CITY OF
PORTAGE
A Place for Opportunities to Grow

PLANNING COMMISSION

July 19, 2012

CITY OF PORTAGE PLANNING COMMISSION

A G E N D A

July 19, 2012
(7:00 p.m.)

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

* July 5, 2012

SITE/FINAL PLANS:

* 1. Site Plan for Bowers Manufacturing (addition), 6565 South Sprinkle Road

PUBLIC HEARINGS:

* 1. Special Land Use Permit: Verizon Wireless (mono-pine tower), 8080 Oakland Drive

SITE/FINAL PLANS:

* 1. Final/Site Plan for Verizon Wireless (mono-pine tower), 8080 Oakland Drive

OLD BUSINESS:

NEW BUSINESS:

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

June 11, 2012 Zoning Board of Appeals meeting minutes
June 26, 2012 City Council meeting minutes

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

DRAFT

PLANNING COMMISSION

July 5, 2012

The City of Portage Planning Commission meeting of July 5, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Three citizens were in attendance.

MEMBERS PRESENT:

Miko Dargitz, Dave Felicijan, Rick Bosch, Allan Reiff, Wayne Stoffer (arrived 7:25 p.m.) and Chairman James Cheesebro.

MEMBERS ABSENT:

Bill Patterson.

MEMBERS EXCUSED:

Paul Welch.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development & Neighborhood Services 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 June 21, 2012 meeting minutes contained in the agenda packet. A motion was offered by Commissioner Dargitz, seconded by Commissioner Felicijan, to approve the minutes as submitted. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way. Mr. Forth summarized the staff report dated June 29, 2012 regarding a request received from Trade Centre Holdings, Inc. to amend a previously approved conceptual plan involving property addressed as 420 and 750 Trade Centre Way. Mr. Forth provided background information regarding the previously approved 2002 conceptual plan submitted by Furniture Row USA LLC and then summarized the conceptual plan amendment submitted by Trade Centre Holdings LLC. Since submission of subsequent specific (site) plans has not occurred in accordance with the approved program of development, Mr. Forth indicated the original 2002 conceptual plan has expired. Mr. Forth summarized the requested building height/number of stories modification, building setback modification and the conflicting land use screening waiver along the northern portion of the development site where adjacent the 50-acre City of Kalamazoo wellfield. Mr. Forth also summarized the MDEQ permit involving planned modifications to a small portion of the 100-year floodplain and wetlands adjacent Portage Creek and the related wetland restoration project planned in downtown Kalamazoo.

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Mr. Greg Dobson (representing Trade Centre Holdings LLC) was present to explain the development project and support the amended conceptual plan. Mr. Dobson noted that the developer of the Marriott Courtyard Hotel is ready to move forward with the project. Mr. Dobson also mentioned that unlike the Furniture Row USA concept plan for a commercial shopping center, there is more interest at this location for a mix of office, hotel and restaurant uses. Commissioner Reiff asked Mr. Dobson to summarize the wetland mitigation project proposed in downtown Kalamazoo. Mr. Dobson explained the project.

Chairman Cheesebro opened the public hearing. Ms. Donna Leversee, 741 West Kilgore Road, expressed concern about traffic volumes on West Kilgore Road and the impact it has on her and her child daycare business. There being no further public comment, a motion was made by Commissioner Bosch, seconded by Commissioner Felicijan, to close the public hearing. The motion was unanimously approved.

Commissioner Dargitz asked staff to summarize traffic-related issues. Mr. Forth mentioned that traffic-related issues have been regularly reviewed/addressed since the comprehensive rezoning of this area in 1998 and several infrastructure improvements have been completed to address existing as well as future traffic volumes. Commissioner Felicijan asked for clarification on the wetland impacts. Mr. Forth noted a small area of wetland is proposed to be modified but in accordance with the approved MDEQ permit, Trade Centre Holdings LLC will be creating new wetland areas in downtown Kalamazoo.

There being no further discussion, a motion was made by Commissioner Reiff, seconded by Commissioner Dargitz, to recommend to City Council that the Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way, be approved with the following modifications/waiver:

1. Modify the maximum building height and number of stories to permit the two hotel buildings to be constructed to a height of 59-feet and four stories and office building to be constructed to a height of 65-feet and four stories;
2. Modify the minimum building setback requirement to permit a 30-foot setback from the north property line for the east hotel building and a 10-foot setback from the north property line for the west hotel building; and
3. Waive the conflicting land use screening requirement along the northern portion of the site where adjacent to the 50-acre City of Kalamazoo wellfield property.

The motion was unanimously approved.

SITE/FINAL PLANS:

1. Specific (Site) Plan for Marriott Courtyard, 420 Trade Centre Way. Mr. Forth summarized the staff report dated June 29, 2012 regarding a request received from TMI Hospitality to construct a four-story, 55,123 square foot hotel building and associated site improvements at 420 Trade Centre Way. The Marriott Courtyard hotel represents the first development project under the amended conceptual plan submitted by Trade Centre Holdings LLC for the remaining vacant land located along Trade Centre Way. The approximate 2.3 acre site is zoned CPD, commercial planned development and the hotel development project has been designed in substantial conformance with the proposed amended conceptual plan.

Mr. Greg Dobson, representing TMI Hospitality, was present to support the plan. Commissioner Bosch asked about parking/cross access easement rights. Mr. Dobson indicated that all development sites would provide the minimum amount of parking spaces required by the City of Portage and the appropriate documents would be executed to ensure cross access rights.

Commissioner Stoffer arrived at 7:25 p.m. Attorney Brown asked Commissioner Stoffer if he was familiar with the staff report and heard enough of the discussion at tonight's meeting to vote on the specific plan for Marriott Courtyard. Commissioner Stoffer indicated he read the staff report and based on the discussion he heard during the meeting, is familiar with the development project and will be voting on the plan.

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There being no further discussion, a motion was made by Commissioner Bosch, seconded by Commissioner, Felicijan to approve the specific plan for Marriott Courtyard, 420 Trade Centre Way, subject to City Council approving the Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way. The motion was unanimously approved.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Election of Officers. It was the consensus of the Planning Commission to postpone election of officers until the July 19, 2012 meeting when all current officers are present.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

Commissioners Reiff and Bosch asked to be excused from the July 19, 2012 meeting. There being no further business to come before the Commission, the meeting was adjourned at 7:32 p.m.

Respectfully submitted,

Christopher T. Forth, AICP
Deputy Director of Planning, Development & Neighborhood Services

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

TO: Planning Commission **DATE:** July 13, 2012

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Site Plan for Bowers Manufacturing (addition), 6565 South Sprinkle Road

I. INTRODUCTION:

A site plan has been submitted by Delta Design Group, on behalf of Bowers Manufacturing, to construct a 37,895 square foot building addition and related site improvements along the east side of the existing Bowers Manufacturing facility located at 6565 South Sprinkle Road. The applicant has indicated the addition will be utilized for manufacturing and material handling. Planned site improvements will be limited to the east side of the existing facility with no additional changes proposed across the remainder of the site. The 26.6 acre property is zoned I-1, light industry.

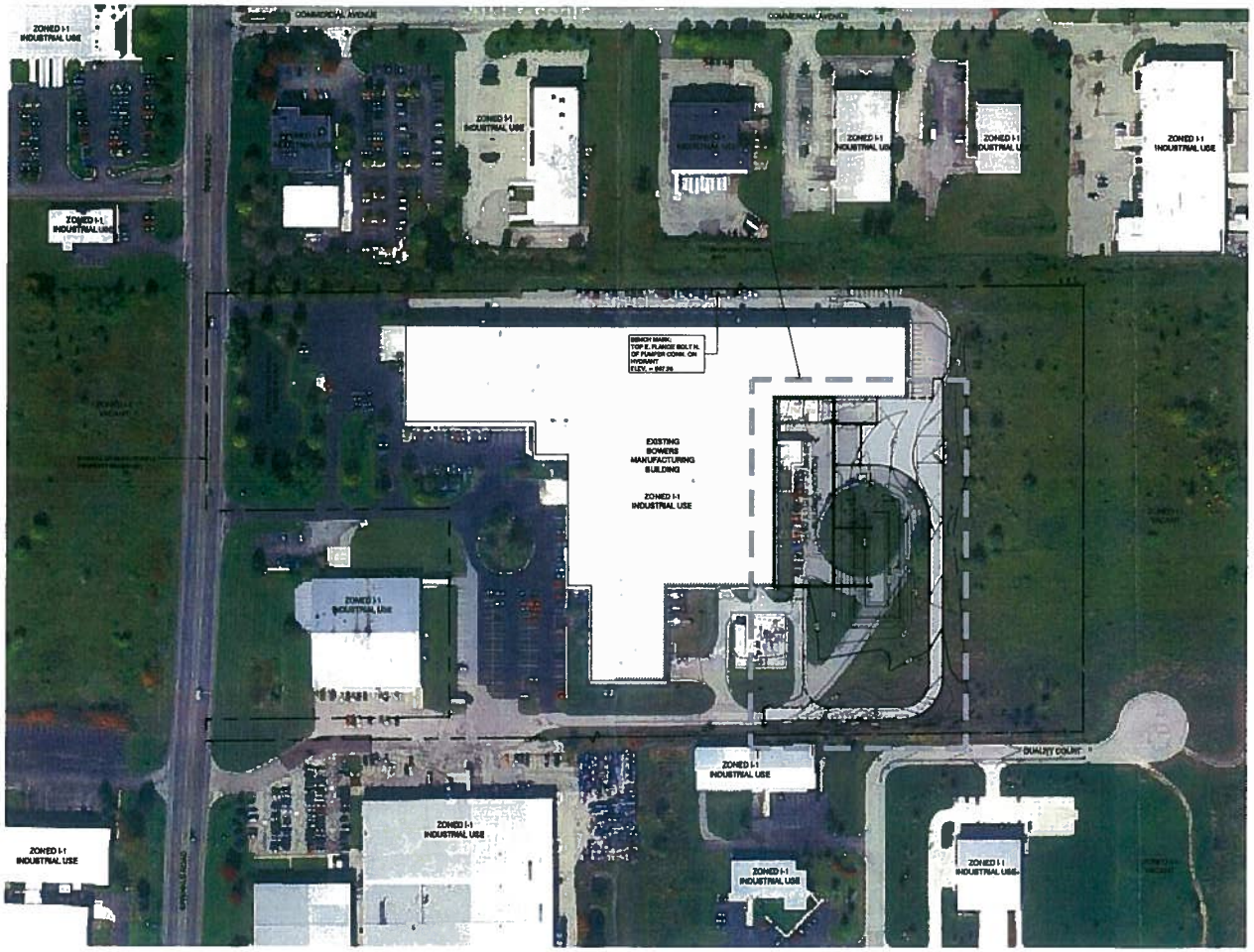
Access to the site will continue through the existing full-service driveways from South Sprinkle Road. The existing storm water treatment system and retention basin along the east side of the site will be located further east to accommodate the building addition: Treatment of the roof water is not required prior to infiltration. New outdoor lighting units (building mounted wall packs) are proposed along the east side of the building addition and will comply with all applicable ordinance requirements.

II. RECOMMENDATION:

The site plan has been reviewed by the City Administrative departments. Staff recommends the Site Plan for Bowers Manufacturing (addition), 6565 South Sprinkle Road, be approved.

Attachment: Site plan

S:\2012-2013 Department Files\Board Files\PLANNING COMMISSION\PC Reports\Site Plans\Bowers Manufacturing (addition), 6565 South Sprinkle - SP.doc



ENLARGED OVERALL SITE LAYOUT
(SCALE: 1" = 100')

WIGHTMAN & ASSOCIATES, INC.

ENGINEERING
◆
SURVEYING
◆
ARCHITECTURE

PROJECT NAME:
BOWERS MANUFACTURING BUILDING ADDITION
[illegible] SOUTH SPRINGLE ROAD
PORTAGE, MI [illegible]

APPLICANT/DESIGN BUILD FIRM:
DELTA DESIGN SYSTEMS, INC.
[illegible] STADIUM DRIVE
KALAMAZOO, MI [illegible]

01-7-12-12 ACS
SHEET CREATED PER ZONING ADMINISTRATION REVIEW

REVISIONS

CHECKED BY:
DRAWN BY: A.C.S.
DATE: JULY 12, 2012
SCALE: 1" = 100'

ENLARGED OVERALL SITE LAYOUT

JOB NO: 120347

120347-3

SITE INFORMATION:

SITE AREA:	1,161,684 SFT (26.68 AC)
BUILDING AREA:	
EXISTING	273,386 SFT
PROPOSED	37,895 SFT
TOTAL	311,283 SFT
SITE ZONING:	I-1 - LIGHT INDUSTRIAL
SITE SETBACK:	
FRONT	75 FT
SIDE	75 FT
REAR	75 FT
MAXIMUM BUILDING HEIGHT:	45 FT
PERCENT OPEN AREA:	73%
PERCENT BUILDING AREA:	27%
PROPOSED USE:	ADDITION SHALL BE USED FOR MANUFACTURING
ZONING:	BOWERS MANUFACTURING COMPANY 5555 SPRINKLE ROAD PORTAGE, MICHIGAN 49002

DRAINAGE

RUNOFF VOLUME WILL NOT BE CHANGED, IMPERVIOUS ASPHALT WILL BE REPLACED WITH IMPERVIOUS ROOF AREA.

PARKING

REQUIRED PARKING:
LARGEST WORKING SHIFT = 200 EMPLOYEES
INDUSTRIAL SPACE = 200 EMPLOYEES x 1 SPACE/1.5 EMPLOYEES = 5 SPACES = 140 SPACES
OFFICE SPACE = 10,000 SFT x 1 SPACE/100 SFT = 27 SPACES
TOTAL REQUIRED SPACES = 347 SPACES

PROVIDED PARKING:
EXISTING SPACES = 354
SPACES REMOVED = 32 SPACES
NEW SPACES = 9 SPACES
TOTAL PROVIDED SPACES = 339
BARRIER FREE SPACES = 7 PROVIDED

LEGAL DESCRIPTION:

PARCEL DESCRIPTION:
A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 12, T. 3 S., R. 11 W., CITY OF PORTAGE, COUNTY OF KALAMAZOO, STATE OF MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 12, T. 3 S., R. 11 W.; THENCE N.0-00-04°W. 2247.76 FEET ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION TO THE PLACE OF BEGINNING; THENCE N.89-31-32°E. 440.14 FEET PARALLEL WITH THE EAST AND WEST QUARTER LINE OF SAID SECTION; THENCE S.0-00-04°E. 300.00 FEET PARALLEL WITH SAID NORTH AND SOUTH QUARTER LINE; THENCE S.89-31-32°W. 440.14 FEET PARALLEL WITH THE EAST AND WEST QUARTER LINE OF SAID SECTION; THENCE S.0-00-04°E. 49.00 FEET ALONG WITH SAID NORTH AND SOUTH QUARTER LINE; THENCE N.89-31-32°E. 169.76 FEET PARALLEL WITH SAID EAST AND WEST QUARTER LINE; THENCE N.0-00-04°W. 955.00 FEET PARALLEL WITH SAID NORTH AND SOUTH QUARTER LINE TO SAID EAST AND WEST QUARTER LINE; THENCE S.89-31-32°W. 169.76 FEET ALONG SAID EAST AND WEST QUARTER LINE TO SAID NORTH AND SOUTH QUARTER LINE; THENCE S.0-00-04°E. 400 FEET ALONG SAID NORTH AND SOUTH QUARTER LINE TO THE PLACE OF BEGINNING, CONTAINING 18.45 ACRES OF LAND.

ALSO:
A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 12, T. 3 S., R. 11 W., CITY OF PORTAGE, COUNTY OF KALAMAZOO, MICHIGAN BEING MORE

PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 12, T. 3 S., R. 11 W., THENCE N. 0 DEG 00 MIN. 04 SEC. W. 1979.76 FEET ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION; THENCE N. 00 DEG. 21 MIN. 00 SEC. E. 169.76 FEET PARALLEL WITH EAST AND WEST QUARTER LINE OF SAID SECTION TO THE PLACE OF BEGINNING; THENCE CONTINUING N. 00 DEG. 21 MIN 00 SEC. E. 300.00 FEET PARALLEL WITH SAID EAST AND WEST QUARTER LINE; THENCE N. 0 DEG 00 MIN. 04 SEC. W. 955.00 FEET PARALLEL WITH SAID NORTH AND SOUTH QUARTER LINE TO SAID EAST AND WEST QUARTER LINE; THENCE S. 89 DEG 31 MIN. 03 SEC. W. 655.00 FEET ALONG SAID EAST AND WEST QUARTER LINE; THENCE S. 0 DEG. 00 MIN. 04 SEC. E. 953.40 FEET PARALLEL WITH SAID NORTH AND SOUTH QUARTER LINE TO THE PLACE OF BEGINNING.

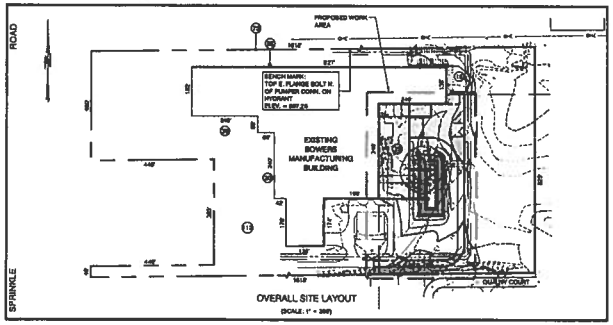
GENERAL NOTES:

1. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
2. PARKING LOT STRIPING TO BE AS SHOWN ON PLANS. ALL STRIPES TO BE 4" SINGLE WIDTH IN WHITE LINES TO BE STRAIGHT, EVENLY SPACED AND 18'-0" LONG.
3. NOTIFY "MISS DIG" (1-800-482-7171) AT LEAST 72 HOURS PRIOR TO THE START OF CONSTRUCTION FOR THE LOCATION OF ANY UNDERGROUND UTILITIES. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO MAY NOT BE PART OF THE "MISS DIG" ALERT SYSTEM.
4. SLOPE GRADES UNIFORMLY BETWEEN ELEVATIONS SHOWN.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF PORTAGE CONSTRUCTION STANDARDS AS WELL AS ALL OTHER LOCAL, STATE & FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
6. SITE SHALL BE SEEDED IN AREAS NOT COVERED BY PAVING OR BUILDING. FINAL LANDSCAPING SHALL BE BY OWNER. LANDSCAPING SHOWN ON THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY.
7. ALL EXTERIOR CONCRETE SHALL BE MDOT GRADE 3S3 (3300PSI), AIR ENTRAINED, LIMESTONE AGGREGATE, BROOM FINISHED, CURING SEAL.
8. ALL SIDEWALK SHALL BE 4" THICK, REINFORCED ON 4" MINIMUM SAND FILL. SIDEWALK EDGES SHALL BE RAISED 6" FROM PAVEMENT IN ALL AREAS EXCEPT WHERE DEPRESSED AT EACH HANDICAPPED PARKING SPACE.
9. PROPOSED BUILDING ADDITION WILL BE SERVICED WITH UTILITIES FROM THE EXISTING BUILDING.
10. ANY PROPOSED FLOOR DRAINS WILL BE CONNECTED TO SANITARY SEWER.
11. ELEVATIONS ARE BASED ON THE NGVD 29 DATUM.
12. NO ADDITIONAL SIGNAGE WILL BE REQUIRED FOR THE PROPOSED BUILDING ADDITION.
13. NO ADDITIONAL LANDSCAPING IS PLANNED FOR THE PROPOSED BUILDING ADDITION.
14. THE AREA OF THE EXISTING BUILDING IS 273,386 SFT, THE AREA OF THE PROPOSED BUILDING ADDITION IS 37,895 SFT, WHICH COMBINED EQUAL A NEW TOTAL BUILDING AREA OF 311,283 SFT. EXISTING MEZZANINES COMPRISE A TOTAL OF 8,640 SFT. NO NEW MEZZANINES ARE PLANNED. 4,260 SFT OF SECOND FLOOR OFFICE AREA ALSO EXISTS WITHIN THE EXISTING BUILDING FOOTPRINT.
15. THE LOCATION OF THE BARRIER FREE PARKING SPACES TO BE ADDED WILL BE REVIEWED WITH THE BUILDING INSPECTOR DURING CONSTRUCTION INSPECTIONS.

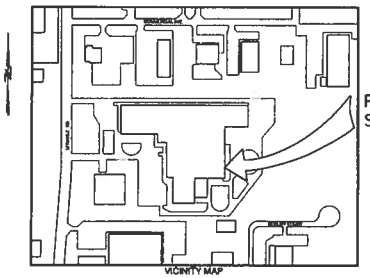
LEGEND

- SETBACK LINE
- BOUNDARY
- PROPOSED BUILDING ADDITION
- PROPOSED CONCRETE SIDEWALK
- PROPOSED ASPHALT PARKING
- EXISTING BUILDING
- EXISTING ASPHALT
- EXISTING CONCRETE
- EXISTING GUARD RAIL
- EXISTING PARKING STRIPING
- MAIL BOX
- BOLLARD
- SIGN
- PROPOSED GRADE / EXISTING GRADE
- DRAINAGE DIRECTION
- STORM MANHOLE
- CATCH BASIN
- STORM OUTFALL
- RIP RAP
- FIRE HYDRANT

1 inch = 30ft.



