



# PLANNING COMMISSION

February 20, 2014

# **CITY OF PORTAGE PLANNING COMMISSION**

## **A G E N D A**

**February 20, 2014  
(7:00 p.m.)**

**Portage City Hall Council Chambers**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **APPROVAL OF MINUTES:**

- \* February 6, 2014

### **SITE/FINAL PLANS:**

- \* 1. Final Plan: Greenspire Apartments (Phase IV), 8380 Greenspire Drive - reapproval

### **PUBLIC HEARINGS:**

- \* 1. Special Land Use Permit: Great Lakes Convenience, 710 and 732 East Centre Avenue  
-- applicant request for adjournment to March 6, 2014 meeting
- \* 2. Special Land Use Permit: Gentry Auto Sales, 7940 South Sprinkle Road
- \* 3. Final 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:**

- \* 1. 2014 Comprehensive Plan Update, Introduction and Lake Center Subarea Plan  
-- adjourn meeting to Conference Room No. 1

### **STATEMENT OF CITIZENS:**

### **ADJOURNMENT:**

### **MATERIALS TRANSMITTED**

January 21, 2014 City Council meeting minutes

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

## PLANNING COMMISSION

February 6, 2014

DRAFT

The City of Portage Planning Commission meeting of February 6, 2014 was called to order by Chairman Welch at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Nine 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; and Randy Brown, City Attorney.

### **ROLL CALL:**

Mr. Forth called the role and the following Commissioners were present: Reiff, Stoffer, Welch, Felicijan, Bosch and Dargitz. Chairman Welch indicated Commissioners Patterson, Schimmel and Somers requested to be excused from the February 6, 2014 meeting. A motion was made by Commissioner Felicijan, seconded by Commission Bosch, to approve the role and excuse Commissioners Patterson, Schimmel and Somers. The motion was approved 6-0.

### **MEMBERS PRESENT:**

Allen Reiff, Wayne Stoffer, Paul Welch, Dave Felicijan, Rick Bosch and Miko Dargitz,

### **MEMBERS EXCUSED:**

Bill Patterson, Betty Schimmel and Brian Somers.

### **APPROVAL OF MINUTES:**

Chairman Welch referred the Commission to the January 23, 2014 meeting minutes contained in the agenda packet. Commissioner Reiff stated he was not present at the January 23<sup>rd</sup> meeting and would not be voting on the minutes. A motion was made by Commissioner Dargitz, seconded by Commissioner Felicijan, to approve the minutes as submitted. The motion was approved 5-0-1 with Commissioner Reiff abstaining.

### **SITE/FINAL PLANS:**

None

### **PUBLIC HEARINGS:**

1. Special Land Use Permit: Great Lakes Convenience, 710 and 732 East Centre Avenue. Chairman Welch discussed the request by the applicant to adjourn the agenda item to the February 20, 2014 meeting. Chairman Welch asked if there were any citizens present who wished to speak who were unable to attend the February 20<sup>th</sup> meeting. No citizens responded. A motion was then made by Commissioner Bosch, seconded by Commissioner Felicijan, to adjourn the public hearing for Great Lakes Convenience, 710 and 732 East Centre Avenue, to the February 20, 2014 meeting, at the request of the applicant. The motion was approved 6-0.

DRAFT

2. Preliminary Report: Rezoning Application #14-1 and Conceptual Plan, 531 and 605 West Kilgore Road and 5024 and 5036 South Westnedge Avenue: Mr. Forth introduced the item and summarized the January 31, 2014 preliminary staff report involving the CPD rezoning request and conceptual plan. Mr. Forth discussed the four properties involved in the CPD rezoning request, along with various elements of the conceptual plan including the first phase (Earth Fare), future buildings/uses, storm water management and vehicular access. Mr. Forth also discussed the preliminary staff review of the Traffic Impact Study performed by the applicant and issues and concerns identified. Mr. Forth stated the applicant was revising the Traffic Impact Study and additional information would be provided next week. Mr. Forth reviewed the three modifications involving building setbacks, minimum lot area size and parking also being requested by the applicant as part of the conceptual plan. The Commission and staff next discussed aspects of the request including minimum lot area requirement in the CPD zone and the ownership of adjacent properties to the south and west.

Andy Wenzel of The Hinman Company (applicant representative) was present to support the application and explain the development project. Mr. Wenzel provided a summary of the previous CPD approval for the Lowes development to the south and the desire to continue to high quality commercial redevelopment at the northern gateway to Portage. Mr. Wenzel discussed the first phase of the proposed development (Earth Fare) and distributed updated building elevations and web site information regarding the specialty grocery store. Mr. Wenzel reviewed storm water, Portage Creek and roadway enhancements constructed with the Lowes project and also summarized the three modifications requested in conjunction with the new CPD request.

The Commission and the applicant next discussed various aspects for the proposed CPD rezoning and development project including the orientation of buildings, location of sidewalks and walkability of development, truck delivery routes and additional property holdings of the applicant. The public hearing was then opened by Chairman Welch. No citizens spoke regarding the proposed CPD rezoning and conceptual plan. A motion was then made by Commissioner Reiff, seconded by Commissioner Bosch, to adjourn the public hearing for Rezoning Application #14-1 and Conceptual Plan, 531 and 605 West Kilgore Road and 5024 and 5036 South Westnedge Avenue, to the February 20, 2014 meeting. The motion was approved 6-0.

**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 7:40 p.m.

Respectfully submitted,

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

**TO:** Planning Commission

**DATE:** February 14, 2014

**FROM:** Vicki Georgeau,  Director of Community Development

**SUBJECT:** Final Plan (re-approval) for Greenspire Apartments (Phase IV), 8380 Greenspire Drive.

### **I. INTRODUCTION:**

During the July 1, 2010 meeting, the Planning Commission reviewed and recommended approval of the final plan for Greenspire Apartments (Phase IV) at 8380 Greenspire Drive, within the Greenspire Planned Development. The final plan submitted by H & G II, Inc. included the construction of two, three-story apartment buildings (27,444 square feet with 24 units and 15,636 square feet with 12 units), one-story garage building (3,016 square feet, 12 stalls) and associated site improvements. The final plan was subsequently approved by City Council on July 13, 2010. A copy of the Planning Commission and City Council meeting minutes are attached.

Section 42-375(J) of the PD, planned development zoning district stipulates that if development does not begin within 120 days of final plan approval, the final plan must be resubmitted for re-approval. Since more than 120 days have elapsed, the applicant is requesting re-approval. According to the applicant, construction of the Phase IV of the Greenspire Apartments was delayed due to economic and construction related issues; however, the project is now ready to move forward. The final plan for Greenspire Apartments (Phase IV) has been resubmitted with no changes from the original 2010 approval.

### **II. APPROVED TENTATIVE PLAN:**

The Greenspire PD rezoning and tentative plan were approved by City Council on April 13, 2010 with conditions. A copy of the approved tentative plan is attached.

In summary, the tentative plan includes six multi-family residential phases. The first three Greenspire Apartment phases including 384 apartment units plus the clubhouse, pool and tennis courts have already been constructed. The remainder of the multiple family residential portion of the planned development will occur in three additional phases (Phases IV, V and VI) and include three-story, 40-foot tall apartment buildings with 308 apartment units. The land area along West Centre Avenue will be developed with two, two-story, 40-foot tall retail/office buildings each 30,400 square feet (60,800 square feet total) and three, one-story, 25-foot tall retail buildings between 6,000–25,000 square feet each. Phase I of the Greenspire Retail involving a one-story, 13,400 square foot retail building and related site improvements was approved by City Council and constructed in 2011. The final plan submitted for re-approval of the Greenspire Apartments (Phase IV) is consistent with the approved tentative plan and written narrative as approved by City Council.

### **III. FINAL PLAN:**

Consistent with the approved tentative plan and narrative, the apartment buildings will maintain a 16-foot setback from the east property line (12-feet for decks/balconies). The garage building will be setback 15-feet from the east property line (11-feet for covered bike storage), while the parking lot will maintain a 10-foot setback. Since the site is bordered by residential zoning to the east (Gourdneck State Game Area), landscaping will be installed adjacent to the parking lot areas.

Greenspire Drive provides access to West Centre Avenue for the Greenspire Apartment complex (including Phase IV). A second access drive from West Centre Avenue to Stonebridge Court, opposite Cooley Drive, was also constructed in 2011 with the Greenspire Retail (Phase I) development. Storm water from the development will be collected and conveyed to an underground storage and infiltration system situated beneath the parking lot. Outdoor lighting units associated with the proposed development will include light poles and building mounted fixtures with shielded fixtures and will conform to applicable ordinance standards.

#### **IV. RECOMMENDATION:**

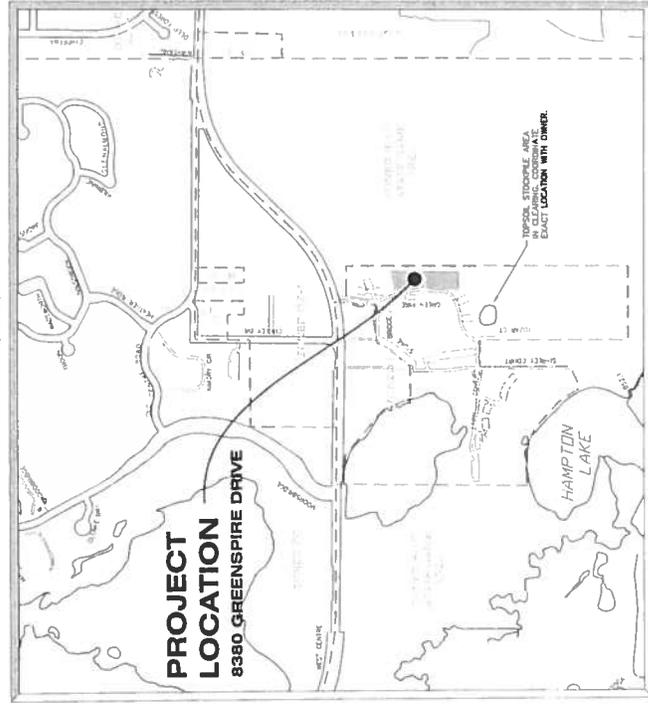
The final plan has been reviewed by the City Administrative departments and is consistent with the approved Greenspire Planned Development tentative plan and narrative. Staff advises the Planning Commission recommend to City Council that the Final Plan for Greenspire Apartments (Phase IV), 8380 Greenspire Drive, be re-approved.

Attachments:      Final Plan Sheets for Greenspire Apartments (Phase IV)  
                         Apartment Building Elevation  
                         July 1, 2010 Planning Commission meeting minutes  
                         July 13, 2010 City Council meeting minutes  
                         Approved 2010 Tentative Plan – Greenspire Planned Development

# Civil Construction Set GREENSPIRE APARTMENTS

## PHASE IV

8380 Greenspire Drive  
Portage, Michigan  
6/22/10



**DRAWING INDEX**

SHT #	DESCRIPTION
C-0	TITLE SHEET
C-1	EXISTING CONDITIONS AND DEMOLITION
C-2	SITE LAYOUT PLAN
C-3	GRADING - SESC PLAN
C-4	UTILITY PLAN
C-5	CUT-FILL SHEET
C-6	SITE DETAILS
C-7	STORM WATER DETAILS
C-8	SANITARY PROFILE

**OWNER**  
H & G II, LLC  
750 TRADE CENTRE WAY, SUITE 100  
PORTAGE, MI 49002  
(269) 342-8600

**CONSTRUCTION MANAGER**  
**AVB**  
CONSTRUCTION  
AVB CONSTRUCTION, INC.  
4200 W. CENTRE AVENUE  
PORTAGE, MI 49024  
269.329.2022

**ARCHITECT**  
**Design+**  
DESIGN +, INC.  
230 E. FULTON STREET  
GRAND RAPIDS, MI 49503  
616.458.0875

**PLANS PREPARED BY:**  
**hurlay & stewart, llc**  
2000 south 11th street  
kalamazoo, michigan 49009  
269.552.4960 fax 552.4961  
www.hurlaystewart.com



**UTILITY CONTACTS:**

ELECTRIC/GAS  
CONSUMERS ENERGY CO.  
ATTN: "ELECTRICITY"  
4400000, MI 49001  
269.337.2244

CABLE TELEVISION  
SMARTER COMMUNICATIONS  
MARK BRADY  
4400000, MI 49002  
269.217.8152

TELEPHONE  
AT&T  
1000 SHERAVANA, CT.  
4400000, MI 49001  
269.394.5991

WATCH/ SANITARY  
CITY OF PORTAGE  
7719 S. WESTHERIDGE AVENUE  
4400000, MI 49024  
269.374.9235

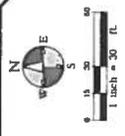
72 HOURS  
BEFORE YOU DIG  
CALL MISS DIG  
1-800-482-7171

DESIGNER IS NOT RESPONSIBLE FOR DAMAGE TO EXISTING UTILITIES OR STRUCTURES. EXISTING UTILITIES AND STRUCTURES SHOULD BE LOCATED BY MISS DIG OR OTHER QUALIFIED PARTY BEFORE ANY EXCAVATION OR CONSTRUCTION AT THE SITE.

ISSUED FOR:  
CITY REQUINITAL  
6/22/10

FEB 06 2010





**REMOVALS LEGEND**  
 CURB REMOVAL  
 PAVEMENT/ASPHALT REMOVAL  
 TREE REMOVAL  
 REMOVE  
 SALVAGE  
 LIMITS OF CONSTRUCTION

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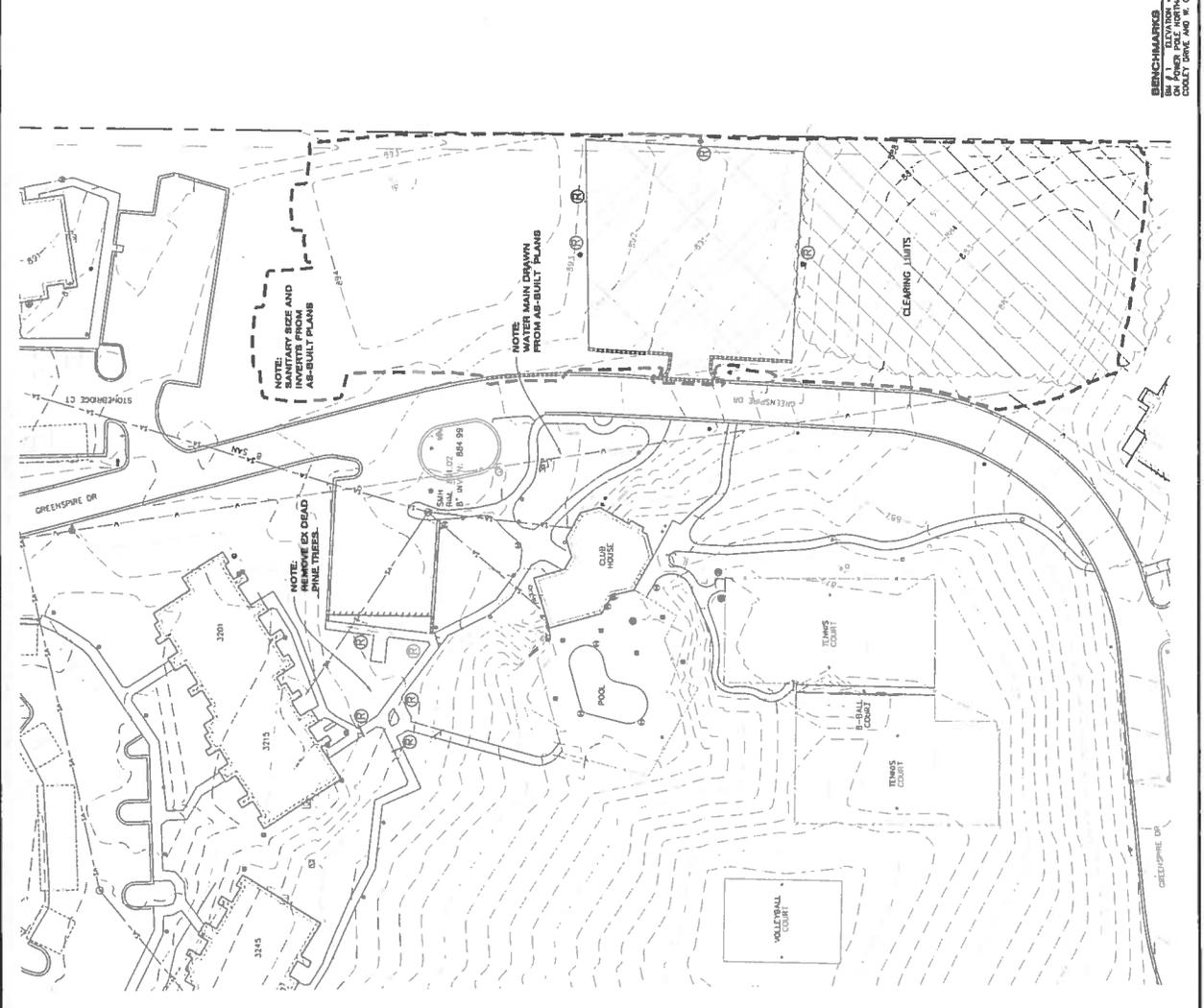
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 CALL MISS DIG  
 1-800-487-7171

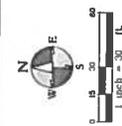
**BENCHMARKS**  
 BM 11 ELEVATION = 899.03  
 ON UPPER SIDE NORTHEAST CORNER  
 OF LOT 10, 11 & 12, 13 & 14, 15 & 16, 17 & 18, 19 & 20, 21 & 22, 23 & 24, 25 & 26, 27 & 28, 29 & 30, 31 & 32, 33 & 34, 35 & 36, 37 & 38, 39 & 40, 41 & 42, 43 & 44, 45 & 46, 47 & 48, 49 & 50, 51 & 52, 53 & 54, 55 & 56, 57 & 58, 59 & 60, 61 & 62, 63 & 64, 65 & 66, 67 & 68, 69 & 70, 71 & 72, 73 & 74, 75 & 76, 77 & 78, 79 & 80, 81 & 82, 83 & 84, 85 & 86, 87 & 88, 89 & 90, 91 & 92, 93 & 94, 95 & 96, 97 & 98, 99 & 100.

**REMOVAL NOTES**

1. ALL EXISTING UTILITIES AND PROTECTION SHALL REMAIN IN PLACE UNTIL DEMOLITION IS COMPLETE. INSTALL TEMPORARY SHORT FENCE TO PROTECT EXISTING UTILITIES AND PROTECTION FROM CONSTRUCTION. INSTALL TEMPORARY SHORT FENCE TO PROTECT EXISTING UTILITIES AND PROTECTION FROM CONSTRUCTION. INSTALL TEMPORARY SHORT FENCE TO PROTECT EXISTING UTILITIES AND PROTECTION FROM CONSTRUCTION.
2. REMOVE ALL CURB, SIDEWALK, AND PAVEMENT PRIOR TO DEMOLITION. ADDITIONAL SANDWICH MAY BE NECESSARY PRIOR TO REPLACEMENT TO OBTAIN CLEAN EDGE.
3. ALL REMOVALS SHALL BE MADE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND PERMITS. ALL REMOVALS SHALL BE MADE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND PERMITS.
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7. REMOVE ALL TREES TO THE CLEARING LIMITS AS SHOWN. REMOVE ALL EXISTING TREES, STUMPS AND BRUSH FROM THE SITE AS NECESSARY TO CONSTRUCT THE IMPROVEMENTS.
8. IF ANY EXISTING UTILITIES, OR EXISTING STRUCTURES, OR EXISTING PROTECTIVE DEVICES ARE FOUND, NOTIFY THE ENGINEER IMMEDIATELY. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY.
9. FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL 1-800-487-7171 TO LOCATE ALL EXISTING UTILITIES PRIOR TO BEGINNING EACH EXCAVATION IN AREAS WHERE PUBLIC UTILITIES HAVE BEEN IDENTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE OBLIGATION TO PROTECT ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE "MISS DIG" ALERT SYSTEM.







**WATER MAIN FITTING SCHEDULE**

FITTING	DESCRIPTION	TOTAL PER UNIT
1	1/2" GALV. WELD	1
2	1/2" GALV. WELD	1
3	1/2" GALV. WELD	1
4	1/2" GALV. WELD	1
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99	1/2" GALV. WELD	1
100	1/2" GALV. WELD	1

- UTILITY NOTES**
1. PLACE SANITARY CLEANOUT EVERY 100' AND/OR AT BENDS ON ALL 8" SANITARY SEWER LEADS.
  2. ALL SANITARY CLEANOUTS TO BE CAST IRON WITH WORKS OR APPROVED EQUAL. SEE STRUCTURE TABLE FOR SIZES.
  3. STORM SEWERS SHALL BE CONCRETE. STUBS SHALL USE 1/2" RIGID PIPE WITH 1/2" DIA. TYPE 3, OR APPROVED EQUAL INSTALLED PER THE REQUIREMENTS OF ROOT AND CITY OF PORTLAND. HANDING TESTING SHALL BE PERFORMED PRIOR TO FINISH. USE CONCRETE PIPE WHERE INDICATED.
  4. ALL CONTRACTORS SHALL INSTALL FOOTCANDLER FENCE AROUND ALL CLEANOUTS TO BE LEFT OPEN OVERNIGHT.
  5. CONTRACTOR SHALL REFER TO THE GEOTECHNICAL REPORT FOR FOUNDATION AND SOIL INFORMATION. ANY UTILITIES REQUIRING DEVIATIONS SHALL BE INSTALLED TO THE CITY OF PORTLAND STANDARDS AND INCLUDED IN THE CIVIL CONSTRUCTION RESPONSE FOR ALL DEVIATIONS NECESSARY TO CONSTRUCT UTILITIES IN THE DRY.
  6. IF ANY DROPS, DISCONTINUES, OR OMISSIONS 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.
  7. ALL UTILITY LOCATIONS ARE SHOWN FOR INFORMATION ONLY. REFER TO CONSTRUCTORS ENERGY PLANS FOR MORE DETAILS.
  8. COORDINATE ALL UTILITY LOCATIONS AND ELEVATIONS WITH MECHANICAL DRAWINGS AND BUILDING CONTRACTOR PRIOR TO INSTALLATION. THE MECHANICAL PLANS WERE NOT COMPLETE AT TIME OF PLAN PREPARATION AND SHOULD BECOME RESPONSIVE TO THE PLAN.
  9. REMOVE SEWER FROM ALL STRUCTURES ONCE PAVING IS COMPLETE AND REMOVE SET BACKS.
  10. VERIFY THE NUMBER OF FITTINGS PRIOR TO ORDERING. FITTINGS DO NOT INCLUDE VERTICAL DEFLECTIONS THAT MAY BE REQUIRED FOR INSTALLATION.
  11. PROVIDE 1/2" WATER MAIN SEPARATION WHEN CROSSING OTHER UTILITIES. DEFLECT UNDER OTHER UTILITIES WHO USING FITTINGS WHEREVER POSSIBLE.
  12. SITE CONTRACTOR RESPONSIBLE FOR INSTALLATION OF ALL UTILITIES TO 5' FROM BUILDING WALL.
  13. WATER MAIN AND SANITARY SEWER MATERIALS AND INSTALLATION SHALL COMPLY WITH CITY OF PORTLAND REQUIREMENTS.
  14. VERIFY LOCATION AND ELEVATION OF EXISTING SANITARY MAIN PRIOR TO ORDERING STRUCTURES AND CONSTRUCTION.
  15. SEE SITE ELECTRICAL PLAN FOR LOCATION OF ALL ELECTRICAL SERVICES AND CONDUIT.
  16. WATER METER FOR PROPOSED BUILDING SHALL BE LOCATED IN A METER PIT OUTSIDE. COORDINATE LOCATION WITH OWNER AND MECHANICAL PLANS.

