\$ 15,598	\$ 15,912	\$ 16,233	\$ 16,560	\$ 177,792
\$ 5,204	\$ 5,309	\$ 5,416	\$ 5,526	\$ 5,637	\$ 5,751	\$ 61,739
\$ 536,424	\$ 547,244	\$ 558,280	\$ 569,537	\$ 581,018	\$ 592,730	\$ 6,363,642
\$ 114,923	\$ 117,241	\$ 119,606	\$ 122,017	\$ 124,477	\$ 126,986	\$ 1,363,346
\$ 1,973	\$ 2,013	\$ 2,053	\$ 2,095	\$ 2,137	\$ 2,180	\$ 23,406
\$ 116,896	\$ 119,254	\$ 121,659	\$ 124,112	\$ 126,614	\$ 129,167	\$ 1,386,752
\$ 637,087	\$ 649,937	\$ 663,044	\$ 676,413	\$ 690,050	\$ 703,959	\$ 7,557,813

Table 3

Reimbursement Schedule



Developer Maximum Reimbursement	Proportionality	School & Local Taxes	Local-Only Taxes	Total	
				State	Local
	5.4%	\$ 329,789	\$ -	\$ 329,789	
	94.6%	\$ 5,727,277	\$ -	\$ 5,727,277	
TOTAL		\$ 6,057,066		\$ 6,057,066	
EGLE	0.0%	\$ -	\$ -	\$ -	
MSHDA	100.0%	\$ 3,138,206	\$ -	\$ 3,138,206	
Plan Year					
1	2	3	4	5	6
2026	2027	2028	2029	2030	2031

Estimated Total
Years of Plan: 17

Total State Incremental Revenue	\$ 6,704	\$ 14,566	\$ 22,740	\$ 31,235	\$ 40,060	\$ 49,225	\$ 58,740	\$ 68,616	\$ 78,864	\$ 89,493
State Brownfield Redevelopment Fund (50% of SET)	\$ 3,352	\$ 7,283	\$ 11,370	\$ 15,617	\$ 20,030	\$ 24,612	\$ 29,370	\$ 34,308	\$ 39,432	\$ 44,746
State TIR Available for Reimbursement	\$ 3,352	\$ 7,283	\$ 11,370	\$ 15,617	\$ 20,030	\$ 24,612	\$ 29,370	\$ 34,308	\$ 39,432	\$ 44,746
Total Local Incremental Revenue	\$ 35,724	\$ 77,622	\$ 121,180	\$ 166,447	\$ 213,475	\$ 262,315	\$ 313,022	\$ 365,651	\$ 420,257	\$ 476,900
BRA Administrative Fee (10%)	\$ (3,572)	\$ (7,762)	\$ (12,118)	\$ (16,645)	\$ (21,347)	\$ (26,232)	\$ (31,302)	\$ (36,565)	\$ (42,026)	\$ (47,690)
Local TIR Available for Reimbursement	\$ 32,152	\$ 69,860	\$ 109,062	\$ 149,803	\$ 192,127	\$ 236,084	\$ 281,720	\$ 329,086	\$ 378,231	\$ 429,210
Total State & Local TIR Available	\$ 35,503	\$ 77,143	\$ 120,432	\$ 165,420	\$ 212,157	\$ 260,696	\$ 311,090	\$ 363,394	\$ 417,663	\$ 473,956

DEVELOPER	Beginning Balance	
DEVELOPER Eligible Activity Balance	\$ 3,102,703	\$ 3,025,560

Developer Reimbursement	\$ 3,138,206									
State Tax Reimbursement	\$ 3,352	\$ 7,283	\$ 11,370	\$ 15,617	\$ 20,030	\$ 24,612	\$ 29,370	\$ 34,308	\$ 39,432	\$ 44,746
Local Tax Reimbursement	\$ 32,152	\$ 69,860	\$ 109,062	\$ 149,803	\$ 192,127	\$ 236,084	\$ 281,720	\$ 329,086	\$ 378,231	\$ 429,210
Total Developer Reimbursement Balance	\$ 3,102,703	\$ 3,025,560	\$ 2,905,128	\$ 2,739,708	\$ 2,527,551	\$ 2,266,854	\$ 1,955,764	\$ 1,592,370	\$ 1,174,707	\$ 700,751
Interest Accrual										
State Tax Reimbursement	3.5%	\$ 21,874	\$ 21,330	\$ 20,481	\$ 19,315	\$ 15,981	\$ 13,788	\$ 11,226	\$ 8,282	\$ 4,940
Local Tax Reimbursement		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Interest Reimbursement Balance		\$ 21,874	\$ 43,205	\$ 63,686	\$ 83,001	\$ 116,802	\$ 130,590	\$ 141,816	\$ 150,098	\$ 155,038
Total Annual Developer Reimbursement		\$ 35,503	\$ 77,143	\$ 120,432	\$ 165,420	\$ 212,157	\$ 260,696	\$ 311,090	\$ 363,394	\$ 417,663

LOCAL BROWNFIELD REVOLVING FUND

BRF Deposits *										
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total LBRF Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

* Up to five years of capture for LBRF Deposits after eligible activities are reimbursed. May be taken from EGLE & Local TIR only.

Footnotes:



Estimated Capture	\$	7,023,219
Administrative Fees	\$	636,364
State Brownfield Redevelopment Fund	\$	329,789
Local Brownfield Revolving Fund	\$	2,762,565

11	12	13	14	15	16	17	TOTAL
2036	2037	2038	2039	2040	2041	2042	
\$ 98,672	\$ 100,663						\$ 659,577
\$ 49,336	\$ 50,331						\$ 329,789
\$ 49,336	\$ 50,331	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 329,789
\$ 525,816	\$ 536,424	\$ 547,244	\$ 558,280	\$ 569,537	\$ 581,018	\$ 592,730	\$ 6,363,642
\$ (52,582)	\$ (53,642)	\$ (54,724)	\$ (55,828)	\$ (56,954)	\$ (58,102)	\$ (59,273)	\$ (636,364)
\$ 473,235	\$ 482,781	\$ 492,519	\$ 502,452	\$ 512,583	\$ 522,917	\$ 533,457	\$ 5,727,277
\$ 522,571	\$ 533,113	\$ 492,519	\$ 502,452	\$ 512,583	\$ 522,917	\$ 533,457	
\$ 178,181	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
\$ 49,336	\$ 9,701	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,138,206
\$ 473,235	\$ 168,479	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 289,159
\$ 178,181	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,849,048
\$ 1,256	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,138,206
\$ 40,630	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 156,294
\$ 115,664	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 40,630
\$ 156,294	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 115,664
\$ 522,571	\$ 334,475	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 156,294
							\$ 3,294,501
\$ -	\$ 198,638	\$ 492,519	\$ 502,452	\$ 512,583	\$ 522,917	\$ 533,457	\$ -
\$ -	\$ 198,638	\$ 492,519	\$ 502,452	\$ 512,583	\$ 522,917	\$ 533,457	\$ 2,762,565

Attachment A

Brownfield Plan Resolutions

Attachment B

Reimbursement Agreement

Attachment C

Site Plan

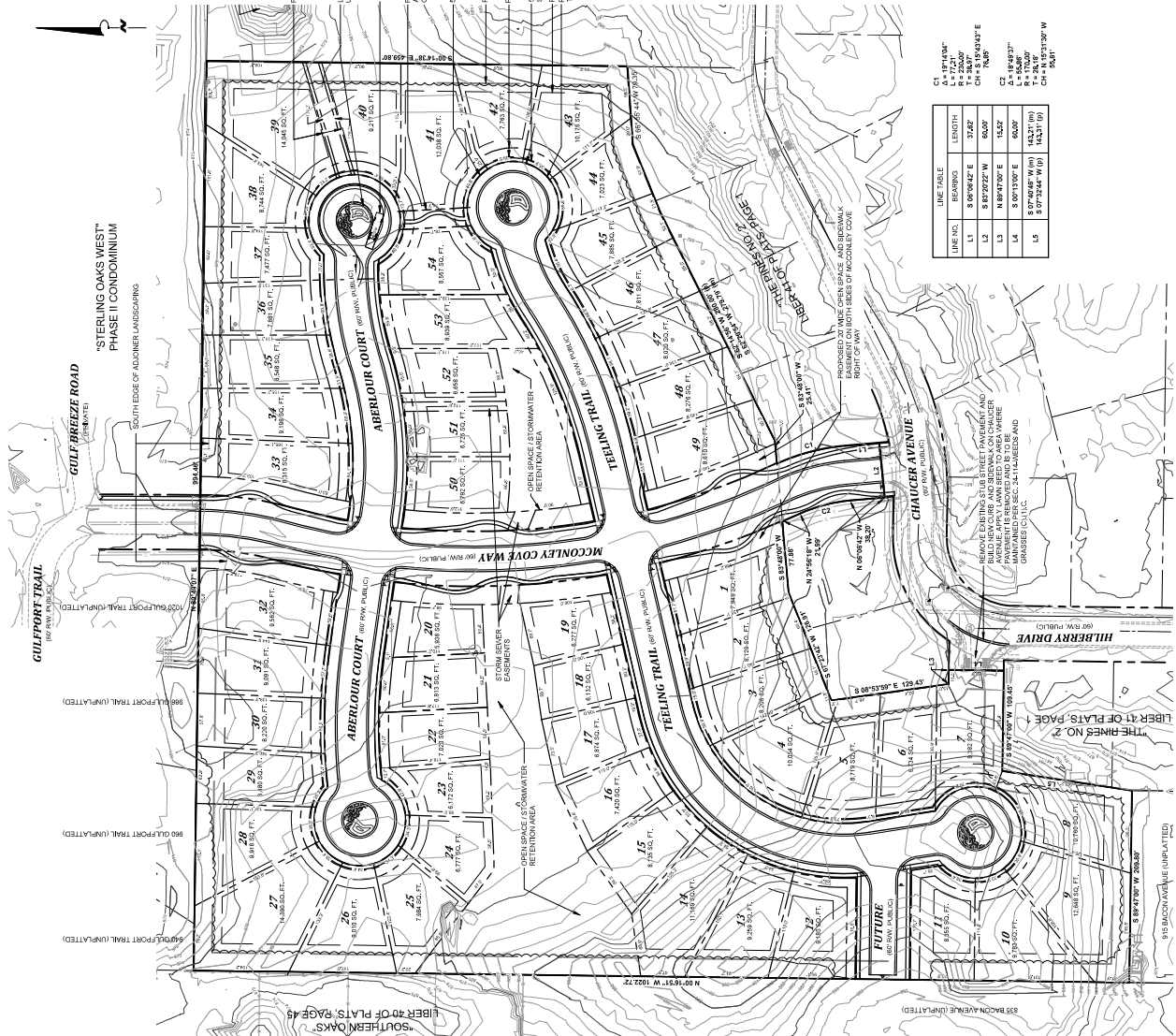
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27,
TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE,
KALAMAZOO COUNTY, MICHIGAN



**AMERICAN
VILLAGE
DEVELOPMENT II**
4200 WEST CENTRE AVENUE
PORTAGE, MI 49024

CONDOMINIUM
SUBMISSION PLAN

JOB No. 214110
214110-01



LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	S 06°06'42" E	37.62'
L2	S 83°20'22" W	60.00'
L3	N 89°47'00" E	15.52'
L4	S 00°13'00" E	60.00'
L5	S 07°40'45" W (m) S 07°32'44" W (p)	143.31' (m) 143.31' (p)

[illegible]

UNIT COUNT (SECTION A-3.7.4 B)	
54 UNITS	
3.32 UNIT/ACRE	
PROPOSED ZONING/SETBACKS:	
ZONING - R0	
SETBACKS:	
PROPOSED = 25' FRONT	
PROPOSED = 10'-ADJ	
PROPOSED = 6'-5'-SIDE (10' BETWEEN BUILDINGS)	
PROPOSED UNIT WIDTH (SECT C)	
MINIMUM UNIT WIDTH AT BUILDING LINE = 30'	
PROPOSED = 40'	
PROPOSED = 50'	
PROPOSED UNIT AREA (SECT C)	
MINIMUM UNIT AREA = 8,916 SQUARE FEET	
PROPOSED = 5,938 SQUARE FEET	
AVERAGE UNIT AREA = 8,916 SQUARE FEET	
PAVEMENT WIDTH EXCLUDING DRIVEWAYS	
PROPOSED = 32' THOROUGHFARE	
PROPOSED = 27' SIDE STREETS @ 10' FRONTAGE	
SANITARY SEWER	
PROPOSED CONFORMANCE WITH ALL CITY ORDINANCES	

PROPOSED CONDOMINIUM WILL BE SERVED BY PUBLIC SANITARY SEWER

WATER
THE PROPOSED CONDOMINIUM WILL BE SERVED BY PUBLIC WATER

CONNECTED TO THE EXISTING WATER MAIN AT THE ENDS OF GULFVIEW
HILBERRY DRIVE, ANY WATER MAIN NOT LOCATED IN PUBLIC RIGHT OF

WITHIN A PERMANENT PUBLIC WATER MAIN EASEMENT, HYDRAVITS SHALL NOT MORE THAN 50' APART AND SITUATED SUCH THAT ALL PORTIONS

ARE WITHIN 250' OF A HYDRANT.

STORM SEWER
THE STORM SEWER SYSTEM WILL BE CONSTRUCTED IN ACCORDANCE WITH

PORTAGE STANDARDS AND DEDICATED TO THE CITY. STORM WATER RETENTION CAPACITY SHOULD BE PROVIDED BY SEVERAL PRIVATE PONDS, SHOULD THE DESIGN CAPACITY BE EXCEEDED.

PRIMARY STORM WATER BASIN NETWORK BE EXCEEDED, OVERFLOW WILL BE DIRECTED TO THE EXISTING DEPRESSION USED FOR THE CITY WATER TO

WATER RETENTION VOLUME WILL BE PROVIDED IN ACCORDANCE WITH THE DESIGN CRITERIA MANUAL AND ITS ADDENDUM.

STREETS

TEELING TRAIL. WILL BE PUBLIC WITH CONCRETE CURB AND GUTTER AND SURFACE, WIDTH TO BE 36' AT BACK OF CURB IN A 60' RIGHT-OF-WAY. SEE

COURT WILL BE PUBLIC WITH CONCRETE CURB AND GUTTER AND ASPHALT WIDTH TO BE 36' AT BACK OF CURB IN A 60' RIGHT-OF-WAY. MCCONLEY C

BE PUBLIC WITH CONCRETE CURB AND GUTTER AND ASPHALT SURFACE
28' AT BACK OF CURB IN A 60' RIGHT-OF-WAY. ALL CURB RADIUS AT INTERSECTIONS

25' MEASURED TO THE FACE OF THE CURB. FIRE LANE NO PARKING SIGN POSTED ON ONE SIDE OF THE ROAD AND IN CUL-DE-SACS. THE SCOPE OF

CONSTRUCTION TO BE DETERMINED AT TIME OF APPROVAL.

SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY STANDARDS. ANY SIDEWALKS OUTSIDE RIGHT-OF-WAY WILL BE LOCATED

SIDEWALK EASEMENT.

STREET LIGHTING

STREET LIGHTING SHALL BE PROVIDED BY THE DEPARTMENT OF PUBLIC WORKS.
CITY OF PORTAGE STREET LIGHTING POLICY.

PRIVATE UTILITIES

PRIVATE UTILITIES SUCH AS GAS, ELECTRIC, CABLE TV, ETC. SHALL BE INSTALLED UNDERGROUND

CONTIGUOUS PROPERTIES

THE PROPRIETOR HAS OWNERSHIP INTEREST IN THE OVERALL PARCEL DEVELOPMENT IS BEING PROPOSED.

NO OTHER CONTIGUOUS PROPERTIES ARE OWNED BY THE PROPRIETOR

(48)

Attachment D

Housing Study

McCONLEY COVE

DEVELOPMENT AGREEMENT AND BROWNFIELD REIMBURSEMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT AND BROWNFIELD REIMBURSEMENT AGREEMENT, is made and entered into effective as of the latter of the signature dates below, by and among the City of Portage “Brownfield Redevelopment Authority” a Michigan public body corporate established pursuant to Act 381 of the Public Acts of 1996, as amended, MCL 125.2651 et seq. (“Act 381”), whose address is 7900 South Westnedge Avenue, Portage, Michigan 49024 (the “Authority”) and AMERICAN VILLAGE DEVELOPMENT II, LLC, a Michigan Limited Liability Company, d.b.a. AVB (“Developer”).

RECITALS

- A. The Authority, and the City of Portage (the "City"), have determined that brownfield redevelopment constitutes the performance of an essential public purpose which protects and promotes the public health, safety, and welfare.
- B. The City has established a Brownfield Redevelopment Authority and the Authority, and the City have adopted a Brownfield Plan specifically for this site (the “Plan”), pursuant to the provisions of Act 381.
- C. The Authority and the City have designated certain properties that have conditions of environmental contamination, blight, or obsolescence as appropriate sites for creating a Plan.
- D. Act 381 permits the use of the real and personal property tax revenues generated from the increase in value (the “Increment” or “Tax Increment Revenue or “TIR”) to brownfield sites constituting Eligible Property under Act 381 resulting from their redevelopment to pay or reimburse the payment of costs of conducting Eligible Activities (these costs are referred to as “Eligible Costs”) and permits the reimbursement to Developer of “Eligible Costs” it has incurred.
- E. Developer is the owner of a parcel in the City located at **1075 Bacon Avenue, Portage, Michigan, 49002** (the “Property”) and legally described and depicted on the attached Exhibit A.
- F. The Property has been included in the Plan and qualified as an “Eligible Property” under the terms of Act 381.
- G. The Developer intends to redevelop and improve the Property by preparing the site as the McConley Cove subdivision in preparation for the development of 54 housing units by affiliate company, American Village Builders, LLC, (“Project”). The combined developments will result in a total of 54 market-rate for-sale housing units. The Developer will invest an estimated total capital investment of \$3.8 million in the site preparation activities for the Project.
- H. The Project will require the Developer to incur “Eligible Costs” including site preparation, infrastructure improvements, contingency costs, and brownfield plan-related consulting costs to satisfy obligations under the Developer’s Brownfield Plan and “381 Work Plan” dated May 23, 2025, all of which may require the services of various contractors, engineers, environmental consultants, attorneys, and other professionals. The Developer’s Eligible Costs are estimated at \$3,138,206. The parties are entering into this Agreement to establish the procedure for the reimbursement from Tax Increment Revenues under Act 381 as amended and to set forth the Authority’s commitments to the Project, and to establish the use of the Authority’s Tax Increment Revenues to reimburse Developer for Developer’s Act 381 Eligible Costs.
- I. The Authority may retain funds to pay Administrative Costs from the annual Tax Increment Revenues attributable to the Property. The amount the Authority may retain shall not exceed the amounts permitted by Act 381.

NOW THEREFORE, in consideration of the mutual covenants, conditions and agreements set forth herein, the parties agree as follows:

1. **Recitals.** The above recitals are acknowledged as true and correct and are incorporated by reference into this Paragraph.

2. **The Plan.** The Plan, approved by the Authority and the Portage City Council, is attached as Exhibit B, and incorporated as part of this Agreement. To the extent provisions of the Plan or this Agreement conflict with Act 381, Act 381 controls.

3. **CONTINGENCIES:** The obligation of the Developer to develop the Project on the Property is contingent upon the Developer's ability to secure the following:

3.1. The Developer shall have obtained all necessary governmental and quasi-governmental approvals needed to develop the Property and permit the use of the Property for the Project, including, for example, and not limitation, a special use permit, site plan approvals, zoning variances and/or rezoning, building permits, and any and all other permits, consents and final approvals and authorizations necessary to develop, construct and utilize the Property for the Project. The Authority agrees to cooperate and utilize its best efforts to help Developer obtain any governmental approvals required to close the transaction contemplated by this Agreement.

3.2 Approval by Michigan State Housing Development Authority ("MSHDA") of the Act 381 Work Plan and other financial incentives needed by the Developer for the Project and The Plan approved by the Authority and City Council.

4. **Term of Agreement.** Pursuant to the Plan, the Authority shall capture and reimburse the Developer the amount of Tax Increment Revenues (TIR) generated from real and personal property taxes allowed by law on the Eligible Property and based upon the Developer's actual Eligible Costs. The capture of TIR and reimbursement of the Developer's Eligible Costs are anticipated to begin in **2027**, but the Project commencement and Completion Date could be delayed for up to 5 years after the approval of the Plan as permitted by Act 381, and will continue until the earlier of (hereinafter, the "End Date"):

4.1 Both the total reimbursement to the Authority of its Administrative Costs, and reimbursement to the Developer of the Developer's actual Eligible Costs for those Eligible Activities set forth in Paragraph 6, plus an additional amount captured by the Authority for an additional five full years of tax capture ("Additional Authority Amount"), such Additional Authority Amount to be designated for the Local Brownfield Revolving Fund "Local Fund"; or

4.2 A total of **17** years from the beginning date of the capture of Tax Increment Revenues, with the final five years designated for the Local Fund only. If an affiliate company of the applicant with 80% or more identical shareholder interests does not construct single family homes on the property which demonstrate an overall taxable value growth of at least \$10 million during the first 10 years of the TIF Capture Period, the term shall be reduced to a total of 15 years from the beginning date of the capture of Tax Increment Revenues, with the final five years designated for the Local Fund only.

The period during which the Developer is reimbursed under this Paragraph 4 shall be referred to as the "Reimbursement Term."

5. **Evidence of Property Control.** Prior to the execution of this Agreement, the Developer has provided to the Authority a copy of its fully executed deeds for each of the Parcel(s), verifying the Developer's obligation for payment of real property taxes at the Property.

6. Eligible Activities. The Developer shall diligently pursue completion of the Eligible Activities summarized in the Plan and set forth in this Paragraph. The Authority shall reimburse the Developer for Eligible Costs incurred and included in the Plan. It may include site preparation, and infrastructure improvements, which may require the services of various contractors, engineers, environmental consultants, attorneys, and other professionals.

7. Reimbursement Source. During the term of this Agreement and except as otherwise set forth in this Agreement, the Authority shall reimburse the Developer for its Eligible Costs from all available Tax Increment Revenues collected from the real and personal property taxes on the Property.

8. Reimbursement Process.

8.1 Cost Reimbursement Request. The Developer shall submit to the Authority the Eligible Costs incurred, including the dates of each Eligible Activity, a detailed description of the work, proof of payment, detailed invoices for the costs involved for each Eligible Activity, and other backup documentation reasonably requested by the Authority, and a written statement certifying to the Authority that all such costs are "Eligible Costs" and, upon completion of the project, or if completed in phases, each Project phase, the date of Portage City Council acceptance of completed infrastructure (the "Completion Date(s)"). After the Developer has completed the Project or Project phase and, in no event, more than 12 months following the Completion Date(s), the Developer shall submit to the BRA the above documentation of the Eligible Costs incurred by the Developer for each Project. Failure to provide the above-noted information when due or within the time permitted by the Authority may result in foregone reimbursement to the Developer by the Authority for Eligible Costs that have not been requested within the time frame described above.

8.2 Authority Staff Review. The Authority Staff shall review each reimbursement request within 30 days after receiving it. If Authority Staff determines that the documentation submitted by the Developer is not complete, then the Developer shall cooperate in the Authority's review by providing, within 30 days of the Authority's request, any additional documentation of the Eligible Costs as deemed reasonable and necessary by the Authority to complete its review. Within 45 days following the receipt of such supplemental information, the Authority shall determine whether the submittals of incurred costs are Eligible Costs. If the Developer wishes to challenge that determination, it shall provide written notice to the Authority within fifteen (15) days of receipt of the determination, and the issue shall be brought to the Authority within 45 days thereafter for a final determination. The Developer shall not have any further appeal rights to challenge the final determination of the Authority and shall not be entitled to any claim or cause of action against the City or the Authority as a result of any determinations made in good faith regarding whether or not any cost submitted by the Developer constitutes an "Eligible Cost," and hereby grants the City and the Authority and their respective officers, agents and employees, a complete release and waiver of any claims or causes of action as a result of the foregoing.

8.3 Reimbursement. After collecting each of the summer and winter taxes on the Property, the Authority shall reimburse its Eligible and Administrative Costs and pay approved Eligible Costs to the Developer from Tax Increment Revenues that are generated from the Property in accordance with the Plan and Paragraph 8 to the extent that taxes have been captured and are available in that fiscal year. Under Act 381, the Authority shall collect one hundred percent (100%) of Tax Increment Revenues from the Project for the purpose of reimbursing the Authority for Administrative Costs and the Developer for Eligible Costs until fully reimbursed. If there are insufficient Tax Increment Revenues available in any given year to reimburse all the Authority's Administrative Costs and Developer's Eligible Costs, as such Administrative Costs and Eligible Costs are described in this Agreement and in the Plan, then the Authority shall reimburse the Authority or Developer only from available Tax Increment Revenues. The

Developer shall receive the available Tax Increment Revenue, less Administrative Costs, during the term of this Agreement until all the amounts for which submissions have been made have been fully paid to the Developer, subject to the limitations of Section H of the Recitals, or the repayment obligation expires, whichever occurs first. The Developer shall not be entitled to reimbursement under this Agreement unless all real and personal property taxes owed by the Developer have been timely and completely paid, including all penalties, interest, and other amounts due in relation thereto when due. For purposes of this Agreement, to be paid in a timely manner, taxes must be paid before the date on which they can no longer be paid without penalties or interest. The repayment obligation under this Agreement shall expire on the End Date.

8.4 Interest Accrual. If an affiliate company of the applicant with 80% or more identical shareholder interests builds single family homes on the property which demonstrate an overall taxable value growth of at least \$15 million during the first 10 years of the TIF Capture Period, a simple-interest rate of three-and-one-half percent (3.5%) per annum (“Interest”) on unreimbursed eligible activities shall become an Eligible Cost and shall accrue on all other approved Eligible Costs as described in the plan, in each case calculated from the date that the Authority approves the Developer’s request(s) for reimbursement for pertinent Eligible Costs until such Eligible Costs are reimbursed in full, subject to the limitations set forth in this Agreement. For purposes of the preceding sentence, taxable value growth shall mean the combined total of the taxable values of each home for the full tax year following an initial certificate of occupancy is granted during the first 10 years of the TIF Capture Period and shall not include any inflationary growth in years following their construction. Interest shall be calculated at the end of each calendar year based on the total unreimbursed Eligible Costs outstanding at the time, other than accrued Interest. Principal amounts of the Eligible Costs shall be reimbursed to the Developer prior to Interest accruing thereon and Interest shall otherwise be treated in the same manner as other eligible expenses under Paragraph 8.3.

8.5 Maximum Reimbursement of Eligible Costs. The Developer’s reimbursed Eligible Costs, inclusive of contingency, shall not exceed the lesser of \$3,138,206, plus any Interest due under Paragraph 8.4 and available for Developer reimbursement under the terms of Section 4.

8.6 Method of Reimbursement. The Authority will reimburse the Developer for Eligible Costs as follows:

Checks shall be payable to and delivered by certified mail (or through electronic transfer if available through Developer) to:

AVD II, LLC
c/o Jack Gesmundo, Principal
4200 W. Centre St.
Portage, MI 49024

9. Adjustments. The parties acknowledge that adjustments regarding the amount of Tax Increment Revenue paid to the Developer may occur under any of the following circumstances:

9.1 Audit or Court Ruling: In the event that a state agency of competent jurisdiction conducting an audit of payments made to the Developer under this Agreement or a court of competent jurisdiction determines that any portion of the payments made to the Developer under this Agreement is unlawful, the Developer shall pay back to the Authority that portion of the payments made to the Developer within 30 days of the determination made by a state agency or the court as the case may be. However, the Developer shall have the right, before any such repayment is made, to appeal on its or the Authority’s behalf, any such determination made by a state agency or court, as the case may be. If the Developer is unsuccessful

in such an appeal, the Developer shall repay the portion of payments found to be unlawful to the Authority within thirty (30) days of the date when the final determination is made on the appeal. The Developer shall be responsible for payment of all the City and Authority's legal fees associated with any determination of whether a cost for which reimbursement is requested constitutes an "Eligible Cost" and all the City's and Authority's legal fees associated with the review or determination of such issues by any state agency or court.

9.2 Property Tax Appeal: In the event the Developer, or any other owner of real estate on the Property, files an appeal with the Michigan Tax Tribunal, related to the taxable value of parcels of property included in the Brownfield Plan, the Authority shall do the following:

- a. The Authority shall remit Tax Increment Revenue (TIR) reimbursement payments based upon the lowest taxable value being sought pursuant to the appeal.
- b. Any Tax Increment Revenue that is collected shall be held in a separate account of the Authority until the pending appeal is adjudicated.
- b. Once any tax appeals are adjudicated, the Authority will either return the escrowed funds to the local unit in compliance with any tax appeal rulings or will resume payments to Developer based upon the conclusion of such tax appeal pursuant to Section 8 of this Agreement.

