

CITY OF
PORTAGE

A Place for Opportunities to Grow

PLANNING COMMISSION

September 1, 2011

CITY OF PORTAGE PLANNING COMMISSION

A G E N D A

**September 1, 2011
(7:00 p.m.)**

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

- * August 18, 2011

SITE/FINAL PLANS:

PUBLIC HEARINGS:

- * 1. Final Report: Rezoning Application #10-03, 1302, 1306, 1316 and 1330 East Centre Avenue

PLATS/RESIDENTIAL CONDOS:

OLD BUSINESS:

NEW BUSINESS:

- * 1. 2010-11 Planning Commission Work Program Final Update and Proposed FY 2011-12 Work Program

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

Housing unit vacancy comparison
August 9, 2011 City Council meeting minutes
July 2011 Summary of Environmental Activities Report

Star (*) indicates printed material within the agenda packet.

PLANNING COMMISSION

August 18, 2011

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The City of Portage Planning Commission meeting of August 18, 2011 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 15 citizens were in attendance.

MEMBERS PRESENT:

Bill Patterson, Rick Bosch, Mark Siegfried, Miko Dargitz, Wayne Stoffer, Allan Reiff and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Jim Pearson and Paul Welch.

IN ATTENDANCE:

Michael West, Assistant City Planner and Randall Brown, City Attorney.

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the July 21, 2011 meeting minutes. A motion was then offered by Commissioner Dargitz, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was unanimously approved.

SITE/FINAL PLANS:

None

PUBLIC HEARINGS:

1. Preliminary Report: Rezoning Application #10-03, 1302, 1306, 1316 and 1330 East Centre Avenue. Mr. West summarized the preliminary staff report dated August 11, 2011 and the Planning Commission decision to expand the rezoning consideration to include the four parcel located at the southeast corner of East Centre Avenue and Lovers Lane. Mr. West stated a zoning change from R-1B, one family residential and OS-1, office service, to B-1, local business, was now being considered for 1302, 1306, 1316 and 1330 East Centre Avenue. Since the July 21st meeting, Mr. West indicated the Department of Community Development had spoken with the owners of 1306 and 1330 East Centre Avenue regarding the inclusion of their properties in the expanded rezoning consideration. Mr. West discussed the Future Land Use Map designation, surrounding zoning pattern, suitability of the existing R-1B zone and the potential impacts of the proposed B-1 zone. The Commission and Mr. West next discussed the Future Land Use Map boundaries, uses allowed in the OS-1 zone compared to the B-1 zone and screening/buffering requirements.

Mr. Thomas Rogers (original applicant/owner of 1316 East Centre Avenue) was present to support the rezoning request. Mr. Rogers stated his original offer to Mr. William Miller to purchase the adjacent parcel to the east, 1330 East Centre Avenue, was not accepted.

The public hearing was reconvened by Chairman Cheesebro. One citizen (Patricia Heystek, 1404 Maynard Avenue) spoke in regards to the proposed rezoning. Ms. Heystek spoke in opposition to the expanded rezoning consideration expressing concerns about increased traffic, speeding, noise, lighting, crime

and property values. Ms. Heystek indicated there are a lot of vacant office and commercial buildings across the city, therefore, there are no reasons to rezone these additional properties. No additional citizens spoke regarding the proposed rezoning.

After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Reiff, to adjourn Rezoning Application#10-02, 1302, 1306, 1316 and 1330 East Centre Avenue, to the September 1, 2011 meeting. The motion was unanimously approved.

PLATS/RESIDENTIAL CONDOS:

None

OLD BUSINESS:

None

NEW BUSINESS:

1. Accessory Building: James Brayton, 4517 Nash Avenue. Commissioner Siegfried indicated he would be abstaining from discussion and voting on this agenda item due to a conflict of interest (personal relationship with applicant) and excused himself from the Council Chambers. Mr. West summarized the staff report dated August 11, 2011 regarding the request from Mr. James Brayton to construct a 14-foot tall, 40-foot wide by 80-foot long (3,200 square foot) detached accessory building at 4517 Nash Avenue. Mr. West indicated the applicant would not be residing at 4517 Nash Avenue, however, has stated the existing single-family dwelling would be refurbished and may be occupied by a family member. If approved, the applicant has indicated the two existing accessory buildings at the property (336 square foot garage and 1,500 square foot Quonset hut) would be removed. Mr. West stated the proposed accessory building would be used as a garage for the existing single-family residential dwelling and for storage of personal items including boats, wave runners, snowmobiles and trailers. Mr. West indicated the accessory building is proposed within the northwest portion of the 22.58 acre parcel and would be situated approximately 200-feet from the northern property line, 400-feet from the western property line and in excess of 500-feet from the nearest adjacent single family residence. Mr. West reviewed past Planning Commission accessory buildings approvals that have typically ranged from 900 – 1,500 square feet. Mr. West indicated the lack of an occupied dwelling at the property and the proposed size of the accessory building were both concerns for staff. However, Mr. West indicated staff was supportive of the application subject to the accessory building being restricted to a maximum of 2,000 square feet and the four conditions listed in the August 11, 2011 Department of Community Development report.

The Commission and staff next discussed various issues associated with the application including the proposed height of the accessory building and clarification of the staff recommended conditions of approval. Mr. James Brayton (applicant) was present and spoke in support of the proposed 3,200 square foot accessory building. Mr. Brayton stated the accessory building would be used as both a garage for the occupant of the residence, as well as storage for himself, and would not be utilized for any business related purpose. Mr. Brayton discussed the large, wooded nature of the property and indicated the accessory building would not be visible from the residences on East Shore Drive. One citizen, Mr. Vince Campbell (9942 East Shore Drive), spoke in support of the proposed accessory building. Mr. Campbell stated he also owns the vacant property located at 4501 Nash Avenue with a couple of his neighbors and supports Mr. Brayton's application. Mr. Campbell indicated the applicant would preserve the natural beauty of the property and would prevent future development. No additional citizens spoke regarding the proposed accessory building.

The Commission and staff next engaged in a lengthy discussion of the proposed accessory building application including past accessory building approvals by the Planning Commission; Zoning Code provisions regarding accessory building use by owners/occupants of the property; the size and characteristics of the subject property; the size/height of the proposed accessory building; Zoning Code criteria for consideration of accessory buildings that will exceed the ground floor area of the main residence and the existing nonconforming nature of the existing residence and accessory buildings at the site. After additional

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discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to approve the 3,200 square foot Accessory Building for James Brayton, 4517 Nash Avenue, with a finding that the size and configuration of the parcel combined with the wooded nature of the site and setback distances from adjacent residences and property lines will mitigate any impacts on adjacent properties and subject to the following conditions;

- 1) The existing single-family residential dwelling be refurbished (as may be necessary/required) to meet City Code, and available for occupancy for a residential principal use of the property prior to issuance of a building permit for the accessory building.
- 2) The two existing detached accessory buildings (garage and Quonset hut) be removed prior to issuance of a building permit for the accessory building.
- 3) The accessory building be restricted for personal use only by the occupants of the existing single-family residential dwelling and property owner. Storage of vehicles, equipment and other items unrelated to the occupants of the dwelling or property owner or use for business-related activities is prohibited.

Upon a roll call vote: Reiff (yes), Dargitz (yes), Stoffer (yes), Cheesebro (yes), Bosch (yes) and Patterson (yes), the motion was approved 6-0.

2. Analysis of 2010 Decennial Census Data – July 2011 Update. Mr. West provided a summary of the 2010 Census of Population and Housing – Analysis and General Trends (July 2011 Update) report as prepared by the Department of Community Development. Mr. West summarized major findings of the report and stated additional census related information would be provided to the Commission as it becomes available. Commissioner Stoffer discussed the increase in vacant housing units from 2000 (734 units, 3.9%) to 2010 (1,360 units, 6.6%) and asked if staff could provide a brief comparison with other similar sized communities at the next meeting.

STATEMENT OF CITIZENS:

None

ADJOURNMENT:

Commissioner Reiff stated he would not be present at the September 1, 2011 meeting. There being no further business to come before the Commission, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Michael West, AICP
Assistant City Planner

TO: Planning Commission **DATE:** August 26, 2011
FROM: Vicki Georgeau, ^{VA} Director of Community Development
SUBJECT: Final Report: Rezoning Application #10-03 (expanded), 1302, 1306, 1316 and 1330 East Centre Avenue

I. INTRODUCTION/BACKGROUND:

An application was received on June 20, 2011 requesting that 1316 East Centre Avenue be rezoned from R-1B, one-family residential to B-1 local business. Legal notice was provided and a public hearing was initially convened by the Planning Commission on July 21, 2011. After considerable discussion, the Commission unanimously voted to expand the rezoning to include the following parcels of land located at the southeast corner of East Centre Avenue and Lovers Lane (refer to attached zoning/vicinity map):

Owner	Property Address	Description	Zoning	
			Existing	Proposed
City of Portage	1302 East Centre Avenue	Parcel 00022-041-O	OS-1	B-1
Janet Gray	1306 East Centre Avenue	Parcel 00022-040-O	OS-1	B-1
Michigan Commerce Bank, custodian for Thomas Rogers IRA ¹	1316 East Centre Avenue	Parcel 00022-035-O	R-1B	B-1
William and Susan Miller	1330 East Centre Avenue	Parcel 00022-030-O	R-1B	B-1
Four parcels: 2.5 acres				

¹ Refer to the attached letter dated June 24, 2011 from Nathan Horjus, Michigan Commerce Bank

II. EXISTING CONDITIONS:

The information in the table below summarizes existing conditions of the subject and surrounding properties.

