



PLANNING COMMISSION

February 6, 2014

CITY OF PORTAGE PLANNING COMMISSION

A G E N D A

February 6, 2014

(7:00 p.m.)

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES:

- * January 23, 2014

SITE/FINAL PLANS:

PUBLIC HEARINGS:

- * 1. Special Land Use Permit: Great Lakes Convenience, 710 and 732 East Centre Avenue
-- applicant request for adjournment to February 20, 2014 meeting
- * 2. Preliminary Report: Rezoning Application #14-1 and Conceptual Plan, 531 and 605 West Kilgore Road and 5024 and 5036 South Westnedge Avenue

OLD BUSINESS:

NEW BUSINESS:

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

January 20, 2014 communication from Lake Center Business Association
January 7, 2014 City Council regular meeting minutes
January 7, 2014 City Council special meeting minutes
Summary of Environmental Activity Report – December 2013

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

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PLANNING COMMISSION

January 23, 2014

The City of Portage Planning Commission meeting of January 23, 2014 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately 40 citizens were in attendance.

PLEDGE OF ALLEGIANCE:

Chairman Welch led the Commission in the Pledge of Allegiance.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Assistant City Planner; Randy Brown, City Attorney; Christopher Barnes, Director of Transportation & Utilities; and Muhammad Arif, Traffic Engineer.

ROLL CALL:

Mr. Forth called the role and the following Commissioners were present: Patterson, Stoffer, Welch, Felicijan, Bosch, Dargitz, Schimmel and Somers. Chairman Welch indicated Commissioner Reiff requested to be excused from the January 23, 2014 meeting. A motion was made by Commissioner Schimmel, seconded by Commission Felicijan, to approve the role and excuse Commissioner Reiff. The motion was approved 8-0.

MEMBERS PRESENT:

Bill Patterson, Wayne Stoffer, Paul Welch, Dave Felicijan, Rick Bosch, Miko Dargitz, Betty Schimmel and Brian Somers.

MEMBERS EXCUSED:

Allen Reiff.

APPROVAL OF MINUTES:

Chairman Welch referred the Commission to the January 9, 2014 meeting minutes contained in the agenda packet. Commissioners Dargitz and Somers stated they were not present at the January 9th meeting and would not be voting on the minutes. A motion was made by Commissioner Patterson, seconded by Commissioner Felicijan, to approve the minutes as submitted. The motion was approved 6-0-2 with Commissioners Dargitz and Somers abstaining.

SITE/FINAL PLANS:

None

PUBLIC HEARINGS:

1. Special Land Use Permit: Great Lakes Convenience, 710 and 732 East Centre Avenue. Mr. Forth introduced the item and summarized the staff report dated January 17, 2014 regarding the request by Great Lakes Convenience to establish a gasoline station consisting of five pump islands (10 fueling stations), a 4,000 square foot convenience store building with an attached 1,550 square foot drive-thru restaurant and associated site improvements at 710 and 732 East Centre Avenue. Mr. Forth discussed the zoning history of the properties, previous meetings and conversations with the applicant, preliminary staff review of the revised Traffic Impact Study submitted late last week and other issues involving the application materials (preliminary site plan, inconsistent hours of operation, lack of parking, noise and outdoor lighting). Due to the late submission and outstanding issues involving several important development impacts, Mr. Forth stated staff

was unable to complete the review and provide a full analysis and recommendation prior to January 23, 2014 Planning Commission meeting. Mr. Forth referred the Commission to several letters received from area residents that were included in the final agenda packet.

Mr. Barnes provided a summary of the Traffic Impact Study received to date that had been submitted by the applicant and discussed access options that were available to the site, along with associated impacts on the adjacent roadway. While an access arrangement that included a driveway to/from Lakewood Drive was preferred, Mr. Barnes stated this was not currently an option due to a previous zoning decision to retain a five foot strip of land zoned for single-family residential purposes along the entire length of Lakewood Drive. Commissioner Felicijan asked whether if it was necessary for the applicant to submit outdoor lighting and noise related information with the special land use permit application. Mr. Forth stated this information would be helpful to fully assess the potential impacts of the development on the surrounding residential properties.

Mr. Don Ziemke Jr., Great Lakes Convenience (applicant/owner), was present to explain the development and support the application. Mr. Ziemke introduced his consultant team and provided a brief background of his history with the City of Portage. Mr. Ziemke stated he is not part of a big corporation and owns/operates only one gasoline station/convenience store which is located in Caledonia, Michigan. Mr. Ziemke distributed letters of support he has collected from business owners and citizens near his Caledonia location, along with Kalamazoo County and City of Portage businesses and citizens. Mr. Ziemke presented a rendering of the gasoline station/convenience store building and fueling canopy and discussed the preliminary site plan that focused the gasoline station portion of the development on the northern portion of the property, away from the adjacent neighborhood. Mr. Ziemke discussed screening that was proposed around the perimeter of the development and stated he was confident the project could comply with all ordinance requirements regarding outdoor lighting and noise. Mr. Ziemke also discussed the new technology required for gasoline stations and the safety features that are included in the equipment to minimize accidents and environmental contamination. Mr. Tim Stewart, Hurley & Stewart (applicant engineer), was also present and provided additional detail regarding screening that would be installed around the perimeter of the development and other site design measures that will help reduce impacts on the adjacent neighborhood. Mr. Stewart clarified the conclusions contained in the Traffic Impact Study and confirmed that an Enter-Only/Exit-Only access arrangement was an acceptable alternative; however, two full service driveways was still the preferred option.

The Commission, staff and the applicant discussed various aspects of the development project including site design features, type of restaurant tenant and seating capacity, other comparable uses in the city, traffic generation, parking, hours of operation, noise, outdoor lighting and screening. Mr. Ziemke stated a specific restaurant tenant has not yet been identified and clarified hours of operation for the development as 6am-11pm (Monday through Friday) and 7am-11pm (Saturday and Sunday).

The public hearing was then opened by Chairman Welch. A total of 17 citizens spoke in opposition to the proposed development: Edward Fitts, 628 Pasma; Bart Litjens, 704 Prosperity; Tom Posthumus, 8102 Lakewood; Melissa Ottesen, 8124 Kingston; Leslie Schero, 8119 Kingston; Michelle Theodore, 8140 Kingston; Patty Noel, 1002 Pasma; Betty Hall, 8108 Kingston; Jamie Krenkshaw (Otis Montessori), 810 East Centre; Lisa Krietz, 8126 Lakewood; Dominic Andwan, 3730 East Shore; Kathryn Duncel, 719 Pasma; Ruth Hall, 8108 Kingston; Greg Hall, 8108 Kingston; Susie Meschke, 8113 Lakewood; Nancy Centers, 8038 Lakewood; and Craig Binder, 743 East Centre. Concerns voiced by these citizens included the incompatibility of the commercial use adjacent to the residential neighborhood and Otis Montessori school, traffic generation and related impacts, outdoor lighting, noise, loitering, decreased property values, environmental and safety concerns.

The Commission and staff discussed the intensity of the use, other zoning districts where gasoline stations are allowed, access and traffic generation. Mr. Barnes discussed driveway separation and driveway separation from public street standards. Mr. Arif elaborated upon an Enter-Only/Exit-Only access arrangement at the site and associated traffic related impacts and issues. Julie Kroll of RS Engineering (applicant traffic consultant) provided a brief summary of the Traffic Impact Study performed for the development project including the methodology, surrounding street characteristics, traffic/trip generation and impacts of the development on the adjacent roadway. Commissioner Stoffer asked the applicant if they could provide at the next meeting a

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comparison between the size, intensity and surrounding land use of the Caledonia store compared to the proposed Portage development.

After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to adjourn the public hearing involving the Special Land Use Permit for Great Lakes Convenience, 710 and 732 East Centre Avenue, to the February 6, 2014 meeting. The motion was approved 8-0.

8:55 p.m. - The Commission took a short recess. 9:00 p.m. - The Commission reconvened the meeting.

2. Ordinance Amendment #14-A, Sign Regulations: Mr. Forth introduced the item and summarized the January 17, 2014 staff report and ordinance language regarding proposed amendments to the sign regulations. Mr. Forth discussed previous review and comment received during the Business Sign Forum, as well as input received from the Planning Commission, Zoning Board of Appeals and City Council Ad Hoc Sign Committee. Mr. Forth discussed each proposed amendment and the rationale for the change: 1) Section 42-541, Definitions (sign, sign face and electronic message display); 2) Section 42-542(H), Removal of Signs and Section 42-1284, Removal of Hazardous Signs; 3) Section 42-542(I), Electronic or Mechanical Sign Elements (sign transitions, glare and/or brightness); 4) Section 42-542(J), General Requirements; 5) Section 42-543, Signs Permitted in All Districts (public event signs, new business, change in business or going out of business, temporary signs, temporary pedestrian oriented signs, banner signs, holiday decorations, substitution clause); 6) Section 42-544, Nonconforming Signs; 7) Section 42-522, B-2, B-3 and CPD districts); 8) Section 42-132, Special Events; and 9) Section 42-138, Murals. Mr. Forth also referred the Commission to a response from staff regarding questions/comments received from Commissioner Dargitz that was included in the final agenda packet.

The public hearing was then opened by Chairman Welch. No citizens spoke regarding the proposed amendments to the sign regulations. A motion was then made by Commissioner Bosch, seconded by Commissioner Patterson, to close the public hearing. The motion was approved 8-0. Although no one was present in the audience to comment on the proposed amendments, Mr. Forth stated a public notice was published in the Kalamazoo Gazette and an e-mail was sent to previous participants of the Business Sign Forum again advising of the proposed amendments and public hearing date. However, no comments have been received to date. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to forego the second meeting and recommend to City Council that Ordinance Amendment #14-A, Sign Regulations, be approved. The motion was approved 8-0.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

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

TO: Planning Commission **DATE:** January 31, 2014
FROM: Vicki Georgeau, ^{VG} Director of Community Development
SUBJECT: Special Land Use Permit: Great Lakes Convenience, 710 and 732 East Centre Avenue

Attached is a copy of a January 31, 2014 communication received from Tim Stewart of Hurley & Stewart (applicant engineer) requesting that the public hearing for the above captioned special land use permit application be adjourned to the February 20, 2014 Planning Commission meeting. The adjournment will allow the applicant additional time to assemble revised information in support of the proposed development project. As additional information, attached are two communications from interested citizens in regard to the proposal, which were received after the January 23rd public hearing.

At the request of the applicant, staff advises the Planning Commission to adjourn the public hearing for the Special Land Use Permit for Great Lakes Convenience, 710 and 732 East Centre Avenue, to the February 20, 2014 meeting.

Attachments: January 31, 2014 communication from Tim Stewart (Hurley & Stewart)
January 27, 2014 communication from Toni Sergeant
January 27, 2014 communication from Dennis Laskowsky, 1814 Thruswood Avenue, Portage, MI



January 31, 2014

Mr. Chris Forth
City of Portage
7900 S. Westnedge Avenue
Portage, MI 49002

RE: Special Exception Use – Request to Adjourn
Great Lakes Convenience – 710 and 732 East Centre Avenue

Dear Chris:

On behalf of Great Lakes Convenience, Inc., we request that the Portage Planning Commission adjourn the public hearing for our Special Exception Use application to their February 20, 2014 meeting rather than the February 6, 2014 meeting. This will allow our development team sufficient time to properly address and respond to staff and public comments we heard at the January 23rd meeting.

Thank you again for your cooperation on this development. Please don't hesitate to let us know if you have any additional questions.

Sincerely,

HURLEY & STEWART, LLC

Timothy A. Stewart, P.E.

Enclosures

cc: Mr. Don Ziemke – Great Lakes Convenience, Inc.

From: "Dennis Laskowsky" <dlaz0@aol.com>
To: cityofportage@yahoo.com; georgeav@portagemi.gov; forthc@portagemi.gov; s...
Date: 1/27/2014 2:38 PM
Subject: Special Use Permit for the former Center Street Market

I attended the Planning Commission meeting on Thursday January 23rd for the discussions on the requested special land use permit for the former Centre Street Market property.