9.3 Reduction of Property Assessments: If Developer successfully petitions the Michigan Tax Tribunal (Tribunal) to lower the assessments levied by the City against the Property for tax purposes, the provisions under Paragraph 8.3 may require a redetermination regarding the amount of TIR that would be captured over the remaining Reimbursement Term of this Agreement because of such lower assessments. If such amount is less than the actual amount of TIR that Authority has already paid to the Developer, Developer shall reimburse Authority the difference between the total amounts of adjusted TIR captured over the balance of the Reimbursement Term of this Agreement and the amount actually paid to Developer. The Developer indemnifies and shall fully reimburse the Authority for all Administrative Costs as defined within the Plan, expenses, or reductions in revenue from what was projected as tax increment capture because of the successful petition. Otherwise, any refund due to the Developer because of the lower assessments is limited only to the amount such refund exceeds the amount of TIR paid to Developer for those years covered by the Tribunal's order. The Developer shall fully reimburse the Authority within 30 days of notification from the Authority as to the amount due resulting from the reduction(s) in question.

10. Responsibilities of Developer. In consideration of the inclusion of the Property into the Plan and the resulting financial benefits, which it expects to receive, Developer agrees to the following (collectively the "Undertakings"):

10.1 Project. At its sole expense, Developer shall use its best efforts to conduct the activities described in the Plan and construct the Project. Subject to matters beyond the reasonable control of Developer (e.g., matters of force majeure, war, acts of God, the COVID-19 pandemic or a future similar pandemic, failure to obtain governmental approvals, etc.) ("Force Majeure"), Developer shall commence construction of the Project within a commercially reasonable time after the date that Developer secures all necessary approvals, authorizations, permits and entitlements for the Project and otherwise satisfies all requirements of Developer's lenders or other financing parties for the Project, but in no case later than one-hundred-twenty (120) days after execution of this agreement (collectively, the "Approvals", and such date on which Developer is required to commence construction being the "Commencement Date"), and shall use commercially reasonable efforts to substantially complete the Project - defined as date when Developer receives Portage City Council acceptance of all completed infrastructure - within thirty-six (36) months of the Commencement Date. Under no circumstances shall the Authority have any responsibility or liability for remediation or redevelopment of the Property, or for conducting any "Eligible Activities" at

the Property, except for its obligations under this Agreement to provide funds to the extent available as permitted in Paragraph 8 hereof with respect to payments from Tax Increment Revenues.

10.2 Ordinances. Develop the Property, including landscaping and all other improvements required for the Project, in compliance with all local ordinances, site plan reviews and this Agreement. The improvements to the Property shall be subject to all zoning approvals. This Agreement does not obligate any governing municipality to grant any such approvals.

10.3 Project Sign. Place on the Property during the Project a development sign provided by the Authority to promote the Project and the Authority's participation in it. The sign will be returned to the Authority upon completion of the Project.

10.4 Promotion and Marketing. Permit the Authority to cite or to use any renderings or photographs or other materials of the Project as an example of private/public partnership and brownfield site redevelopment.

10.5 Cooperation. Assist and cooperate with the Authority in providing information that the Authority may require in providing necessary reports to governmental or other agencies, including, but not limited to, information regarding the amount of Developer expenditures and capital investments, and square footage developed or rehabilitated concerning the Project.

10.6 Payment of Authority Legal and Professional Fees. To the extent the following costs and fees under paragraph 4.1 or 8.3 hereof are not paid to the Authority from Tax Increment Revenues it receives under paragraph 4.1 or 8.3 hereof, the Developer shall reimburse the Authority for its legal and professional fees and disbursements incurred in connection with the review, approval and administration of the Plan for this Project, including any further amendments thereto; the preparation and negotiation of this Agreement, as it may be amended from time to time; and all documents and matters related thereto, including future expense. The Developer shall reimburse the Authority for such expenses within 30 days from the date that the Authority sends an invoice and request for payment to the Developer, provided the Developer shall be eligible for reimbursement for such expenses to the extent permitted by law from Tax Increment Revenues.

11. Responsibilities of the Authority. In consideration of the preceding commitments of the Developer the Authority further agrees to:

11.1 Cooperation. Cooperate and utilize its best efforts to obtain any governmental approvals required to close the transaction contemplated by this Agreement.

11.2 Reimbursement of Eligible Costs. The Authority shall extend to the Developer the benefits outlined in the Plan, subject to the provisions of Act 381 (Brownfield Redevelopment Financing Act of 1996 as amended). Those benefits include reimbursement for Eligible Activities from Authority Tax Increment Revenues as more fully set forth in Paragraph 8. These Eligible Cost activities may include, without limitation, site preparation (soil removal, grading, filling, etc.), parking facility and other infrastructure improvements, environmental assessment, due care obligations, or environmental response activities; and the services of various contractors, engineers, environmental consultants, attorneys, and other professionals retained regarding such activities, in each case to the extent included in the Plan. The Developer has undertaken discussion with the City regarding Eligible Activities that will be incurred by the Developer, and the Plan reflects those discussions. The Plan, as approved by the Authority and the City Council of the City of Portage as it relates only to the Property, is attached as Exhibit B and

incorporated as part of this Agreement. To the extent provisions of the Plan or this Agreement violate or would cause any party to be in violation of Act 381, Act 381 controls. Reimbursement of financing gap subsidies shall be reviewed for approval annually and may commence once the Developer has satisfied a full year of WFH Unit assistance in accordance with this Agreement.

11.3 No official, board member, officer or employee of Authority or the City is personally liable to the Developer or its successor in interest upon a breach or default by Authority for any amount payable to the Developer or its successor or any obligation under this Agreement.

12. Developer's Representations, Warranties and Covenants. The Authority represents and warrants that it has the full authority to enter into and perform this Agreement in accordance with its terms, without breaching or defaulting on any obligation or commitment that it has to any third parties. The Developer hereby makes the following representations, warranties, and covenants:

12.1 Eligible Property. The Property is "eligible property" as defined in Act 381 and is eligible for the capture of Tax Increment Revenues pursuant to Act 381.

12.2 Eligible Costs. The Developer will only submit for reimbursement under Paragraph 8 hereof such costs that it has reasonably determined are reimbursable in connection with "Eligible Activities" within the meaning of Act 381.

12.3 Due Authorization. The representatives signing this Agreement are duly authorized by the Developer to enter into this Agreement.

13. Events of Default. Each of the following shall constitute an event of default:

13.1 Any representation or warranty made by the Developer in this Agreement proves to have been incorrect or incomplete in any material respect when made or deemed to be made.

13.2 Developer's failure for reasons other than Force Majeure to observe or perform any covenant or agreement contained in this Agreement, or otherwise violates any term of this Agreement, and fails to perform such covenant or agreement or otherwise cure such violation within 45 days after written notice thereof shall have been given to the Developer by the Authority (subject to Developer's right to cure as provided in Section 14).

13.3 The Developer abandons or withdraws from the reuse and redevelopment of the Property or indicates its intention to do so.

13.4 The Developer fails to pay any funds within 30 days of the date due which are required to be paid to the Authority pursuant to this Agreement, including but not limited to its real and personal property taxes, to the extent taxes are owed by the Developer, as set forth herein.

13.5 Except as provided in Section 22 of this Agreement, any assignment of this Agreement or the rights or obligations hereunder by Developer, or transfer or other conveyance of the Property, other than to home buyers after construction, or transfer or other conveyance of more than fifty (50%) percent of the beneficial ownership interests or voting control of the Developer, in each case whether directly or indirectly, or if the Developer terminates its existence

13.6 Any material provision of this Agreement shall cease to be valid and binding on the Developer or shall be declared null and void; the validity or enforceability of such provision shall be contested or denied by the Developer; or the Developer denies that it is bound by this Agreement.

14. Remedies upon Default. If any event of default as defined above shall occur and be continuing for 30 days (or such additional time as specified in Section 13) after written notice of default from the Authority specifying the alleged default (or such additional time as may be reasonably necessary and authorized by the Authority Board Chair, or their proxy, to cure the default at issue, provided that the Developer has commenced such cure within the initial cure period described above and is proceeding in good faith to cure but not more than three (3) months), the Authority shall have the right, but not the obligation, to exercise any of the following rights and remedies either individually or concurrently:

- (a) withhold or suspend reimbursement to the Developer for Eligible Costs from TIR until the Developer has cured that default to the satisfaction of the Authority. Any action by the Authority shall not under any circumstances extend the Reimbursement Term unless approved explicitly by the Authority. In the event, the Authority suspends or withholds reimbursement, and such default by the Developer related to such suspension or withholding of reimbursement is not cured within 12 months from the end of any applicable cure periods specified under this paragraph 14 or 13, the Authority may terminate this Agreement upon written notice to Developer.
- (c) To secure any amount owed by the Developer to the Authority under this Paragraph, the Authority has the right to place a lien against the Property in the same manner as delinquent taxes, including the accrual of interest, penalties, and administrative expenses until the lien is fully satisfied.
- (d) All other remedies available at law or in equity.

In addition, if the Developer fails to substantially complete the Project within the timelines required by this Agreement, or if the Developer otherwise defaults prior to substantial completion of the Project, the Developer shall pay back to the Authority (within thirty (30) days following demand by the Authority) any amounts paid to Developer as reimbursement for Eligible Costs pursuant to the terms of this Agreement or otherwise.

Following a default by the Developer or following expiration or termination of this Agreement for any reason, the Developer shall then be responsible for all subsequent Project costs, including Eligible Costs, without contribution from Tax Increment Revenues collected by the Authority from taxes levied on the Property.

15. Authority Default and Developer Remedies. If the Authority in any material respect fails to perform or provide the Incentives in accordance with this agreement, and such undisputed failure continues for a period of thirty (30) days after written notice from Developer to the Authority specifying the alleged default (or such additional time as may be reasonably necessary to cure the default at issue provided that the Authority has commenced such cure within the initial thirty (30) days and are proceeding in good faith to cure but not more than three (3) months), the Developer shall have the option to exercise one or any combination of remedies under this Agreement or otherwise available at law or in equity, including without limitation:

- a. To withhold or suspend the performance of all or any of the Undertakings.
- b. To seek specific performance of the Authority under this Agreement.
- c. To seek any other available remedies under the law.

16. Legislative Authorization. This Agreement is governed by and subject to the restrictions set forth in the Act. If legislation is enacted in the future that alters or affects the amount of Tax Increment Revenues subject to

capture, Eligible Properties, or Eligible Activities, then the Developer's rights and the Authority's obligations under this Agreement may be modified accordingly by agreement of the parties.

17. Freedom of Information Act. Developer stipulates that all petitions and documentation submitted by Developer shall be open to the public under the Freedom of Information Act, Act No. 442 of the Public Acts of 1976, MCL 15.231 et seq., and no claim of trade secrets or other privilege or exception to the Freedom of Information Act will be claimed by Developer as it relates to this Agreement or petitions and supporting documentation.

18. Plan Modification. The Plan and this Agreement may be modified by mutual agreement of the parties to the extent allowed under the Act and the City's applicable Brownfield Redevelopment Policy (as amended from time to time).

19. Notices. All notices and other communications required or permitted under this Agreement shall be in writing, shall be deemed given when delivered, and shall be sent by personal delivery, overnight courier, or registered mail, return receipt requested, to the following addresses (or any other address that is specified in writing by either party):

If to Developer: AMERICAN VILLAGE DEVELOPMENT II, LLC
c/o Jack Gesmundo, Principal
4200 W. Centre St.
Portage, MI, 49024

With copy to: Miller Johnson
100 W. Michigan Ave, Suite 200
Kalamazoo, MI 49007

If to the Authority: City of Portage Brownfield Redevelopment Authority
C/O Department of Community Development
7900 S. Westnedge Avenue
Portage, Michigan 49002

20. Indemnification. Developer shall defend, indemnify and hold harmless the Authority and the City, and any of their respective past, present, and future members, officials, employees, agents or representatives from all losses, demands, claims, judgments, suits, costs and expenses (including without limitation the costs and fees of attorneys or other consultants) arising from or related to (i) the capture and use of Tax Increment Revenue paid to Developer as a reimbursable payment under this Agreement made in excess of the amount of tax increment revenues the Authority is determined by the State or court to be allowed by law to use for that reimbursement, and (ii) the Project.

21. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Michigan.

22. Binding Effect/Third Parties. This Agreement is binding on and shall inure to the benefit of the parties to this Agreement and their respective successors. The Developer may assign this Agreement to an entity owned or controlled by Developer, its principals, or Allen Edwin Homes or its principals, without the Authority's consent. However, the Developer must provide the Authority with written notice of any such assignment. For any other assignment the Developer shall obtain written consent from the Authority. Such written consent will not be unreasonably withheld, conditioned or delayed. The parties do not intend to confer any benefits on any person, firm, corporation, or other entity which is not party to this Agreement

23. Waiver. No failure of either party to complain of any act or omission on the part of the other party, no matter how long this may continue, is considered a waiver by that party to any of its rights hereunder. No waiver by either party, expressed or implied, of any breach of any provision of this Agreement is considered a waiver or a consent to any subsequent breach of this same or other provision.

24. Authorization. Each of the parties represents and warrants to the other that the board of directors or other governing body of that party authorizes this Agreement and its execution by the individual on its behalf.

25. Entire Agreement. This Agreement supersedes all previous agreements between the parties relating to the subject matter. There are no other understandings or agreements between them.

26. Headings. Headings in this Agreement are for convenience only and shall not be used to interpret or construe its provisions.

27. Additional Actions. Developer and the Authority agree to execute and deliver such additional documents and to perform such additional acts as may become necessary to effectuate the transfers contemplated by this Agreement.

28. Definitions. The following capitalized terms are used in this Agreement with the following meanings:

"**Administrative Costs**" means the Authority's out-of-pocket costs associated with the Project (including reasonable attorney fees and costs, environmental consulting fees and costs, and similar fees and costs) as well as the Authority's indirect costs associated with the Project (including allocation of the fixed costs of the Authority staff.)

"**Brownfield Plan**" is defined by Section 2(e) of Act 381;

"**Due Care Activities**" is defined by Section 2(m) of Act 381;

"**Eligible Activities**" is defined by Section 2(o) of Act 381;

"**Eligible Property or Properties**" is defined by Section 2(p) Act 381;

"**Tax Increment Revenues**" is defined by Section 2(ss) of Act 381, and, for purposes of this Agreement, includes school taxes and local (non-school) taxes.

[Signature Page Follows]

In witness of their intent to be legally bound by the terms of this Agreement, each of the parties has set forth its signature below by its duly authorized representative.