Land Use/Zoning	<p>Rezoning Site: Single family residences (1316 and 1330 East Centre Avenue) zoned R-1B, one-family residential, and vacant land (1302 and 1306 East Centre Avenue) zoned OS-1, office service.</p> <p>South: Single family residences located along Maynard Avenue zoned R-1B, one-family residential.</p> <p>East: Nonconforming single family residence zoned OS-1, office service.</p> <p>West: Across Lovers Lane, neighborhood commercial center zoned B-1, local business and single family residences zoned R-1A, one-family residential.</p> <p>North: Across East Centre Avenue, hair salon zoned OS-1, office service; single-family residence zoned R-1B, one-family residential; and two nonconforming two-family residences zoned R-1B, one-family residential.</p>
Zoning/Development History	<p>Rezoning Application #04-09: In 2005, 1414 and 1422 East Centre Avenue were rezoned from R-1B, one-family residential to OS-1, office service properties to accommodate a child day care facility. The rezoning request was consistent with the 2002 Comprehensive Plan designation for office use along this section of East Centre.</p>
Historic District/Structures	<p>The subject properties are not located within a historic district and do not contain any historic structures.</p>
Public Streets	<p>East Centre Avenue is designated as a five-lane major arterial with 20,070 vehicles per day (2008); capacity of 32,500 vehicles per day (level of service "D").</p>
Public Utilities	<p>Municipal water and sewer are available.</p>
Environmental	<p>Environmentally sensitive areas such as wetlands and floodplains are not present on the property.</p>

III. PUBLIC REVIEW/COMMENT

The Planning Commission convened a second public hearing on August 18, 2011. Mr. Thomas Rogers (applicant/owner of 1316 East Centre Avenue) was present to support the rezoning request. One citizen (Patricia Heystek, 1404 Maynard Avenue) spoke in opposition to the rezoning expressing concerns about increased traffic, speeding, noise, lighting, crime and impact on property values.

IV. FINAL ANALYSIS:

The following analysis has been prepared based on general land use considerations, the Comprehensive Plan, traffic conditions and surrounding development patterns. Issues to be considered are consistency with the Future Land Use Plan and Development Guidelines, suitability of the existing zoning classification and the impacts of the proposed zoning classification.

Comprehensive Plan/Future Land Use Plan Consistency. The Future Land Use Map component of the Comprehensive Plan designates the intersection of East Centre Avenue and Lovers Lane as appropriate for local business use (refer to attached Future Land Use Map). This intersection is also designated as a secondary commercial node. The local business classification is intended to provide convenience goods and services to residents and employees in the immediate neighborhood, generally within a two-mile radius, while maintaining a compatible neighborhood scale. Local business uses include small grocery, convenience and drug stores, dry cleaners, video rental, smaller dining establishments, personal service and office establishments that are typically located near single-family neighborhoods and can often be accessed by walkway or bikeway connections, in addition to automobile access. Similarly, secondary commercial nodes are intended to encourage and support low intensity local business uses and service establishments which serve neighboring residential areas. East Centre Avenue, east and west of the Lovers Lane intersection, is designated as an office corridor. To the south, the area is designated for low-density residential land use.

While the Future Land Use Map clearly identifies the three western parcels (1302, 1306 and 1316 East Centre Avenue) as situated within the secondary commercial node and local business use designation, the eastern parcel (1330 East Centre Avenue) is mostly situated outside the commercial node boundary and generally designated for office land use designation. However, unlike zoning district boundaries, Future Land Use Map designations are not intended to be property line specific and are subject to a case-by-case review and analysis.

Development Guidelines. The Development Guidelines are intended to be used by the Commission and staff when reviewing private development proposals, infrastructure improvement programs (i.e. public expenditures on streets, sewers and water mains that influence the location, intensity and timing of development) and public programs that affect the physical environment. The guidelines also provide direction and underpinning for regulations that affect land use (e.g. zoning, subdivision, parking, landscaping and others), may suggest incentives to influence community development and preservation and may suggest adjustments to other policies that influence the use of land for consistency with community development objectives. The proposed B-1 zoning district for 1302, 1306 and 1316 East Centre Avenue is consistent with applicable development guidelines contained in the Comprehensive Plan (attached). In addition, either the proposed B-1 or OS-1 zoning district for 1330 East Centre Avenue would be consistent with the applicable development guidelines.

Suitability of Existing Zones/Impacts of Proposed Zones. The suitability of the two R-1B zoned properties should be carefully considered due to traffic volumes along East Centre Avenue and the existing/planned office and commercial zoning/land use pattern along this major street corridor. The two OS-1 zoned properties are consistent with the surrounding land use/zoning pattern and a change to B-1 would also be consistent with the

land use/zoning pattern, as well as the secondary commercial node designation contained in the Comprehensive Plan. As information for the Commission, uses that are principally permitted in the OS-1 district including executive, administrative and professional offices, medical offices and clinics, banks and credit unions are also permitted in the B-1 zone (special land uses allowed in the OS-1 zone such as institutional uses, trade and business schools, and hospitals do not carry over into the B-1 district). Additional uses also allowed in the B-1 district include low intensity retail establishments and smaller restaurant uses of 1,500 square feet useable floor area or less that exclude drive-in and drive-through services.

When redevelopment occurs, buildings in the B-1 and OS-1 zones would be limited to one-story and 25-feet since the rezoning site is located adjacent to single family residential zoning. A change in zoning to B-1 for 1302, 1306 and 1316 East Centre and resulting development may have some impact on adjacent residences to the south (increase site activity, noise, traffic, etc). However, Zoning Code requirements for screening, buffering, and lighting, along with other ordinance provisions, would help mitigate impacts on adjacent residences. With regard to 1330 East Centre Avenue, a change in zoning to OS-1, rather than B-1, would ensure future office land uses that are more consistent with the Plan designation, and similar to those that exist across East Centre Avenue to the north, and along East Centre Avenue to the east. Additionally, an OS-1 district may generate fewer impacts on the existing single-family residential dwellings to the south due to generally more limited hours of operation, less traffic volumes and a building style and mass similar to residential structures. Nevertheless, the Zoning Code requirements for screening/buffering/lighting would also apply. Finally, if the R-1B zoned properties located at 1316 and 1330 East Centre were rezoned either B-1 or OS-1, the existing single-family residential uses could continue as a legal nonconforming use until such time the property is redeveloped.

Traffic Considerations. If all four parcels were rezoned to B-1 and redeveloped collectively, the 2.5-acre rezoning site could accommodate an approximate 27,000 square foot (based on 25% lot coverage) building. The ITE Trip Generation Manual, Sixth Edition, indicates that a specialty retail center of this size would generate approximately 1,098 vehicle trip ends (549 vehicles) on an average weekday. An administrative office building of the same size would generate approximately 486 vehicle trips (243) vehicles on an average weekday.

If 1302, 1306 and 1316 East Centre rezoned to B-1 and redeveloped collectively, the 1.6-acre rezoning site could accommodate an approximate 17,400 square foot (based on 25% lot coverage) building. The ITE Trip Generation Manual, Sixth Edition, indicates that a specialty retail center of this size would generate approximately 708 vehicle trip ends (354 vehicles) on an average weekday. An administrative office building of the same size would generate approximately 346 vehicle trips (173) vehicles) on an average weekday.

If 1330 East Centre was rezoned to OS-1, the 0.9-acre rezoning site could accommodate an approximate 9,801 square foot (based on 25% lot coverage) building. The ITE Trip Generation Manual, Sixth Edition, indicates that an administrative office building of the same size would generate approximately 223 vehicle trips (112) vehicles) on an average weekday.

Under any of the above scenarios, anticipated traffic generated by a retail or office development project can be accommodated by the surrounding roadway network.

V. RECOMMENDATION:

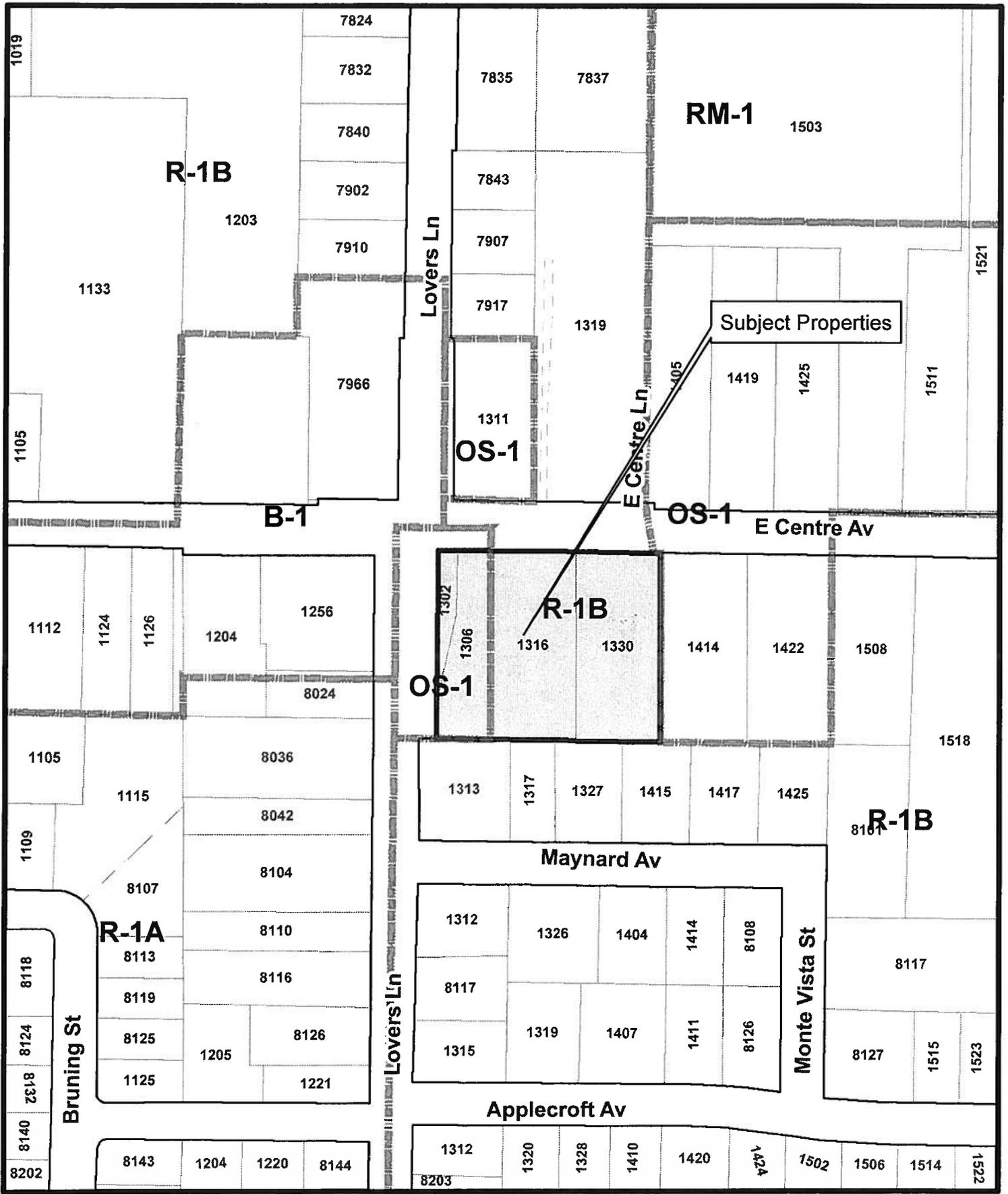
Alternative options are available for Planning Commission consideration including the following:

- 1) Recommend to City Council that Rezoning Application #10-03 be approved and 1302, 1306, 1316 and 1330 East Centre Avenue be rezoned to B-1, local business.

