



PLANNING COMMISSION

November 5, 2015

CITY OF PORTAGE PLANNING COMMISSION

A G E N D A

**November 5, 2015
(7:00 p.m.)**

Portage City Hall Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES:

- * October 15, 2015

SITE/FINAL PLANS:

PUBLIC HEARINGS:

- * 1. Tentative Plan Amendment: Oakland Hills at Centre, 2275, 2301, 2381 and 2401 West Centre Avenue and 8080 Oakland Drive

OLD BUSINESS:

NEW BUSINESS:

- * 1. Historic District Modification, 10234 East Shore Drive

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

October 6, 2015 City Council regular meeting minutes
September 2015 Summary of Environmental Activity Report

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

PLANNING COMMISSION

October 15, 2015

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The City of Portage Planning Commission meeting of October 15, 2015 was called to order by Vice-Chairman Felicijan at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. One citizen was in attendance.

PLEDGE OF ALLEGIANCE:

Vice-Chairman Felicijan led the Commission and staff in the Pledge of Allegiance.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services and Randy Brown, City Attorney.

ROLL CALL:

Mr. Forth called the roll and the following Commissioners were present: Bosch (yes), Dargitz (yes), Richmond (yes), Patterson (yes), Felicijan (yes) and Schimmel (yes). A motion was made by Commissioner Patterson, seconded by Commissioner Bosch, to approve the roll excusing Commissioners Welch, Stoffer and Somers. The motion was unanimously approved 6-0.

APPROVAL OF MINUTES:

Vice-Chairman Felicijan referred the Commission to the September 17, 2015 meeting minutes contained in the agenda packet. Commissioner Dargitz indicated she was excused from the September 17th meeting and would be abstaining. A motion was made by Commissioner Bosch, seconded by Commissioner Richmond, to approve the minutes as submitted. The motion was unanimously approved 5-0-1.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Vacation of the south portion of Harris Drive. Mr. Forth summarized the staff report concerning a request received from Craig and Nancy Bahner that the south approximate 57-feet of Harris Drive (unimproved portion) be vacated to facilitate construction of a new single family home on the adjacent parcels the applicants own addressed as 10214 and 10220 East Shore Drive. Both parcels are vacant and the applicants intend to combine 10214 and 10220 East Shore as a single lot of record and construct a new dwelling. Mr. Forth indicated there is an existing sanitary sewer main is located within the Harris Drive right-of-way, which also extends just south of the right-of-way. If the vacation request is approved, an easement will be conveyed to the City of Portage

DRAFT

allowing access and maintenance activities involving the existing sanitary sewer main. Mr. Forth summarized the review/approval process and indicated the City Administration supports the vacation request as there are no future plans to extend Harris Drive. Mr. Forth noted the Administration's support is subject to retention of a sanitary sewer easement and combining 10214 and 10220 East Shore Drive as one lot of record.

Mr. Jack Gesmundo, American Village Builders representing the applicants, was present to speak in support of the request. Mr. Gesmundo explained the historical use of the property, including access from East Shore Drive. Mr. Gesmundo explained the home that used to be located at 10220 East Shore Drive shared a driveway with 10230 East Shore Drive. The proposed home will have a separate driveway to East Shore Drive and there will be no driveway connection to Harris Drive. Mr. Gesmundo showed the Commission a drawing that illustrated increased setback distances from Harris Drive if it is not vacated. These increased setback distances impact building location.

In response to Commissioner comments/questions, Mr. Forth explained the legal nonconforming status of 10214 East Shore Drive and public street frontage requirements, that the existing sanitary sewer main provides several lead locations to service homes and the need for an easement encumbering the Harris Drive right-of-way and a small portion immediately to the south. Mr. Forth noted the action by the City of Portage does not remove this portion of Harris Drive from the recorded plat of Oakland Beach. A formal amendment to the plat requires action by Circuit Court. The Commission also asked about the walkway to Austin Lake. Mr. Forth indicated the plat was formally amended in the early 1990's and this walkway was removed.

There being no further discussion, a motion was offered by Commissioner Bosch and supported by Commissioner Patterson that the Planning Commission recommend to City Council the south approximate 57-foot of Harris Drive be vacated subject to the applicants conveying to the City of Portage a 20-foot wide easement for the existing sanitary sewer main and the applicant combine 10214 East Shore Drive, 10220 East Shore Drive and the vacated approximate 57-foot strip of Harris Drive into one parcel. The motion was unanimously approved.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

Mr. Forth stated October is National Community Planning Month and Chairman Welch will be present at the October 20, 2015 City Council meeting to read and accept a proclamation acknowledging the importance of planning and the impact it makes on the form and function of the community. Mr. Forth invited other Planning Commissioners to attend the City Council meeting.

Commissioner Dargitz indicated she was a participant in the 2025 Visioning Renewal event held on Saturday, October 3rd. Commissioner Dargitz mentioned the keynote speaker, Tony Minghine, gave a very good speech on placemaking and if other Commissioners wanted to watch the video, it is available on the City of Portage website. Vice-Chairman Felicijan also indicated he was a participant in the 2025 Visioning Renewal event and concurred with Commissioner Dargitz's comments about the keynote speech.

There being no further business to come before the Commission, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

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

TO: Planning Commission

DATE: October 30, 2015

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

SUBJECT: Preliminary Report: Tentative Plan Amendment for Oakland Hills at Centre Planned Development, 2275, 2301, 2381 and 2401 West Centre Avenue and 8080 Oakland Drive

I. APPLICATION INFORMATION:

An application to amend the previously approved tentative plan for the Oakland Hills at Centre Planned Development (PD) has been received. The 2015 tentative plan amendment proposes to revise the attached residential layout of the planned development (southwest portion of property) and reduce the total number of condominium units from 107 to between 85-100, and update the project phasing timeline. Please refer to the attached narrative and tentative plan submitted by the applicant for additional details regarding the proposed amendment.

Applicant	Property Address	Description	Zoning
Mr. Jack Gesmundo, American Village Development II, LLC	2275, 2301, 2381 and 2401 West Centre Avenue and 8080 Oakland Drive	47.6+/- acre tract of land (Mixed office and attached residential development)	PD, planned development (2006)

The Oakland Hills at Centre PD involves a 47.6 acre tract of land located south of West Centre Avenue and west of Oakland Drive. The original Oakland Hills at Centre PD rezoning/tentative plan application received City Council approval in 2006 and proposed the construction of 116 attached single family residential condominiums within the interior of the property and between 30,000 and 50,000 square feet of offices in a multiple building arrangement along West Centre Avenue and Oakland Drive. Since the original 2006 approval, the following tentative plan amendments and final plans have been approved:

2009. Since construction did not commence within the required two-year period, City Council granted the applicant a two-year extension to the PD rezoning and tentative plan approval. As part of the extension, the applicant submitted an updated tentative plan that identified minor changes including an approximate 36-foot shift in the boundary line between the office and attached residential portions of the development, updated acreages and densities for the office and attached residential portions of the development and a revised phasing schedule. City Council also approved the final plan for an approximate 7,000 square foot office building and associated site improvements (Cole-Gavlas, 2301 West Centre Avenue) on a 1.5 acre site within the first phase of the office portion of the development.

2012. City Council approved a second tentative plan amendment that added a 150-foot tall wireless telecommunication tower (“monopine”) within the office portion of the PD along Oakland Drive, revised the layout of the attached residential portion of the PD with a reduction in total number of units from 116 to 107, revised the layout of the office portion of the PD along West Centre Avenue and Oakland Drive and updated the project phasing timeline. In conjunction with the tentative plan amendment, City Council also approved a final plan for Verizon Wireless to construct the 150-foot tall “monopine” tower and related site improvements at 8080 Oakland Drive.

2014. City Council approved a final plan for an approximate 3,000 square foot bank building and associated site improvements (1st Source Bank) on a 1.3 acre site within the office portion of the PD along West Centre Avenue. No additional development activity has occurred since this 2014 final plan approval.

II. TENTATIVE PLAN AMENDMENT PROCEDURES/REQUIREMENTS:

The PD, planned development chapter establishes a two-part review and approval process: Tentative plan review of the overall development concept and final plan review for each phase of the development. Under the terms of the ordinance, any change to the tentative plan, such as modifying an approved land use class or adding a land use class, requires formal review and approval, with public hearings, in a manner similar to a rezoning procedure.

Section 42-374 of the Land Development Regulations stipulates the development standards in the PD zoning district. This section provides flexibility in the types of land uses of which up to 20% of the total land area available can be utilized for nonresidential uses. Public water and public sanitary sewer is required. Overall density of the project may not exceed seven units per acre and density in any one phase may not exceed 12 units per acre. Building setbacks, building height, open space and screening are also regulated under the ordinance.

III. PRELIMINARY ANALYSIS - PROPOSED TENTATIVE PLAN AMENDMENT:

A summary comparison between the 2012 approved tentative plan and 2015 proposed tentative plan amendment is provided in the table below. Specific aspects of the proposed tentative plan amendment are discussed in greater detail following the summary table.

Oakland Hills at Centre Planned Development		
Element	2012 Approved Tentative Plan	2015 Proposed Tentative Plan Amendment
Uses	Mixed use attached residential and office development with 150-foot tall wireless telecommunication tower (“monopine”)	Mixed use attached residential and office development with 150-foot tall wireless telecommunication tower (“monopine”)
Office/Attached Residential Acreage	30,000–56,000 square feet offices/8.61 acres (along West Centre and Oakland Drive) 107 attached residential units/39.10 acres (within interior portion of property)	38,000–52,200 square feet offices/8.00 acres (along West Centre and Oakland Drive) 85-100 - attached residential units/39.45 acres (within interior portion of property)
Phasing	Phase I (Winter 2009--Fall 2014) * 5.9 acres office along West Centre Avenue Phase II (Summer 2012--Fall 2016) * 2.7 acres office along Oakland Drive plus 150-foot tall mono-pine tower along Oakland Drive * 9.6 acre attached residential (47 units) Phase III (Fall 2016--Fall 2018) * 29.4 acres attached residential (60 units)	Phase I (Winter 2009--Fall 2017) * 5.9 acres office along West Centre Avenue Phase II (Summer 2013) * 0.25 acre “monopine” long Oakland Drive Phase III (Spring 2016--Fall 2022) * 2.1 acres office along Oakland Drive * 14.7 acres attached residential (44 units) Phase IV (Spring 2016--Fall 2022) * 24.7 acres attached residential (48 units)
Setbacks	40-foot setback around perimeter of property (20-feet for mono-pine/10-feet fenced enclosure) 50-foot green belt/setback for offices along West Centre Avenue and Oakland Drive	20-foot setback around perimeter of property (20-feet for mono-pine/10-feet fenced enclosure) 50-foot green belt/setback for offices along West Centre Avenue and Oakland Drive
Setbacks (con.)	25-foot setback for residential buildings from	25-foot setback for residential buildings from

	internal private streets and 20-foot separation between residential buildings	internal private streets and 15-foot separation between residential buildings
Access	<p>Phase I – Full service drives from West Centre (existing boulevard shared with Hospice Care on the east and with Kushner on the west)</p> <p>Phase II – Full service drive from Oakland Drive (proposed in approximate mid-point of property)</p> <p>* Shared/cross access between phases and adjacent uses also proposed</p>	<p>Phase I – Full service drive from West Centre (existing boulevard shared with Hospice Care on the east and with Kushner on the west)</p> <p>Phase II – Full service drive from Oakland Drive (on adjacent property to north, 8040 Oakland Drive, shared/cross access)</p> <p>Phase III – Full service drive from Oakland Drive (proposed boulevard drive, attached residential)</p> <p>* Shared/cross access between phases and adjacent uses also proposed</p>

- Revised Attached Residential Layout/Reduction in Units** – As identified by the applicant, the layout of the attached residential condominium buildings has been revised to reflect anticipated market conditions and demand. The revised tentative plan identifies a total of 92 condominium units in a duplex building configuration. While the applicant anticipates the duplex style condominium building will dominate the residential community (“Whisper Rock”), flexibility is requested to include other condominium building styles such as single family detached, three-plex and/or four-plex buildings with the total number of condominiums ranging between 85-100 units. The proposed 92 condominium units represents a reduction from the 107 units proposed/approved with the 2012 tentative plan amendment, which included three and four unit buildings. Attached residential condominium buildings will maintain a minimum 20-foot setback from the outer perimeter of the property, 25-foot setback from the edge of the internal streets and 15-foot separation between buildings. The applicant has indicated a reduced perimeter setback and building separation will accommodate additional two unit buildings and offset the reduction in overall dwelling units. Internal private streets, storm water areas, entry statements and common open space areas will be owned and maintained by the Whisper Rock Condominium Owners Association.
- Revised Office Layout along West Centre Avenue/Oakland Drive** – As identified by the applicant, the layout of the office portion of the development has been revised to reflect the construction of the Cole-Gavlas and 1st Source Bank buildings and associated boulevard drive from West Centre Avenue, the location of the 150-foot tall monopine tower along Oakland Drive and the future marketing plan. Multiple office buildings ranging in size from 1,250–30,000 square feet continue to be envisioned for the remainder of office portion of the planned development along West Centre Avenue (Phase I) and Oakland Drive (Phase III). Office buildings will continue to maintain a 50-foot setback/green belt from West Centre Avenue and Oakland Drive and a 20-foot setback from the perimeter of the property with the exception of the north property line adjacent to the monopine tower which was previously approved for a 10-foot perimeter setback.