CITY OF PORTAGE BROWNFIELD
REDEVELOPMENT AUTHORITY

By _____

Print Name: Keith Lewandowski

Title: BRA Chairperson

Date _____

DEVELOPER
AMERICAN VILLAGE DEVELOPMENT II, LLC

By: _____

PRINTED NAME:

Its:

Date: _____

By: _____

PRINTED NAME:

Its:

Date: _____

EXHIBITS:

A (Legal Description of Property)

B (Copy of the Plan)

Exhibit A – Legal Descriptions

1075 Bacon Avenue
Portage, MI 49002

Parcel ID: 10-00027-150-B

15.85 Acres

Legal Description:

SEC 27 T3S R11W PART SE1/4 COM 660 FT N OF SW COR THEREOF N 1023 FT E 993.67 FT S 643 FT E 338 FT S 120 FT S89DEG 47'00"W 356.14 FT S62DEG 14'56"W 312.26 FT S74DEG 38'51"W 84.99 FT S15DEG 21'09"E 127.89 FT S89DEG 47'00"W 120 FT S00DEG 16'50"E 120 FT S89DEG 47'00"W 41 FT S00DEG 16'50"E 180 FT S89DEG 47'00"W 279 FT M/L TO PT 209.67 FT E OF N & S 1/4 LINE N 330 FT W 209.67 FT TO BEG EXC THAT PART PLATTED TO THE PINES NO. 2

DRAFT

Exhibit B – Copy of Brownfield Plan

DRAFT

CITY OF PORTAGE BROWNFIELD REDEVELOPMENT AUTHORITY

Tuesday, June 5, 2025

8:00 AM

**Portage City Hall, Conference Room 1
7900 S. Westnedge Ave, Portage MI 49002**

The City of Portage Brownfield Redevelopment Authority meeting of June 5, 2025, was called to order by Chair Lewandowski at 8:01 am.

In Attendance

Board: Chair Keith Lewandowski (yes), Vice Chair Eric Alburtus (8:18), Secretary/Treasurer William Lenehan (no), Todd Campbell (yes), Bradley Galin (yes), Karen Gallagher (yes), John Herberg (yes), Michelle Karpinski (yes).

Staff: Andrew Falkenberg, Deputy Assessor; Jonathon Hallberg, Deputy Director of Economic Development; Grant Taylor, Deputy Director of Treasury.

Guests: Joe Agostinelli, Michigan Growth Advisors; Gack Gesmundo, AVB; Josh Applegren, AVB.

Introductions

Introduction of Authority members, staff, and guests was conducted. The board also reviewed the agenda.

Approval of Minutes

Motion by Campbell, seconded by Herberg, to approve the BRA Meeting Minutes of April 8, 2025, as submitted.

Motion carried, 7-0.

Old Business – Lewandowski requested any updates on past projects. Hallberg mentioned the upcoming Ribbon Cutting for Tall Timbers by AVB, to be held on June 11, 2025. He apologized to the group for the late notice about, and thanked Herberg for attending, the Groundbreaking for Stanwood Crossings on April 29, 2025. He also reminded those present of Allen Edwin's Groundbreaking event at Oakland Commons, to be held June 12, 2025, and encouraged all to RSVP through the email sent out by Public Information.

New Business

- 1. City of Portage Act 381 Brownfield Plan Amendment #15 – “McConley Cove”, 1075 Bacon Ave.***

Hallberg summarized the contents of the memorandum pertaining to the AVD II, LLC, development project called “McConley Cove”, the Act 381 Brownfield Plan, TIF Projections,

and Draft Development & Reimbursement Agreement. He indicated that the project is the first “infrastructure only” application to be received by the board and that it is 100% market-rate housing to be built speculatively over an extended period. As with other recent MSHDA Housing TIF applications, the project has additional eligible expenses not typically seen in Brownfield applications, which are related to infrastructure on private property, such as landscaping and driveways.

Hallberg explained the development would result in 54 single family home sites and accompanying infrastructure, to be constructed by AVD II, LLC. Afterward, AVB, LLC, would build the homes based upon eight available floor plans and several option packages. Because of the build-to-suit nature of the project, buildout is expected to take between six and eight years. However, the applicant has shared a conservative ten-year buildout of five homes per year. While the applicant’s project is for approximately \$3.8 million, the affiliate project is anticipated to cost approximately \$30 million.

Hallberg went through the Brownfield Plan step-by-step. He outlined the list of eligible expenses and how the TIF capture tables were based upon the affiliate company’s development and the risk associated with their efforts, namely that market volatility can affect pricing and the homes will compete for a shrinking demographic of buyers who are paying \$450,000 to \$650,000 for a new home.

Hallberg also indicated that two of the three investment criteria points needed for consideration of simple interest as an eligible expense, and one of the points necessary to qualify for longer than 10 years of capture for eligible expenses, are dependent on AVB, LLC’s activities, not those of the applicant, AVD II, LLC. The applicant and staff negotiated some provisions in the Development and Reimbursement Agreement to ensure compliance with the city’s Brownfield Incentive Policy. The allowance of interest shall be contingent upon an affiliate company of AVD II, LLC, constructing all the homes within 10 years of the start of the TIF Capture period homes, and the combined taxable value increase of each home, at the time of certificate of occupancy issuance, must total \$15 million, and exclude inflation in the taxable value for the years between completion and the end of the ten-year term. Furthermore, to qualify for more than ten years of TIF Capture for recovery of eligible expenses, the combined taxable value increase mentioned must total \$10 million under the same requirements.

Galin asked when the TIF capture period would start exactly. Hallberg stated it starts when the developer submits for eligible expense reimbursement, which will be allowed as soon as Council formally accepts the infrastructure improvements but can be delayed for up to five years in order to ensure time for construction of units. He also shared that, because development sometimes occurs in phases, the applicant would be able to make separate submissions for eligible expenses even though the capture period had begun. However, recovery for the later submissions would have a limited time for completion.

At Herberg’s request, Gesmundo shared the limits of the condominium association fees and that they generally go toward various landscaping elements along the main causeway and the cul-de-sacs, among other things. Karpinski asked who maintains the roads after they are built. Hallberg

responded that these would become public roads, along with the sewer and water utilities. Gesmundo shared that some roads stay with the condo association in other developments due to some of the requirements of municipalities related to road widths etc.

Agostinelli shared that, because school debt millage is not an eligible tax capture fund, the development will result in new revenue to assist with school capital projects and per-pupil funding for schools. Gallagher indicated she liked the connectivity with the other neighborhoods. Albertus shared he saw the value of the special assessments that created walkability along Bacon Ave.

At Lewandowski's request, Gesmundo and Applegren shared some details about other projects AVB is currently pursuing.

Motion by Campbell, seconded by Gallagher, to approve the Act 381 Brownfield Plan and application by American Village Development II, LLC, for "McConley Cove", 1075 Bacon Avenue, to recommend Portage City Council approval of Brownfield Plan Amendment 15 by resolution at their next appropriate meeting, and to authorize the BRA Board Chair to finalize and execute a Development Agreement and Reimbursement Agreement in support of the Plan with provisions for allowance of interest conditioned upon 1) an affiliate company of AVD II, LLC, constructing all the homes within 10 years of the start of the TIF Capture period, 2) the combined taxable value increase of the homes, at the time of the full tax year following each certificate of occupancy issuance equaling a total of \$15 million, excluding any inflation in the taxable value for the years between completion and the end of the ten-year term; and a provision to authorize the 12-year capture period for recovery of eligible expenses contingent on the combined taxable value increase of the homes, at the time of the full tax year following each certificate of occupancy issuance equaling a total of \$10 million, excluding any inflation in the taxable value for the years between completion and the end of the ten-year term.

Motion carried, 7-0.

Staff Report – In the interest of time, the board agreed to forego the planned training on PA 90 and directed Hallberg to schedule a future meeting to accommodate the training.

Statements of Citizens: None.

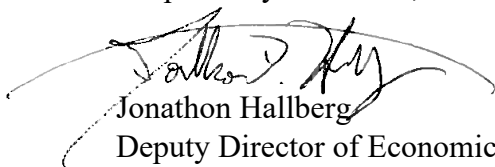
Adjournment:

Motion by Herberg, seconded by Gallagher, to adjourn.

Motion carried, 7-0.

The meeting was adjourned at 8:57am.

Respectfully submitted,



Jonathon Hallberg

Deputy Director of Economic Development

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Closed Session to Discuss a Personnel Matter

SUPPORTING PERSONNEL: Adam Herringa, Chief Operating Officer

ACTION RECOMMENDED: Meet in Closed Session immediately following the regularly scheduled City Council Meeting of Tuesday, July 8, 2025, to discuss a personnel matter.

The Michigan Open Meetings Act permits a variety of reasons for an elected body to enter into closed session. One of these reasons is to discuss a personnel matter provided that the employee requests that a closed session be held. The employee has made this request. Therefore, it is recommended that City Council meet in Closed Session immediately following the regularly scheduled Council Meeting of Tuesday, July 8, 2025, to discuss a personnel matter.

FUNDING: N/A

Attachments: None

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Committee of the Whole Meeting: Portage Community Land Trust and Stanwood Crossings

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Set a Committee of the Whole for Tuesday, June 24, 2025, at 4:00 p.m. to discuss the proposed Portage Community Land Trust Operating Agreement and Stanwood Crossings Declaration of Easements and Restrictive Covenants.

During the regular City Council meeting of May 27, 2025, the Council unanimously voted to table additional discussion regarding the proposed Portage Community Land Trust Operating Agreement and Stanwood Crossings Declaration of Easements and Restrictive Covenants under Item A.5 to a Committee of the Whole meeting, with a final vote on the documents to be taken at a subsequent Council meeting.

It is recommended that the City Council set a Committee of the Whole for Tuesday, June 24, 2025, at 4:00 p.m. to discuss the proposed Portage Community Land Trust Operating Agreement and Stanwood Crossings Declaration of Easements and Restrictive Covenants.

FUNDING: N/A

Attachments: None

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Unpaid Water & Sewer Charges

SUPPORTING PERSONNEL: Lauren VanderVeen, Finance Director

ACTION RECOMMENDED: Order water and/or sewer charges remaining unpaid as of June 30, 2025, to be transferred to the 2025 city tax roll and assessed against the property on which the services were furnished.

Per city ordinances, unpaid water and sewer utility accounts considered uncollectible by the Finance Director must be reported to the City Council annually. As of Friday, May 30, 2025, there are 147 unpaid utility accounts, totaling \$36,324.56.

A progressive series of separate notifications have been issued to utility customers/owners following city procedures, state laws, and Municipal Code Section 82-374 through 82-376, and these notices have not resulted in payment in all cases. An updated listing of delinquent accounts will be produced on Tuesday, June 10, 2025, to reflect payments made to these accounts received between Friday, May 30, 2025, and Tuesday, June 10, 2025.

State law allows unpaid charges to remain with the associated property. According to Chapter 82, Division 7, Section 82-197, Lien for Unpaid Charges, Portage Code of Ordinances, the unpaid accounts are to be transferred to the city tax roll and assessed against properties to which the services were provided. It is recommended that the City Council order water and/or sewer charges remaining unpaid as of June 30, 2025, to be transferred to the 2025 city tax roll and assessed against the property on which the services were furnished.

FUNDING: N/A

Attachments:

1. Internal Document - Unpaid Utility Bill Listing
2. Internal Document - Unpaid Utility Bill Listing as of 06.10.25

Minutes of Boards & Commissions

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Code of Ordinances Text Amendment and Rezoning #24/25-4: City Centre Subarea

SUPPORTING PERSONNEL: Peter Dame, Chief Development Officer

ACTION RECOMMENDED: Subsequent to the Public Hearing:

- a. adopt the amendment to the Code of Ordinances of the City of Portage, Michigan, Article 4 - Zoning of Chapter 42 by establishing new development standards of the partial City Centre Subarea as City Centre Mixed Use (CC-MU) district, and
- b. approve Rezoning Application #24/25-4 to rezone 8120 South Westnedge Avenue and a portion of 129 West Centre Avenue from B-3 General Business District to CC-MU City Centre Mixed Use District to create opportunities for mixed-use development.

The City of Portage seeks to amend Article 4 Zoning of Chapter 42 by establishing new development standards for a portion of the City Centre Subarea and a rezoning of properties to create opportunities for mixed-use development at 8120 South Westnedge Avenue and a portion of 129 West Centre Avenue. This proposal is supported by the new "[Portage Forward Together 2045 Master Plan](#)," which envisions a walkable community civic center area called the City Centre. This is discussed further in this report.

The proposal consists of two parts:

1. Text Amendment that creates a new zoning district called 'City Centre Mixed Use' (CC-MU) containing new development standards, and
2. Map Amendment that rezones areas within the City Centre from B-3 General Business to the new CC-MU.

Both parts of the proposal are attached. Together, it will establish a designated area for applying critical standards to guide future development towards a walkable mixed-use city center environment. These standards are similar to the recently adopted mixed-use Lake Center Edge zoning standards, as both have similar development goals.

The parcels proposed for rezoning consist of 8120 South Westnedge Avenue (1.66 acres) and a portion of 129 West Centre Avenue (0.31 acres) for a total of 1.97 acres. These are located south of the intersection of Shaver Road and West Centre Avenue within the Portage Centre Plaza. Both parcels are owned by Portage Centre Plaza, LLC, and 19 Props, LLC. Both LLCs are associated with one company. An attached letter from this company shows support for this proposal.

Neighborhood Uses

The Portage Centre Plaza consists of multiple single-story commercial buildings containing a variety of businesses. Beyond this area, there is a mix of civic uses, commercial businesses, and residences. Civic uses include City Hall, District Library, Portage Parks & Recreation, Portage Zhang Senior Center, Portage Department of Public Safety - Police & Fire, and the Portage Public Works Campus. Parks and other public facilities include Central Cemetery, Central Park, Liberty Park, and the Veterans Memorial. Commercial uses consist mostly of retail, office, and dining. Some traditional single-family detached homes can be found in the area as well. Overall, the existing development pattern consists of a general suburban design with large front-facing parking lots, multi-lane roads, and fast traffic.

Master Plan, City Center Subarea

For the previous half century, past and present City of Portage Master Plans and City Council objectives have envisioned a downtown city center focused around the City Hall triangle and stretching along parts of South Westnedge Avenue, West Centre Avenue, Shaver Road, and nearby local streets (see attached City Centre Subarea map). A previous Master Plan described the vision for this area as “a world-class community that includes the establishment of a distinct, identifiable and vibrant City Center that is walkable and connects entertainment, restaurants and retail venues and is connected to railways and transportation.” Despite this long-held vision, no unified zoning district has covered this area. Although some developments over the past years have been designed within the area in mind by incorporating some urban features, without the proper zoning tools, it is not likely that this vision will come to fruition.