**STORM SEWER STRUCTURE SCHEDULE**

STRUCTURE NO.	TYPE	DIAMETER	LENGTH	ELEVATION	INVERT	OUTLET
CSB-1	12"	12"	10'	100.00	99.50	100.00
CSB-2	12"	12"	10'	100.00	99.50	100.00
CSB-3	12"	12"	10'	100.00	99.50	100.00
CSB-4	12"	12"	10'	100.00	99.50	100.00
CSB-5	12"	12"	10'	100.00	99.50	100.00
CSB-6	12"	12"	10'	100.00	99.50	100.00
CSB-7	12"	12"	10'	100.00	99.50	100.00
CSB-8	12"	12"	10'	100.00	99.50	100.00
CSB-9	12"	12"	10'	100.00	99.50	100.00
CSB-10	12"	12"	10'	100.00	99.50	100.00
CSB-11	12"	12"	10'	100.00	99.50	100.00
CSB-12	12"	12"	10'	100.00	99.50	100.00
CSB-13	12"	12"	10'	100.00	99.50	100.00
CSB-14	12"	12"	10'	100.00	99.50	100.00
CSB-15	12"	12"	10'	100.00	99.50	100.00
CSB-16	12"	12"	10'	100.00	99.50	100.00
CSB-17	12"	12"	10'	100.00	99.50	100.00
CSB-18	12"	12"	10'	100.00	99.50	100.00
CSB-19	12"	12"	10'	100.00	99.50	100.00
CSB-20	12"	12"	10'	100.00	99.50	100.00
CSB-21	12"	12"	10'	100.00	99.50	100.00
CSB-22	12"	12"	10'	100.00	99.50	100.00
CSB-23	12"	12"	10'	100.00	99.50	100.00
CSB-24	12"	12"	10'	100.00	99.50	100.00
CSB-25	12"	12"	10'	100.00	99.50	100.00
CSB-26	12"	12"	10'	100.00	99.50	100.00
CSB-27	12"	12"	10'	100.00	99.50	100.00
CSB-28	12"	12"	10'	100.00	99.50	100.00
CSB-29	12"	12"	10'	100.00	99.50	100.00
CSB-30	12"	12"	10'	100.00	99.50	100.00
CSB-31	12"	12"	10'	100.00	99.50	100.00
CSB-32	12"	12"	10'	100.00	99.50	100.00
CSB-33	12"	12"	10'	100.00	99.50	100.00
CSB-34	12"	12"	10'	100.00	99.50	100.00
CSB-35	12"	12"	10'	100.00	99.50	100.00
CSB-36	12"	12"	10'	100.00	99.50	100.00
CSB-37	12"	12"	10'	100.00	99.50	100.00
CSB-38	12"	12"	10'	100.00	99.50	100.00
CSB-39	12"	12"	10'	100.00	99.50	100.00
CSB-40	12"	12"	10'	100.00	99.50	100.00
CSB-41	12"	12"	10'	100.00	99.50	100.00
CSB-42	12"	12"	10'	100.00	99.50	100.00
CSB-43	12"	12"	10'	100.00	99.50	100.00
CSB-44	12"	12"	10'	100.00	99.50	100.00
CSB-45	12"	12"	10'	100.00	99.50	100.00
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CSB-51	12"	12"	10'	100.00	99.50	100.00
CSB-52	12"	12"	10'	100.00	99.50	100.00
CSB-53	12"	12"	10'	100.00	99.50	100.00
CSB-54	12"	12"	10'	100.00	99.50	100.00
CSB-55	12"	12"	10'	100.00	99.50	100.00
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CSB-64	12"	12"	10'	100.00	99.50	100.00
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CSB-94	12"	12"	10'	100.00	99.50	100.00
CSB-95	12"	12"	10'	100.00	99.50	100.00
CSB-96	12"	12"	10'	100.00	99.50	100.00
CSB-97	12"	12"	10'	100.00	99.50	

**CUT-FILL SHEET**  
**GREENSPIRE APARTMENTS PHASE IV**  
**H&G II, LLC**

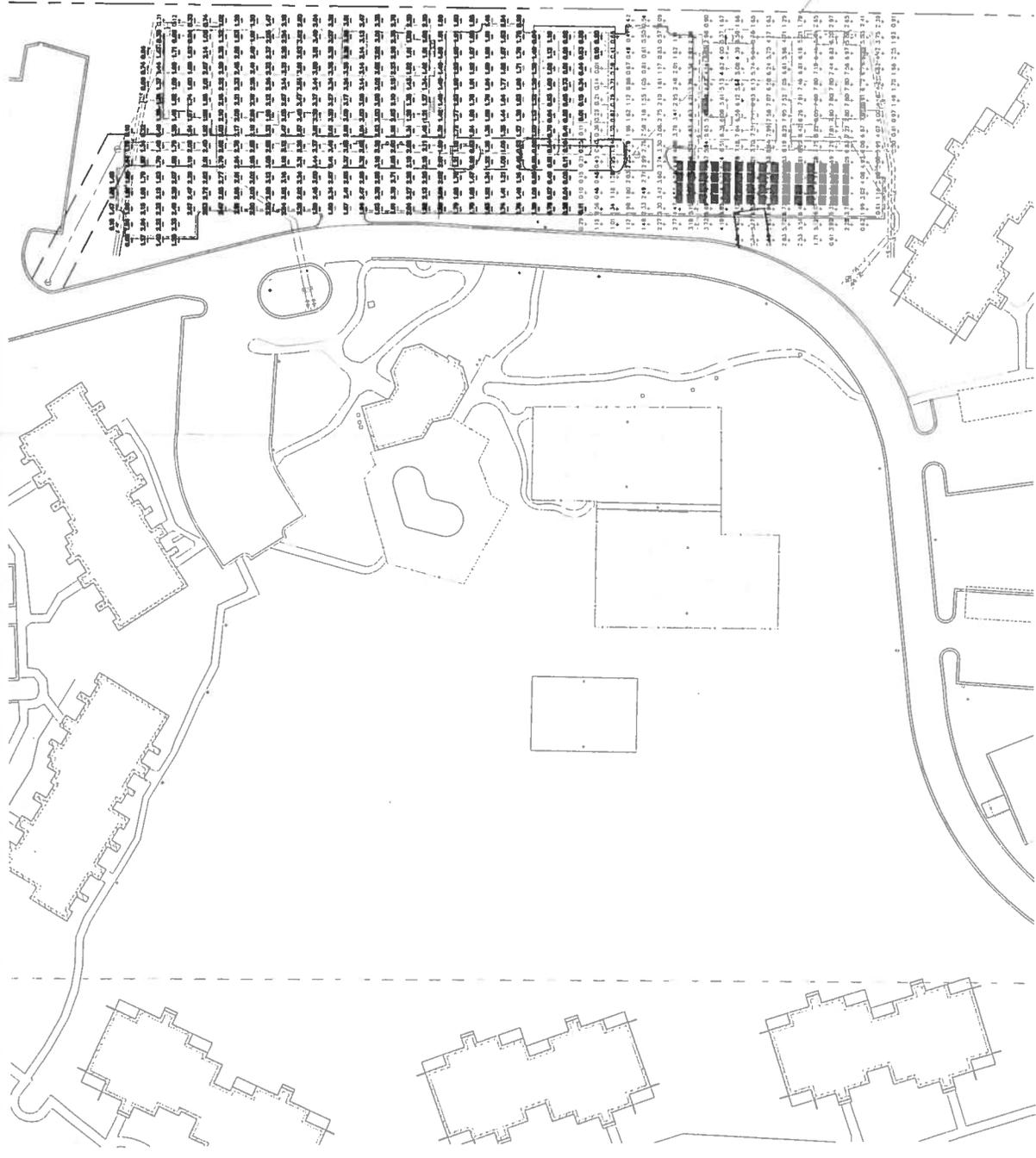
1	CITY REVIEW	4/30/10
2	CITY SUBMITTAL	8/23/10
3	ISSUED FOR PERMITS	8/23/10
4	DATE	8/23/10



**Hurley & Stewart, LLC**  
2800 South 11th Street  
Kalamazoo, Michigan 49008  
269 552 4989 Fax 269 552 4981  
www.hurleyandstewart.com

- NOTES**
1. ALL SPOT ELEVATIONS ARE TOP OF FINISHED GRADES AT EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
  2. ALL EXISTING CURBS, UTILITIES SHALL BE IN PLACE PRIOR TO MASS GRADING.
  3. ALL EXCAVATION SHALL BE IN ACCORDANCE WITH THE TECHNICAL SPECIFICATIONS AND GEOTECHNICAL REPORT.
  4. ALL SPOT ELEVATIONS ARE TO BE VERIFIED AND ACCEPTED AS SHOWN PRIOR TO COMMENCEMENT OF WORK.
  5. CONTRACTOR RESPONSIBLE FOR VERIFYING EXISTING UTILITIES AND PROVIDING PROTECTIVE WORK. NO EXISTING UTILITIES SHALL BE PAID FOR UNLESS THE CONTRACTOR PROVIDES WITH THE EARTHWORK CALCULATIONS SHALL BE ACCEPTED BY THE OWNER AND ENGINEER PRIOR TO CONSTRUCTION.

**ASSUMPTIONS:**  
DIT - 2.862 CTD X 0.8 = 2.148 CTD AVAILABLE FOR FILL  
ALL REQUIRED - CURE CTD  
CONTRACTOR SHALL VERIFY THE EXISTING TOP OF PROPOSED SURFACE TO DETERMINE EXISTING CONDITION RESPONSIBLE FOR CALCULATING THEIR OWN EARTHWORK.







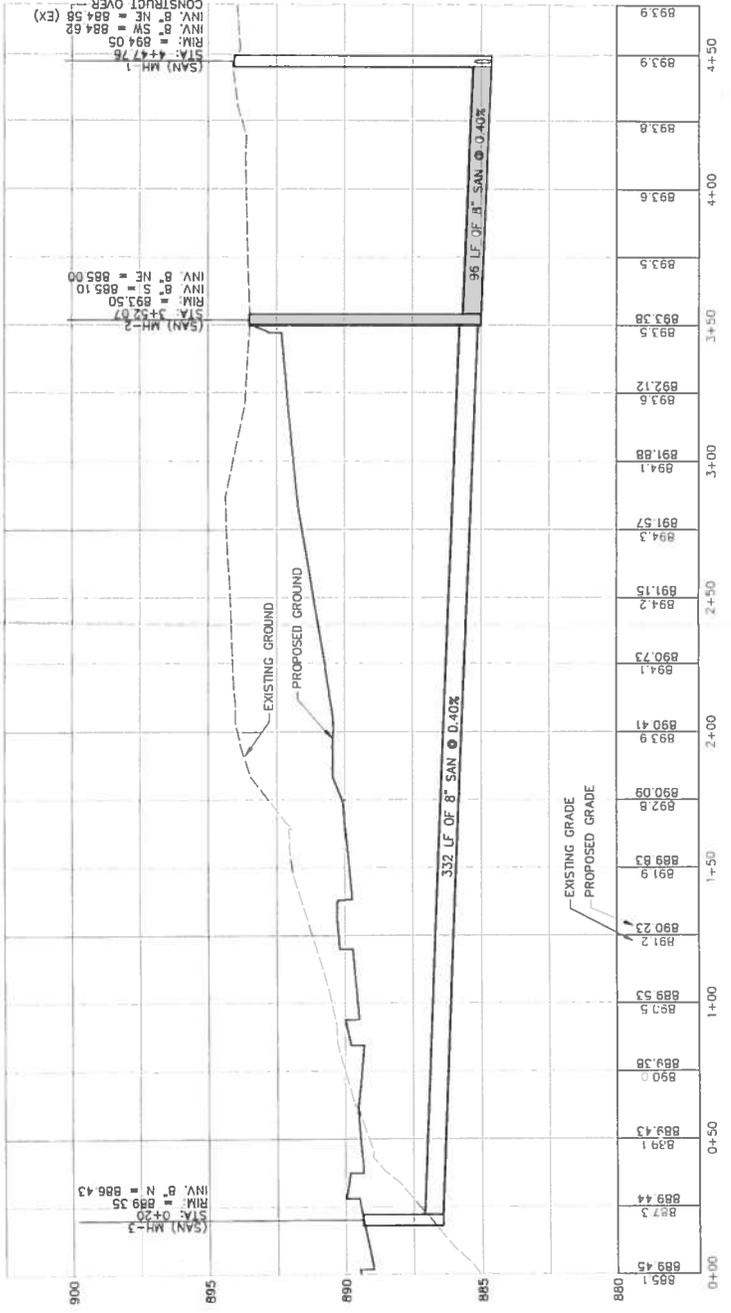
**SANITARY PROFILE**  
**H&G II, LLC**  
**GREENSPIRE APARTMENTS PHASE IV**

Sheet Title  
Project  
Client

6/22/18  
Copyright © of Hurley & Stewart, LLC  
1. CITY REVIEW  
2. CITY INSPECTION  
3. CITY APPROVAL  
4. CITY PERMIT  
5. CITY RECORD  
6. CITY AS-BUILT  
7. CITY FINAL  
8. CITY FINAL  
9. CITY FINAL  
10. CITY FINAL



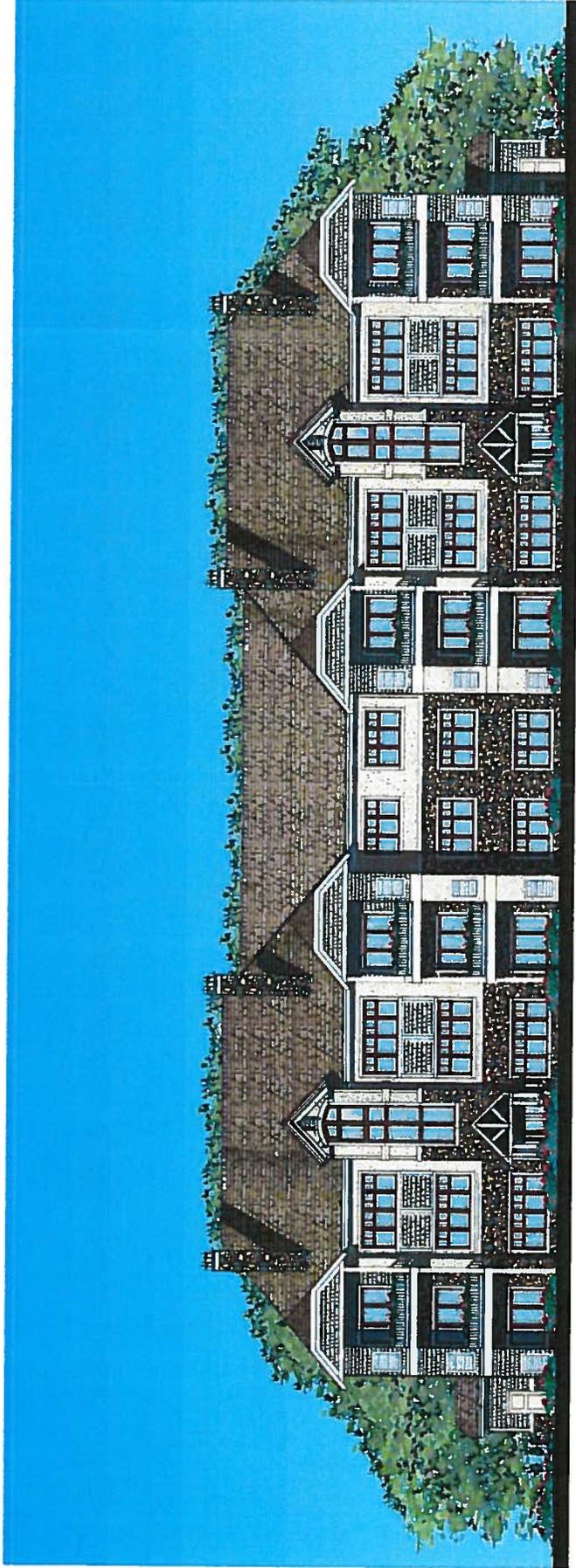
hurley & stewart, llc  
2800 south 11th street  
kalamazoo, michigan 49009  
288 552 4861 fax 288 552 4861  
www.hurleyandstewart.com



STA: 0+20  
RIM = 893.35  
INV. 8" N = 886.43  
(SAN) MH-3

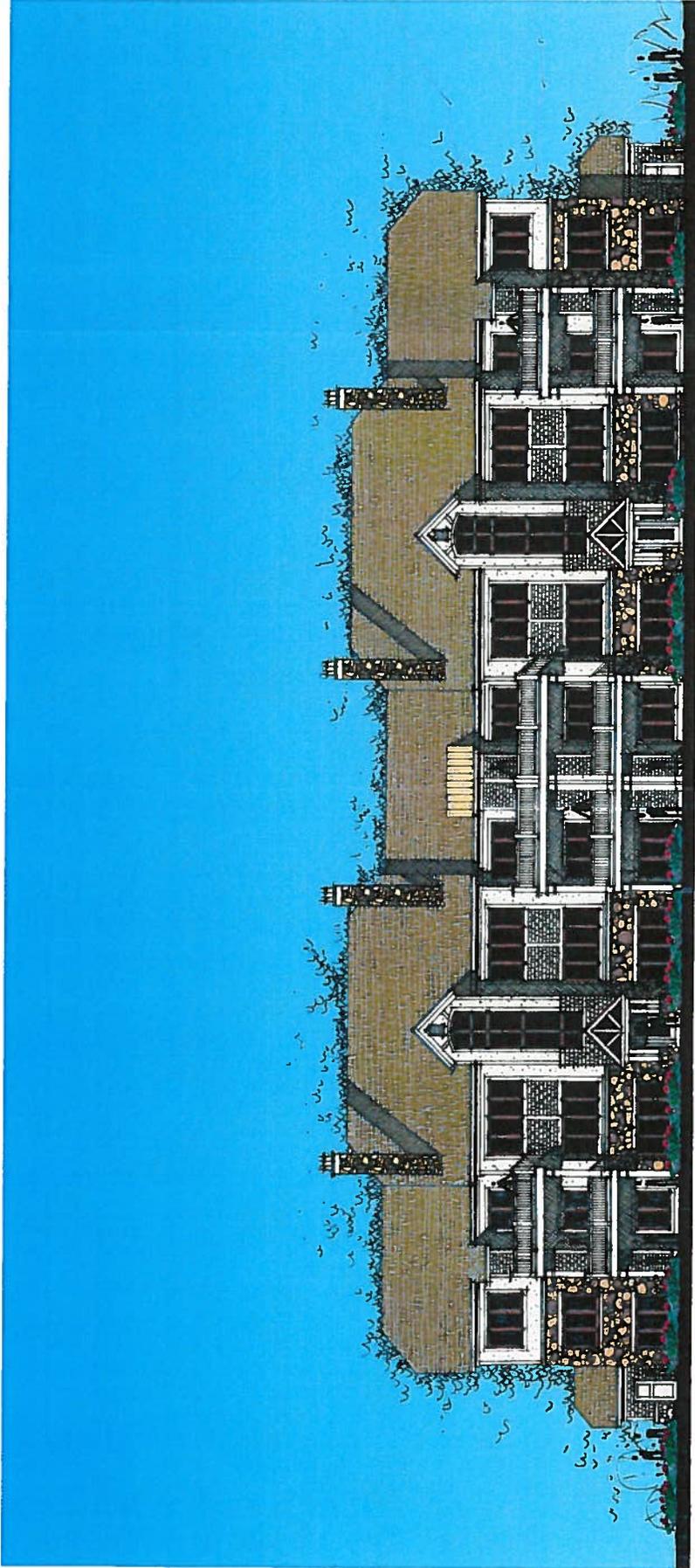
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RIM = 893.07  
INV. 8" S = 885.10  
INV. 8" N = 885.00  
(SAN) MH-2

STA: 4+47.76  
RIM = 894.05  
INV. 8" SW = 884.62  
INV. 8" NE = 884.58 (EX)  
CONSTRUCT OVER-  
EXISTING SEWER MAIN  
VERIFY LOC. & ELEV.



 **Greenspire Apartments**  
Revised Front Elevation of 1221

**Design+**  
08.25.09 • #08078



**Greenspire Apartments**  
Revised Front Elevation of 2112

**Design+**  
09.16.09 • #08078



AVB

AMERICAN VILLAGE BUILDERS, INC.  
GREENSPIRE COMPLEX  
PD ZONE MASTER PHASING PLAN

HIS  
Hurley & Stowbr

DATE: 07/15/11  
PROJECT: GREENSPIRE COMPLEX  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
SCALE: AS SHOWN

1  
SHEET 1 OF 1



PHASE	ACRES	UNITS	STATUS
PHASE I	102.66		PLANNED
PHASE II	18.27		PLANNED
PHASE III	10.90		PLANNED
PHASE IV		17,036	PLANNED
PHASE V	4.61		PLANNED
PHASE VI	10.00		PLANNED
PHASE VII	10.00		PLANNED
PHASE VIII	10.00		PLANNED
PHASE IX	10.00		PLANNED
PHASE X	10.00		PLANNED



BLVD CONNECTION TO PHASE IV  
CONCEPT

CENTRE AVENUE

PLANNING COMMISSION

DRAFT

July 1, 2010

The City of Portage Planning Commission meeting of July 1, 2010 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Three citizens were in attendance.

MEMBERS PRESENT:

Cory Bailes, Mark Siegfried, Paul Welch, Jim Pearson, Miko Dargitz, Bill Patterson, and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Wayne Stoffer and Rick Bosch.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning and Development Services; Michael West, Assistant City Planner and Charlie Bear, Assistant City Attorney.

PLEDGE OF ALLEGIANCE:

The Planning Commission, staff and the audience recited the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the June 17, 2010 meeting minutes. A motion was made by Commissioner Welch, seconded by Commissioner Bailes, to approve the minutes as submitted. The minutes were unanimously approved.

SITE/FINAL PLANS:

1. Final Plan for Greenspire Retail (Phase I), 3201 West Centre Avenue. Mr. Forth summarized the staff report dated June 25, 2010 involving a final plan submitted by H & G II, Inc. to construct Phase I of the retail portion of the Greenspire Planned Development. Mr. Forth indicated the project proposes construction of a one-story, 13,400 square foot retail building and associated site improvements. Mr. Forth discussed the proposed access arrangement from West Centre Avenue, opposite Cooley Drive, and interconnections that would be constructed with the adjacent Greenspire Apartment complex at Stonebridge Court and Greenspire Drive. Mr. Forth reviewed the proposed grading changes associated with the development project and the commitment by the applicant to retain an approximate 80-foot wide vegetative buffer along West Centre Avenue until such time that further commercial/retail development was proposed. Mr. Forth also summarized the applicant's proposal to bank 54 parking spaces in greenspace consistent with Section 42-520.N (Deferred Parking) of the Zoning Code. Mr. Forth referred the Commission to the June 23, 2010 letter provided by the applicant and indicated staff was supportive of the deferred parking proposal.