With regard to the office uses and existing monopine tower along Oakland Drive, the applicant is working with the adjacent property owner (8040 Oakland Drive) to incorporate joint access to Oakland Drive that will be shared between the proposed office buildings and the monopine tower. For Commission information, 8040 Oakland Drive is located outside of the PD zoning district. If this shared driveway arrangement does not occur, access for the planned office building will be obtained from the residential boulevard driveway to the south. The applicant has also indicated the owner of the monopine tower has not “fully approved” this joint drive arrangement. If the monopine owner does not

approve this joint driveway arrangement, access to the monopine tower will be obtained from the residential boulevard driveway to the south as noted in the 2012 tentative plan amendment.

Finally, and consistent with the 2012 tentative plan amendment, the applicant has indicated the existing trees located along Oakland Drive will be maintained to the extent possible to screen/blend the monopine tower with the surrounding area.

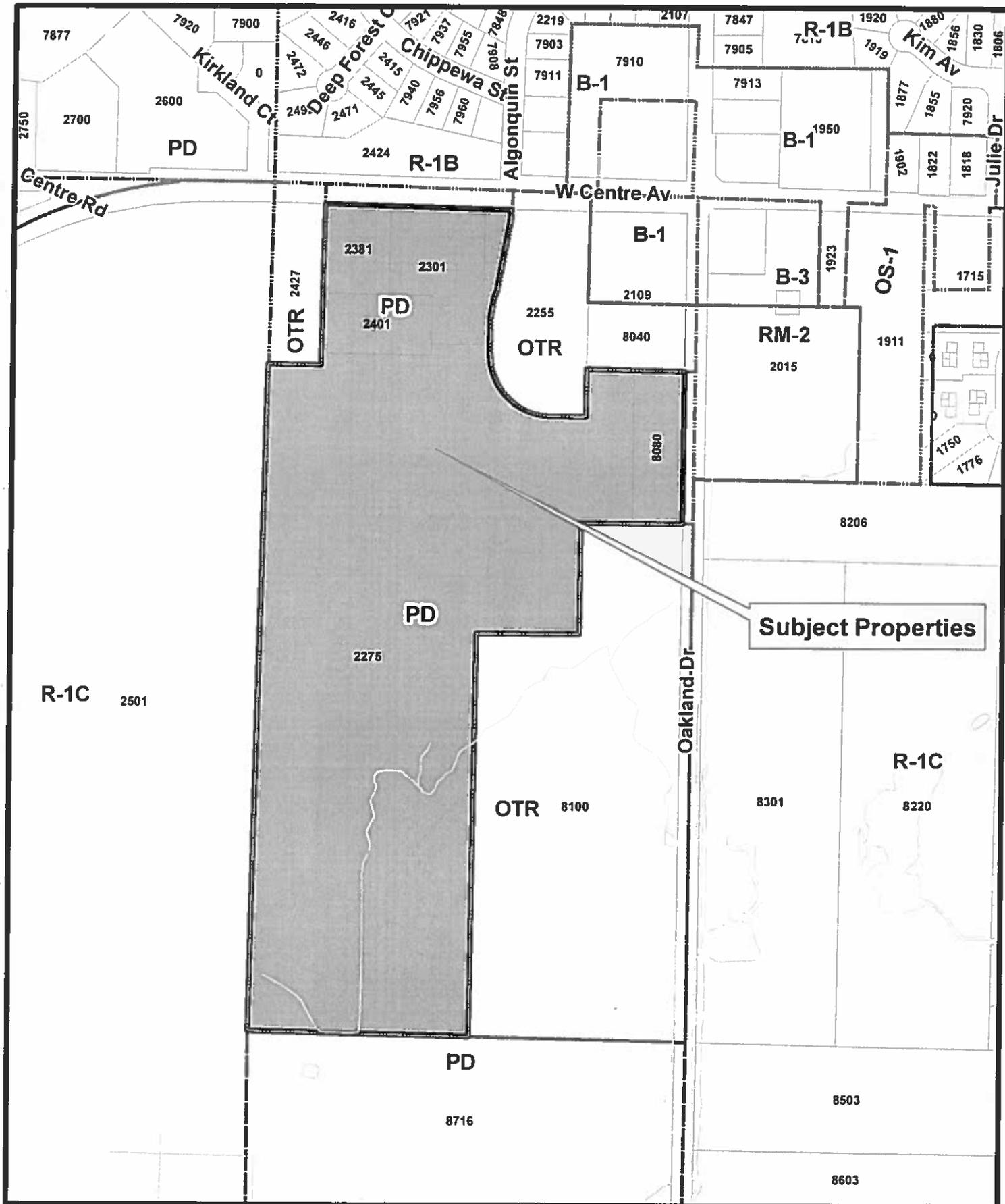
- **Pedestrian Circulation** – The applicant is proposing to construct sidewalks along at least one side of each internal private street. Sidewalks are also proposed to be installed along Oakland Drive and West Centre Avenue (the sidewalk adjacent to 1st Source Bank has already been installed). A continuous sidewalk to the Oakland Drive and West Centre Avenue intersection is planned; however, the applicant does not own the intervening properties. Finally, an area at the south end of Phase IV has been designated as a “State Forest Trail Head” that will allow residents to access the Gourdneck State Game Area.
- **Updated Project Phasing Timeline** – Given the changing economic conditions since the original 2006 PD rezoning and tentative plan approval, the project phasing/construction schedule has again been updated. Phase I that includes construction of the 5.9 acres of offices along West Centre Avenue is now planned between Winter 2009 – Fall 2017. Phase II that involved the monopine tower on .25 acres that was completed in 2013. Phase III and IV includes the 2.14 acres of offices along Oakland Drive and the 39.45 acres of attached residential condominiums (85-100 units) is now planned between Spring 2016 – Fall 2022.

IV. RECOMMENDATION:

In accordance with the Planning Commission policy of accepting public comment at the initial meeting and concluding the discussion at a subsequent meeting, it is recommended that public comment be received during the November 5, 2015 meeting and the public hearing for the Tentative Plan Amendment for Oakland Hills as Centre Planned Development be adjourned to the November 19, 2015 meeting. However, and subject to any public comment received, if the Planning Commission concludes it is appropriate to provide a recommendation to City Council during the November 5th meeting, staff advises the Commission recommend to City Council the 2015 Oakland Hills at Centre tentative Plan amendment be approved subject to the following:

1. The applicant maintain, to the extent possible, the existing trees located along Oakland Drive to screen/blend the monopine tower with the surrounding area.
2. If the shared driveway arrangement with 8040 Oakland Drive does not occur, access for the planned office buildings and existing monopine tower be obtained from the residential boulevard driveway to the south.

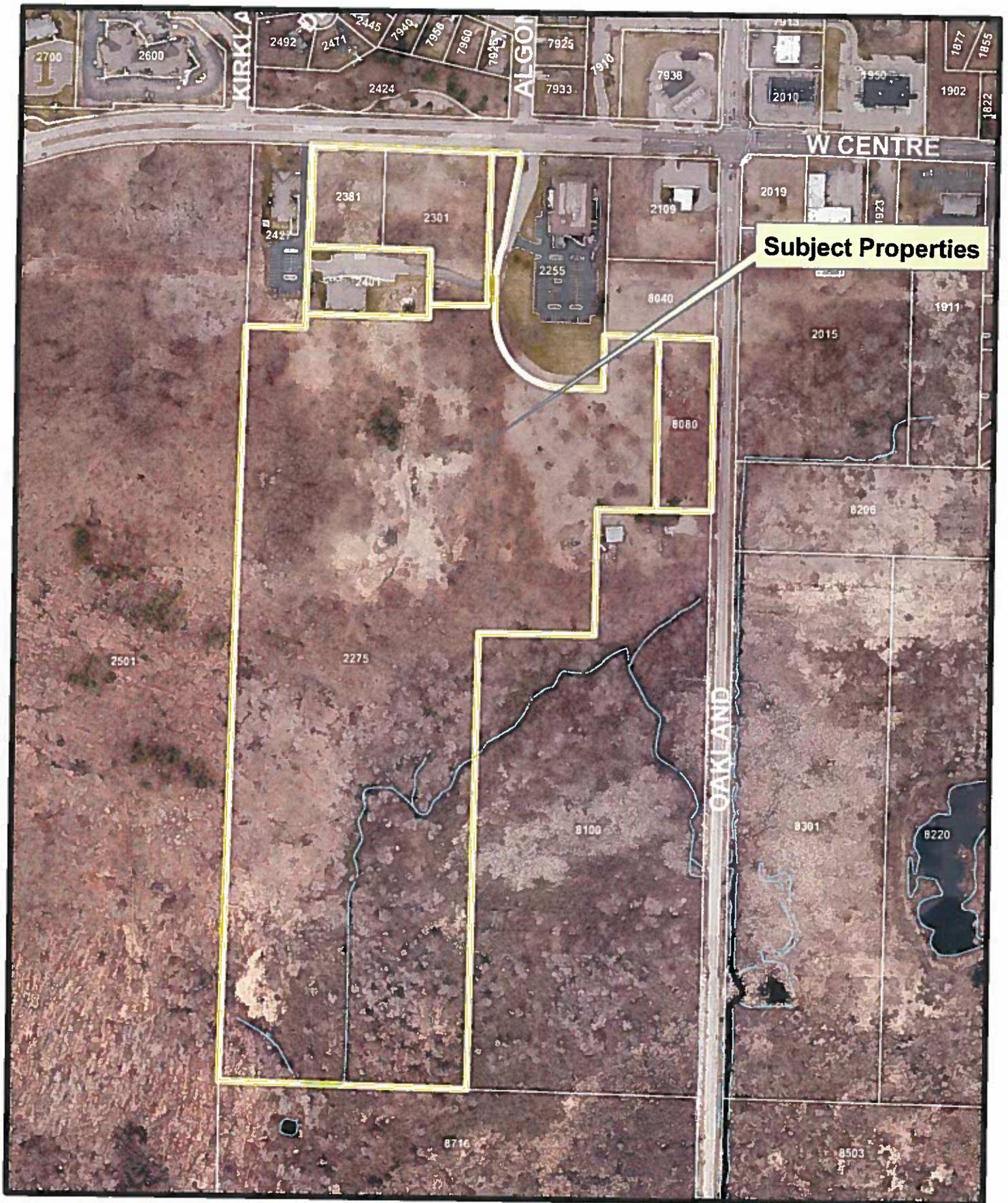
Attachments: Zoning/Vicinity Map
Aerial Photograph
Proposed Tentative Plan Amendment (narrative and tentative plan layout)
Previously Approved 2012 Tentative Plan for Oakland Hills at Centre PD (tentative plan)



**Tentative Plan Amendment
 2275,2301,2381 and
 2401 West Centre Avenue
 and 8080 Oakland Drive**



-  Zoning Boundary
-  Subject Properties



Subject Properties

Aerial Photo

**2275, 2301, 2381 and
2401 West Centre Avenue
and 8080 Oakland Drive**



0 75 150 300 Feet

 Subject Properties



BUILD SOMETHING BETTER.

October 27, 2015

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

**RE: Oakland Hills at Centre Planned Development Conceptual Plan
(2275, 2301, 2381 & 2401 West Centre Ave. and 8080 Oakland Drive)**

Dear Mr. Forth,

Please accept the following "tentative plan narrative" which is an update from the original 2006 submission which was approved by the Planning Commission and City Council. Please note that additionally, in 2009, an extension was granted for submission of a final plan and again the tentative plan was modified and approved in 2012. The changes we are proposing are relatively minor in nature. That notwithstanding, we are requesting an amendment to our tentative plan as indicated herein.

We look forward to reviewing this information with you along with the attached related site plan before the Planning Commission and City Council meetings. The material changes from the approved 2012 tentative plan narrative are as follows:

1. The office area along Centre has been updated to show our current marketing plan along with the completed Cole Gavlas office and 1st Source Bank buildings.
2. The residential area located in the southwest corner of the property has been updated to reflect a more detailed design review of the residential - condominium layout.
3. The signage locations have been updated to include entry statements at Centre Ave., Oakland Drive and where the Centre Ave office space transitions to the residential area to the south. Additionally, three monument signs are planned for the office areas, one at Oakland Drive entries and two at Centre Avenue, one of which has already been designed and is in place.
4. The project phasing timeline has been updated to reflect the actual and anticipated absorption of the residential and office areas based upon current market conditions.

Please find below our answers to the questions found in Section 42-375 of the City of Portage Land Development Regulations.

1. The main purpose of the proposed tentative plan revision is to allow for updated residential layouts of the planned development. We have also updated the both the residential and office development site plans to match the actual and anticipated construction to dates as well as our most recent conceptual plans. As with all of our planned developments, our focus is on

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developing great projects. The residential portion of the PD is tentatively being called "Whisper Rock" and will have a traditional entry statement at each entrance: one at Centre Avenue, one further south where the office area feeds into the residential development and one at Oakland Drive. The Centre Avenue entrance is already constructed and is shared with the Oakland Centre building occupied by Hospice, 1st Source Bank and Cole Galvas. This entry serves as the primary entry to the commercial portions of the development. The primary entry for the residential portion of the development will be located along Oakland Drive. Both entries will have internal connectivity to allow for ingress and egress to most areas of the development. We are proposing a third entry at the offices and mono pine cell tower located along Oakland Drive outside of the PD. A small drive will also be maintained for service access to the mono pine cell tower. The three entrances will create a "sense of arrival" when a resident, employers and their collective guests come to this planned development.