The Portage Forward Together 2045 Master Plan consists of a preliminary framework for the City Centre Subarea and identifies 12 strategic areas for new development to help create an integrated downtown area. Number 12 shows the subject area and supports infill mixed-use.

Portage Centre Plaza Development History

The area of the proposed rezoning is the remaining undeveloped parcels within the Portage Centre Plaza, which is within the City Centre Area. It is currently an open lawn space. It was planned for office development during the original layout of the Plaza, but that development was never built. As the market demand has shifted away from office space and toward mixed use, especially higher-density housing with some commercial, the property owner is now examining the area for future mixed use. Furthermore, the State of Michigan has provided resources to facilitate future housing development and downtown revitalization. This has spurred new housing mixed with commercial, and property owners have begun re-evaluating previously planned commercial areas for future mixed use.

Drafting Proposed Text Amendment; Planning Process

The drafted City Centre Mixed Use (CC-MU) development standards are modeled on the recently adopted Lake Center mixed-use edge district standards. These are also consistent with the vision of the City Centre Subarea.

Future Portage Unified Development Ordinance (UDO)

The city is currently undergoing a planning process to update the entire zoning map and zoning ordinance to align with the city’s new Master Plan. It will replace existing land use regulations with a new Unified Development Ordinance (UDO). An outside planning firm is assisting in this planning process, and the overhaul of the zoning code is anticipated to be approved in its entirety by the summer of 2026. One of the outcomes of the UDO was the creation of a new mixed-use zoning district(s) in the City Centre area. Staff have communicated the proposed CC-MU standards with KKC, the firm working with the city on the UDO. KKC concurs that this proposed district aligns with the Master Plan, and this

code amendment will be incorporated into the UDO. The impetus for moving this forward now is due to interest in moving a project forward in the affected area for approval this year.

Applicable Zoning Regulations

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

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

Under this article, the text amendment and rezoning request were filed and were reviewed during a public hearing at the May 1, 2025, Planning Commission meeting. City Council received the request and set up a public hearing to take place at the June 10, 2025, City Council meeting. The Planning Commission determined that the rezoning is appropriate based on the Master Plan, surrounding development patterns, and general land use considerations. Issues that were analyzed include consistency with the Future Land Use Map for these specific parcels, suitability of the existing zoning classification, neighborhood harmony, impacts of the proposed zoning classification, and impacts on adjacent streets and utilities.

The specific properties proposed for rezoning are 8120 South Westnedge Avenue and a portion of 129 West Centre Avenue located within the Portage Centre Plaza multi-tenant commercial development. City utility and road services are established in the area. The area designated for mixed use is the vacant area that had been anticipated in the original plan for a three-story office building. Kalamazoo Metro has existing bus stops in the vicinity. As indicated earlier, there are many civic uses in the area that would well serve future mixed-use developments. Residential is a key missing piece in this district.

Existing & Proposed Zoning

Under the existing B-3 zoning district, development must consist of only commercial uses, resulting in a suburban development setting. While this may be appropriate for certain parts of Portage, it does not achieve the goals of the City Centre Subarea. The proposed CC-MU district will achieve this goal by allowing new uses and establishing new specific site and building standards. Table 1 indicates general differences between the existing B-3 and proposed CC-MU districts.

	EXISTING	PROPOSED
	B-3 General Business	CC-MU City Centre Mixed Use
Uses Allowed	Retail, Office, Financial Institutions, Dining, Car washes, Auto repair, Churches, Hotels/ motels, Dry cleaners, etc.	Retail, Dining, Offices, Financial Institutions, Day Care Centers, Multifamily and Attached Residential, Salons, Dry cleaners, etc.
Prohibited Uses	Residential	New Single Family Homes, Gas Stations, Auto Repair, Car Washes, etc.
Max. Building Height	35 ft	50 ft
Setbacks	Front: 27'	Front: 0-5'
	Sides: 0-15' (where abutting Residential)	Sides: 0 or 10'
	Rear: 20'	Rear: 5-10'

Table 1. Summary of existing and proposed development standards for the subject rezone area.

Proposed Building Standards

In addition to the highlighted standards in Table 1, the CC-MU district requires all future buildings and

additions to meet specific exterior building material, window sizing, and overall façade design. Details of these standards can be found in the attached zoning ordinance. These new building standards will ensure future development creates a mixed-use, walkable downtown setting.

Concept Plan

The property owner is considering a future mixed-use development for the subject parcel. The property owner's preliminary concept of mixed-use development, which has not been submitted formally, is generally consistent with the City Centre Subarea goals and the proposed City Centre Mixed Use district standards. If the rezone is approved and the owner progresses with the development concept, it will be reviewed in accordance with the new CC-MU district.

Overall, the proposed rezoning will achieve the goals of the Master Plan and City Centre Subarea to guide future development toward a mixed-use walkable downtown setting.

Planning Commission Public Hearing

At its May 1, 2025, meeting, the Planning Commission reviewed and discussed the Text Amendment and Rezoning Application #24/25-4, to amend the Code of Ordinances of the City of Portage, Michigan, Article 4 - Zoning of Chapter 42 by establishing new development standards for partial City Centre Subarea and rezoning to create opportunities for mixed-use development at 8120 South Westnedge Avenue and a portion of 129 West Centre Avenue. One public comment was received at the meeting.

After careful consideration, the Planning Commission voted unanimously (9-0) to recommend to City Council the approval of the Text Amendment and Rezoning Application #24/25-4: to amend the Code of Ordinances of the City of Portage, Michigan, Article 4 - Zoning of Chapter 42 by establishing new development standards of partial City Center Subarea as City Centre Mixed Use (CC-MU) district, and to rezone 8120 South Westnedge Avenue and a portion of 129 West Centre Avenue from B-3 General Business District to CC-MU City Centre Mixed Use District to create opportunities for mixed-use development.

City Council Hearing and Recommendation

The City Council is also required to hold a hearing on this matter. Subsequent to the public hearing, it is recommended that City Council adopt the Text Amendment and Rezoning Application #24/25-4: 1) to amend the Code of Ordinances of the City of Portage, Michigan, Article 4 - Zoning of Chapter 42 by establishing new development standards of partial City Centre Subarea as City Centre Mixed Use (CC-MU) district, and 2) to rezone 8120 South Westnedge Avenue and a portion of 129 West Centre Avenue from B-3 General Business District to CC-MU City Centre Mixed Use District to create opportunities for mixed-use development.

FUNDING: Not Applicable

- Attachments:**
1. Vicinity Map
 2. City Centre Subarea Map
 3. Existing Zoning Map
 4. Future Land Use Map
 5. Staff's Site Pictures
 6. Letter of Support - City Centre Mixed-Use
 7. Approved to Form Ordinance of Text Amendment for CC-MU
 8. Approved to Form Ordinance of Rezoning to CC-MU

9. Planning Commission Transmittal
10. Draft Planning Commission Meeting Minutes 5.1.2025



City Centre Subarea

PRELIMINARY FRAMEWORK

Intersection Improvements: The three primary intersections surrounding City Hall should be improved with curb extensions or bulb-outs, ADA signaling improvements, and smaller turn radii to reduce speeds at which drivers turn.

Pedestrian Improvements: Pedestrian improvements should consist of constructing sidewalks where gaps currently exist, widening and creating landscaped buffers, planting street trees, utilizing uniform lighting, adding street furniture, and constructing pedestrian islands.

Trail Improvements: Trail improvements should be used to connect the existing system. These improvements include more visible signage, striping across intersections and driveways, and 10-ft wide paths.

Gateways: Gateways into the subarea should create a sense of identity and offer a clear delineation from the rest of the City.

Public Art: Public art exhibitions should be commissioned throughout the subarea to further create a sense of place.

Wayfinding: Wayfinding should include light pole banners to create a sense of place, an electronic sign which could be used to highlight relevant City information, and enhanced signage to give direction to parks, municipal buildings, relevant landmarks, and other amenities.

Programmed Space: Opportunities to program and activate spaces should be prioritized to help draw more people into the district.

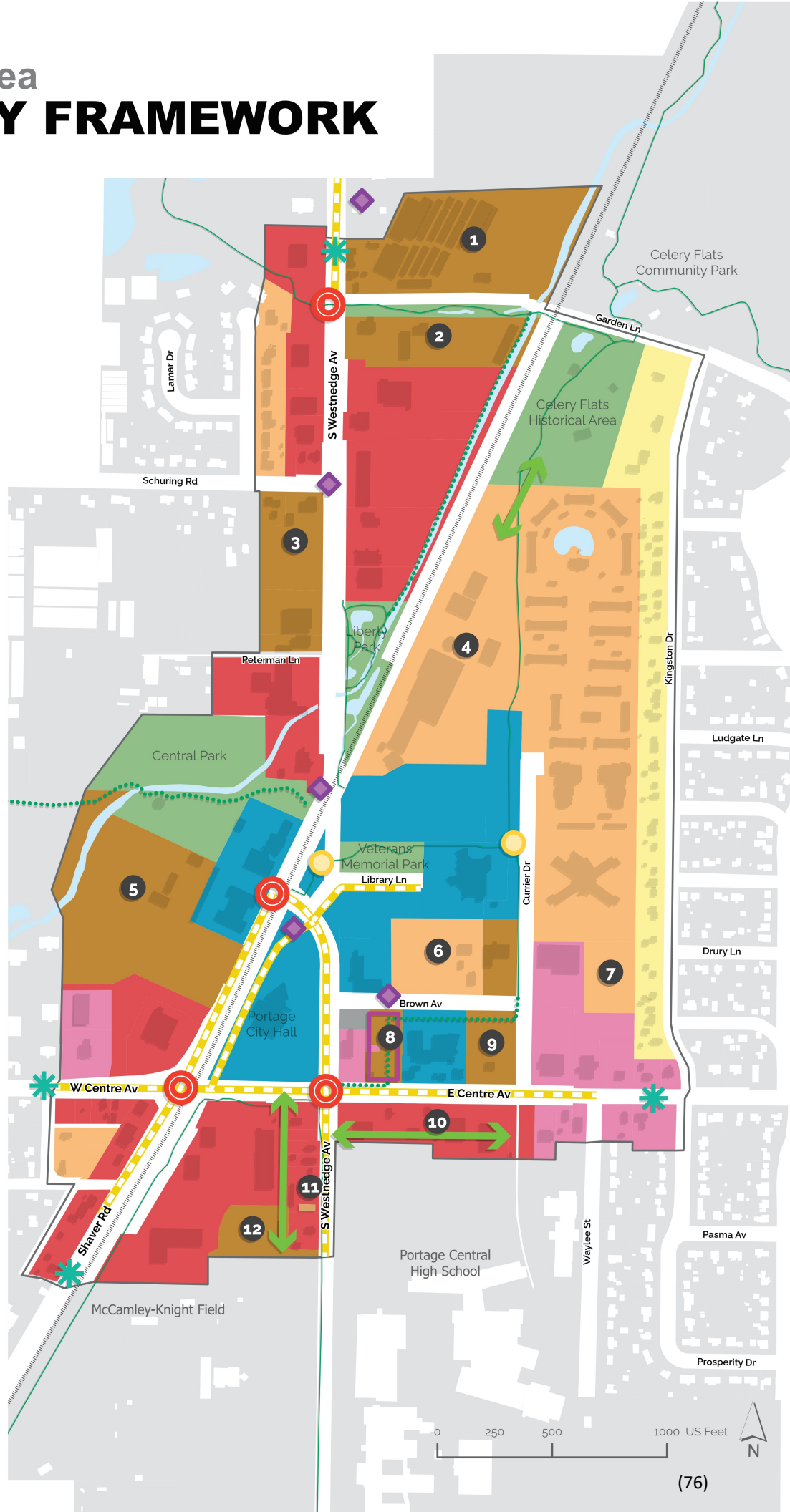
Connection Improvements: Cross access between adjoining areas should be constructed to eliminate excess curb cuts. Additionally, a new road should be built to access Opportunity Site 4.

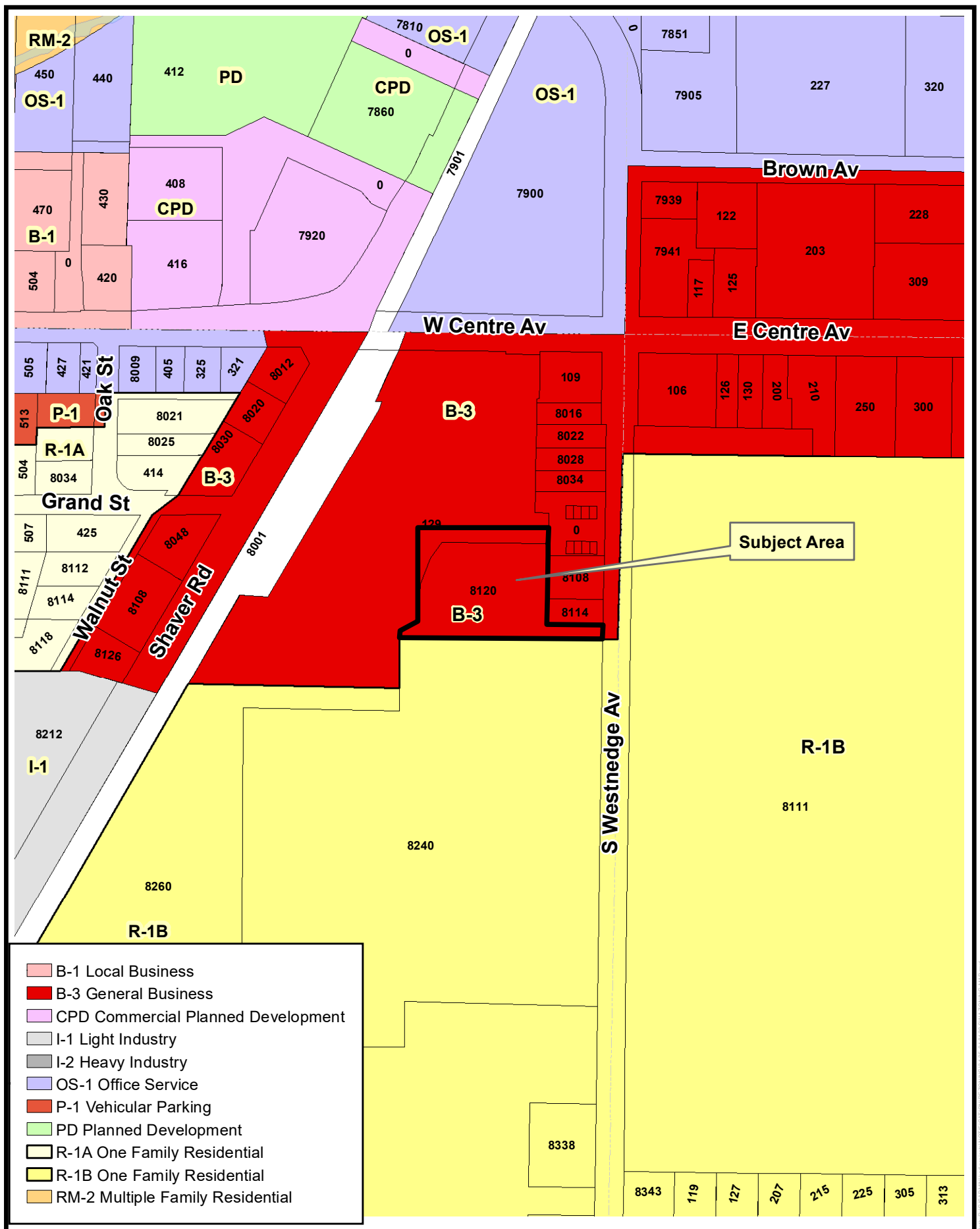
Map Features

- Railroads
- Existing Trails
- Opportunity Sites

Future Land Use

- Single-Family Residential
- Mixed Residential
- Corridor Commercial
- Local Commercial
- Mixed-Use
- Parks / Open Space
- Public / Institution
- Transportation / Utilities





Staff's Site Pictures – April 14, 2025



Site Picture Map: 8120 S. Westnedge Ave and Portion of 129 W Centre Ave.