I listened carefully to all the speakers and their concerns regarding the proposed use of the property. All the residents had very valid concerns but I don't believe the most serious concerns were presented. I am a retired International Quality Manager from Flowserve Corporation which manufactures pumps, valves, and seals for the petrochemical industry. Flowserve manufactures much of equipment Don Ziemke noted would be in place to protect the environment. This brings me to my concerns; no matter how high the quality of this equipment, it does fail over time and when it does there is typically some type of contamination which has to be mitigated. It is one thing when a facility like the proposed gas station is located away from residential areas but when it is in a neighborhood, there are environmental consequences for the neighbors. There are a number of closed service stations in the Portage area and they all thought that they had the latest technologies in place at the time, yet most of them are now brownfield sites. We do not need another one in 20-30 years.

I strongly believe that an environmental impact study is also necessary. For no other reason than to be assured the children in the adjacent school are protected. All underground tanks have to be vented to the atmosphere which emits hydrocarbon vapors to the environment even when filtered. In addition Mr Ziemke noted that they projected 1200 vehicles per day would visit the proposed site. All of those vehicles emit various emissions but most dangerous is carbon monoxide. All of the emissions this site will generate contribute to Ozone which is a known environmental concern hence Ozone Action Days. Considering the prevailing winds are typically from the SW to the NW, that puts the children in the adjacent school directly downwind of the proposed site. The levels of Ozone and emissions from vehicles, fuel pump nozzles, incidental spills, and vent pipe vapors most likely will have long term effects on the health of the children that attend the school daily. Their exposure will be significantly higher than normally allowed by clean air standards in place today. While the exposure will be less, the vapors will continue down wind and will affect the neighbors to the east and south east of the proposed facility.

I also have concerns about the traffic numbers presented at the meeting. Their traffic engineer did not note the times the studies were conducted but would presume the study was done from 9am to 4 pm considering the person that did the studies had to travel from Lansing to conduct the studies. The heaviest traffic times are from 6:30 am to 8:30 am and from 4 pm to 6:30 pm when most traffic is folks commuting to work or home again. I can say with certain there is not a time when I am heading east on Centre Street in the late afternoon that I do not have to slow down for one or more vehicles turning onto the adjacent side street (Lakeside). The noted 5 cars per hour may be true between the morning and afternoon commute but I don't believe they are valid during normal commuting hours. We also need to remember that this is the same times that children are walking to and from school past the proposed facility. The Centre Street traffic and traffic entering the proposed facility will also be highest during normal commuting hours. We must also remember that traffic engineers that work for the individual requesting a change will prepare cases to support their client.

I have been a Portage resident for 42 years living at 1814 Thrushwood Ave. which is downwind from the proposed facility.

I along with my wife and my neighbors that are aware of the request are opposed to the proposed special land use permit.

Dennis & Donella Laskowsky
1814 Thrushwood Ave.
Portage, Mi. 49002
Ph 269-327-8648

From: "Toni Sergeant" <tsergeant06@yahoo.com>
To: cityofportage@yahoo.com; georgeav@portagemi.gov; forthc@portagemi.gov; s...
Date: 1/27/2014 10:38 PM
Subject: Former farmer's market location on Centre St.

I am writing to express my feelings regarding the proposed plans to build a gas station/convenience store in the former farmer's market location along Centre Street.

I am not in favor of this business being built in this location. I believe there are plenty of locations along Shaver Rd. or S.Westnedge that would be better suited. With this location's proximity to two different schools, a funeral home and an established residential area I believe the increased traffic and noise would not be favorable or safe. Personally, I would love to see a similar business return to this location as the farmer's market was always a very nice addition to the community. I would love to see a business such as the People's Food Co-op or similar fresh/local food option return to our community. I believe there is a big desire by people in Portage and the surrounding areas to have regular access to fresh produce and the like. Even Texas Corners has a wonderful farmer's market. It would be wonderful if Portage were to add something similar. If there are also greenhouses that go along with that property there could be the potential to add even cold weather access to fresh produce.

Long story short, I think Portage has many better options to add more gas stations. I hope your committee will work to keep that particular stretch of Centre street free of extra traffic and noise for the benefit of the residents who currently reside and who will in the future.

Thank you for your time and consideration.

Respectfully,

Toni Sergeant

TO: Planning Commission

DATE: January 31, 2014

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

SUBJECT: Preliminary Report: Rezoning Application #14-1 and Conceptual Plan, 531 and 605 West Kilgore Road and 5024 and 5036 South Westnedge Avenue

I. INTRODUCTION:

A commercial planned development (CPD) rezoning application has been received requesting that four properties near the southwest corner of South Westnedge Avenue and West Kilgore Road be rezoned from B-3, general business, OS-1, office service and P-1, vehicular parking to CPD, commercial planned development. The applicant is also requesting review of the conceptual plan concurrent with the rezoning application.

Applicant	Property Address	Parcel Number	Zoning	
			Existing	Proposed
Jereco, LLC and 5024 South Westnedge LLC	531 West Kilgore Road	03960-004-O	OS-1/P-1	CPD
	605 West Kilgore Road	03960-005-A	OS-1/P-1	CPD
	5024 South Westnedge Avenue	00004-010-O	B-3	CPD
	5036 South Westnedge Avenue	00004-005-O	B-3	CPD
Four parcels – 5.3 acres				

II. EXISTING CONDITIONS:

Existing Land Use/Zoning	<p><u>Rezoning Site:</u> Vacant land (531 & 605 West Kilgore and 5024 South Westnedge) and an existing 7,752 square foot restaurant building and associated parking facilities (5036 South Westnedge) zoned B-3, general business, OS-1, office service and P-1, vehicular parking.</p> <p><u>South:</u> Lowes Home Improvement Center (5108 South Westnedge), vacant land and Willow Creek Shopping Center (5220 South Westnedge) zoned CPD, commercial planned development; Midas Muffler (5112 South Westnedge) zoned B-3, general business.</p> <p><u>West:</u> Lowes driveway and vacant land zoned OS-1.</p> <p><u>North:</u> Speedway gasoline station/convenience store (5012 South Westnedge) zoned B-3. Across West Kilgore (within the City of Kalamazoo), St. Monica church/school zoned RM-15, multiple family residential and retail center zoned CC, community commercial.</p> <p><u>East:</u> Across South Westnedge, Goodyear Auto Service (5029 South Westnedge) zoned B-3 and Meijer (5121 South Westnedge) zoned B-2, community business.</p>
Zoning/Development History	<ul style="list-style-type: none"> • No rezoning of properties in the surrounding area since adoption of the 2008 Comprehensive Plan. • In 2001, City Council approved the conceptual plan and specific (site) plan for the Lowes Home Improvement Center at 5108 South Westnedge. The Lowes Home Improvement Center project included an approximate 136,000 square foot warehouse/retail sales building with attached 33,000 square foot garden center,

Zoning/Development History (con.)	associated parking facilities and access drives onto West Kilgore, South Westnedge and West Fork Crossing.
Historic District/ Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	South Westnedge Avenue is designated a 5-6 lane major arterial roadway with 32,327 vehicles per day (2012); capacity 38,700 vehicles per day (level of service “D”). West Kilgore Road (under the jurisdiction of the City of Kalamazoo) is designated a 2-3 lane minor arterial roadway with 10,808 vehicles per day (2007); capacity of 17,200 vehicles per day (level of service “D”).
Public Utilities	Municipal water and sewer are available and will serve the development.
Environmental	The City of Portage Sensitive Land Use Inventory Map does not identify any designated wetlands, floodplains or other environmentally sensitive areas on the subject properties. The West Fork of the Portage Creek is located to the south, along the south side of the Lowes driveway to South Westnedge.

III. COMMERCIAL PLANNED DEVELOPMENT PROCEDURE

Either after or concurrent with a rezoning to commercial planned development, the Zoning Code requires that the City Council either approve or deny a conceptual plan after a public hearing and Planning Commission review and recommendation. The conceptual plan is intended to show the overall development of the area including proposed uses, number and location of building sites, parking, location of streets/driveways and so forth. Section 42-414.A establishes CPD Standards of Review for conceptual plans. A specific (site) plan is submitted after rezoning and conceptual plan approval and illustrates the proposed development details and characteristics for the specific site. The Zoning Code stipulates that the Planning Commission subsequently review and approve the specific (site) plan.

IV. PROPOSED CONCEPTUAL PLAN:

As identified on the conceptual plan and written narrative, the CPD project proposes a commercial development consisting of multiple buildings totaling between 39,500–50,000 square feet (excluding the existing 7,752 square foot Riviera Maya restaurant located at the 5036 South Westnedge). The first phase of the project is proposed to commence later this year and includes Earth Fare, an organic food store, that will occupy a 23,760 square foot building. While the remaining tenants are not known at this time, the conceptual plan anticipates a 9,000 square foot retail building, a 3,733 square foot bank building and a 3,400 square foot coffee/restaurant drive-thru building and associated parking and site improvements on the 5.3 acre zoning lot. Market conditions and/or tenant mix may result in a different building configuration for the site.

Major features of the concept plan include the following:

- Integrated Site/Building Features – Although this request for CPD zoning and concept plan approval is separate from the Lowes development project to the south, the applicant owns and controls the Lowes site, Riviera Maya and vacant parcel to the north, and the vacant West Kilgore Road property located west of the Lowes entrance drive. As a result, the proposed CPD project will be constructed with shared access, parking and storm water facilities and will be integrated with the existing Lowes

development site to the south. Landscaping materials will be consistent with concepts and plantings used in the existing CPD projects to the south and will include a mixture of native deciduous and evergreen variety trees and shrubs to create a common, unifying theme.

Buildings and structures will be of a unified architectural and structural character. Exterior building finishes will consist of concrete and unit masonry materials such as split face block, brick, pre-cast or synthetic materials such as drivit that have the appearance of masonry. Natural stone or wood material may also be integrated into building construction and color schemes for the primary building surfaces will be selected to compliment the Earth Fare scheme. A color elevation of the proposed Earth Fare building is attached with the application materials. Building elevation drawings for subsequent buildings within the project area will be submitted with requests for specific (site) plan approval.

- Stages of Development – As identified in the conceptual plan narrative, the proposed Earth Fare retail store is considered the first phase of the CPD project and is scheduled to begin in the Spring of 2014. The anticipated construction schedule for the other buildings within the CPD project are unknown at this time and subject to market conditions, however, are anticipated to occur between 2014 and 2018.
- Storm Water Management - Storm water runoff from the development project is proposed to be collected and conveyed to an underground treatment and detention system (located beneath the parking lot) with a controlled rate discharge to the West Fork of the Portage Creek.
- Vehicular Access/Traffic Generation – Access to the site is proposed through use of the existing drives (from South Westnedge Avenue and West Kilgore Road) that currently provides access to Lowes. The applicant is also pursuing cross access with the existing Speedway gas station located at 5012 South Westnedge Avenue. Additionally, the applicant is proposing to modify the Lowes access driveway on South Westnedge Avenue from a right-in/right-out only driveway to permit left-in turning movements. An additional full service access drive would be maintained north of Riviera Maya. A new right-in/right-out and left-in driveway is also proposed for West Kilgore Road, which is under the jurisdiction of the City of Kalamazoo. In support of the access changes, the applicant submitted a Traffic Impact Study. The study has been reviewed by staff and staff has concerns regarding the current operation of the West Kilgore/South Westnedge Avenue intersection, impacts the additional traffic will have on intersection operation, functionality of the existing Riviera Maya full service driveway onto South Westnedge Avenue and the proposal to allow left-in turning movements at the existing Lowes South Westnedge Avenue driveway. Also, review/comment of the new West Kilgore driveway by the City of Kalamazoo is still pending. Staff will continue to discuss with the applicant and the City of Kalamazoo traffic impacts and identification of appropriate improvements prior to the February 20, 2014 Commission meeting.