The Commission and staff discussed various elements of the project and the previously approved tentative plan/narrative. Commissioner Pearson asked if installation of the deferred parking at a future date could be

DRAFT

administratively review/approved. Mr. Forth said installation of the deferred parking could be administratively approved. Commissioner Dargitz asked for clarification involving the increase in the floor area from 12,000 sq. ft. as shown on the approved tentative plan to 13,400 sq. ft. as shown on the final plan. Mr. Forth explained that the increase floor area did not exceed the criteria listed in Section 42-375(H) of the Zoning Code. Mr. Greg Dobson of H & G II, Inc. was present to support and explain the retail project. No citizens spoke in regard to the development project. After a brief discussion, a motion was made by Commissioner Welch, seconded by Commissioner Patterson, to recommend to City Council the Final Plan for Greenspire Retail (Phase I), 3201 West Centre Avenue, be approved. The motion was unanimously approved.

2. Final Plan for Greenspire Apartments (Phase IV), 8380 Greenspire Drive. Mr. Forth summarized the staff report dated June 25, 2010 involving a final plan submitted by H & G II, Inc. to construct Phase IV (36 additional apartment units) within the Greenspire Planned Development. Mr. Forth indicated Phase IV includes two, three-story apartment buildings (24 units in one building and 12 units in another), one 12 stall garage and associated site improvements. Mr. Forth reviewed the proposed building and parking lot setbacks from the east property line. Mr. Forth also discussed the proposed access arrangement and stated a second access drive from West Centre Avenue, opposite Cooley Drive with interconnections with the adjacent Greenspire Apartment complex, would be constructed in conjunction with Phase IV.

The applicant, Mr. Greg Dobson, H & G II, Inc., was present to support and explain the apartment project. Mr. Dobson mentioned that to his knowledge, these two buildings will be the first LEED certified multi-family buildings in the City of Portage. No citizens spoke in regard to the development project. After a brief discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Welch, to recommend to City Council the Final Plan for Greenspire Apartments (Phase IV), 8380 Greenspire Drive, be approved. The motion was unanimously approved.

3. Final Plan for Lake Michigan Credit Union, 4100 West Centre Avenue. Mr. Forth summarized the staff report dated June 25, 2010 involving a final plan submitted by American Village Builders to construct a new 3,000 square foot credit union building and associated site improvements. Mr. Forth stated the credit union project was proposed on a portion of the 3.8 acre tract of land and the applicant was preparing the site for two additional future development projects. Mr. Forth briefly discussed the history of the Woodbridge Hills Planned Development (PD) and indicated the credit union project was proposed in a portion of the PD designated for commercial/retail land use. Mr. Forth also discussed the proposed access arrangement and stated the site would be served through cross access connections with the existing Marsh Pointe Drive (private) to the west and the existing Woodbridge Shopping Drive (private) to the east: No new access drives from West Centre Avenue are proposed.

Commissioner Dargitz asked if the Marsh Pointe residents were aware of the cross access arrangement. Mr. Forth indicated that when Woodbridge Development sold the Marsh Pointe property several years ago, an easement for access and utility connection was retained. Mr. Forth mentioned he did speak with one Marsh Pointe resident who did not object to the cross access. This resident also believed the planned cross access connection with the Woodbridge Shopping center is benefit to the Marsh Pointe residents. Mr. Greg Dobson, American Village Builders, was present to support and explain the credit union project. Chairman Cheesebro asked about sidewalk installation along Marsh Pointe Drive and the internal east/west maneuvering lane. Mr. Dobson explained why sidewalk installation was problematic such as topographic differences and lack of connecting sidewalks. Commissioner Siegfried mentioned he jogs in this area and asked if anything is planned to improve the visibility at the southeast corner of the property adjacent to Woodbridge Shopping Drive. An existing wall and vegetation creates a vision obstruction for vehicles turning onto West Centre creating a conflict point between vehicles and pedestrians using the sidewalk. Mr. Dobson said he also jogs in this area and has experienced similar problems. Mr. Dobson said he would further evaluate the situation. No citizens spoke in regard to the development project. After a brief conversation, a motion was made by Commissioner Pearson, seconded by Commissioner Bailes, to recommend to City Council the Final Plan for Lake Michigan Credit Union, 4100 West Centre Avenue, be approved. The motion was unanimously approved.

# DRAFT

Isaac King, 3352 Bellflower Drive, spoke in opposition to his tax assessment, indicated that he travels a lot and missed getting his assessment change notice, so Mayor Pro Tem Sackley offered to get him an appointment with the City Assessor. Discussion followed.

In response to Councilmember Randall's comment that she was advised to not go into the closed session regarding her neighbor, Raghuram Elluru, 6719 Oleander Lane, Catherine Gleason, 2928 Lamplite Circle, asked whether a Councilmember has ever been excluded from a meeting before, so Mayor Pro Tem Sackley and Councilmember Urban answered in the affirmative and provided some examples for her and City Attorney Brown explained the applicable law. Discussion followed.

Larry Provancher, 7414 Starbrook Street, admitted that, as a County Commissioner, he had a conflict with regard to a sale of property, was allowed to be privy to all of the information regarding the matter, but did not vote on it. Discussion followed.

Michael Quinn, 7025 Rockford Street, expressed the opinion that a conflict means a person may have an advantage and said he could not imagine what the conflict would be; therefore, it is up to the Councilmember to decide. Discussion followed.

## REPORTS FROM THE ADMINISTRATION:

\* **AVALON WOODS CIRCLE – PROPOSED STREET NAME CHANGE:** Motion by Urban, seconded by O'Brien, to approve Resolution No. 1 and set a public hearing for July 27, 2010, at 7:30 p.m. or as soon thereafter as may be heard and subsequent to the public hearing, consider approving Resolution No. 2 renaming the street from Avalon Woods Circle to Avalon Woods Court. Upon a roll call vote, motion carried 6 to 0.

\* **FINAL PLANS FOR THE GREENSPIRE PLANNED DEVELOPMENT:** Motion by Urban, seconded by O'Brien, to consider approving the Final Plan for Greenspire Retail (Phase I), 3201 West Centre Avenue, and the Final Plan for Greenspire Apartments (Phase IV), 8380 Greenspire Drive. Upon a roll call vote, motion carried 6 to 0.

\* **FINAL PLAN FOR LAKE MICHIGAN CREDIT UNION, 4100 WEST CENTRE AVENUE:** Motion by Urban, seconded by O'Brien, to approve the Final Plan for Lake Michigan Credit Union, 4100 West Centre Avenue. Upon a roll call vote, motion carried 6 to 0.

\* **HILLSMOOR LANE STREETScape ENHANCEMENT:** Motion by Urban, seconded by O'Brien, to approve the installation of the Hillsmoor Lane cul-de-sac island landscape treatments located in the public right-of-way and authorize the City Manager to execute the Streetscape Enhancement Agreement. Upon a roll call vote, motion carried 6 to 0.

**PUBLIC MEDIA NETWORK BOARD OF DIRECTORS MEMBER:** Councilmember Urban explained that Jeremy Vryhof expressed a great deal of enthusiasm when he was appointed to the Public Media Network Board of Directors. However, he has since indicated that he accepted a temporary assignment overseas, making it difficult to serve on the Public Media Network Board of Directors. Councilmember Urban volunteered to serve on an interim basis until Mr. Vryhof returns from his assignment.

Motion by Campbell, seconded by O'Brien, to appoint Councilmember Terry Urban on an interim basis until Jeremy Vryhoff returns from assignment overseas to the two-year position effective immediately with the term ending on May 31, 2012, to the Public Media Network Board of Directors. Upon a roll call vote, motion carried 6 to 0.



## Department of Community Development

**TO:** Planning Commission **DATE:** February 14, 2014  
**FROM:** Vicki Georgeau,  Director of Community Development  
**SUBJECT:** Special Land Use Permit: Great Lakes Convenience, 710 and 732 East Centre Avenue

Attached is a copy of a February 13, 2014 email 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 March 6, 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 is an email communication from Nikki Lemieux Smith expressing concerns with the development project, that was received after the February 6<sup>th</sup> Planning Commission meeting.

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 March 6, 2014 meeting.

Attachments: February 13, 2014 email communication from Tim Stewart (Hurley & Stewart)  
February 6, 2014 email communication from Nikki Lemieux Smith

S:\2013-2014 Department Files\Board Files\Planning Commission\PC reports\Special Land Use Permits\2014 02 14 Great Lakes Convenience, 710 and 732 East Centre (request to adjourn).doc

**Michael West - RE: Great Lakes Convenience**

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**From:** "Tim Stewart" <tstewart@hurleystewart.com>  
**To:** "'Victoria Georgeau'" <georgeav@portagemi.gov>, "'Donald P Ziemke Jr.'" ...  
**Date:** 2/13/2014 3:03 PM  
**Subject:** RE: Great Lakes Convenience  
**CC:** "'Muhammad Arif'" <arifm@portagemi.gov>, "'Christopher Barnes'" <barnesc...

---

Hi Vicki,

I left you a voicemail on this but thought I'd email you as well. Yes, we request an adjournment to the March 6<sup>th</sup> PC meeting. We are revising the layout and addressing the City's comments as requested. Can you tell us what date we need to get everything to you in order to complete your review and recommendation to the PC? Thanks,

Tim

---

**From:** Victoria Georgeau [mailto:georgeav@portagemi.gov]  
**Sent:** Thursday, February 13, 2014 9:10 AM  
**To:** 'Donald P Ziemke Jr.'; Tim Stewart  
**Cc:** Muhammad Arif; Christopher Barnes; Christopher Forth; Michael West  
**Subject:** RE: Great Lakes Convenience

Good morning Mr. Stewart and Mr. Ziemke,

Please advise not later than noon today regarding the status of your special land use application for Great Lakes Convenience. If a response is not received, it will be assumed an adjournment to the March 6th meeting is desired.

Thank you,

Vicki Georgeau, AICP  
Director, Community Development  
City of Portage  
7900 South Westnedge Avenue  
Portage, MI 49002  
269-329-4480 (phone)  
269-329-4506 (fax)  
[georgeav@portagemi.gov](mailto:georgeav@portagemi.gov)

>>> "Tim Stewart" <[tstewart@hurleystewart.com](mailto:tstewart@hurleystewart.com)> 1/29/2014 3:38 PM >>>

Hi Chris,

Thanks again for meeting Don and me yesterday to review our project. It was helpful to discuss the issues in more depth. After discussing the project and our options in detail with Don, he has decided to request that we adjourn the public hearing to the February 20, 2014 Planning Commission meeting rather than the Feb. 6 meeting. This should give us enough time to assemble our revised information and resolve the City's concerns. Thanks,

Tim

---

**From:** Christopher Forth [<mailto:forthc@portagemi.gov>]  
**Sent:** Tuesday, January 28, 2014 9:55 AM  
**To:** Timothy Stewart  
**Cc:** Muhammad Arif; Christopher Barnes; Victoria Georgeau; Michael West  
**Subject:** Re: Great Lakes Convenience

Tim:

We're open this afternoon except between 3:00 and 4:00.

Chris

>>> Timothy Stewart <[tstewart@hurleystewart.com](mailto:tstewart@hurleystewart.com)> 1/27/2014 7:22 PM >>>  
Hi Chris,

Don Ziemke and I have a few ideas on how to address your comments and wondered if you and staff have time to meet us this week - preferably Tuesday or Wednesday. Please let us know what works for you. Thanks,

Tim

Hurley & Stewart  
269.492.3770

On Jan 24, 2014, at 5:14 PM, "Christopher Forth" <[forthc@portagemi.gov](mailto:forthc@portagemi.gov)> wrote:

Tim:

See attached letter.

Christopher Forth, AICP  
Deputy Director of Planning, Development & Neighborhood Services  
City of Portage Department of Community Development  
Telephone: (269) 329-4474  
Facsimile: (269) 329-4506  
[www.portagemi.gov](http://www.portagemi.gov)

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<2014 01 24 Great Lakes Convenience, 710 and 732 East Centre.pdf>

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**Michael West - Fwd: Re: Rezoning Application and Conceptual Plan for S. Westnedge and Kilgore Avenue**

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**From:** Maurice Evans  
**To:** Georgeau Victoria  
**Date:** 2/7/2014 10:57 AM  
**Subject:** Fwd: Re: Rezoning Application and Conceptual Plan for S. Westnedge and Kilgore Avenue

---

Vicki,

Did you receive this yesterday?

Maurice

>>> Claudette Reid <reidc> 2/6/2014 4:50 PM >>>  
Ms. Smith,

Thank you very much for your email indicating your opposition to the rezoning and development of land on the corner of Westnedge and Kilgore Road. This development will be discussed tonight at the planning commission meeting at City Hall, 7 PM. Public comment will be taken at this time.

I have copied city manager Maurice Evans on this message, and ask that he forward your message to the planning commission for inclusion in that process.

I also encourage you to attend the meeting, if possible, so that you can express your concerns personally and receive additional clarification about the project and the anticipated impacts to the neighborhood.

Again, thank you for taking the time to express your interest and concerns.

Best regards,  
Claudette

Claudette Reid  
Councilmember  
City of Portage

> On Feb 6, 2014, at 8:40 AM, "ANNICK SMITH" <annick@usa.net> wrote:

>

> Dear City Council Members:

>

> My name is Nikki Lemieux Smith, and I am writing to voice my concerns  
> regarding the Conceptual Plan that is in place for South Westnedge and Kilgore  
> Avenue. As a mother of four children, whose children have attended and  
> currently attend St. Monica's Catholic School and Hackett Catholic Central, as  
> a teacher at Hackett Catholic Central, and as a grandmother whose grandson  
> attends a daycare right next door to your proposed plan, I am extremely  
> worried for the safety of all the children. Kilgore is already a very busy  
> road, and many children walk back and forth between the two schools, and often  
> down to Speedway for snacks in between practices and activities. Also, there  
> are homes and an apartment complex right next to your proposed site. At least  
> Lowe's is off the beaten track, but to add these businesses so close to homes  
> and schools is, in my opinion, unacceptable.

>  
> The safety of the people that reside in that area and the children that attend  
> those schools must be your first priority! I am a resident of Portage; I live  
> off of Angling Road, and I have seen first-hand the impact of the high traffic  
> volume on Vincent. For me, personally, it has been more of an inconvenience,  
> but when I am envision what Kilgore will look like after you add more  
> businesses across from St. Monica Church and School, I am truly frightened.  
>  
> I implore you to vote no on this proposal. There are too many lives at stake  
> to take this chance. No dollar amount is worth that risk.  
>  
> Thank you for listening to my concerns. Please feel free to contact me either  
> by cell phone: 269-598-1205 or by e-mail: annick@usa.net.  
>  
> Sincerely,  
>  
>  
> Nikki Lemieux Smith  
>  
>  
>  
>

**TO:** Planning Commission

**DATE:** February 14, 2014

**FROM:** Vicki Georgeau, <sup>VG</sup> Director of Community Development

**SUBJECT:** Special Land Use Permit: Gentry Auto Sales, 7940 South Sprinkle Road

**I. INTRODUCTION:**

A Special Land Use Permit application has been submitted by Gentry Auto Sales requesting approval to re-establish a new/used automobile dealership at 7940 South Sprinkle Road. Due to the unavailability of the property owner, the applicant and prospective lessee (Gentry Auto Sales) has signed the application and has provided the Community Development Department a copy of the signed lease agreement with the property owner.

As background information, there have been several used car dealerships at this location since 1995 with the last, Auto World of Portage, that operated from January 2011 to the Fall of 2012. Consistent with Section 42-461.E.4 and since the use has been abandoned for at least six months, the Special Land Use Permit approval has expired. The applicant is requesting Special Land Use Permit approval to re-establish the new/used automobile dealership with no exterior site changes proposed.

**II. BACKGROUND:**

The following information is provided for Commission consideration:

Existing Land Use/Zoning	<ul style="list-style-type: none"> <li>• Subject site is approximately 1.0 acre, zoned B-3, general business and occupied by a 2,100 square foot building with site improvements.</li> <li>• Kalamazoo Stripping and Derusting zoned I-1, light industry borders the site to the west, while D &amp; A Auto Body zoned I-1, light industry and I-2, heavy industry borders the site to the north.</li> <li>• Stryker Instruments zoned I-2, heavy industry is to the south, across East Centre Avenue.</li> <li>• Various retail establishments zoned B-3, general business border the site to the east, across South Sprinkle Road.</li> </ul>
Comprehensive Plan	<ul style="list-style-type: none"> <li>• Future Land Use Map component of the Comprehensive Plan identifies the subject site along with other properties located at the East Centre Avenue/South Sprinkle Road intersection as appropriate for general business land use. Adjacent properties located to the north and west are designed for general industrial land use.</li> </ul>
Access	<ul style="list-style-type: none"> <li>• Existing full service driveways from South Sprinkle Road and East Centre Avenue.</li> <li>• South Sprinkle Road is classified as a major arterial street with an average weekday traffic volume of approximately 16,194 vehicles per day (2004), capacity 38,700 vehicles per day based on a level of service D.</li> <li>• East Centre Avenue is classified as a major arterial street with an average weekday traffic volume of approximately 11,063 vehicles per day (2013), capacity is 38,700 vehicles per day based on a level of service D.</li> </ul>
Environmental Issues	<ul style="list-style-type: none"> <li>• A review of the City of Portage Sensitive Land Use Inventory Map does not identify any environmentally sensitive areas (100-year floodplain, wetlands) at the subject site.</li> </ul>

Historic District/ Structure	<ul style="list-style-type: none"> <li>The subject site is not located within a historic district and does not contain any historic structures.</li> </ul>
Land Development Regulations	<ul style="list-style-type: none"> <li>The application has been submitted under Section 42-262.C.1, <i>Special Land Use</i> in the B-3 zoning district: "<i>Vehicle dealerships, licensed by the state for the sale and rental of new or used motor vehicles and/or recreational vehicles, including accessory uses when related and incidental thereto subject to the following:</i> <ol style="list-style-type: none"> <li><i>All vehicles that have been prepared for sale and are ready for sale shall be located in vehicle display areas, which shall be of asphalt, concrete or other hard surface and shall be graded and drained as to dispose of all surface water accumulated within the area.</i></li> <li><i>Ingress and egress to and from the outdoor sales area shall be at least 60 feet from the intersection of any two streets.</i></li> <li><i>No major vehicle repair or refinishing shall be done on the site.</i></li> </ol> </li> <li>Section 42-462, <i>General Standards for Review of Special Land Uses</i>, sets forth additional criteria for evaluating a special land use and allows conditions to be established.</li> </ul>

**III. ANALYSIS:**

The proposal to re-establish the new/used automobile dealership at the site fulfills the requirements for issuance of a Special Land Use Permit. The facility will be licensed by the State of Michigan and only minor vehicle servicing will be conducted at the site: No major vehicle repair or refinishing will occur. Vehicle display and employee/customer parking will occur on existing asphalt surfaces and ingress/egress to the site is in excess of 60 feet from the East Centre Avenue/South Sprinkle Road intersection. Finally, the applicant has indicated they will operate the site as previously approved in January 2011 for Auto World of Portage including maintenance of greenstrip landscaping along the East Centre Avenue and South Sprinkle Road frontages. Finally, no exterior site improvements or interior building modifications are planned by the applicant at this time.

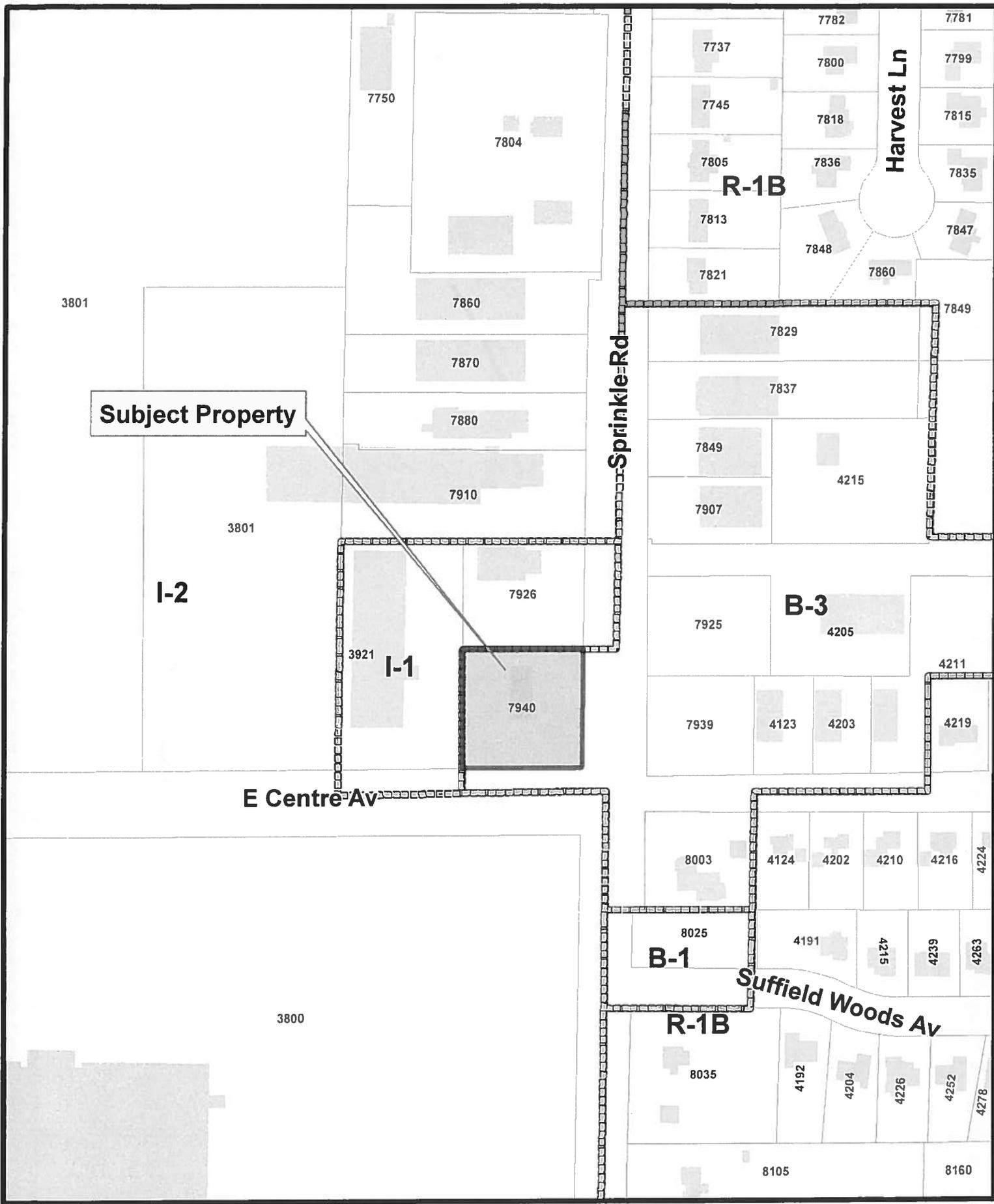
In accordance with statutory requirements, residents/property owners within 300 feet of this property have been notified in writing of the application and Planning Commission meeting. A notice was also placed in the local newspaper.

**IV. RECOMMENDATION:**

Based on the above analysis and subject to any additional information brought before the Planning Commission during the public hearing, staff recommends that the Special Land Use Permit for Gentry Auto Sales, 7940 South Sprinkle Road, be approved.