Picture 1: Looking south toward interior parking lot drives and large lawn on subject rezoned area. Parking lot island is within subject rezoned area.



Picture 2: Looking southeast toward interior access drive leading to S. Westnedge Ave. Large building in background is Portage School Central High School.



Picture 3: Looking south at interior access drive leading to S. Westnedge Ave. Building on left (NV Salon) is located at 8114 S. Westnedge Ave.



Picture 4: Looking west at commercial buildings within the Portage Centre Plaza.



Picture 5: Looking east. Tree line to the right is the southern boundary (approx.) of 8120 S. Westnedge Ave. Access drive in background leads to S. Westnedge Ave.

Via Email

April 25, 2025

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

Re: Support for Zoning Map and Text Amendment – 8120 S. Westnedge Ave. and a Portion of 129 W. Centre Ave.

Dear Mr. Feldt:

PlazaCorp Realty Advisors, Inc. (“PlazaCorp”) is writing as the authorized agent representing the following property owners:

- **Portage Centre Plaza, LLC**, owner of the parcel located at **8120 S. Westnedge Avenue**, and
- **19 Props, LLC**, owner of a portion of the parcel located at **129 W. Centre Avenue**.

On behalf of these property owners, we express our full support for the proposed map and text amendment to rezone the subject properties as depicted from **B-3 General Commercial** to **City Centre Mixed Use**.

We believe this zoning change will serve the best interests of the community by:

- Encouraging strategic reinvestment in a key commercial corridor,
- Supporting mixed-use development that aligns with modern urban planning goals,
- Creating new housing opportunities to meet growing demand,
- Enhancing local business viability and contributing to the area’s economic vitality.

Additionally, this rezoning aligns with the long-term goals of the **City of Portage Master Plan** and reflects the evolving needs of both the neighborhood and the broader community.

We appreciate the City’s thoughtful planning efforts and respectfully urge approval of this zoning amendment.

Thank you for your consideration.

Sincerely,



Trisha Kidd
Director of Project Management

cc: Peter Dame, Chief Development Officer

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN BY AMENDING ARTICLE 4. ZONING, DIVISION 4,
SUBDIVISION 17. LAKE CENTER (LC) CORRIDOR DISTRICT
BY ADDING SECTIONS 460-475,
AND ADDING NEW SUBDIVISION 18, CITY CENTRE (CC) MIXED USE DISTRICT**

THE CITY OF PORTAGE ORDAINS:

That Chapter 42 shall be amended by amending Article 4, Division 4, Subdivision 17. Lake Center (LC) Corridor District by adding Sections 460-475, and adding (new) Subdivision 18, City Centre Mixed Use (CC-MU) District as follows:

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

Secs. 42-460-42-475. – Reserved.

ARTICLE 4. ZONING, DIVISION 4, SUBDIVISION 18 CITY CENTRE MIXED USE (CC-MU) DISTRICT.

Sec. 42-476. – Statement of purpose and instructions.

The purpose of the City Centre Mixed Use (CC-MU) District is to create clear and simple regulations on the design of new mixed-use development or redevelopment in the City Centre Subarea. 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 City Centre Subarea; 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 centre as a whole.

The City Centre Mixed Use (CC-MU) District is commonly referred to as “CC-MU” throughout this subdivision.

It is further the purpose of the CC-MU district to:

1. Create a core area that establishes the traditional physical form of a downtown mixed use civic center.
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 a mixed use district.
4. Encourage shared parking areas throughout the Centre area 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 CC-MU district do not have an adverse impact on the overall economic and social vitality of the Centre, 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 City Centre 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 the City Centre area.
10. Encourage a variety of housing options in the City Centre area.
11. Create a new zoning district to guide development that achieves the purpose of this district.

Sec. 42-477. 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. **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. 42-478. 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. 42-479. Existing development in the CC-MU 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 42-479 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 42-479,4.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 CC-MU 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 indefinite existence.
 - 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. 42-480. Waiver of requirements.

1. **Purpose and limitations.** The Planning Commission may grant a waiver from certain use and 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 CC-MU 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. Dimensional Requirements:
 - i. 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.
 - ii. The requested waiver is consistent with the intent and purpose of this article.
 - iii. 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.
 - iv. A lesser waiver will not accomplish the same purpose as the requested waiver.
 - v. The waiver will not negatively impact the potential of adjacent parcels to develop according to the requirements of this article.
 - b. Legal Nonconforming Use Requirements:
 - i. Approval of minor site or building modifications where the change is only incidental to the operation of the use.
 - ii. The requested waiver is consistent with the intent and purpose of this article.
 - iii. The waiver will not negatively impact adjacent properties, the public health, safety, or the general welfare of the surrounding neighborhood.

Sec. 42-481. Permitted use table.

The following uses are or may be permitted in the CC-MU 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	DESIGN STANDARD	
	CC-MU	
Multi-Family Residential	P	Section 42-487.A
Assisted Living Facility	S	Section 42-487.A or Section 42-487.B
Attached Single-Family Dwelling Unit	P	Section 42-487.D
Housing for the Elderly (55 years or older and independent)	S	Section 42-487.A or Section 42-487.B
Nursing/Convalescent Home	S	Section 42-487.A or Section 42-487.B
Upper Story Dwelling Unit / Mixed Used Building	P	Section 42-487.B

INSTITUTIONAL USES:		
Municipal and Government Buildings and Uses	P	
Private Clubs and Lodge Halls	S	Section 42-482.6
Public Parks and Rec Facilities	P	
Religious Institutions	—	Section 42-482.3 Not permitted on the ground floor
Bakeries, Coffee shops, ice cream parlors and other similar establishments	P	Single Story Commercial see Section 42-487.C Multi Story Mixed Use see Section 42-487.B
Bank/Credit Union	P	Single Story Commercial see Section 42-487.C Multi Story Mixed Use see Section 42-487.B
Banquet Hall/Conference Center	S	Single Story Commercial see Section 42-485.C Multi Story Mixed Use see Section 42-487.B
Commercial Recreation - indoor only (limited to 2 nd floor or higher, or at grade level as accessory use)	P	Single Story Commercial see Section 42-487.C Multi Story Mixed Use see Section 42-487.C
Day Care Centers	P	Single Story Commercial see section 42.487.C Multi Story Mixed Use see Section 42.487.B Section 42.482.5
Drive-through facility such as banks, pharmacies (where main building is provided)	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Gallery (art, photography, etc.)	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Hotel	S	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.455.B Section 42.455.B
Micro-Brewery/ Brewpub / Winery/ Distillery	P	Single Story Commercial see Section 42.455.C Multi Story Mixed Use see Section 42.455.B Section 42.451.2

	CC-MU	DESIGN STANDARD
		Multi Story Mixed Use see Section 42.487.B
Office, medical or professional (ground floor)	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Office medical or professional (upper story or rear ground floor)	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Personal Service Establishment	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Restaurant: carry out	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Restaurant: drive-in or drive-through	S	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Restaurant: sit down	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Restaurant having sidewalk café or outdoor patio	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Retail Sales <15,000 sq. ft. gross area	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
≥15,000 sq. ft. gross area	S	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Outdoor Retail	S	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
Studio (dance, martial arts, music, etc.)	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B

Theatre, live performance	P	Single Story Commercial see Section 42.487.C
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	CC-MU	DESIGN STANDARD
Trades Showroom (limited to 2 nd floor or higher)	P	Single Story Commercial see Section 42.487.C Multi Story Mixed Use see Section 42.487.B
INDUSTRIAL, TRANSPORTATION AND UTILITY USES:		
Utility and Public Service Buildings	S	No outdoor storage permitted Section 42.458

Section 42.482 Supplementary Design and Land Use Standards

1. **Microbrewers, Brewpubs, Wineries, and Distilleries, subject to the following requirements,**
 - a. Brewery production shall not exceed 18,000 barrels per year.
 - b. No outdoor storage of any kind shall be permitted.
 - c. 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.
 - d. An off-street loading space shall be required in the rear yard, as approved by the director.
 - e. 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.
2. **Religious institutions.**
 - a. 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.
 - b. 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.
 - c. 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.
3. **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.
4. **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, CC-MU, B-1, B-2, B-3, or CPD district and not located in the interior part of any one-family residential district.
5. **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.

Sec. 42-483. Dimension and Design Standards.

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

Sec. 42-484.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 CC-MU 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 downtown 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 42.484.B. Site Layout.

1. **Physical features and site relationships.** All development in the CC-MU 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. 42-484.C. Building scale and relationships.

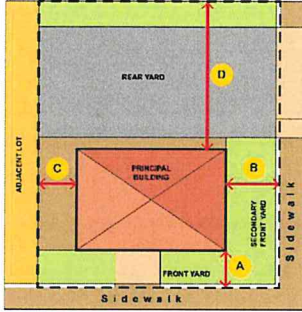
The following building design standards are applicable to all buildings. Refer also to Section 42-487.B and Section 42-487.C for design standards applicable to mixed use and single story retail buildings:

1. **Scale.** Building and site design shall be compatible with the architecture, mixture of uses, and compact layout of a traditional downtown.
 - a. **Scale.** Buildings should be designed with a walkable downtown 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 CC-MU 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 42-487
 - 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. 42-484.D. Lot requirements.

The following requirements apply to the development of lots in the CC-MU 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 CC-MU district is 50 feet, and the minimum lot area is 5,000 square feet.
2. **Setbacks.** Buildings in the CC-MU 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.

SETBACK	CC-MU	
		
	MIN.	MAX.
Primary Front Yard- A	0 ft.	5 ft.
Secondary Front Yard- B	0 ft.	10 ft.
Side Yard- C		
adjacent to CC zoning district	0 ft.	—
adjacent to any non-CC zoning district	5 ft.	—
Rear Yard- D		
adjacent to CC zoning district	5 ft.	—
adjacent to any non-CC zoning district	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; or along a main access drive if no street is present
 - 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. Where a lot does not border a street, a main access drive shall be identified as its primary front yard.
 4. The yard facing a minor street or main access drive (not alley) 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 Section 42-480.
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
Primary Frontage	70%
Secondary Frontage	60%

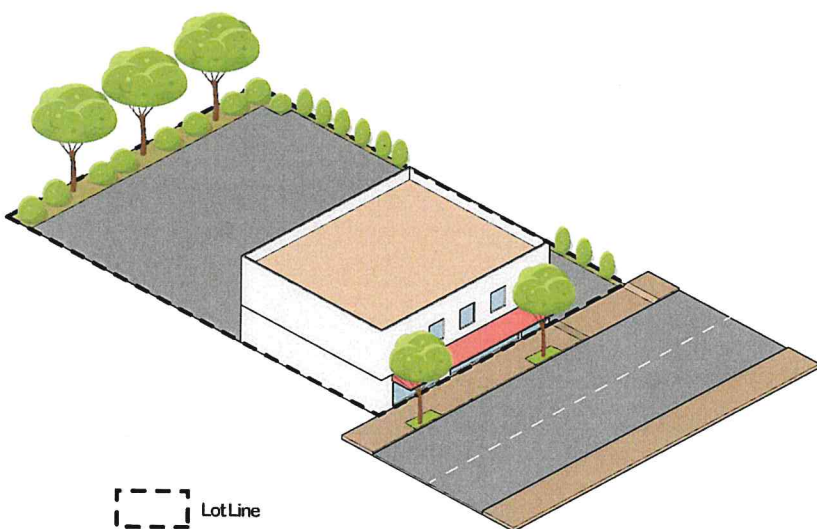
- a. Waiver. The frontage requirements may be altered by the Planning Commission if the applicant can demonstrate that, in addition to the review considerations in Section 42-480 if it meets the following:
 - i. The building is designed consistent with the intent of the frontage requirements; and that
 - 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. 42-485. Building & Frontage Design.

Buildings in the CC-MU district shall comply with the following requirements, in addition to any applicable requirements of Section 42-482 and Section 42-487. The requirements of this section and Section 42-487 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 or main access drive (not alley) 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 CC-MU district.

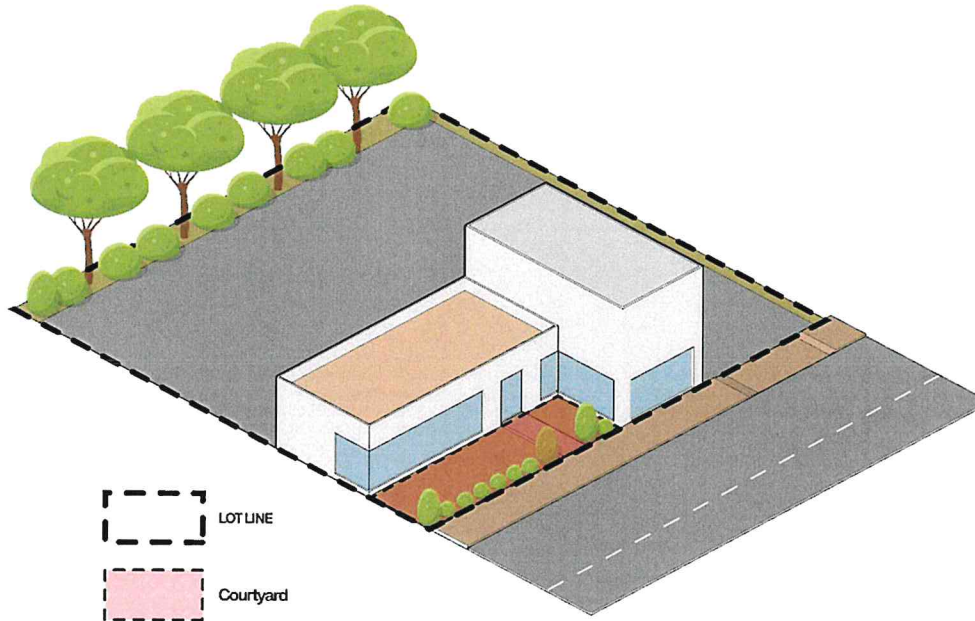
Note that the following table includes specific dimensional requirements for each of the frontages. Unless otherwise noted, the dimensional requirements are in addition to any other dimensional requirement of this article.