- 2) Recommend to City Council that Rezoning Application #10-03 be approved and 1302, 1306 and 1316 East Centre Avenue be rezoned to B-1, local business and 1330 East Centre Avenue be rezoned to OS-1, office service.

While either Alternative 1 or 2 could be considered consistent with the Comprehensive Plan and Future Land Use Map, the Department of Community Development recommends Alternative 2. Rezoning 1302, 1306 and 1316 East Centre Avenue to B-1, local business and 1330 East Centre Avenue to OS-1, office service is more consistent with the Comprehensive Plan and Future Land Use Map, and represents an appropriate land use pattern in this area given existing and future uses.

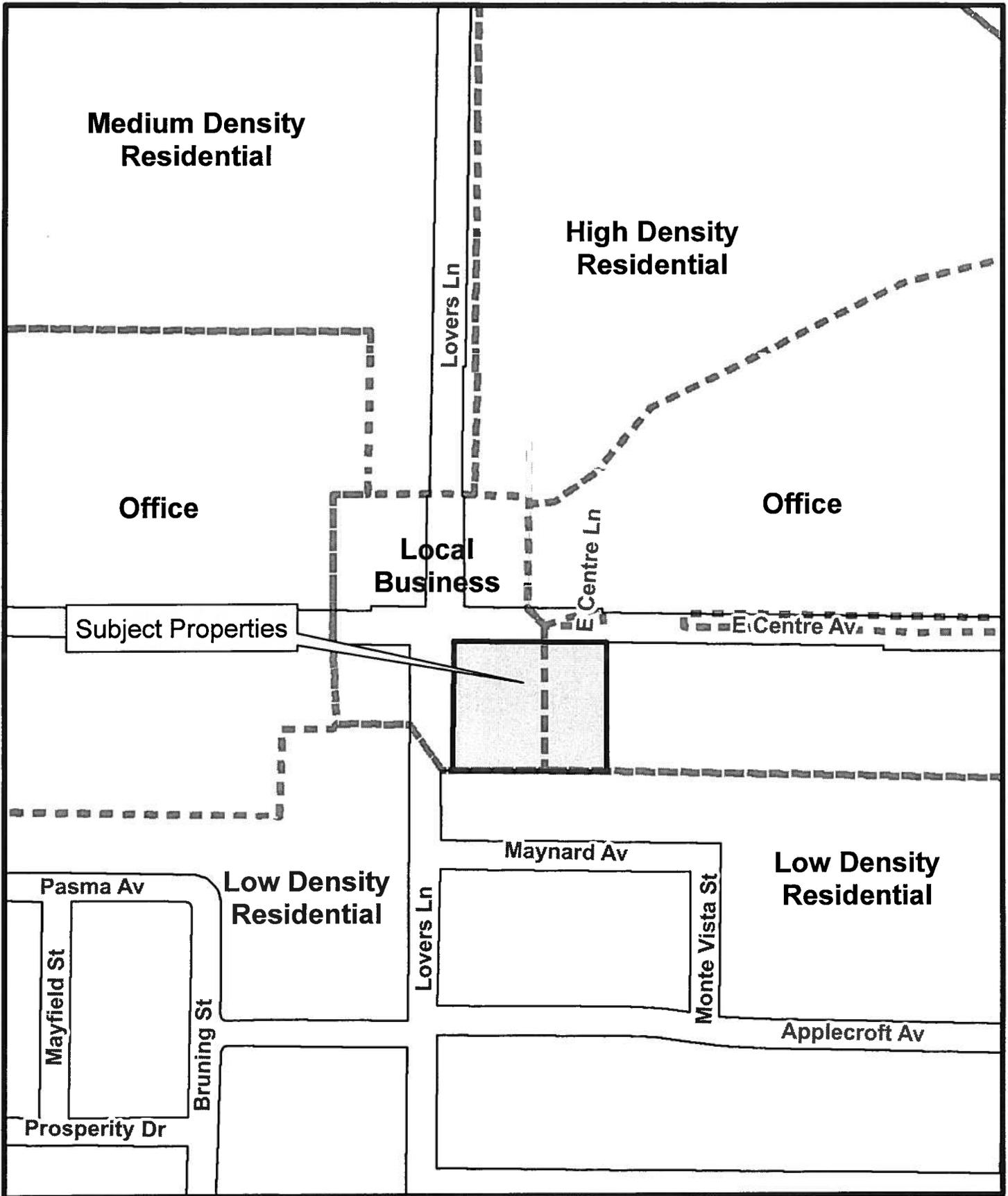
Attachments: Zoning/Vicinity Map
Future Land Use Map
Aerial Photograph
Development Guidelines Table (B-1)
Rezoning Application
Letter from Nathan Horjus, Michigan Commerce Bank, dated June 24, 2011



Rezoning #10-03
1302, 1306, 1316, 1330
East Centre Avenue

 Zoning Boundary
 Subject Properties


 1 inch = 200 feet



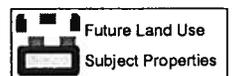
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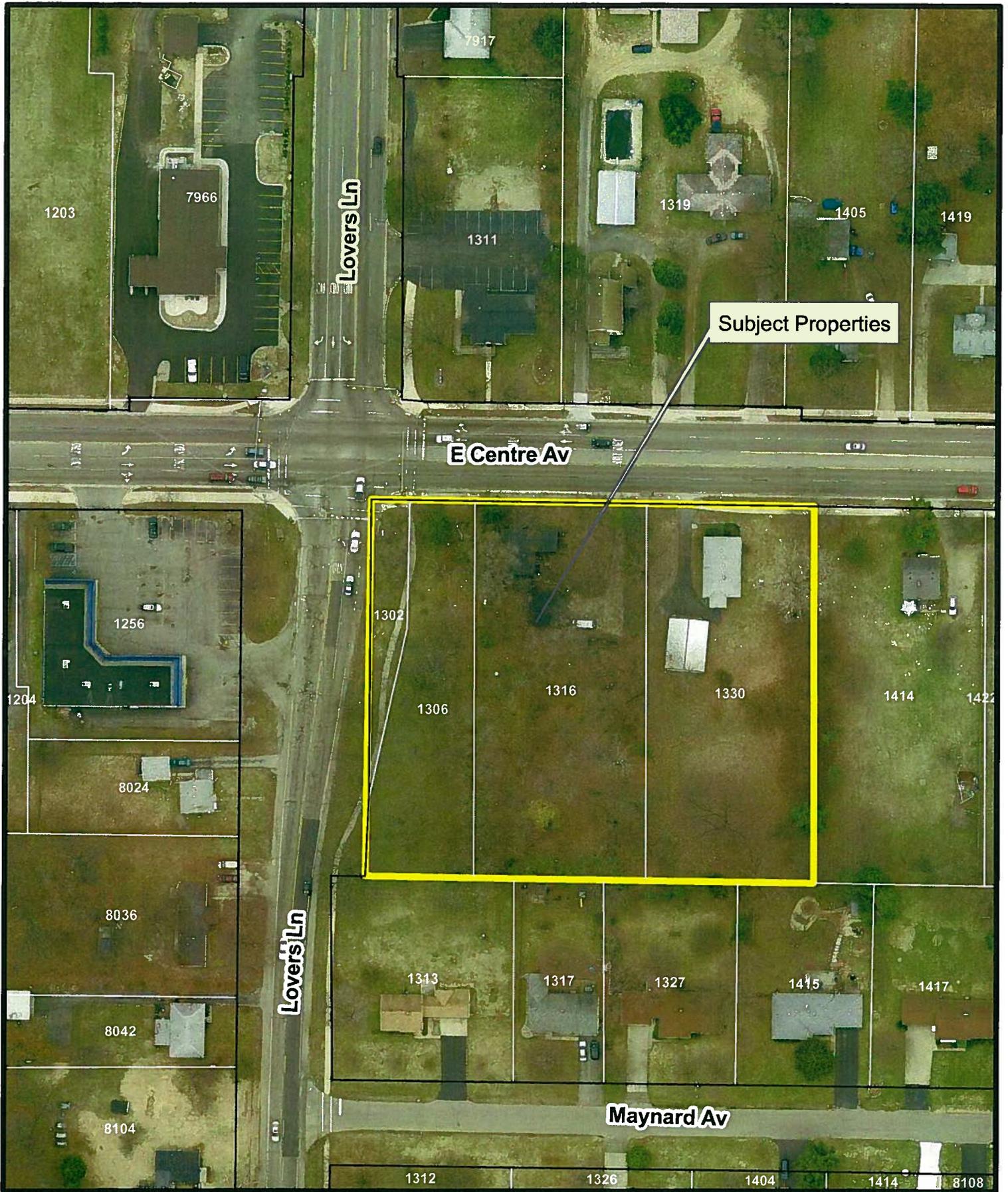


0 75 150 Feet

Future Land Use Map

1302, 1306, 1316, 1330 East Centre Avenue





Subject Properties

Lovers Ln

E Centre Av

Lovers Ln

Maynard Av

Rezoning #10-03 1316 East Centre Avenue



1 inch = 98 feet

DEVELOPMENT GUIDELINES

Rezoning Application #10-03 (B-1, Local Business)