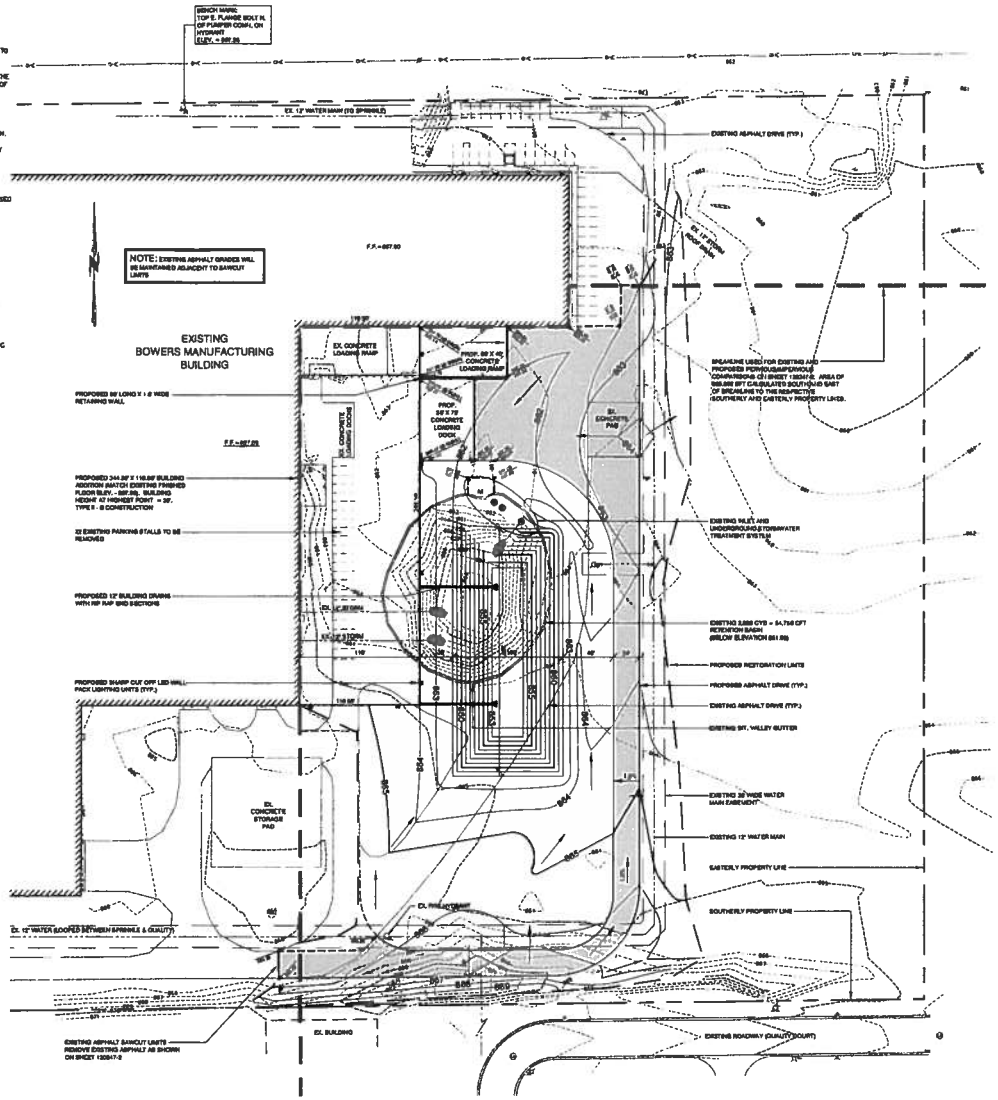
OVERALL SITE LAYOUT
(SCALE: 1" = 200')



VICINITY MAP
(SCALE: 1" = 400')

NOTES:
ALL PROPERTIES ADJOINING BOWERS MANUFACTURING ARE ZONED I-1 AND INDUSTRIALLY USED.
(P) DENOTES PARKING SPACES IN THE VARIOUS SITE VICINITIES.

3 WORKING DAYS BEFORE YOU DIG CALL MISS DIG 1-800-482-7171



OVERALL SITE IMPROVEMENT PLAN
1" = 50'H

WIGHTMAN & ASSOCIATES, INC.
ENGINEERING
SURVEYING
ARCHITECTURE
3383 Pipestone Road
Benton Harbor, MI 49022
Phone: (269) 927-0488
Fax: (269) 927-1369
5555 Portage Road
Portage, MI 49002
Phone: (269) 327-3529
Fax: (269) 327-7479
www.wightman-assoc.com

PROJECT NAME:
BOWERS MANUFACTURING BUILDING ADDITION
5555 SOUTH SPRINKLE ROAD
PORTAGE, MI 49002

APPLICANT/DESIGN BUILD FIRM:
DELTA DESIGN SYSTEMS, INC.
6240 STADIUM DRIVE
KALAMAZOO, MI 49009

01 7-13-12 ACS
REVISED PER CITY ADMINISTRATION REVIEW

REVISIONS

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CHECKED BY:
DRAWN BY: A.C.S.
DATE: JUNE 27, 2012
SCALE: 1" = 50'

PROPOSED SITE PLAN SITE INFORMATION AND OVERVIEW

JOB NO: 120347

120347-1

SOIL EROSION & SEDIMENTATION CONTROL NOTES

1. ALL CONSTRUCTION METHODS SHALL BE DONE IN COMPLIANCE WITH THE MICHIGAN SOIL EROSION AND SEDIMENTATION CONTROL ACT. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING A "SOIL EROSION PERMIT" FROM THE CITY OF PORTAGE AND A "PERMIT BY RULE/NOTICE OF COVERAGE" FROM THE MDEQ PRIOR TO START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL REQUIREMENTS OF THE CITY "SOIL EROSION PERMIT" AND FOR ALL CERTIFIED STORM WATER INSPECTION SERVICE INQUIRIES BY THE "PERMIT BY RULE" EROSION CONTROL MEASURES SHOWN ON THE PLANS ARE THE MINIMUM REQUIREMENTS AND SHALL NOT RELIEVE THE CONTRACTOR'S RESPONSIBILITY FOR PROVIDING ALL REQUIRED EROSION CONTROL MEASURES.
2. AVOID UNNECESSARY DISTURBING OR REMOVING OF EXISTING VEGETATED TOPSOIL OR EARTH COVER, THESE COVER AREAS ACT AS SEDIMENT FILTERS.
3. ALL TEMPORARY SOIL EROSION PROTECTION SHALL REMAIN IN PLACE UNTIL REMOVAL IS REQUIRED FOR FINAL CLEAN UP AND APPROVAL.
4. GEOTEXTILE SILT FENCE SHALL BE INSTALLED AS REQUIRED WHEN CROSSING CREEKS OR WHEN ADJACENT TO WETLANDS OR SURFACE WATER BODIES TO PREVENT SILTATION AND SUBMIGRE AS DIRECTED BY THE ENGINEER. SEEDING AND/OR SODDING SHALL BE INSTALLED ON CREEK BANKS IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION.
5. MAINTENANCE, CLEANING, AND REMOVAL OF THE VARIOUS SEDIMENT CONTROL MEASURES SHALL BE INCLUDED IN THE VARIOUS EROSION CONTROL ITEMS.

NUMBER IN CIRCLE REFERS TO NUMBERED DETAILS ON MDOT STANDARD PLAN R-96-E, SOIL EROSION & SEDIMENTATION CONTROL MEASURES. "P" DENOTES PERMANENT MEASURE AND "T" DENOTES TEMPORARY MEASURE. SOIL EROSION CONTROL PLANS DENOTE MINIMUM EROSION MEASURES REQUIRED AS DESCRIBED BELOW.

(P-2)

(SP) DENOTES PERMANENT SEEDING. ALL DISTURBED AREAS NOT PAVED OR GRAVELED SHALL BE RESTORED. PLACE TOPSOIL, SURFACE, SALV, 3 INCH, MDOT SEEDING, MIXTURE TLF APPLIED AT A RATE OF 200 LBS/ACRE, FERTILIZER, CHEMICAL NUTRIENT, CL A APPLIED AT A RATE OF 200 LBS/ACRE, MULCH AT A RATE OF 2 TON/ACRE AND MULCH ANCHORING. (APPLIES TO ENTIRE PROJECT)

(RP) DENOTES RIPRAP, PLAIN INSTALL RIPRAP, PLAIN AS DIRECTED BY THE ENGINEER IN THE FIELD. THE RIPRAP, PLAIN PAY ITEM SHALL INCLUDE A GEOTEXTILE UNDERLAYMENT.

(AP) DENOTES AGGREGATE COVER/PERMANENT PAVEMENT RESTORATION

(SFT) DENOTES TEMPORARY SILT FENCE. SILT FENCE SHALL BE INSTALLED AT CREEK CROSSINGS, ADJACENT TO ALL WETLANDS AND SURFACE WATERS, AND OTHER LOCATIONS AS DIRECTED BY THE ENGINEER. EACH SILT FENCE SHALL BE INSTALLED GENERALLY ALONG THE SAME CONTOUR ELEVATION

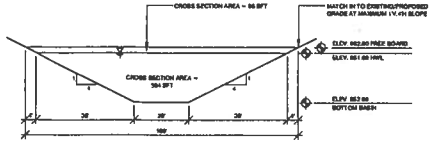
(IPT) DENOTES INLET PROTECTION FABRIC DROP. SHALL BE INSTALLED AT EXISTING AND PROPOSED STORM SEWER INLETS TO PROVIDE SETTLING AND FILTERING OF SILT LADEN WATER PRIOR TO ENTRY INTO THE DRAINAGE SYSTEM

(SS) DENOTES SLOPE ROUGHENING AND SCARIFICATION. CONTRACTOR SHALL PROVIDE DOZER TRACKING PERPENDICULAR TO THE SLOPE TO REDUCE WATER AND WIND EROSION. THIS SHALL BE PERFORMED AT LOCATIONS SHOWN OR AS DIRECTED BY THE ENGINEER IN THE FIELD. TO BE INCLUDED IN THE ITEM OF EMBANKMENT

(SS-MB) DENOTES MULCH BLANKETS. MULCH BLANKET SHALL BE PROVIDED AT LOCATIONS SHOWN ON THE PLANS, AT SLOPES GREATER THAN 1:3, AREAS WITH CONCENTRATED FLOWS, AND AS DIRECTED BY THE ENGINEER IN THE FIELD, TO PREVENT RUNOFF AND EROSION.

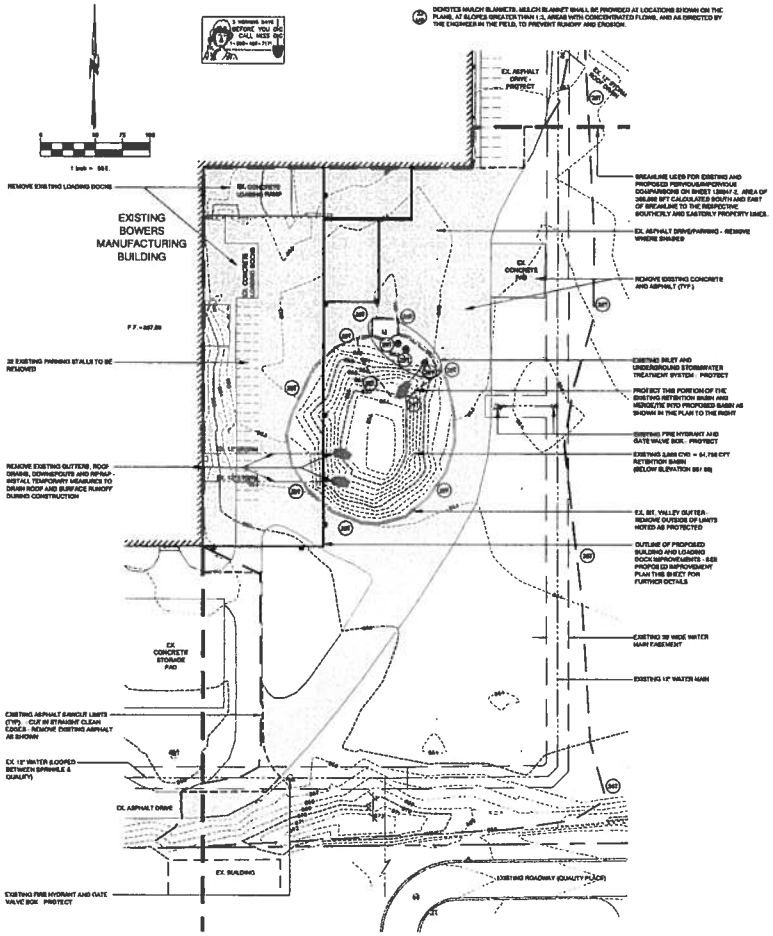
PERVIOUS/IMPERVIOUS AREA COMPARISONS

DESCRIPTION	EXISTING	PROPOSED	% INCREASE/(% DECREASE)
BUILDINGS (IMPERVIOUS)	0 SFT	37,896 SFT	
PAVING (IMPERVIOUS)	61,457 SFT	37,843 SFT	(-32.57%)
RETENTION BASIN (PERVIOUS)	16,919 SFT	34,889 SFT	+54.12%
OTHER TREE LAWN (PERVIOUS)	266,386 SFT	263,376 SFT	(-1.09%)
SUBTOTAL IMPERVIOUS	61,457 SFT	75,737 SFT	(+7.87%)
SUBTOTAL PERVIOUS	283,305 SFT	298,265 SFT	+2.64%
TOTAL	343,762 SFT	343,762 SFT	0%
RETENTION BASIN VOLUME	69,343 CFT	116,169 CFT	+76.85%



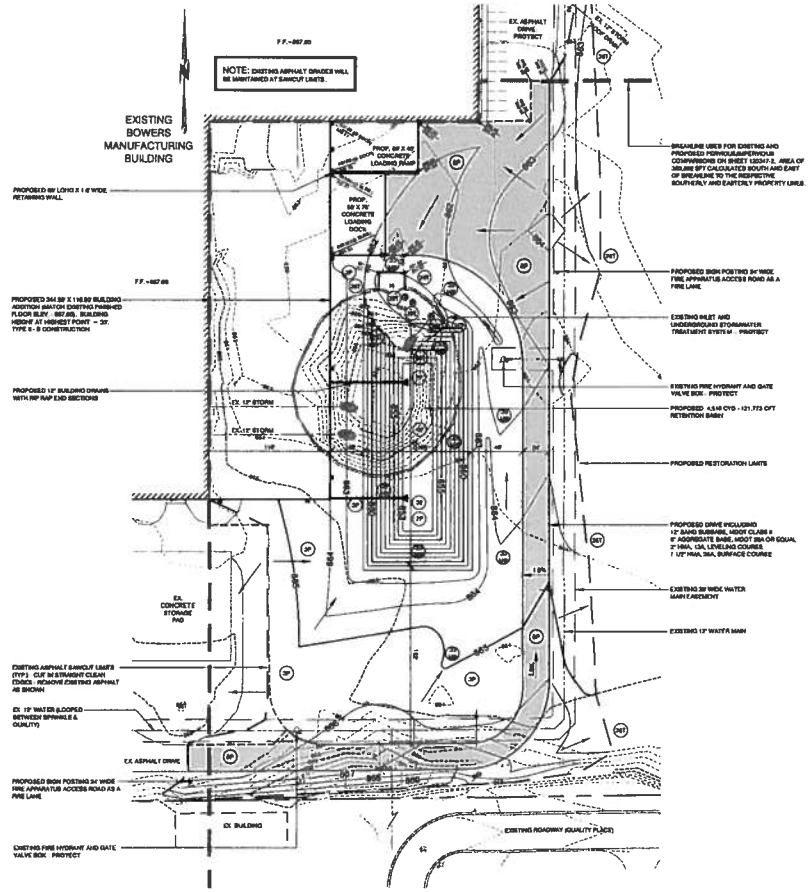
SECTION - PROPOSED RETENTION BASIN

1" = 20'H, 1"=10'V



PROPOSED REMOVAL PLAN

1" = 50'H



PROPOSED IMPROVEMENT PLAN

1" = 50'H

WIGHTMAN & ASSOCIATES, INC.

ENGINEERING
SURVEYING
ARCHITECTURE

2360 Plainfield Road
Benton Harbor, MI 49022
Phone: (269) 927-0100
Fax: (269) 927-1369

5935 Portage Road
Portage, MI 49002
Phone: (269) 327-3538
Fax: (269) 327-7476

www.wightman-assoc.com

PROJECT NAME:
BOWERS MANUFACTURING BUILDING ADDITION
5935 SOUTH SPRINKLE ROAD
PORTAGE, MI 49002

APPLICANT/DESIGN BUILD FIRM:
DELTA DESIGN SYSTEMS, INC.
5348 STADIUM DRIVE
KALAMAZOO, MI 49009

01 7-12-12 ACS
REVISED PER CITY ADMINISTRATION REVIEW

REVISIONS

CHECKED BY:
DRAWN BY: A.C.S.
DATE: JUNE 27, 2012
SCALE: 1" = 50'

PROPOSED SITE PLAN REMOVAL, IMPROVEMENT AND SESC DETAILS

JOB NO: 120347

120347-2

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

TO: Planning Commission **DATE:** July 13, 2012

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Special Land Use Permit: Verizon Wireless (mono-pine), 8080 Oakland Drive.

I. INTRODUCTION:

An application has been submitted by Tele-Site, Inc., on behalf of Verizon Wireless, requesting a Special Land Use Permit to construct a 150-foot tall telecommunications tower (mono-pine) and related improvements at 8080 Oakland Drive. The approximate 1.75 acre property is zoned PD, planned development and situated within the Oakland Hills at Centre Planned Development.

II. PLANNED DEVELOPMENT REVIEW/APPROVAL PROCESS

An application for a telecommunication tower in the PD, planned development district is subject to the two-part PD review and approval process (Tentative Plan and Final/Site Plan), in addition to a Special Land Use Permit. The Tentative Plan process involves review/recommendation by the Planning Commission following a public hearing and review/action by City Council following a public hearing. The Final/Site Plan process involves review/recommendation by the Planning Commission and review/action by City Council. Consistent with the standards listed in Section 42-375.H of the Zoning Code, the Final/Site Plan must be in substantial compliance with the approved Tentative Plan. The Special Land Use Permit process involves review/action by the Planning Commission following a public hearing.

Following the April 19, 2012 Planning Commission recommendation, the City Council approved the Tentative Plan Amendment for the Oakland Hills at Centre Planned Development (8080 Oakland Drive and 2275, 2301 and 2401 West Centre Avenue) on June 12, 2012 (meeting minutes attached), that included the addition of the 150-foot tall mono-pine tower on the 8080 Oakland Drive parcel, revisions to the layout of the attached residential and office portions of the development and an updated project phasing timeline. Approval of the tentative plan amendment included three conditions related to the mono-pine tower and are summarized below:

1. The tower be constructed to accommodate four co-locations and designed to include branches and camouflaging as identified in the Sabre Towers and Poles brochure provided by the applicant. The tower be located at least 55-feet from the north property line and a minimum 90-feet from the east property line;

2. The fenced area around the tower be enclosed by a 6-foot tall decorative, solid vinyl fence and supplemental evergreen tree plantings (minimum 8-10 foot tall, spaced 10 feet on-center) be installed along the north side of the enclosure; and

3. The large Oak tree located west of the mono-pine tower and the existing mature tree line located along Oakland Drive be preserved to the greatest extent possible in order to minimize the visual appearance of the mono-pine tower from adjacent properties and for motorists traveling Oakland Drive.

Also, and for Commission information, following Planning Commission review and recommendation on April 19, 2012, discussions continued between the applicant and adjacent property owner to the north, Mangwn Properties, who expressed concerns about the location of the tower. Prior to City Council approval of the tentative plan amendment, the applicant and Mangwn Properties reached an acceptable agreement on the tower location (see June 12, 2012 City Council meeting minutes).