In accordance with Section 42-414.G of the CPD ordinance, the applicant is also requesting three modifications involving building setbacks, minimum lot area and parking. These modifications are summarized below:

- Building setbacks. Section 42-350 (Schedule of Regulations) establishes a 75-foot building setback in the CPD zone where adjacent to OS-1 zoning and a 20-foot building setback where adjacent B-3 zoning. The applicant is proposing a 20-foot setback along the west property line of 605 West Kilgore (where adjacent OS-1 zoning) and where adjacent to the existing Speedway gas station (zoned B-3), a building setback consistent with the current B-3 zoning (0-10 feet) as specified in the building code. This reduction in building setback involves north property line of 5024 South Westnedge and the east property line of 531 West Kilgore.

- Minimum lot area. Section 42-350 (Schedule of Regulations) establishes a 10 acre minimum zoning lot area in the CPD zone: The applicant is proposing a 5.3 acre zoning lot for this CPD project.
- Minimum number of parking spaces. Section 42-523 (Schedule of Off-Street Parking Requirements) establishes a minimum of parking spaces based on the type of land uses. While the minimum number of required parking spaces is exceeded as shown on the attached concept plan, the applicant is requesting the flexibility to construct 45 less parking spaces than what would be required if building size, configuration and/or location should change based on future market conditions.

V. PRELIMINARY ANALYSIS:

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

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Plan Map component of the Comprehensive Plan identifies the 531 and 605 West Kilgore Road parcels along with adjacent properties to the west and south as appropriate for regional business. The parcels located at 5024 and 5036 South Westnedge Avenue along with the adjacent Speedway property to the north are identified for general business land use. Properties located along the east side of South Westnedge Avenue are also designated for general business and regional business land use. The Comprehensive Plan also identifies South Westnedge Avenue as a primary commercial corridor. The proposed CPD zone is consistent with these Comprehensive Plan designations.

Development Guidelines. The Development Guidelines are intended to be used by the Commission and staff when reviewing private development proposals, infrastructure improvement programs (i.e. public expenditures on streets, sewers and water mains that influence the location, intensity and timing of development) and public programs that affect the physical environment. The guidelines also provide direction and underpinning for regulations that affect land use (e.g. zoning, subdivision, parking, landscaping and others), may suggest incentives to influence community development and preservation and may suggest adjustments to other policies that influence the use of land for consistency with community development objectives. An evaluation of the Development Guidelines will be provided with the final report and staff recommendation.

Suitability of Existing B-3, P-1 and OS-1 Zones/Impacts of Proposed CPD Zone. The existing B-3, general business zoning for 5024 and 5036 South Westnedge Avenue is still suitable for this area given surrounding land uses, zoning and Comprehensive Plan designations. However, since the applicant also owns these two parcels of land, they are being incorporated in the CPD zoning to establish a more integrated and cohesive project and to permit more flexibility in off street parking design. The area zoned P-1, parking was rezoned in 1974 to accommodate the parking needs for the restaurant located at 5036 South Westnedge. While the area currently zoned OS-1, office service is suitable for office development, it is located in an area planned for commercial development and adjacent to the South Westnedge Avenue commercial corridor.

The proposed CPD district represents an extension of adjacent CPD zoning to the south. The CPD zoning district is intended to encourage flexibility in commercial land development to meet changes and new opportunities. Furthermore, the CPD zone is intended to encourage office, retail and service uses in one or more buildings in a planned manner that are compatible with and mutually supportive of each other.

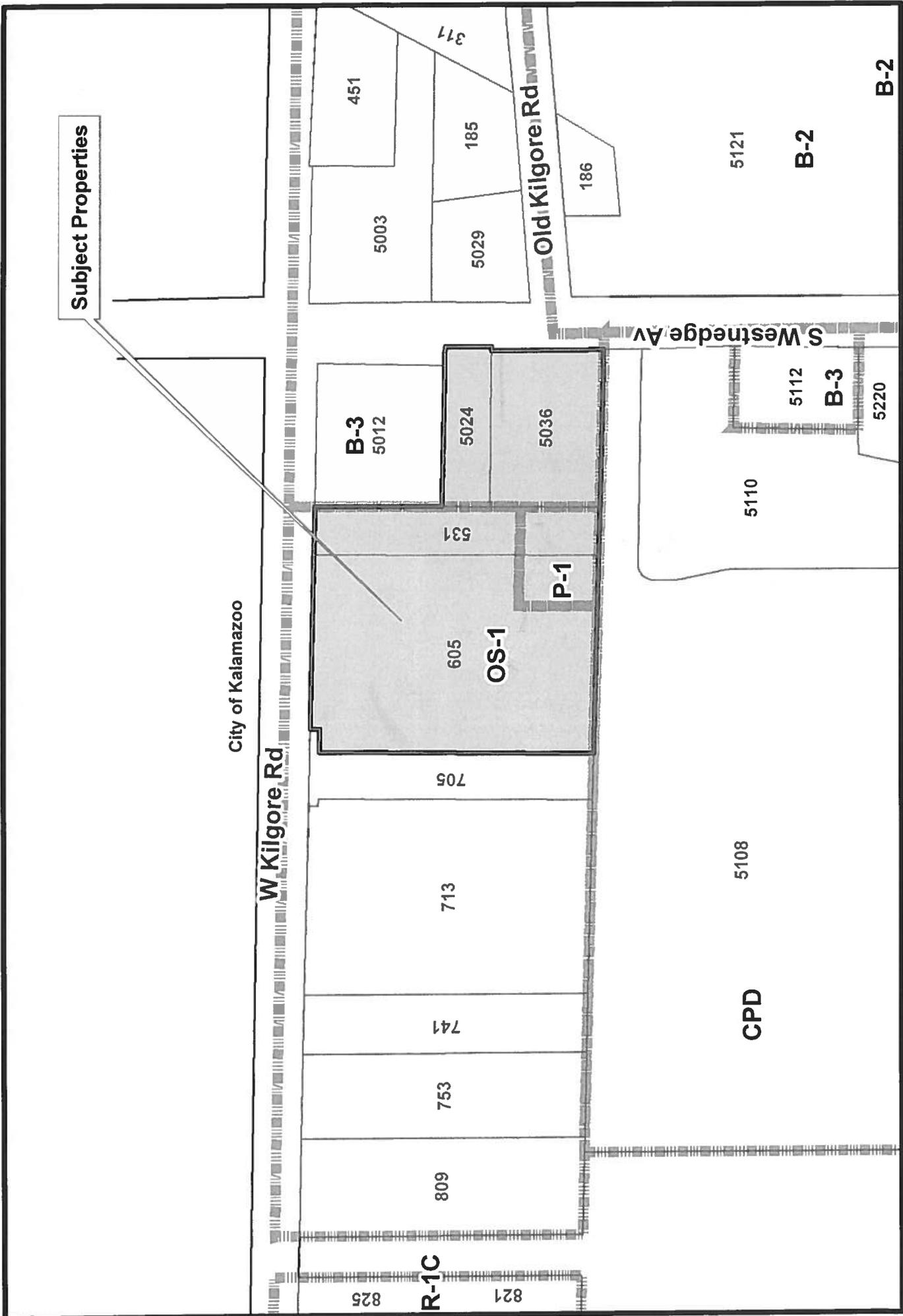
Traffic Considerations. As previously mentioned, the applicant submitted a traffic study on January 17, 2014, which has been preliminarily reviewed by staff. Based on the information contained in the study and the current operation of the Kilgore/South Westnedge Avenue intersection, staff has concerns that need to be further discussed with the applicant and the applicant's traffic engineer regarding the impacts associated with the proposed development project. Prior to the February 20, 2014 Planning Commission meeting, staff will continue to discuss with the applicant and the City of Kalamazoo the impacts and identification of appropriate improvements prior to the February 20, 2014 Commission meeting.

VI. RECOMMENDATION:

Consistent with the Planning Commission policy of accepting public comment at the initial meeting and continuing the rezoning at a subsequent meeting, the Commission is advised to receive public comment during the February 6, 2014 meeting and adjourn the public hearing to the February 20, 2014 meeting.

Attachments: Zoning/Vicinity Map
 Future Land Use Map
 Aerial Photograph Map
 Rezoning Application, Narrative Conceptual Plan
 Building Elevation (Earth Fare)

S:\Comdev\2013-2014 Department Files\Board Files\PLANNING COMMISSION\PC Reports\Rezoning\2014 01 31 Rezoning Application #14-1, Hinman CPD, West Kilgore & South Westnedge (preliminary).doc



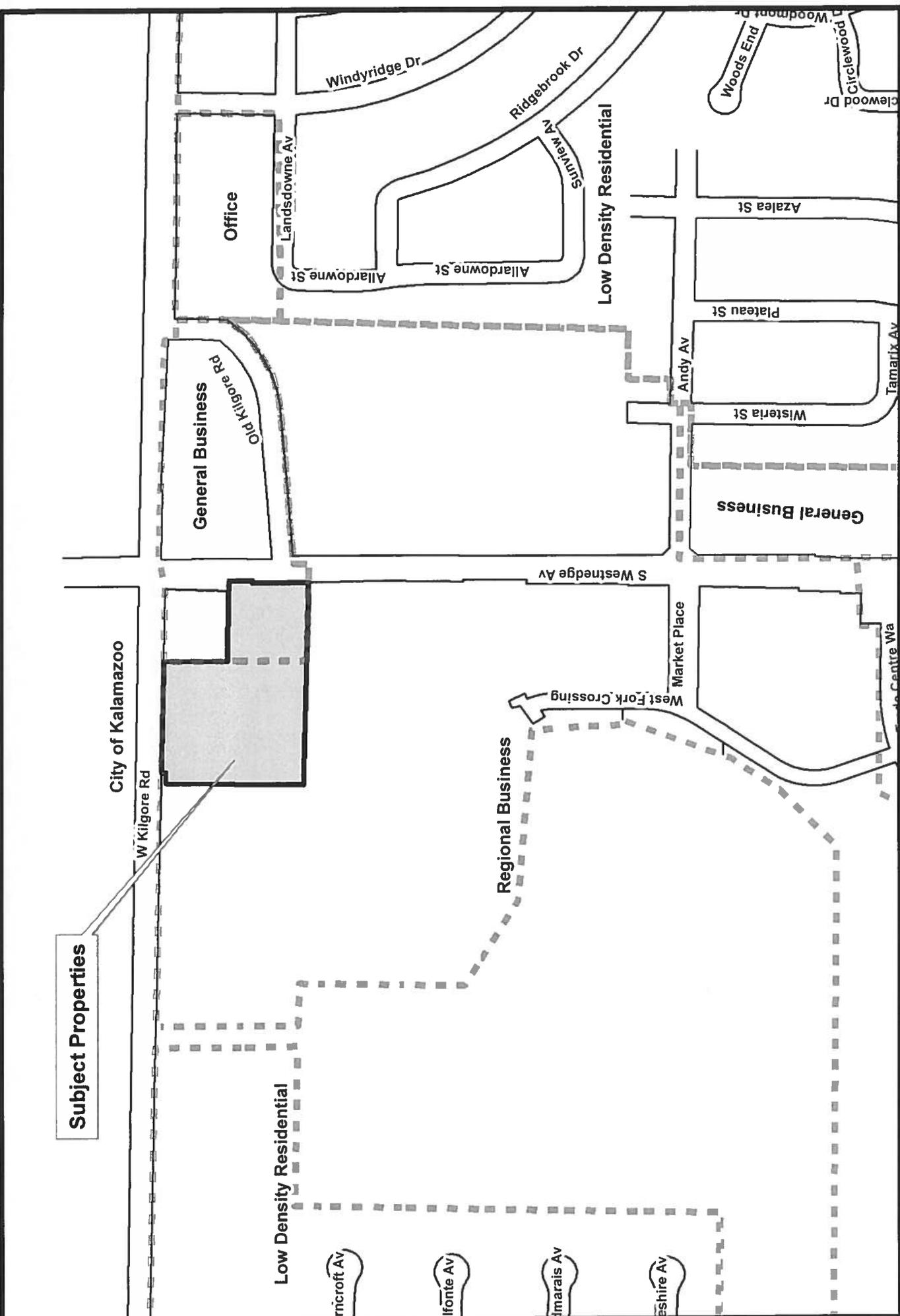
Subject Properties

Rezoning #14-01
531 and 605 West Kilgore Road
5024 and 5036 South Westledge Avenue