FRONTAGE TYPE
Shopfront. A frontage where the building facade is located close to the front lot line or main access drive with the building entrance at sidewalk grade. This frontage type is suitable for nonresidential uses on the first floor.
Shopfront Illustration:   LotLine

Courtyard. A frontage where a portion of the building facade is close to the front lot line or main access drive with a portion set back. This frontage is suitable for any building use.

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.

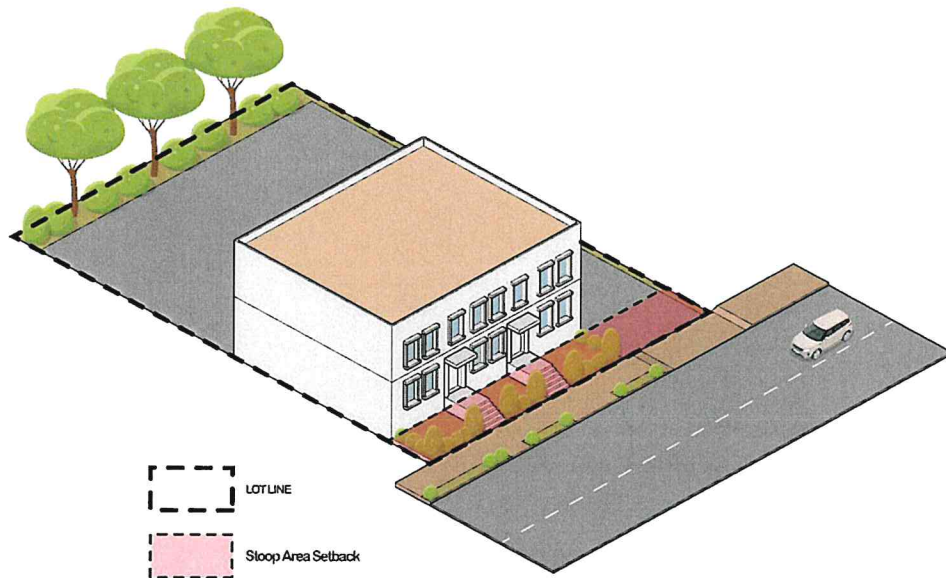
Courtyard Illustration:

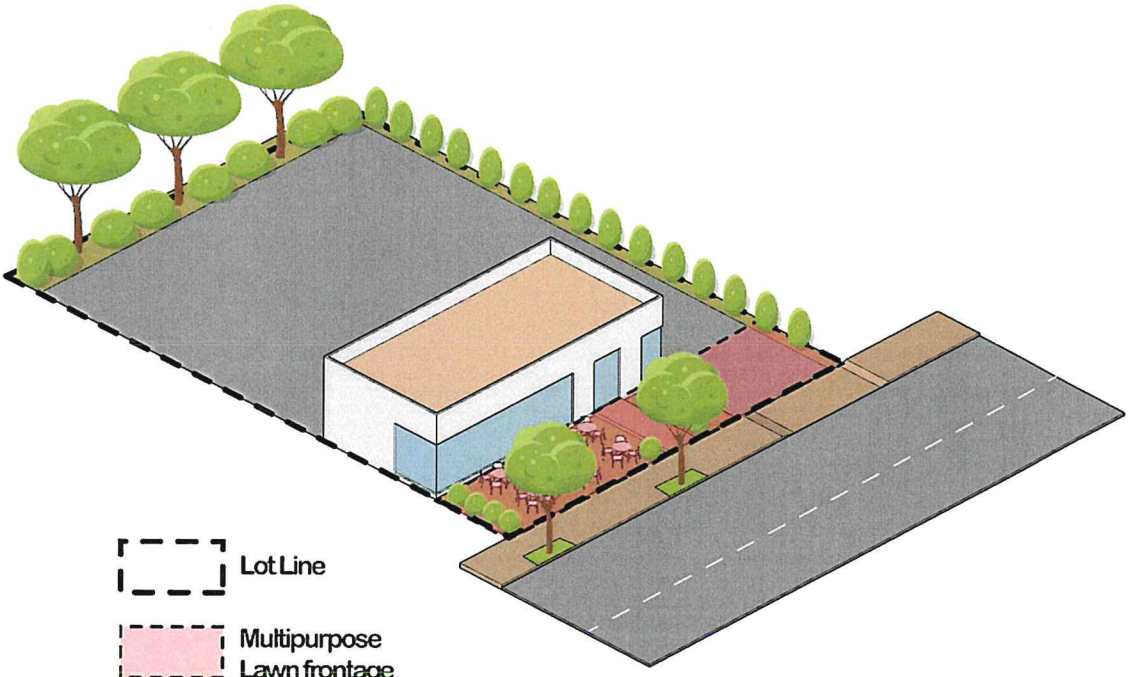


Stoop. A frontage where the first floor is elevated from the sidewalk to provide privacy for first floor windows. The entrance is usually from an exterior stair and landing. This frontage is suitable for ground-floor residential use.

The stoop or porch area shall be set back a minimum of 2 feet from the front lot line or main access drive. 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.	Unenclosed front porches shall be set back a minimum of 5 feet from the front lot line or main access drive. Items within this private space may include lawn, landscaping, outdoor dining and furniture, and others approved by the Director.	
Lawn Illustration:  Lot Line Multipurpose Lawn frontage		

Section 42-486. 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.

Maximum Height	50 feet

- 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 unit. 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. D) Horizontal molding to separate the base and the middle. E) Deep protruding cornice and molding.

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 42-480.
4. **Ground floor design.**
 - a. Building entrance(s). All buildings shall have their principal entrance 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) 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 42-480.
- 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.

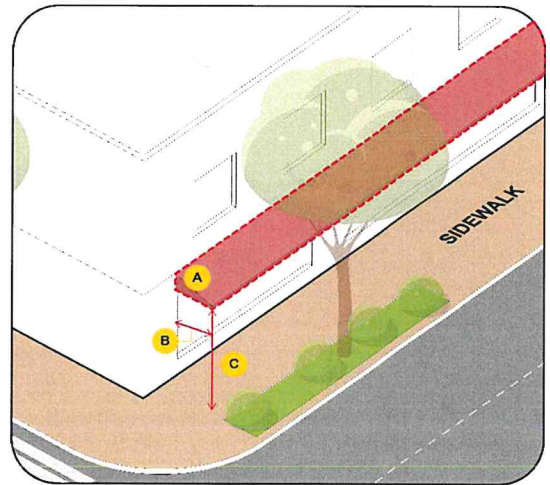


Figure 2. A. Awning projection to be reduced to accommodate streetlights and street trees., 12 Ft. B. Maximum Encroachment 6 Ft. C. Minimum clear Height, 8 FT.

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 on all sides 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, main access drive, 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. All Building Elevations Permitted Primary Materials (≥ 60% of building façade)	
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	•

^a Engineered building materials should convincingly match the appearance of natural building materials.

Permitted Accent Materials	
Clear or lightly tinted glass	•
Metal and metal paneling	•
Decorative masonry veneer	•
Timber or dimensional wood	•
Polymer plastic (e.g., Wyton, 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	
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. 42-487. 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"

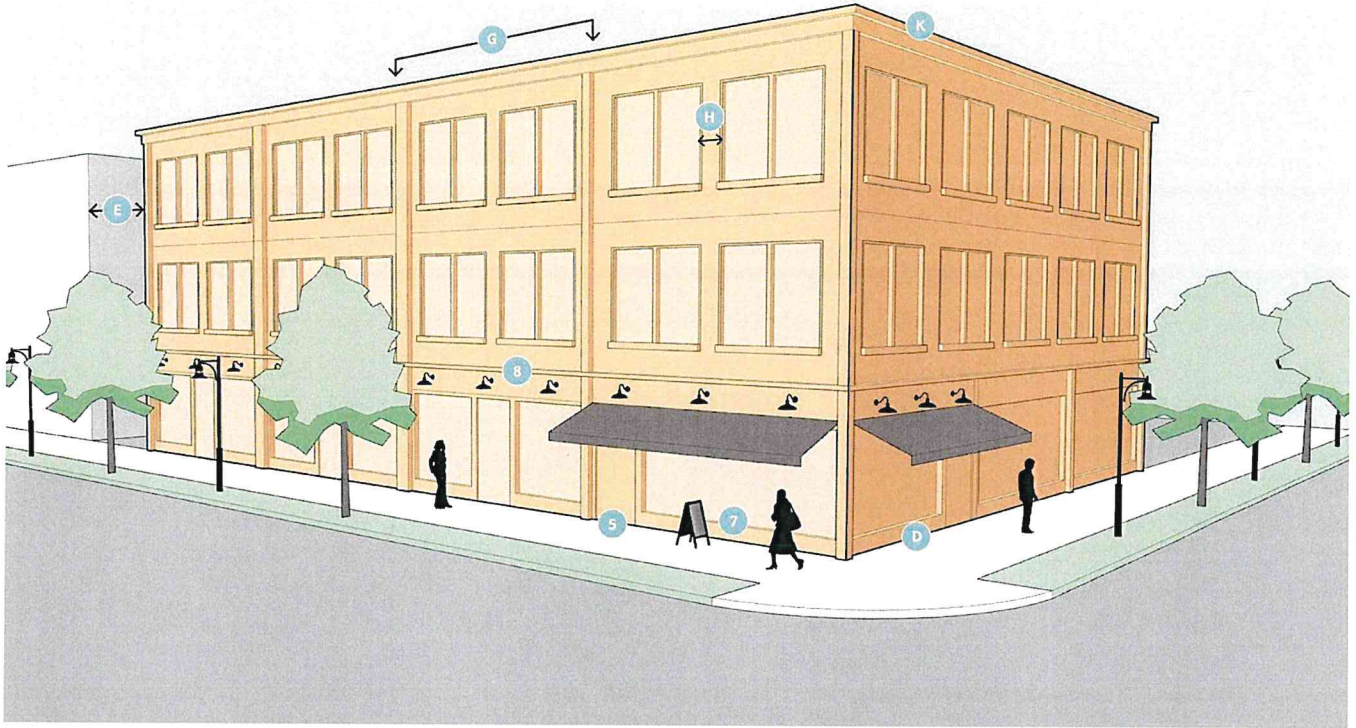
*0 feet where connected to adjacent building or 15 feet where separation between buildings is provided.

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, main access drive, 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.
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.

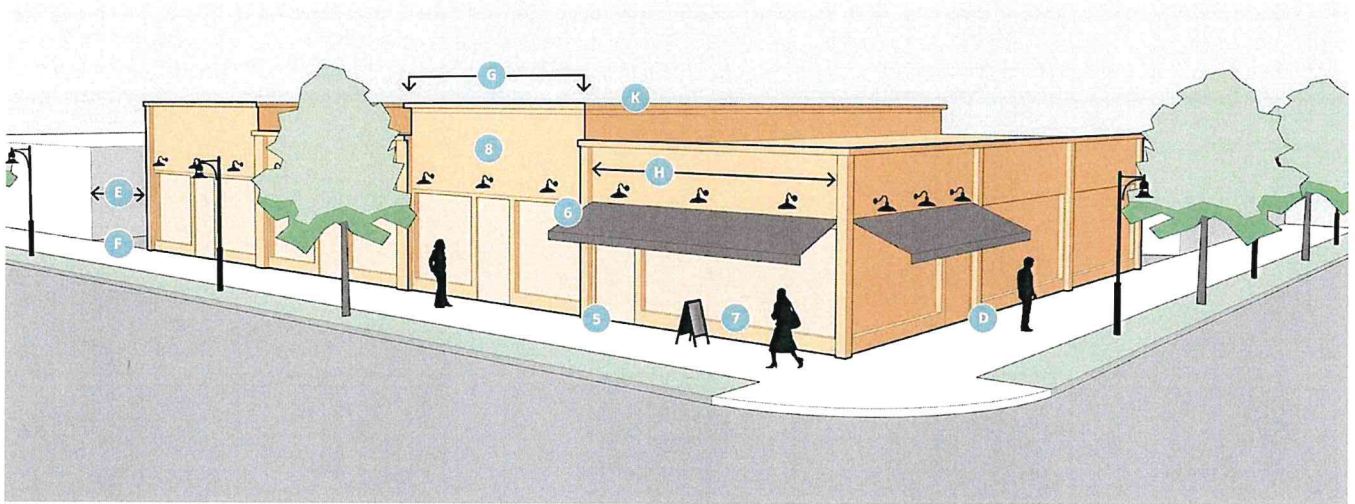
General Design Notes:

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, main access drive, 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 style.
18. 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, main access drive, 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 style.
9. 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.

Sec. 42-488.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. 42-488.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 provide some protection and delineation between residential and nonresidential uses from any adverse external effects and negative impacts from 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 shrubs, fences or a combination thereof and be opaque in all seasons of the year from the ground to a height of at least four 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. 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.
4. 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. 42-489.A. Street design.

1. Street design guidelines.

- a. Travel. Two-way streets are encouraged in the CC-MU 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 CC-MU 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.

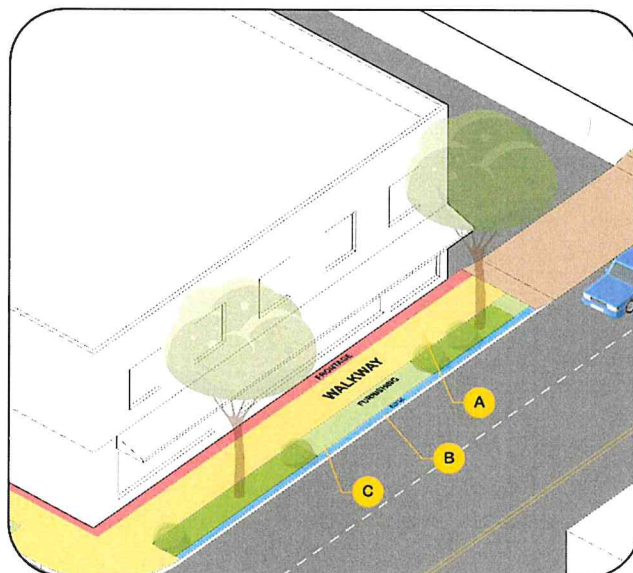


Figure 3. A- min 5 -feet. B-min 1.5 feet. C- min 5 feet

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 or main access drive. 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.
- 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.