- Attachments: Vicinity/Zoning Map  
 Aerial Photograph  
 Special Land Use Permit Application and related materials  
 Site Plan (previously approved for Auto World of Portage)

S:\Commdev\2013-2014 Department Files\Board Files\Planning Commission\PC Reports\Special Land Use Permits\2014 02 14 Gentry Auto Sales, 7940 South Sprinkle Road (SLUP) doc



Subject Property

I-2

I-1

B-3

R-1B

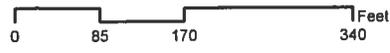
B-1

R-1B

E Centre Av

Suffield Woods Av

# Special Land Use Permit 7940 South Sprinkle Road



-  Zoning Boundary
-  Subject Parcel



0 25 50 100 Feet

# Special Land Use Permit 7940 South Sprinkle Road

**APPLICANT INFORMATION**

Name <i>Gentry Auto Sales</i>		Telephone Number <i>269-343-4616</i>	
Address <i>3737 E. Main</i>	City <i>Kalamazoo</i>	State <i>MI</i>	Zip code <i>49048</i>

**OWNER INFORMATION (if different)**

Name <i>James L. Murphy</i>		Telephone Number <i>269-207-1193</i>	
Address <i>491 Rustic Lane</i>	City <i>Vicksburg</i>	State <i>MI</i>	Zip code <i>49097</i>

**PROPERTY INFORMATION**

Address of property <i>7940 Sprinkle Rd.</i>	Zoning District <i>M-3</i>	Land Area (acres) <i>0.77</i>
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Legal Description (or attach separate page)

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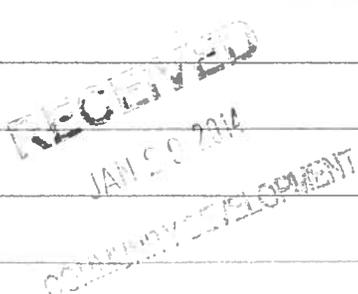


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**PROPOSED USE**

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

*Used car lot - letter attached*



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**OWNER CERTIFICATION**

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

Signature <i>Shonda Gentry</i>	Date <i>1-29-14</i>
-----------------------------------	------------------------

*perspective issue*

**Brenda Gentry**  
Gentry Auto Sales  
3737 E Main  
Kalamazoo, MI 49048  
269-343-4616  
269-343-4636 (fax)

RECEIVED  
JAN 29 2014  
COMMUNITY DEVELOPMENT

January 29, 2014

City of Portage  
Department of Community Development  
7900 S. Westnedge Ave.  
Portage, MI 49002

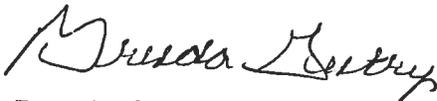
To Whom it May Concern:

Please see this letter and the attached as application to operate Gentry Auto Sales at 7940 Sprinkle Rd. We will be using the site in the same manner as Auto World of Portage operated, as a used car dealership. There will be no additional building or site changes. Please reference the attached property sketch which was used for Vicksburg Chrysler-Dodge-Jeep. We are planning to open on April 1<sup>st</sup>.

As previously discussed on the phone with Mike West, I have attached a copy of the signed lease in lieu of the property owner's signature since he is in Florida for the winter and I needed to get this application submitted in a timely manner. I will do my best to get in contact with Mr. Murphy and bring in a signed application before the City Council meeting on February 20<sup>th</sup>.

Thank you for your attention to this matter.

Sincerely,

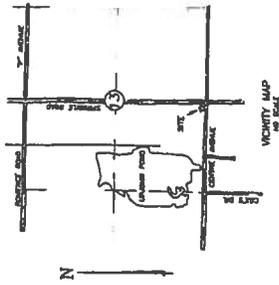
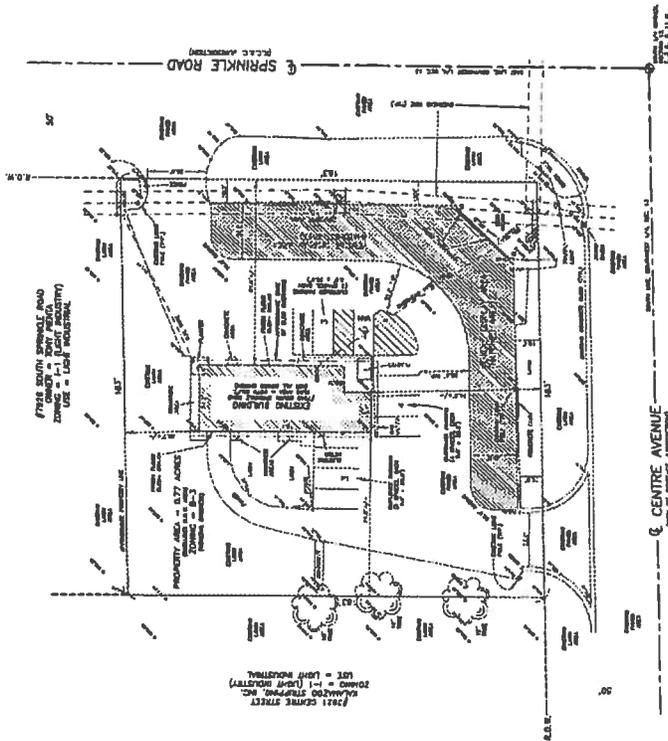
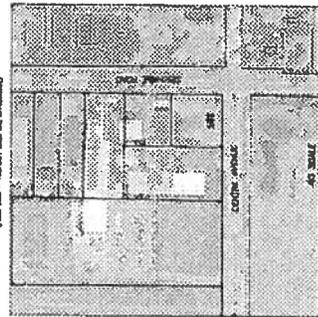


Brenda Gentry  
Owner

**PROPERTY SKETCH for  
VICKSBURG CHRYSLER-DODGE-JEEP, INC.  
@ 7940 SOUTH SPRINKLE ROAD  
in PORTAGE, MICHIGAN**



**AERIAL PHOTO**  
From Aerial - Property Lines are Approximate



**VICINITY MAP  
AS SHOWN**

**NOTE: SHOWN PARKING SPACES SHALL BE STRIPED ON SITE AS SHOWN ON THIS PLAN. BARRIER FREE SPACE (VAN SPACE) MAY NEED TO BE RELOCATED.**

**NOTE: EASEMENTS HAVE NOT BEEN SHOWN ON THIS DRAWING.**

**RECEIVED  
DEC 1 2010  
COMMUNITY DEVELOPMENT**

**APPLICANT:  
VICKSBURG CHRYSLER -  
DODGE - JEEP, INC.  
13475 PORTAGE ROAD  
VICKSBURG, MI 49097  
(269) 649-2000**

**PROPERTY OWNER:  
J. MURPHY  
491 RUSTIC LANE  
VICKSBURG, MI 49097**

**NOTE: THIS PROPERTY SKETCH WAS DEVELOPED FROM FIELD MAPPING BY INGERSOLL, WATSON & MCMACHEN, INC. DATED 12/09/2010 & IS INTENDED FOR CITY USE RELATIVE TO SPECIAL LAND USE REVIEW.**



**INGERSOLL, WATSON & MCMACHEN, INC.**  
13475 PORTAGE ROAD, VICKSBURG, MI 49097  
TEL: (269) 649-2000  
WWW.INGERSOLLWATSON.COM

DATE: 12/10/2010  
DRAWN BY: J. MURPHY  
CHECKED BY: J. MURPHY  
SCALE: AS SHOWN

**TO:** Planning Commission

**DATE:** February 14, 2014

**FROM:** Vicki Georgeau, Director of Community Development

**SUBJECT:** Final 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><b>Rezoning Site:</b> Vacant land (531 &amp; 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><b>South:</b> 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><b>West:</b> Lowes driveway and vacant land zoned OS-1.</p> <p><b>North:</b> 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><b>East:</b> 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"> <li>No rezoning of properties in the surrounding area since adoption of the 2008 Comprehensive Plan.</li> <li>In 1998, Lots 4 through 18 of the Kilgore Plat (531, 605, 713, 741 753 and 809 West Kilgore) were rezoned from R-1C, one family residential to OS-1, office service with the exception of the south 125-feet of Lots 4 and 5 which remained zoned P-1, vehicular parking.</li> <li>In 2001, City Council approved the conceptual plan and specific (site) plan for the Lowes Home Improvement Center at 5108 South Westnedge. The Lowes</li> </ul>

Zoning/Development History (con.)	Home Improvement Center project included an approximate 136,000 square foot warehouse/retail sales building with attached 33,000 square foot garden center, 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 and an attached 3,200 square foot retail building. While the remaining tenants are not known at this time, the conceptual plan anticipates a 5,799 square foot retail building, a 3,733 square foot bank building and a 3,391 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 revised color elevation of the proposed Earth Fare building is attached with the application materials. An elevation drawing for the attached 3,200 square foot retail building is under development and will be provided at the time of specific plan approval. 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 and attached 3,200 retail store are 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 2020.
- 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. 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. Attached is a map that shows several alternative access routes into and out of this area from Trade Center Way at the south end to Kilgore Road at the north end.

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 to B-3 and CDP 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 the north property line of 5024 South Westnedge and the east property line of 531 West Kilgore. Finally, the applicant is requesting to construct the 3,200 square foot retail building at the south property line of 605 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 uses, size, configuration and/or location should change based on future market conditions.

## V. PUBLIC REVIEW/COMMENT

The Planning Commission convened a public hearing at the February 6, 2014 meeting. Mr. Andy Wenzel of The Hinman Company (applicant representative) was present to support the application and explain the development project. No citizens spoke during the public hearing, however, two letters expressing concerns were received and have been provided to the Planning Commission.

## VI. FINAL ANALYSIS:

The following final 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. The proposed CPD rezoning is consistent with applicable development guidelines contained in the Comprehensive Plan (attached).

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, access, storm drainage and signage. 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 within 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. The capacity of the adjacent street network to accommodate the proposed development project has been carefully reviewed. The applicant submitted a Traffic Impact Study prepared by RS Engineering that provides an analysis of the land uses proposed on the CPD conceptual plan, which

has been reviewed by the City of Portage and the City of Kalamazoo (West Kilgore is under the jurisdiction of the City of Kalamazoo). The following information summarizes the results of the study.

The 2012 average daily traffic for South Westnedge Avenue, between Kilgore Road and Andy Avenue, was approximately 32,300 vehicles per day. The 2007 average daily traffic (latest count from the City of Kalamazoo) for West Kilgore Road, between Oakland Drive and South Westnedge Avenue, was approximately 10,800 vehicles per day. In comparison, 2001 traffic volumes during review of the Lowes project was higher along South Westnedge Avenue (35,500 vehicles per day) and approximately the same along West Kilgore Road (10,500 vehicles per day). The ITE Trip Generation Manual, Eighth Edition, indicates the combined development site will generate approximately 4,391 vehicle trip ends on an average weekday with an a.m. peak hour of 341 vehicle trips, midday peak hour of 594 vehicle trips and p.m. peak hour of 297 vehicle trips. For Commission information, each vehicle that enters a site is counted twice: Once for entering and once for exiting. As a result, 4,391 vehicle trip ends indicates that 2,196 vehicles entered and exited the site during an average weekday.

Traffic engineers also consider pass-by and diverted linked trips when assessing the traffic volume impact on the adjacent roadway. Pass-by trips are trips generated by the development from the existing traffic volumes already on the adjacent street. Diverted linked trips are trips generated from the traffic volumes on the major roadways in the vicinity of the development, but not on the adjacent street. When pass-by and diverted linked trips are considered, traffic engineers can estimate the total number of *new* trips that a development project will create, which will be added to the adjacent roadway network. For this development project, the traffic consultant has estimated the total number of *new* vehicle trips that will be added to the adjacent roadway network will be 2,678 vehicle trips or 1,339 total vehicles during the average weekday. In comparison, if the property (531 and 605 West Kilgore) were to develop under the current OS-1 zoning (60,000 square feet of mixed administrative and medical office uses), 1,610 *new* vehicle trips would be generated compared to 1,096 *new* vehicle trips associated with uses proposed by the applicant (excludes the future coffee/restaurant).

As shown on the attached Alternative Access Routes map, the proposed development site will be integrated with the other businesses and internal/external roadways in this area. This planned integration provides several access alternatives resulting in a wide distribution of traffic. With regard to left-turn movements into the existing full-service Riviera Maya driveway, the site has been designed to discourage the use of this drive as a main entrance point into the overall development. Staff will monitor the use of this driveway and if warranted due to congestion and/or an increase in crashes, modifications and/or restrictions to one or more turning movements will be considered. Finally and consistent with the Lowe's conceptual plan approval, truck traffic will be instructed to use South Westnedge Avenue and West Fork Crossing.

Consistent with the 2001 Lowe's development proposal, specific attention has been devoted to the South Westnedge Avenue/Kilgore Road intersection. Based on the information presented in the traffic study, this intersection is currently operating at an average level of service (LOS) of D during the a.m. peak, D during the midday peak and E during the p.m. peak. To accommodate the additional traffic volumes generated by the development project, the following improvements will be completed:

1. The existing westbound right turn only lane on the East Kilgore leg of the intersection will be converted to a through and right turn lane. This improvement will permit two lanes of through traffic.
2. Intersection signal timing will be modified to facilitate traffic flow through the intersection based on traffic volumes at each leg of the intersection.

With these improvements, the average LOS for the South Westnedge Avenue/Kilgore Road intersection will remain the same after the anticipated traffic volumes associated with full build-out of the new

development project for the a.m. and midday peak hours but will reduce to an average LOS F during the p.m. peak hour. Although the LOS decreases from E to F during the p.m. peak hour, the actual time delay is considered minor (74 seconds of delay to 89 seconds). With each subsequent phase of development, staff will continue to evaluate the new traffic generated and impacts, if any, on the South Westnedge Avenue/Kilgore Road intersection and adjacent roadway network. Roadway improvement projects will be considered as may be necessary.

Finally, and with regard to the new right-in/right-out and left-in driveway on West Kilgore Road, the City of Kalamazoo has preliminarily reviewed the proposed access. Final concurrence by the City of Kalamazoo on the design of this proposed driveway will be provided prior to specific (site) plan submittal.

### Modification Requests

1. Building setback modifications. The request to establish a building setback of 20 feet from the west property line of 605 West Kilgore (where adjacent OS-1 zoning); 0-10 feet from the south property line of 605 West Kilgore (where adjacent CPD zoning); and 0-10 feet adjacent to the north property line of 5024 South Westnedge and the east property line of 531 West Kilgore (where adjacent B-3 zoning) can be supported. With regard to the first two setback modification requests, the adjacent property is owned by the developer and improved with an existing parking lot access drive/maneuvering lane associated with the Lowes development. The reduced setback adjacent to the existing Speedway gas station will retain the same or similar building setback that is permitted under the current B-3 zoning designation.
2. Minimum lot area. The request for a lot area less than the 10 acre minimum requirement is also supported. Although the conceptual plan is independent from the Lowe's project, the property to the south is also zoned CPD, owned by the same developer and both development sites will be integrated.
3. Parking modification. Although the minimum number of required parking spaces is exceeded as shown on the attached conceptual plan, the applicant is requesting the flexibility to construct 45 less parking spaces than what would be required if building uses, size, configuration and/or location should change based on future market conditions. For example, if the proposed retail and/or bank were changed to a restaurant use, relief from the parking requirements may be needed. Further the applicant has indicated that provisions will be made so that all tenants have needed parking which can be accomplished by ensuring peak parking demand times do not overlap. This modification request can be supported, however, parking demand and proposed uses will be further evaluated when specific (site) plans are submitted at each stage of development.

Based on information provided by the applicant, the requested modifications satisfy the criteria outlined in Section 42-414.G of the CPD ordinance in that the modifications are not inconsistent with the planned development as a whole, the objectives of the ordinance standards can be satisfactorily met without strict adherence to the requirements, modifications will not be detrimental to the public welfare or injurious to surrounding properties and the strict adherence to the requirements would be unreasonable because of the particulars of the development plan.

### **VII. RECOMMENDATION:**

Subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #14-01 be approved and 531 and 605 West Kilgore Road and 5024 and 5036 South Westnedge Avenue be rezoned to CPD, commercial planned development. The proposed CPD zone is consistent with the Comprehensive Plan,

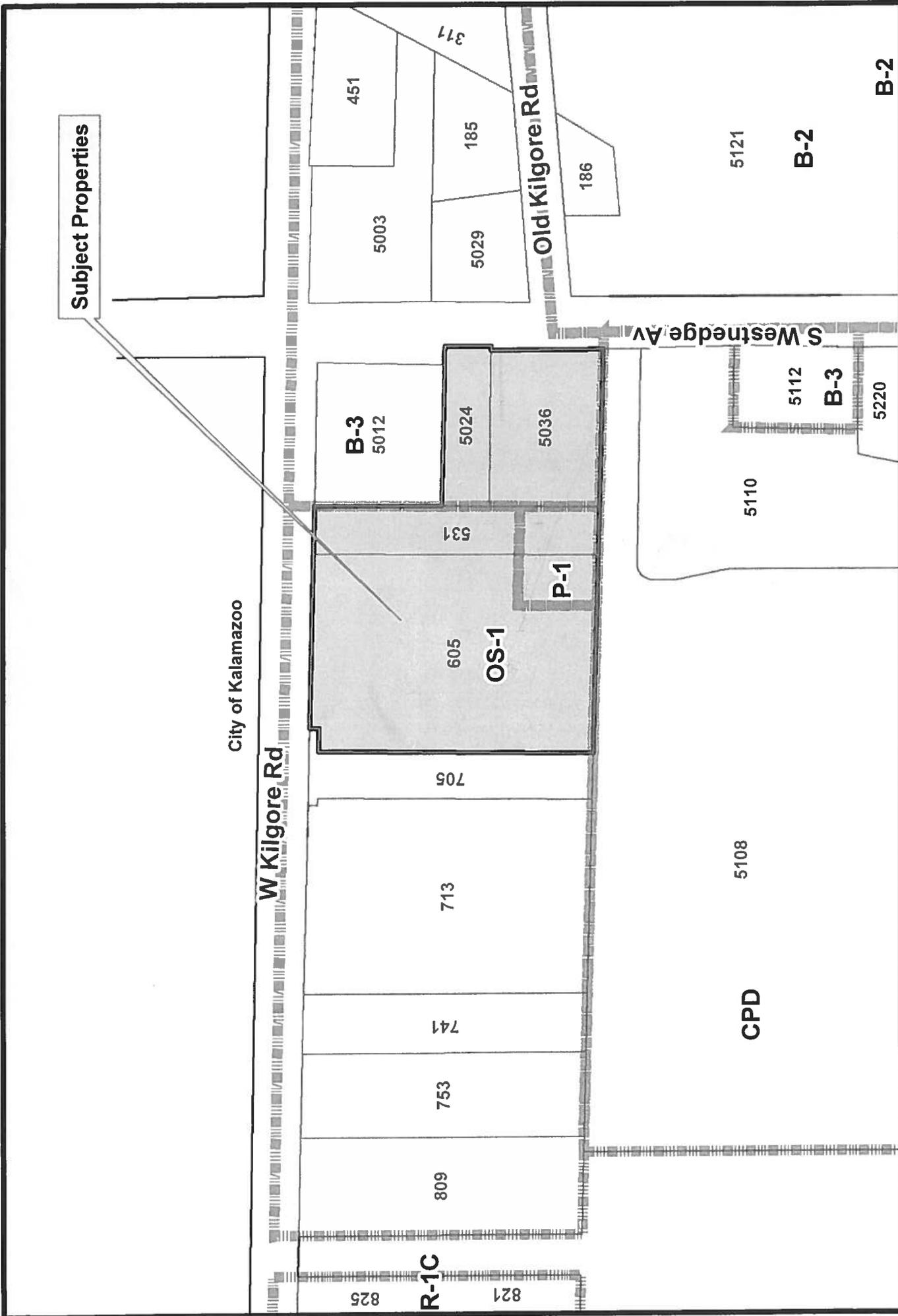
Future Land Use Map and surrounding land use/zoning pattern and will provide the applicant development flexibility while ensuring an unified and integrated commercial development project.

Additionally, staff also advises the Planning Commission to recommend to City Council approval of the Conceptual Plan for 531 and 605 West Kilgore Road and 5024 and 5036 South Westnedge Avenue subject to the following:

1. Approve the three requested modifications involving building setbacks, minimum lot area and minimum number of parking spaces. Based on information provided by the applicant, the request satisfies the criteria outlined in Section 42-414.G of the CPD ordinance in that the modifications are not inconsistent with the planned development as a whole, the objectives of the ordinance standards can be satisfactorily met without strict adherence to the requirements, modifications will not be detrimental to the public welfare or injurious to surrounding properties and the strict adherence to the requirements would be unreasonable because of the particulars of the development plan. The request for the parking modification will be further evaluated when specific (site) plans are submitted that shows a change to building use, size and/or configuration that may necessitate the parking modification.
2. Although the traffic study indicates left turn movements at the South Westnedge Avenue Riviera Maya driveway can be safely accommodated, staff will monitor the function of this driveway and if problems associated with vehicular congestion and/or crashes are identified, restrictions on turning movements will be evaluated and implemented as may be necessary.
3. City of Kalamazoo approval of the proposed West Kilgore Road driveway prior to submittal of the specific (site) plan.