Zoning Boundary
 Subject Properties



1 inch = 200 feet



Subject Properties

City of Kalamazoo

W Kilgore Rd

Low Density Residential

Wincroft Av

Alfonse Av

Imarais Av

Esshire Av

Office

Landsdowne Av

Windyridge Dr

Ridgebrook Dr

Sunview Av

Low Density Residential

Allardowne St

Allardowne St

General Business

Old Kilgore Rd

General Business

Wisteria St

Plateau St

Andy Av

Tamarix Av

Market Place

S Westnedge Av

West Fork Crossing

Centre Wa

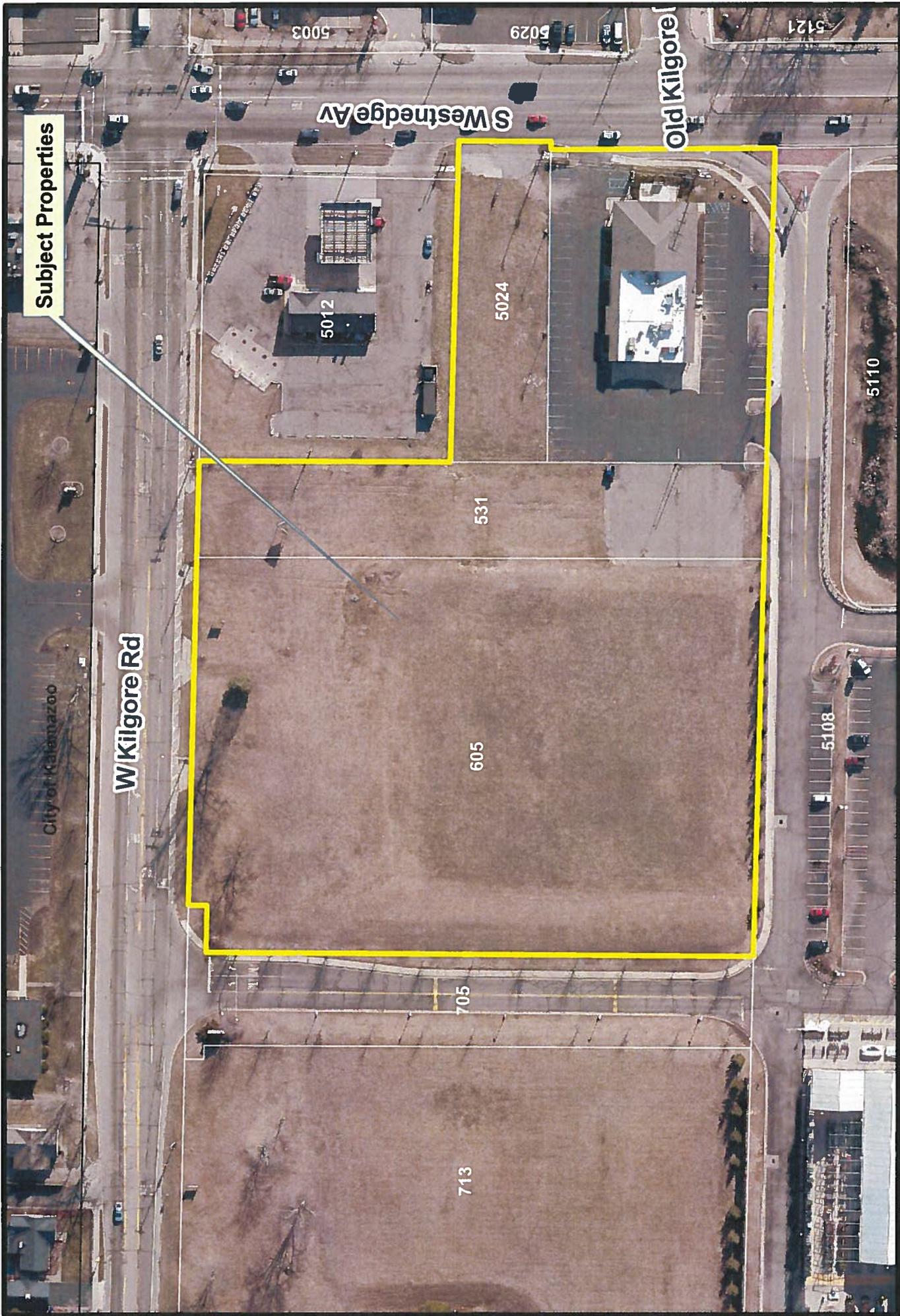
Woodmont Dr
Woods End
Circlewood Dr
Clewood Dr

**Future Land Use Map
531 and 605 West Kilgore Road
5024 and 5036 South Westnedge Avenue**

- Future Land Use
- Subject Properties



1 inch = 400 feet



Subject Properties

W Kilgore Rd

S Westnedge Av

Old Kilgore Rd

713

705

605

531

5012

5024

5108

5110

5121

5029

5003

City of Kalamazoo



Subject Properties

Aerial Photography
531 and 605 West Kilgore Road
5024 and 5036 South Westnedge Avenue



1 inch = 100 feet



Department of Community Development

RECEIVED
DEC 27 2013

COMMUNITY DEVELOPMENT

APPLICATION FOR ZONING AMENDMENT

Application number #14-01

Date 12/27/13

APPLICATION INFORMATION:

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

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

TO THE PLANNING COMMISSION:

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

ZONING MAP AMENDMENT

1. a. Platted Land:

The property is part of the recorded plat: The property sought to be rezoned is located at 531, 605, and the east 1/2 of 705 Kilgore between S. Westnedge Ave. Street and Duane Street on the South side of the street, and is known as Lot Number(s) 4-8 of and the east 1/2 of 9 Kilgore Plat (Subdivision). It has a frontage of 423.50' feet and a depth of 447.37' feet.

b. Unplatted Land:

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

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

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

Address 750 Trade Centre Way, Suite 100, Portage, MI 49008

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: I AM THE Sole member of the ownership entity. The purpose is to utilize this property for the best use.

4. CURRENT ZONING: OS-1 and P-1 PROPOSED ZONING: CPD

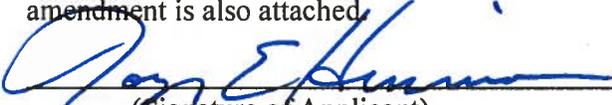
ZONING TEXT AMENDMENT

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

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

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

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

	
(Signature of Applicant)	(Signature of Applicant)
<u>750 Trade Centre Way, Suite 100, Portage, MI 49008</u>	<u>750 Trade Centre Way, Suite 100, Portage, MI 49008</u>
(Address)	(Address)
<u>342-8600</u>	<u>342-8600</u>
(Phone)	(Phone)

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



January 31, 2014

Christopher Forth
Deputy Director of Planning, Development and Neighborhood Services
City of Portage
7900 South Westnedge Avenue
Portage, MI 49002

RE: Request for Rezoning and Concept Plan Review
Applicant: Jereco, L.L.C. and 5024 South Westnedge, L.L.C. (Roger Hinman, Principal of The Hinman Company)
605, and 531 Kilgore Road; 5024 and 5036 South Westnedge, Portage, MI

Dear Chris,

This narrative accompanies the Application for Zoning Amendment and Conceptual Plan along with additional referenced attachments related to the rezoning and planned future development of the referenced parcels. The referenced parcels, which are adjacent to the Lowe's development, represent 5.30 acres. The property subject to this request is not part of the Lowes development, however they will share common drive areas and access. Thirteen years ago, the 15 acre Lowes development began the redevelopment of this area, which included on-site and road right of way improvements, major upgrades of Kilgore Road and the intersection, and signalization of South Westnedge and Kilgore. These improvements, along with the reconstruction of Kilgore Road by the City of Kalamazoo (after the Lowe's store opened), planned for and accommodated the site development we discuss today. We believe that time has proven the Lowe's business and the related infrastructure improvements to be a well-planned asset to the Westnedge commercial corridor and a positive change for the neighborhoods adjacent to Kilgore Road.

The subject properties, Lowes, as well as immediately adjacent parcels including the undeveloped land north (fronting Kilgore) and east of Lowes (fronting Westnedge) and the Willow Creek shopping center are owned by Roger Hinman and related entities that total over 30 acres. Mr. Hinman is also a partner/owner of the 32 acre Trade Centre development to the south of the subject properties.

The first phase of development in the subject area is planned to commence this spring with a new Earth Fare retail food store that will bring 70 to 80 new jobs and over \$3 Million in new investment into the market area.

The information contained in this narrative is intended to be used in connection with the concept plan. We are requesting CPD zoning for the referenced parcels. The adjacent Lowes is already zoned CPD. We are requesting the following modifications to the CPD zoning requirements for the subject properties.

The requested modifications are:

- 1) Building setback from west parcel line of parcel 605 to be 20 feet,
- 2) Building setback from the north property line of parcel 5024 South Westnedge and east property line of 531 Kilgore to be consistent with B3 zoning (zoning of the adjacent gas station at 5012 South Westnedge).
- 3) Allow rezoning to the CPD zone for the identified area (5.25 acres), which is less than the required 10 acres.
- 4) Allow required parking to be reduced by 45 spaces (15%).

It is important to consider a few circumstances that are unique to the subject parcels and the development conceptual plan: Except for 5012 South Westnedge/Gas Station parcel on the corner of Kilgore and South Westnedge, the adjacent parcels to the subject property are owned by the applicant (Jereco, L.L.C./Roger Hinman) or a related entity. The concept plan represents rezoning to one zoning lot with frontage on both South Westnedge and Kilgore Road which allows for flexibility of front yard orientation. The topography of the subject properties present a challenge as the elevation at the northwest corner is thirteen (13) feet higher than the southeast corner. Therefore, site balancing will create a parking elevation approximately six feet below the elevation of Kilgore Road from the northwest corner of the site to the new Kilgore drive access. The applicant desires to have the same setback standards as in the B-3 zoning district, which is what the gas station is zoned, and the current zoning of the subject parcels fronting South Westnedge. The remaining parcels subject to this application are identified in the Future Land Use Plan as "Regional Business" which is consistent with the B-2 zoning classification. Also, the applicant is attempting to secure cross access with the gas station parcel, which would provide for additional vehicular access management between each site. Rezoning to CPD and identifying the subject parcels as one "zoning parcel" causes this new proposed zoning parcel to be allowed less available signage than if the subject property were to have multiple zoning parcels. The applicant intends to seek the required variance to allow the amount of signage required by this development and that would be allowed with multiple zoning parcels. The applicant desires to provide the amount of parking needed for the occupants of the site, without providing an excess of paved area that goes unused. Therefore, allowing the applicant the flexibility to provide the needed amount of parking, without providing excess parking is requested.

The Lowes requested and received a parking modification to construct a parking area that has 596 parking spaces, which is 27% less than the ordinance required and they have more than adequate parking.

Statement of Purpose and Objectives: The property is requested to be rezoned to be utilized to the highest and best use. This zoning change requested is consistent with the Future Land Use Plan (Regional Business). The concept plan is to allow for the development of retail and office space, restaurants, and uses consistent in the CPD district. We anticipate uses will be retail in nature (grocery, restaurant, banking, community service businesses, general and professional office, etc...). It is possible that office uses may also be located within this CPD rezoned area. This represents new capital investment and additional jobs for our community.