We enjoy working on developments that have natural topography, views, nature and related features. We plan to harness the natural beauty of this land in many ways at Oakland Hills at Centre (commercial) and Whisper Rock (residential) including: first-rate landscaping and natural screening where appropriate. Additionally we will take advantage of the natural features and topography of the land by site planning to allow views of the beautiful forests, waterways, wetlands and sensitive areas that border this property on the south, east and west where practical. Similarly to the Oakland Hills condominium community, we will have sidewalks on one side of the interior private streets and along the West Centre Avenue and Oakland Drive frontage.

2. The proposed development is on a 47.6 +/- acre tract of land at the southwest corner of Centre Avenue and Oakland Drive. In aggregate we plan to develop approximately 29 acres of the 47.6 +/- acre parcel of land leaving approximately 18 acres that are part of this tentative plan that will be developed for the following uses: common open space, access to the state forest, and other passive recreational uses, sidewalks, storm water retention, wetlands and floodplain. Using a cluster development and open space concept, the 29 acres to be developed will include 85-100 detached and/or attached condominium units and includes 8 acres for office and the mono-pine cell tower. The office space is divided into two parcels. One parcel fronts on Centre Avenue. The second parcel fronts on Oakland Drive. It should be noted that the large tract of land adjacent to our property to the west is the State of Michigan Gourdneck Forest. Additionally, the large tract of land to the south of this development is also zoned Planned Development for the Oakland Hills Condominium Community. Please see the attached Exhibit "A" which contains the required site plan for your review.
3. Oakland Hills at Centre is being developed in four phases that began in January of 2009. Phase I included the first 5.9 acres of office space on Centre Avenue (some of which is still vacant land ready for development). Phase II included the installation of a mono-pine cell tower. Phase III and Phase IV will include 39.45 acres of condominiums and open spaces for approximately 85-100 units, and 2.14 acres of office space on Oakland Drive.

In the proposed entry statement location along Oakland Dr., we will be working to create a sense of arrival similar to what can be experienced at the Oakland Drive entrance to the Oakland Hills condominium development.

The condominium units will be further developed as noted below but will generally consist of a combination of single detached, duplex style, three-plex, four-plex and townhome units. Though the current attached conceptual plan contemplates 92 duplex style buildings, we are in the process of reanalyzing the market and modifying our current floor plans to be able to provide the best combination of condominium styles for the Portage market. We are again asking for the flexibility to develop the condominiums within the parameters established within this narrative and working with staff with through the site plan approval process. All of the residential units developed for this project are "for sale" homes and are anticipated to be "owner occupied" which tend to appeal to empty nesters but will be marketed to the entire population. The office buildings will be between 1,250 square feet and 30,000 square feet depending on the type of user. We anticipate, however, several 2,500 to 7,500 square foot buildings as depicted. The office product will either be for sale, build to suit or for lease. The development phase lines have been included on the attached Exhibit "A".

4. The time schedule is proposed as follows:

- a. Phase I Winter 2009 through Fall of 2017 – Centre Ave Office
- b. Phase II 2013 – mono pine cell tower
- c. Phase III & IV Spring of 2016 through fall of 2022 – Residential and Office along Centre Avenue and Oakland Drive.

5. The site plan and its associated phasing lines show how each stage of the development is independent, yet is designed to integrate well into the development as well as the existing development pattern. Phase I uses existing Centre Avenue curb cuts and drives which area partially owned and fully benefited by easements in favor of our development at both the far east (Hospice) and the far west ends (Kushner & Co.) of the property. Phase II, the mono-pine cell tower phase, is accessed by a paved driveway. Our goals is to relocated this access to incorporated the access into the northernmost Oakland Drive office entry, however this has not been fully approved by the mono pine cell tower owners. This shared access drive to the office sites is not inclusive of the PD, and is located on Greg Nuyen's property. We are working with Mr. Nuyen at his request to help develop his property. If for some reason, a joint access agreement cannot be reached with Mr. Nuyen, then we will access the offices through the new residential access noted below or through the existing access to the mono-pine cell tower. Phases III and IV contemplate a new celebrated entry connected to Oakland Drive. Upon completion of the residential portion, the development will interconnect to both Oakland Drive and Centre Avenue along with ancillary roads making up the remainder of the development. The offices and mono pine cell tower along Oakland Drive will be accessed through a private entry.

We anticipate, due to the target demographics for this development, that our residents will average 6 trips per day or a total of approximately (6 trips x 92 homes=) 552+/- trips to and from their homes. In addition, our planned 30,000 to 52,200 square feet of office space is planned to generate approximately 150+/- employees and 6 trips per day per employee. This equates too approximately (6 trips x 150 employees =) 900+/- trips to and from their work. Combined, this equates to approximately 1,452+/- total trips or approximately 484+/- trips if equally divided between each of the three entries. The Oakland Drive accesses will be designed to allow for right and left hand turn exit lanes and one entry lane. The Centre Avenue curb cut shared with Hospice is already constructed with a right and left turn out. Additionally, due to our target demographics we do not anticipate any residential traffic impacting peak hours like other more intensive uses may.

6. As mentioned previously, the land is located around the Southwest corner of Oakland Drive and Centre Avenue. The parcel is 47.6 acres +/- in total. The property is all owned fee simply. We presently own 47.6 +/- acres of this property in American Village Development II, LLC and Oakland Centre Real Estate, LLC.

7. The chart below demonstrates the land use and density for each phase.

Phase I

5.86 acres Office

27,000 sq. ft. of Office

$27,000 / 5.86 \text{ acres} = 4,610 \text{ sq. ft. per acre}$

Phase II .25 acres one mono-pine cell tower

Phase III & IV

2.14 acres Office, 39.45 acres Residential

$92 \pm \text{ homes} / 39.45 \text{ acres} = 2.3 \pm \text{ units per acre}$

$14,000 \text{ sq. ft. office} / 2.14 \text{ acres} = 4,970 \text{ sq. ft. per acre}$

Phases I-IV Combined

$92 \pm \text{ condominium units over } 39.53 \text{ acres} = 2.3 \text{ units per acre}$

$\text{Office at } 52,200 / 8 \text{ acres}^* = 6,525 \text{ sq. ft. per acre}$

*It should be noted that on 8 acres of office using a 15% coverage ratio (a light density that was used for all of Woodbridge Hills) would equate to 52,200 square feet of office space. While this conceptual plan shows only 38,000 square feet of office space, we are asking for approval for office density up to 52,200 square feet. We may ultimately develop significantly less than the 52,200 square feet of office space but we are asking for the flexibility to develop within the parameters established within this narrative.

8. The Centre Avenue offices (5.86 acres) will each independently maintain their own parking areas and storm water. The boulevard entry in the office area will be maintained in accordance with an existing easement agreement.

The Oakland Drive offices (2.14 acres) will each independently maintain their own parking areas and storm water. The entry in the office area will be maintained in accordance with a future easement agreement.

Whisper Rock Condominium Owners Association will maintain the entry statements, roadways and storm water areas within Whisper Rock. The common space immediately in and around the condominium units will also be owned and maintained by the Whisper Rock Condominium Association.

9. The condominiums will have a variety of basement options depending on location in the community including walk out, garden level and traditional basements. We will offer the following types of units but anticipate that duplex style condominiums will dominate the community:

- a. Freestanding unit
- b. Two, three and four unit buildings
- c. Townhomes

Please keep in mind that all of the submitted unit elevations and floor plans are always being improved as well as enhanced to meet the market and will be further developed prior to construction. It is our intention, as in all of our communities, to provide the best possible combinations of colors, materials and architecture. Our final product at Whisper Rock will take advantage of our in-house staff and their ability to select the proper colors, textures and materials to make every residence feel and look great. We plan to use a combination of architectural grade roof shingles, vinyl lap and shake siding, simulated stone and other low maintenance materials.

All of the condominiums plan will have proposed above grade square footages between 1,200 and 3,000 square feet. Optional finished lower levels will range from 500 to 1,500 square feet. The condominium pricing will start around \$270,000+/- and an individual unit can be specified in a fashion to cost as much as \$500,000 each. As in Woodbridge Hills and Oakland Hills, the proper application of colors, materials and architectural details will allow all of these unit types to work well together and to feel like a part of a cohesive community. We have attached an example of condominium elevations and floorplans for your review.

The office buildings will be designed to integrate with the condominiums while maintaining some of the general character of office buildings. That said, the final product at Oakland Hills at Centre will take advantage of our in-house staff and their ability to select the proper colors, textures and materials to make every building we develop feel great. We have previously submitted example of an office elevation for your review.

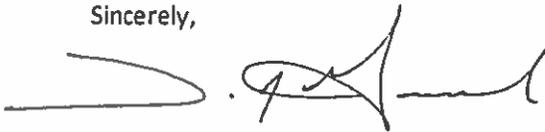
We are proposing 20' set back around the entire perimeter of the property with the exception of the office area along Oakland Drive, in the vicinity of the mono-pine, where the set back is 10' from the north property line. We are also maintaining a 50' greenbelt on Centre Avenue and on Oakland Drive. As the property is being developed, we will keep as many of the existing trees as possible in the 50' green strip that we have provided along Oakland Drive, and also around the immediate base of the mono-pine as well. In the residential areas, we have maintained 15' between the building foundations and a 25' front yard setback as measured from the edge of road to the foundation. The building heights will not exceed those which are allowed within the PD zoning district.

10. Storm water in the residential area will be piped to the center retention area with overflow to the common open space to the south. Storm water will be pre-treated when required by City of Portage regulations and then released for infiltration into this lowland. This low-lying area provides plenty of space for this purpose and this plan will be developed to allow for natural looking rain basins/wetlands as opposed to typical, fenced off, deep and unsightly storm systems. The office area storm water will be maintained on the office parcels in retention areas. Sanitary sewer will be connected to the available City of Portage sanitary sewer system which is available and already constructed at Centre Avenue. It is anticipated that a lift station will need to be installed to allow City sanitary service the condominium units and the office space located on Oakland Drive.

11. Covenants, which have already been recorded on the Centre Ave commercial frontage, and will be placed on the entire property. These covenants will provide for the shared use and maintenance of the common open space and the linear trail system. Easements will be provided for utilities as required by the utility companies for gas, water, electric, street lights, sanitary sewer, cable television and phone service. A 66' wide easement has been reserved for the private streets and the required utilities.
12. Parking will be provided in a number of ways. First, some parking will be accommodated in the driveways of each condominium unit. Additionally, the 26 foot wide streets will have rolled concrete curbs that will allow for and be posted for parking on one side of the street only. As with the Oakland Hills condominium community, we are proposing sidewalks one side of the street integrated with the curb with connections to and along the frontage of both Oakland Drive and West Centre Avenue. Within the office district, adequate parking will be provided per City Ordinance.
13. We do not anticipate any required modifications in the regulations otherwise applicable to the subject property.
14. Our timeline is noted in #4 above.
15. Since the successful implementation of the plan is required both by the ordinance and by our own standards, we do not feel that any performance bonds are necessary. We have a long-standing reputation for successful completion of our projects and the meticulous management of our developments after build-out.

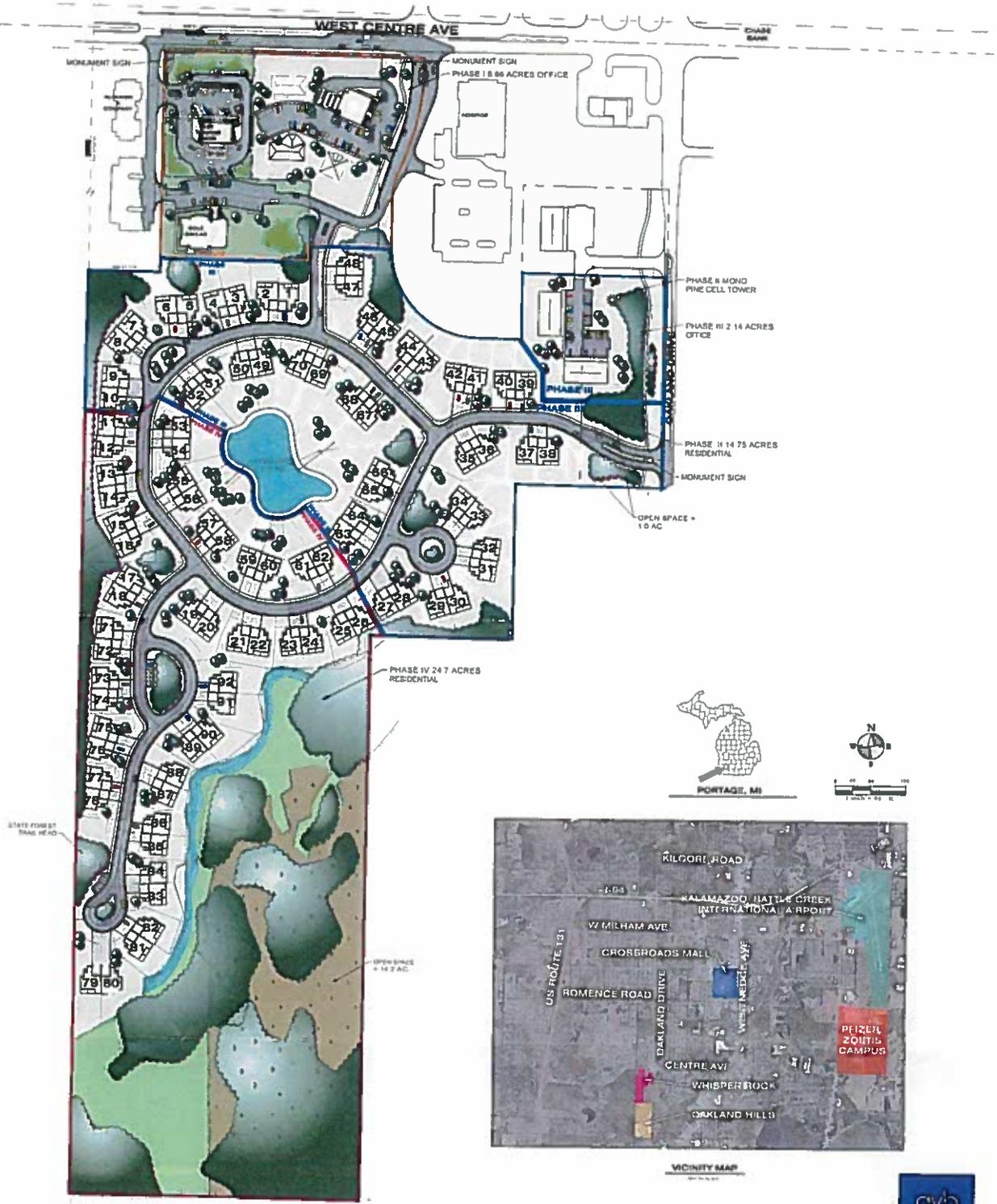
We look forward to the opportunity to discuss this plan with City Staff, Planning Commission and City Council. We feel this will be another first-class development for the City of Portage, Treystar, and AVB.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack S. Gesmundo". The signature is stylized with a large initial "J" and "G".