Guideline	Description	Consistent	Comments
Rezoning – Z-1	Consistency with Future Land Use Plan	Yes	<p>Future Land Use Map identifies the three western parcels (1302, 1306 and 1316 East Centre) as appropriate for local business and also situated within a secondary commercial node. The eastern parcel (1330 East Centre) is situated in a zone of transition between local business and office designations.</p> <p>Comprehensive Plan also recognizes local business uses as providing convenience goods/services to residents and employees in the adjacent neighborhood, generally within a two mile radius, while maintaining a compatible neighborhood scale.</p>
Commercial – 1	Coordinated Development	Yes	Reviewed at site plan stage of development. Shared access, pedestrian circulation, utility services and so forth will be encouraged.
Commercial – 2	Commercial/Office Uses in General	Yes	Redevelopment in this area is consistent with the Plan designation, limits strip commercial development, access is available to a major thoroughfare, local business/office uses are typically low impact and future uses can serve the needs of adjacent residential areas.
Commercial – 3	Local Business Uses	Yes	B-1 zone allows local business and office land uses that would serve the adjacent residential neighborhood. East Centre/Lovers Lane intersection is designated a secondary commercial node with convenient vehicular and pedestrian access.
Commercial – 6	Office/Commercial Site Design	Yes	Conflicting land use screening would be required where adjacent to single family residential zoning and/or land use. Issues associated with screening, buffering, landscaping, access, sidewalks, etc would be reviewed when a site plan is submitted.
Natural & Historic Resources - 1	Environmental Protection	Yes	Rezoning site is not characterized by environmentally sensitive areas (wetlands, floodplain, etc).
Natural & Historic Resources - 2	Floodplain	Yes	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	Yes	Reviewed at site plan stage of development.
Natural & Historic Resources – 4	Noise	Yes	Reviewed at site plan stage of development.
Natural & Historic Resources – 5	Historic Resource Preservation	N/A	Historic buildings are not present at the rezoning site.
Transportation – 1	Transportation Systems	Yes	East Centre Avenue is 5-lane major arterial street with 20,070 vehicles per day (2008); and a capacity of 32,500 vehicles per day (level of service “D”). Anticipated traffic can be accommodated.
Transportation – 2	Street Design	Yes	Rezoning site has frontage on East Centre Avenue and Lovers Lane. Access arrangement including cross access connections would be reviewed at site plan stage of development.
Transportation – 3	Access Management	Yes	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	Yes	Specifics associated with the inclusion of walkways and pathways will be reviewed at the site plan stage of development.
Transportation – 5	Right-of-Way Preservation	Yes	Reviewed at site plan stage of development.
Transportation – 6	Parking	Yes	Reviewed at site plan stage of development.
Municipal Facilities & Services – 2	Sanitary Service	Yes	Sanitary sewer is available.
Municipal Facilities & Services – 3	Underground Utilities	Yes	Reviewed at site plan stage of development.

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JUN 20 2011

COMMUNITY DEVELOPMENT

APPLICATION FOR ZONING AMENDMENT

Application number #10-033

Date JUNE 17, 2011

APPLICATION INFORMATION:

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

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

TO THE PLANNING COMMISSION:

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

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at _____ between _____ Street and _____ Street on the _____ side of the street, and is known as Lot Number(s) _____ of _____ Plat (Subdivision). It has a frontage of _____ feet and a depth of _____ feet.

b. Unplatted Land:

The property is in acreage, and is not therefore a part of a recorded plat. The property sought to be rezoned is located and described as follows: (Indicate total acreage and parcel number).

1316 EAST CENTRE AVE. PARCEL NUMBER: 00022-035-0
.90 ACRES WITH 132' FRONTAGE AND A DEPTH OF 297' NEAR SOUTH EAST
CORNER OF LOVERS LANE AND CENTRE AVE.

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

b. Name of the owner of the property to be rezoned: MICHIGAN COMMERCE BANK CUSTODIAN
THOMAS C. ROGERS ROTH IRA

Address 240 EAST 8TH ST., HOLLAND, MICH. 49423-3535

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: TO PROMOTE THE HIGHEST AND BEST USE OF THIS PROPERTY WHICH CONFORMS WITH THE CITY OF PORTAGE'S LONG TERM PLANS FOR THE 4 CORNERS.

4. CURRENT ZONING: R-1B PROPOSED ZONING: B-1

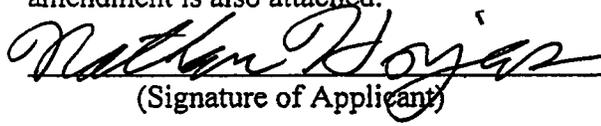
ZONING TEXT AMENDMENT

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

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

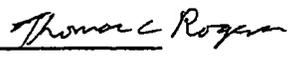
- 3. My (our) interest in and purpose for submitting the proposed Zoning Ordinance Amendment.

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

	Michigan Commerce Bank fbo Thomas Rogers IRA
(Signature of Applicant)	(Signature of Applicant)

240 E. 8th Street Holland, MI 49423

(Address)

APPROVED BY 

(Address)

616-394-9055

(Phone)

(269) 760-6448

(Phone)

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



MICHIGAN
COMMERCE BANK
Trust & Investments

Friday, June 24, 2011

Michael West
City of Portage

RE: 1316 E. Centre Street Rezoning Request

Dear Mr. West,

The legal owner of record of 1316 E. Centre Street is "Michigan Commerce Bank for benefit of Thomas Rogers Roth IRA".

Please be advised that Michigan Commerce Bank is the Custodian of the Thomas Rogers Roth IRA. This is a self-directed IRA and it is allowed to hold Real Estate.

All official documents such as the request for rezoning must be signed by Michigan Commerce Bank with the direction and approval of Thomas Rogers.

Please contact us with any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Nathan Horjus".

Nathan Horjus
V.P. Trust & Investments
Michigan Commerce Bank
Phone: 616-394-9055

TO: Planning Commission

DATE: August 26, 2011

FROM: Vicki Georgeau, ^{VJ} Director of Community Development

SUBJECT: 2010-11 Planning Commission Work Program Final Update and Proposed FY 2011-12 Work Program.

I. INTRODUCTION:

The Planning Commission customarily adopts an annual Work Program that includes the duties and responsibilities of the Commission per statute and local ordinance, incorporates approved City Council Advisory Board Goals and Objectives and City Council Mission Statement and Goals & Objectives. Attached is the 2010-11 Work Program, adopted by the Planning Commission in August 2010. Progress made by the Commission on these work items during the past fiscal year is summarized below.

II. FY 2010-11 WORK PROGRAM (FINAL UPDATE):

- **Council Assigned Goals and Objectives** were completed during the past fiscal year.

1. *Continue to guide development to appropriately planned areas of the community.*

The Planning Commission continued to guide development consistent with the 2008 Comprehensive Plan Update and Future Land Use Map. Additionally, the Planning Commission ensured new development projects are designed consistent with applicable ordinances through review of site plans, plats and other development proposals.

2. *Consider and act appropriately upon site-specific rezonings in the context of the 2008 Comprehensive Plan and the 2008 City Centre Area Plan to encourage residential, commercial, industrial, planned development and high-tech development opportunities, as appropriate.*

Two rezoning applications were received and acted upon by the Planning Commission during the past fiscal year: Rezoning Application #10-01, Portage Road & Fairlane Avenue (approved by City Council) and Rezoning Application #10-02, 4815 West Milham Avenue and 6027 South 12th Street (withdrawn by applicant proper to Planning Commission recommendation). Additionally, five Zoning Code ordinance amendments were reviewed and acted upon by the Planning Commission: Ordinance Amendment #10-A, Keeping of Chickens; Ordinance Amendment #10-B, Home Occupations; Ordinance Amendment #10-C, Medical Marihuana; Ordinance Amendment #10-D, Business Banners and Ordinance Amendment #10-E, Mixed Use Zoning Ordinances. All five of these ordinance amendments were approved by City Council.

3. *During project plan review, consider parking lot interconnection, driveway consolidation, access from adjacent local/collector street or other methods intended to improve traffic flow and safety.*

During the past fiscal year, the Planning Commission continued to implement provisions of the Access Management Ordinance. The Planning Commission approved the following site plans that incorporated access management related improvements such as driveway consolidation, closure, cross access and/or future commitments to provide cross access: Centre Meadows Senior Apartments, 1405-1419-1503 East Centre Avenue; Fifth Third Bank, 2610 East Centre Avenue; Greenspire Retail (Phase I), 3201 West Centre Avenue; Greenspire Apartments (Phase IV), 8380 Greenspire Drive; Lake Michigan Credit Union, 4100 West Centre Avenue; and The Bark Park, 6604 Lovers Lane.

4. *Review and recommend the annual Capital Improvement Program.*

In March 2011, the Planning Commission reviewed, discussed and then recommended to City Council approval of the 2011-2021 Capital Improvement Program (first year budget and conceptually the remaining nine year planning level projects).

5. *Review/update of the Major Thoroughfare Plan components of the Comprehensive Plan, where necessary.*

In March 2011 in conjunction with the annual CIP review, the Planning Commission also reviewed, discussed and accepted the 2011 Major Thoroughfare Plan Status Report.

6. *Forward recommended goals for FY 2010-11 (November 2010 and April 2011) and recommended goals for FY 2011-12 (April 2011).*

Updates were provided to City Council in November 2010 and April 2011.

- **Current Planning Activities** were also completed during the past fiscal year including the review and decision/recommendation of 10 site/final plans; 11 special land use permits; two zoning map applications (Rezoning Application #10-01, Portage Road & Fairlane Avenue and Rezoning Application #10-02, 4815 West Milham Avenue & 6027 South 12th Street); five zoning ordinance text amendments (Ordinance Amendment #10-A, Keeping of Chickens as an Accessory Use; Ordinance Amendment #10-B, Home Occupations; Ordinance Amendment #10-C, Medical Marijuana; Ordinance Amendment #10-D, Business Banners and Ordinance Amendment #10-E, Mixed Use Zoning Ordinances); one accessory building; and two adjacent community planning document reviews.
- **Long Range Planning Activities** were also completed. In March 2011, the Planning Commission reviewed and recommended to City Council approval of the 2011-2021 Capital Improvement Program. Also in March 2011, the Planning Commission reviewed, discussed and accepted the 2011 Major Thoroughfare Plan Status Report.
- **Planning Commission Training Session** was presented by the Department of Community Development on January 21, 2011 and included Commissioner training in the areas of community planning history, State enabling legislation, responsibilities and functions of a Planning Commission and characteristics of an effective Planning Commissioner.

FY 2010-11 Planning Commission Work Program Final Update and
FY 2011-12 Planning Commission Work Program (proposed)

III. FY 2011-12 WORK PROGRAM (PROPOSED):

The proposed FY 2011-12 Planning Commission Work Program has been prepared and is attached for review and consideration. Also, attached are the City Council Advisory Boards and Commissions Approved FY 2011-12 Goals and Objectives and FY 2011-12 City Council Mission Statement and Goals & Objectives. The Commission is advised to review and discuss the attached materials during the September 1, 2011 meeting and, if no further changes, adopt the FY 2011-12 Planning Commission Work Program.

Attachments: Adopted FY 2010-11 Planning Commission Work Program
Proposed FY 2011-12 Planning Commission Work Program
City Council Advisory Boards and Commissions Approved FY 2011-12 Goals and Objectives
FY 2011-12 City Council Mission Statement and Goals & Objectives

FY 2010-11 PLANNING COMMISSION WORK PROGRAM

The FY 2010-11 work program reflects the established duties and responsibilities of the Planning Commission as specified by statute and local ordinance, and the guidance provided by the City Council Mission Statement and Goals & Objectives for the community.