General Development Plan: The concept plan indicates several individual buildings totaling approximately 40,000 square feet of new building development including a retail food store, a multi-tenant retail building, a bank with drive thru, and a restaurant with drive thru. While the actual mix of uses may change, we are working to develop a cohesive development with a well-developed synergy between occupants. While this plan is conceptual in nature and is subject to market conditions, we anticipate new site development (not including the existing restaurant of 7,752 gross square feet) to be a combination of retail, office and restaurant uses of 39,500 to 49,965 square feet. The physical nature of the actual plan may include a single large building or multiple buildings in varying shapes and sizes as shown on the Concept Plan. It is anticipated that several occupants will utilize outdoor seating areas. Occupants may also utilize outside merchandise display areas on a regular or temporary basis. This outdoor space utilization will be well placed into the overall planning of the site. The concept plan represents an example of the anticipated use mix of separate buildings consisting of 23,760 square foot Earth Fare retail, 9,000 square foot mixed use retail, 3,733 square foot bank, and a 3,400 square foot coffee/restaurant with drive thru. Market conditions or tenant mix could require a larger "in line" style multi-tenant building with a few adjacent smaller buildings. The Proposed Bank and Proposed Retail buildings are conceptual. A retail building approximately 220 feet in length (running north) starting from the north wall of the Proposed Earth Fare or other configuration may be an acceptable conceptual alternative. The buildings will be of an architectural and structural character that integrates well and is consistent with the design and materials of the other buildings in the adjacent CPD area. A conceptual elevation of our first tenant, Earth Fare, is included. The landscaping will be consistent with concepts and plantings found in the existing adjacent CPD area thus providing a common unifying theme which provides integration of the sites within the development area. A mixture of native deciduous and evergreen variety trees and shrubs with live, growing ground cover and decorative stone clusters may be incorporated. We anticipate the front of the buildings

to face Kilgore or Westnedge. The exterior building finishes will be mainly concrete or unit masonry materials such as split face block, brick, pre-cast or synthetic materials such as drivit which have the appearance of masonry. Some natural stones or wood may be integrated in for architectural diversity. Color schemes for the primary building surfaces will be limited to those that integrate positively with the Earth Fare scheme.

Property Map: We have attached a conceptual plan as required.

Developer: The development does not currently have an official name. The legal descriptions are attached. The landowner and developer is

Jereco, L.L.C., and 5024 South Westnedge, L.L.C. (Roger Hinman, Principal of The Hinman Company)
C/O The Hinman Company
750 Trade Centre Way
Suite 100
Portage, MI 49002

Holdings: See attached Warranty Deeds showing the properties and related ownership entities.

Property Lines, Streets and Utilities: The attached conceptual plan provides the adjacent tract property lines, public streets, easements, and the locations of the underground water and sanitary sewer. All of these utilities are in place and available to serve the proposed development.

Topography: The site topography is identified on the attached conceptual plan. As noted previously, this site poses challenges regarding site elevations. We have been extremely conscious of creating a logical and pleasing site elevation and contour plan making a smooth transition from the higher Kilgore Road elevation to Westnedge Avenue.

Use, Height and Setbacks: Building and other structure height will not exceed 35 feet. See conceptual plans for proposed building locations. We have identified likely uses and use mixes previously in this narrative. The conceptual plan includes a 20 foot building setback and 10 foot yard buffer. We are requesting a modification for building setback and side buffer as follows:

- 1) Building setback from west parcel line of parcel 605 to be 20 feet,

2) Building setback from the north property line of parcel 5024 South Westnedge and east property line of 531 Kilgore to be consistent with B3 zoning (zoning of the adjacent gas station at 5012 South Westnedge).

We ask that the following factors be considered when reviewing this request.

- Except for 5012 South Westnedge/Gas Station parcel on the corner of Kilgore and South Westnedge, the adjacent parcels to the requested modifications are owned by the applicant (Jereco, L.L.C., 5024 South Westnedge, L.L.C. (Roger Hinman) or a related entity.
- The concept plan represents rezoning to one zoning lot with frontage on both South Westnedge and Kilgore Road which allows for flexibility of front yard orientation.
- Due to the topography of the site, buildings on the subject properties may have differing front facing orientations. This presents a challenge as the elevation at the northwest corner is thirteen (13) feet higher than the southeast corner.
- Site balancing will create a parking and building floor elevation approximately six (6) feet below the elevation of Kilgore Road.
- The prior building (paint store) located on 5024 South Westnedge was built at the north property line adjacent to the gas station site. We removed this dilapidated building to prepare for future development.
- The applicant is attempting to secure cross access with the gas station parcel, which would provide for additional vehicular access management between each site.
- The applicant desires to have the same setback standards as in the B-3 zoning district adjacent to the corner gas station parcel. The gas station is zoned B-3 as well as the subject parcels fronting South Westnedge. The remaining parcels subject to this application are identified in the Future Land Use Plan as "Regional Business" which is consistent with the B-2 zoning classification.

Stages of Development: Our anticipated staging of development is represented below. However, no final commitments exist beyond the initial Earth Fare retail development and staging will be determined by market conditions.

2014(spring): 23,760 square feet of retail development (Earth Fare)

2014-2018: up to 26,205 square feet of retail, office, restaurant/drive thru development.

Development Integration and Independence: Each of the building areas represented herein may be developed independent of the other while being part of a cohesive development. The buildings will be designed around an integrated architectural theme that continues the theme already established by the other buildings located in the adjacent CPD. Infrastructure elements will be shared such as parking, drive areas (which are not private streets), utility corridors and connections and storm and retention systems. The development area will be

connected with clear driving patterns as well as connectivity from the public streets to the internal development areas. Additionally the buildings located within this newly rezoned area to CPD will be benefited by a Reciprocal Easement Agreement (REA) to allow for the integrated development and use of the area as a whole.

Common Open Space: All of the development area has common ownership. Maintenance of common open space will be shared under the Reciprocal Easement Agreements and the maintenance of these shared areas will be the responsibility of the land owner or the tenant. The developer has successfully managed common area maintenance programs at multiple locations over the past thirty-five years. These common areas facilitate a natural and well maintained feel to the development and are a unifying theme for the entire development.

Water, Sanitary Sewer and Storm Water: City water and sewer are already available in the right of way and/or on this or the adjacent site. The proposed buildings will be served by these existing utilities. The storm water retention system will be engineered and constructed to meet standards for the proposed development. The proposed system utilizes underground chambers that detain, infiltrate and treat the storm water. A slow release structure and treatment structure will discharge water at a reduced rate to Portage Creek. This system will be shared between the development areas as functionally feasible and necessary to provide adequate storm water accommodation.

Traffic and Parking: We have undertaken a traffic impact study which has been provided as a supplement to this narrative and our conceptual plan. The study incorporates the development components of the provided conceptual plan. The traffic study indicates that traffic as a result of the proposed development, is expected to operate safely; the study suggests improvements to access from Westnedge to the site and traffic signal improvements to the signal at Kilgore and Westnedge that would improve the traffic patterns and circulation. The plan, as proposed, provides adequate mobility, access and circulation. The study findings will be reviewed by both the City of Kalamazoo and the City of Portage as Kilgore Road is the municipal division line.

The traffic impact study also focuses closely on truck traffic patterns to and from the development site and adjacent parcels, including the Lowes site. The truck access analysis indicates the amount of truck traffic generated was less than 1% of the total site traffic generated and the majority of the trucks accessing the site are smaller box trucks making local deliveries vs. semi-truck deliveries. Semi-truck traffic is more likely to access the site and exit from the site at one of the South Westnedge access points, thus eliminating the need to travel thru the South Westnedge and Kilgore

intersection. It is also important to note that our grocery tenant, Earth Fare, generates ½ of the truck traffic to their stores than the standard grocery use. Our traffic study included the standard grocery use in its calculations, therefore, the truck traffic impact, however minimal, is overstated in the traffic study. It is also important to note the reference in the traffic study that a majority of the truck traffic entering the subject site is already making deliveries to adjacent properties in the market area and, therefore, already driving on the area roads.

Over ten years ago, (after Lowe's was developed and open for business) when the City of Kalamazoo was planning major improvements to Kilgore Road, a traffic study was provided at the expense of the applicant, to indicate the maximum development possible (and its potential traffic impacts) on the parcels with frontage on Kilgore Road (subject property and the parcel on the west side of the Kilgore access drive). The City of Kalamazoo and The City of Portage were consulted prior to the start of the traffic study for their input. The traffic study was completed and copies were provided to the City of Kalamazoo and the City of Portage. The intent of that study was to give the City of Kalamazoo professional data on what kind of traffic could occur when the properties were developed in the future. This was done prior to the City of Kalamazoo completing its Kilgore Road engineering so the traffic impact data could (and was) included in the engineering and ultimate construction of the Kilgore Road improvements. The City of Portage had this information to incorporate into the signal upgrades of Kilgore Road and Westnedge.

We request a modification to allow required parking to be reduced by 45 spaces (15%). We plan to provide the amount of parking needed by the occupants of the development area without providing excessive parking area. When considering this modification request, please consider the following:

- The applicant desires to provide the amount of parking needed for the occupants of the site, without providing an excess of paved area that goes unused.
- Allowing the applicant to use either calculation will provide the flexibility to provide the needed amount of parking, without providing excess parking.
- The Lowes constructed parking area has 596 parking spaces, which is 27% less than the ordinance required and they have more than adequate parking. A significant quantity of these parking spaces are unoccupied on a regular basis. Lowes received a modification for parking.

Covenants, Restrictions, Easements: The 5.30 acres will be subject to a Reciprocal Easement Agreement (REA) to ensure the property is developed in a cohesive manner and is maintained properly into the future.

Natural Features: There are no natural features existing on the subject site. The Portage Creek (which was greatly improved and enhanced as part of the Lowes

development) is located adjacent to the site and is being considered during planning and development of the area.

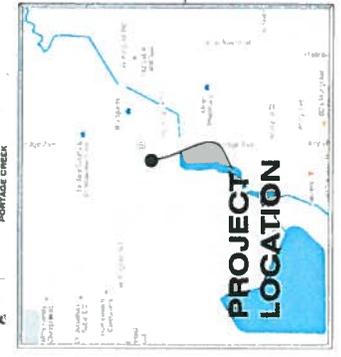
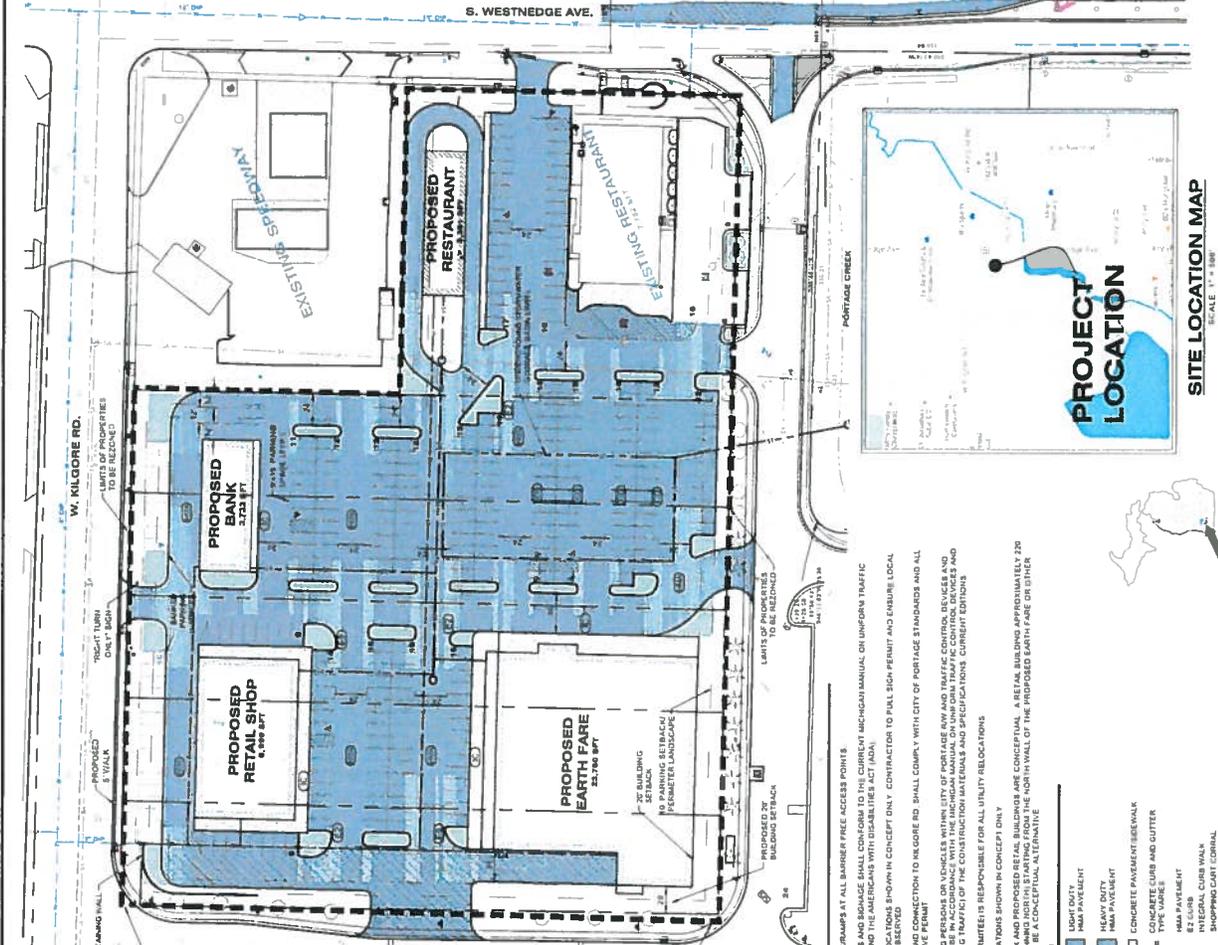
The Hinman team looks forward to working with the City of Portage as we commence another exciting development project. Development of the subject properties has been anticipated for many years and now market conditions are prompting our development to move forward. Please contact me with any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Wenzel", written in a cursive style.