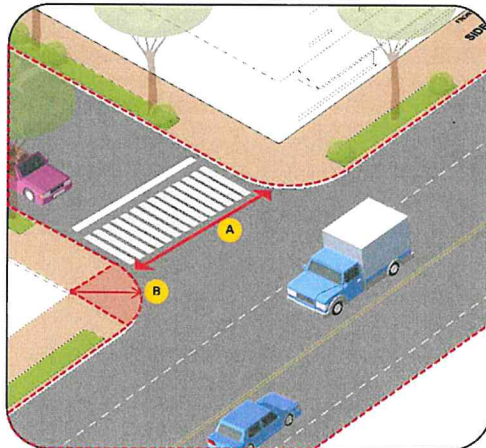


Figure 4. B-It is recommended that the radius be less than 30-feet. A- Least possible distance recommended for increased pedestrian safety.

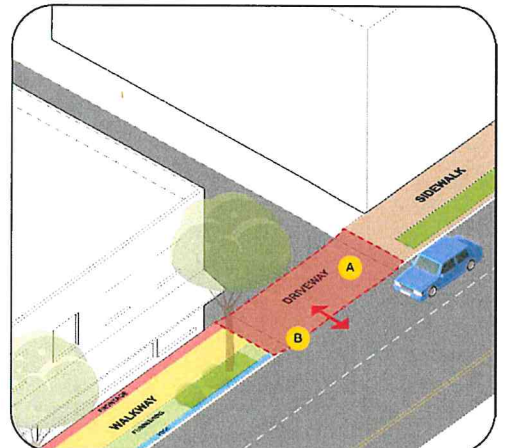


Figure 5. A-Shared driveway access between properties is encouraged. B-Driveways should emulate the material of sidewalk for continuity and should be at the same level as the travel lanes.

Sec. 42-489.B. Parking.

The following parking requirements are applicable in the CC-MU, 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 CC-MU district. Where feasible, shared cross access between parcels shall be provided.
 - a. All parking spaces shall be set back a minimum of 5 feet from any property line or access drive.
 - b. Loading space must be consistent with Section 42.522.

Sec. 42-490.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 CC-MU 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. 42-490.B. Temporary Outdoor Retail Sales.

Outdoor retail sales are permitted in the CC-MU district and 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 CC-MU 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. 42-490.C. Outdoor storage.

Limited outdoor storage of merchandise, materials, or equipment is permitted in the rear yard if it is screened per Sec 42-574 or where located inside a building. In no case shall materials or

merchandise being stored outdoors exceed a height of six feet.

Sec. 42-491. 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 CC-MU 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, main access drive, 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.

Tree lawn: A grassed or landscaped area located between the sidewalk and the curb of the street or main access drive 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

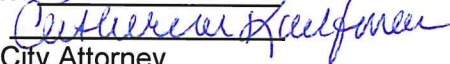
STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

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 _____, 2025.

Erica Eklov, City Clerk

Approved as to Form:

Date: 5-5-2025

By: 
City Attorney

**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:

Property Address: 8120 S. Westnedge Avenue and Portion of 129 W. Centre Avenue

Parcel Number: 06420-016-J and Portion of 06420-016-I

Legal Description:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 21 THAT IS 693.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH ON SAID EAST SECTION LINE 33.00 FEET; THENCE NORTH 89° 55' 30" WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 21 A DISTANCE OF 33.00 FEET TO THE WEST RIGHT OF WAY LINE OF SOUTH WESTNEDGE AVENUE; THENCE NORTH 89° 55' 30" WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 21 A DISTANCE OF 483.08 FEET; THENCE NORTH PARALLEL WITH SAID EAST SECTION LINE 12.74 FEET; THENCE NORTH 61° 45' 10" EAST 47.50 FEET; THENCE NORTH PARALLEL WITH SAID EAST SECTION LINE 223.26 FEET; THENCE SOUTH 89° 22' 59" EAST 309.26 FEET; THENCE SOUTH PARALLEL WITH SAID EAST SECTION LINE 222.61 FEET; THENCE SOUTH 89° 55' 30" EAST PARALLEL WITH SAID NORTH SECTION LINE 165.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.9 ACRES MORE OR LESS. SUBJECT TO THE RIGHTS OF THE PUBLIC AND OF ANY GOVERNMENTAL UNIT IN ANY PART THEREOF TAKEN, USED OR DEEDED FOR STREET, ROAD OR HIGHWAY PURPOSES.

From B-3 General Business District to CC-MU City Centre Mixed Use 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 _____, 2025.

Erica Eklov, City Clerk

Approved as to Form:

Date:

5-5-2025

By:

Christine Kaufman

City Attorney

TO: Honorable Mayor and City Council

FROM: City of Portage Planning Commission

DATE: May 7, 2025

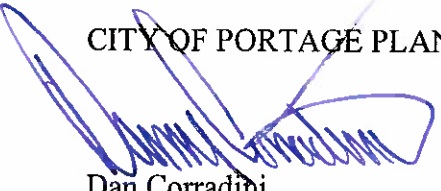
SUBJECT: To amend the Code of Ordinances of the City of Portage, Michigan, Article 4 - Zoning of Chapter 42 by establishing new development standards of partial City Centre Subarea and rezoning to create opportunities for mixed-use development at 8120 S. Westnedge Avenue and a portion of 129 W. Centre Avenue.

At the May 1, 2025 meeting, the Planning Commission reviewed and discussed the Text Amendment and Rezoning Application #24/25-4, to amend the Code of Ordinances of the City of Portage, Michigan, Article 4 - Zoning of Chapter 42 by establishing new development standards of partial City Centre Subarea and rezoning to create opportunities for mixed-use development at 8120 S. Westnedge Avenue and a portion of 129 W. Centre Avenue. The City of Portage planning staff, Mark Chilcott with Cross Creek Development Co, and concept project engineer were present. One public comment was received at the meeting.

After careful consideration, the Planning Commission voted unanimously (9-0) to recommend to City Council the approval of the Text Amendment and Rezoning Application #24/25-4: to amend the Code of Ordinances of the City of Portage, Michigan, Article 4 - Zoning of Chapter 42 by establishing new development standards of partial City Centre Subarea as City Centre Mixed Use (CC-MU) district, and to rezone 8120 S. Westnedge Avenue and a portion of 129 W. Centre Avenue from B-3 General Business District to CC-MU City Centre Mixed Use District to create opportunities for mixed-use development.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION



Dan Corradini
Chairman

Attachments: Draft May 1, 2025 Planning Commission meeting minutes.

CITY OF PORTAGE PLANNING COMMISSION

**Thursday, May 1, 2025
7:00 PM Portage
Portage City Hall Council Chamber**

The City of Portage Planning Commission meeting of May 1, 2025, was called to order by Chair Corradini at 7:00 p.m.

IN ATTENDANCE

- Peter Dame, Chief Development Officer
- Eric Feldt, Senior City Planner
- Alex Johnson, City Planner
- Biqi Zhao, Deputy Director of Planning and Zoning
- 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 (yes); Youngs (yes); and Crowell (yes). 9-Present; 0-Absent.

APPROVAL OF MINUTES

1. Meeting Minutes dated April 17, 2025

Commissioner Joshi clarified the minutes that her words got misinterpreted and stated for the record that she did not have negative comments towards duplexes. Motion by Commissioner Joshi, seconded by Vice Chair Baldwin to approve April 17, 2025, meeting minutes with the clarification. Motion carried 9-0.

PUBLIC HEARINGS

1. Rezoning #24/25-4: The City of Portage seeks to amend the Code of Ordinances of the City of Portage, Michigan, Article 4 - Zoning of Chapter 42 by establishing new development standards of partial City Centre Subarea and rezoning to create opportunities for mixed-use development at 8120 S. Westnedge Avenue and a portion of 129 W. Centre Avenue.

Mr. Feldt presented the proposal, project details, site area, drawings, background, maps, the site and review standards, details of the zoning amendment, process, and analysis. He also stated that the required public noticing had taken place. Mr. Feldt stated that staff had not received any comments about the project. He concluded the presentation with the recommendation to the City Council the approval of the Text Amendment and Rezoning #24/25-4 by establishing new development standards of partial City Centre Subarea and rezoning to create opportunities for mixed-use development at 8120 S. Westnedge Avenue and a portion of 129 W. Centre Avenue.

Chair Corradini inquired about the infrastructure and its ability to support future development, and if the schools had given any feedback regarding the rezone.

Mr. Feldt indicated that staff's future review of the project will address utilities, and that the concept development is not part of the rezone. He indicated there has been no feedback from the schools regarding this rezone.

Commissioner Youngs asked if this particular lot was part of the Brownfield program. Mr. Feldt confirmed that it was.

Commissioner Copp expressed concerns about how the narrowness of the adjacent driveway and parking lot could impact future development resulting from the rezone.

Mr. Feldt stated that those concerns will be addressed through staff review in the future if a project is proposed.

Chair Corridini opened the public hearing.

- Robert Williams, 10930 S. Westnedge Ave,
Mr. Williams stated concerns about over-development, the lack of associated infrastructure, increased traffic and parking needs, and disagreed with the location of the concept development.

Motion by Commissioner Joshi, seconded by Vice Chair Baldwin to close the public hearing. Upon a voice vote, motion carried 9-0.

Motion by Commissioner Joshi, supported by Secretary Freiman, to recommend to City Council the approval of Text Amendment and Rezoning #24/25-4 by establishing new development standards of partial City Centre Subarea and rezoning to create opportunities for mixed-use development at 8120 S. Westnedge Avenue and a portion of 129 W. Centre Avenue. Upon voice vote, motion carried 9-0.

SITE/FINAL PLANS

None.

OLD BUSINESS

None.

NEW BUSINESS

1. Presentation: Proposed CIP program for FY 2025-26

Peter Dame, Chief Development Officer with the City of Portage, presented an overview of this year's Capital Improvement Program (CIP) project to the Commission. He stated that there were no decisions needed, and this was to inform the Planning Commission. He gave a brief overview of each chapter of the CIP, and mentioned various street projects, sidewalks and trails, utilities, and public facilities.

Chair Corridini inquired if any projects would be eliminated if they were deferred to later fiscal years. Mr. Dame stated that it happens rarely. He also stated that only the first-year projects are budgeted, later years' projects are less guaranteed budgeting and are placed in a queue.

Chair Corridini stated support for construction that addresses both infrastructure and the street itself at the same time, instead of separating the two elements. He asked if the City was losing money on improving roads, as in the previous years, more money had been put towards road improvement projects.

Mr. Dame stated that using grants and the Capital Improvement millage provides consistent funds, but the cost of constructing projects has increased quickly. He also stated support for using more preventative measures to avoid future costly replacements.

Motion by Commissioner Copp, supported by Commissioner Crowell, to accept the CIP. Upon voice vote, motion carried 9-0.

STATEMENT OF CITIZENS

- Robert Williams, 10930 S. Westnedge Ave,
Mr. Williams expressed concerns about the growing number of rentals in Portage lately, and seeing an abundance of apartments with vacancies. He asked if the targeted housing need in Kalamazoo County from the W.E. Upjohn Institute Kalamazoo County Housing Plan has been surpassed.
Commissioner Adams said that he works for the W. E. Upjohn Institute and there have been 2,500 permitted units in the last three years in Kalamazoo County.

STATEMENT OF COMMISSIONERS/ STAFF

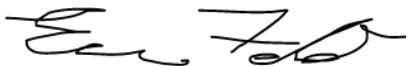
Mr. Feldt indicated that the May 15th meeting might be cancelled; an email will be sent to all Commissioners about that meeting in the near future. City Hall will be closed on June 19th for Juneteenth so there will be no meeting on that day. Staff will inform the Commission if a second meeting will be held in June. The next meeting after would be July 3rd, which is close to the July 4th holiday and the Commission can expect an email in the future about rescheduling that meeting.

Chair Corridini wished Commissioner Joshi farewell as she will be termed out.
Commissioner Joshi thanked everyone and wished them farewell.

ADJOURNMENT

There being no further business to come before the Commission, Chair Corradini adjourned the meeting at 8:04 p.m.

Respectfully submitted,



Eric Feldt
Senior City Planner

TO: Honorable Mayor and City Council

FROM: Pat McGinnis, City Manager

SUBJECT: Local Officers Compensation Commission Appointment

SUPPORTING PERSONNEL: Erica Eklov, City Clerk

ACTION RECOMMENDED: Appoint Francine (Fran) Bruder to the Local Officers Compensation Commission to the remainder of a partial term ending October 2030.

On May 27, 2025, the City Council appointed Lori Knapp to fill a position on the Local Officers Compensation Commission (LOCC) that had been vacated by a former member in 2023. The LOCC only meets every odd-numbered year and is slated to convene again in 2025. However, Ms. Knapp has indicated that her schedule will have her out of town for much of the summer and has resigned from her recent appointment.

In turn, Portage resident and former Kalamazoo County Commissioner Francine (Fran) Bruder has expressed her interest in serving on the LOCC and would be able to fill the now vacant position. As such, it is recommended that the Council appoint Fran Bruder to the Local Officers Compensation Commission for the remainder of a partial term ending October 2030.

FUNDING: N/A

Attachments:

1. 2025 Portage Local Officers Compensation Commission - Meeting Request (Knapp withdrawal)
2. F. Bruder Application

From: [Lori Knapp](#)
To: [Erica Eklov](#)
Subject: Re: FW: Portage Local Officers Compensation Commission - Meeting Request
Date: Tuesday, June 3, 2025 3:00:13 PM

CAUTION: THIS EMAIL IS FROM AN EXTERNAL SENDER

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

Erica,

Thank you so much for trying to make this work.

I have thought about it and I think the simplest thing to do is for me to not accept the appointment to the committee. Because of the scheduling issue, my participation would not be what I would want it to be nor what it should be this year. And I applied only because I was asked to help out this year; I do not anticipate being available to participate in two years' time.

Let me now if you need anything formal from me to confirm that I withdraw my name from the appointment.

Thanks,
Lori