The following work program outlines activities of the Planning Commission for FY 2010-11.

- **Council Assigned Goals and Objectives** -- The City Council Assigned 2010-11 Planning Commission Goals and Objectives were approved at the July 27, 2010 Council meeting and will require Planning Commission review and discussion throughout the fiscal year. Workshop/Special meetings can also be convened to address the 2010-11 Goals and Objectives.

Assigned Goals and Objectives for 2010-11 include the following:

1. Continue to guide development to appropriately planned areas of the community including, but not limited to, encouraging redevelopment and preserving existing natural areas, wherever and whenever possible.
 2. Consider and act appropriately upon site-specific rezonings in the context of the 2008 Comprehensive Plan and the 2008 City Centre Area Plan to encourage residential, commercial, industrial, planned development and high-tech development opportunities, as appropriate.
 3. During project plan review, consider parking lot interconnection, driveway consolidation, access from adjacent local/collector street or other methods intended to improve traffic flow and safety.
 4. Review and recommend the annual Capital Improvement Program.
 5. Review/update of the Major Thoroughfare Plan components of the Comprehensive Plan, where necessary.
 6. Forward recommended goals for FY 2010-11 (November 2010 and April 2011) and recommended goals for FY 2011-12 (April 2011).
- **Current Planning Activities** -- Ongoing Commission responsibilities involve planning for infrastructure, review of development projects and activities and implementation of the planning programs. In FY 2010-11, these responsibilities include:
 1. Site and project plan review and approvals/recommendations per the Zoning Code.
 2. Review and recommendation of the Capital Improvement Program.
 3. Review and recommendation of zoning map and zoning text amendments.
 4. Prioritize the three Commercial Revitalization areas and consider a revitalization program covering appropriate rezonings, public infrastructure improvements and financial assistance and incentive programs.
 - **Long Range Planning Activities** – Ongoing Long Range Planning Activities by the Commission during 2010-2011 include:
 1. Review and consider implementation strategies contained in the 2008 Comprehensive Plan and 2008 City Centre Area Plan.
 2. Update of the Major Thoroughfare Plan (Chapter 8, Transportation, contained in the 2008 Comprehensive Plan)

- **Planning Commission Training** -- To increase the effective decision making of all Planning Commissioners, continuing education is important. Given the current budget constraints, staff will continue to identify innovative and cost effective training methods for Planning Commission members. An updated training session is being prepared by staff and will be presented to the Commission in the Fall 2010. Additionally, Planning Commissioners are encouraged to review information received from the Michigan Association of Planning (MAP) and visit the website at www.planningmi.org or the American Association of Planning website at www.planning.org.

DRAFT

FY 2011-12 PLANNING COMMISSION WORK PROGRAM

The FY 2011-12 work program reflects the established duties and responsibilities of the Planning Commission as specified by statute and local ordinance, and the guidance provided by the City Council Mission Statement and Goals & Objectives for the community.

The following work program outlines activities of the Planning Commission for FY 2011-12.

- **Council Assigned Goals and Objectives** -- The City Council Assigned 2011-12 Planning Commission Goals and Objectives were approved at the August 9, 2011 Council meeting and will require Planning Commission review and discussion throughout the fiscal year. Workshop/Special meetings can also be convened to address the 2011-12 Goals and Objectives.

Assigned Goals and Objectives for 2011-12 include the following:

1. Continue to guide development to appropriately planned areas of the community.
 2. During project plan review, consider the following:
 - a) Parking lot interconnection, driveway consolidation, access from adjacent local/collector street or other methods intended to improve traffic flow and safety.
 - b) Adjacent residential protection measures.
 - c) Protection of environmentally sensitive areas such as those identified on the City of Portage Sensitive Land Use Inventory Map, including regulated wetlands, groundwater and surface water.
 3. Consider and act appropriately upon site-specific rezonings in the context of the 2008 Comprehensive Plan and the 2008 City Centre Area Plan to encourage residential, commercial, industrial, planned development and high-tech development opportunities, as appropriate.
 4. Review/recommend Zoning Code text amendments including, but not limited to, the City Council referred mixed-use ordinances and the Landscaping and Screening ordinance.
 5. When appropriate, engage the Youth Advisory Committee in the planning process.
 6. Prepare the 2012 Major Thoroughfare Plan (Chapter 8 of the Comprehensive Plan) Status Update.
 7. Review and recommend the annual Capital Improvement Program.
 8. Forward update to goals for FY 2011-12 (November 2011 and April 2012) and recommended goals for FY 2012-13 (April 2012).
- **Current Planning Activities** -- Ongoing Commission responsibilities involve planning for infrastructure, review of development projects and activities and implementation of the planning programs. In FY 2011-12, these responsibilities include:
 1. Site and project plan review and approvals/recommendations per the Zoning Code.
 2. Review and recommendation of the Capital Improvement Program.
 3. Review and recommendation of zoning map and zoning text amendments.

DRAFT

- **Long Range Planning Activities** – Ongoing Long Range Planning Activities by the Commission during 2011-2012 include:
 1. Review and consider implementation strategies contained in the 2008 Comprehensive Plan and 2008 City Centre Area Plan.
 2. Update of the Major Thoroughfare Plan (Chapter 8, Transportation, contained in the 2008 Comprehensive Plan)

- **Planning Commission Training** -- To increase the effective decision making of all Planning Commissioners, continuing education is important. Given the current budget constraints, staff will continue to identify innovative and cost effective training methods for Planning Commission members. An updated training session is being prepared by staff and will be presented to the Commission in the Winter 2012. Additionally, Planning Commissioners are encouraged to review information received from the Michigan Association of Planning (MAP) and visit the website at www.planningmi.org or the American Association of Planning website at www.planning.org.

RECEIVED

AUG 19 2011

CITY OF PORTAGE

COMMUNITY DEVELOPMENT COMMUNICATION

TO: Advisory Board Chairperson*

DATE: August 16, 2011

FROM: Adam Herringa, Deputy City Clerk *AH*

SUBJECT: Approved 2011/2012 City Goals & Objectives

Enclosed is a copy of the 2011/2012 Goals and Objectives approved by City Council at the August 9, 2011, City Council Meeting. Please note the following important dates that are included in the attached Goals and Objectives.

- | | |
|--|----------------------------|
| 1. First Goals Update 2011-2012 | Due in early November 2011 |
| 3. Second Goals Update 2011-2012 | Due in early April 2012 |
| 3. Recommended Goals for Fiscal Year 2012-2013 | Due in early April 2012 |

Please contact the City Clerk Office at (269) 329-4511 if you need assistance or further information.

- * Jason Howard, Chair, Environmental Board
- Mark Reile, Chair, Historic District Commission
- Marc Meulman, Chair, Human Services Board
- Mike Zajac, Chair, Park Board
- James Cheesebro, Chair, Planning Commission
- Ruth Ann Meyer, Chair, Senior Citizens Advisory Board
- Sujay Dewan, Chair, Youth Advisory Committee

- c: Maurice S. Evans, City Manager
- Staff Liaison: Christopher Barnes, Environmental Board
- Erica Eklov, Historic District Commission
- Vicki Georgeau, Human Services Board
- William Deming, Park Board
- Chris Forth, Planning Commission ✓
- Jason Horan, Senior Citizen Advisory Board

**ADVISORY BOARDS AND COMMISSIONS
APPROVED 2011-2012 GOALS AND OBJECTIVES**

ENVIRONMENTAL BOARD

1. Continue to implement the City Council approved Purple Loosestrife bio-control plan:
 - a. Release additional beetles at appropriate surveyed sites as beetle supplies are available.
 - b. Provide oversight to the work group.
 - c. Submit an annual progress report to the City Council.
2. Enhance environmental quality and protect natural resources.
 - a. Continue to promote effective recycling plans, the use of recycled/recyclable products and responsible disposal of hazardous and solid waste.
 - b. Protect water quality through the continued implementation of water management principles, including surface water, groundwater and storm water programs.
 - c. Promote environmental protection, planning, monitoring and educational programs.
3. Continue working with the City Administration to determine if Single-Stream Recycling is a viable and practical program for the City of Portage.
4. Promote environmental awareness in the community by hosting an annual Earth Day event in conjunction with the Youth Advisory Committee and Parks Board.
5. Advise the City Council in areas / subjects under the purview of the Environmental Board.
6. Forward update to goals for FY 2011-12 (November 2011 and April 2012) and recommended goals for FY 2012-13 (April 2012).
7. Present an annual verbal report to the City Council.

HISTORIC DISTRICT COMMISSION

1. Safeguard the heritage of the city through the exterior preservation of the historic district by evaluating and considering applications for Certificates of Appropriateness. Identify and evaluate historically significant structures in the City of Portage.
2. Increase visibility and public awareness of the Portage Historic District.
 - a. Continue to interview and transcribe select interviews with historic homeowners and other people knowledgeable about Portage's history.
 - b. Continue with book sales of *Where the Trails Crossed*.
 - c. Continue to support the historic educational programs in the Portage Schools.
 - d. Continue to have communication and cooperation with similar organizations in the local community.
3. Maintain a Library exhibit wall of framed photos representing the history of Portage. Continue to add new material throughout the year. This exhibit will be on display at the Portage District Library.

4. Present a Preservation Award to a citizen who has met the criteria as established by the Portage Historic Commission.
5. Continue the biannual newsletter called *Picket Fences* to be distributed to homeowners of Portage historic homes, councilmembers and other supporters.
6. Observe National Preservation Week in May by presenting a special event in the community.
7. Advise the City Council in areas / subjects under the purview of the Historic District Commission
8. Forward update to goals for FY 2011-12 (November 2011 and April 2012) and recommended goals for FY 2012-13 (April 2012).
9. Present an annual verbal report to the City Council.