Andy Wenzel
Director of Development
The Hinman Company
269.342.8600
andyw@hinmancompany.com

HURLEY & STEWART, LLC
 2000 South 11th Street
 Kalamazoo, Michigan 49008
 269.352.4818 Fax: 269.552.9461
 www.hurleyandstewart.com



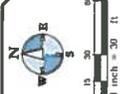
NOTES
 1. PROVIDE CURB CUTSTAMPS AT ALL BARRED FREE ACCESS POINTS
 2. PAVEMENT MARKINGS AND SIGNAGE SHALL CONFORM TO THE CURRENT MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND SIGNAGE
 3. SIGN DETAIL AND LOCATIONS SHOWN IN CONCEPT ONLY. CONTRACTOR TO PULL SIGN PERMIT AND ENSURE LOCAL SIGN ORDINANCES ARE OBSERVED
 4. DRIVEWAY LAYOUT AND CONNECTION TO KILGORE RD. SHALL COMPLY WITH CITY OF PORTAGE STANDARDS AND ALL ASPECTS OF THE DRIVE PERMIT
 5. ALL WORK REQUIRING PERSONS OR VEHICLES WITHIN CITY OF PORTAGE ROW AND TRAFFIC CONTROL DEVICES AND ITEM 417 (MAIN TRAFFIC) OF THE CONSTRUCTION MATERIALS AND SPECIFICATIONS, CURRENT EDITIONS AND THE DEVELOPER (PERMITEE) IS RESPONSIBLE FOR ALL UTILITY RELOCATIONS
 6. PRIVATE UTILITY LOCATIONS SHOWN IN CONCEPT ONLY
 7. THE PROPOSED BANK AND PROPOSED RESTAURANTS BUILDINGS ARE CONCEPTUAL. A REAL BUILDING APPROXIMATELY 200 FEET IN LENGTH (RUNNING NORTH) STARTING FROM THE NORTH WALL OF THE PROPOSED EARTH FARE OR EITHER COMPOSITION MAY BE A CONCEPTUAL ALTERNATIVE

ZONING REQUIREMENTS
 THE SITE IS ZONED CPO (COMMERCIAL, PLANNED DEVELOPMENT DISTRICT)
 TOTAL LAND AREA SUBJECT TO ZONING = 18.30 ACRES
 THE SITE IS ZONED CPO (COMMERCIAL, PLANNED DEVELOPMENT DISTRICT)
 TOTAL LAND AREA SUBJECT TO ZONING = 18.30 ACRES
PROPOSED USE
 ZONE: COMMERCIAL, PLANNED DEVELOPMENT DISTRICT
 BUILDING HEIGHT: 35'-0" (MAX)
PROPOSED BUILDING INFORMATION
 BUILDING HEIGHT: 35'-0" (MAX)
 TOTAL LANDSCAPE AREA REQUIRED = 23,781 SFT.
 TOTAL LANDSCAPE AREA PROVIDED = 33,986 SFT.
 LANDSCAPING AREA REQUIRED = 7,718 SFT
 LANDSCAPING AREA PROVIDED = 7,718 SFT
PERIMETER LANDSCAPING
 LANDSCAPING AREA PROVIDED = 4,372 SFT

OWNER - DEVELOPER
 The Hinman Company
 750 Trade Centre Way #100
 Kalamazoo, MI 49002
 269.342.8600

ZONING REQUIREMENTS
 TOTAL PARKING SPACES REQUIRED (MFA)
 EARTH FARE RETAIL STORE
 1 SPACE PER 100 SFT OF BUILDING
 (3,379 SFT X (1/100)) = 34 SPACES
 PROPOSED RETAIL RESTAURANT
 1 SPACE PER 100 SFT OF BUILDING
 (8,298 SFT X (1/100)) = 83 SPACES
 PROPOSED BANK
 1 SPACE PER 100 SFT OF BUILDING
 (3,723 SFT X (1/100)) = 38 SPACES
 PROPOSED PART FOODSERVICE RESTAURANT
 1 SPACE PER 100 SFT OF BUILDING
 (1,895 SFT X (1/100)) = 19 SPACES
 EASTING RESTAURANT
 1 SPACE PER 100 SFT OF BUILDING
 (3,876 SFT X (1/100)) = 39 SPACES
 1 TOTAL PARKING REQUIRED (MFA) = 223 SPACES
 TOTAL PARKING PROVIDED = 310 SPACES
 TOTAL PARKING PROVIDED = 310 SPACES
 BARRIER FREE SPACES = 3 PROVIDED
 ALL BARRIER FREE SPACES DESIGNED PER ADA REQUIREMENTS
 TYPICAL PARKING SPACE DIMENSION = 8' x 11'

LEGEND
 LIGHT DUTY PAVEMENT
 HEAVY DUTY PAVEMENT
 CONCRETE PAVEMENT SIDEWALK
 CONCRETE CURB AND GUTTER
 THE "VALUES"
 10' 12' 15' 20' 25' 30' 35' 40' 45' 50' 55' 60' 65' 70' 75' 80' 85' 90' 95' 100'



SOIL EROSION AND SEDIMENTATION CONTROL MEASURES

KEY	DETAIL	CHARACTERISTICS
1	[Detail 1]	Temporary silt fence with 6" x 6" x 12" silt bags.
5	[Detail 5]	Permanent silt fence with 6" x 6" x 12" silt bags.
15	[Detail 15]	Vegetative buffer strip with grass seed.
16	[Detail 16]	Vegetative buffer strip with mulch.
35	[Detail 35]	Vegetative buffer strip with grass seed and mulch.
36	[Detail 36]	Vegetative buffer strip with grass seed and mulch.
54	[Detail 54]	Vegetative buffer strip with grass seed and mulch.

- GRADING NOTES**
1. MATCH EXISTING GRASSES AROUND PERIMETER WITH SLOPES AS SHOWN. MATCH AT 1' ON 8' IF NOT LABELED.
 2. THE CONTRACTOR SHALL INSTALL PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVERNIGHT AS REQUIRED.
 3. ALL SPOT ELEVATIONS ARE TOP OF FINISHED GRADES AT EDGE OF METAL (DOM) UNLESS OTHERWISE NOTED.
 4. ALL SOIL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO MASS GRADING.
 5. ALL EXISTING SLOPES ARE TO BE WORKED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.
 6. REMOVAL AND REPLACEMENT WITH CONTROLLED FILL ANY AREAS THAT HAVE BEEN SUFFERED BY BANKS, FREEZING, WATERLOGGING, ETC.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY, COUNTY AND STATE.
 8. ALL EXISTING ELEVATIONS ARE TO BE WORKED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.
 9. ALL GRANULAR FILL UNDER THE INFLUENCE OF THE ROADWAY AND PROCESSED ROAD GRAVEL SHALL BE COMPACTED TO 95% BORED PROCTOR DENSITY.
 10. ALL EXISTING FILL SHALL BE REMOVED TO AT LEAST THE UNDISTURBED SUBGRADE AND RECOMPACTED TO 95% BORED PROCTOR DENSITY. ALL EXISTING FILL SHALL BE REMOVED TO AT LEAST THE UNDISTURBED SUBGRADE AND RECOMPACTED TO 95% BORED PROCTOR DENSITY.
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY, COUNTY AND STATE.
 12. CONTRACTOR RESPONSIBLE FOR VERIFYING EARTHWORK CALCULATIONS PRIOR TO COMMENCING WORK. NO EARTHWORK CALCULATIONS SHALL BE REVIEWED WITH THE OWNER AND ENGINEER PRIOR TO CONSTRUCTION.
 13. IF ANY ERRORS, DISCREPANCIES, OR QUESTIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR CORRECTION MAY OCCUR.

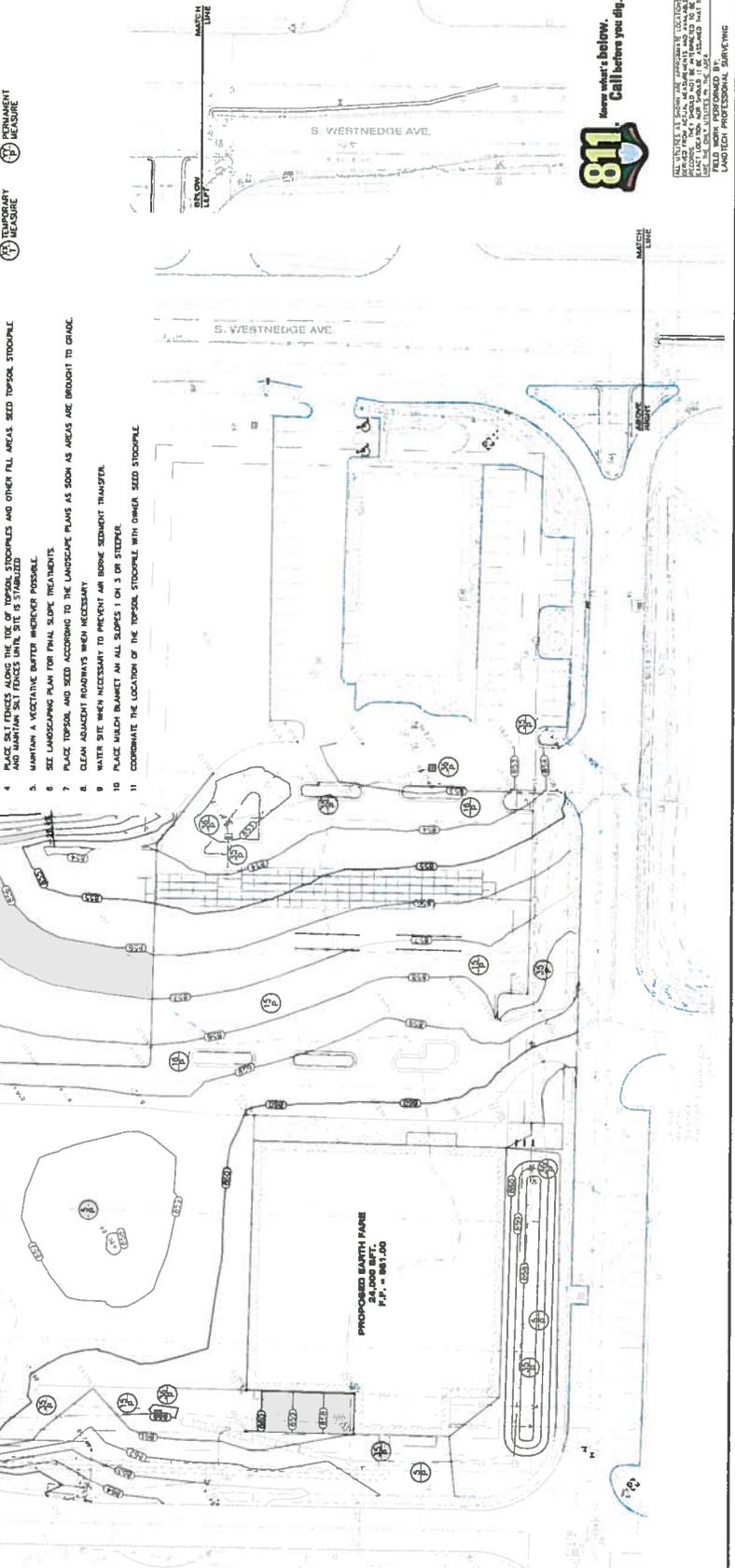
- SECC NOTES**
1. CONTRACTOR MUST COMPLY WITH ALL REQUIREMENTS OF THE SOIL EROSION CONTROL PERMIT AS ISSUED BY THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION.
 2. PROVIDE SILT BAGS IN EACH CATCH BASIN UNTIL SITE IS STABILIZED.
 3. ALL SOIL EROSION MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING WORK.
 4. MATCH EXISTING ELEVATIONS TO THE TOP OF TYPICAL STOCKPILES AND OTHER FILL AREAS. SEED TYPICAL STOCKPILE AND FILL AREAS WITH SEED AND MULCH.
 5. MAINTAIN A VEGETATIVE BUFFER WHEREVER POSSIBLE.
 6. SEE LANDSCAPING PLAN FOR FINAL SLOPE TREATMENTS.
 7. PLACE TOPSOIL AND SEED ACCORDING TO THE LANDSCAPE PLANS AS SOON AS AREAS ARE BROUGHT TO GRADE.
 8. CLEAN ADJACENT ROADWAYS WHEN NECESSARY.
 9. WATER SITE WHEN NECESSARY TO PREVENT AIR BORNE SEDIMENT TRANSFER.
 10. PLACE MULCH BLANKET ON ALL SLOPES 1 ON 3 OR STEEPER.
 11. COORDINATE THE LOCATION OF THE TYPICAL STOCKPILE WITH OWNER SEED STOCKPILE.