II. BACKGROUND INFORMATION:

The following background information is provided for Commission consideration:

Existing Land Use/Zoning	• Subject parcel is approximately 1.75 acres, zoned PD, planned development and currently vacant. • To the south, a nonconforming single family residence (8100 Oakland Drive) zoned OTR, office technology and research. • To the north, vacant land (8040 Oakland Drive) zoned OTR, office technology and research. • To the west, vacant land part of the Oakland Hills at Centre PD that is planned for office attached residential land use and zoned PD, planned development. • To the east (across Oakland Drive), vacant land zoned RM-2, multiple family residential and R-1C, one family residential.
Comprehensive Plan	• Future Land Use Map component of the Comprehensive Plan identifies the subject site along with adjacent properties located to the west and south as appropriate for medium density residential land use. Adjacent properties to the north/northwest are designated for local business and office land use, while adjacent properties to the east (across Oakland Drive) are identified for low density residential land use.
Access	• Proposed access drive from Oakland Drive, at approximate mid point of parcel. This access will be improved to a full-service boulevard entrance with subsequent phases of the Oakland Hills at Centre Planned Development. • Oakland Drive is designated as a 2-lane minor arterial with approximately 7,800 vehicles per day (2005); capacity of 16,200 vehicles per day (level of service "D").
Environmental Issues	• Review of the Sensitive Land Use Inventory Map does not identify any environmentally sensitive areas (100-year floodplain, wetlands) at the subject parcel.
Historic District/ Structure	• The subject site is not located within a historic district and does not contain any historic structures.
Land Development Regulations	• The application has been submitted under Section 42-135, Wireless telecommunications facilities and towers (G., Special land uses – Construction of an alternative tower structure in all zoning districts). • Section 42-462, General Standards for Review of Special Land Uses, sets forth additional criteria for evaluating a special land use and allows conditions to be established.

IV. ANALYSIS:

Tower Necessity, Alternative Technology and Accommodations

Consistent with Section 42-135.I, the applicant has submitted written technical information from an RF engineer which indicates that no existing structures in the area of the proposed alternative tower structure (mono-pine tower) can accommodate the antennas. While Verizon Wireless currently has antennas on the flag pole tower located along the east side of Oakland Drive, approximately 500-feet northeast of the proposed mono-pine tower, this structure is at capacity and can not accommodate the additional antennas and equipment necessary to support the 4G LTE enhanced wireless technology. There are no other existing towers or structures located within a one mile radius of the proposed mono-pine tower site that can support

the wireless antennas and equipment. While Verizon Wireless currently has antennas at other locations across the city including the tower at the south end of Portage Industrial Drive, the flag pole tower on Romence Road (near the Crossroads Mall), the flag pole tower on South 12th Street (south of West Centre Avenue) and the Haverhill Water Tower (near Haverhill Park), these sites are all located in excess of one mile from the proposed mono-pine tower site. According to the applicant, the new mono-pine tower is necessary in order to address a coverage gap in this portion of the city, as well as support enhanced 4G LTE technology. Supporting technical information provided by the applicant is attached for Commission review. According to the applicant, alternative technologies such as a cable microcell network are either no longer used by Verizon Wireless, do not meet engineering criteria due to the size of the coverage area, geography and topography or would create greater visual impact due to a high number of antennas needed at a lower height. The proposed mono-pine tower with co-location capabilities is believed to represent an effective solution to address existing cellular service coverage gaps and provide the enhanced 4G LTE wireless technology. According to the applicant, a preliminary analysis performed by the Federal Aviation Administration (FAA) has determined that the proposed 150-foot tall mono-pine tower is acceptable at the proposed location without the need for any artificial lighting.

Setback/Separation Requirements

The proposed 150-foot tall mono-pine tower complies with all applicable setback and separation requirements set forth in the Wireless Telecommunication Facilities and Towers ordinance. Consistent with the recently approved Tentative Plan Amendment for the Oakland Hills at Centre Planned Development, the mono-pine tower will maintain a 55-foot setback from the north property line and a 90-foot setback from the east property line (Oakland Drive right-of-way line). Furthermore, the mono-pine tower will be setback in excess of 400-feet from the south property line and the nonconforming single family residence located at 8100 Oakland Drive. While the ordinance does not establish separation requirements for an alternative tower structure (ATS), the proposed mono-pine tower will be separated by approximately 500-feet from the existing flag pole tower located to the northwest, along the east side of Oakland Drive.

General Requirements

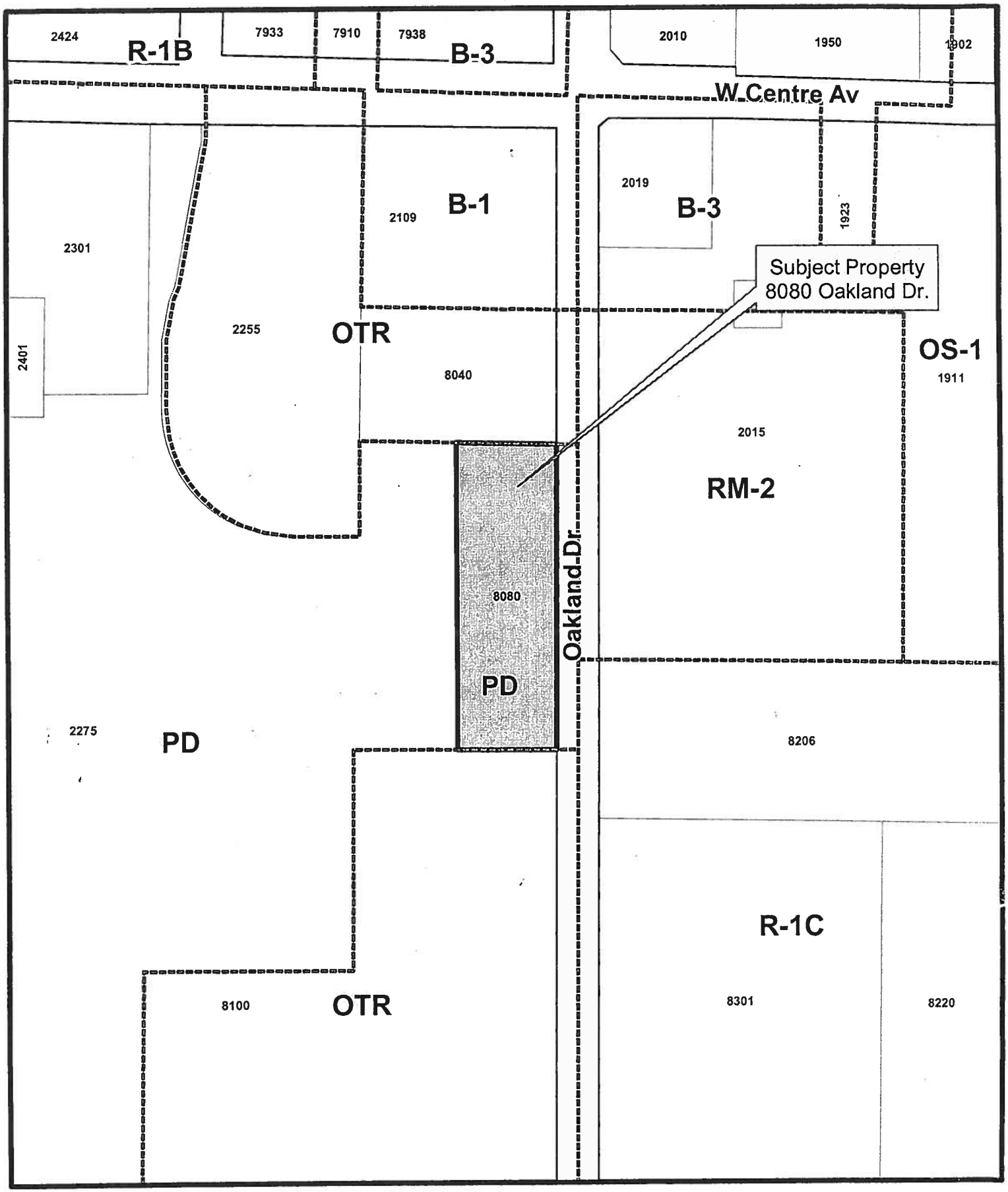
Consistent with the recently approved Tentative Plan Amendment for the Oakland Hills at Centre Planned Development and ordinance requirements, the proposed 150-foot tall mono-pine tower will be designed with a capacity to carry at least four co-locations. Verizon Wireless has submitted a notarized statement reaffirming the commitment to make co-location space available to all interested parties. In addition, the mono-pine tower design will include significant branches and camouflaging as identified in the Sabre Towers and Poles brochure (see attached) provided by the applicant. Finally, the screening and tree preservation conditions noted in the City Council approval of the Tentative Plan Amendment have been satisfied.

V. RECOMMENDATION:

The proposal to construct the 150-foot tall telecommunications tower (mono-pine) and associated improvements at 8080 Oakland Drive fulfills the requirements for issuance of a Special Land Use Permit and is consistent with the recently approved Tentative Plan Amendment for Oakland Hills at Centre Planned Development.

Based on the above analysis and subject to any additional information brought before the Planning Commission during the public hearing, staff recommends the Special Land Use Permit for Verizon Wireless, 8080 Oakland Drive, be approved to allow construction of a 150-foot tall telecommunications tower (mono-pine) subject to City Council approval of the Final/Site Plan.

Attachments:
- Vicinity/Zoning Map
- Aerial Photograph
- Special Land Use Permit Application
- Site Plan
- February 21, 2012 Communication from Jonathan Crane (attorney representing Verizon Wireless)
- September 26, 2011 Email from Bill Maxwell (regarding GTP Flag Pole Tower, 2015 West Centre)
- March 15, 2012 Communication from Amy Herbst, Sabre Towers & Poles
- January 24, 2012 Notarized Statement from Douglas Weber (Verizon commitment to collocation)
- January 25, 2012 Communication from Scott Hubble (regarding alternative technology)
- Existing Verizon Wireless Sites (map)
- Verizon Wireless Coverage Maps ("not on air" and "on air")
- Verizon Wireless Coverage Gap Maps
- Sabre Towers & Poles Brochure (received February 10, 2012)
- Photographic Perspectives of Mono-Pine Tower (before/after views from West Centre & Oakland Drive)
- June 12, 2012 City Council meeting minutes



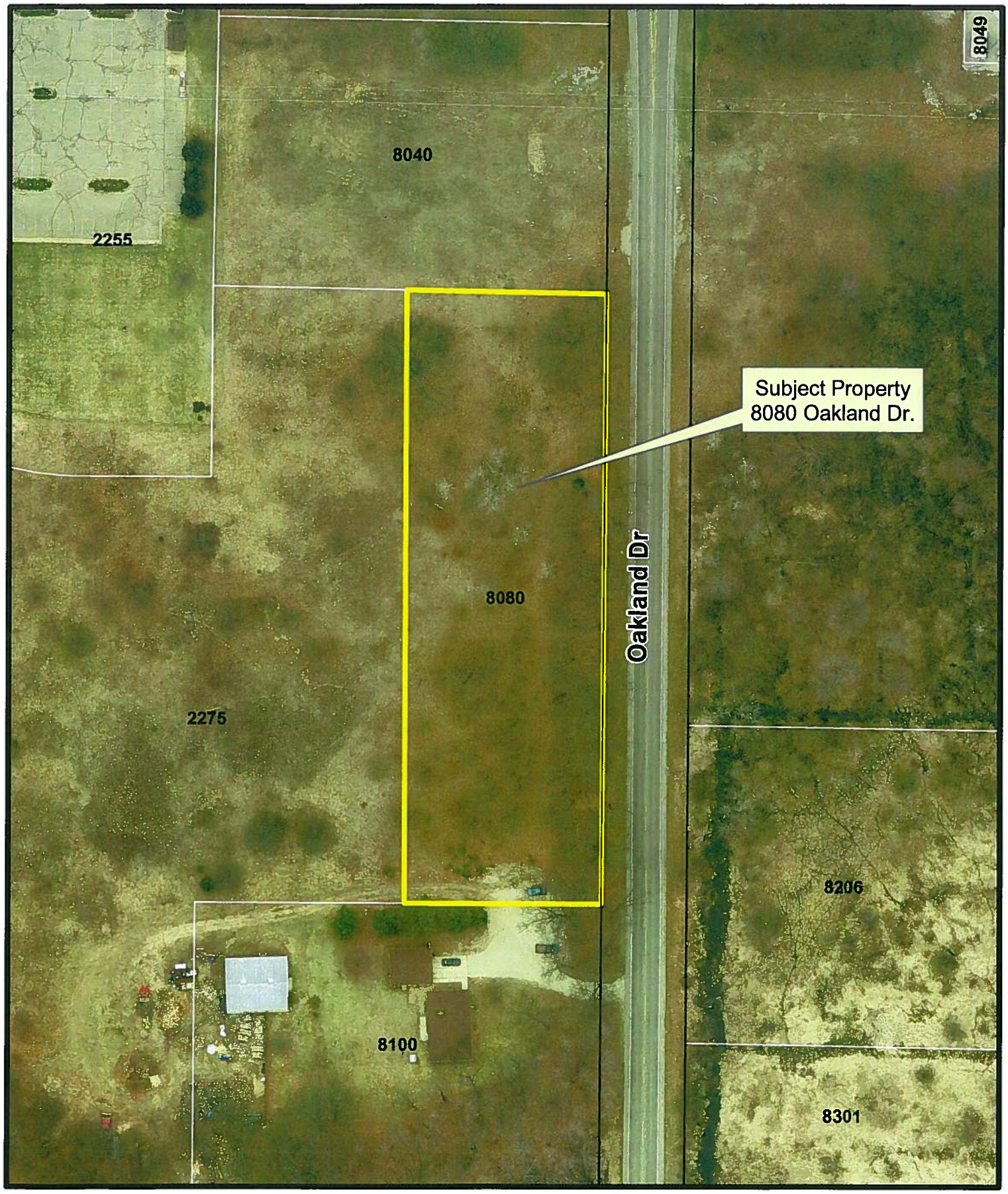
1 inch = 200 feet

Special Land Use Permit
8080 Oakland Drive

Legend

Zoning Boundary

Subject Property



1 inch = 100 feet

Special Land Use Permit
8080 Oakland Drive

RECEIVED

OCT 24 2011

COMMUNITY DEVELOPMENT

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

APPLICANT INFORMATION

Name		Telephone Number	
Tele-Site, Inc. for Verizon Wireless		248-798-4429	
Address	**City**	**State**	**Zip code**
1015 South Lake Dr.	Novi	MI	48377

OWNER INFORMATION (if different)

Name		Telephone Number	
Oakland Centre Real Estate		269-329-1808	
Address	**City**	**State**	**Zip code**
7950 Moorsbridge	Portage	MI	49024

PROPERTY INFORMATION

Address of property	Zoning District	Land Area (acres)
Unplatted Property	PD Planned Dev.	

Legal Description (or attach separate page)

Please See Legal Description on Site Plan.

PROPOSED USE

Description of proposed Special Land Use (attach additional page(s), if necessary)

Wireless Communications Tower - Stealth

OWNER CERTIFICATION

I hereby certify that I am presently the legal owner for the above-described property and all of the above information is true and accurate. I further acknowledge that approval of this Special Land Use Permit constitutes an agreement with the City of Portage and all conditions or limitations imposed shall be fulfilled.

Signature _____ Date 10-18-11

GENERAL NOTES:

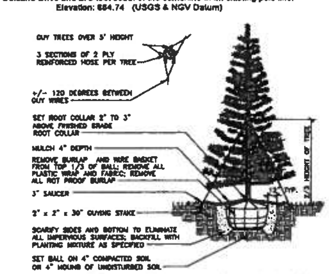
1. All site work construction shall be in accordance with the current standards and specifications of the City of Portage, where applicable.
2. The proposed equipment shelter is to be a one story, computerized, unmanned, telephone exchange structure. All exterior walls are precast washed aggregate masonry. No water service, sanitary facilities or gas service is needed. Telephone and electrical services will be from an existing utility pole or line adjacent to the site.
3. The proposed equipment shelter is to have a security system monitored 24 hours per day. The shelter will also be constructed with bullet resistant materials.
4. There is one, low wattage (150W), shielded, wall-mounted security light next to the stoop of the shelter. No tower lights or lighting are required by the current regulations of the Federal Aviation Administration (FAA).
5. There are no signs proposed for this project except for:
   a. Emergency contact information purposes and FCC "call" sign placed on equipment shelter door;
   b. FCC registration number located on fence gate.
6. The cellular antenna and equipment shelter will be approved by the Federal Communications Commission (FCC) and will not impact any frequency sensitive devices whatsoever. Buyer warrants no adverse radio interference with adjacent land uses.
7. There are no toxic materials used by Lessee on the site. Lessee has no need for outdoor storage or garbage disposal and pick-up.
8. Maintenance personnel using van type service vehicles enter and exit the site approximately 2 to 4 times per month. No loading or unloading area is needed by them.
9. All areas disturbed by the construction of the tower and shelter and driveway shall be restored in kind. Contractor is to provide soil erosion control measures as needed or as directed by owner or government agency having jurisdiction.
10. All areas inside of and to 1'-0" outside of the fenced area shall be covered with 3" of crushed limestone placed over "Typar" landscape fabric.
11. Ingress and egress by Lessee's personnel to the site shall be via a proposed paved drive from Oakland Drive.
12. The proposed drive shall consist of 2.5" of bituminous surface meeting current MDOT specification for bituminous mix #36A. It shall be placed over 10" of 3A crushed concrete or slag over compacted subgrade. The subgrade shall be stripped free of all topsoil and organic material prior to placing aggregate base. Where poor subgrade soils are encountered, a woven geotextile fabric (Mirafi 500X or approved equal) shall be placed so that it is a minimum of 2 ft. wider and longer than the drive which is to be constructed over the poor soils.
13. Noise levels from the proposed equipment shelter shall not exceed 45 dB(A) along the property lines.
14. This site plan is based on the survey of the existing conditions conducted by Midwestern Consulting, LLC on 07-08-2011.

NOTE

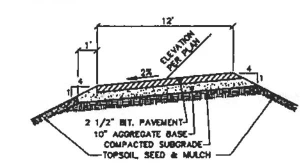
Rotate all bearings 00°30'43" -clockwise to obtain bearings based on True North as determined from global positioning system (GPS).

BENCH MARK

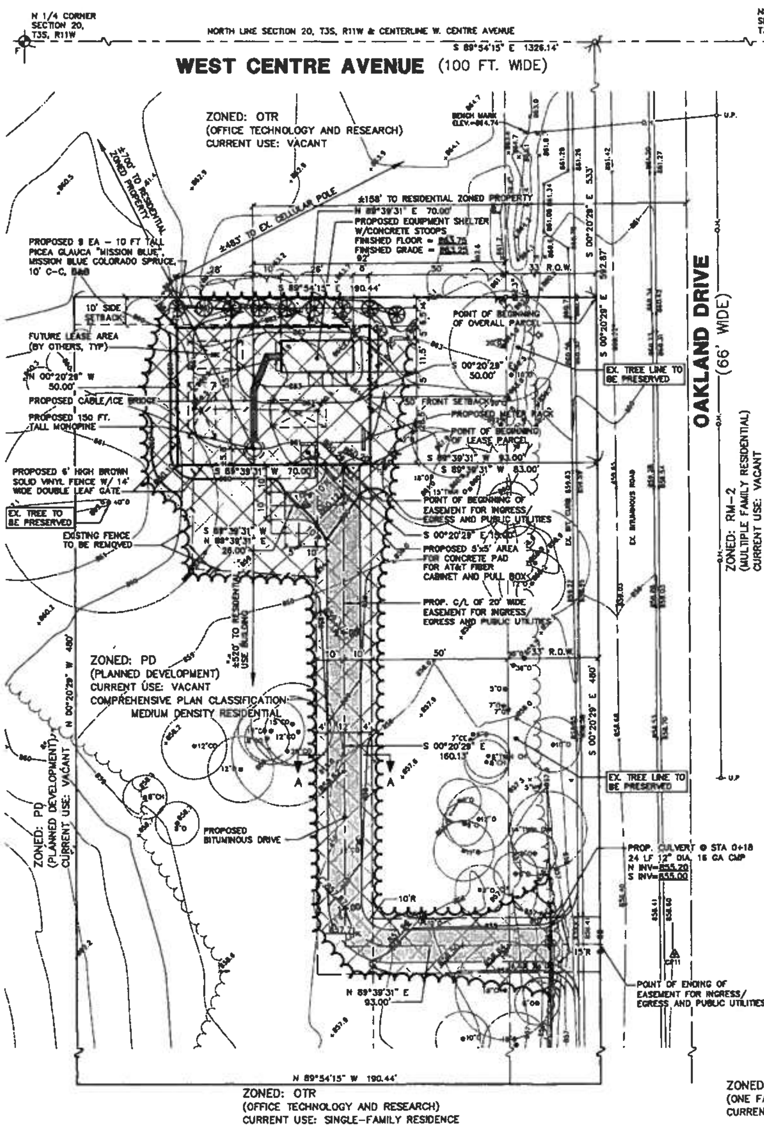
Nail in the south face of a utility pole located ±30 feet west of the centerline of Oakland Drive and ±75 feet south of the centerline of an existing pole line. Elevation: 864.74 (USGS & NGV Datum)



EVERGREEN TREE PLANTING DETAIL
NOT TO SCALE



PAVED DRIVE CROSS SECTION A-A
NOT TO SCALE



SCALE: 1" = 20'

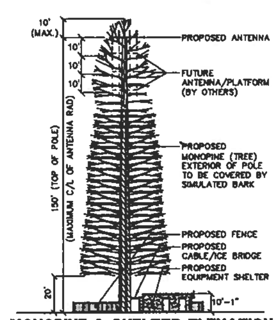
811 Know what's below. Call before you dig.