HUMAN SERVICES BOARD

1. Fulfill advisory role requirements for CDBG program and human/public service funding requests.
 - a. Make recommendations regarding the Community Development Block Grant (CDBG) Program.
 - b. Make recommendations regarding human/public service funding from the CDBG Program and General Fund to the City Council
 - Convene public hearings for the CDBG Program Consolidated Plan, Annual Action Plan, and Consolidated Annual Performance Evaluation Report.
 - Hear appeals from the CDBG Housing Program Guidelines.
 - Review fair housing activities.
 - Review applications and presentations from agencies for human/public services and recommend funding levels to City Council.
2. Serve as a resource and provide information to City Council regarding public transportation in the City of Portage.
 - a. Advise City Council on matters pertaining to public transportation in the City of Portage and make recommendations as appropriate.
 - Review public transportation needs within the City of Portage.
 - Review countywide demand/response of transportation services.
3. Serve as a resource to City Council for special projects.
 - a. Take appropriate action on projects as assigned by City Council
 - b. Review mechanisms for identifying human service needs in the community.
 - c. Identify and educate City Council on emerging human service issues in Portage.
 - Continue to serve on Metro Transit ADA Advisory Committee.
 - Assist City Council with Red Ribbon Week activities.
4. Forward update to goals for FY 2011-12 (November 2011 and April 2012) and recommended goals for FY 2012-13 (April 2012).
5. Present an annual verbal report to the City Council.

PARKS BOARD

1. Continue to participate in Portage cultural and special events as event volunteers and fundraising for marketing efforts. Possible venues include:
 - a. Concerts
 - b. Festivals
 - c. Recreation programs special events
2. Continue implementation of the expanded "Get Active Portage" day at Ramona Park, to include a youth triathlon, health fair and Paddle Fest kayak races.
3. Promote environmental awareness in the community by hosting an annual Earth Day event in conjunction with the Youth Advisory Committee and Environmental Board.
4. Implement a new "Landmark Sculpture" activity for the community to promote recycling. This event would engage participants in creating Kalamazoo County landmarks out of discarded goods and objects.
5. Investigate opportunities to expand the effectiveness and ability to increase park events and activities through volunteer development.
6. Work together with the City Administration to facilitate the development of a Park Master Plan for the Eliason property on Shaver Road.
7. Advise the City Council in areas / subjects under the purview of the Parks Board.
8. Forward update to goals for FY 2011-12 (November 2011 and April 2012) and recommended goals for FY 2012-13 (April 2012).
9. Present an annual verbal report to the City Council.

PLANNING COMMISSION

1. Continue to guide development to appropriately planned area of the community.
2. During project plan review, consider the following:
 - a. Parking lot interconnection, driveway consolidation, access from adjacent local/collector street or other methods intended to improve traffic flow and safety.
 - b. Adjacent residential neighborhood protection measures. .
 - c. Protection of environmentally sensitive areas such as those identified on the City of Portage Sensitive Land Use Inventory Map, including regulated wetlands, groundwater and surface water.
3. Consider and act appropriately upon site-specific re-zonings in the context of the 2008 Comprehensive Plan and the 2008 City Centre Area Plan to encourage residential, commercial, industrial, planned development and high-tech development opportunities, as appropriate.

4. Review / recommend Zoning Code text amendments including, but not limited to, the City Council referred mixed-use ordinances and the Landscaping and Screening ordinance.
5. When appropriate, engage the Youth Advisory Committee in the planning process.
6. Prepare the 2012 Major Thoroughfare Plan (Chapter 8 of the Comprehensive Plan) Status Update.
7. Review and recommend the annual Capital Improvement Program.
8. Forward update to goals for FY 2011-12 (November 2011 and April 2012) and recommended goals for FY 2012-13 (April 2012).

SENIOR CITIZEN ADVISORY BOARD

1. Help to increase new and renewal membership to 2,000 or more.
2. Help to increase funding for operational support: investigate new ideas and sources of funding in cooperation with the Friends of the Portage Senior Center.
3. Continue development of innovative programming to reach the population of seniors 50 years of age and older.
4. Conduct discussions on specific senior center topics in cooperation with the Friends of the Portage Senior Center and the City Council on the results of the Portage Visioning Project.
5. Advise the City Council and the Portage Senior Center management on issues or projects pertaining to seniors and the Portage Senior Center.
6. Assist with plans to implement suggestions from the accreditation report such as updating technology use and developing plans for expansion of services.
7. Continue to explore opportunities for interaction and partnering with the Portage Community Center.
8. Forward update to goals for FY 2011-12 (November 2011 and April 2012) and recommended goals for FY 2012-13 (April 2012).
9. Present an annual verbal report to the City Council.

YOUTH ADVISORY COMMITTEE

1. Continue to support educating members of the Youth Advisory committee on the roles and functions of City of Portage Government.
2. Continue a commitment to community service by volunteering time at organizations such as the Portage Community Center. In addition, take the initiative to volunteer in support of other causes as the need may arise.
3. Promote environmental awareness in the community by hosting an annual Earth Day event in conjunction with the Environmental Board and Parks Board.
4. Participate in and support community efforts – specifically those of the Kalamazoo County Substance Abuse Task Force – related to addressing substance abuse in the community.
 - a. Provide teens an opportunity to socialize without the use of drugs and alcohol, including hosting activities such as the Snow Party and Teen Movie Night.
5. Advise the City Council in areas / subjects under the purview of the Youth Advisory Committee.
6. Forward update to goals for FY 2011-12 (November 2011 and April 2012) and recommended goals for FY 2012-13 (April 2012).
6. Present an annual verbal report to the City Council.



**CITY OF PORTAGE
2011-2012 COUNCIL MISSION STATEMENT and GOALS & OBJECTIVES**

Mission Statement of the Portage City Council

To function as the elected body serving the shareholders (all citizens) of the city:

- (1) to ensure the long-term financial health of the city;
- (2) to promote the highest level of quality of life in all aspects for all residents;
- (3) to provide positive leadership for the entire county-wide community in all areas of municipal governance; and
- (4) to encourage effective long-term planning in all considerations within Council purview.
- (5) to ensure transparency and access to information.

2011-2012 GOALS & OBJECTIVES

COMMUNITY DEVELOPMENT

Goal: Promote quality of life in Portage.

Objectives:

- Continue prevention and enforcement efforts concerning substance abuse.
- Continue effective community safety programs through prevention, enforcement, and education.
- Ensure decent and safe housing and the livability of community neighborhoods.
- Maintain effective planning and development programs to promote orderly, attractive, and environmentally sound growth.
- Continue a commitment to human services to enhance the desirability of the community.
- Continue to encourage citizen involvement in crime prevention measures – business and residential.
- Maintain a coordinated and innovative approach toward developing park land and providing recreational opportunities.
- Continue planning and implementing programs and projects to enhance the City Centre area.
- Promote aesthetic and cultural enhancement.

ECONOMIC DEVELOPMENT

Goal: Demonstrate a commitment to quality economic growth and development.

Objectives:

- Develop an improvement strategy to ensure the continued strength of the city.
- Promote business diversification.

TRANSPORTATION

Goal: Continue to plan and implement improvements to move people and commerce safely and effectively through the community.

Objectives:

- Implement projects proposed within the major thoroughfare plan.
- Continue to implement operational and functional improvements to improve traffic safety and movement.
- Evaluate and promote alternate modes of transportation.
- Continue appropriate improvement of the local street system.
- Continue to seek alternative approaches and methods to enhance preventive maintenance programs.

CUSTOMER RELATIONS

Goal: Promote excellent customer relations.

Objectives:

- Continue emphasis on courteous public service.
- Continue efforts to enhance communication between local government, citizens, the business community and the local educational institutions on city projects and services.

PUBLIC IMPROVEMENTS

Goal: Continue to improve the infrastructure to meet demonstrated needs.

Objectives:

- Continue to improve the wastewater and stormwater systems.
- Continue to improve the water system.
- Promote underground utilities within the city.
- Continue to expand, update and maintain equipment and facilities to provide for the effective operation of city departments.
- Maintain a systematic preventative maintenance program for city-owned buildings.

QUALITY OF ENVIRONMENT

Goal: Enhance environmental quality and protect natural resources.

Objectives:

- Continue to promote effective recycling plans, the use of recycled/recyclable products, and the responsible disposal of hazardous and solid waste.
- Protect water quality through the continued implementation of water management principles, including surface water, groundwater, and stormwater programs.
- Promote environmental protection, planning, monitoring, and educational programs.

SERVICE DELIVERY

Goal: Continue to provide high quality, effective and cost efficient municipal services.

Objectives:

- Continue to evaluate alternatives to meet increased service demands.
- Promote teamwork and unity of purpose between the public and private sectors.
- Continue to increase efficiency by applying new technology.
- Continue to prioritize existing services--including the elimination of low-priority services.
- Monitor, evaluate, and communicate service delivery options.
- Continue to pursue mutually beneficial intergovernmental ventures.
- Expand employee training and wellness programs and opportunities to ensure a well trained, healthy and motivated work force.
- Improve the utility of citizen advisory boards.
- Evaluate and propose possible Charter and ordinance revisions.
- Continue to evaluate contracting or privatizing city services and programs.

FINANCE AND BUDGETING

Goal: Maintain the financial health of the city.

Objectives:

- Continue to pursue revenue enhancement through alternate funding opportunities.
- Assess financing methods for future capital improvement needs.
- Continue to evaluate expenditures to provide for the most effective and efficient use of city resources.
- Promote volunteerism to assist in providing important services.
- Promote safety and minimize risk exposure by continuing to identify and prevent accident/ liability exposure.
- Consider and implement alternative means of addressing city insurance needs to further enhance financial health of the city.