Attachments:        Zoning/Vicinity Map  
                          Future Land Use Map  
                          Aerial Photograph Map  
                          Alternative Access Routes Map  
                          Development Guidelines Table (CPD)  
                          Rezoning Application, Narrative and Conceptual Plan  
                          Building Elevation (Earth Fare)  
                          Citizen Letters Received

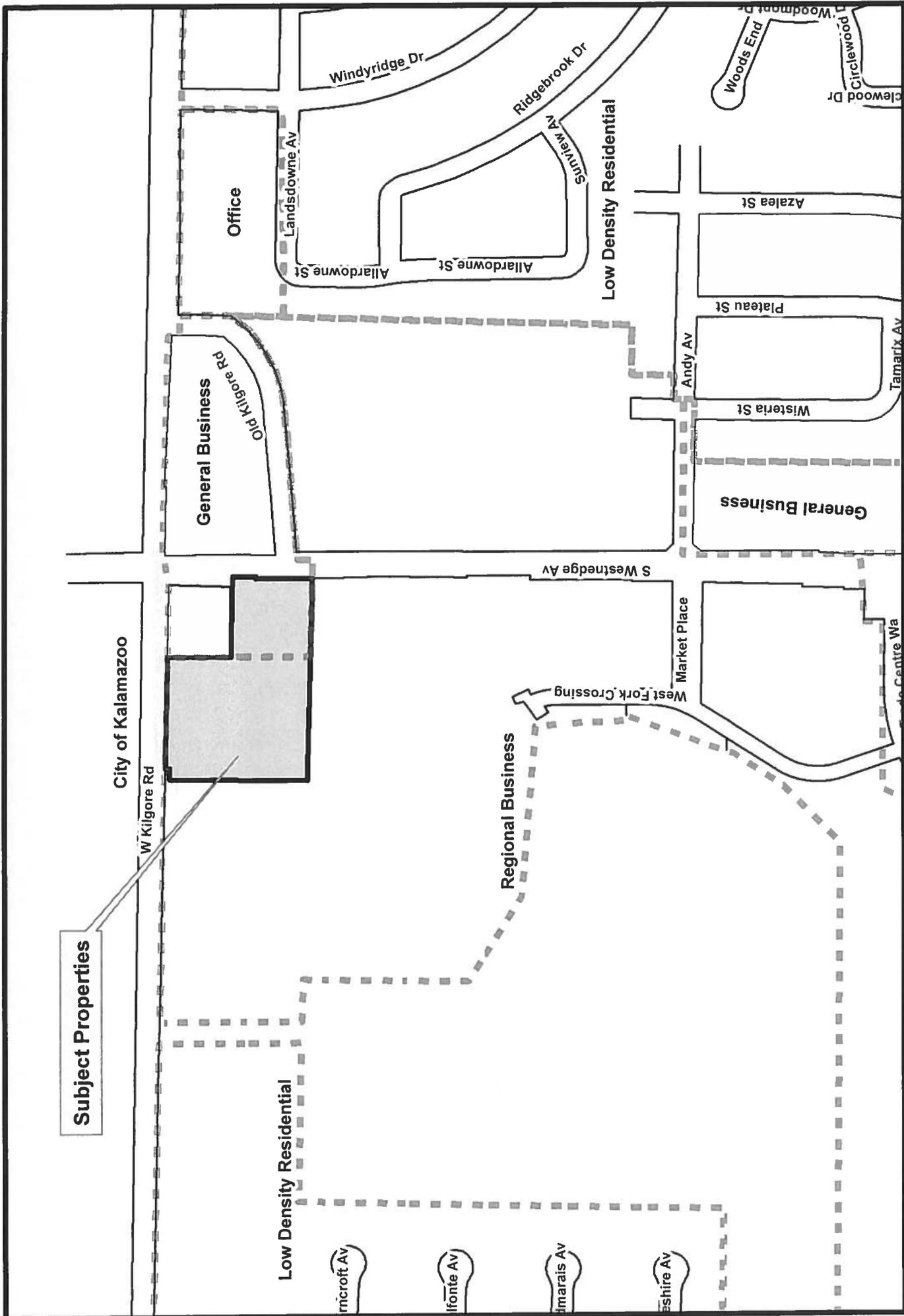
T:\COMMDEV\2013-2014 Department Files\Board Files\Planning Commission\PC reports\Rezoning\2014 02 14 Rezoning Application #14-1, Hinman CPD, West Kilgore & South Westnedge (fina-revised1) doc



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



1 inch = 200 feet

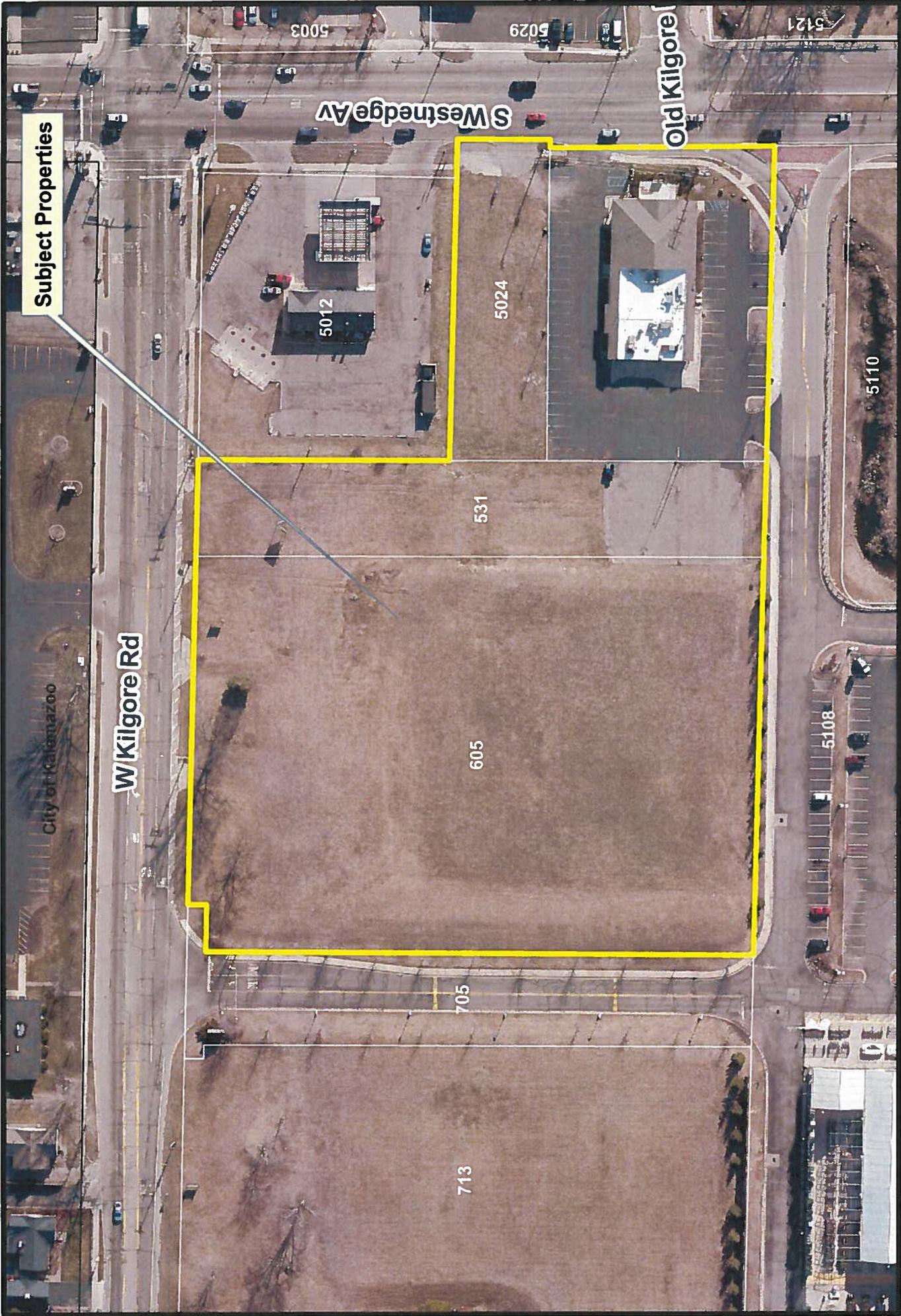


**Future Land Use Map**  
**531 and 605 West Kilgore Road**  
**5024 and 5036 South Westnedge Avenue**

 Future Land Use  
 Subject Properties



1 inch = 400 feet



Subject Properties

W Kilgore Rd

S Westledge Av

Old Kilgore Rd

713

705

605

531

5024

5012

5003

5029

5121

5108

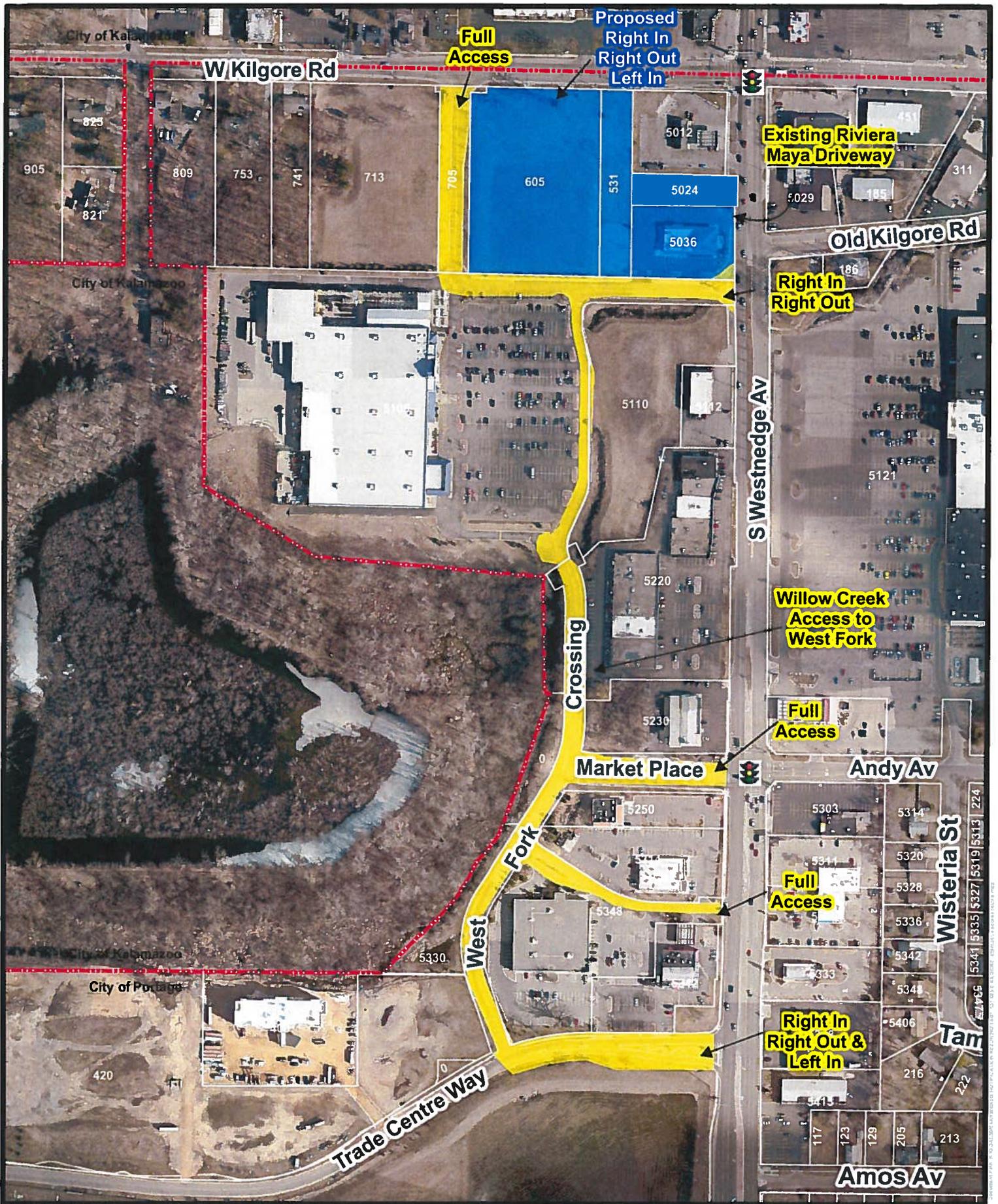
5110

Subject Properties



1 inch = 100 feet

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



- Municipal Boundaries
- Alternative Access Routes
- Proposed Rezoning

**Alternative Access Routes**  
**531 and 605 West Kilgore Road**  
**5024 and 5036 South Westnedge Avenue**



1 inch = 300 feet

**DEVELOPMENT GUIDELINES**  
**Rezoning Application #14-01 (CPD, Commercial Planned Development)**

<b>Guideline</b>	<b>Description</b>	<b>Consistent</b>	<b>Comments</b>
Rezoning Requests Z-1	Consistency with Future Land Use Plan	<b>Yes</b>	Future Land Use Map identifies subject parcels as appropriate for general business (5024 and 5036 South Westnedge) and regional business (531 and 605 West Kilgore) land use. Subject properties are also situated within the South Westnedge Avenue Commercial Corridor. The proposed CPD zoning district is consistent with these designations.
Commercial – 1	Coordinated Development	<b>Yes</b>	CPD rezoning will facilitate a unified and compatible commercial development project involving four parcels at southwest corner of South Westnedge Avenue and West Kilgore Road with coordinated site design including shared/cross access, parking and pedestrian circulation.
Commercial – 2	Commercial/Office Uses in General	<b>Yes</b>	Rezoning is being requested to facilitate mixed commercial planned development with a combination of retail, restaurant, bank and office land uses in a multiple building arrangement totaling between 40,000-50,000 square feet.
Commercial – 3	Local Business Uses	<b>N/A</b>	Rezoning site is not situated within an area designated for local or neighborhood commercial uses.
Commercial – 4	Regional and General Commercial Uses	<b>Yes</b>	Rezoning site is located near the southwest corner of South Westnedge and West Kilgore Road, within the South Westnedge Avenue Commercial Corridor, where properties are designated for general and regional business land use. CPD area has frontage on South Westnedge and West Kilgore Road, both major thoroughfares, where access will be obtained.
Commercial – 5	Portage Commerce Square	<b>N/A</b>	Rezoning site is not situated within the Portage Commerce Square.
Commercial – 6	Office/Commercial Site Design	<b>Yes</b>	Proposed CPD project will include coordinated site design issues including pedestrian circulation, shared/cross access, storm water management, parking and building location/orientation.
Natural & Historic Resources - 1	Environmental Protection	<b>Yes</b>	City of Portage Sensitive Land Use Inventory does not identify wetland, floodplain or other environmentally sensitive areas on the subject properties.
Natural & Historic Resources - 2	Floodplain	<b>Yes</b>	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	<b>Yes</b>	Storm water from the CPD 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.

Natural & Historic Resources – 4	Noise	Yes	Site design issues including noise associated with the proposed CPD district will be reviewed at the site plan stage of development.
Natural & Historic Resources – 5	Historic Resource Preservation	Yes	The rezoning site does not contain any historic buildings and is not situated within an established historic district.
Transportation – 1	Transportation Systems	Yes	South Westnedge Avenue is a 5-6 lane major arterial roadway with 32,327 vehicles per day (2012) and a capacity of 38,700 vehicles per day. West Kilgore Road (under jurisdiction of the City of Kalamazoo) is designated a 2-3 lane minor arterial roadway with 10,808 vehicles per day (2007) and a capacity of 17,200 vehicles per day. Anticipated traffic generation can be accommodated and issues associated with shared/cross access will be reviewed at the site plan stage of development consistent with the Access Management Ordinance.
Transportation – 2	Street Design	Yes	Subject property has frontage on South Westnedge Avenue and West Kilgore Road and coordinated access design issues including shared/cross access will be reviewed at the site plan stage of development.
Transportation – 3	Access Management	Yes	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	Yes	Specifics associated with the inclusion of walkways and pathways will be reviewed at the site plan stage of development.
Transportation – 5	Right-of-Way Preservation	Yes	Reviewed at the site plan stage of development.
Transportation – 6	Parking	Yes	Reviewed at the site plan stage of development.
Municipal Facilities & Services – 2	Sanitary Service	Yes	Sanitary sewer is available.
Municipal Facilities & Services – 3	Underground Utilities	Yes	Reviewed at the site plan stage of development.



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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: Teraco, L.L.C.

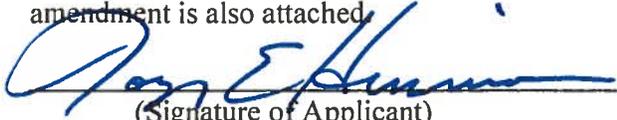
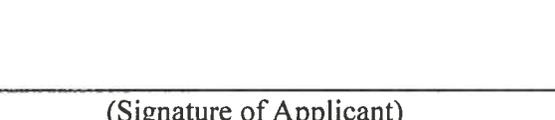
Address 750 Trade Centre Way, Suite 100, Portage, MI 49008

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

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



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FEB 14 2014  
COMMUNITY DEVELOPMENT

February 14, 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 Kilgore 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 (5.30 acres), which is less than the required 10 acres.
- 4) Allow required parking to be reduced by 45 spaces (15%).
- 5) Building setback along southern property line of 605 Kilgore Road to be zero or as required by building code for the proposed retail building south of Earth Fare, consistent with B3 zoning.

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. While the concept plan includes more than the required amount of parking for the anticipated uses, this modification will allow flexibility if building sizes, configuration, location, and/or adjacent uses should change. For instance, if adjacent uses have opposite hours of operation or peak business times, the applicant can accommodate for that. 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. Since the applicant owns the adjacent property immediately south of the rezoning area, the applicant requests a zero building setback from this line as it is adjacent to the access drive and significant existing green strip.

**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, 8,999 square foot mixed use retail (shown as 3,200 square feet attached to the south side of the Earth Fare building and a separate building north of the Earth Fare building of 5,799 square feet), 3,733 square foot bank, and a 3,391 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. In any event, buildings along the public street will incorporate architectural features visible along the streetscape. 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 adjacent to public streets. 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).
- 3) Building setback along southern property line of 605 Kilgore Road rezoning area to be zero or as required by building code for the retail building south of Earth Fare, consistent with B3 zoning.

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 CPD and/or B-2 zoning classification.
- Since the applicant owns the adjacent property immediately south of the rezoning area, the applicant requests a zero building setback from this line as it is adjacent to the access drive and significant existing green strip.

**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) and 3,200 square feet of specialty retail. 2014-2020: up to 23,005 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 the signal at Kilgore Road and Westnedge and to the westbound Kilgore Road approach at Westnedge to provide a shared through, right turn lane 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:

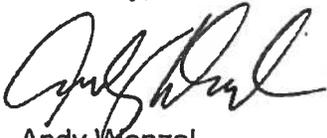
- The applicant desires to provide the amount of parking needed for the occupants of the site, without providing an excess of paved area that goes unused.
- While the concept plan includes more than the required amount of parking for the anticipated uses, this modification will allow flexibility if building sizes, configuration, location, and/or adjacent uses should change.
- If adjacent uses have opposite hours of operation or peak business times, the applicant can accommodate for that.
- The applicant will be required by tenants to provide adequate parking for their business model.
- 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.

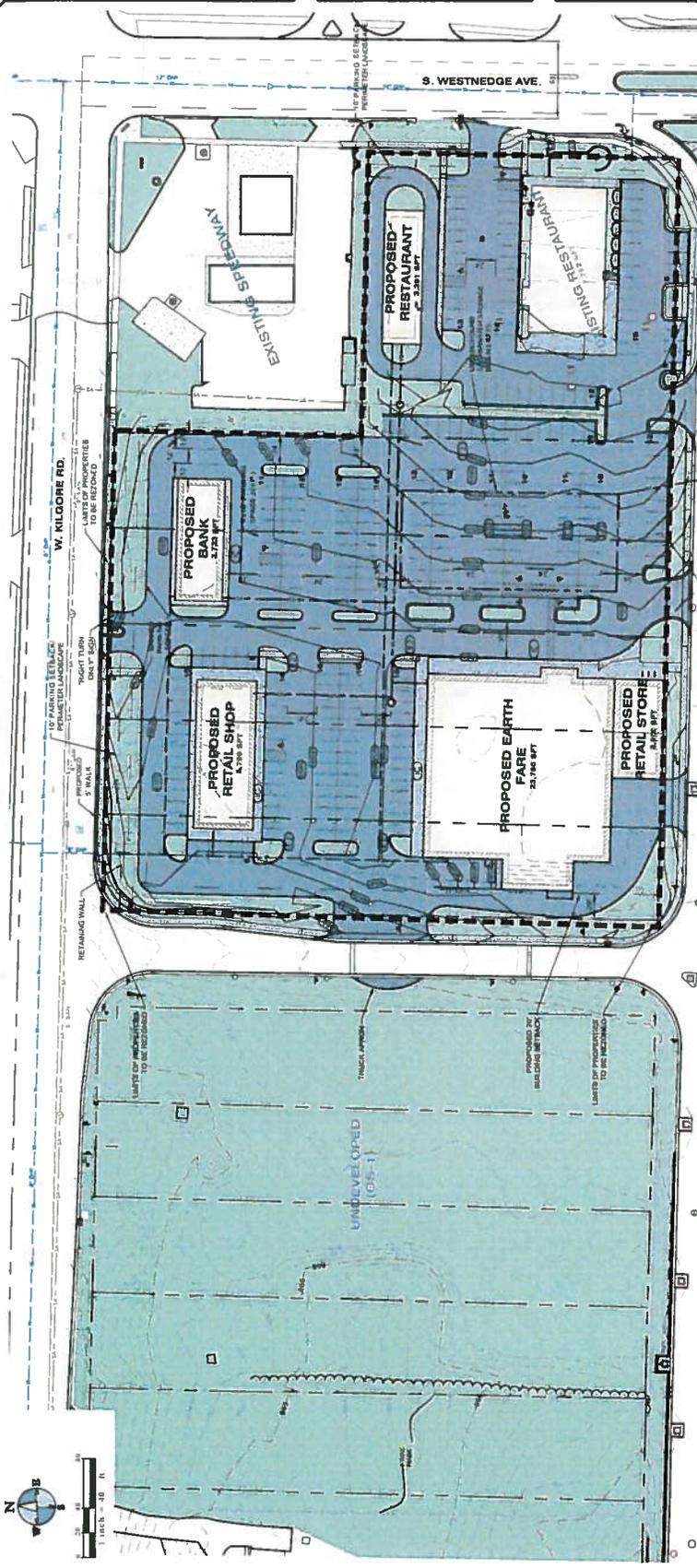
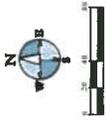
**Natural Features:** There are no natural features existing on the subject site. The Portage Creek (which was greatly improved and enhanced as part of the Lowes development) is located adjacent to the site and is being considered during planning and development of the area.

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,



Andy Wenzel  
Director of Development  
The Hinman Company  
269.342.8600  
[andyw@hinmancompany.com](mailto:andyw@hinmancompany.com)



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

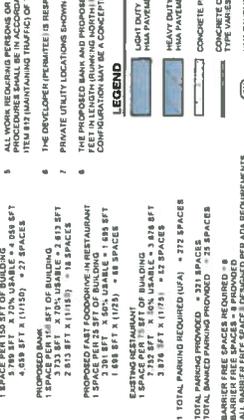
**ZONING REQUIREMENTS**  
 THE SITE IS ZONED CPO (COMMERCIAL PLANNED DEVELOPMENT DISTRICT).  
 TOTAL LAND AREA SUBJECT TO ZONING = 1.38 ACRES  
 BUILDING HEIGHT: 35'-0" MAX  
 BUILDING INFORMATION  
 TOTAL LANDSCAPE AREA PROVIDED = 23,487 SFT.  
 INTERIOR LANDSCAPING  
 LANDSCAPING AREA PROVIDED = 4,177 SFT  
 PERIMETER LANDSCAPING  
 LANDSCAPING AREA PROVIDED = 20,310 SFT

**ZONING REQUIREMENTS**  
 1. TOTAL PARKING REQUIRED (UPA) = 272 SPACES  
 2. TOTAL BANNED PARKING PROVIDED = 25 SPACES  
 3. BANNED FREE SPACE PROVIDED = 18 SPACES  
 4. ALL BANNED FREE SPACE DESIGNED PER ADA REQUIREMENTS  
 TYPICAL PARKING SPACE DIMENSION = 9'-11"

**ZONING REQUIREMENTS**  
 1. EARTH FARE RETAIL STORE  
 1 SPACE PER 100 SFT OF BUILDING  
 15,744 SFT X (1/1150) = 137 SPACES  
 2. PROPOSED RETAIL STORE  
 1 SPACE PER 100 SFT OF BUILDING  
 2,838 SFT X (1/1150) = 25 SPACES  
 3. PROPOSED RETAIL STORE  
 1 SPACE PER 100 SFT OF BUILDING  
 4,858 SFT X (1/1150) = 42 SPACES  
 4. PROPOSED BANK  
 1 SPACE PER 100 SFT OF BUILDING  
 3,733 SFT X (1/1150) = 33 SPACES  
 5. PROPOSED FAST FOOD/DRINK IN RESTAURANT  
 1 SPACE PER 100 SFT OF BUILDING  
 3,301 SFT X (1/1150) = 29 SPACES  
 6. EATING RESTAURANT  
 1 SPACE PER 100 SFT OF BUILDING  
 3,816 SFT X (1/1150) = 33 SPACES  
 7. TOTAL PARKING REQUIRED (UPA) = 272 SPACES  
 8. TOTAL BANNED PARKING PROVIDED = 25 SPACES  
 9. BANNED FREE SPACE PROVIDED = 18 SPACES  
 10. ALL BANNED FREE SPACE DESIGNED PER ADA REQUIREMENTS  
 TYPICAL PARKING SPACE DIMENSION = 9'-11"

**NOTES**  
 1. PROVIDE CURB CUTS/STAMPS AT ALL BARRIER FREE ACCESS POINTS  
 2. PAVEMENT MARKINGS AND SIGNAGE SHALL COMPLY WITH THE CURRENT MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND THE AMERICAN WITH DISABILITIES ACT (ADA)  
 3. CONTROL DEVICES AND SIGNAGE SHALL BE DETERMINED BY THE CONTRACTOR TO FULLY SIGN PERMIT AND ENSURE LOCAL SIGN AND MARKING IS OBTAINED  
 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 RW AND TRAFFIC CONTROL DEVICES AND ITEM 103 SHALL BE IN ACCORDANCE WITH THE MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND ITEM 103. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SPECIFICATIONS. CURRENT EDITIONS.  
 6. THE DEVELOPER (PRIORITELY) IS RESPONSIBLE FOR ALL UTILITY RELOCATIONS  
 7. PRIVATE UTILITY LOCATIONS SHOWN IN CONCEPT ONLY  
 8. THE PROPOSED BANK AND PROPOSED RETAIL BUILDINGS ARE CONCEPTUAL. A RETAIL BUILDING APPROXIMATELY 200' IN LENGTH AND 100' IN WIDTH SHALL BE PROVIDED ALONG THE NORTH SIDE OF THE PROPOSED DRIVEWAY FOR OTHER CONFIGURATION MAY BE A CONCEPTUAL ALTERNATIVE.