Jack S. Gesmundo

Cc. Joe Gesmundo, Daryl Rynd, Craig DeNooyer, Greg Dobson & Greg Nuyen



MIXED USE AND RESIDENTIAL DEVELOPMENT

WHISPER ROCK



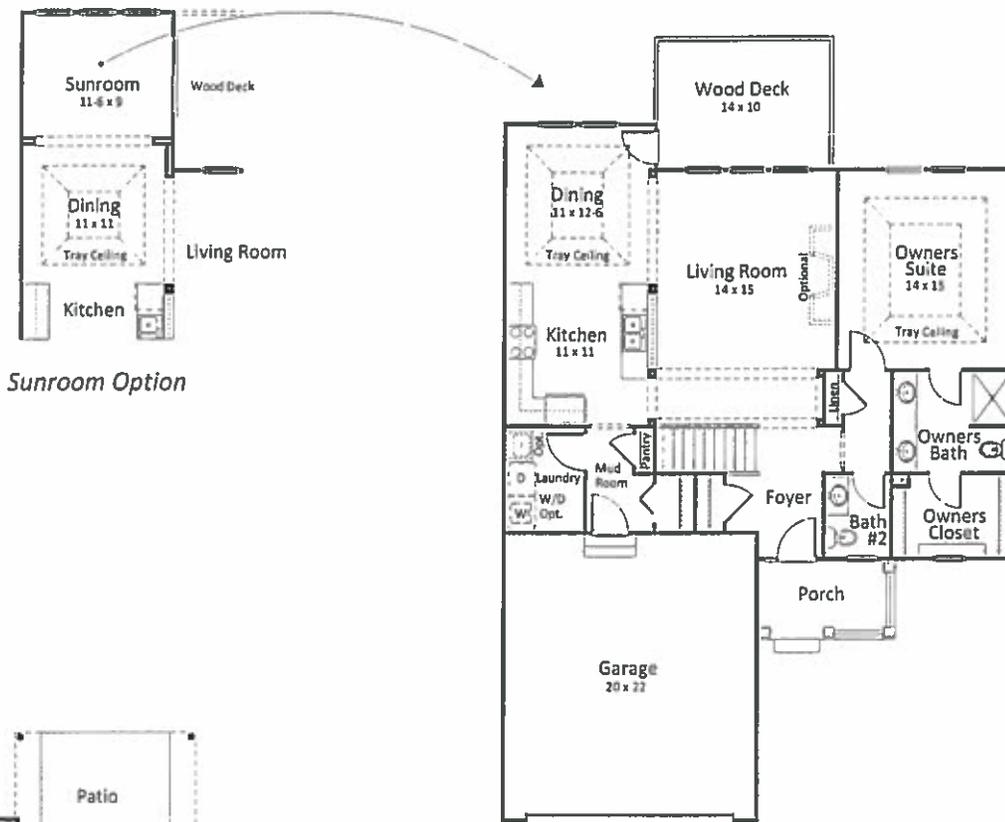
BUILD SOMETHING BETTER
 4800 WEST CENTRE AVENUE
 PORTAGE, MI 49854
 (509)353-2028

OCTOBER 27, 2015





Tanglewood



Sunroom Option

1st floor plan



First Floor - 1,214 sq. ft.
Lower Level - 940 sq. ft.*

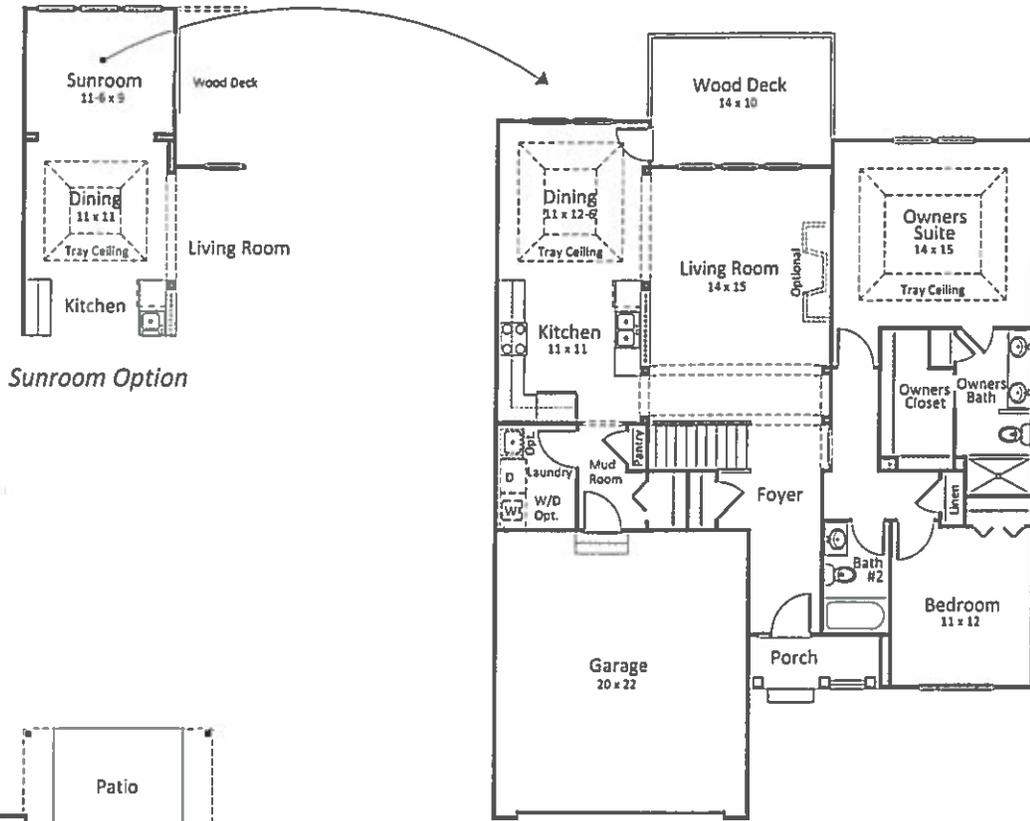
*optional finished lower level

Room dimensions are approximate and have been rounded. Floor plans shown is an artist concept. Continuing a policy of constant improvement, the builder reserves the right to make changes in the plans and specifications, and to substitute material of similar quality without notice or prior obligation. © American Village Builders, Inc. All rights are protected by the Architectural Works Copyright Act of 1990, any use or reproduction without prior written consent by BUILDER is strictly prohibited. (05/21/14)



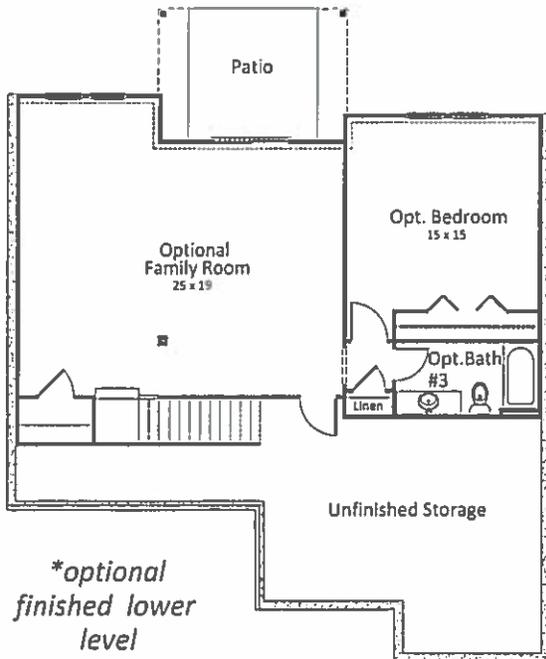
BUILD SOMETHING BETTER.

Highland



Sunroom Option

1st floor plan

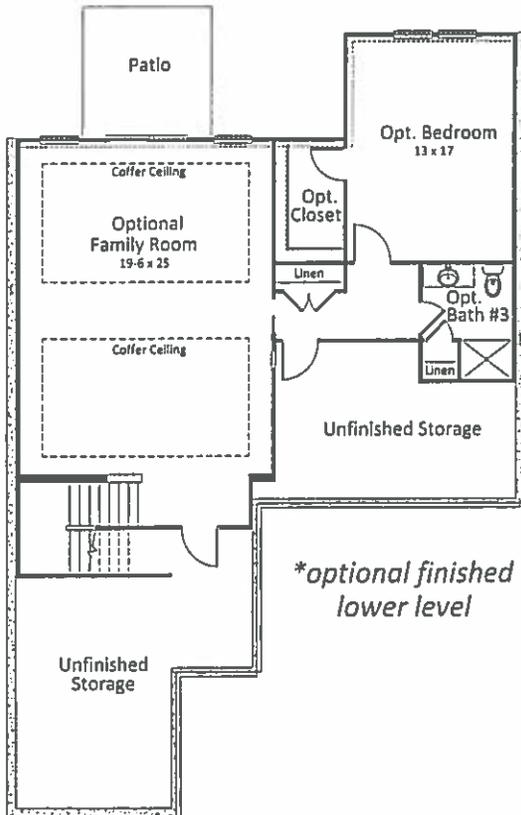
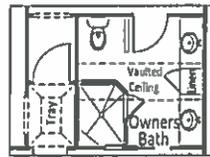
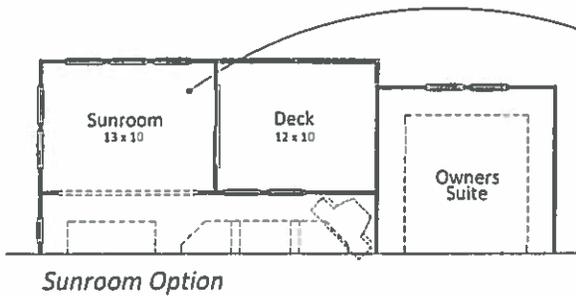


**optional finished lower level*

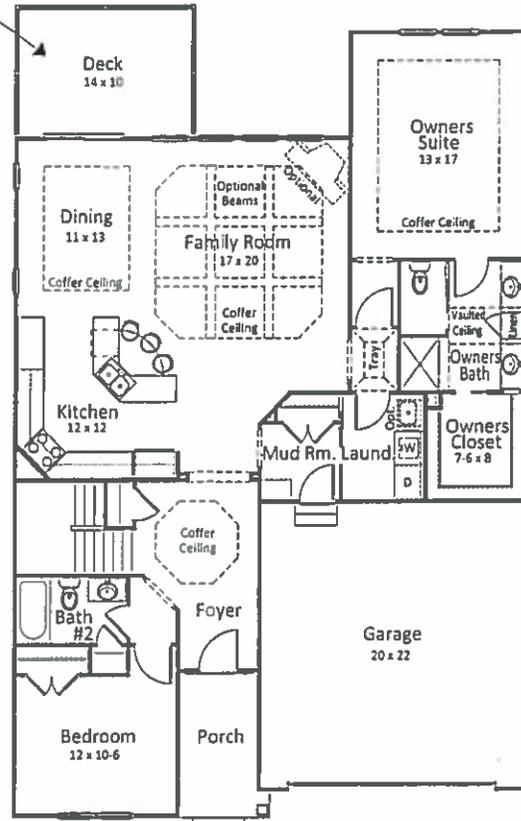
*First Floor - 1,490 sq. ft.
Lower Level - 1,015 sq. ft.**

Room dimensions are approximate and have been rounded. Floor plans shown is an artist concept. Continuing a policy of constant improvement, the builder reserves the right to make changes in the plans and specifications, and to substitute material of similar quality without notice or prior obligation. © American Village Builders, Inc. All rights are protected by the Architectural Works Copyright Act of 1990, any use or reproduction without prior written consent by BUILDER is strictly prohibited. (05/21/14)