LEGEND

—871—	EXIST. CONTOUR
—871—	PROP. CONTOUR
×871.2	EXIST. SPOT ELEVATION
871.60	PROP. SPOT ELEVATION
U.P.	EXIST. UTILITY POLE
	GUY WIRE
⊠	ELEC. TRANSFORMER
—OH—	EXIST. OVERHEAD UTILITY LINE
	EXIST. LIGHT POLE
	EXIST. HYDRANT
	EXIST. GATE VALVE IN BOX
	EXIST. STORM SEWER
	END SECTION
	EXIST. CLEANOUT
	SIGN
	GAS METER
	FENCE
	GUARDRAIL
	EXIST. TREE OR BRUSH LIMIT
	PROP. TREE OR BRUSH LIMIT
	TREE OR BRUSH TO BE REMOVED
	SECTION CORNER
o F	FOUND IRON PIPE
• F	FOUND MONUMENT
oFR	FOUND IRON ROD
	CONTROL PT.
	EXIST. SPRINKLER HEAD

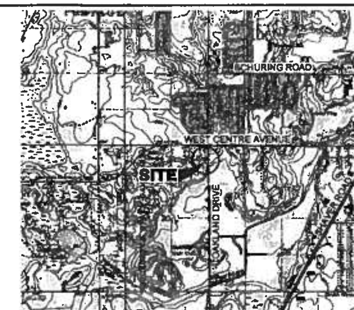
TREE LEGEND

• CH	CHERRY	• O	OAK
• CR	CRABAPPLE	• P	PINE
• E	ELM	• W	WILLOW
• L	LOCUST	X	TO BE REMOVED



MONOPINE & SHELTER ELEVATION
SCALE 1" = 30'

ZONED: R-1C
(ONE FAMILY RESIDENTIAL)
CURRENT USE: VACANT



VICINITY SKETCH
SCALE: 1"=2000'

LOCATION
LONGITUDE 85° 36' 51.7"
LATITUDE 42° 11' 58.0"
GROUND ELEV. @ TOWER BASE = 861.00

LEGAL DESCRIPTION OF LEASE PARCEL

Commencing at the North 1/4 corner of Section 20, T3S, R11W, City of Portage, Kalamazoo County, Michigan; thence S 89°54'15" E 1326.14 feet along the north line of said Section 20 (also being the centerline of West Centre Avenue, 100 feet wide) to a found monument; thence S 00°20'29" E 592.87 feet; thence S 89°39'31" W 93.00 feet to the POINT OF BEGINNING:

thence continuing S 89°39'31" W 70.00 feet;
thence N 00°20'29" W 50.00 feet;
thence N 89°39'31" E 70.00 feet;
thence S 00°20'29" E 50.00 feet to the POINT OF BEGINNING; being a part of the Northeast 1/4 of Section 20, T3S, R11W, City of Portage, Kalamazoo County, Michigan; containing 3,500 sq. ft. or 0.080 acres of land, more or less; and subject to easements and restrictions of record, if any;

Together with a 20 foot wide easement for ingress, egress and public utilities, the centerline of said easement is described as:

Commencing at the North 1/4 corner of Section 20, T3S, R11W, City of Portage, Kalamazoo County, Michigan; thence S 89°54'15" E 1326.14 feet along the north line of said Section 20 (also being the centerline of West Centre Avenue, 100 feet wide) to a found monument; thence S 00°20'29" E 592.87 feet; thence S 89°39'31" W 93.00 feet to the POINT OF BEGINNING:

thence S 00°20'29" E 15.00 feet;
thence S 89°39'31" W 26.00 feet;
thence N 89°39'31" E 26.00 feet;
thence S 00°20'29" E 160.13 feet;
thence N 89°39'31" E 93.00 feet to the POINT OF ENDING; being part of the Northeast 1/4 of Section 20, T3S, R11W, City of Portage, Kalamazoo County, Michigan; except any part taken, deeded or used for public road purposes; and subject to easements and restrictions of record, if any.

LEGAL DESCRIPTION OF OVERALL PARCEL
(Taken from Title Commitment)

Land situated in the City of Portage, County of Kalamazoo, State of Michigan, described as follows:

Commencing at the North 1/4 corner of Section 20, Town 3 South, Range 11 West; thence South 89°54'15" East 1326.02 feet along the North line of the Northeast 1/4 of said Section to the East line of the West 1/2 of said Northeast 1/4 as monumented; thence South 00°20'29" East 533.00 feet along said East line as monumented to the Place of Beginning; thence continuing South 00°20'29" East 480.00 feet along said East line as monumented; thence North 89°54'15" West 190.44 feet parallel with said North line; thence North 00°20'29" West 480.00 feet parallel with said East line as monumented; thence South 89°54'15" East 190.44 feet parallel with said North line to the Place of Beginning.

PROPERTY INFORMATION

TAX PARCEL: #00-020-055-E

OWNER: OAKLAND-CENTRE REAL ESTATE
7950 MOORSBRIDGE ROAD
PORTAGE, MICHIGAN 49024

CELL SITE ADDRESS:
8080 OAKLAND DRIVE
PORTAGE, MICHIGAN 49024

PREPARED BY:
MIDWESTERN CONSULTING, L.L.C.

JAMES A. FISHER P.E. #24280

MIDWESTERN CONSULTING
Civil, Environmental and Transportation Engineers, Planners, Surveyors, Landscape Architects
3815 Plaza Drive
Ann Arbor, Michigan 48108
Phone: 734.995.0200
Fax: 734.995.0599

APPLICANT/LESSEE:
NEW PAR, A DELAWARE PARTNERSHIP dba VERIZON WIRELESS
24242 NORTHWESTERN HIGHWAY
SOUTHFIELD, MICHIGAN 48075
PHONE: (248) 915-3000

verizonwireless
SITE #8004 – "WEST CENTRE REPLACEMENT"
CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN
SITE PLAN

1

JOB No. 05242-8004
DATE: 10/03/11
SHEET 1 OF 1

REVISIONS:	REV. DATE	
1. REVISE FENCE NOTE & MTG. HEIGHT	10/18/11	CADD: SOF
2. REV. PER CITY REVIEW	11/18/11	ENG: JAF
3. MOVE LEASE AREA AND ACCESS DRIVE	2/14/12	PM: JAF
4. CHANGE MONOPINE LOCATION	2/28/12	TECH: KMW
5. REV. PER CITY REVIEW	4/25/12	05242_8004-SP3
6. REV. PER CITY REVIEW	7/11/12	[illegible]

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JONATHAN R. CRANE, P.C.
ATTORNEY AND COUNSELOR
1126 N. MAIN ST.
ROCHESTER, MI 48307

JONATHAN R. CRANE
BENJAMIN S. HERRICK

TELEPHONE: (248) 650-8000
FACSIMILE: (248) 650-9239
EMAIL: JRCPC@SBCGLOBAL.NET

February 21, 2012

Mr. Michael West
Assistant City Planner
City of Portage
7900 South Westnedge
Portage, Michigan 49002

Re: Verizon Wireless Site 2709 "West Centre"
Our File No. JC3232-11

Dear Mr. West:

I am writing to you today to summarize Verizon Wireless' reasons for seeking new antenna approvals in the City of Portage at the 8080 Oakland Drive site.

Verizon Wireless is a tenant on an existing nearby flagpole tower owned by Global Tower Partners. The flagpole design cannot be expanded to provide the latest 4G high speed, high capacity communication services to Portage residents. GTP advises that the flagpole structure does not have the structural integrity to meet Verizon Wireless' new antenna needs. Verizon Wireless, without collocation alternatives, pursued the new antenna site currently before the Board. This new site will serve Verizon Wireless, as well as provide collocation opportunities for other carriers.

Wireless technology is increasing in both the number of customers and the number of devices. While exciting and useful, the new devices require substantial additional antenna demands. With the addition of high speed services larger antenna capacities are needed. Associated with larger antennas are additional cables, radial arms, diplexers and other antenna devices. The benefits of the proposed antenna are real-time 4G updates to the Verizon Wireless network. These improvements will provide Portage residents with faster, more reliable communications. Global positioning, emergency 911 calls, medical monitoring and improved vehicle dispatching are key benefits to the Portage Emergency Response Programs provided by the antenna upgrades. Residents will experience faster and more reliable data, internet and general wireless services.

Verizon Wireless proposes a stealth monopine-type tower. This enables additional antenna and sectorized radio frequency services into different areas of the community. The new tree structure supports larger antenna creating enhanced communications services. In addition, the mono-pine design allows collocators an alternative of improving the future antenna modifications and upgrades. The stealth design minimizes visual impacts.

We look forward to a favorable review of this new antenna at the March 1, 2012 meeting. In the meantime, should you have any questions please do not hesitate to contact me at (248) 650-8000.

Very truly yours,

JONATHAN R. CRANE P.C.

Jonathan R. Crane

Email from [illegible] tower [illegible] casting flagpole at 2015 W Centre is not capable of holding Verizon's Loading.

Claudine Antoun

From: Bill Maxwell [bmaxwell@gtpsites.com]
Sent: Monday, September 26, 2011 3:00 PM
To: Claudine Antoun
Subject: RE: VZW 2709 W Center-GTP MI5232

RECEIVED
JAN 26 2012
COMMUNITY DEVELOPMENT

Claudine, as we discussed this pole is completely full. Unfortunately additional antennas and coax wont fit.

From: Claudine Antoun [mailto:cantoun@telesitewireless.com]
Sent: Monday, September 26, 2011 2:55 PM
To: Bill Maxwell
Subject: VZW 2709 W Center-GTP MI5232

RE: 2015 West Centre, Portage, MI 49024

Bill, for my files, can you send me a e-mail confirming the flagpole is not capable of holding Verizon's proposed loading of the antennas at the same height located at 2015 West Centre?

I have to call out this tower which is not capable of any modifications and need to seek out another solution for Verizon's antennas.

Thank you,
Claudine Antoun
Tele-Site
248-224-3393
cantoun@telesitewireless.com

NOTICE:
The information contained in and or attached to this email communication is confidential and may be privileged.
It is intended for use only by the individual and or entity to which it is addressed.
If you are not the intended recipient, you may not review, disclose, copy or use the information in this email or attachments
in any way and are requested to notify us of your receipt immediately by return email and to delete this message in its entirety.
Email communication cannot be guaranteed to be secure or error-free. Therefore, we do not represent that the information contained
herein is complete or accurate and it should not be relied upon as such.

Sabre™ Towers & Poles

A Division of Sabre Industries, Inc.

March 15, 2012

City of Portage
Planning and Zoning

RE: Proposed 150' Monopine at West Centre Replacement, MI

Dear Planning Commission Members,

Sabre proposes to design and supply a monopine for a Basic Wind Speed of 90 mph with no ice and 40 mph with 3/4" radial ice, Structure Class II, Exposure Category C, and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

For Sabre's designs according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, the monopine will not have a catastrophic type structural failure (falling on its side) in a wind event where the design wind speed is exceeded within the range of the built-in safety factors. To date, there has never been a failure of a Sabre monopine.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the location of the failure would be within the upper portion of the monopine shaft. This is likely to result in the portion of the monopine above "folding over" onto the portion below, essentially collapsing on itself. There would be no debris in a radius greater than 40' from the monopole. In this instance, there is no probability of the monopine impacting the adjacent property owners. ***Please note that this letter only applies to the above referenced monopine designed and manufactured by Sabre Towers & Poles.*** In the unlikely event of total separation, this, in turn, would result in collapse of the section above, within a radius of 40 feet.

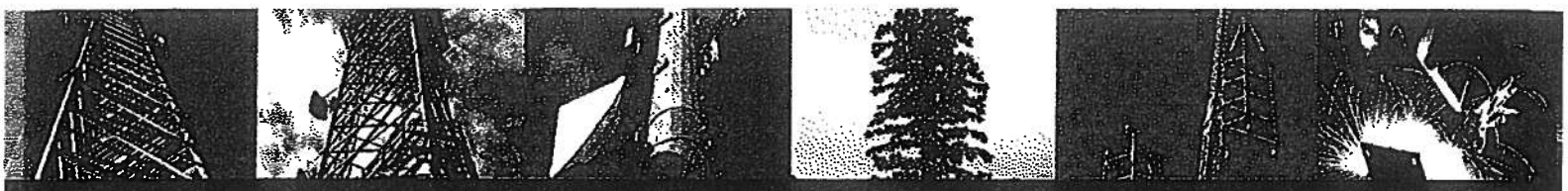
Sincerely,

STATE OF MICHIGAN
AMY R. HERBST
ENGINEER
NO. 53180
LICENSED PROFESSIONAL ENGINEER

3/15/12

Amy R. Herbst, P.E.
Senior Design Engineer

Guyed Towers | Self-Supporting Towers | Monopoles | Concealment Structures | Turnkey Installations | Tower Modifications



2101 Murray Street | P.O. Box 658 | Sioux City, IA 51102-0658 | Phone 712.258.6690 | Fax 712.279.0814 | www.SabreTowersandPoles.com

Network

Verizon Wireless
24242 Northwestern Highway
Southfield, MI 48075

Phone 248 915-3000

January 24, 2012

Mr. Christopher Forth
Deputy Director, Planning and Development Department
City of Portage
7900 South Westnedge Avenue
Portage, Michigan 49002

Re: Notarized Statement / VZW Site #2709 / Promise to Allow Collocators

Dear Mr. Forth:

As a follow-up to your letter dated 10/25/2011 I am writing to you today to re-affirm Verizon's commitment to make available space for collocation to any and all interested parties wishing to offer wireless services in the area. We look forward to other parties taking an interest in the facility.

In the meantime, should you have any questions or require any additional information please do not hesitate to contact me at 248-915-3560

Douglas Weber
Network-Real Estate Manager
Verizon Wireless

Signed and sworn to before me in Oakland County, State of Michigan on this 24th day of January 2012.

Notary Public: Barbara Madigan Evans My Notary Expires:_____

BARBARA MADIGAN EVANS
Notary Public, State of Michigan
County of Oakland
My Commission Expires May. 10, 2013
Acting in the County of _____

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Jan 25, 2012

City of Portage
7900 South Westnedge Ave
Portage, MI 49002

To Whom It May Concern:

In response to your question regarding "alternative technology":

Technologies such as cable microcell networks are no longer used by Verizon Wireless. This is due mostly in part to this type of technology not meeting our engineering criteria's and or policies.

Although useful in some areas, newer distributed antenna system technologies are not feasible in the Portage area specifically. We made this determination using several guidelines including the size of the coverage area, geography, and topography.

Beyond our engineering criteria's we have found that using DAS systems often create greater visual impact in some applications as a result of the high number of antennas needed, especially as they are likely to be much lower in height.

Without our proposed site (West Centre Ave), Verizon and its customers (your constituents) would suffer several hardships: 1.) Ineffective and inefficient network design, reduced data speeds and voice reliability; 2.) Possible gap in coverage and compromised coverage for customers and emergency services including enhanced e911; and a possible inability to provide adequate and reliable coverage to the public as required by the FCC.

Thank you for your time and please don't hesitate to contact me if you have any further questions.