MATERIALS TRANSMITTED

TO: Planning Commission

DATE: August 26, 2011

FROM: Vicki Georgeau, ^{VG} Director of Community Development

SUBJECT: Vacant Housing Unit Comparison

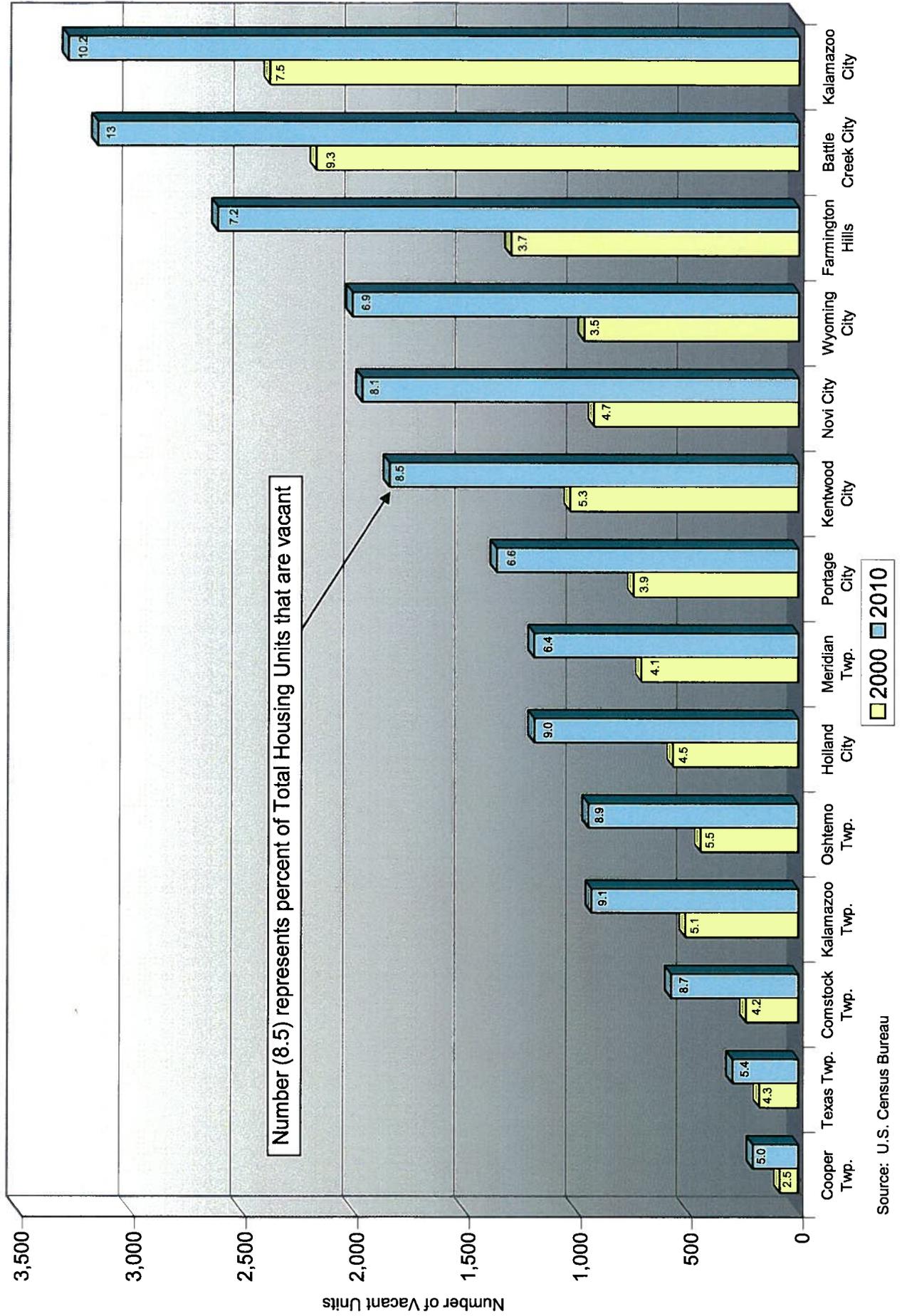
Pursuant to the discussion during the August 18, 2011 Planning Commission meeting regarding the 2011 Census information for the City of Portage, attached is a chart that compares housing unit vacancy for select Michigan communities.

If the Planning Commission has any questions or comments regarding the chart, staff is prepared to further discuss this matter during the September 1, 2011 meeting.

Attachment: Chart

S:\2011-2012 Department Files\Board Files\PLANNING COMMISSION\PC Reports\2011 08 26 VG 2010 Census Vacancy Comparison.doc

Comparison of Housing Unit Vacancy for Select Michigan Communities 2000-2010



Source: U.S. Census Bureau

CITY COUNCIL MEETING MINUTES FROM AUGUST 9, 2011

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

At the request of Mayor Strazdas, Deacon Francis Marotti of St. Catherine of Siena Church in Portage provided the invocation and the City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Cory A. Bailes, Elizabeth A. Campbell, Claudette S. Reid, Terry R. Urban and Mayor Pro Tem Edward J. Sackley and Mayor Peter J. Strazdas. Councilmember Patricia M. Randall was absent with excuse. Also in attendance were City Manager Maurice S. Evans, City Attorney Randall Brown and City Clerk James R. Hudson.

PROCLAMATION: Mayor Strazdas issued a Portage Northern and Portage Central – Top High Schools in the Nation Proclamation. Discussion followed.

APPROVAL OF MINUTES: City Clerk Hudson asked that the announcements by Jim Pearson and Councilmember Cory Bailes as candidates for City Council for the November 8, 2011 General City Election be added to the Minutes for the meeting that ended at 9:40 p.m. Motion by Sackley, seconded by Bailes, to approve the July 26, 2011 Regular Meeting Minutes as amended. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Bailes to read the Consent Agenda. Motion by Reid, seconded by Campbell, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF CHECK REGISTER OF AUGUST 9, 2011:** Motion by Reid, seconded by Campbell, to approve the Check Register of August 9, 2011. Upon a roll call vote, motion carried 6 to 0.

PUBLIC HEARING:

ORDINANCE AMENDMENT 10-D, BUSINESS BANNER REGULATIONS: Mayor Strazdas opened the Public Hearing and introduced Community Development Director Vickie Georgeau, who reviewed the Planning Commission actions and discussion of May 5, May 19, June 2 and June 16, 2011, regarding this ordinance. She inferred that the proposed ordinance amendment would expand banner use opportunities and provide additional options and flexibility for businesses interested in using banner signs since it would eliminate the phrase, “to identify only the name of the business,” increase the area of the banner devoted to sign copy, including the name of the business and related message from four square feet to up to 50% of the banner area, and add the business banner ordinance language to the B-1, local business, and PD, planned development districts. Discussion followed.

In response to Mayor Pro Tem Sackley, Ms. Georgeau indicated that the sign can not contain the name of another business, as this would be an off-premise sign, but food, beverages and general products can be represented. Discussion followed. Mayor Strazdas opened discussion to the public.

There being no further discussion, motion by Sackley, seconded by Bailes, to close the public hearing. Upon a voice vote, motion carried 6 to 0.

Motion by Urban, seconded by Campbell, to approve an Ordinance to amend the City of Portage Code of Ordinances, Ordinance Amendment 10-D, Business Banner Regulations, by amending section 42-548, PD, planned development district; section 42-551, B-1, local business district; and Section 42-552, B-2, community business; B-3, general business; and CPD, commercial planned development districts, of Chapter 42, Land Development Regulations. Upon a roll call vote, motion carried 6 to 0. Ordinance recorded on page 181 of City of Portage Ordinance Book No. 12.

REPORTS FROM THE ADMINISTRATION:

* **TRADE CENTRE WAY RELOCATION PROJECT:** Motion by Reid, seconded by Campbell, to approve the agreement with Consumers Energy for undergrounding of overhead utility lines and installation of new streetlights on Trade Centre Way from West Fork Crossing to South Westnedge Avenue and authorize the City Manager to execute all documents related to the agreement on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **LEXINGTON GREEN DRAINAGE DITCH:** Motion by Reid, seconded by Campbell, to endorse an application to the Kalamazoo County Drain Commissioner to designate the Lexington Green ditch as a County Drainage District and authorize the City Manager to execute the document on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **FINAL PLAT APPROVAL FOR THE HOMESTEAD OF PORTAGE NO. 3:** Motion by Reid, seconded by Campbell, to grant final approval of the plat of The Homestead of Portage No. 3 with completion of final grading by November 2011 and sidewalks and street trees by July 2013 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.

* **WEST LAKE MANAGEMENT – 2011 APPLICATION PROGRAM:** Motion by Reid, seconded by Campbell, to approve a purchase order amendment for the 2011 West Lake Management Program to Aquatic Services, Incorporated, for lake weed treatment measures at a cost not to exceed \$27,840 and authorize the City Manager to execute all documents related to the amendment on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **TRANSFER LOCATION OF 2011 CLASS C LICENSED BUSINESS FROM 633 ROMENCE ROAD TO 7375 SOUTH WESTNEDGE AVENUE (I.E. LOS AMIGO'S):** Motion by Reid, seconded by Campbell, to grant the request to transfer location of 2011 Class C Licensed Business from 633 Romence Road to 7375 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County (i.e. Los Amigo's Grill, Inc.). Upon a roll call vote, motion carried 6 to 0.

* **NEW SMALL WINE MAKER LICENSE (THE SANGRIA SHOP, L.L.C.):** Motion by Reid, seconded by Campbell, to grant the request for a new Small Wine Maker License by The Sangria Shop, L.L.C. to be located at 5919 South Sprinkle Road, Portage. Upon a roll call vote, motion carried 6 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes of the following Boards and Commissions:

Portage Historic District Commission of June 1, 2011.

Kalamazoo County Board of Commissioners Regular and Committee of the Whole of July 19, 2011.

AD HOC COMMITTEE REPORT:

CITY COUNCIL AD-HOC ADVISORY BOARD REVIEW COMMITTEE: At the request of Mayor Strazdas, Councilmember Campbell indicated that the City Council Advisory Boards and Commissions are asked each year to provide goals and objectives which are reviewed by the City Council Ad-Hoc Advisory Board Review Committee. She indicated that the Committee may provide input or suggestions or modifications and present them to City Council for final review and adoption. Discussion followed.

Councilmember Reid noticed that some of the Boards did not have the goal of advising City Council on matters being addressed on issues or projects pertaining to those specific areas.

Motion by Reid, seconded by Bailes, to receive the communication from the City Council Ad-Hoc Advisory Board Review Committee, adopt the 2011-2012 Advisory Boards and Commissions Goals and Objectives and amend the Advisory Board Goals and Objectives of the Environmental Board, Historic District Commission, Park Board and Youth Advisory Committee to add a goal to advise City Council on issues or projects pertaining to those specific areas. Upon a roll call vote, motion carried 6 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITIZENS: Michigan State Representative Margaret O'Brien stated that the Legislature has provided protections within the Urban Cooperation Legislation and PA 312 to prevent forcing a municipality to share services if it necessitates an increase in funding and explained; she indicated the 80-20 hard cap law on health benefits for all government employees passed the House, but not the Senate and emphasized compensation is a local issue; she commented that the City of Portage remained in the 61st Congressional District which lost the City of Parchment, Alamo Township and Kalamazoo Township, but gained Schoolcraft Township; she hypothesized that the Legislature will have to make a decision this Fall regarding the Presidential Primary and the date of the election in February 2012; when she asked for the amount of Portage personal property taxes collected and the per cent of the budget, City Manager Evans responded 18%; she went on record in a work session that she concurred with Mayor Strazdas and Mayor Pro Tem Sackley that it is fair to eliminate P.A. 198 if personal property taxes are eliminated and she asked City Council to weigh in on the issue when it arises; she indicated that the House voted to eliminate healthcare benefits for retiring Legislators, that the House will experience a 13% Office Budget reduction in addition to the 5% reduction imposed earlier this year with a 10% cut in salaries, plus a 20% cut in the Speaker of the House Budget; and, she indicated that there is an attempt to move House employees to a healthcare plan where the employee will pay up to 20% of their healthcare depending upon which plan the employee chooses. Discussion followed.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: City Manager Evans pointed out that the contracted crews have been out since August 1, 2011, to pick up tree branches left behind by the July storm, but because of the larger than expected volume of branches, the pick-up would take longer, so he asked for patience from citizens.