**LEGEND**  
 LIGHT DUTY HMA PAVEMENT  
 HEAVY DUTY HMA PAVEMENT  
 CONCRETE PAVEMENT/STREETS  
 CONCRETE CURB AND GUTTER  
 HMA PAVEMENT  
 8" CURB - CURB WALK  
 SHOPPING CART CORRAL

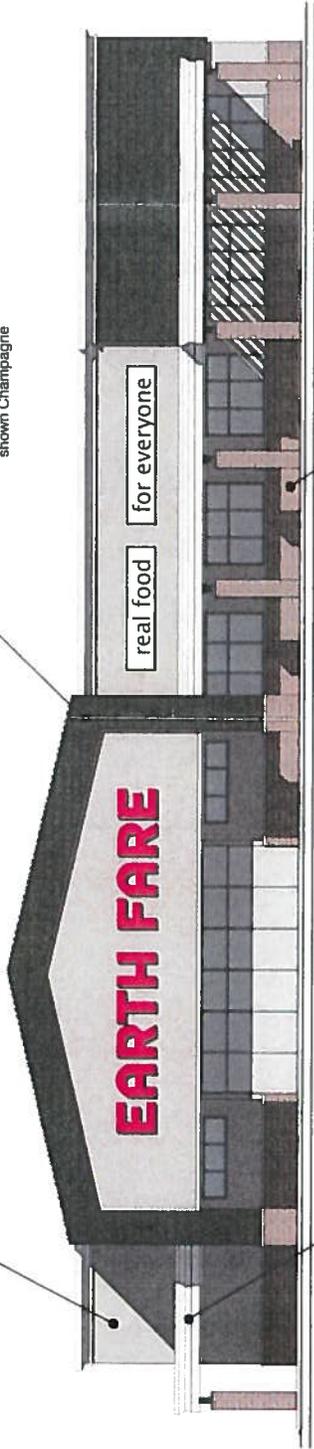


**PROJECT LOCATION MAP**  
 SCALE: 1" = 500'

**Exterior Insulated  
Finishing System  
DRYWIT**  
Color: 105 Suede

**Metal Wall Panels**  
ATAS Versa-Lok  
Color: 03 Medium  
Bronze

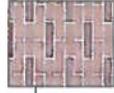
ATAS Versa-Lok  
sample: color  
shown Champagne



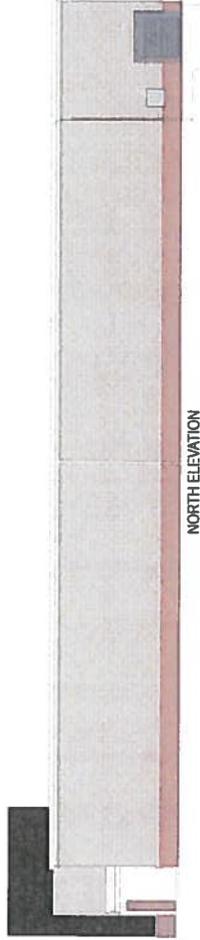
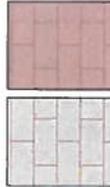
**EAST ELEVATION**

**Metal Ceiling**  
ATAS  
Color: 26 Bone White

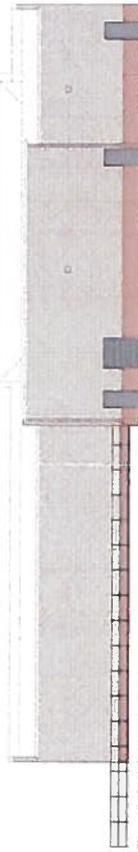
**Brick Veneer**  
Old Castle Quick-Brick  
Color: Autumn Blend



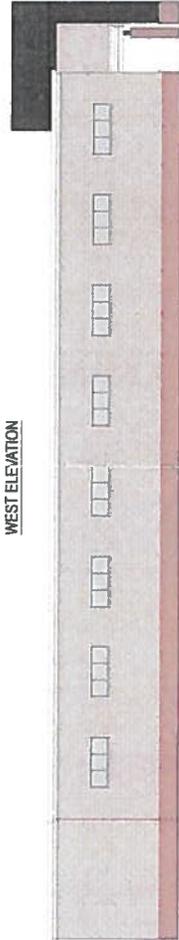
**CMU**  
North, South,  
& East Elevations:  
Painted CMU



**NORTH ELEVATION**



**WEST ELEVATION**



**SOUTH ELEVATION**

DRAWINGS SHOW ARE NOT TO SCALE

CONCEPTUAL ELEVATIONS OF EARTH FARE  
2/20/14 JP



City of Portage  
7900 South Westnedge Avenue  
Portage, Michigan 49002-5160  
02/06/2014

FEB 06 2014

To Whom It May Concern:

I am writing to you regarding the rezoning of the currently office zoned property on Kilgore Road from Westnedge to Lowes drive. As you may be aware, I own 741 W Kilgore. This property is my home as well as my business, which is my sole income. I run a Child Care business and the safety of the children is of utmost importance to my clients and me. Part of that safety is the ease at which my clients, the parents/guardians of the children I care for, can access my business.

I have some concerns regarding the rezoning of this section of properties so close to my business. While the businesses that the Hinman Co. has notified me of may seem appropriate and of minimal risk to the direct safety of the children, the unknown business are still a little concerning. Of most concern to me however, is the effect that it may have on my business. Will these commercial properties diminish the value of my property? I fear that they may. Since I believe that traffic will significantly increase on Kilgore in front of my business and home. This is a particularly concerning as my clients have already expressed their complaints to me about being able to safely exit my drive with the current traffic flow. I fear that a significant increase in traffic may cost me current and future clients and therefore effect my income. I do not necessarily oppose the rezoning of this specific section, but would like to express my concern regarding the traffic issues that I feel this will bring. I hope that you will take this into consideration and encourage the best option for safe and effective traffic flow in this area. If you do not believe that this area will be safe with the current plans for the rezoning proposal, please consider extending this decision for a safer plan.

Thank you for your time and consideration.

Sincerely,

Donna Leversee



RECEIVED

FEB 06 2014

To Whom It May Concern,

As a parent of a small child who attends day care with Donna Levesee I have concerns over commercial buildings, retail, and restaurants being built on the west end of Westridge/Kilgore.

As you are aware Westridge is an area full of businesses and the area is quite busy. Kilgore is a residential street and should remain as such. I see no benefit to the city of Kalamangos or it's residents by building up a residential area with businesses.

Furthermore, the traffic on Kilgore is a nightmare during peak times. Without severe road construction (a costly solution) I don't feel the area can handle any additional traffic.

My child and many other children play in this yard and spend the majority of their week day in this home. Please consider our children, future attendees, and residents before any plans are finalized.

Phone- 574-340-3140

Sincerely,

Email- mirandasmama3@hotmail.com Jena Lovelace



Department of Community Development

**TO:** Planning Commission

**DATE:** February 14, 2014

**FROM:** Vicki Georgeau, <sup>VG</sup> Director of Community Development

**SUBJECT:** 2014 Comprehensive Plan Update, Introduction and Lake Center subarea plan

Attached for Planning Commission review are the Introduction chapter and Lake Center subarea plan portions of the 2014 Comprehensive Plan Update.

The Commission is advised to review the attached documents for discussion during the February 20<sup>th</sup> meeting.

Attachments: Introduction and Lake Center subarea plan

T:\COMMDEV\2013-2014 Department Files\Board Files\Planning Commission\PC reports\2014 Comprehensive Plan Update\2014 02 14 Introduction & Lake Center subarea drafts.doc

*This plan updates the 2008 Comprehensive Plan and uses City Council's Vision 2025 as its foundation for goals and recommendations.*

## **A. What is the Purpose of a Comprehensive Plan?**

The comprehensive plan is a policy document created by the City of Portage Planning Commission to guide the future growth and development of the city. A sound master plan helps ensure that Portage remains a highly desirable place to live, work, or visit. This can be accomplished by preserving and enhancing the qualities of the city that the residents, businesses, and property owners consider important. The plan also allows the city to respond to new trends and approaches.

The comprehensive plan identifies and analyzes the city's physical elements to create a set of goals, objectives, and recommendations to direct decisions regarding future land use, neighborhood and transportation improvements, and special strategies for key areas in the city. Because the plan offers a balance between the interests and rights of private property owners with those of the entire community, it effectively assists city leaders in making substantive, thoughtful decisions for the community while considering long-term implications.

The authority to adopt a new Comprehensive Plan or amend an existing Plan is permitted under Michigan law, PA 33 of 2008, as amended. This law authorizes the Planning Commission to prepare and adopt a Comprehensive Plan which best promotes health, safety, order, convenience, prosperity and general welfare. The Plan considers efficiency and economy in the process of development; including providing for the following:

- Adequate provisions for traffic
- Healthful and convenient distribution of population
- Good civic design and arrangement
- Wise and efficient expenditure of public funds
- Adequate provisions for public utilities and other public services

Public Act 33 also requires the Planning Commission to review the Plan every five years and determine whether to a) amend the plan, b) adopt a new plan, or c) leave the plan as is. In 2008, the Planning Commission concluded that each chapter of the 2002 Comprehensive Plan should be reviewed and amended, where necessary, to address new issues, consider new ideas and confirm or revise existing goals and objectives. Changes included technical details such as updated demographics, public infrastructure, existing land use patterns and future land use. This update includes similar amendments, however this plan reorganizes the 2008 Plan into more concise chapters with the separately published Community Snapshot Existing Conditions and Public Involvement summaries adopted as appendices.

### **The Differences between a Comprehensive Plan and a Zoning Ordinance**

The comprehensive plan provides a general direction for future development, and while it does not change the zoning map or text applying to any property, one way the plan is implemented may be through zoning ordinance and/or map amendments. A comprehensive plan is flexible in order to respond to changing conditions and it is not a binding legal document. The Comprehensive Plan shows how land is to be used in the future; while the Zoning Ordinance regulates the use of land at a particular point in time. The Zoning Plan (required by state law and included in the Implementation

chapter) ties the Comprehensive Plan to the zoning ordinance by outlining how future land use categories relate to zoning districts.

Some of the differences between the master plan and the zoning ordinance are listed below.

Comprehensive Plan	Zoning Ordinance
Provides general policies, a guide	Provides specific regulations, the law
Describes what should happen in the future – recommended land use for the next 20 years, not necessarily the recommended use for today	Describes what is and what is not allowed today, based on existing conditions
Includes recommendations that involve other agencies and groups	Deals only with development-related issues under City control
Flexible to respond to changing conditions	Fairly rigid, requires formal amendment to change

## B. Overview of Process

Involvement of city officials and the public was obtained through a series of meetings with the Planning Commission and public input sessions. A public open house was held on October 2, 2013 to gain opinions and ideas related to the existing goals and objectives, the three Plan topic areas (Community and Quality of Life, Transportation, and Land Use and Character), and the Lake Center subarea. An additional input opportunity for the Lake Center area was given at a December 12, 2013 focus group meeting. Several opportunities were provided to react to the draft plan at Planning Commission meetings as well. These public input sessions allowed those interested to share their ideas and reaction to information presented in the Plan before the official public hearing was conducted. Public input was documented, and all comments were considered before the Plan was adopted. A complete summary of public involvement is included in the separately published appendix.

## C. How to use the Comprehensive Plan

The Comprehensive Plan is the guiding tool and provides the framework for land use decisions in the City of Portage. It should also serve as a basis for capital improvement decisions and programming, as funds are allocated for yearly work programs and tasks with outside sources of funds, such as grants, are sought for local enhancement and development activities. The following guidelines should be followed consistently for the best use of the Comprehensive Plan:

### *Refer to the Comprehensive Plan in all zoning decisions*

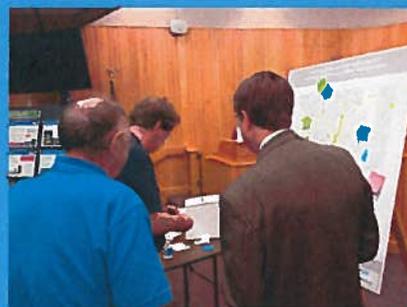
Use of the Comprehensive Plan ensures that the desires of the community regarding future development are translated into action...one special land use permit, site plan approval, variance, or rezoning at a time. Those everyday decisions, collectively dictate the future of Portage. Specifically, **Appendix D**, Development Guidelines should be utilized when evaluating development proposals.

### *Encourage other decision-making bodies to use the Comprehensive Plan*

Decision-making efforts of other agencies and adjacent communities can also

### *New in 2014:*

- Reorganized document with concise, forward-thinking plan document and separate appendix of existing conditions
- Revised transportation chapter reinforcing the City's commitment to Complete Streets
- Lake Center District subarea plan
- Zoning Plan in the Implementation chapter
- Updated Future Land Use map
- Revised goals, objectives, and recommendations



*Recent Accomplishments since the last plan:*

- Adoption of the City Centre Area Plan
- Construction activity rebounding since the recession
- Portage Public Schools bond millage resulted in several new school buildings
- South Westnedge/1-94 interchange improvements
- New Eliason Nature Reserve
- Several ordinance amendments to address issues from the last set of planning efforts

## 2014 Community-wide Issues and Opportunities

The following list of community wide issues were identified through the public input process, including a public open house and Youth Advisory Committee meeting, as well as through city staff and consultant analysis. These issues are addressed in the following plan chapters as identified below.

	Plan Chapters		
	Community	Transportation	Land Use
Continue the investment to expand and/or enhance city parks, bikeways and multi-use trails with emphasis on connecting areas not served to the central/ existing system.	✓	✓	
Utilize Eliason Nature Reserve to its fullest potential and create connecting non-motorized links.	✓	✓	
Enhance gateways to the city, fully utilizing the new city brand "A Natural Place to Move" to contribute to a strong sense of community.	✓		
Create a complete streets policy that addresses multi-modal transportation elements including sidewalks, shared shoulder bike lanes, multi-use trails and connections to public transit.		✓	
Continue to improve non-motorized connections throughout the city that appeal to varied skill levels of existing and potential bicyclists through additional bike ways and trail connections.		✓	
Retain South Westnedge as a regional business anchor but continue efforts to improve traffic flow and safety.		✓	✓
Provide transportation guidance for locations identified as challenging such as intersections/crossings at Centre/Old Centre, Vincent/Oakland, among others.		✓	
Encourage more mixed use developments, especially in the City Centre Area.			✓
Focus on maintaining and/or improving residential neighborhoods, especially older areas, by addressing vacant/foreclosed housing, property maintenance and building code compliance.			✓
Lake Center Area: Enhance Portage Road to be a vibrant, commercial corridor.		✓	✓
Define boundaries of the core South Westnedge commercial area and develop strategies to buffer from adjacent residences.			✓
Create aging in place opportunities to ensure Portage residents can maintain an active lifestyle throughout their lifecycle and by providing a variety of housing types to accommodate a variety of age groups, with a special focus on seniors.	✓		✓
Identify opportunities for commercial and industrial development at vacant parcels along Portage Road and Shaver Road.			✓
Form a strategy for conversion of greenhouses if transition to other uses occur.			✓

be influenced through the Comprehensive Plan. Transportation policies and recommendations in this Plan can be used by the Michigan Department of Transportation (MDOT) during evaluation of potential changes along state highways. The Kalamazoo Area Transportation Study (KATS), the agency designated by the state and federal government for area-wide long range transportation planning, can use the findings to help project future traffic, needs and funding. Other agencies, such as the school district, the Michigan Department of Environmental Quality (MDEQ) and economic development groups, can reference this Plan during their planning and funding decisions. These agencies, to varying degrees, all have a role in the implementation of the Comprehensive Plan.

*Keep the Comprehensive Plan current*

Comprehensive Plan recommendations and policies should be reviewed and evaluated annually by the Planning Commission to determine the level of program achievement. Appropriate amendments to the Comprehensive Plan should be made if circumstances in the community change.

*Amend the Zoning Ordinance, Zoning Map and other city codes to implement the Plan*

Recommendations from the Comprehensive Plan can be implemented through amendments to the Zoning Ordinance, Zoning Map and other city codes. Care must be taken, however, to fully review and consider all ramifications of such actions. In some cases, recommendations in this Plan are long range, with the idea that implementation will be gradual. In other cases, recommendations focus on issues today and change may be more immediate.

*This plan is used by the City to guide policy related to the following:*

- *Zoning Ordinance*
- *Zoning Map*
- *Reviewing development proposals*
- *Capital Improvements Plans*

**Vision**

Why?



**Goal/Objective**

What?



**Tool**

How?

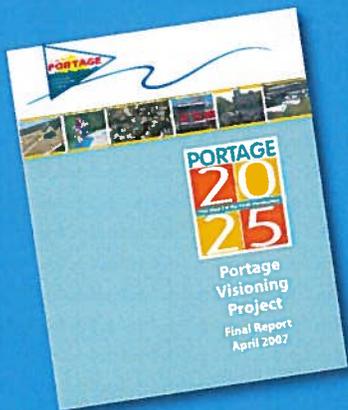


**Implementation Strategy**

Who? When?

### Vision 2025

The vision and goals of this plan were guided by the City's Vision 2025 project, first completed in 2007. City Council and the City Administration review this document as short-term and long-term planning efforts are undertaken.



### Goal



Throughout the plan, goals are highlighted in green. For more detail on how to achieve the goals, see Chapter 7: Implementation

## D. Plan Vision

*The City of Portage will be a world class community providing high quality city facilities and services, a range of housing options for all ages and incomes, a strong employment base, and vibrant commercial centers building on current assets for a sustainable future.*

The following statements provide a vision for each of this plan's topic chapters. These statements provide a long-term overall vision that are further supported by more specific goals and objectives. The vision statements, goals, and objectives are meant to be used together, collectively outlining Portage's future guiding principles. Each of the following chapters elaborates on each topic, providing the tools and strategies to achieve the vision.

### Community and Quality of Life Vision:

*Provide for the health, safety and welfare of Portage residents, employees, and visitors and maintain high quality community facilities to meet projected changing needs, demographics and life styles, enhance the quality of life and promote a strong community identity.*

### Transportation Vision:

*Create a safe, balanced, coordinated, and efficient multi-modal transportation system adequate to accommodate current and future needs in Portage.*

### Land Use Vision:

*Maintain a well organized, balanced and efficient use of land at densities that*

- *meets the current and future needs of the public,*
- *ensures compatibility and harmony among land uses,*
- *protects key natural and historic resources,*
- *complements the existing and planned capacity of streets and infrastructure, and*
- *sustains prosperity to support desired public facilities and services.*

Input for this subarea plan was obtained through a focus group meeting with business owner/operators and residents on April 23, a public open house on October 2, and a focus group meeting on December 12, 2013 which included a presentation of draft recommendations and discussion of next steps to implement this plan.

# LAKE CENTER SUBAREA

## A. Introduction

The previous chapters of this plan outline a variety of opportunities and concepts that are pulled together in this subarea plan. This Lake Center District subarea plan demonstrates how those land use, quality of life, and transportation recommendations can be applied together.

Preparation of this subarea plan included public input, a review of market opportunities, urban design evaluation, land use analysis, and transportation evaluation resulting in the development of a vision for the corridor. Careful attention was given to evaluate existing conditions and future opportunities in the context of current City and business association efforts, including the upcoming Portage Road reconstruction from East Centre Avenue to Lakeview Drive scheduled to be completed in 2014.

### *Why Portage Road?*

The Lake Center business district runs along Portage Road from East Centre Avenue to Clarence Drive, with additional commercial nodes between Lakeview Park and Bacon Avenue and north of East Osterhout Road. Many businesses are locally-owned and have been in existence for more than 50 years. The area between East Centre Avenue and Lakeview Drive is the primary business district, identified as a commercial revitalization corridor in prior plans. This subarea plan was created to provide more detailed guidance for improvements along the corridor.

The corridor's character is different from other commercial corridors in Portage, such as South Westnedge Avenue which has higher traffic volumes, larger stores, and many "chain" retail and restaurants. Lake Center has a smaller scale, locally-owned business character that can be enhanced to promote existing businesses and to recruit complementary ones.

The Lake Center Business Association was reestablished in the spring of 2013 after an initial Lake Center Informational Planning meeting was hosted by the City of Portage. Efforts to date include the following:

- Formed an LLC;
- Began grass roots place making with boats along corridor;
- Developed a concept for district banners along the roadway;
- Organized a "garage sale" event in summer 2013;
- Submitted formal input regarding sub-area priorities to the city in January 2014.

As the result of public input and feedback from the business association, many ideas have been generated, and this plan seeks to prioritize efforts to provide the most impact for future collaboration and action.

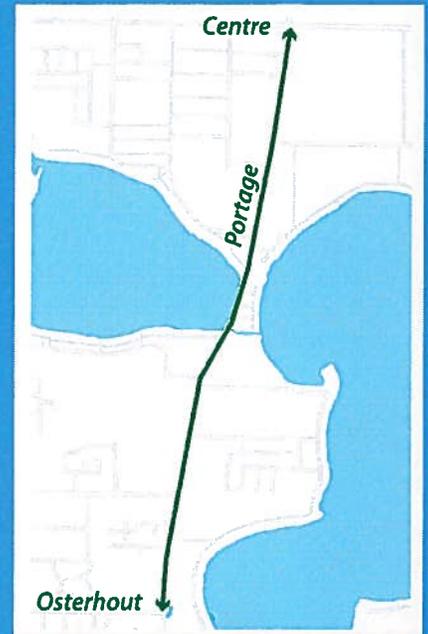
Based on the public input and consultant and city staff evaluation, the following strengths, issues, and opportunities were identified for the Lake Center district:

### Strengths

- Many locally owned and operated businesses
- Interest of business owners to improve character
- Proximity to lakes and Lakeview Park
- Several eclectic mid-20th century buildings
- Unique commercial corridor in Portage

### Issues and Opportunities

- Lack of architectural and site cohesion
- Inconsistent streetscape, sidewalks, and landscape buffers
- Lack of consistent identity
- Lakefront commercial properties are underutilized
- Brownfield redevelopment sites
- Narrow lot sizes
- Narrow right-of-way
- Multiple owners makes larger-scale redevelopment difficult
- Nonconformities related to front yard building setbacks, off-street parking, billboards, sign setbacks, green strip, site access, and older single-family homes



The Lake Center subarea extends from East Centre Avenue to East Osterhout Road.