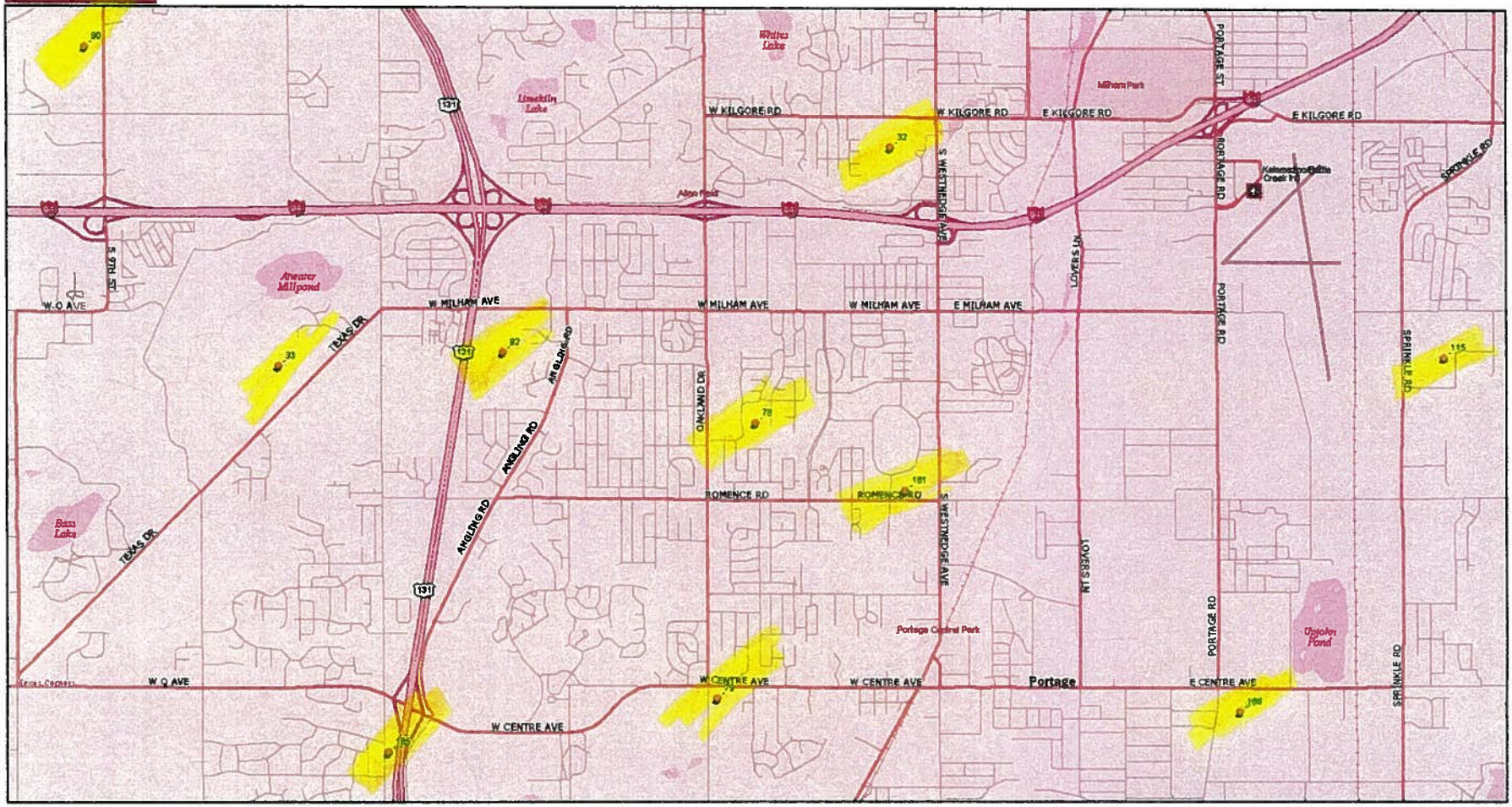
Sincerely,

Scott Hubble

RF Engineer

DELORME

Street Atlas USA® 2008 Plus



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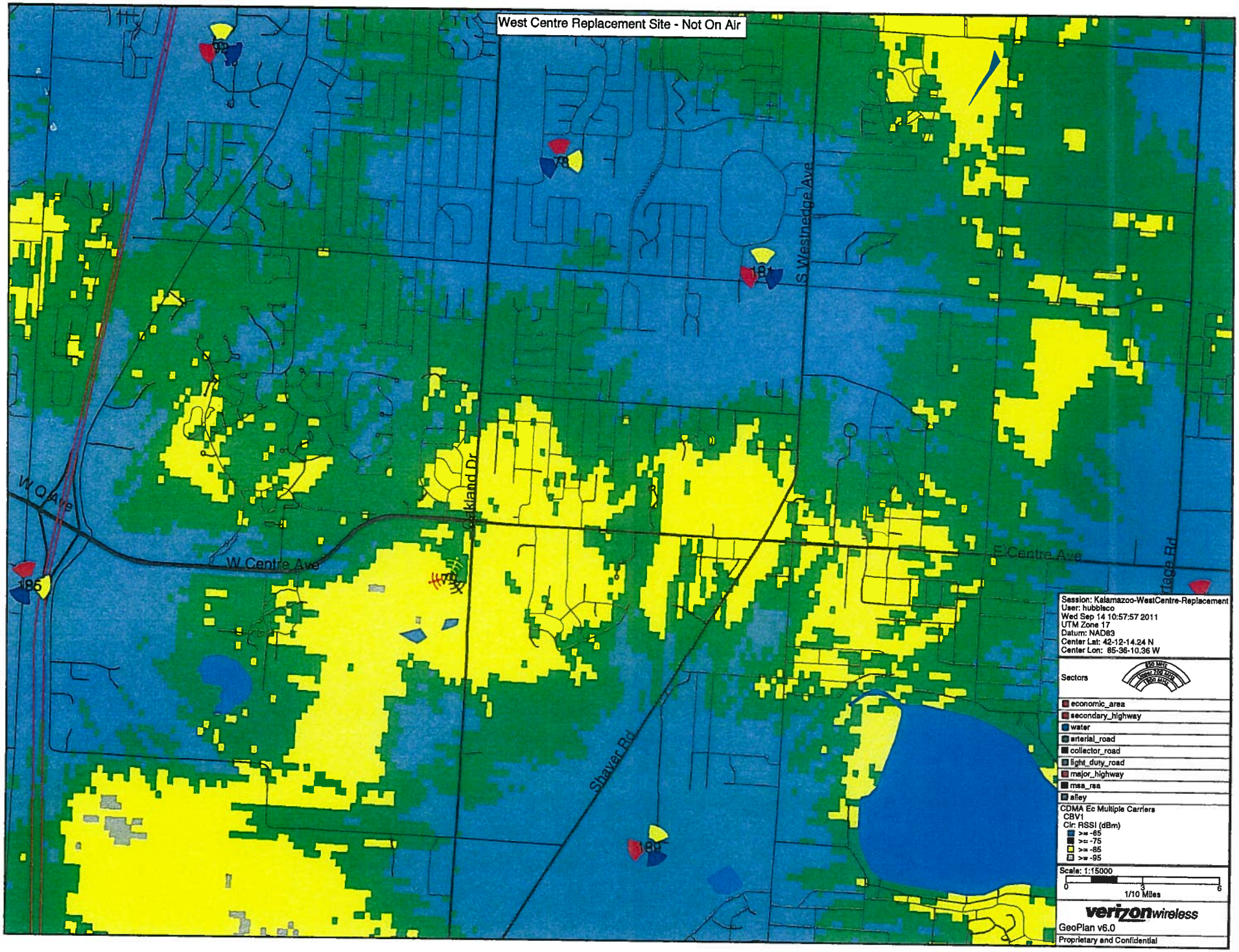
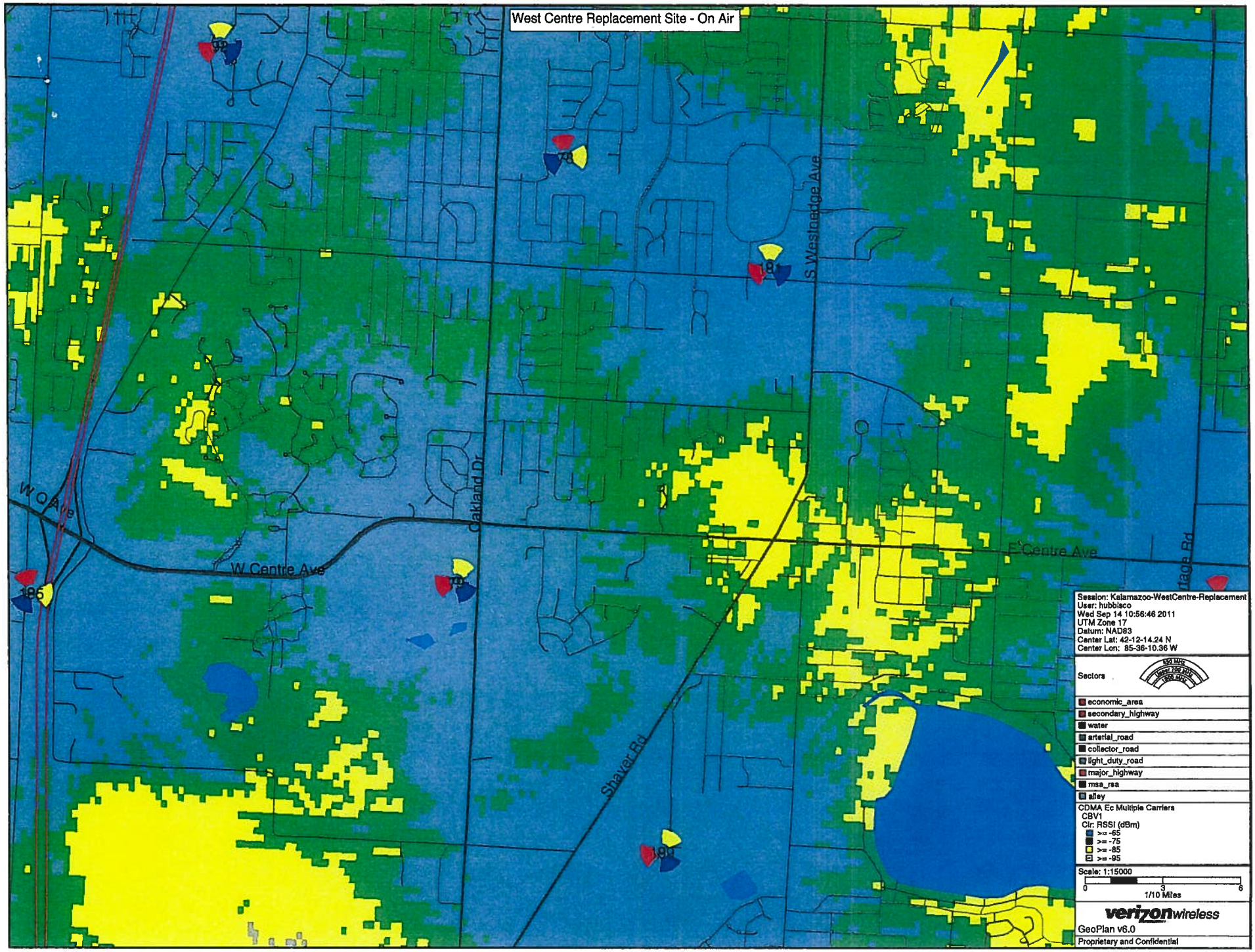
TN

MN (6.3°W)

Data Zoom 12-4

Current VZW Sites


West Centre Replacement Site - Not On Air
W Q Ave
W Centre Ave
E Centre Ave
S Westnedge Ave
Oakland Dr
Shaver Rd
195
Session: Kalamazoo-WestCentre-Replacement
User: hubbisco
Wed Sep 14 10:57:57 2011
UTM Zone 17
Datum: NAD83
Center Lat: 42-12-14.24 N
Center Lon: 85-36-10.36 W
Sectors
economic_area
secondary_highway
water
arterial_road
collector_road
light_duty_road
major_highway
msa_rsa
alley
CDMA Ec Multiple Carriers
CBV1
Clr: RSSI (dBm)
>= -65
>= -75
>= -85
>= -95
Scale: 1:15000
0
3
6
1/10 Miles
verizonwireless
GeoPlan v6.0
Proprietary and Confidential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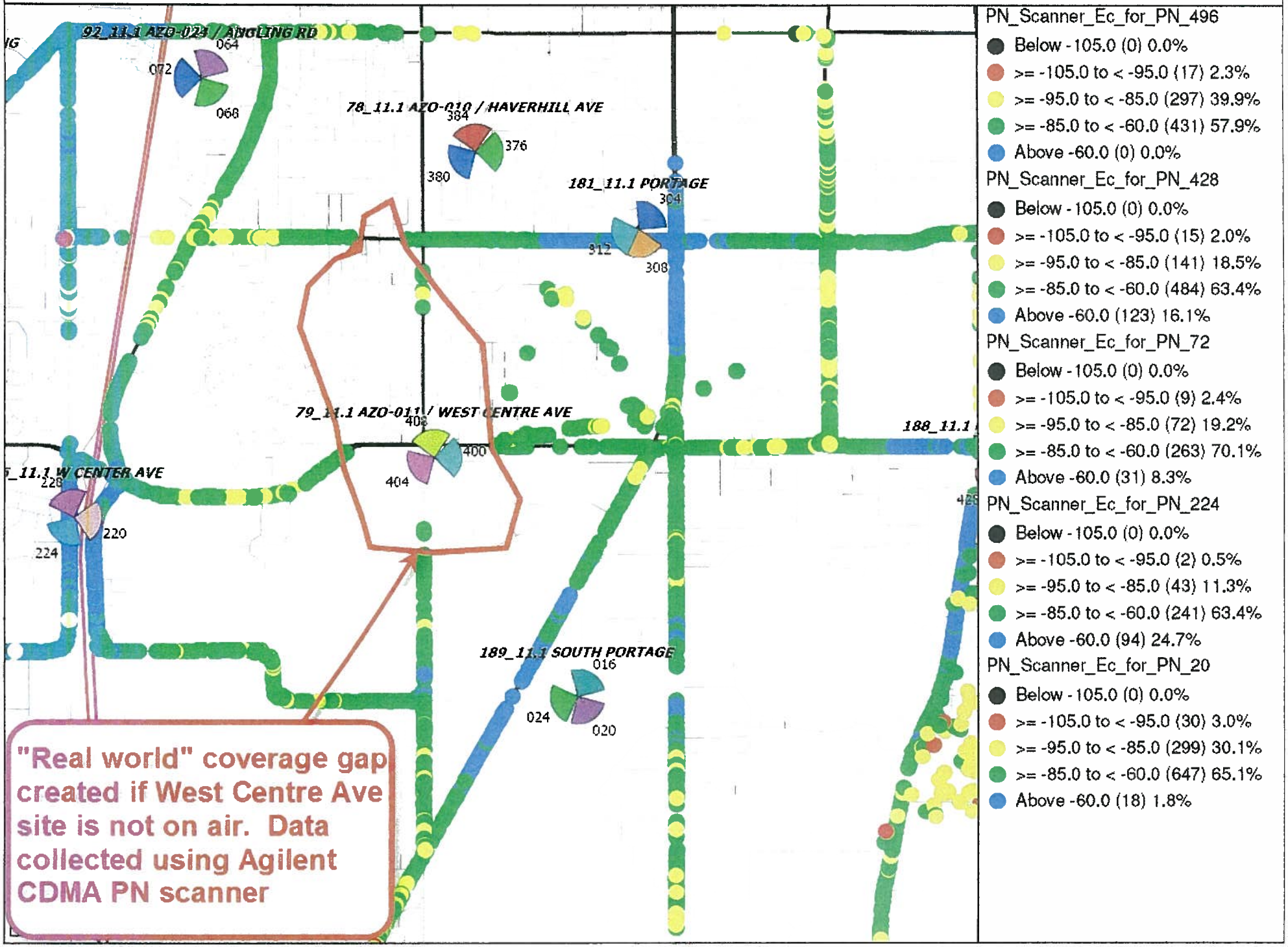
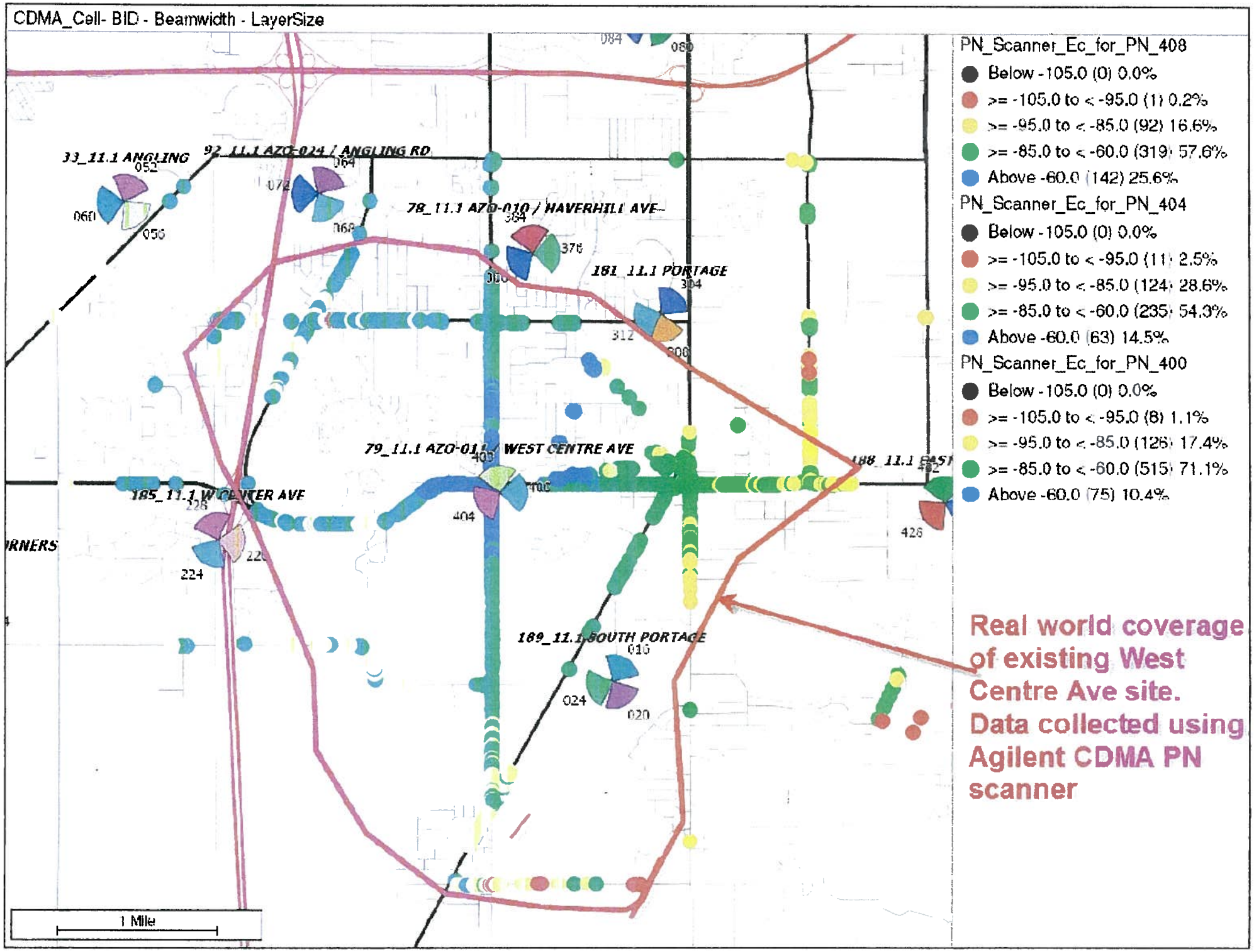
Center Lat: 42-12-14.24 N
Center Lon: 85-36-10.36 W
Sectors
economic_area
secondary_highway
water
arterial_road
collector_road
light_duty_road
major_highway
msa_rsa
alley
CDMA Ec Multiple Carriers
CBV1
Clr: RSSI (dBm)
>= -65
>= -75
>= -85
>= -95
Scale: 1:15000
0
3
6
1/10 Miles
verizonwireless
GeoPlan v6.0
Proprietary and Confidential

CDMA_Cell- BID - Beamwidth - LayerSize




CDMA_Cell- BID - Beamwidth - LayerSize
PN_Scanner_Ec_for_PN_408
Below -105.0 (0) 0.0%
>= -105.0 to < -95.0 (1) 0.2%
>= -95.0 to < -85.0 (92) 16.6%
>= -85.0 to < -60.0 (319) 57.6%
Above -60.0 (142) 25.6%
PN_Scanner_Ec_for_PN_404
Below -105.0 (0) 0.0%
>= -105.0 to < -95.0 (11) 2.5%
>= -95.0 to < -85.0 (124) 28.6%
>= -85.0 to < -60.0 (235) 54.3%
Above -60.0 (63) 14.5%
PN_Scanner_Ec_for_PN_400
Below -105.0 (0) 0.0%
>= -105.0 to < -95.0 (8) 1.1%
>= -95.0 to < -85.0 (126) 17.4%
>= -85.0 to < -60.0 (515) 71.1%
Above -60.0 (75) 10.4%
33_11.1 ANGLING
92_11.1 AZO-024 / ANGLING RD
78_11.1 AZO-010 / HAVERHILL AVE
181_11.1 PORTAGE
79_11.1 AZO-011 / WEST CENTRE AVE
185_11.1 WOLSELEY AVE
189_11.1 SOUTH PORTAGE
1 Mile
Real world coverage of existing West Centre Ave site. Data collected using Agilent CDMA PN scanner

Bark Cladding Repair Instructions

RECEIVED
FEB 10 2012
COMMUNITY DEVELOPMENT

Sabre Towers and Poles
2101 Murray Street
Sioux City, IA 51111

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A Division of Sabre Industries, Inc.

Toll Free: 800.369.6690
Phone: 712.258.6690
www.SabreTowersandPoles.com

BARK CLADDING REPAIR ON MONOPOLES

(Pine bark reflected in attached pictures)

Step # 1

Start with removing (cutting) the bulge out, with either a reciprocating saw or a sharp blade; remove only enough to even out the edges into a nice transition from the skin (bark) back into the repaired area.

Step # 2

Mixing materials and ratios:
Making sure the material (6240) is not frozen (A side), both components need to be mixed together well until it turns a dark brown color.
The mixing cups (containers) will be provided and marked which one to use with what material, and how much of it to use per side.
One cup of each material at a time should be enough to start with to get the hang of adding the cabosil part of it.
For the (Cabosil) Powder Thickening agent, add enough to make the liquid material into a thick dough like consistency. Start with a little at a time then gradually add more until it becomes as thick as you can handle it.

Step # 3

Proceed to apply the thickened material onto the cleaned open area of the pole and spread it evenly at around 1'' thick all over. After you've applied the material, go to the acetone and silicone bucket and dip the silicone (skin) into the acetone, then press the skin into the material, following the grain of the texture to match the existing skin(bark). Feather out around the edges with a chip brush, making sure it is really sealed to prevent water running down the pole in between the repaired area and the skin.
Let dry and proceed to paint.

Step # 4

Paint consists of 3 colors which they will be labeled by numbers and steps, the base color (burnt umber), the sponge color (raw umber) and the dry brush (highlights) color (grey) color (see photos). As with the material feather out the colored patch to make it blend in with the rest of the bark.

For any questions please call at any time : Aaron Sosa-760-685-8932-cell

Pine Branch Installation

Universal Mount with T-Arms

Definitions:

Receptor - Short pipes welded to the pole for attaching branches.

Optional Row - Row of receptors located directly above and below the universal mount. Optional rows have nine receptors welded evenly around the pole instead of staggered vertically. There should never be more than three branches attached to this row. Nine receptors are provided as an option to make it easier to determine where branches should be attached to best disguise the mount.

Natural Variation - Describes the shape of the tree. The goal is to attach branches of different lengths in such a manner that the "natural variation" of branch lengths mimics a natural tree.

T-arm Branch - Branches that mount between antennas directly onto the T-arm with their own brackets instead of onto the pole via receptors.

AB Branch - Designed wide with ends that curve upward. When installed the ends will curve up in front of the antennas to help camouflage them.

Snag Branch - Straight, single stem branches with no side sections. They are designed to simulate older, broken branches at the base of the tree.

Antenna Wrap - Also referred to in the industry as "Socks". Needle tufts adheared to green plastic mesh which wraps around the antennas to help disguise them.

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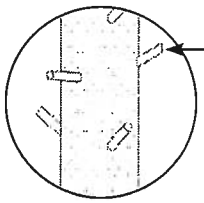
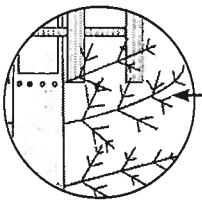
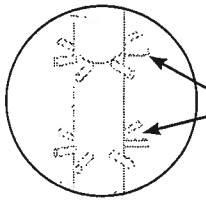
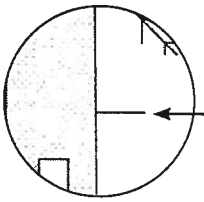
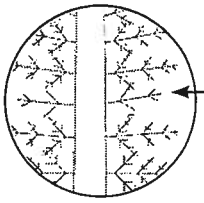
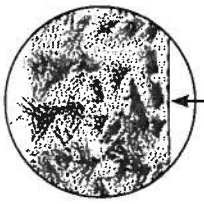


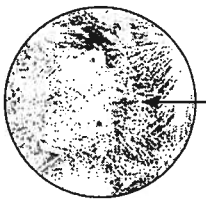








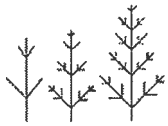




Notes for installation:

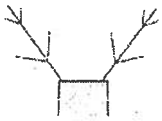
1. Installation of branches starts at the top of the pole
2. All branches must be installed curving upward
3. Branches are attached by inserting the end of the branch into the receptor (short pipe welded to the pole). The branch is secured with a supplied nut and bolt being placed through the predrilled hole in the branch receptor.

Drawings are not to scale with actual pole



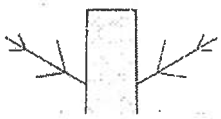
Step 1:
Sort all branches by length before starting the branch installation. All branches are tagged individually by length.

Step 2:
Starting at the top of the pole, install one (1) 7' branch in the center receptor.

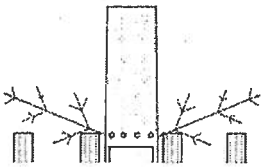


Step 3:
Install three (3) 5' branches in the receptors on the top of the pole, surrounding the 7' center branch.

Step 4:
Move down to the row of receptors just below the top plate. Install three (3) 5' branches.