Mayor Strazdas indicated that, despite the national financial crisis and the uneasiness in the stock market, Portage has no financial crisis and expressed his appreciation for the efforts of past City Councils and past Administrations, who have provided financial stability.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:17 p.m.

James R. Hudson, City Clerk

***Indicates items included on the Consent Agenda.**

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: August 11, 2011

FROM: W. Christopher Barnes, Director of Transportation & Utilities *WCB*

SUBJECT: July 2011 Environmental Activity Report – Information Only

In keeping with goals and objectives adopted by the Council emphasizing the need to enhance environmental quality and protect natural resources, the following information is intended to keep the Council, Planning Commission and Environmental Board apprised of current environmental issues.

Important environmental issues being monitored and coordinated by the Administration are attached. The Summary Environmental Activity Report will continue to be provided on a monthly basis to the Council, Planning Commission and Environmental Board.

Attachment

SUMMARY ENVIRONMENTAL ACTIVITY REPORT

July 2011 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-City Council awarded a 3 year contract to American Hydrogeologic Corporation on February 23, 2010 to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. Sampling shows continued improvement in groundwater quality. Sampling completed in April 2010. Annual report submitted to MDNRE in June 2010. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. 2011 sampling completed in March. <i>2011 annual report submitted to MDEQ.</i>
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. <i>-Review of 4 site/building plans and/or plats completed in July 2011.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<i>-Sanitary sewer hookup permits issued in July 2011: 5 residential. One property connected as part of the mandatory sewer ordinance.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions.	-Five Year Lake Management Assessment District process was approved by City Council on March 23, 2010. Construction began on the Austin Dam reconstruction in December 2006 and new structure completed in March 2007. Filtration system construction was substantially completed in July 2008. On July 8, 2008, City Council awarded contracts to Aquatic Services, Inc. for the 2008 Weed Treatment Program and awarded a contract to ASI Environmental to perform watershed and vegetation survey. The 2009/2010 lake treatments are complete. The 2011 lake survey and treatment preparations are complete. <i>Additional treatment areas requested by the Association for treatment.</i>
Retention Basin Sampling Program	Investigation regarding potential impact of retention basins on groundwater levels.	-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to stormwater infiltration. Alternative road salt practices continue to be considered and evaluated. On March 23, 2010, City Council awarded a four-year contract to Wightman Environmental. Program will focus primarily on groundwater level information. Sampling of retention basins was completed on

June 25, 2010. The 2010 year report received in January 2011. The 2010 results show declining groundwater levels throughout the city. Declining levels range from 6" to 3' - 0". Surface storm water outfall sampling shows stable results. *Current groundwater table measurements show the July 2011 level to be approximately 8" below July 2010 levels.*

-Wellhead Protection Grant award received from MDEQ on August 30, 1999 and Council accepted the grant on October 5, 1999. Council also awarded contract to Earth Tech to complete WHPP. Earth Tech completed the final wellhead protection plan and MDEQ submittal was made on October 14, 2000. Plan was reviewed by MDEQ with written approval received in March, 2001. Staff has met internally to discuss the future needs to update the plan. Plan implementation is ongoing.

-City Council awarded contract on August 21, 2001 to Soil & Materials Engineers for monitoring and analysis of groundwater impact of the new compost operation. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi annual sampling was performed from 2002 to 2009 in June and January. Sampling and analysis results continue to show no groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. The 2010 report was received with results showing minimal impact on groundwater. *Annual sampling completed in July 2011.*

-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Stormwater Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. SWIPPI submitted on October 21, 2005. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year time frame with first work item (updating the Public Participation Plan) due December 11, 2009. Plan update completed with other local governments and submitted November 24, 2009. Staff completed an updated SWIPPI submittal to MDNRE. SWIPPI was submitted for MDNRE approval on June 25, 2010. Permit implementation is ongoing. Received a notice MDNRE rescinding the 2008 permit due to a recent court case ruling. MDNRE reinstated the 2003 permit for implementation. Information on new permit requirement was received February 2011. MDNRE expected to issue new permit in 2012. City staff presented public information with other local agencies at the 2011 Home Expo on March 9 - 12, 2011. Implementation is ongoing.

-First meeting was held September 17, 2004. Proposals for completing the

Wellhead Protection Program (WHPP)
 Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.

Leaf Compost Monitoring Program
 Monitoring and analysis of groundwater at the new Oakland Drive Leaf Compost site.

National Pollution Discharge Elimination System (NPDES) permit implementation
 Five year plan to implement the current NPDES stormwater permit.

National Pollution Discharge
 Kalamazoo River Mainstem

Elimination System (NPDES)
permit implementation

Watershed Management Plan

watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Review comments received from MDEQ and revised watershed plan due in December 2006. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Water Festival was held on August 14, 2010 with City of Portage participation. Preliminary grant request submitted September 16, 2010 for West Fork of Portage Creek storm water enhancements. Complete grant application was submitted on October 25, 2010. *Notice received July 18, 2011 that grant application was not awarded.*

Portage River Watershed
Management Plan

-Public participation plan submitted June 28, 2004. Proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Follow-up meetings are held monthly to facilitate an implementation schedule. Portage River Watershed public meeting held in Vicksburg on April 11, 2006. Review comments received from MDEQ and revised watershed plan due November 2006. Revised Watershed Plan submitted November 30, 2006, follow up meetings to be held as necessary. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Based upon MDEQ comments, the plan was revised and resubmitted on December 21, 2009. Interest has been raised by local conservation groups to update the current Watershed Plan using grant funds. Meeting held on May 9, 2011 among stakeholders to determine interest in updating the current watershed plan. No consensus yet, second meeting held on June 20, 2011.

Plan to implement and maintain
an Illicit Discharge Elimination
Program (IDEP).

-On October 21, 2001, City Council awarded a contract to Fishbeck, Thompson, Carr and Huber for the Portage Creek element of the IDEP, which was completed in July 2002. On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections". On April 28, 2004, City Council accepted a grant from the State of Michigan in the amount of \$152,264 and awarded a contract to Fishbeck, Thompson, Carr and Huber in the amount of \$184,264 for the remainder of the IDEP for the entire city. Program implementation is ongoing as funding allows. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDNRE on June 25, 2010, and part of the SWIPPI.

Garden Lane Arsenic Removal Facility

Construction of a water treatment facility at the Garden Lane Wellfield to remove arsenic, iron and manganese from the groundwater.

-City Council approved an agreement with Fishbeck, Thompson, Carr & Huber, Inc. on January 10, 2006 to prepare a feasibility study to meet new USEPA arsenic standards for drinking water. Feasibility study completed in August 2006. Engineering proposals for the project were received August 14, 2007. Project engineering awarded to Earth Tech by City Council on September 11, 2007. Project design to include Leadership in Energy and Environmental Design (LEED) criteria. Project construction bids were received on November 25, 2008. Contract awarded by City Council on December 16, 2008 to Adams Building Contractors, Inc., Jackson, Michigan. Preconstruction meeting was held January 29, 2009. Start up activities began in May 2010. Facility is in operation with ribbon cutting held August 2, 2010. City staff gave a presentation on August 9, 2010 to the Michigan Chapter of the American Water Works Association about the arsenic removal of the facility. The facility is producing approximately one million gallons of water per day. Staff conducted a tour of the facility on April 27, 2011 to the local Chapter of the National Society of Professional Engineers. *Plant is in regular operation. During hot weather the facility has been producing approximately 1,000,000 gallons of water per day.*

Environmental Incident/Spill Clean Up Notification

Environmental Protection Program to assist Portage Police/Fire Departments with spill containment and spill cleanup.

-The number of environmental incident/spill investigations performed in July 2011 – 1. *One diesel fuel spill due to a traffic accident at Romence Road and Portage Road was remediated on July 22. Approximately 22 gallons of fuel was recovered and remediated. Emergency spill response contract for 2011-13 with Terra Contracting is in place.*

Localized Groundwater Table Investigation

Hydrogeologic study of the Portage area, especially in the Sprinkle Woods plat area, to determine causes of increase in groundwater elevation.

-On April 29, 2008, City Council awarded a contract to American Hydrogeology Corporation to investigate the reason and extent of seasonally high groundwater elevation. Special emphasis will be placed on the Black Forest plat area to suggest possible solutions to the basement leaking problems experienced in the area. Study was transmitted to City Council on July 22, 2008. Work was completed on October 31, 2008. City staff continues to investigate other remedies for local groundwater table issues. Work complete on compiling a history of local groundwater table elevations at 19 city-owned retention basins with data from 1994 to 2009. Data from the analysis shows a general upward trend through the Portage area from 2005 to present. Five monitoring wells were installed in the Jamaica Lane area as a result of a number of citizen concerns. Analysis of the Jamaica Lane wells shows that seasonal groundwater table levels have dropped approximately 24” from spring 2009 levels and level has stabilized through December 2010. Current sampling continued to show a slight decline in the groundwater table. *Current groundwater levels are approximately 8” lower than 2010 levels.*

Hampton Wetland Area Water Level

Assistance with the Inverness Condominium Association to Review Surface Water Levels

-Ongoing assistance with the Condominium Association to develop appropriate measures to regulate the rising water level in Hampton Wetlands Area located on the north side of West Centre Avenue and east of Angling Road. Met with MDNRE staff to determine feasible method to lower water levels. Association currently working with MDNRE permit staff on February 26, 2010 to clarify permit requirements. Lower groundwater table elevation has reduced the concerns from the Condominium Association. Conference call with MDNRE held on December 8, 2010 to discuss permit submission updates. Condo Association discussing project with other property owners for support. Association submitted a letter to City Administration asking that the city consider the Wetland Water Level Regulation a municipal project. On March 22, 2011, city staff response recommending the Association consider governmental lake board. *The Association is considering next steps.* No new developments.

Southwest Michigan Regional Sustainability Covenant

Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.

-On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to MDNRE for a greenhouse gas inventory study of the area. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs. No new developments.