EARTHWORK ASSUMPTIONS:

- ALL EXISTING ELEVATIONS ARE TO BE WORKED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.
- ALL EXISTING SLOPES ARE TO BE WORKED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.
- ALL EXISTING ELEVATIONS ARE TO BE WORKED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.
- ALL EXISTING SLOPES ARE TO BE WORKED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.

EXISTING GROUND TO TOP OF PROPOSED SURFACE
 NET CUT GENERATED = 14,883.00 CY X 0.8 = 11,750.00 CY
 NET CUT GENERATED = 10,377.00 CY (ESTIMATED) TO BE HAULED TO LOCATION DETERMINED BY OWNER

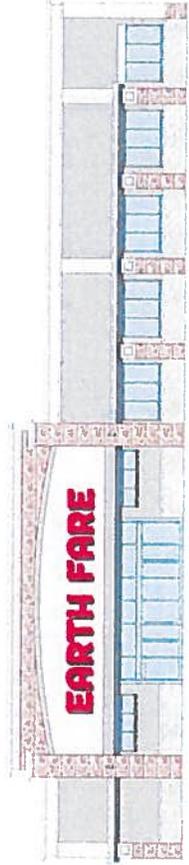
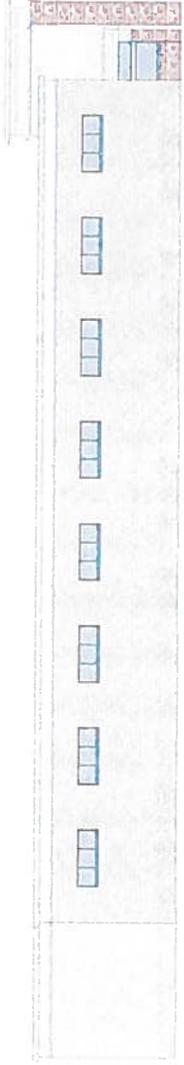
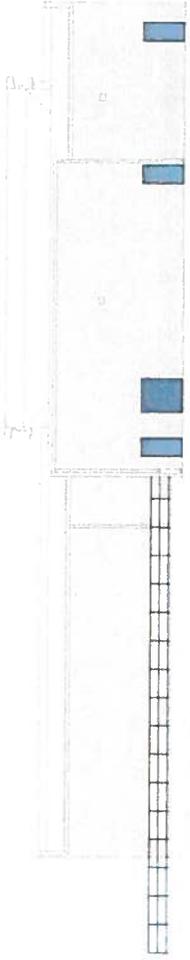
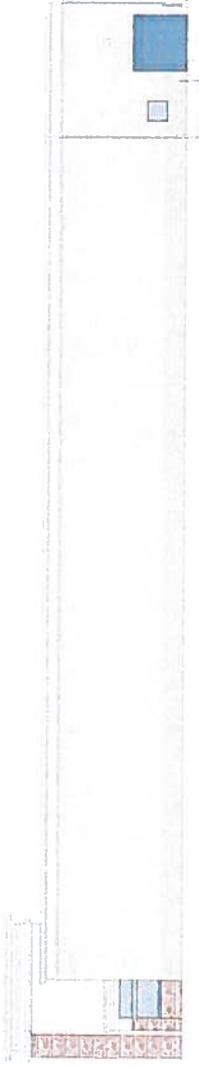
CONTRACTOR RESPONSIBLE FOR NEAR OWN QUANTITIES AND SHALL USE APPROPRIATE AND SHALL BE USED TO BALANCE THE SITE AS NOTED. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY, COUNTY AND STATE.



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

THE CITY OF HARRISBURG HAS A POLICY OF ENCOURAGING THE USE OF UTILITY LOCATING SERVICES TO IDENTIFY THE LOCATION OF ALL UTILITIES PRIOR TO ANY EXCAVATION WORK. THE CITY OF HARRISBURG WILL NOT BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES OR PERSONS OR PROPERTY CAUSED BY ANY EXCAVATION WORK. THE CITY OF HARRISBURG WILL NOT BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES OR PERSONS OR PROPERTY CAUSED BY ANY EXCAVATION WORK.

LAND TECH PROFESSIONAL SURVEYING



MATERIALS TRANSMITTED



January 20, 2014

Planning Commissioners
City of Portage
7900 S. Westnedge Ave.
Portage, MI 49002

Dear Planning Commissioners,

We are writing to you to share our thoughts and ideas with regard to the Lake Center sub-area, also known as the Lake Center Business District. During 2013, as a result of an initial meeting organized by the City of Portage Community Development Department, the businesses in the Lake Center District re-formed the Lake Center Business Association, with the hope that we will be able to combine our efforts with the City's work in the Lake Center sub-area, to design and create improvements that will benefit businesses, residents, and visitors, alike.

We have undertaken a design process to create a new logo for the Lake Center Business Association that will set us apart within the City of Portage. We will incorporate this logo into a branding campaign for the district that will help to create an identity as well as a sense of community for Lake Center. Our goal is to create a Lake Center community that includes not only the businesses along Portage Road, but the residents in the area, the school, churches, nonprofit organizations, and others.

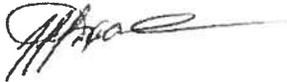
Toward this end, we would like to see improvements to the district that will build community, including:

- Assistance with funding for Lake Center banners and installation along Portage Rd.;
- Approval of an overlay zoning district for Lake Center that includes changes to parking requirements in the district to make it easier for businesses to make improvements to their properties;
- Widening and addition of sidewalks and streetscaping to produce a walkable Lake Center and to ensure and encourage pedestrian and bicycle access to our Lake Center businesses and amenities;
- Connection to the Portage Bikeway;
- Traffic-calming and a possible reduction of the speed limit along Portage Rd. to decrease accidents and produce a more pedestrian-friendly environment;
- Traffic light at Forest Drive to address traffic and safety concerns at the Portage Road/Forest Drive intersection;
- Addressing of drainage problem for affected properties along Portage Road;
- Unique lighting such as nautical-themed lamp posts to help create a sense of place, as well as safety for pedestrians;
- Other nautical-themed streetscaping such as seating, pathways, and plantings;
- Way-finding signs to identify the district and help direct visitors to Lake Center amenities;
- A gateway feature at either end of the district to identify entry into Lake Center; and

- Revitalization of Lakeview Park, including a swimming area and/or a splash park for residents and visitors, a small bandshell in the park to encourage community gathering, and consideration of a dog park area.

Over the longer-term, we would also like to see undergrounding of utilities along Portage Road to ensure more reliable service, and to improve the aesthetics of the Lake Center corridor. We are grateful for the opportunity to provide input to the City with regard to our goals for the district, and look forward to working together to create a safe, walkable, unique and attractive Lake Center community.

Sincerely,



Jeff Daane
Vice President

Lake Center Business Association Members:

Austin Lake Chiropractic	Erbelli's	Portage Animal Hospital
Bart's Banners & Signs	Family Hobby Shops	Portage Cleaners & Laundry
Blanchard Body Shop	Fifth Third	Pure Tobacco Supplies
Boat City Marine	Great Lakes Center for Autism	Professional Hair Design
C&J Wespinter-Amway	Treatment and Research	Right Way Rental
Products	H&B Market	SignArt
Consigned Design	Joy Fong	Southside Dojo
Cruise Connections	Lake Center Bible Church	T.A. Chambers Agency, Inc.
Daane's Party Store &	Lake Center Computers	Westlake Drug
Catering	Laliberte's Auto Center	Wiggles, Waggles & Tails
Docks Unlimited	Liberty Square Furniture	Doggie Daycare
Earth Works Lawn &	Miller-Schuring Agency	Youz Guys Sausage
Landscape	Nelson Hardware	

cc: Portage City Councilmembers
Portage Community Development Department
LSL Planning, Inc.

CITY COUNCIL MEETING MINUTES FROM JANUARY 7, 2014

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

At the request of Mayor Strazdas, Pastor Bill Abernathy of the Berean Baptist Church of Portage gave the invocation and the City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Nasim Ansari, Richard Ford, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Ansari, seconded by Reid, to approve the December 17, 2013 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Ford to read the Consent Agenda. Motion by Reid, seconded by Urban, to approve the Consent Agenda motions as presented. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JANUARY 7, 2014:** Motion by Reid, seconded by Urban, to approve the Accounts Payable Register of January 7, 2014. Upon a roll call vote, motion carried 7 to 0.

REPORTS FROM THE ADMINISTRATION:

* **NEW CEMETERY RULES - PETS:** Motion by Reid, seconded by Urban, to accept for first reading the proposed City of Portage Ordinance Amendment to the City of Portage Code of Ordinances Chapter 18, Cemeteries, Section 18-10, Section 18-23 and Section 18-29; place the ordinance on file for public inspection and consider final adoption on February 11, 2014. Upon a roll call vote, motion carried 7 to 0.

* **SALE OF CITY OUTLOTS - 7200 BALFOUR DRIVE AND 1600 FRIENDLY AVENUE:** Motion by Reid, seconded by Urban, to adopt the resolution to sell 7200 Balfour Drive and place the resolution on file with the Office of City Clerk for 28 days and take final action on February 11, 2014, and adopt the resolution to sell 1600 Friendly Avenue and place the resolution on file with the Office of City Clerk for 28 days and take final action on February 11, 2014. Upon a roll call vote, motion carried 7 to 0. Resolutions recorded on pages 201 and 205 of City of Portage Resolution Book No. 45.

* **HEALTH INSURANCE AND VISION COVERAGE:** Motion by Reid, seconded by Urban, to approve one-year contract renewals for employee health insurance offered through Blue Care Network Classic-Large (HMO plan) and Blue Cross Blue Shield of Michigan Community Blue (PPO plans); approve a four-year contract renewal for employee vision coverage offered through Vision Services Plan; maintain current employer/employee cost sharing assessments by taking action to exempt the city from the requirements of P.A. 152 for the 2014 medical benefits plan year and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

COMMUNICATION FROM ENVIRONMENTAL BOARD CHAIRPERSON RUTH CAPUTO: Motion by Ansari, seconded by Reid, to receive the communication from Environmental

Board Chairperson Ruth Caputo regarding the Annual Purple Loosestrife Program Report. Upon a voice vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

* **ENVIRONMENTAL BOARD PHRAGMITE BURN REQUEST:** Motion by Reid, seconded by Urban, to approve the request from the Environmental Board for a phragmite burn subject to the conditions set forth by the City Administration. Upon a roll call vote, motion carried 7 to 0.