Step 5:
The next row of receptors will receive three (3) 6' branches.



Step 6:
After this row is the first "optional row" of receptors. There are two (2) optional rows, and they are located directly above and below the universal mount. You can identify the optional rows by having nine (9) receptors each, welded evenly around the pole. The purpose of the optional rows is to provide an opportunity for alternate branch installation locations based on varying hardware configurations.

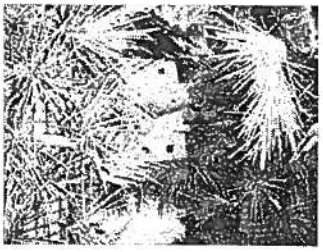
Install three (3) 7' branches into the top optional row. Space branches evenly around the pole using any receptor in the top optional row which will allow branch installation avoiding antennas, cables and mounts as needed.

Note: If you install more than three (3) branches in the top optional row, you will run short of branches at the bottom of the pole.

Step 7:
Install the antenna wraps at this time. Center the wrap on the face of the antenna and then fold the wrap around the sides. Using zip ties designed for exterior use, secure the wrap to the antenna on the back side.

Note: Zip ties are not supplied with wraps. Use as many zip ties as necessary, securing the wrap on all sides. If more wraps were supplied than required to cover the installed number of antennas, use remaining wraps to cover as much of the array of hardware as possible.

Drawings are not to scale with actual pole

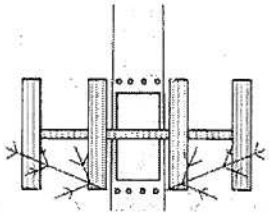


Step 8:

In the event the array is especially large with multiple antennas, T-arm branches may be added. If there are T-arm branches supplied they will be added in this step. They will be mounted directly to the T-arm between the antennas using their own brackets. If there are no T-arm Branches supplied, this step can be skipped.

Step 9:

Install three (3) 7' branches in the bottom optional row. As with the top optional row, space the branches evenly around the pole. Use any receptor in the bottom optional row which will allow branch installation avoiding antennas, cables and mounts as needed.

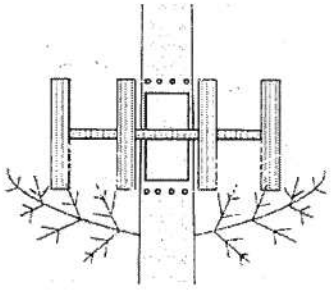


Note: If you install more than three (3) branches in the bottom optional row, you will run short of branches at the bottom of the pole.

Note: There will be a total of six (6) branches used in the top and bottom optional rows.

Step 10:

Install the three (3) curved AB branches so they curve upward in the row just below the bottom optional row. These branches should be installed directly under the T-arms, one per sector, and curve up in front of the antennas.

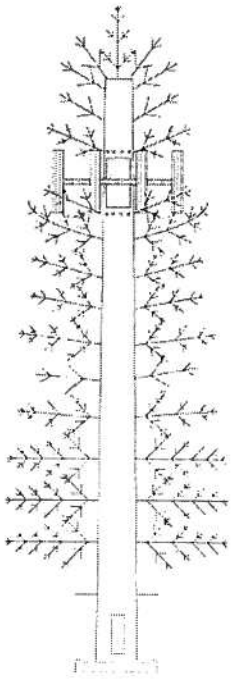


Note: In the event the array is a "hugger" configuration with single antennas mounted on 1' standoffs or even two antennas on a 1' standoff, the AB Branches may not be necessary. If AB Branches are not supplied this step can be skipped.

Note: If the pole has more than one (1) carrier, return to steps 6 through 10 for installing branches to additional optional rows.

Step 11:

Read this entire step before continuing to install branches. At this point review branch inventory. **The goal the rest of the way down the pole is to create a shape having natural variation and irregularity by using branches of different lengths.**



Begin by installing a row(s) of 7' branches. Then install row(s) that alternate between 7' and 8' branches randomly. Next install a row(s) of 8' branches followed by a row(s) that alternates between 8' and 9' branches randomly. Gradually increase this pattern to the longest branch length supplied. Don't forget to install 5' and 6' branches randomly amongst all of these rows until your inventory of those lengths is exhausted.

Snag branches will be installed in the very bottom row of receptors to simulate older, broken branches at the base of the tree.

The finished pole should gradually get wider from top to bottom, with random and natural looking variations of branch lengths.

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23761 Research Drive
Farmington Hills
Michigan 48335

248.477.2444
248.477.2445 fax
www.nsa-ae.com

Client:
verizon wireless

Description:
Original View

Location:
Cell Site #2709R - West Centre Replacement
Portage, Michigan

Project Number: 211096.00

Date: 2-14-12

Sheet Number: 1

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Sheet Number: 3

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Proposed View

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Portage, Michigan

Project Number: 211096.00

Date: 2-14-12

Sheet Number: 4

CITY COUNCIL MEETING MINUTES FROM JUNE 12, 2012

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

At the request of Mayor Strazdas, Councilmember Urban gave the invocation and City Council and the audience recited the Pledge of Allegiance.

The Deputy City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Jim Pearson, Patricia M. Randall and Edward J. Sackley, Terry R. Urban, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and Deputy City Clerk Adam Herringa.

APPROVAL OF MINUTES: Motion by Reid, seconded by Campbell, to approve the May 22, 2012 Special Budget Work Session and Regular Meeting Minutes and May 31, 2012 Special Meeting Minutes. Upon a voice vote, motion carried 6 to 0 with Councilmember Urban abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Mayor Pro Tem Reid to read the Consent Agenda. Councilmember Sackely removed Item H.1, Greenspire Retail / Sewer Utility Connection Charges, from the Consent Agenda. Motion by Reid, seconded by Campbell, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 12, 2012:** Motion by Reid, seconded by Campbell, to approve the Accounts Payable Register of June 12, 2012. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARING:

TENTATIVE PLAN AMENDMENT FOR OAKLAND HILLS AT CENTRE PLANNED DEVELOPMENT: Mayor Strazdas opened the public hearing and introduced Community Development Director Vicki Georgeau, who provided a detailed overview of the proposed amendment and the overall history of the Oakland Hills at Centre Planned Development. Director Georgeau emphasized the proposed changes to the plan with a particular focus on the construction of a unique cell phone tower on the development property. She discussed the reason for the selected cell phone tower design, known as the "monopine," as well as the reasons for its proposed location.

Mr. Greg Dobson of American Village Builders, AVB, spoke next and recognized representatives of the various parties involved in the Oakland Hills at Centre Planned Development that were present in the audience. Mr. Dobson reviewed the current status of the development and focused specifically on the monopine tower and why AVB is supportive of including it in their development. He also emphasized that AVB had been working with the property owner to the north, William Nuyen, and that the two parties had come to agreement on the issue of the cell phone tower as well as areas of mutual interest.

Terry Sherman, 4540 Wishing Well Court, spoke and thanked the developer and City for working to add and preserve trees in the development.

Motion by Sackley, seconded by Randall, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Sackley, seconded by Campbell, to approve the Tentative Plan Amendment for Oakland Hills at Centre Planned Development at 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive, subject to the conditions outlined in the April 13, 2012 Department of Community Development report.

Mayor Strazdas thanked the development team for their effort to grow the community with quality projects as well as the good communication between stakeholders in the project. He then briefly discussed the necessity, number, guidelines and maintenance necessary for cell phone towers in communities.

Attorney Brown reviewed the next steps prior to final approval of the plan amendment.

Councilmember Sackley discussed the need for communities to have widespread broadband access. He also stated that he appreciates developments that are created and implemented by those that live here and work here and strive to make their developments great assets to the community.

Mayor Pro Tem Reid recognized the overall efforts of the developer and complimented them on reaching out to the neighbor who had expressed concerns with the project.

Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Dr. Romeo Phillips, 1983 Brighton Lane, thanked Councilmember Sackley for interceding on his behalf to assist with closing the sale of his former home and being able move into his new home in a timely manner. Dr. Phillips also thanked Daniel Foecking, City of Portage Finance Director, for taking his time on a lunch hour to personally visit Dr. Phillips in order to answer questions related to a tax matter.

Mayor Strazdas invited Nancy Vandenberg, 4646 Wishing Well Court, to come forward and address the City Council as the spokesperson for a large group of residents attending the meeting on a matter of mutual concern.

Ms. Vandenberg stated that she had contacted several City officials prior to the meeting including Mayor Strazdas, Mayor Pro Tem Reid and City Manager Evans and wondered if there was a representative of Midwest Energy present in the audience. She stated that the City and Midwest Energy were providing different stories as it relates to the cutting of trees in the Angling Road neighborhood she is representing. Ms. Vandenberg then reviewed the tree trimming practices of Consumers Energy and contrasted them with the practices of Midwest Energy which eliminated the trees in the energy company's right-of-way in her neighborhood. She emphasized that the trees that were cut provided protection from wind, snow, dirt, and especially noise pollution as a natural and beautiful barrier between their homes and U.S. 131. Her neighborhood, she stated, was changed in minutes when 150 trees were cut in a matter of minutes.

Ms. Vandenberg stated that she received a notice from the City last Friday of the impending tree cutting but woke up Monday morning to a knock on her door and the sound of chainsaws. She then reviewed a presentation, photos and brief video of the situation. In the presentation she reviewed the history of the tree plantings, emphasized the devastating effect of the cutting, the removal of a tree on Michigan Department of Transportation (MDOT) property, the removal of trees that were not located near the power lines and the future cutting plans of Midwest Energy. She also reviewed a series of questions the residents of her neighborhood would like answered. In reviewing the questions, she expressed concern about items such as differing information she said she received from Midwest Energy and the City of Portage, the planting of trees under power lines, whether Midwest Energy was following Michigan Public Service Commission (MPSC) guidelines, safety as it relates to stranded motorists seeking assistance and decreased property values. Ms. Vandenberg also expressed concern regarding gravel on the roadway, the width of the bikeway along Angling Road and potholes on the roadway. She then asked the City to protect residents from this devastating situation and continued by stating that she is deeply saddened and upset by the abrupt action taken by Midwest Energy and lack of notice.

Ms. Vandenberg then suggested that the City take steps to work with MDOT to plant new trees on the MDOT property. She requested that the City plant tall trees in this area.

Mayor Strazdas then asked if any other citizen would like to speak. Brett Vandenberg, 4646 Wishing Well Court, stated that the neighborhood has been taken back 20 years and would like an adequate replacement of the trees that were taken down.

CITY OF
PORTAGE
A Place for Opportunities to Grow

Department of Community Development

TO: Planning Commission **DATE:** July 13, 2012

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Final/Site Plan for Verizon Wireless (mono-pine), 8080 Oakland Drive.

I. INTRODUCTION/BACKGROUND:

A final/site plan has been submitted by Tele-Site, Inc., on behalf of Verizon Wireless, to construct a 150-foot tall telecommunications tower (mono-pine) and related site improvements at 8080 Oakland Drive. The mono-pine tower represents the second project within the Oakland Hills at Centre Planned Development (PD). The approximate 1.75 acre parcel is currently vacant and zoned PD, planned development.

As background for the Commission, the Oakland Hills at Centre PD involves a 47.6 acre tract of land currently addressed as 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive. The original PD rezoning/tentative plan received City Council approval in 2006 and proposed the construction of 116 attached single family residential condominiums within the interior of the property and between 30,000 and 50,000 square feet of offices in a multiple building arrangement along West Centre Avenue and Oakland Drive. In 2009, City Council granted the applicant a two-year extension to the PD rezoning/tentative plan approval and also approved the final plan for the Cole-Gavlas office building at 2301 West Centre Avenue. On June 12, 2012, City Council approved a Tentative Plan Amendment for the Oakland Hills at Centre PD that included the addition of the 150-foot tall mono-pine tower on the 8080 Oakland Drive parcel, revisions to the layout of the attached residential and office portions of the development and an updated project phasing timeline.

II. FINAL PLAN REVIEW/ANALYSIS:

The final/site plan for the Verizon Wireless mono-pine tower and related improvements has been designed in substantial conformance with the 2012 approved tentative plan amendment and Section 42-375.H (Standards for final plan). The mono-pine tower has also been designed in accordance with applicable requirements of Section 42-135, Wireless telecommunications facilities and tower ordinance. Consistent with the 2012 tentative plan amendment, the approximate 50-foot by 70-foot fenced area around the tower will be fully enclosed by a 6-foot tall decorative, solid vinyl fence and supplemental evergreen tree plantings (minimum 8-10 foot tall, spaced 10 feet on-center) will be installed along the north side of the enclosure. Additionally, the applicant will preserve the large Oak tree located west of the mono-pine tower and, to the greatest extent possible, the existing mature tree line located along Oakland Drive as shown on the 2012 approved tentative plan amendment (attached). These site development considerations will minimize the visual appearance of the mono-pine tower from adjacent properties and for motorists traveling Oakland Drive. Access to the mono-pine tower will be provided through a paved drive from Oakland Drive. This drive will be situated approximately in the center of the 8080 Oakland Drive parcel and will be converted to a full-service, boulevard entrance with subsequent phases of the Oakland Hills at Centre PD.

III. RECOMMENDATION:

The final/site plan has been reviewed by the City Administrative departments. Staff advises that the Planning Commission recommend to City Council that the Final/Site Plan for Verizon Wireless, 8080 Oakland Drive, be approved.

Attachments: Final Plan
Approved Tentative Plan Amendment (June 12, 2012)
City Council meeting minutes (June 12, 2012)

S:\2012-2013 Department Files\Board Files\PLANNING COMMISSION\PC Reports\Site Plans\Verizon Wireless (mono-pine), 8080 Oakland Drive - Final Plan.doc

GENERAL NOTES:

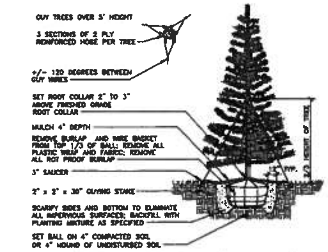
1. All site work construction shall be in accordance with the current standards and specifications of the City of Portage, where applicable.
2. The proposed equipment shelter is to be a one story, computerized, unmanned, telephone exchange structure. All exterior walls are precast washed aggregate masonry. No water service, sanitary facilities or gas service is needed. Telephone and electrical services will be from an existing utility pole or line adjacent to the site.
3. The proposed equipment shelter is to have a security system monitored 24 hours per day. The shelter will also be constructed with bullet resistant materials.
4. There is one, low wattage (150W), shielded, wall-mounted security light next to the stoop of the shelter. No tower lights or lighting are required by the current regulations of the Federal Aviation Administration (FAA).
5. There are no signs proposed for this project except for:
   a. Emergency contact information purposes and FCC "call" sign placed on equipment shelter door;
   b. FCC registration number located on fence gate.
6. The cellular antenna and equipment shelter will be approved by the Federal Communications Commission (FCC) and will not impact any frequency sensitive devices whatsoever. Buyer warrants no adverse radio interference with adjacent land uses.
7. There are no toxic materials used by Lessee on the site. Lessee has no need for outdoor storage or garbage disposal and pick-up.
8. Maintenance personnel using van type service vehicles enter and exit the site approximately 2 to 4 times per month. No loading or unloading area is needed by them.
9. All areas disturbed by the construction of the tower and shelter and driveway shall be restored in kind. Contractor is to provide soil erosion control measures as needed or as directed by owner or government agency having jurisdiction.
10. All areas inside of and to 1'-0" outside of the fenced area shall be covered with 3" of crushed limestone placed over "Typar" landscape fabric.
11. Ingress and egress by Lessee's personnel to the site shall be via a proposed paved drive from Oakland Drive.
12. The proposed drive shall consist of 2.5" of bituminous surface meeting current MDOT specification for bituminous mix #36A. It shall be placed over 10" of 3A crushed concrete or slag over compacted subgrade. The subgrade shall be stripped free of all topsoil and organic material prior to placing aggregate base. Where poor subgrade soils are encountered, a woven geotextile fabric (Mirafi 500X or approved equal) shall be placed so that it is a minimum of 2 ft. wider and longer than the drive which is to be constructed over the poor soils.
13. Noise levels from the proposed equipment shelter shall not exceed 45 dB(A) along the property lines.
14. This site plan is based on the survey of the existing conditions conducted by Midwestern Consulting, LLC on 07-08-2011.

NOTE

Rotate all bearings 00°30'43" -clockwise to obtain bearings based on True North as determined from global positioning system (GPS).

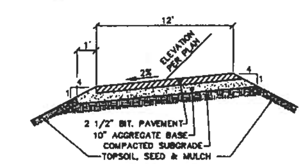
BENCH MARK

Nail in the south face of a utility pole located ±30 feet west of the centerline of Oakland Drive and ±75 feet south of the centerline of an existing pole line.
Elevation: 864.74 (USGS & NGV Datum)



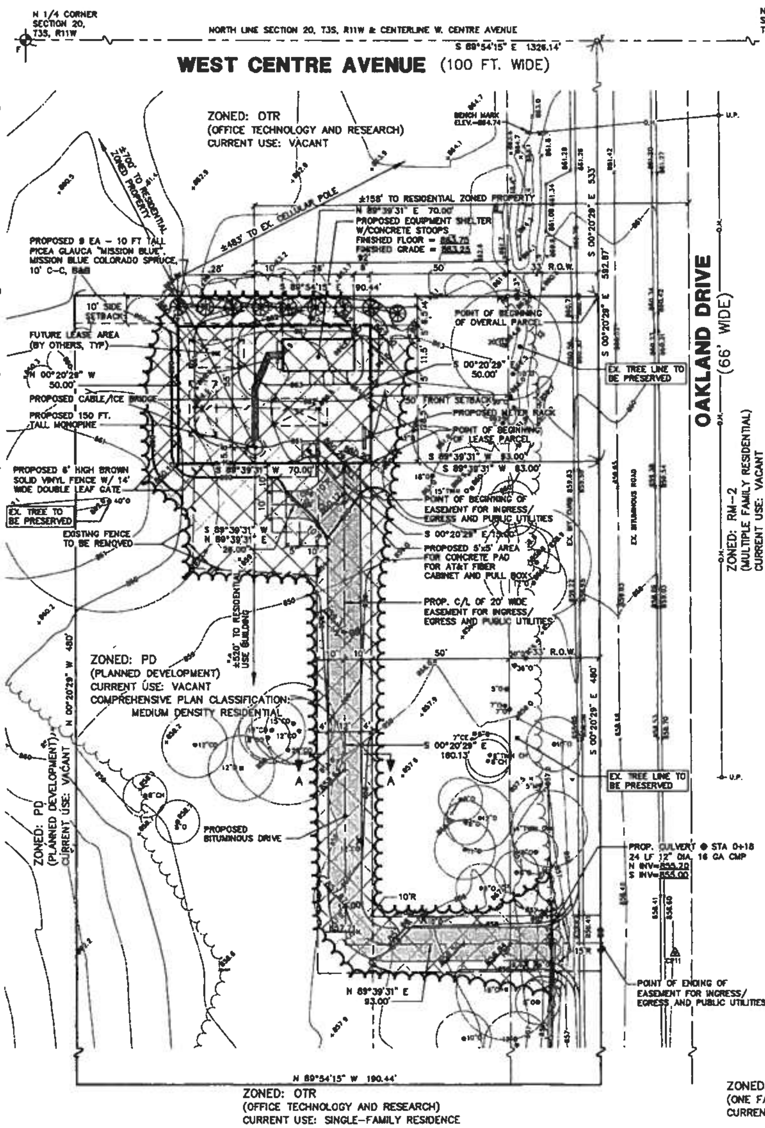
EVERGREEN TREE PLANTING DETAIL

NOT TO SCALE



PAVED DRIVE CROSS SECTION A-A

NOT TO SCALE

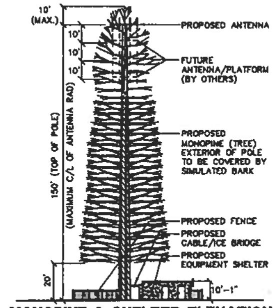


LEGEND

- EXIST. CONTOUR
- PROP. CONTOUR
- EXIST. SPOT ELEVATION
- PROP. SPOT ELEVATION
- EXIST. UTILITY POLE
- GUY WIRE
- ELEC. TRANSFORMER
- EXIST. OVERHEAD UTILITY LINE
- EXIST. LIGHT POLE
- EXIST. HYDRANT
- EXIST. GATE VALVE IN BOX
- EXIST. STORM SEWER
- END SECTION
- EXIST. CLEANOUT
- SIGN
- GAS METER
- FENCE
- GUARDRAIL
- EXIST. TREE OR BRUSH LIMIT
- PROP. TREE OR BRUSH LIMIT
- TREE OR BRUSH TO BE REMOVED
- SECTION CORNER
- FOUND IRON PIPE
- FOUND MONUMENT
- FOUND IRON ROD
- CONTROL PT.
- EXIST. SPRINKLER HEAD

TREE LEGEND

CH	CHERRY	O	OAK
CR	CRABAPPLE	P	PINE
E	ELM	W	WILLOW
L	LOCUST	X	TO BE REMOVED



MONOPINE & SHELTER ELEVATION

SCALE 1" = 30'

VICINITY SKETCH

SCALE: 1"=2000'

LOCATION

LONGITUDE 85° 36' 51.7"
LATITUDE 42° 11' 58.0"
GROUND ELEV. @ TOWER BASE = 861.00

LEGAL DESCRIPTION OF LEASE PARCEL

Commencing at the North 1/4 corner of Section 20, T3S, R11W, City of Portage, Kalamazoo County, Michigan; thence S 89°54'15" E 1326.14 feet along the north line of said Section 20 (also being the centerline of West Centre Avenue, 100 feet wide) to a found monument; thence S 00°20'29" E 592.87 feet; thence S 89°39'31" W 83.00 feet to the POINT OF BEGINNING;

thence continuing S 89°39'31" W 70.00 feet;
thence N 00°20'29" W 50.00 feet;
thence N 89°39'31" E 70.00 feet;
thence S 00°20'29" E 50.00 feet to the POINT OF BEGINNING; being a part of the Northeast 1/4 of Section 20, T3S, R11W, City of Portage, Kalamazoo County, Michigan; containing 3,500 sq. ft. or 0.080 acres of land, more or less; and subject to easements and restrictions of record, if any;

Together with a 20 foot wide easement for ingress, egress and public utilities, the centerline of said easement is described as:

Commencing at the North 1/4 corner of Section 20, T3S, R11W, City of Portage, Kalamazoo County, Michigan; thence S 89°54'15" E 1326.14 feet along the north line of said Section 20 (also being the centerline of West Centre Avenue, 100 feet wide) to a found monument; thence S 00°20'29" E 592.87 feet; thence S 89°39'31" W 93.00 feet to the POINT OF BEGINNING;

thence S 00°20'29" E 15.00 feet;
thence S 89°39'31" W 26.00 feet;
thence N 89°39'31" E 26.00 feet;
thence S 00°20'29" E 160.13 feet;
thence N 89°39'31" E 93.00 feet to the POINT OF ENDING; being part of the Northeast 1/4 of Section 20, T3S, R11W, City of Portage, Kalamazoo County, Michigan; except any part taken, deeded or used for public road purposes; and subject to easements and restrictions of record, if any.