## Goal: A vibrant commercial corridor with a unified attractive visual character that builds upon the history of the Lake Center District

### Objectives:

- Promote consistent building placement and character for existing building/site improvements and redevelopment sites
- Refine zoning to achieve a more cohesive built environment different from other commercial corridors in Portage
- Promote local business atmosphere through strengthened business organization efforts
- Create and implement a Lake Center “brand” to attract future complementary businesses and patrons
- Identify key sites for catalytic redevelopment to spur future, long-term redevelopment
- Provide balanced and safe means of travel for bicycles, pedestrians, and vehicles

The complete Market Strategy and Analysis are included in the separately published appendix.

### Key Market Strategies:

- Create a destination development that leverages current strengths at the West Lake waterfront area and views of West and Austin Lakes
- Bolster the small business atmosphere through complimentary businesses, enhancing Portage Road's unique commercial flavor
- Reinforce key market niches of locally-owned restaurants, family recreation and entertainment, adventure and sport themed businesses, nautical/marine theme and businesses

## B. Market Strategy Summary

The following retail recommendations reflect considerable retail competition in the City that pivots around the Crossroads Mall and big-box clusters along South Westnedge Avenue and Shaver Road. Retailers and businesses in the Lake Center District should focus on differentiating from national chain stores with: 1) unique merchandise; 2) convenience; 3) high levels of customer service; and 4) an enjoyable shopping environment enhanced by placemaking amenities.

The strategy reflects the district's economic benefits from proximity to the Kalamazoo/Battle Creek International Airport, and the campuses of major employers like the Stryker and Pfizer corporations.

The strategy also gives positive consideration for the city's diverse recreational choices and ways that they match with the lifestyle clusters (population segments with characteristic retail habits). Amenities include sports facilities; open space and trails; and public lake access.

### Area Amenities

Complementary attractions exist along the Portage and Sprinkle Road corridors, including restaurants and eating establishments and family fun centers. Dining out has grown into favorite pastime and primary source of entertainment for many households. Locally-owned restaurants offering themes, entertainment, and unique settings – like waterfront views on a boardwalk – may be most able to compete against the redundancy of national chains.

*Family Adventure Sports* – The AirZoo is a significant regional attraction that helps attract visiting families seeking entertainment, recreation, and adventure. The regional draw of this facility is being leveraged by other establishments like Airway Lanes and Jungle Joes, and they collectively help generate a critical mass and variety of venues needed to generate repeat visitors.

Retail establishments like Hobby Sports, Racewear, Kalamazoo Choppers, and L & J Hobbies are leveraging and help reinforce the theme of attractions focused on adventure and sports. In the marine category, Boat City Marine, The Edge, and Docks Unlimited are important anchors that bridge the theme of adventure sports over to watersports.

### Incubated Small Businesses

A number of home-based businesses in Portage are currently occupying space in residential neighborhoods. These businesses have already been incubated in the local market by proprietors that seem interested in operating a business, but have not chosen conventional commercial space. Outreach to home-based businesses and helping them find better locations with exposure to commercial traffic may assist with growth and redevelopment within the Lake Center business area by helping small business grow and prosper, while filling commercial vacancies.

Such outreach efforts may be an appropriate activity of the Lake Center Business Association. In particular, small business marketing efforts may include promoting live/work opportunities as a viable re-use of non conforming houses, outreach to home-based businesses, and outreach to complimentary businesses such as restaurants, family adventure/fun, hobby shops, motor sports, and marine-focused businesses as noted in the market study.

### *Leveraging the Lakefront - Lake Center Core Node*

Based on public input sessions a clear theme has emerged as most likely for the Portage Road corridor and Lake Center District that focuses on West and Austin Lakes. Lakes and other water bodies are valuable resources that are absent from the vast majority of business districts. In the Lake Center District, West and Austin Lakes converge between Forest and Lakeview drives.

This isthmus area includes long-established stores that serve as important anchors for the district, including Nelson Hardware (Do-It Center) and H & B Market grocery store. The West Lake shoreline along the west side of Portage Road includes two significant lakefront properties that appear to be available for sale and/or are ripe for redevelopment. Existing uses on the West Lake waterfront include the Mavcon facility, which could be redeveloped as a restaurant or other active complementary uses, and also include the vintage West Lake Drive-In, which is a seasonal business. Reinforced by the hardware and grocery store anchors, this area represents the district's center of gravity, and is the focus of the strategy recommendations of the subarea plan.

The optimal market strategy calls for leveraging the West Lake waterfront and views of both West and Austin lakes, which would most likely occur concurrent with redevelopment projects in the Lake Center Core Node. Depending on project proposals and related planning considerations, future uses could be passive or have some higher level of intensity. In addition, adjacent uses suggest that it could be feasible to add docks extending into the water to take advantage of the waterfront.

There are several additional opportunities to leverage the lakeshore and expand redevelopment activity to include nearby properties. For example, the parking area between Nelson Hardware and the H & B Grocery store could be redeveloped to create a more compact district with mixed uses. Additional planning strategies could also involve improving and creating new pedestrian linkages with the Lakeview Park on Austin Lake; and integrating other adjacent properties into a larger redevelopment project. Concepts for these strategies are noted on the Lake Center Core Node map on page 26.

### *Secondary Opportunities:*

Several other commercial nodes have also been identified as secondary redevelopment project areas. Redevelopment of these secondary areas will be more feasible and viable after redevelopment within the Lake Center Core Node is successfully underway and/or accomplished.

- Development of district gateways:
  - » North Gateway - Continue to facilitate development of Centre Port Commons, a brownfield redevelopment site at Portage Road and East Centre Avenue;
  - » South Gateway – Encourage renovation of the Great Skate and Chicago Style Pizza buildings to reinforce the mid-century revival theme.
- Other under-utilized/vacant sites:
  - » Facilitate redevelopment of the vacant Burger King and former impound lot to east
  - » Former mini-golf site
  - » Renovating the Nickles Bakery and CNT's Racing and Production Screen Printing to reinforce the cluster with West Michigan TV Repair, among other sites.



*The for-sale Mavcon building is a prime opportunity to capitalize on the lakefront.*



*Docks could provide lake residents convenient access to a redeveloped Lake Center core business district.*



*A renovated Nickles Bakery could be combined with the nearby West Michigan TV repair to create a secondary commercial cluster.*

## Right-of-Way Design Approach

- Safely accommodate motorists, pedestrians, and bicyclists of all abilities (complete streets).
- Maximize efficiency of right-of-way.
- Identify key locations to prioritize walkability.
- Street designed to meet traffic needs, but at speeds and design that complement the character of the area.
- As roadways are redesigned, bury or relocate power lines, as resources permit.

For specific locations of roadway recommendations, see the Lake Center map on page 27.



## C. Design Guidelines

Based on the feedback obtained through public involvement, these design guidelines were developed to outline specific changes that can be made along Portage Road to strengthen its visual character and potential for redevelopment. These are intended as recommendations to solidify the Lake Center District as a unique, cohesive commercial district that has a distinct sense of place. These guidelines, when applied throughout the corridor, will help the district achieve the goal and objectives identified above.

Current zoning standards provide a minimum amount of regulation that can be strengthened and are described in the Implementation section of this chapter. These design guidelines seek to compliment zoning by providing a set of recommended practices that the city can take in the right-of-way and that property owners can apply to their individual sites, contributing to the overall character of the district.

### Right-of-Way Design

As the primary means of experiencing the corridor, Portage Road's design within the right-of-way influences the perception, character, and vitality of the district.



### Portage Road today:

- 4-5 lanes typical
- Some wide shoulders that can accommodate bicycles
- Lack of sidewalks, primarily on west side of road, few crossings of Portage Road
- Limited street right-of-way
- Limited or no landscaping and streetscape elements to soften the environment and visually buffer pedestrians from cars; combined with high speeds, this can combine to make pedestrians feel exposed and unsafe

### Walkability

Pedestrians are the most vulnerable travelers on Portage Road, and their needs are quite basic: comfortable, safe and interesting places to walk, and destinations within walking distance. A pedestrian-friendly corridor includes a range of ingredients – places to walk to (destinations), comfortable places to walk within, and ease of crossing Portage Road. There are some blocks that are fairly walkable, but need some enhancement. Much of the lack of sidewalks is due to the narrow right-of-way. Most of the blocks need a transformative change to be an inviting and safe place to walk. Some of the features that can improve the environment for pedestrians, include the following:

- A land use pattern that is compatible with walking. Trips are short, and can be made on foot. This can be accomplished with buildings close to the street and businesses in close proximity to encourage walking between them.
- Continuous sidewalks of appropriate width

- Safe crossings
- Buffering from traffic with landscaping or just separation
- Interesting and inviting streetscape and buildings which address the street with doors and windows
- Comfortable places to sit
- Streetscape of trees and lighting that provide shade, security and help define the pedestrian realm.

### Traffic calming

One goal is to design the street and private sites so that traffic speeds are appropriate for the area. A five-lane road often can lead to fairly high speeds. To help mitigate high speeds, traffic calming techniques can include narrowing the lane widths, special pavement colors or raised pavement for pedestrian crossings. Traffic calming at intersections can also include use of narrower curb radii and curb bump outs to reduce the width that pedestrians must cross. This can actually benefit vehicular traffic too, since shorter crossing paths require less time for pedestrians to cross the roadway. Another option is a roundabout as a gateway feature, welcoming travelers to the district. Roundabouts also can move more traffic with less delay than a traditional signalized intersection with much lower crash rates. A single-lane roundabout may be an option at the Osterhout Avenue/Portage Road intersections.

### Reclaim right-of-way for Complete Street improvements

Given the traffic volumes, segments of Portage Road's four- and five-lane sections could be reduced to provide one travel lane in each direction and a center left turn lane. This would free up space in the existing pavement width for on-street bicycle lanes, widened sidewalks or landscaped areas, and other streetscape enhancements.

This would not only provide room for pedestrians and bicyclists, but can improve safety too. Studies show that for streets with daily traffic volumes of 15,000 or less, a change from four lanes to three lanes can reduce crashes on average by 30% and injuries associated with crashes by almost 70%. Reducing the number of lanes tends to reduce speeds slightly, but most of the benefit is due to reduction in the number of rear-end collisions.

### 4 Lanes to 3 Lanes

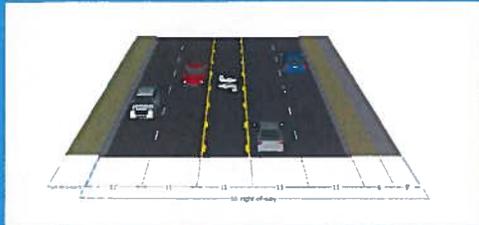


- Only slightly more capacity than 3 lanes because inner lanes are used for left turns
- Typically more crashes than 3 or 5 lanes due to conflicts with left turns



- Slight drop in capacity compared to 4 lanes
- Fewer crashes
- Usually lowers speed 3-5 mph
- Additional room for bicycles, pedestrians, landscaping





Reducing 5 lanes at the Lake Center core node to 3 lanes could allow sidewalks to be constructed on the west side and the addition of some short median segments or pedestrian refuge islands and bike lanes. This area needs more study to develop the feasibility of the reduction and impact on roadway capacity.



Overhead crossing signals and speed radar signs can help improve visibility and safety of pedestrian crossings.



Refuge islands help signal drivers to slow down and give pedestrians and bicyclists a safe place to cross.

A reduction from four lanes to three should be explored, particularly for segments with daily volumes of 15,000 vehicles or less. Portage Road south of Lakeview Drive should be converted from four to three lanes (except for the Bacon intersection near Lake Center Elementary School). For segments with daily traffic volumes of 15,000-20,000 a detailed evaluation is needed to determine if three lanes will provide sufficient capacity, particularly at intersections. Additional traffic counts should be taken along Portage Road prior to the summer 2014 reconstruction, particularly from Forest Drive south. Speeds should be recorded before and after reconstruction to continue to assess possibilities for future reconfiguration from Forest to Lakeview Drives.

#### Median and Pedestrian Refuge Islands

Installing and maintaining a short median in the center of the roadway at key locations can have a number of benefits including calming traffic (reduced speeds), increasing green space, and providing a mid-street refuge for crossing pedestrians and bicyclists. Medians also can restrict left turns into and from driveways or side streets. That, combined with the separation of opposing traffic flow, results in a significant reduction in crashes when comparing a median to a non-median roadway. Refuge islands are recommended at Zylman and in the vicinity of Forest Drive and Ames Drive intersections among other future locations as shown on page 27.

Guidelines for pedestrian crossings include design and visual cues to slow motorists down, whether physically changing the roadway itself or adding signs or beacons indicating crossings and bold pavement markings. Crossings are preferable where convenient for pedestrians and where close to signalized intersections.

#### Intersections

When intersection improvements are made, the focus should be on improving the level of service for all users (i.e. pedestrians and bicyclists, not just cars and trucks) or reducing vehicle-vehicle and vehicle-pedestrian/bicyclist crashes. The following are key considerations in designing a new or reconfigured intersection:

- Need for additional vehicle lanes
- Sight distance limitations
- Provision for bicycles
- Signal coordination and spacing
- Pedestrian crossings and related curb radii

In some cases, there may be a desire for a pedestrian crossing but at an unsignalized intersection. Pedestrian-activated warning beacons at pedestrian crossings allow a pedestrian to activate a warning beacon in mid-block locations.

#### Connections to existing bicycle routes

Parts of Portage Road currently have wide shoulders to accommodate bicyclists. Should segments of Portage Road be reconfigured to fewer lanes, portions of the right-of-way could be converted to bike lanes. Current and planned routes are identified on the map on page 27 and a few particular connections are detailed below:

- Formalize right-of-way connection at Austin Court near Highland, creating a non-motorized connection to East Shore. Work with business owners

to informally reconnect Austin and Austin Court with a non-motorized connection at the rear of these properties.

- Explore possibility of a non-motorized easement to cross the channel from Lakeview Park to Austin Court to complete the non-motorized "loop" around Austin Lake. Alternatively, the pedestrian crossing parallel to Portage Road could be improved along with a safer sidewalk route between the park and Burt Drive.
- Connect future bike route at South Shore Drive across Portage Road to Lakeview Park and provide a pedestrian crossing with refuge island.

### Building and Site Design

Depending on the context, the form and character of buildings can have a significant impact on the function and activity within an area. Furthermore, the quality of buildings impact the local economy, as declining commercial districts with dilapidated buildings can have a compounding negative effect on the perceptions of safety and property value. By encouraging high-quality buildings that contribute to local character, each building that is built or improved can begin to reverse those trends and positively impact local markets.

Today, the building patterns along Portage Road are not cohesive and do not contribute to a distinct sense of "place." As described above in the Market Strategy Summary, a number of 20th century retro buildings exist along the corridor, but not in enough of a critical mass to apply that style corridor-wide. Instead, where those pockets of nostalgia exist, they can be retained and strengthened. Other areas of the corridor are recommended to embrace the Lake Center character: welcoming design with a nod to the nautical. The design goal is to embrace the history and uniqueness of the corridor as a local, inviting shopping destination.

#### Implementing these Guidelines

The design standards below are a set of guiding principles for development that act as a suggested best practice for (re)development. While some of the guidelines can be incorporated into the zoning ordinance, the goal is to allow an eclectic business district and not overly regulate architecture and creativity, but create a cohesive, attractive district.

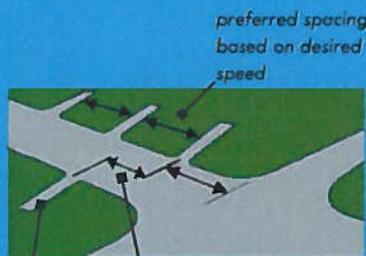
#### Façade Improvements

- Buildings should be welcoming to pedestrians, with clear entrances, outdoor furniture and landscaping.
- Long or expansive building walls should include variations in the building wall, varied roof lines, archways or other architectural features.
- Rear elevations visible from roadways (both public and internal drives) and/or residential areas should have a finished quality compatible with the front elevation of the building.
- Durable building materials which provide an attractive, quality appearance should be chosen. Earth-toned brick, masonry block or other building materials typical in the area are appropriate.
- Building colors should consider and blend with local surroundings. Bright, colors should be used strategically, not as the primary color of the building but as accents to an eclectic nautical area vibe.
- Walls near building entrances should include windows, canopies and awnings to attract customers and contribute to a sense of place.

### Site Design Approach

- Improve attractiveness of buildings and sites.
- Make it more comfortable for people to walk along and between businesses.
- Strengthen Lake Center character and branding.
- Better delineate parking areas.
- Improve visibility of existing businesses.
- Promote uses that will be successful to fit the character of the area.
- Promote successful uncluttered signs.





as far as possible from intersection

driveways should align or be minimum 150 ft

Access Management improves flow and reduces crash potential by placing driveways to minimize conflicts.



### Streetscape & Site Design

- Streetscape treatment should be used to signify an entrance and contribute to a sense of place.
- Community amenities such as patio/seating areas, water features, art work or sculpture, pedestrian plazas with park benches or other features located adjacent to the primary entrance to the building(s) are highly encouraged and as an incentive, such areas should be calculated as part of the landscaping requirement.
- Include amenities for bicyclists and pedestrians, including wider sidewalks, bike storage facilities, lighting and landscaping in the standards for site plan review.

### Parking and Access

- Off-street parking should typically be located in the side and rear yards. This will contribute to the appearance of a walkable streetscape with a "front door" for pedestrians with an additional entrance oriented to the parking lot. There should be a maximum of one row of front-yard parking with an appropriate buffer from the sidewalk.
- Parking lots adjacent to the roadway should provide a setback and landscape greenbelt. A knee-wall or hedge may also be appropriate where there is not sufficient room for a significant greenbelt.
- Driveways should be designed and located according to the Access Management standards in Chapter 66 of the Portage Code of Ordinances. Driveways closest to intersections or poorly offset from driveways across the street are the greatest problem. By reducing the number and width of driveways, traffic operations and safety will be improved, pedestrian crossings eased, and greenspace opportunities increased.
- Parking lot landscaping is especially important in minimizing negative views associated with large or often empty parking lots. Parking lot islands that incorporate pedestrian access to storefronts may be appropriate for larger lots or high traffic sites (for example the anchor uses in the Core Node). Landscaping is especially important to help delineate the driveways and sidewalks from the parking areas and can be used to help treat stormwater runoff (see Low-impact design below).
- Internal pedestrian walkways should be included for persons who need access to the building(s) from internal parking areas. Walkways shall be designed to separate people from moving vehicles as much as possible, vehicle drive aisles or parking spaces should not be used for this purpose.
- Crosswalks should be distinguished from the parking and driving areas by use of any of the following materials: special pavers, bricks, raised elevation or scored concrete.
- The amount of available parking can be maximized through shared parking agreements. Different uses have different peak hours throughout the day, which require varying amounts of parking. Offices, retail, services, and restaurants are encouraged to examine their parking needs throughout the day and look for ways to share parking with other users.

### Landscaping, Buffers & Screening

- Development abutting residential should be screened with a mixture of

treatment such as landscaping, walls, and fences.

- Low-impact design: Bioretention (Rain Gardens) & Bioswales manages stormwater runoff locally, providing natural filtration to protect lake water quality. Low-impact design can be applied on private sites and in the right-of-way and should be considered in areas between the new or existing sidewalk where driveways are removed and in areas where the road median is installed. Plant species should be salt tolerant, provide aesthetic benefits and be low maintenance. Sidewalks should be designed to direct runoff into these areas, and maintenance agreements should be included as part of any approval.

### Lighting

- Site lighting should be regulated so it does not spill into non-commercial areas or the public road, except where needed to illuminate driveways.
- Fixtures should be chosen that shield light from projecting upward, thereby reducing light pollution into the night sky.
- Light poles should be located so they do not obstruct pedestrian movement.
- Fixtures may be outfitted with decorative banners that, in some cases highlight civic events and activities of community-wide appeal.
- Wall mounted lights should be used to the greatest extent possible to minimize the total number of freestanding light fixtures.
- Lighting fixtures should be attractively designed to complement the architecture of the corridor, signify building entry locations, and improve visual identification of residences and businesses.

### Signs

- Lower-level ground signs are preferred over taller pole signs.
- Signs should include a durable base constructed of materials compatible with the architecture of the building.
- Sign locations should respect clear-vision areas and traffic safety.
- Signs should be proportional and consistent in character with the material, color and detail of the building.
- Pedestrian-oriented signs enhance the pedestrian experience and lower vehicle speeds.

## D. Lake Center Implementation

Implementation of this subarea plan will be accomplished gradually and through a variety of means. Some will be private sector initiatives such as redevelopment or strengthening the business association. Some of the changes are city initiatives such as improvements in the street right-of-way. Many of these recommendations can be more easily accomplished through public/private partnerships as redevelopment of the district occurs.

### Right-of-way Improvements

Improvements in the right-of-way (the streets and area along them) are usually completed by the city as part of its Capital Improvement Plan. The city can use transportation or other funds for right-of-way projects. In some cases, property owners may participate through special assessments or programs that direct a portion of taxes to public improvements with a special district (see "CIP" and "BID" below). In addition, there are frequently special funds



Concept banners prepared by the business association

available from the Michigan Department of Transportation (MDOT) for safety or certain types of projects.

- At the time this plan was prepared, there was a new MDOT program called the Transportation Alternatives Program (TAP). TAP is a competitive grant program that funds projects such as non-motorized paths, streetscapes, low impact development, and stormwater improvements that enhance Michigan's intermodal transportation system and provide safe alternative transportation options.
- Continue sidewalk installation/repair/replacement program funded through the Capital Improvement Program.
- When improvements are made to Portage Road, changes in the right-of-way design could be incorporated, including bike lanes, enhanced crossings, medians, improved buffers, and sidewalks

#### *Branding/Business Association*

Key to implementing these recommendations will be public/private partnerships, which may be assisted through state funding available through MDOT, the Michigan Economic Development Corporation (MEDC), the Michigan State Housing Development Authority (MSHDA) and other sources related to place making, brownfield redevelopment, and/or the creation of an official business improvement district, such as a Corridor Improvement Authority or Business Improvement District.

Efforts of the business association should include the following:

- Embrace Lake Center identity through development of gateway features, banners, wayfinding signs, gathering spaces with lake access and views.
- Build a district-wide brand including businesses, the park, residences, churches, and Lake Center Elementary.
- Preserve mid-century character where it exists but avoid reproductions and incorporate nautical elements. These character elements should be tasteful and complement existing mass and scale.
- Strengthen Lake Center brand through promotional events, public art installations, common retail hours, shared beautification efforts.
- Support neighborly site maintenance and upkeep.

#### *Corridor Improvement Authority (CIA)*

One mechanism for implementing this plan could be to form a Corridor Improvement Authority (CIA). The Corridor Improvement Authority Act (P.A. 280 of 2005) allows the City to develop a plan and financing strategies with the objective of stimulating and encouraging economic development activities within the established corridor. CIAs promote improvements within a designated district, both on private property or within the public road right-of-way or lands owned by the public or other authorities. A CIA has the capability to capture tax increment financing (TIF) from private development projects, utilize public funding opportunities, and collect fees for rent, or other allowed charges. The success of a CIA and funding mechanisms such as TIF is contingent on private sector investment.

#### *Business Improvement District (BID)*

A BID, like a CIA, is a program that ties a plan to funding. A BID is a special assessment wherein the property owners assess themselves to create a sustainable funding source for beautification, streetscape maintenance, and



marketing/branding efforts. The primary revenue source for a BID is by annual special assessment of participating properties in a predetermined formula. Whereas TIF is limited to an increase or decrease in property values, a BID allows greater flexibility and control.

When the business association and City determine the best means for implementing a CIA or a BID, City Council may initiate the process to officially form the district.