Montrose



**optional finished lower level*



1st floor plan

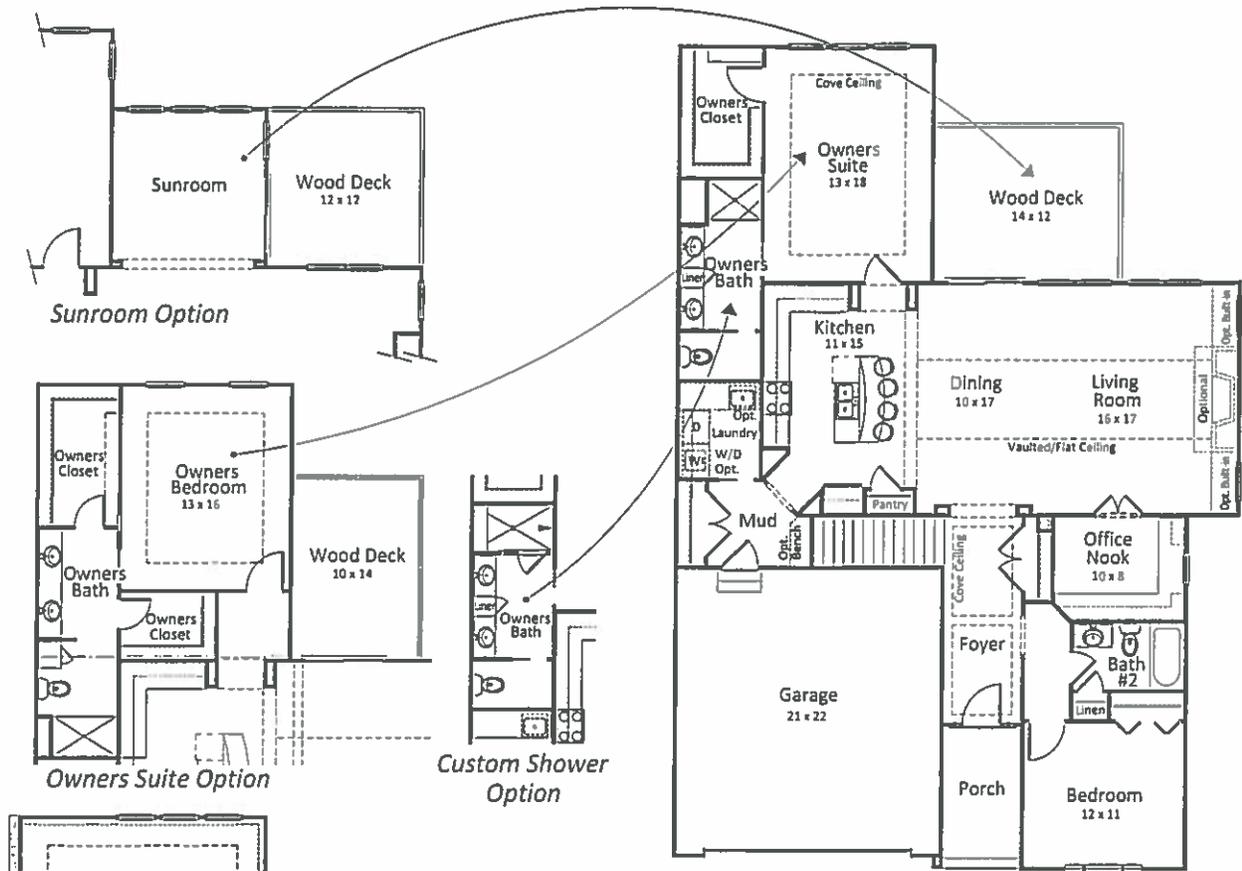
*First Floor - 1,640 sq. ft.
Lower Level - 1,104 sq. ft.**

Room dimensions are approximate and have been rounded. Floor plans shown is an artist concept. Continuing a policy of constant improvement, the builder reserves the right to make changes in the plans and specifications, and to substitute material of similar quality without notice or prior obligation. © American Village Builders, Inc. All rights are protected by the Architectural Works Copyright Act of 1990, any use or reproduction without prior written consent by BUILDER is strictly prohibited. (05/21/14)



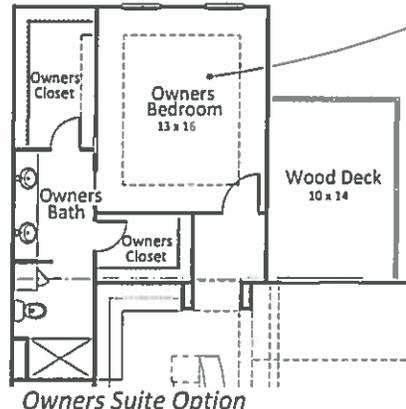
BUILD SOMETHING BETTER.

Brookshire



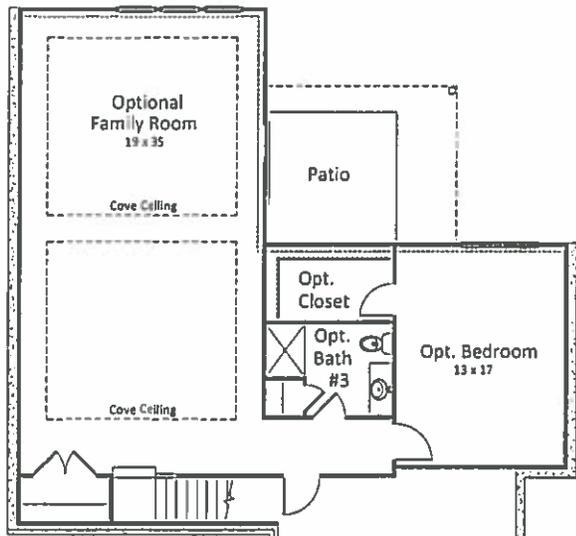
1st floor plan

Sunroom Option



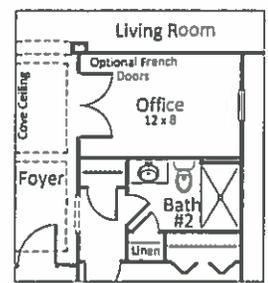
Owners Suite Option

Custom Shower Option



*optional finished lower level

Unfinished Storage



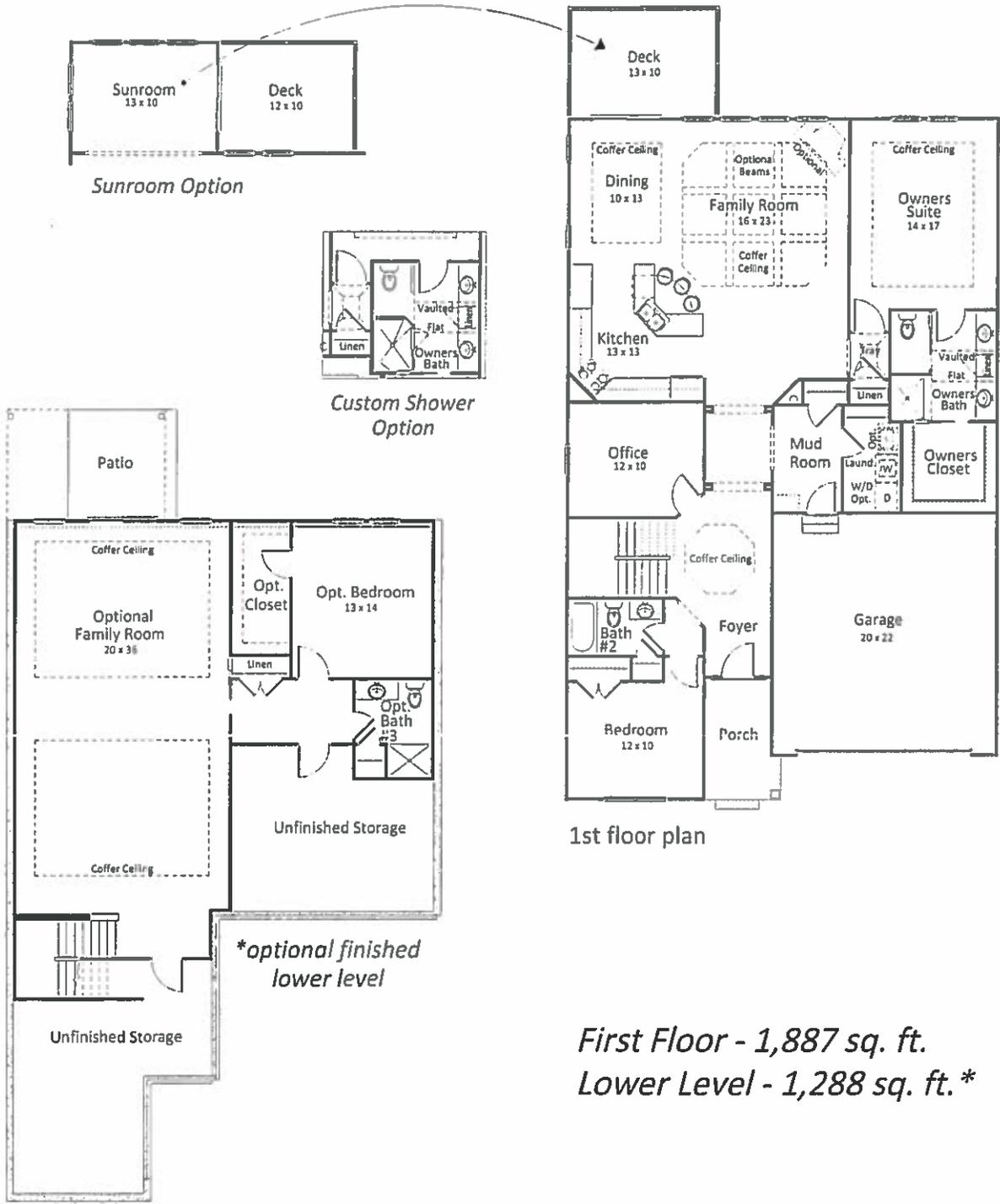
Larger Office Option

First Floor - 1,703 sq. ft.
Lower Level - 1,244 sq. ft.*

Room dimensions are approximate and have been rounded. Floor plans shown is an artist concept. Continuing a policy of constant improvement, the builder reserves the right to make changes in the plans and specifications, and to substitute material of similar quality without notice or prior obligation. © American Village Builders, Inc. All rights are protected by the Architectural Works Copyright Act of 1990, any use or reproduction without prior written consent by BUILDER is strictly prohibited. (05/21/14)



Montrose with Office



First Floor - 1,887 sq. ft.
Lower Level - 1,288 sq. ft.*

Room dimensions are approximate and have been rounded. Floor plans shown is an artist concept. Continuing a policy of constant improvement, the builder reserves the right to make changes in the plans and specifications, and to substitute material of similar quality without notice or prior obligation. © American Village Builders, Inc. All rights are protected by the Architectural Works Copyright Act of 1990, any use or reproduction without prior written consent by BUILDER is strictly prohibited. [05/21/14]



TO: Planning Commission

DATE: October 30, 2015

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

SUBJECT: Historic District Modification, 10234 East Shore Drive

Attached is a communication and report from the Portage Historic District Study Committee, involving a request received from Seth and Margaret Giem, owners of the property located at 10234 East Shore Drive (commonly known as the Train Barn), that 1.17 acres of land be removed from the historic district property. The preliminary report summarizes the request and provides important background information. The preliminary report was reviewed by the Historic District Commission on October 7, 2015 and the Historic District Study Committee is recommending the Historic District modification be approved subject to three conditions listed on page 5 of the preliminary report. A public hearing will be held by the Historic District Commission on December 16, 2015.

The land area proposed to be removed from the Historic District is located along the northwest portion of the overall parcel that comprises 10234 East Shore Drive (adjacent Austin Lake and south of the Train Barn). The proposed modification would remove 1.17 acres (from the overall approximate 170 acre property) to facilitate a land division that would create two buildable lakeside lots identified as "Parcel A" (0.52 acre) and "Parcel B" (0.65 acre). The proposed modification does not affect the existing residence, two-story Train Barn building and other structures and leaves the historic district with approximately 169 acres of remaining land ("Parcel C"). Municipal water and sanitary sewer service are available along East Shore Drive. In order to preserve the rural, natural setting and historic resources present at the property, the Historic District Commission has recommended the modification be approved subject to the following: a) the current property owner include a deed restriction in the sale of Parcel B that no structure be constructed within 15 feet of the north property line; b) the existing trees along the entire north property line within the proposed buffer be preserved; and c) that the current property owner relocate the original circa 1890 portion of the Granary structure from what will be known as Parcel B to the southern part of the remainder parcel prior to the final split in an effort to preserve this significant outbuilding.

In accordance with the Local Historic Districts Act (Public Act 169 of 1970), the preliminary report is being forwarded to the Planning Commission for review and comment. The Planning Commission is advised to review this matter and, subject to any additional comments, staff advises the Planning Commission recommend that the Historic District Modification involving 10234 East Shore Drive be approved subject to the same conditions identified in the Historic District Study Committee preliminary report dated October 7, 2015. The Planning Commission recommendation will be forwarded to the Historic District Commission in advance of the December 16, 2015 public hearing. At the conclusion of the public hearing, the information and recommendations will be forwarded to City Council for final action.