LEGAL DESCRIPTION OF OVERALL PARCEL

(Taken from Title Commitment)

Land situated in the City of Portage, County of Kalamazoo, State of Michigan, described as follows:

Commencing at the North 1/4 corner of Section 20, Town 3 South, Range 11 West; thence South 89°54'15" East 1326.02 feet along the North line of the Northeast 1/4 of said Section to the East line of the West 1/2 of said Northeast 1/4 as monumented; thence South 00°20'29" East 533.00 feet along said East line as monumented to the Place of Beginning; thence continuing South 00°20'29" East 480.00 feet along said East line as monumented; thence North 89°54'15" West 190.44 feet parallel with said North line; thence North 00°20'29" West 480.00 feet parallel with said East line as monumented; thence South 89°54'15" East 190.44 feet parallel with said North line to the Place of Beginning.

PROPERTY INFORMATION

TAX PARCEL: #00-020-055-E

OWNER: OAKLAND-CENTRE REAL ESTATE
7850 MOORSBRIDGE ROAD
PORTAGE, MICHIGAN 49024

CELL SITE ADDRESS:
8080 OAKLAND DRIVE
PORTAGE, MICHIGAN 49024

PREPARED BY:
MIDWESTERN CONSULTING, L.L.C.

JAMES A. FISHER P.E. #24260

MIDWESTERN CONSULTING
Civil, Environmental and Transportation Engineers, Planners, Surveyors, Landscape Architects
3815 Plaza Drive, Ann Arbor, Michigan 48108
Phone: 734.995.0200
Fax 734.995.0599

APPLICANT/LESSEE:
NEW PAR, A DELAWARE PARTNERSHIP
dba VERIZON WIRELESS
24242 NORTHWESTERN HIGHWAY
SOUTHFIELD, MICHIGAN 48075
PHONE: (248) 915-3000

verizonwireless

SITE #8004 – "WEST CENTRE REPLACEMENT"
CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN
SITE PLAN

1

JOB No. 05242-8004
DATE: 10/03/11
SHEET 1 OF 1

REV.	DATE	REVISIONS
1.	10/18/11	REVISE FENCE NOTE & MTG. HEIGHT
2.	11/15/11	REV. PER CITY REVIEW
3.	2/14/12	MOVE LEASE AREA AND ACCESS DRIVE
4.	3/08/12	CHANGE MONOPINE LOCATION
5.	4/25/12	REV. PER CITY REVIEW
6.	7/11/12	REV. PER CITY REVIEW

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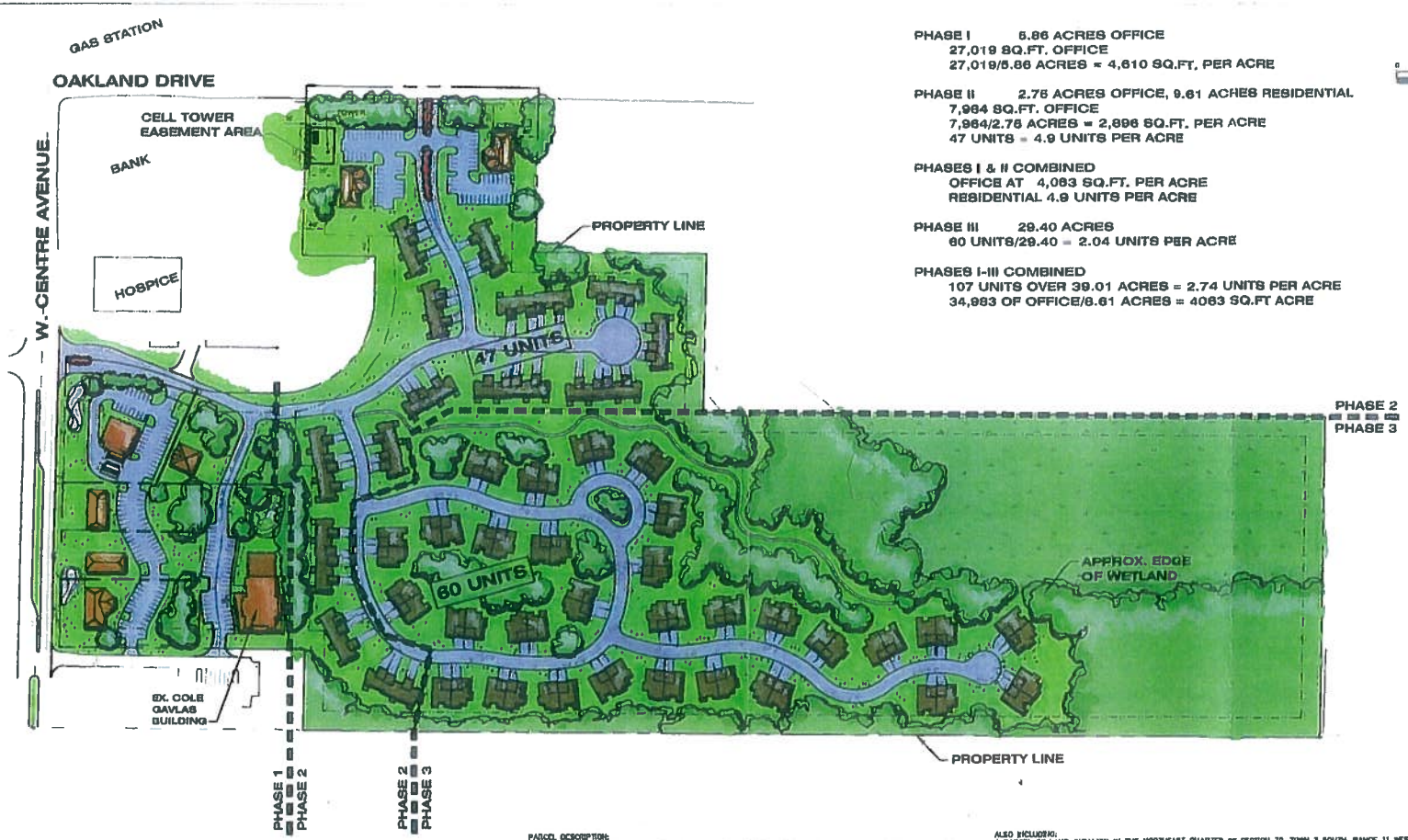

PHASE I 5.86 ACRES OFFICE
27,019 SQ.FT. OFFICE
27,019/5.86 ACRES = 4,610 SQ.FT. PER ACRE

PHASE II 2.75 ACRES OFFICE, 9.61 ACRES RESIDENTIAL
7,964 SQ.FT. OFFICE
7,964/2.75 ACRES = 2,896 SQ.FT. PER ACRE
47 UNITS = 4.9 UNITS PER ACRE

PHASES I & II COMBINED
OFFICE AT 4,083 SQ.FT. PER ACRE
RESIDENTIAL 4.9 UNITS PER ACRE

PHASE III 29.40 ACRES
60 UNITS/29.40 = 2.04 UNITS PER ACRE

PHASES I-III COMBINED
107 UNITS OVER 39.01 ACRES = 2.74 UNITS PER ACRE
34,983 OF OFFICE/8.61 ACRES = 4063 SQ.FT ACRE

N W E S
0 50 100 200
1 inch = 100 ft.

PARCEL DESCRIPTION:
PART OF THE NORTHEAST 1/4 OF SECTION 20, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT THE CENTER 1/4 POST OF SAID SECTION; THENCE N00°08'58"E ALONG THE NORTH-SOUTH 1/4 LINE OF SECTION 20 A DISTANCE OF 2101.50 FEET(MEAS); THENCE S89°30'03"E A DISTANCE OF 165.32 FEET, (RECORDED AS S89°33'31"E A DISTANCE OF 165.75 FEET); THENCE N00°11'48"E A DISTANCE OF 603.29 FEET, (RECORDED AS N00°09'00"E) TO THE SOUTHERLY RIGHT OF WAY OF WEST CENTER AVENUE (100' PUBLIC); THENCE S89°23'49"E ALONG THE SOUTHERLY RIGHT OF WAY OF WEST CENTER AVENUE A DISTANCE OF 467.46 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 20; THENCE S00°09'03"W ALONG SAID LINE A DISTANCE OF 2603.87 FEET, (RECORDED AS S00°09'03"W) TO THE EAST-WEST 1/4 LINE OF SECTION 20; THENCE N89°34'09"W ALONG THE EAST-WEST 1/4 LINE OF SECTION 20 A DISTANCE OF 663.03 FEET, (RECORDED AS N89°34'00"W A DISTANCE OF 663.00 FEET) TO THE CENTER 1/4 POST OF SECTION 20 AND THE POINT OF BEGINNING, CONTAINS 1,843,628 SQUARE FEET OR 37.750 ACRES

ALSO INCLUDING:
A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 20, TOWN 3 SOUTH, RANGE 11 WEST; THENCE S. 89 DEG. 54 MIN. 15 SEC. E. 761.05 FEET (PREVIOUSLY RECORDED AS EAST 760.91 FEET) ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION TO A POINT N. 89 DEG. 54 MIN. 15 SEC. W. (PREVIOUSLY RECORDED AS WEST) 584.64 FEET ALONG SAID NORTH LINE FROM THE EAST LINE OF THE WEST HALF OF SAID NORTHEAST QUARTER AND TO THE PLACE OF BEGINNING; THENCE N. 89 DEG. 54 MIN. 15 SEC. W. (PREVIOUSLY RECORDED AS WEST) 96.07 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST HALF OF SAID WEST HALF OF THE NORTHEAST QUARTER; THENCE S. 00 DEG. 20 MIN. 18 SEC. E. (PREVIOUSLY RECORDED AS S. 00 DEG. 25 MIN. 21 SEC. E.) 1367.00 FEET ALONG SAID WEST LINE; THENCE S. 89 DEG. 54 MIN. 15 SEC. E. 328.00 FEET (PREVIOUSLY RECORDED AS EAST 328.03 FEET) PARALLEL WITH SAID NORTH LINE TO A POINT N. 89 DEG. 54 MIN. 15 SEC. W. 330.00 FEET PARALLEL WITH SAID NORTH LINE FROM SAID EAST LINE; THENCE N. 00 DEG. 20 MIN. 20 SEC. W. (PREVIOUSLY RECORDED AS N. 00 DEG. 25 MIN. 12 SEC. W.) 364.00 FEET PARALLEL WITH SAID EAST LINE; THENCE S. 89 DEG. 54 MIN. 15 SEC. E. (PREVIOUSLY RECORDED AS EAST) 330.00 FEET PARALLEL WITH SAID NORTH LINE TO SAID EAST LINE; THENCE N. 00 DEG. 20 MIN. 20 SEC. W. (PREVIOUSLY RECORDED AS N. 00 DEG. 25 MIN. 12 SEC. W.) 100.00 FEET ALONG SAID EAST LINE; THENCE N. 89 DEG. 54 MIN. 15 SEC. W. (PREVIOUSLY RECORDED AS WEST) 333.00 FEET PARALLEL WITH SAID NORTH LINE; THENCE S. 00 DEG. 20 MIN. 20 SEC. E. (PREVIOUSLY RECORDED AS S. 00 DEG. 25 MIN. 12 SEC. E.) 100.00 FEET PARALLEL WITH SAID EAST LINE; THENCE N. 89 DEG. 54 MIN. 15 SEC. W. (PREVIOUSLY RECORDED AS WEST) 100.47 FEET PARALLEL WITH SAID NORTH LINE; THENCE NORTHWESTERLY 312.68 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CHORD N. 45 DEG. 08 MIN. 55 SEC. W. (PREVIOUSLY RECORDED AS N. 45 DEG. 12 MIN. 40 SEC. W.) 281.50 FEET; THENCE N. 00 DEG. 20 MIN. 18 SEC. W. (PREVIOUSLY RECORDED AS N. 00 DEG. 20 MIN. 21 SEC. W.) 109.39 FEET PARALLEL WITH SAID EAST LINE; THENCE NORTHERLY 64.96 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 164.00 FEET AND A CHORD N. 10 DEG. 53 MIN. 12 SEC. E. (PREVIOUSLY RECORDED AS N. 10 DEG. 48 MIN. 09 SEC. E.) 63.89 FEET; THENCE N. 22 DEG. 06 MIN. 42 SEC. E. (PREVIOUSLY RECORDED AS N. 22 DEG. 01 MIN. 39 SEC. E.) 83.00 FEET; THENCE NORTHERLY 335.10 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 800.00 FEET AND A CHORD N. 10 DEG. 53 MIN. 12 SEC. E. (PREVIOUSLY RECORDED AS N. 10 DEG. 48 MIN. 09 SEC. E.) 333.58 FEET; THENCE N. 00 DEG. 20 MIN. 18 SEC. W. (PREVIOUSLY RECORDED AS N. 00 DEG. 25 MIN. 21 SEC. W.) 50.03 FEET PARALLEL WITH SAID WEST LINE TO THE PLACE OF BEGINNING, CONTAINING 9.87 ACRES OF LAND. THE NORTHERLY 50.0 FEET AND THE EASTERLY 33.0 FEET BEING SUBJECT TO HIGHWAY EASEMENT FOR CENTRE AVENUE AND OAKLAND DRIVE RESPECTIVELY.

hurley & stewart, inc.
350 e. michigan avenue
suite 403
kalamazoo, michigan 49007
616.552.4060 fax 552.4061
www.hurleystewart.com

hurley & stewart

Job No: 11-120 R.S.T.N. JOB NO. 11-120
DATE / REVISIONS
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Sheet Title: PRELIMINARY LAYOUT
Project: OAKLAND HILLS CENTRE DEVELOPMENT
Client: AVB AND TREYSTAR

1/24/12
Sheet
1

CITY COUNCIL MEETING MINUTES FROM JUNE 12, 2012

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

At the request of Mayor Strazdas, Councilmember Urban gave the invocation and City Council and the audience recited the Pledge of Allegiance.

The Deputy City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Jim Pearson, Patricia M. Randall and Edward J. Sackley, Terry R. Urban, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and Deputy City Clerk Adam Herringa.

APPROVAL OF MINUTES: Motion by Reid, seconded by Campbell, to approve the May 22, 2012 Special Budget Work Session and Regular Meeting Minutes and May 31, 2012 Special Meeting Minutes. Upon a voice vote, motion carried 6 to 0 with Councilmember Urban abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Mayor Pro Tem Reid to read the Consent Agenda. Councilmember Sackely removed Item H.1, Greenspire Retail / Sewer Utility Connection Charges, from the Consent Agenda. Motion by Reid, seconded by Campbell, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 12, 2012:** Motion by Reid, seconded by Campbell, to approve the Accounts Payable Register of June 12, 2012. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARING:

TENTATIVE PLAN AMENDMENT FOR OAKLAND HILLS AT CENTRE PLANNED DEVELOPMENT: Mayor Strazdas opened the public hearing and introduced Community Development Director Vicki Georgeau, who provided a detailed overview of the proposed amendment and the overall history of the Oakland Hills at Centre Planned Development. Director Georgeau emphasized the proposed changes to the plan with a particular focus on the construction of a unique cell phone tower on the development property. She discussed the reason for the selected cell phone tower design, known as the "monopine," as well as the reasons for its proposed location.

Mr. Greg Dobson of American Village Builders, AVB, spoke next and recognized representatives of the various parties involved in the Oakland Hills at Centre Planned Development that were present in the audience. Mr. Dobson reviewed the current status of the development and focused specifically on the monopine tower and why AVB is supportive of including it in their development. He also emphasized that AVB had been working with the property owner to the north, William Nuyen, and that the two parties had come to agreement on the issue of the cell phone tower as well as areas of mutual interest.

Terry Sherman, 4540 Wishing Well Court, spoke and thanked the developer and City for working to add and preserve trees in the development.

Motion by Sackley, seconded by Randall, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Sackley, seconded by Campbell, to approve the Tentative Plan Amendment for Oakland Hills at Centre Planned Development at 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive, subject to the conditions outlined in the April 13, 2012 Department of Community Development report.

Mayor Strazdas thanked the development team for their effort to grow the community with quality projects as well as the good communication between stakeholders in the project. He then briefly discussed the necessity, number, guidelines and maintenance necessary for cell phone towers in communities.

Attorney Brown reviewed the next steps prior to final approval of the plan amendment.

Councilmember Sackley discussed the need for communities to have widespread broadband access. He also stated that he appreciates developments that are created and implemented by those that live here and work here and strive to make their developments great assets to the community.

Mayor Pro Tem Reid recognized the overall efforts of the developer and complimented them on reaching out to the neighbor who had expressed concerns with the project.

Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Dr. Romeo Phillips, 1983 Brighton Lane, thanked Councilmember Sackley for interceding on his behalf to assist with closing the sale of his former home and being able move into his new home in a timely manner. Dr. Phillips also thanked Daniel Foecking, City of Portage Finance Director, for taking his time on a lunch hour to personally visit Dr. Phillips in order to answer questions related to a tax matter.

Mayor Strazdas invited Nancy Vandenberg, 4646 Wishing Well Court, to come forward and address the City Council as the spokesperson for a large group of residents attending the meeting on a matter of mutual concern.

Ms. Vandenberg stated that she had contacted several City officials prior to the meeting including Mayor Strazdas, Mayor Pro Tem Reid and City Manager Evans and wondered if there was a representative of Midwest Energy present in the audience. She stated that the City and Midwest Energy were providing different stories as it relates to the cutting of trees in the Angling Road neighborhood she is representing. Ms. Vandenberg then reviewed the tree trimming practices of Consumers Energy and contrasted them with the practices of Midwest Energy which eliminated the trees in the energy company's right-of-way in her neighborhood. She emphasized that the trees that were cut provided protection from wind, snow, dirt, and especially noise pollution as a natural and beautiful barrier between their homes and U.S. 131. Her neighborhood, she stated, was changed in minutes when 150 trees were cut in a matter of minutes.

Ms. Vandenberg stated that she received a notice from the City last Friday of the impending tree cutting but woke up Monday morning to a knock on her door and the sound of chainsaws. She then reviewed a presentation, photos and brief video of the situation. In the presentation she reviewed the history of the tree plantings, emphasized the devastating effect of the cutting, the removal of a tree on Michigan Department of Transportation (MDOT) property, the removal of trees that were not located near the power lines and the future cutting plans of Midwest Energy. She also reviewed a series of questions the residents of her neighborhood would like answered. In reviewing the questions, she expressed concern about items such as differing information she said she received from Midwest Energy and the City of Portage, the planting of trees under power lines, whether Midwest Energy was following Michigan Public Service Commission (MPSC) guidelines, safety as it relates to stranded motorists seeking assistance and decreased property values. Ms. Vandenberg also expressed concern regarding gravel on the roadway, the width of the bikeway along Angling Road and potholes on the roadway. She then asked the City to protect residents from this devastating situation and continued by stating that she is deeply saddened and upset by the abrupt action taken by Midwest Energy and lack of notice.