NEW BUSINESS:

* **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:** Motion by Reid, seconded by Urban, to reappoint Wes Mazurek, William Brandt and Michael Quinn and appoint Keith Hearit, Lori Knapp and Marianna Singer with terms ending January 31, 2015, to Board of Review with the breakout of the two Boards occurring at a later date; reappoint Jeffrey Bright and Timothy Bunch and appoint Philip D. Schaefer with terms ending February 28, 2017, and Randall Schau as Alternate with unfulfilled term ending February 28, 2015 and Chadwick Learned as Alternate with term ending February 28, 2017, to the Zoning Board of Appeals. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmembers advised everyone to be patient with all storm-related matters such as trash pick-up, survival measures and driving carefully.

Councilmember Randall asked everyone to assist their neighbors as needed and expressed her appreciation that the Winter Snow Party at Oakland Drive Park would take place on Saturday, February 1, 2014, from 12 noon to 3 p.m. sponsored by the Youth Advisory Committee.

Councilmember Ansari thanked the City Employees for their dedication and hard work during the inclement weather.

Councilmember Reid wished everyone a Happy New Year. She also recognized her friend, John, who always had a dream of becoming a police officer and recently entered the Michigan State Police Academy at age 44 as one of the oldest recruits that the State has ever had. She indicated that this is a great motivational story for the New Year for everyone to ask themselves what is it in their lives that they have been "putting off" which they really should go forward and pursue.

In answer to Councilmember Randall and in light of the snow storm, City Manager Evans indicated that Christmas trees that are currently buried in the snow can be placed in the Spring pick-up in April and asked neighbors to help by clearing the snow around fire hydrants. Mayor Pro Tem Pearson echoed Mr. Evans by asking Portage citizens to clear the snow around fire hydrants.

Mayor Strazdas thanked returning and newly appointed Board and Commission Members for their volunteerism, and expressed his appreciation for the efforts of the snow plows, and cautioned everyone to be careful regarding their furnaces, fireplaces and other heating devices during this very cold weather.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:06 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.

**MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL
OF JANUARY 7, 2014 - BOARDS AND COMMISSIONS APPLICANTS**

Mayor Peter Strazdas called the meeting to order at 5:30 p.m. The following Councilmembers were present at this meeting: Councilmembers Nasim Ansari, Richard Ford, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. Also present were City Manager Maurice Evans and City Clerk James Hudson.

At the request of Mayor Strazdas, Councilmember Ford explained the requirements for serving on the Board of Review, and emphasized the time commitment and attendance at the training sessions. Mayor Strazdas asked each applicant if he or she can commit to the time required and all answered in the affirmative.

* From 5:30 p.m. to 6:19 p.m., City Council interviewed William Brandt, Richard Buehrle, Keith Hearit, Lori Knapp, Devin Loker, Larry Provancher, Wesley Mazurek, Michael Quinn and Marianna Singer for the Board of Review. Discussion followed.

* From 6:20 p.m. to 6:40 p.m., City Council interviewed Jeffrey Bright, Timothy Bunch, Lori Knapp, Chadwick Learned, Devin Loker and Phillip D. Schaefer for the Zoning Board of Appeals. Discussion followed.

With regards to the Board of Review, City Council discussed whether Portage and its citizens would be best served by establishing two “pods” of three members each or one “pod” of three members and two Alternate Members.

Motion by Randall, seconded by Ford, to establish two “pods” with three members each for the 2014 Board of Review. Discussion followed. Upon a roll call vote, motion carried 4 to 3. Yeas: Councilmembers Ford, Randall and Ansari and Mayor Pro Tem Pearson. No: Councilmembers Reid and Urban and Mayor Strazdas. Discussion followed.

Following a discussion of the qualifications of the applicants for the Board of Review, motion by Randall, seconded by Ansari, to appoint William Brandt, Wesley Mazurek, Michael Quinn, Keith Hearit, Lori Knapp, and Marianna Singer to the Board of Review. Discussion followed. Upon a roll call vote, motion carried 4 to 3. Yeas: Councilmembers Ford, Randall and Ansari and Mayor Pro Tem Pearson. No: Councilmembers Reid and Urban and Mayor Strazdas. Discussion followed.

ADJOURN: Mayor Strazdas adjourned the meeting at 7:44 p.m.

James R. Hudson, City Clerk

SUMMARY ENVIRONMENTAL ACTIVITY REPORT
December 2013 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	<p>-City Council awarded a 3 year contract to American Hydrogeologic Corporation (AHC) on February 23, 2010 to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. 2011 sampling completed in March. Investigation into methane gas presence in the groundwater continues. First round of sampling completed in April 2012. Second round of sampling completed in June 2012. Initial results indicate no off-site impact. Annual report submitted to MDEQ. Review meeting held September 21, 2012 with MDEQ with follow-up in October. AHC currently compiling MDEQ sampling requirement costs necessary for closure at the former landfill site. 2013 sampling contract approved by City Council with AHC on July 23, 2013. Weekly methane sampling is continuing on-site to collect base line data. <i>No harmful methane levels have been detected to date. Soil boring installation will begin as weather allows.</i></p> <p>-Coordination with property owners and City or State agencies ongoing. <i>-Review of 7 site/building plans and/or plats completed in December 2013.</i></p>
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	<p>-<i>Sanitary sewer hookup permits issued in December 2013: 2 residential; 0 commercial.</i></p>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<p>-Five Year Lake Management Assessment District process was approved by City Council on March 23, 2010. Construction began on the Austin Dam reconstruction in December 2006 and new structure completed in March 2007. Filtration system construction was substantially completed in July 2008. Lake Association has completed 2012 plan and lake treatment completed in May 2012. Permitting complete for the 2013 season. Treatment to be performed by Aquatic Services, Inc. The Association has selected to use Restorative Lake Services for consulting services for 2013. Treatment application completed in mid-June. Follow-up inspection of treatment completed by Restoration Lake Services.</p>
Retention Basin Sampling Program	Investigation regarding potential impact of retention basins on groundwater levels.	<p>-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts</p>

(Groundwater Elevation)

due to storm water infiltration. Alternative road salt practices continue to be considered and evaluated. On March 23, 2010, City Council awarded a four-year contract to Wightman Environmental. This program will focus primarily on groundwater level information. The 2012 report received and groundwater levels, especially on the east side of Portage, have decreased as a result of seasonal rainfall deficiencies. Groundwater table elevations show about a 6 inch increase over 2012 levels due to recent rain events. *The 2013 report was received noting minimal impacts. The 2013 report was recently placed on the web-site for public information.*

Wellhead Protection Program (WHPP)

Development of program to protect City well fields and surrounding area from contamination resulting from improper land use.

-Wellhead Protection Grant award received from MDEQ on August 30, 1999 and Council accepted the grant on October 5, 1999. Council also awarded contract to Earth Tech to complete WHPP. Earth Tech completed the final wellhead protection plan and MDEQ submittal was made on October 14, 2000. Plan was reviewed by MDEQ with written approval received in March, 2001. Staff has met internally to discuss the future needs to update the plan pending grant opportunities. Staff participated in a MDEQ Water Supply Emergency planning roundtable on June 10, 2013. Plan implementation is ongoing.

Leaf Compost Monitoring Program

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

-City Council awarded contract on August 21, 2001 to Soil & Materials Engineers for monitoring and analysis of groundwater impact of the new compost operation. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi annual sampling was performed from 2002 to 2011 in June and January. Sampling and analysis results continue to show no groundwater impacts from the leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. Sampling completed in June 2012 with minimal groundwater impacts. Sampling completed in June 2013 with results showing minimal impact.

National Pollution Discharge Elimination System (NPDES) permit implementation

Five year plan to implement the current NPDES stormwater permit.

-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Storm Water Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) completed December 11, 2009. SWIPPI was submitted for MDEQ approval on June 25, 2010. Received a notice from MDEQ rescinding the 2008 permit due to a recent court case ruling. MDEQ reinstated the 2003 permit for implementation. Information on new permit requirement was received in February 2011. MDEQ

expected to issue new permit in 2014. The 2010-11 annual report was submitted on January 20, 2012. MDEQ scheduled an audit of the program on July 12, 2012. Audit completed with satisfactory results. Several follow-up items with MDEQ were addressed by staff in December 2012. City website updated in February to provide education of Illicit Storm Water Discharge. Currently, staff is working on proposals with other local governments to use a billboard advertising campaign for pollution awareness. Program implementation is ongoing. *Annual 2012-13 report was submitted on December 24, 2013.*

National Pollution
Discharge Elimination
System (NPDES) permit
implementation

Kalamazoo River Mainstem Watershed
Management Plan

-First meeting was held September 17, 2004. Proposals for completing the watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Review comments received from MDEQ and revised watershed plan due in December 2006. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Watershed council completed a watershed update in November, 2011. No new developments.

Portage River Watershed Management
Plan

-Public participation plan submitted June 28, 2004. Proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Based upon MDEQ comments, the plan was revised and resubmitted on December 21, 2009. Interest has been raised by local conservation groups to update the current Watershed Plan using grant funds. Meeting held on May 9, 2011 among stakeholders to determine interest in updating the current Watershed Plan. Second meeting held on June 20, 2011, and grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan. Grant for watershed update was awarded to Calhoun County Conversation District. First kick-off meeting held December 13, 2012 to introduce working partners and information gathering. A meeting was held on March 12, 2013 to discuss the designated uses of the Portage River/Little Portage Creek watershed, the total maximum daily load of E-coli from samples taken and a review of community ordinances and policies that help protect the Watershed. Meeting held on June 11, 2013 to discuss identified water quality problems in the watershed. *Meeting held on December 11, 2013 to inform stakeholders of progress on data collection. Next meeting scheduled for March 2014.*

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

-On October 21, 2001, City Council awarded a contract to Fishbeck, Thompson, Carr and Huber for the Portage Creek element of the IDEP, which was completed in July 2002. On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections." On April 28, 2004, City Council accepted a grant from the State of Michigan in the amount of \$152,264 and awarded a contract to Fishbeck, Thompson, Carr and Huber in the amount of \$184,264 for the remainder of the IDEP for the entire city. Program implementation is ongoing as funding allows. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDEQ on June 25, 2010, and part of the SWIPPI. Two potential illicit discharges were investigated with MDEQ in February 2012. Completed an area-wide brochure to educate the public on Illicit Storm Water Discharges in conjunction with the Kalamazoo County Drain Commissioner. The 2013 program of investigating storm water outfalls began in June and is continuing. Implementation is ongoing.

Storm Sewer Outfall Testing

On March 23, 2011, City Council awarded a four year contract to Wightman Environmental to perform testing of selected storm sewers which discharge to surface water. This work is required as part of the NPDES permit. The 2011 annual report received with minor surface water impacts from the Woodland Avenue discharge. The 2012 report received with continuing minor impacts from the Woodland Avenue outfall. *2013 results were received in November.* Testing results are reported to MDEQ as part of the NPDES annual report.

Garden Lane Arsenic Removal Facility

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

Facility is in operation with ribbon cutting held August 2, 2010. The facility is producing approximately one million gallons of water per day. Facility is in regular operation. Plant tour for Stryker Engineering group was held on June 19, 2012. City Staff in conjunction with the Environmental Board is working on a sustainable native planting landscape design with Native Connections, Inc., for the facility. Regrading and installation of native landscaping seeding completed on November 16, 2012. Spring 2013 germination produced promising results. Native species plants successfully established. Native plant weeding and fall mowing is complete. Staff currently working with the Environmental Board on informative signs and long-term maintenance plans.

Environmental Incident/Spill Clean Up Notification

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

Emergency spill response contract for 2013-14 with Terra Contracting has been renewed. *The number of environmental incident/spill investigations performed in December 2013 – 0. Number of environmental cleanups in December – 0.*

Southwest Michigan Regional
Sustainability Covenant

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

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