Attachment: Communication and report from Portage Historic District Study Committee

CITY OF PORTAGE

COMMUNICATION

TO: Portage Planning Commission

DATE: October 16, 2015

FROM: Portage Historic District Study Committee

SUBJECT: Historic District Modification – 10234 East Shore Drive

Attached is a preliminary report concerning a request for a historic district modification at 10234 East Shore Drive. The preliminary report is being provided to the Planning Commission for review, as set out in Public Act 169 of 1970. A public hearing will be held on this matter on Wednesday, December 16, 2015 at 9 a.m. in Portage City Hall Conference Room #1.

c: Erica L. Eklov, Historic District Commission Staff Liaison

Attachment

**City of Portage, Michigan
Historic District Study Committee**

**Historic District Modification
Train Barn
10234 East Shore Drive
Portage, Michigan 49002**

**Preliminary Report
October 7, 2015**

Introduction

Property addressed as 10234 East Shore Drive and commonly known as the Train Barn is a historic district in the City of Portage. A request from Mr. & Mrs. Seth E. and Margaret Giem, owners of the property, to remove a portion of the property from this historic district was received by the Historic District Commission on September 2, 2015. The owners have proposed that an approximate 1.17 acre (split into two parcels) piece of property at the south end of 10234 East Shore Drive be removed from the historic district. (See attached Division Parcel/Transfer Parcel Map.)

On September 25, 2007, the Portage City Council appointed the Historic District Commission as a standing Historic District Study Committee (HDSC). The HDSC is charged with review and recommendation for the requested Historic District Modification at 10234 East Shore Drive (Train Barn).

The Charge of the Committee

The committee is charged with reviewing the request and acting as set out in Public Act 169 of 1970. Specifically, the HDSC must:

1. Conduct a photographic inventory of resources within the existing historic district.
2. Conduct basic research of the historic district and the historic resources located within the district.
3. Determine the total number of historic and non-historic resources within the historic district and the percentage of historic resources of that total. In evaluating the significance of historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States secretary of the interior for inclusion of resources in the national register of historic places.
4. Prepare a preliminary report that addresses at a minimum all of the following:
 - a. The charge of the committee.
 - b. The composition of the committee membership.
 - c. The historic district studied.
 - d. The boundaries for the historic district in writing and on maps.
 - e. The history of the historic district.
 - f. The significance of the district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.

5. Transmit copies of the preliminary report for review and recommendation to the Portage Planning Commission, to the Michigan historical commission and to the state historic preservation review board.
6. Make copies of the preliminary report available to the public.
7. Hold a public hearing not less than 60 days after the transmittal of the preliminary report.
8. Following the public hearing, prepare and submit a final report with its recommendations and the recommendations, if any, of the Portage Planning Commission to the City Council. If the recommendation is to modify the historic district, the final report must include a draft of a proposed ordinance.

The Composition of Committee Membership

Voting Members

The HDSC is comprised of members of the Portage Historic District Commission: Mark Reile, Suzanne Nemeth, Christine Broberg, Russell Randall, Katie VanLonkhuyzen, James Ebert, Fred Grunert, Jessie Duniphin and Martha Deming Maytnier.

Non-Voting Participants

City of Portage Liaison: Erica Eklov

Historic District Studied

Property Address: 10234 East Shore Drive. This property is commonly referred to as the Train Barn.

On September 30, 2015, Suzanne Nemeth, Fred Grunert and Mark Reile visited the property to walk it and photograph the historic resources, which include the barn, outbuildings, house, woods and lake frontage. Photographs were taken of the parcels proposed to be removed from the historic district, in context within existing boundaries and the street. (See photographic attachments.)

The 0.65 and 0.52 acre lot splits (total 1.17 acre parcel division) are approximately 12 feet from the existing historic resource known as the Train Barn. The 0.65 acre parcel denoted as "Parcel B" includes the resources known as the Chicken Coop and Granary. It is expected that the new owners of these parcels will build single-family, lake front residences. Future structures and lot development have yet to be planned which would assist in determination of anticipated distance(s) from the remaining historic resources and screening with the remaining historic district.

The Boundaries for the Historic District in Writing and on Maps

The description of the current historic district is:

THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 36, TOWN 3 SOUTH, RANGE 11 WEST EXCEPT THE SOUTH HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER THEREOF.

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWN 3 SOUTH, RANGE 11 WEST.

THAT PORTION OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWN 3 SOUTH, RANGE 11 WEST LYING EASTERLY OF THE FORMER WESTERLY RIGHT-OF-WAY LINE OF THE GRAND RAPIDS AND INDIANA RAILROAD COMPANY.

THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWN 3 SOUTH, RANGE 11 WEST EXCEPT: PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER POST OF SAID SECTION 36; THENCE NORTH 00 DEGREES 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2,640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00 DEGREES 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE CONTINUING NORTH 00 DEGREES 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 105.34 FEET TO THE CENTERLINE OF THE AUSTIN LAKE OUTLET CHANNEL; THENCE SOUTH 37 DEGREES 41' 59" EAST ON SAID CENTERLINE 88.33 FEET TO THE NORTH EDGE OF PAVEMENT ON EAST SHORE DRIVE; THENCE SOUTH 56 DEGREES 15' 14" WEST 52.19 FEET TO THE SOUTHEAST CORNER OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE SOUTH 58 DEGREES 41' 43" WEST (RECORDED AS SOUTH 57 DEGREES 49' WEST) ON THE SOUTHERLY LINE OF SAID LOT 1 A DISTANCE OF 12.43 FEET TO THE POINT OF BEGINNING. ALSO EXCEPT PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER POST OF SAID SECTION 36, THENCE NORTH 00 DEGREES 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2,640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00 DEGREES 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE SOUTHEASTERLY LINE OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE NORTH 58 DEGREES 41' 43" EAST (RECORDED AS NORTH 57 DEGREES 49' EAST) ON THE SOUTHEASTERLY LINE OF SAID LOT 1 A DISTANCE OF 12.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 56 DEGREES 15' 14" EAST 52.19 FEET TO A POINT ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DRIVE AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 37 DEGREES 41' 59" WEST ON THE CENTERLINE OF THE AUSTIN LAKE OUTLET CHANNEL 88.33 FEET TO SAID NORTH AND SOUTH QUARTER LINE; THENCE NORTH 00 DEGREES 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 43.88 FEET TO AN INTERMEDIATE TRAVERSE LINE; THENCE NORTH 42 DEGREES 30' 58" EAST ON SAID INTERMEDIATE TRAVERSE LINE 172.13 FEET TO A MEANDER CORNER; THENCE SOUTH 46 DEGREES 20' 20" EAST 156.64 FEET TO THE NORTHERLY EDGE OF PAVEMENT OF SAID EAST SHORE DRIVE; THENCE SOUTH 52 DEGREES 58' 04" WEST 220.00 FEET TO THE POINT OF BEGINNING. ALSO ALL THAT LAND LYING BETWEEN SAID INTERMEDIATE TRAVERSE LINE, THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 EXTENDED TO THE WATER'S EDGE OF AUSTIN LAKE, THE WATER'S EDGE OF AUSTIN LAKE AND A LINE EXTENDING NORTH 46 DEGREES 20' 20" WEST FROM SAID MEANDER CORNER.

The new legal description of the proposed modified district (approximately):

PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 00° 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00° 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE SOUTHEASTERLY LINE OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE NORTH 58° 41' 43" EAST (PLATTED AS NORTH 57° 49' EAST) ON SAID SOUTHEASTERLY LINE 12.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 56° 15' 14" EAST ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DRIVE 52.19 FEET; THENCE NORTH 52° 58' 04" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 220.00 FEET; THENCE NORTH 52° 34' 03" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 223.84 FEET; THENCE NORTHEASTERLY 63.16 FEET ON SAID NORTHERLY EDGE OF PAVEMENT AND ON A 500.00 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS NORTH 47° 37' 34" EAST 63.12 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 58° 53' 12" WEST 232.80 FEET TO MEANDER CORNER "C"; THENCE NORTH 18° 59' 52" EAST ON A MEANDER LINE 258.41 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE SOUTH 89° 57' 20" EAST ON SAID NORTH LINE 349.98 FEET TO SAID NORTHERLY EDGE OF PAVEMENT; THENCE SOUTH 30° 55' 35" WEST ON SAID NORTHERLY EDGE OF PAVEMENT 231.03 FEET; THENCE SOUTH 31° 39' 46" WEST ON SAID

NORTHERLY EDGE OF PAVEMENT 93.38 FEET; THENCE SOUTHWESTERLY 109.83 FEET ON SAID NORTHERLY EDGE OF PAVEMENT AND ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 37° 42' 52" WEST 109.61 FEET TO THE POINT OF BEGINNING. ALSO ALL THAT LAND LYING BETWEEN SAID MEANDER LINE, THE WATER'S EDGE OF AUSTIN LAKE, A LINE EXTENDING NORTH 58° 53' 12" WEST FROM SAID MEANDER CORNER "C", AND THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 36. CONTAINING 2.28 ACRES MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD OR OTHERWISE. SUBJECT TO ANY FACTS WHICH MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH TO DATE. ASSUMED THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 TO BEAR NORTH 00° 00' 00" EAST.

The legal descriptions of the two parcels to be removed from the district (approximately):

LEGAL DESCRIPTION - PARCEL "A":

PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 00° 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00° 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE SOUTHEASTERLY LINE OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE NORTH 58° 41' 43" EAST (PLATTED AS NORTH 57° 49' EAST) ON SAID SOUTHEASTERLY LINE 12.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 56° 15' 14" EAST ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DRIVE 52.19 FEET; THENCE NORTH 52° 58' 04" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 220.00 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 46° 20' 20" WEST 156.64 FEET TO MEANDER CORNER "A"; THENCE NORTH 45° 43' 24" EAST ON A MEANDER LINE 117.49 FEET TO MEANDER CORNER "B"; THENCE SOUTH 54° 26' 09" EAST 176.46 FEET TO SAID NORTHERLY EDGE OF PAVEMENT; THENCE SOUTH 52° 34' 03" WEST ON SAID NORTHERLY EDGE OF PAVEMENT 144.00 FEET TO THE POINT OF BEGINNING. ALSO ALL THAT LAND LYING BETWEEN SAID MEANDER LINE, THE WATER'S EDGE OF AUSTIN LAKE, A LINE EXTENDING NORTH 46° 20' 20" WEST FROM SAID MEANDER CORNER "A", AND A LINE EXTENDING NORTH 54° 26' 09" WEST FROM SAID MEANDER CORNER "B". CONTAINING 0.52 OF AN ACRE MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD OR OTHERWISE. SUBJECT TO ANY FACTS WHICH MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.

LEGAL DESCRIPTION - PARCEL "B":

PART OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE NORTH 00° 00' 00" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 36 A DISTANCE OF 2640.06 FEET TO THE CENTER OF SAID SECTION 36; THENCE CONTINUING NORTH 00° 00' 00" EAST ON SAID NORTH AND SOUTH QUARTER LINE 619.52 FEET TO THE SOUTHEASTERLY LINE OF LOT 1, SUNNY HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 23, KALAMAZOO COUNTY RECORDS; THENCE NORTH 58° 41' 43" EAST (PLATTED AS NORTH 57° 49' EAST) ON SAID SOUTHEASTERLY LINE 12.43 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 56° 15' 14" EAST ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DRIVE 52.19 FEET; THENCE NORTH 52° 58' 04" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 220.00 FEET; THENCE NORTH 52° 34' 03" EAST ON SAID NORTHERLY EDGE OF PAVEMENT 144.00 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE NORTH 54° 26' 09" WEST 176.46 FEET TO MEANDER CORNER "B"; THENCE NORTH 26° 31' 24" EAST ON A MEANDER LINE 121.54 FEET TO MEANDER CORNER "C"; THENCE SOUTH 58° 53' 12" EAST 232.80 FEET TO SAID NORTHERLY EDGE OF PAVEMENT; THENCE SOUTHWESTERLY 63.16 FEET ON SAID NORTHERLY EDGE OF PAVEMENT AND ON A 500.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 47° 37' 34" WEST 63.12 FEET; THENCE SOUTH 52° 34' 03" WEST ON SAID NORTHERLY EDGE OF PAVEMENT 79.84 FEET TO THE POINT OF BEGINNING. ALSO ALL THAT LAND LYING BETWEEN SAID MEANDER LINE, THE WATER'S EDGE OF AUSTIN LAKE, A LINE

EXTENDING NORTH 54° 26' 09" WEST FROM SAID MEANDER CORNER "B", AND A LINE EXTENDING NORTH 58° 53' 12" WEST FROM SAID MEANDER CORNER "C". CONTAINING 0.65 OF AN ACRE MORE OR LESS SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD OR OTHERWISE. SUBJECT TO ANY FACTS WHICH MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.

The History of the Historic District

"This 150 acre property on Austin Lake, in the southeastern corner of the city, has been in the Giem family since 1889, and is a Michigan Centennial Farm. The original farmhouse, purchased by Albert Giem, is gone but the barn complex is noteworthy. The oldest barn was built in 1922 by Albert's son, Frank, and grandson, Seth Sr. The turn of the century silo and windmill were moved here from Battle Creek in the 1960s by Albert's great-grandson, Seth Jr. and his wife Peg. Also on the property is a charming Dutch Colonial playhouse built in 1934 as a 'model home'. The buildings, used as a showroom for model trains, are called the Train Barn." (Taken from Where the Trails Crossed.)