Ms. Vandenberg then suggested that the City take steps to work with MDOT to plant new trees on the MDOT property. She requested that the City plant tall trees in this area.

Mayor Strazdas then asked if any other citizen would like to speak. Brett Vandenberg, 4646 Wishing Well Court, stated that the neighborhood has been taken back 20 years and would like an adequate replacement of the trees that were taken down.

MATERIALS TRANSMITTED

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – June 11, 2012

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Linenger at 7:00 p.m. in the Council Chambers. Two people were in the audience.

MEMBERS PRESENT: Glenn Smith, Doug Rhodus, Timothy Bunch, Betty Schimmel, Rob Linenger, Lowell Seyburn, Michael Robbe, Mariana Singer, and Jeffrey Bright.

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator and Charles Bear, Assistant City Attorney

APPROVAL OF THE MINUTES: Schimmel moved and Bunch seconded a motion to approve the May 14, 2012 minutes with one change. Upon voice vote, motion was approved 7-0.

NEW BUSINESS:

ZBA #11-23, 5825 and 5901 Willoughby Drive: Staff summarized the variance request for a five-foot side yard setback where a 12-foot setback is required to construct a 300 square-foot enclosed loading dock addition to the existing building that is seven feet from the (east) side property line. Don Hamming was present to answer questions.

A public hearing was opened. No one spoke for or against the request. The public hearing was closed.

A motion was made by Seyburn, seconded by Bunch, to grant a seven foot variance to allow construction of a 300 square-foot (15-foot by 20-foot) covered loading dock five feet from the east/side property line where a 12-foot setback is required for the following reasons: there are exceptional circumstances applying to the property that do not generally apply to other properties in the same zoning district, which include the airport will not permit a loading dock on two other sides and the configuration of the internal floor plan; the variance is necessary for the preservation of a substantial property right, the right to allow the loading of materials in an industrial zone which is similar to that possessed by other properties in the same zoning district and the vicinity; the immediate practical difficulty causing the need for the variance was not created by the applicant; the variance will not be detrimental to adjacent property; and the variance will not materially impair the intent and purpose of the Zoning Ordinance. In addition, the application and supporting materials, staff report, and all comments, discussions and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Bunch-Yes, Linenger-Yes, Rhodus-Yes, Schimmel-Yes, Seyburn-Yes, Singer-Yes, Bright-Yes. Motion passed 7-0.

STATEMENT OF CITIZENS:

ADJOURNMENT: There being no further business, the meeting was adjourned at approximately 7:13 p.m.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator

CITY COUNCIL MEETING MINUTES FROM JUNE 26, 2012

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

Mayor Strazdas called for a moment of silence for former Mayor Pro Tem and Councilmember Dottie Sutter. At the request of Mayor Strazdas, Pastor Mike Drew of Workplace Chaplains gave the invocation and City Council and the audience recited the Pledge of Allegiance.

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

PROCLAMATIONS: Mayor Strazdas issued a Firefighters Boot Drive Weekend for Muscular Dystrophy Proclamation.

APPROVAL OF MINUTES: Motion by Reid, seconded by Sackley, to approve the June 12, 2012 Special and Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Sackley to read the Consent Agenda. Mayor Strazdas removed Items F.1, City of Portage 2010 Census Liquor License Availability, and F.5, Permit to Conduct Fireworks Display, from the Consent Agenda. Councilmember Randall asked that Item F.3, Amendment to Code of Ordinances – Purchasing, be removed from the Consent Agenda. Discussion followed. Councilmember Randall indicated that she wished the record to reflect that she abstained from voting on Item F.2, FY 2012-13 Community Development Block Grant and General Fund Contracts, but to leave the item on the Consent Agenda. Discussion followed. Motion by Sackley, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JUNE 26, 2012:** Motion by Sackley, seconded by Reid, to approve the Accounts Payable Register of June 26, 2012. Upon a roll call vote, motion carried 6 to 0.

REPORTS FROM THE ADMINISTRATION:

CITY OF PORTAGE 2010 CENSUS LIQUOR LICENSE AVAILABILITY: Mayor Strazdas deferred to City manager Maurice Evans, who asked Community Development Director Vicki Georgeau to provide a history of the process. She reviewed the communication from Mr. Evans dated June 18, 2012, which outlines the requirements and criteria to be considered from Chapter 6, Alcoholic Liquor, of the Portage Code of Ordinances, and the applications filed by the interested parties who wish to qualify for the one available 2010 Census Liquor License.

Ms. Georgeau concluded by indicating that The Repertoire Coffee House and Theatre, Inc., most closely met the criteria as specified in the ordinance as it involves a unique concept to Portage that includes live Blues and Jazz music, a seating capacity of 231 with an outdoor patio capacity of 40, and applicants who have relevant experience for the proposed business. She also recommended that additional important project information was necessary for consideration of conditional approval on September 25, 2012, including: a more fully prepared development plan of the proposed restaurant and live music venue to obtain zoning and permitting approval from the city; cost estimates for the

buildings, furnishings and fixtures; estimates of the number of employees for the operation of the facility; information regarding the management of the facility; information regarding planned entertainment and dancing; and answers to any related questions regarding improvements or operation of the facility. Discussion followed.

Attorney Tom King from Kreis, Enderle, Hudgins and Borsos, representing the Riviera Maya, Inc., applicant, argued that the location of their proposed restaurant was in an area where City Council has worked hard to enhance over the years, the Downtown Development District Area (DDA). He pointed out that it was the original site proposed for The Repertoire Coffee House and Theatre, Inc., but Riviera Maya, Inc., had the lease rights to that location. He also noted that their original seating capacity at 5036 South Westnedge Avenue would have been less than the 231 with an outdoor patio capacity of 40 that is proposed at the 129 West Centre Avenue location. He distinguished the Census 2010 Liquor License from one that is available in a DDA since the DDA liquor license does not have the same value and is not moveable. He further argued that the concept of the Riviera Maya, Inc., restaurant is unique, "tried and true" and the applicant has successfully operated a number of restaurants in the area, including Los Amigos on South Westnedge Avenue. Discussion followed.

Wayne Deering, 1004 Northampton Road, Kalamazoo, representing The Big Burrito, Inc., applicant referred City Council to the model used by the Department of Labor and Economic Growth where most hotels would be eligible for the hotel liquor license since it is available as a Resort "C" license with an investment of one million dollars, and the redevelopment liquor license is available at a lower cost of $20,000 for businesses such as Riviera Maya, Inc. He argued that the Census 2010 Liquor License or "quota" license is made available because of growth and is issued at the discretion of City Council and argued that issuance should be based upon need and not constrained by criteria contained in a local ordinance. He indicated that liquor licenses used to be valued at $90,000 to $100,000, but now are selling for $40,000 to $50,000, so consideration should be given to an applicant of a smaller restaurant or concern where the need factor is high. Discussion followed.

Marty Ray, owner of The Big Burrito, 5036 West KL Avenue, Oshtemo Township, indicated that he has eighteen years of experience in the restaurant business, has an Accounting Degree in Business, and has the experience of working with a liquor license for three years. Discussion followed.

Matt Bastos, 261 East Kalamazoo Avenue, Kalamazoo, spoke on behalf of The Repertoire Coffee House and Theatre, Inc., and encouraged City Council approval of their application.

Theophlis "Ted" Duckett emphasized that his proposal is unique and indicated that negotiations for the 5036 South Westnedge Avenue location had taken place with the owners and a seating capacity of 230 plus outdoor options was a part of the plan at that location. He stressed the experience of his Manager, Steve George, and the balance offered by the team assembled by The Repertoire Coffee House and Theatre, Inc., in order to provide a safe, friendly, enjoyable experience for patrons with good food and entertainment. Discussion followed.

In answer to Mayor Strazdas, Ms. Georgeau responded that because The Big Burrito is a smaller operation, job creation and economic development would be about the same with the other applicants. She also provided some history of the 2000 Census License experience and discussion followed.

In answer to Councilmember Sackley of whether City Council would have legal standing to deviate from the City of Portage Code of Ordinances, City Attorney Randy Brown indicated that the ordinance lists "just about any criteria under the sun" and total discretion lies with City Council to determine what is felt to be an important reason under the ordinance and what weight to provide each item or criteria in their comparison. He also favored citing a reason in the motion for the selection. Discussion followed.

Motion by Urban, seconded by Reid, to acknowledge receipt of all of the submitted liquor license applications, select the Repertoire Coffee House and Theater, Inc., application and request additional information from this applicant for consideration of conditional approval "above all others" on September 25, 2012, for the reasons of the uniqueness of the venue proposed, and the size and the investment of the venue. Discussion followed.

City Attorney Brown indicated that Mayor Pro Tem Reid thought that the applicant satisfied the criteria, "tends to provide a service, product or function not presently available in the general public residing in the community" and offered that if Councilmember Urban agreed, it could be added to the motion as another reason for selecting Repertoire Coffee House and Theater, Inc. Councilmember Urban agreed to amend the motion to include that the applicant satisfied the criteria, "tends to provide a service, product or function not presently available in the general public residing in the community" and Mayor Pro Tem Reid agreed. Discussion followed. Upon a roll call vote, motion carried 6 to 0. Discussion followed.

* **FY 2012-13 COMMUNITY DEVELOPMENT BLOCK GRANT AND GENERAL FUND CONTRACTS:** Motion by Sackley, seconded by Reid, to approve the Fiscal Year 2012-13 Community Development Block Grant Fund contracts and General Fund Human/Public Services contracts and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 5 to 0 with Councilmember Randall abstaining.

AMENDMENT TO CODE OF ORDINANCES – PURCHASING: Councilmember Randall expressed her concern that at the Budget Session in the Spring, a purchase amount had not been determined; that her concern for a fleet reduction was still important to her; that the cars within the fleet cost less than $20,000; so, she asked whether the checks and balances are still in place. City Manager Maurice Evans assured her that the checks and balances were still in place. Discussion followed and Mr. Evans pointed out that all purchases are reviewed and approved under Item C.1, Accounts Payable Register.

Councilmember Pearson expressed his concern whether new vehicle purchases would still be discussed at the Budget Session each year and Mr. Evans assured him that vehicle purchases will still be a part of the Budget Session discussion. Discussion followed.

Motion by Sackley, seconded by Urban, to accept the amendment to Article 5, Finance, Division 2, Purchases and Sales, Section 2-171, Purchasing procedures; bids generally; 2-173, Change orders to construction contracts; and 2-175, Sale of personal property in the City of Portage Code of Ordinances for first reading and set a second reading with final adoption for July 10, 2012. Upon a roll call vote, motion carried 6 to 0.

* **THE MEADOWS AT WOODBRIDGE HILLS STREETSCAPE ENHANCEMENT:** Motion by Sackley, seconded by Reid, to approve replacement of The Meadows at Woodbridge Hills sign located in the Churchill Lane median island and authorize the City Manager to execute the Streetscape Enhancement Agreement. Upon a roll call vote, motion carried 6 to 0.

PERMIT TO CONDUCT A FIREWORKS DISPLAY: Mayor Strazdas pointed out that Saugatuck /Douglas discontinued fireworks based on cost, and Stockton, California, a city of over 300,000 people, is considering bankruptcy. Mayor Strazdas then asked Mr. Evans to distinguish Portage and comment on what measures the city has in place to allow citizens to sleep at night in safety and quiet, considering the new laws in place regarding fireworks in the State of Michigan. Mr. Evans expressed his appreciation to the Portage Rotary for their fundraising efforts to provide the fireworks.

Mr. Evans deferred to Public Safety Director Richard White and asked him for comment on the Act 256, enforcement and what do we have in place to protect citizens.

Mr. White reviewed the Noise Ordinance, the after 10 p.m. rule, the intent of Act 256, the reasonable approach of the Public Safety Department, enforcement action, warnings, citations and referral of violations to the City Attorney's Office. He discussed the options being considered for the Portage Rotary Fireworks Display to ensure fire safety owing to the dry conditions because of a lack of rain. Discussion followed.

Councilmember Pearson asked for volunteers beyond Members of Portage Rotary to assist in hosting the 4th of July Fireworks Display.

Councilmember Urban asked whether the permission can legally be withdrawn if the application is approved at this time for safety reasons and City Attorney Brown indicated that the Portage Fire Marshall has the power to prohibit or stop an activity that in his opinion it would cause a fire hazard or violate the International Fire Code. Discussion followed.

In answer to Councilmember Randall, Public Safety Director White deferred to the Portage Rotary should the date of the display have to be moved and the fireworks set off later. Councilmember Sackley revealed that he was involved with Battle Creek fireworks displays for twenty years and indicated that once the equipment is set up in the field, it probably can not be taken apart because the risk is too high. He asked Mr. White whether the risk to fire attributable to fireworks is greater in the approved, permitted, controlled display in a public area with public safety personnel all around, or is the real risk in the non-permitted areas where people are going to be setting off fireworks all around the city. Mr. White responded the general public would receive the same warnings and safety precautions which gave rise to the cancellation of the Portage public display of fireworks and discussion followed.

City Attorney Brown indicated that, under a section of the new law, municipalities can indeed prohibit the discharge, ignition and use of fireworks except that the municipality cannot regulate by passing an ordinance under that subsection to prohibit the use of fireworks. However, he indicated that an existing noise ordinance is not a new ordinance and is not enacted under that section of Act 256; therefore, it does not fall within that exception and, similarly, fire code sections also do not fall under such a restriction and still apply.

At the request of Mayor Strazdas, motion by Urban, seconded by Sackley, to approve a permit for a proposed fireworks display on July 4, 2012, sponsored by the Portage Rotary Club. Upon a voice vote, motion carried 5 to 0 with Councilmember Pearson abstaining as he is an incoming Portage Rotary Board Member. Discussion followed and Mayor Strazdas requested use of common sense and a list of safety guidelines for the community.

* **POLICE UNIFORM CLEANING CONTRACT EXTENSION:** Motion by Sackley, seconded by Reid, to extend the contract with Kal Clean, Inc., dba Paris Cleaners, for police uniform cleaning through December 31, 2012, in the approximate amount of $8,000 and authorize the City Manager to execute all documents related to this matter on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **MAY 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT - INFORMATION ONLY:** Motion by Sackley, seconded by Reid, to receive the communication from the City Manager regarding the March 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 6 to 0.

* **DEPARTMENT MONTHLY REPORTS:** Motion by Sackley, seconded by Reid, to receive the Department Monthly Reports. Upon a roll call vote, motion carried 6 to 0.

UNFINISHED BUSINESS:

CITY COUNCIL BEST PRACTICES ON FORMATION OF COMMITTEES AND RESPONSIBILITIES: Mayor Strazdas introduced the item and Councilmember Pearson revealed that there were a number of proposed drafts as changes to the original draft from the Administration and that he is awaiting feedback from outside sources, including City Attorney Randy Brown, who called him one and one-half hours before the meeting with some suggestions. He also expressed his opinion that there is no rush to pass the document; that the whole team is not present at the meeting tonight as Councilmember Campbell could not be present; therefore, in the spirit of team unity and the agreement

of a new start, he moved to table this item until all of the team is present at our regularly scheduled July 24, 2012 meeting for discussion and consensus agreement on the document to be referred to staff for final form approval at the August 7, 2012 Regular City Council Meeting. Councilmember Sackley supported the motion. Councilmember Urban pointed out that he will not be at the July 24, 2012 Regular City Council Meeting. Councilmember Sackley withdrew his support of the motion. Discussion followed.

Motion by Pearson, seconded by Sackley to table this item until all of the team is present at the August 14, 2012 Regular City Council Meeting for discussion and consensus agreement on the document to be referred to staff for final form approval at the August 28, 2012 Regular City Council Meeting. Discussion followed. Councilmember Sackley withdrew his support of the motion. Discussion followed regarding Roberts Rules of Order and Councilmember Sackley reinstated his support for the motion. Upon a roll call vote, motion failed 3 to 3: Yeas: Councilmembers Pearson, Randall and Mayor Strazdas. No: Councilmembers Urban, Sackley and Mayor Pro Tem Reid. Discussion followed.

Councilmember Randall questioned the unwillingness to wait for the entire City Council as a team to deliberate on this "team" document in the spirit of the team approach agreed upon. She advocated waiting for everyone to be present and to put off the decision to a future City Council meeting. Mayor Pro Tem Reid responded that business matters are addressed in a timely manner with less than a full City Council all of the time and cited Item F.1, City of Portage 2010 Census Liquor License Availability, as an example of a serious decision made tonight with only six members. Councilmember Sackley indicated that Councilmembers are actively engaged in committee meetings currently and advocated a 70% consensus as suggested by Facilitator David Wheatley at the May 31, 2012 Special Meeting. He pointed out that it is important not to continue to postpone this matter any longer as this policy can be changed at any future meeting and expressed a desire for guidance for the eminent committee meetings that take place throughout the summer. Mayor Strazdas asked that the draft document of the Administration be approved with the proviso that it can be changed as soon as the next meeting, and he promised that he would bring the item forward at the August 14, 2012 Regular City council Meeting when all City Councilmembers would be present. Discussion followed.

Motion by Sackley, seconded by Urban, to adopt the Attachment Number One to the Communication from the City Manager dated June 19, 2012, *City Council Best Practices on Formation of City Council Committees and Responsibilities* by City Manager Maurice Evans/City Attorney Randy Brown as a starting point and a base for discussion and modification. Discussion followed. Upon a roll call vote, motion carried 4 to 2. Yeas: Mayor Pro Tem Reid, Councilmember Sackley, Mayor Strazdas and Councilmember Urban. No: Councilmembers Pearson and Randall.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:

Portage Historic District Commission of May 2, 2012.
Portage Environmental Board of May 9, 2012.
Portage Zoning Board of Appeals of May 14, 2012.
Portage Board of Education Regular Business of May 21, 2012.

AD HOC COMMITTEE REPORT:

HOUSING AND NEIGHBORHODS COMMITTEE: Mayor Pro Tem Reid summarized and read from the minutes of the June 26, 2012 Housing and Neighborhoods Committee Meeting that took place at 3 p.m. that the City Clerk archived with the City Council Agenda Packet for the Regular City Council Meeting of June 26, 2012. She indicated that Public Safety Director Richard White and Community Development Director Vicki Georgeau reported on the significant activities being

performed by the respective departments with regard to the committee priorities of: 1) maintaining and or improving property maintenance and neighborhoods; and 2) crime pocket identification and action plans. Activities cited were: a renewed emphasis on the Recurring Complaint Address Program (RECAP); continued activities of the Neighborhood Watch Program and assistance received from Jaqua Realtors; renewed effort in the "Broken Windows" Program; continued submission of a semi-annual Performance Measures Report, including GIS mapping enhancements; continued periodic, proactive inspections of long-term foreclosed properties for potential community quality concerns; collaborative efforts between the Departments of Public Safety and Community Development. She indicated how impressed she was with how much various departments are working together and the current efforts to maintain neighborhoods.

With regard to the third priority of the Housing and Neighborhoods Committee, Housing and property maintenance, owner versus rental housing trends, rental housing registration and rental housing inspection programs, Mayor Pro Tem Reid reviewed the discussion regarding the increase, though insignificant, in single-family houses being rented trend; the potential for crime and neighborhood blight issues with regards to unoccupied homes; that upon review, mandatory registration or registration and inspection of rental properties is not warranted at this time, although continued monitoring of this option will take place. Discussion followed. Mayor Pro Tem also reported that the Community Development Department will consider the development of a brochure for new landlord in order to inform them of responsibilities under the City of Portage Code of Ordinances and programs and supports available to landlords. Motion by Reid, seconded by Pearson, to receive the report of the Housing and Neighborhoods Committee, accept the recommendation to take no action and to dissolve the Committee. Discussion followed. Upon a roll call vote, motion carried 6 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmembers Sackley, Urban, Mayor Pro Tem Reid and Mayor Strazdas expressed their sympathies for the family of deceased Mayor Pro Tem and Councilmember Dorothy M. Sutter, recounted some of their fond memories of her and their respect for her fine service to the community.

Councilmember Pearson indicated that the gates to McCamley Field open at 6 p.m., Wednesday, July 4th for the Fireworks Display sponsored by the Portage Rotary.

City Manager Evans reminded everyone of the Special Meeting of City Council, Wednesday, June 27, 2012, at 6:30 p.m. regarding the tree removal by Midwest Energy Cooperative along Angling Road.

Mayor Pro Tem Reid warned the public to be careful setting off fireworks because of the dry conditions and invited everyone to attend the Rotary Fireworks Display.

Councilmember Sackley indicated that Emil J. "Bud" Popke, who passed away recently, served on the Suburban Kiwanis Club and was initially responsible for providing fireworks for the City of Portage many, many years ago.

Mayor Strazdas noted that the local businesses were paying for fireworks, that no tax dollars were being utilized and expressed his appreciation for Rotary volunteers.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:10 p.m.

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James R. Hudson, City Clerk

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