### *Zoning Recommendations*

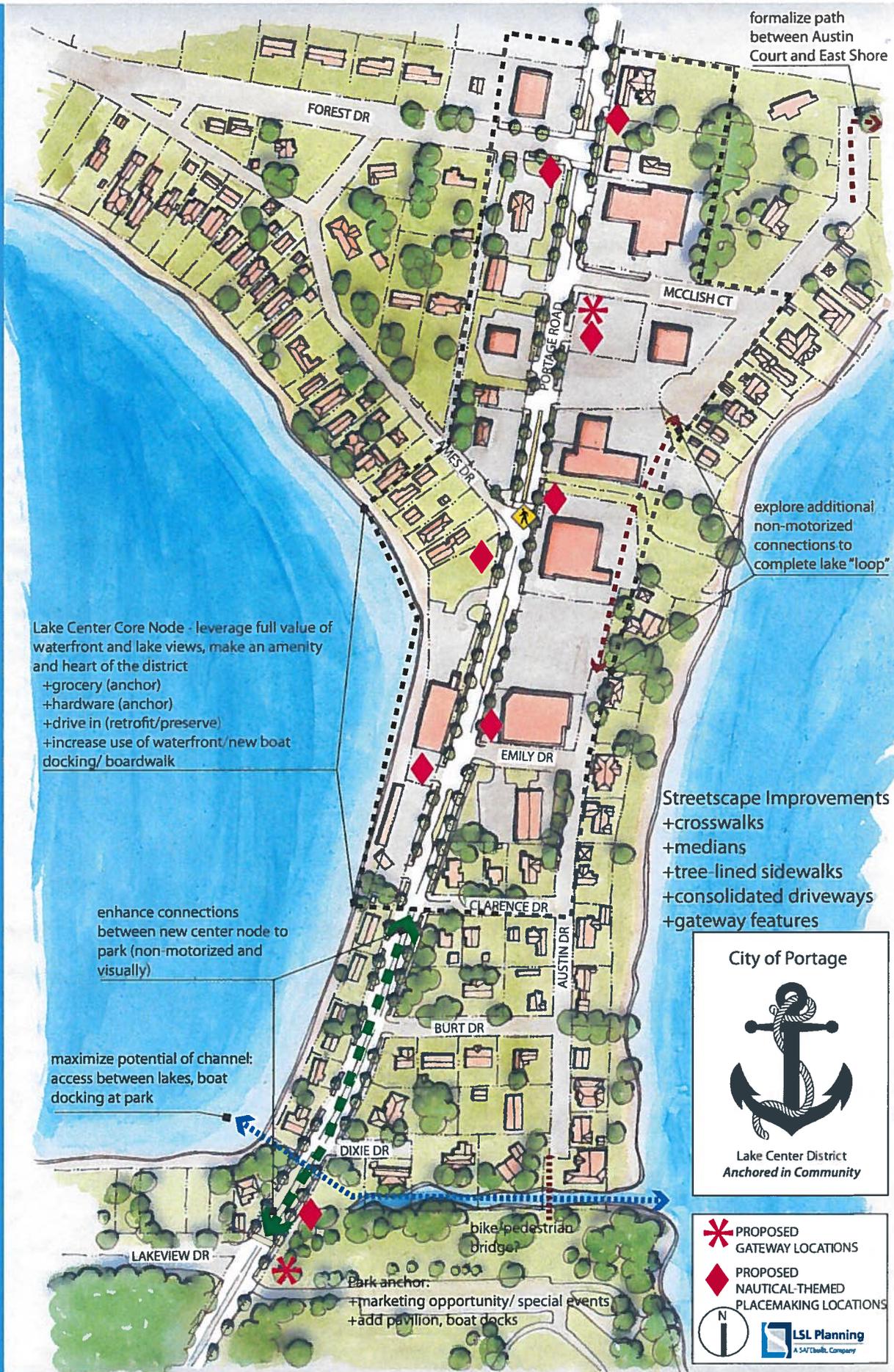
To implement the land use and design recommendations in this subarea plan, creating a new overlay district in the zoning ordinance for the corridor could allow more flexibility in uses and updated site design standards to reflect the desired corridor. Recommended components of the overlay district include, but are not limited to the following:

- Promote uses that fit the corridor based on different target areas:
  - » Lake Center Core Node (Forest to Clarence): mixed-use buildings (i.e. retail, restaurants, residential, boutique hotel, senior living) to optimize views of the lakes but no more than two stories at the lakefront to preserve views
  - » Commercial connector retrofit district (between Centre and the Lake Center Core Node): promote and target smaller-scale, lower intensity uses than currently allowed in General Business zoning with improved site design and reduced front-yard parking
  - » Light Industrial node (north of Bacon): promote and target lower-intensity, consumer-oriented uses than currently allowed in the Light Industrial zoning district with improved front-yard site design and increased provisions for neighborhood protection.
- Reduced front yard setbacks throughout the subarea to encourage buildings fronting the street and minimal front yard parking
- Revised parking standards for uses in the subarea in recognition of smaller-scale uses, where appropriate
- Reduced parking lot greenstrip width requirements where alternative treatments such as a low-profile wall and/or dense hedge are provided.
- Incentivize driveway access consolidation:
  - » Reduced parking requirements where shared access results in shared parking arrangements. In such circumstances, the city could provide technical assistance on development of shared access and parking agreements
  - » Driveway consolidation and redesign could be incorporated into repaving or reconstruction projects completed by the city through the Capital Improvement Program.

Several of the above implementation strategies are also illustrated on the Lake Center Corridor Recommendations map on page page 27.



*Buildings along the waterfront should be no more than two stories to preserve views. This example includes a boardwalk connected to boat docks.*



formalize path between Austin Court and East Shore

explore additional non-motorized connections to complete lake "loop"

Lake Center Core Node - leverage full value of waterfront and lake views, make an amenity and heart of the district  
 +grocery (anchor)  
 +hardware (anchor)  
 +drive in (retrofit/preserve)  
 +increase use of waterfront/new boat docking/ boardwalk

enhance connections between new center node to park (non-motorized and visually)

maximize potential of channel: access between lakes, boat docking at park

Streetscape Improvements  
 +crosswalks  
 +medians  
 +tree-lined sidewalks  
 +consolidated driveways  
 +gateway features

City of Portage

Lake Center District  
 Anchored in Community

PROPOSED GATEWAY LOCATIONS  
 PROPOSED NAUTICAL-THEMED PLACEMAKING LOCATIONS

N  
 LSL Planning  
 A SAIC/Be&K Company

Park anchor.  
 +marketing opportunity/ special events  
 +add pavilion, boat docks

bike-pedestrian bridge



# **MATERIALS TRANSMITTED**



## CITY COUNCIL MEETING MINUTES FROM JANUARY 21, 2014

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

At the request of Mayor Strazdas, Pastor Richard Hertsel of the Centre Avenue Community Church of God 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, Claudette S. Reid, Patricia M. Randall and Terry R. Urban, Mayor Pro Tem Jim Pearson and Mayor Peter J. 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 Special and Regular Meeting Minutes of January 7, 2014, as presented. Upon a voice vote, motion carried 7 to 0.

\* **CONSENT AGENDA:** Mayor Strazdas asked Mayor Pro Tem Pearson to read the Consent Agenda. Motion by Urban, seconded by Ansari, 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 21, 2014:** Motion by Urban, seconded by Ansari, to approve the Accounts Payable Register of January 21, 2014, as presented. Upon a roll call vote, motion carried 7 to 0.

### REPORTS FROM THE ADMINISTRATION:

#### RESOLUTION OF SUPPORT - KALAMAZOO COUNTY TRANSPORTATION

**AUTHORITY:** Mayor Strazdas introduced the item and deferred to City Manager Maurice Evans, who provided background information regarding the formation of the Kalamazoo County Transportation Authority (KCTA), funding public transportation within the County and how the two administrative teams are working to move this matter forward. He mentioned that the Major Milestones and Major Matrixes are provided in the materials to City Council for their review. He cited the approved Executive Service Agreement, the work thus far on the future governance model and the establishment of a second Public Act 196 Authority. He indicated that one of the more critical questions asked at the December 3, 2013 Regular City Council Meeting by Mayor Pro Tem Pearson concerned Other Post Employment Benefit (OPEB) liabilities, so he provided a spreadsheet as a snapshot in time and, until an actuarial study is done, the results of future negotiations remain unknown, but he disclosed that there is certainly some exposure to taxpayers in this area. Further, he indicated that the recommendation before them is to consider any language changes to the proposed DRAFT Resolution of Support as presented which does not commit the City financially; rather, he pointed out that it affirms that City Council is supportive of the timing, the calendar and the issues that the group is trying to address. He introduced Executive Director Sean McBride, who was present to answer any questions City Council may have regarding this matter.

Mayor Strazdas recognized Councilmember Urban, who recommended the elimination of the words, "within the parameters set forth in the White Paper," on the second line of the "Be It Further Resolved" section of the DRAFT Resolution, since the parameters of the White Paper are no longer applicable and explained. Discussion followed.

Councilmember Ansari asked Mr. McBride if the City of Kalamazoo OPEB liability was equal to \$3.7 million and would it be passed on to the County; whether a portion of the health liability would be paid by the Portage taxpayers; and, whether the Portage taxpayers would be inheriting the Legacy Costs of the City of Kalamazoo. He also expressed a concern that no one knows the value of the liabilities being transferred to the KCTA from Kalamazoo Metro Transit which would also be funded by Portage taxpayers. Mr. McBride answered that the \$3.7 million is actually an asset to pre-fund the

liabilities of OPEB as it is actually a savings account that has been established for Kalamazoo Metro Transit for this purpose to which contributions continue on an ongoing basis. He acknowledged that the true cost of the liability is unknown, but pointed out that the City of Kalamazoo is undergoing an Actuarial Study, which will give another snapshot of the true liabilities for future planning purposes. He indicated that the revenue for the funding of the liabilities of OPEB and the ongoing costs of retiree healthcare comes from multiple sources, approximately: State Share Grant, 30% of revenues; Federal Grants, 20% of revenues; millages from the cities and all residents of the County, 20% of revenues; and Fare Box or operational revenues, in excess of 20%. He pointed out that employees hired after the 2009 date of hire and the 2011 date of hire will not receive the same benefit as current employees, but will participate in a defined contribution plan similar to the City of Portage plan. He acknowledged that further research is necessary to determine how the costs will be divided up in the future as the transition from Kalamazoo Metro Transit and City of Kalamazoo to the KCTA takes place. He informed Council that he is applying for a State Grant that is due Friday, part of which is to fund the actuarial study and explained.

Councilmember Ansari indicated that his main concern is the liability, especially to the City of Portage, and asked if the funding would come out of the 0.4 mills already approved by the voters, or is this double taxation. City Manager Evans emphasized that nothing has come out of the City of Portage, the City Government; and any funds would come out of the countywide millages, if approved by the voters, and only if those jurisdictions opt in because they could decide to opt out. He re-emphasized that the citizens of Portage would be paying through a voted-on millage, but not the City of Portage Government, and only if the City of Portage chooses to opt in. Discussion followed and Councilmember Urban explained that the City of Portage citizens are already contributing through the 0.4 voter approved millage that is transferred to Kalamazoo Metro Transit with some of those funds being used to fund all of the retiree health benefits and all of the health benefits at this time, both the savings account and the ongoing cost.

In answer to Mayor Strazdas, Mr. McBride indicated that the Portage City Council would not be involved in the final decisions of the joint authority as this is an action by the Kalamazoo County Board of Commissioners. Discussion followed and Mr. McBride disclosed that if the newly formed Transit Authority is approved, the newly appointed Transit Authority Board will notify the local jurisdictions which then have the decision to opt out of that Transit Authority in part or in full with no action necessary to stay in. Discussion followed.

Motion by Pearson, seconded by Reid, to adopt a Resolution of Support as requested by the Kalamazoo County Transportation Authority with the elimination of the words, "within the parameters set forth in the White Paper," on the second line of the "Be It Further Resolved" section of the DRAFT Resolution.

As background for the public, Mayor Pro Tem Pearson stated that this is an agreement between the City of Kalamazoo and the County of Kalamazoo; and the reservation is that the City of Kalamazoo has \$190 million healthcare shortfall and Kalamazoo County has a \$63 million unfunded retiree healthcare shortfall. He noted that it is proposed that the Kalamazoo city bus system go under Kalamazoo County through an Authority. He said that the original White Paper raised hackles on City Council because it proposed to hold the City of Kalamazoo harmless in this transfer, but during the discussion, Councilmember Urban said to disregard the White Paper, and that is why the motion reads to eliminate the words, "within the parameters set forth in the White Paper," on the second line of the "Be It Further Resolved" section of the DRAFT Resolution. He stated that his reason for making and supporting the motion is because he is encouraged that in the last two days, the City of Kalamazoo and the County of Kalamazoo have decided to do something about the unfunded shortfalls which total a quarter of a billion dollars. He indicated that City Council is concerned for the citizens of Portage because this could be a pass through for something that was the responsibility of the City of Kalamazoo which would then fall on the taxpayers of Kalamazoo County, the City of Portage and the townships. He spoke favorably of the two teams and the participation from representatives of the City of Portage and the townships. He stated he does have a concern going forth with the final version and asked to be

on record that the Portage taxpayers should not be picking up any unfunded retiree healthcare shortfalls of other cities in the final version that goes for approval for this board of governance. Discussion followed.

Councilmember Randall expressed her concern by asking Mr. McBride how can some of the precincts be taxed and not all of the precincts (where some precincts opt in and others opt out), and will there be any benefit for those who are taxed but may not be close enough in distance to walk to the bus stop, or will those taxpayers just be contributing to the cost of a countywide program.

Councilmember Reid expressed her appreciation for the progress of the Kalamazoo County Transportation Authority and the Kalamazoo Transit Authority in getting this matter figured out and acknowledged the complexity of the matter. She expressed her concern that as things progress, disclosure of any information regarding the millage proposal and the boundary lines is important in order to fully evaluate the process and explained that the information is important for the citizens to understand the need. Discussion followed. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 209 of City of Portage Resolution Book 45.

\* **CITY COUNCIL GOAL SETTING RETREAT:** Motion by Urban, seconded by Ansari, to establish Tuesday, February 11, 2014 as the date for the City Council Goal Setting Retreat. Upon a roll call vote, motion carried 7 to 0.

\* **ROMENCE ROAD - TRAFFIC SIGNAL INTERCONNECTION (ENGINEERING SERVICES):** Motion by Urban, seconded by Ansari, to award a contract to perform engineering services for the Romence Road Traffic Signal Interconnection project to Abonmarche Consultants, Incorporated, in the not to exceed amount of \$26,965 and authorize the City Manager to sign all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

\* **FINAL PRELIMINARY CONDOMINIUM OF THE PRESERVE PHASE II, 5000 GRAND ARBRE TRAIL:** Motion by Urban, seconded by Ansari, to approve the Final Preliminary Condominium of The Preserve Phase II, 5000 Grand Arbre Trail. Upon a roll call vote, motion carried 7 to 0.

\* **DECEMBER 2013 SUMMARY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Urban, seconded by Ansari, to receive the communication from the City Manager regarding the December 2013 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.

\* **DEPARTMENT MONTHLY REPORTS:** Motion by Urban, seconded by Ansari, to receive the Department Monthly Reports from the various City Departments. Upon a roll call vote, motion carried 7 to 0.

#### **COMMUNICATION:**

**ANNUAL PRESENTATION BY THE PORTAGE YOUTH ADVISORY COMMITTEE:** Youth Advisory Committee Chair Kyle Huitt introduced Vice Chair Kitu Komya and Secretary Sami Ahmad and provided an update to the 2013-2014 Youth Advisory Committee Goals and Objectives. He referred to his communication to City Council dated January 13, 2014, and discussed educating the members on the roles and functions of the City of Portage Government; volunteering time at organizations such as the Portage Community Center; developing environmental awareness in the community; participating in and supporting community efforts related to addressing substance abuse; advising City Council in areas and subjects under the purview of the Youth Advisory Committee; preparing the update to goals for FY 2012-13 and recommending goals for FY 2013-14; and presenting the annual verbal report. Mr. Huitt recognized Deputy City Clerk Adam Herringa and characterized him

as awesome the four years he has served on the Youth Advisory Committee with his supervision, direction and advice. Discussion followed. Councilmembers Ansari and Randall and Mayor Pro Tem Pearson expressed their appreciation for the efforts of the Youth Advisory Committee. Councilmember Reid mentioned that each year the Youth Advisory Committee keeps getting more members. She inquired whether the group is getting too big and whether student involvement is affected by other commitments. She wanted feedback on what is a good number for participants in the Youth Advisory Committee. Mr. Huitt said that personally he would not make it too much bigger and conjectured that a cap of around 40 would be optimum and explained. Motion by Ansari, seconded by Reid, to receive the Annual Presentation by the Portage Youth Advisory Committee. Upon a voice vote, motion carried 7 to 0.

#### **UNFINISHED BUSINESS:**

\* **LICENSE AGREEMENT FOR MANN+HUMMEL ACCESS ROAD/PATH, 6600 SPRINKLE ROAD:** Motion by Urban, seconded by Ansari, to approve the License Agreement for Mann+Hummel Access Road/Path, 6600 Sprinkle Road, and adopt the Resolution of Intent to Grant a License to Locate Access Road to Mann+Hummel as presented. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 211 of City of Portage Resolution Book No. 45.

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

Portage Environmental Board of October 9, November 13 and December 11, 2013.

Portage Park Board of December 4, 2013.

Portage Human Services Board of December 5, 2013.

Portage Youth Advisory Committee of December 9, 2013.

Portage Planning Commission of December 19, 2013.

#### **NEW BUSINESS:**

##### **PROPOSED CHANGES IN THE GENERALLY ACCEPTED AGRICULTURE AND MANAGEMENT PRACTICES (GAAMPS) AND THE IMPACT ON THE PORTAGE**

**CHICKEN ORDINANCE:** Mayor Strazdas introduced the item and noted that City Council just received the material from the Administration before the meeting. He deferred to City Manager Evans, who provided a summary of the research and noted that there is not enough time to provide input at the January 22, 2014 public hearing. He then asked Community Development Director Vicki Georgeau to relate what she discovered in her discussions with her contacts in Lansing.

Ms. Georgeau provided some background of her discussions with City Attorney Randy Brown and referred City Council to the materials and attachments provided that give the history and background of the Michigan Right to Farm Act of 1981 and the 1999 Amendment to the Act. She also included a summary of her understanding of the proposed revisions as a part of her communication dated January 21, 2014. She said the Michigan Right to Farm Act of 1981 was adopted mainly for the protection of commercial farm operations and resulted from complaints of nuisances such as odors and manure management by those who moved out to rural areas as part of sprawl. She said as long as the farmers followed the Generally Accepted Agriculture and Management Practices (GAAMPs), the Michigan Right to Farm Act provided some level of protection from the complaints for existing farms, expanding farms and new farms; and, in 1999 the Amendment to the Act preempted local ordinances from regulating farm activity, again, with the understanding that this was protection for commercial farms. She noted that in recent years, case law has supported smaller farms with the use of the Act. She outlined the three categories cited in her communication and explained the proposed category (#4) for site selection that would be added and gave examples. She explained that it is understood that the

purpose of this proposed forth category is for further protection of neighborhoods and communities that are denser, non-agricultural areas versus people who might want to have livestock. She expressed an interest in having more time to review the proposed draft revisions by the Administration and the City Attorney prior to comment to the Michigan Department of Agriculture, acknowledging that the public comment period on this matter ends on Wednesday, January 22, 2014, with a second public hearing on February 12, 2014. Discussion followed.

Councilmember Reid expressed her concern regarding how the proposed changes affect the hobby farmer, especially as they affect the Portage Chicken Ordinance, and the undoing of that ordinance, considering the significant work and efforts of the Planning Commission to enact this Ordinance. She asked Ms. Georgeau for her opinion of whether it would be appropriate to communicate with the Michigan Agriculture Commission to let them know that the Portage City Council just found out about this proposal and to cite the efforts of the Planning Commission as a formal expression to the Commission that there is a concern about the possibility that the actions that they are taking could undo something that Portage has worked very hard to accomplish for the City. Ms. Georgeau concurred, but was not prepared to provide a full analysis on such short notice. Discussion followed.

City Attorney Brown concurred with Ms. Georgeau that he was not prepared to provide a full analysis at this time, but did say that the City Ordinance does allow six chickens on a non-commercial basis and, under the Michigan Right to Farm Act, a farmer only gets the protection of that Act if it is a commercial use and explained. He mentioned that he is still reviewing the matter and would provide a report, but agreed with Councilmember Urban that it may not affect the Portage Ordinance at all. Discussion followed.

Motion by Reid, seconded by Pearson, to direct the Administration to provide a report regarding the proposed changes to the Generally Accepted Agriculture and Management Practices (GAAMPs) and to send a letter informing the Michigan Agriculture Commission that the issue has just been brought to the attention of Portage City Council, expressing that the City Council has some concerns regarding the proposed changes and asking for the ability to submit written testimony, if appropriate, after further review. In response to City Attorney Brown, Councilmember Reid indicated that the focus of the motion is on the *Chicken Ordinance* as well as what other citizens may have, such as those who have horses or any other small “hobby” farm. She did confirm that the main concern is for the impact on the *Chicken Ordinance*, and she and Mayor Strazdas agreed with Mr. Brown to also attach the *Chicken Ordinance* to the response. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

## **OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL:** Councilmembers Ansari and Ford expressed their appreciation for the orientation to City Departments provided to them on Friday, January 17, 2014.

Councilmember Reid advised everyone to be careful to stay warm, especially when clearing snow from walkways and driveways during the upcoming week. Councilmember Ford concurred.

Mayor Pro Tem Pearson reflected that the senseless shooting at the Electrical Engineering Department at Purdue University, Lafayette, Indiana, was a sad note for him as an alumnus. Also, as Chairperson of the Kalamazoo County Environmental Health Advisory Board, he recognized Councilmember Randall as a member and shared some information on Household Hazardous Waste: drop-offs are up 3% in the County to over 9,500; County electronic recycling is up 16%; and, 18% of the drop-offs are by Portage residents, which is commensurate with the population. He mentioned the “Swap Shop” where people can obtain reusable household products such as cleaners, paint and automotive products that do not have to be disposed. Finally, he noted that the hours of operation for the facility is from 8 a.m. until 1 p.m. on Tuesday and Friday, and from 8 a.m. until 1 p.m. on the second Saturday of each month.

Mayor Strazdas expressed his appreciation for the information from Mayor Pro Tem Pearson and reminded everyone that as a protection for drinking water in the County, there is the Medication Red Box for disposal of controlled prescription products that can be found at: the Portage Police

Department, 7810 Shaver Road; the Kalamazoo Department of Public Safety, East Crosstown Parkway, Kalamazoo; Kalamazoo Sheriff's Office, 1500 Lamount Avenue, Kalamazoo; Kalamazoo Township Police Office, 1720 Riverview Drive, Kalamazoo Township; and the Village of Schoolcraft Police Department, 442 North Grand Street, Schoolcraft. Mayor Pro Tem Pearson added that Portage citizens are the biggest users of the Medication Red Box.

Mayor Strazdas thanked City Council for supporting the License Agreement granted to Mann+Hummell, and he invited Portage citizens to attend and participate in the Planned City Council Goal Setting Retreat at the John E. Fetzer Institute on KL Avenue in Oshtemo, Tuesday, February 11, 2014, and the City Council Meeting that will follow at 7:30 p.m.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 8:45 p.m.

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James R. Hudson, City Clerk

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