"In 1973, Seth and Peg started the business known as The Train Barn; now well known in the area and indeed, to model railroad enthusiasts, throughout the United States. The Train Barn has been featured in a number of articles in national magazines such as *Classic Toy Trains*, *Lionel's Greatest Layouts* (Volume 11)... as well as the national PBS television series *Tracks Ahead*, episode 13 (Taken from a family history publication at the September 14, 2015 funeral of Seth Giem, II).

The Significance of the District

The Train Barn and select adjacent outbuildings are historically significant to preserve per the above description. It is also important to preserve the rural, natural setting of their location. The proposed removal of these parcels from the historic district will have a significant contextual impact on the historic resources if a sufficient "buffer" cannot be secured between what is denoted as the "remainder parcel" and proposed Parcel B. Further, the additional outbuildings known as the Granary and Chicken Coop currently located south of the Train Barn will be removed from the district if left to split with Parcel B. The property at 10234 East Shore is significant for its sustained agricultural buildings, unique barn construction and long-standing family ownership. Further, in light of this historic ownership, as well as a dedicated stewardship of the property, Seth E. Giem was named the 2008 recipient of the Portage Historic District Preservation Award. It is with these points that the study committee has reservations on the land division and sale proposed.

Recommendation

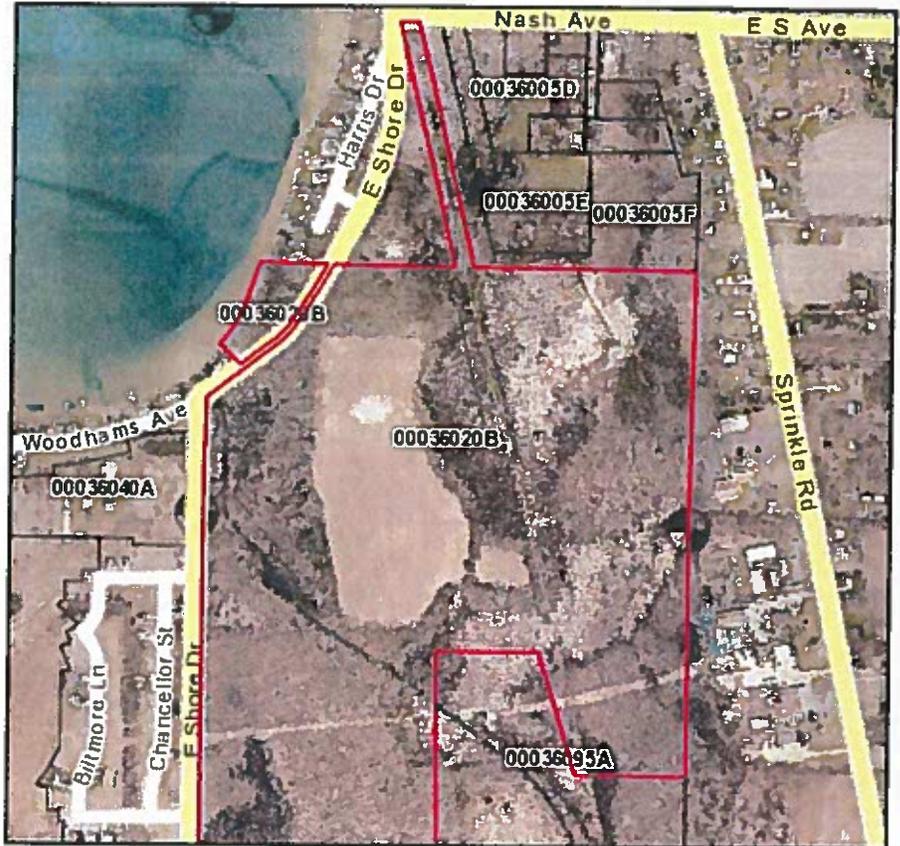
Following the study of the Historic District at 10234 East Shore Drive, it is recommended that the request from Mr. & Mrs. Seth E. and Margaret Giem, property owners, to modify the Historic District be granted, with the following provisions: a) the current property owner includes a deed restriction in the sale of Parcel B that no structure be constructed within 15 feet of the north property boundary; b) the existing trees along the entire north property line within the proposed buffer be preserved, and; c) that the current property owner relocate the original circa 1890 portion of the Granary structure from what will be known as Parcel B to the southern part of the remainder parcel prior to the final land split in an effort to preserve this significant

outbuilding. Records indicate this structure has been previously relocated on the property as least once. As such, additional relocation is not considered detrimental. The outbuilding known as the Chicken Coop was constructed by the current owners within the last 50 years and is not considered intrinsic to the property as a whole. Preservation of this structure is not requested.

Property Address

 10234 EAST SHORE DR
 PORTAGE, MI 49002

Owner Address

 GIEM, SETH E II & M G
 10234 EAST SHORE DR
 PORTAGE, MI 49002

General Information for Current Tax Year

Parcel Number: 00036020B
Property Class Name: Residential Improved
ECF Neighborhood: 9002
School District: Vicksburg
State Equalized Value: \$544100
Taxable Value: \$246082
Exemption Percent: 100%

Land Information

Acreage: 170.221
Year Built: 1918
Total Floor Area: 1332 sq. ft
Lot Area (GIS): 147783 sq. ft

Legal Information

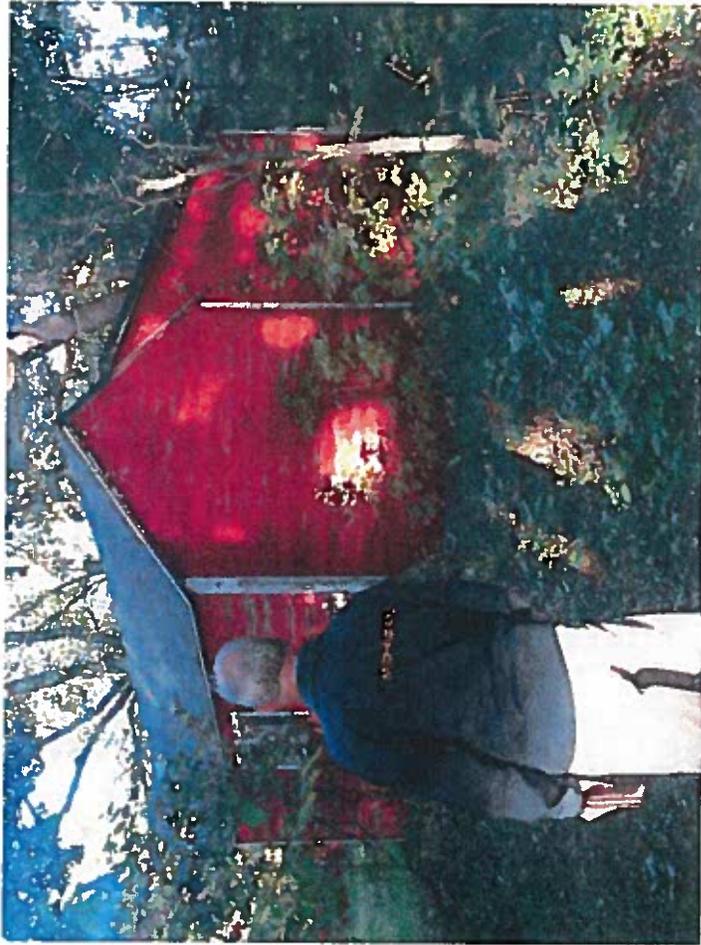
THE W 1/2 OF THE SE 1/4 OF S36,T3S,R11W EXCEPT THE S 30 ACRES THEREOF. ALSO THE N 1/2 OF THE NE 1/4 OF THE SE 1/4 OF S36,T3S,R11W. THAT PORTION OF THE S 1/2 OF THE NE 1/4 OF THE SE 1/4 OF S36,T3W,R11W LYING EASTERLY OF THE FORMER WESTERLY ROW OF THE GRAND RAIPDS AND INDIANA RR COMPANY. THE S 1.2 OF THE NE 1/4 OF S36,T3W,R11W EXCEPT: PART OF THE NE 1/4 OF S36,T3W,R11W DESCRIBED AS: COMM AT THE S 1/4 POST OF SAID SEC 36; TH N00DEG00'00E ON THE N AND S 1/4 LI OF SAID SEC 36 A DISTANCE OF 2,640.66 FT TO THE CENTER OF SAID SEC 36; TH CONT N00DEG00'00E ON SAID N AND S 1/4 LI 619.52 FT TO THE POB; TH CONT N00DEG00'00E ON SAID N AND S 1/4 LI 105.34 FT TO THE CENTERLINE OF THE AUSTIN LAKE CHANNEL; TH S37DEG41'59E ON SAID CENTERLINE 88.33 FT TO THE N EDGE OF PAVEMENT OF EAST SHORE DR; TH S56DEG15'14W 52.19 FT TO THE SE COR OF LOT 1, SUNNY HEIGHTS; TH S58DEG41'43W ON THE SOUTHERLY LI OF SAID LOT 1 A DISTANCE OF 12.43 FT TO THE POB. ALSO EXCEPT, PART OF THE NE 1/4 OF S36,T3W,R11W DESCRIBED AS: COMM AT THE S 1/4 POST OF SAID SEC 36; TH N00DEG00'00E ON THE N AND S 1/4 LI OF SAID SEC 36 A

Disclaimer

These maps are intended to be used for generalized citywide planning and there are no warranties that accompany this product. City of Portage recommends that users of this product confirm the data used in production of this map by visual inspection of the geographic area. In no event shall City of Portage be liable to the user or any third party for errors, omissions or positional accuracy of this product, regardless of the form of claim or action, whether in contract or tort, including negligence, in the amount that exceeds the sum paid by the user for the product. City of Portage reserves all rights of authorship granted under U.S. and International copyright laws and agreements.

Legal Information (full description)

THE W 1/2 OF THE SE 1/4 OF S36,T3S,R11W EXCEPT THE S 30 ACRES THEREOF. ALSO THE N 1/2 OF THE NE 1/4 OF THE SE 1/4 OF S36,T3S,R11W. THAT PORTION OF THE S 1/2 OF THE NE 1/4 OF THE SE 1/4 OF S36,T3W,R11W LYING EASTERLY OF THE FORMER WESTERLY ROW OF THE GRAND RAIPDS AND INDIANA RR COMPANY. THE S 1.2 OF THE NE 1/4 OF S36,T3W,R11W EXCEPT: PART OF THE NE 1/4 OF S36,T3W,R11W DESCRIBED AS: COMM AT THE S 1/4 POST OF SAID SEC 36; TH N00DEG00'00E ON THE N AND S 1/4 LI OF SAID SEC 36 A DISTANCE OF 2,640.66 FT TOTHE CENTER OF SAID SEC 36; TH CONT N00DEG00'00E ON SAID N AND S 1/4 LI 619.52 FT TO THE POB; TH CONT N00DEG00'00E ON SAID N AND S 1/4 LI 105.34 FT TO THE CENTERLINE OF THE AUSTIN LAKE CHANNEL; TH S37DEG41'59E ON SAID CENTERLINE 88.33 FT TO THE N EDGE OF PAVEMENT OF EAST SHORE DR; TH S56DEG15'14W 52.19 FT TO THE SE COR OF LOT 1, SUNNY HEIGHTS; TH S58DEG41'43W ON THE SOUTHERLY LI OF SAID LOT 1 A DISTANCE OF 12.43 FT TO THE POB. ALSO EXCEPT, PART OF THE NE 1/4 OF S36,T3W,R11W DESCRIBED AS: COMM AT THE S 1/4 POST OF SAID SEC 36; TH N00DEG00'00E ON THE N AND S 1/4 LI OF SAID SEC 36 A DISTANCE OF 2,640.06 FT TO THE CENTER OF SAID SEC 36; TH CONT N00DEG00'00E ON SAID N AND S 1/4 LI 619.52 FT TO THE SOUTHEASTERLY LI OF LOT 1, SUNNY HEIGHTS; TH N58DEG41'43E ON THE SOUTHEASTERLY LI OF SAID LOT 1 A DISTANCE OF 12.43 FT TOTHE SE COR OF SAID LOT 1; TH N56DEG15'14E 52.19 FT TO A POINT ON THE NORTHERLY EDGE OF PAVEMENT OF EAST SHORE DR AND THE POB; TH N37DEG41'59W ON THE CENTERLINE OF AUSTIN LAKE OUTLET CHANNEL 88.33 FT TO SAID N AND S 1/4 LI; TH N00DEG00'00E ON SAID N AND S 1/4 LI 43.88 FT TO AN INTERMEDIATE TRAVERSE LI; TH N42DEG30'58E ON SAID INTERMEDIATE TRAVERSE LI 172.13 FT TO A MEANDER CORNER; TH S46DEG20'20E 156.64 FT TO THE NORTHERLY EDGE OF PAVEMENT OF SAID EAST SHORE DR; TH S52DEG58'04W 220 FT TO THE POB. ALSO ALL THAT LAND LYING BETWEEN SAID INTERMEDIATE TRAVERSE LI, THE N AND S 1/4 LI OF SAID SEC 36 EXTENDED TO THE WATER'S EDGE OF AUSTIN LAKE, THE WATER'S EDGE OF AUSTIN LAKE AND A LI EXTENDING N46DEG20'20W FROM SAID MEANDER CORNER.



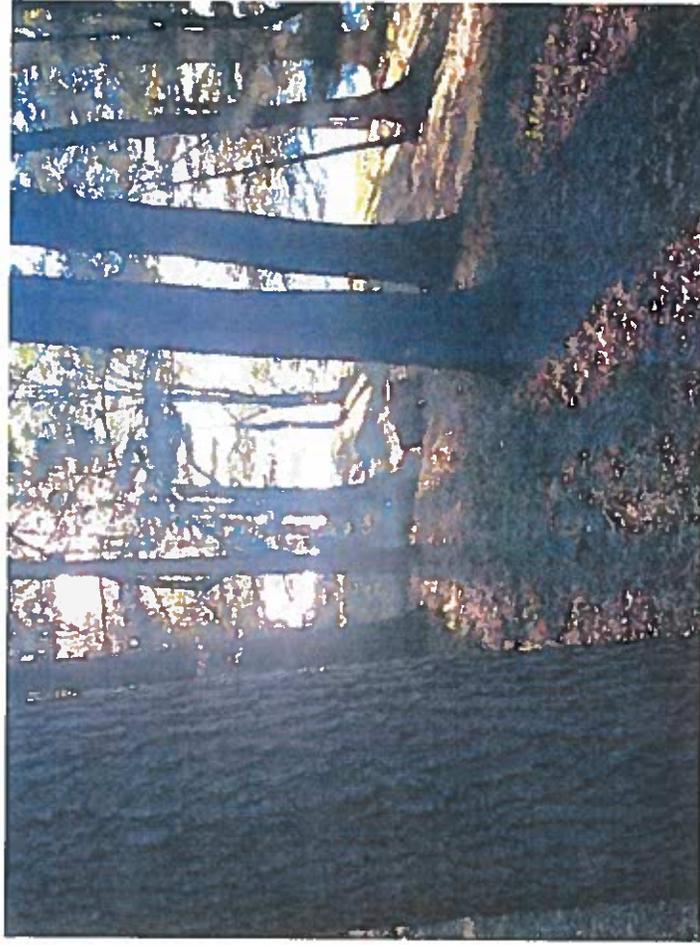
South side of Granary



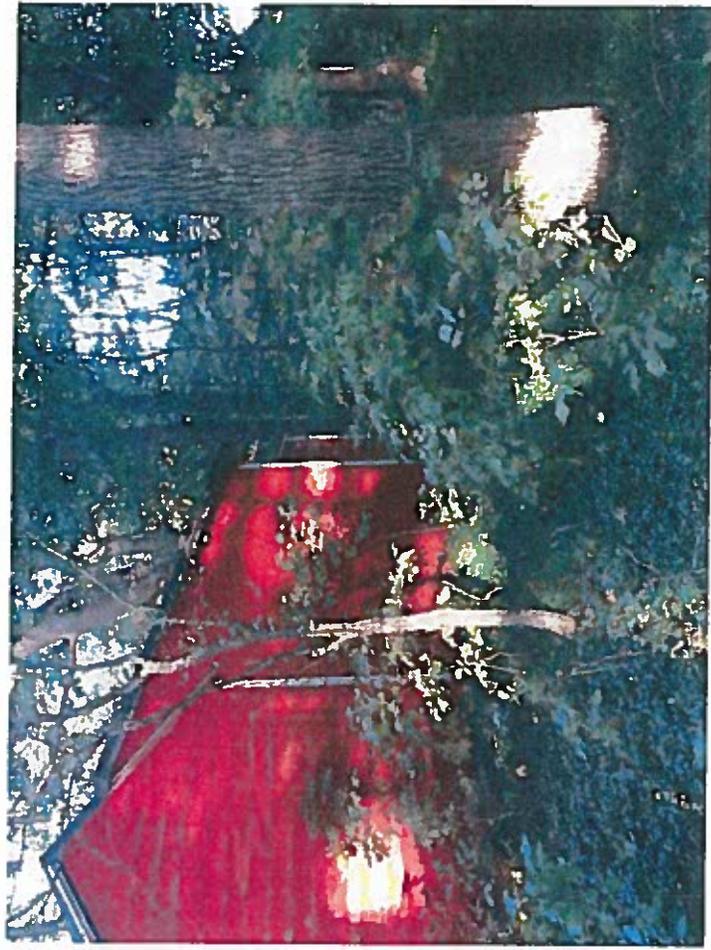
View of Train Barn from between Chicken Coop (left)
And Granary (Right)
View - North - East



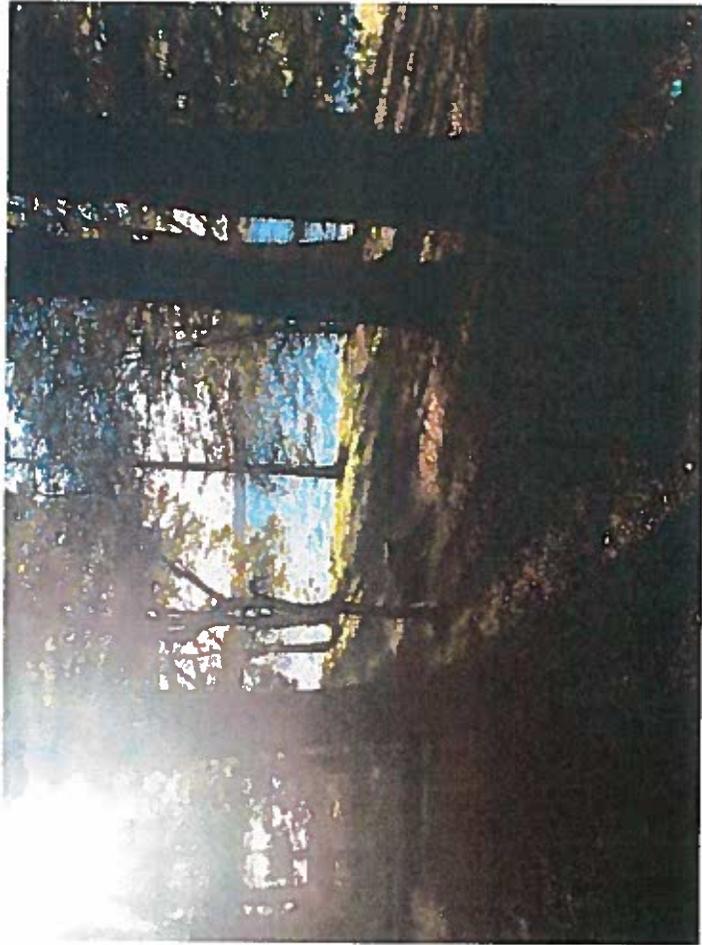
View North toward Train Barn



Grade change from Parcel "B" toward lake
View - South - West



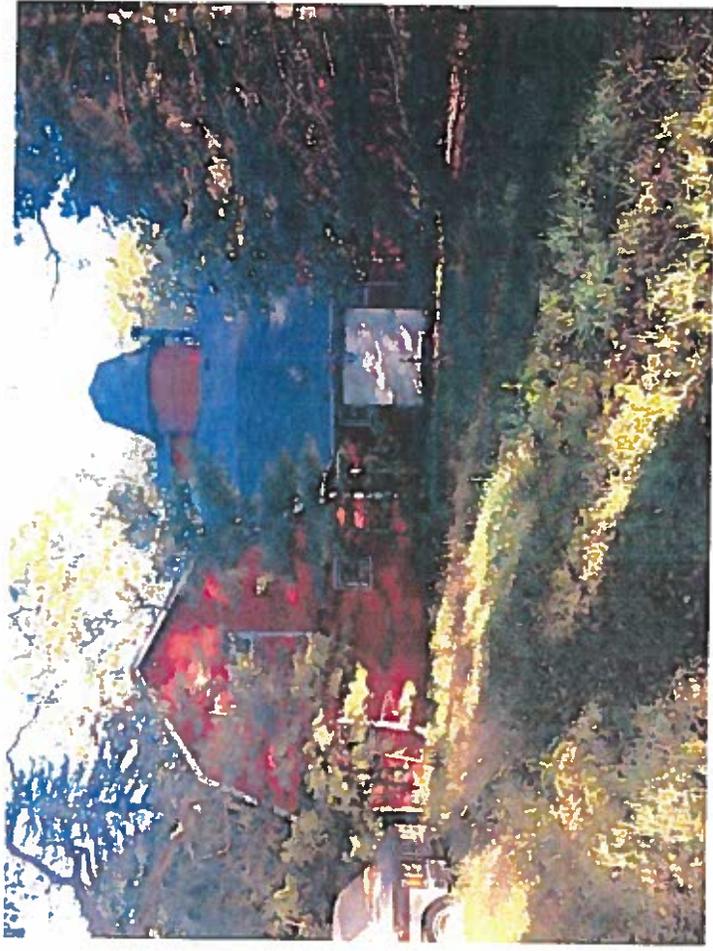
View North toward Granary



View from Parcel "B" toward lake
View - West



View of Train Barn from lake toward East



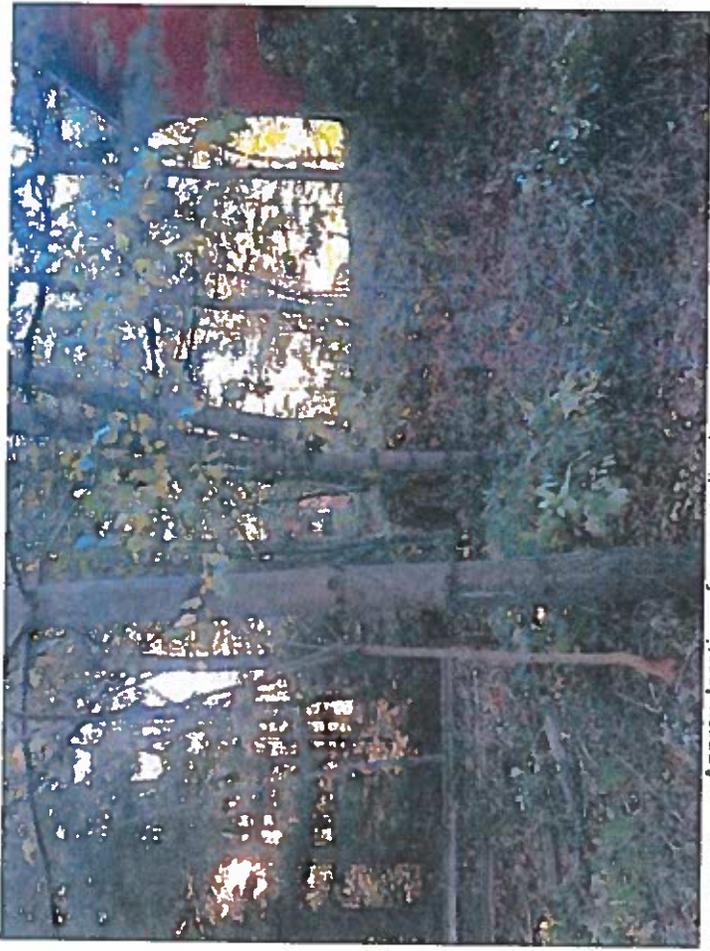
View of Train Barn from lake toward North - East



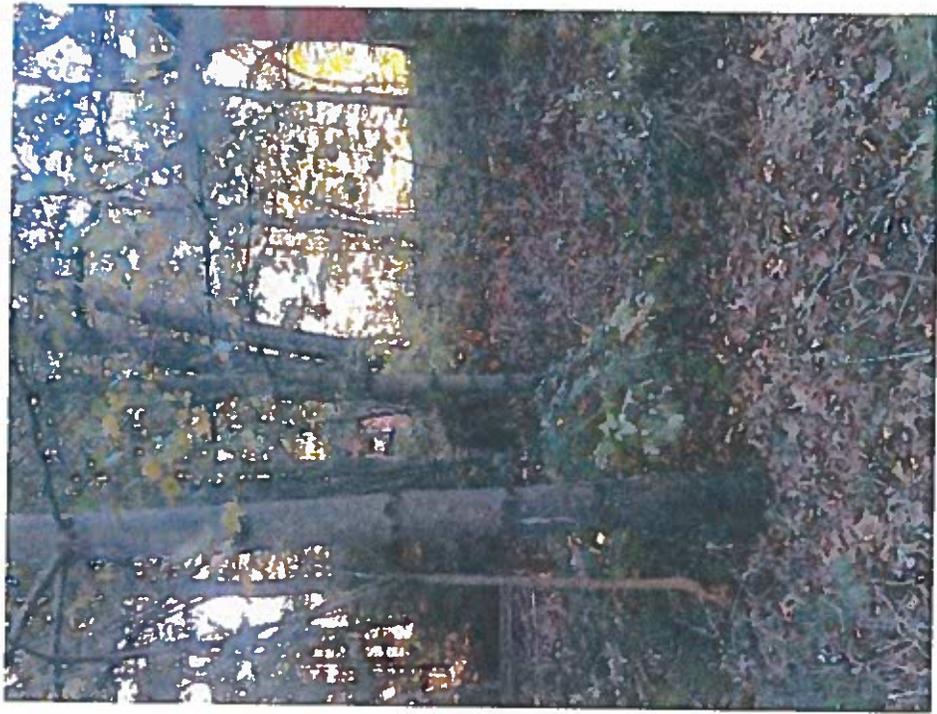
Approx. location of property line from street side toward lake
View - West



Approx. location of property line from street side toward lake
View - West
Granary on left, Train Barn on Right



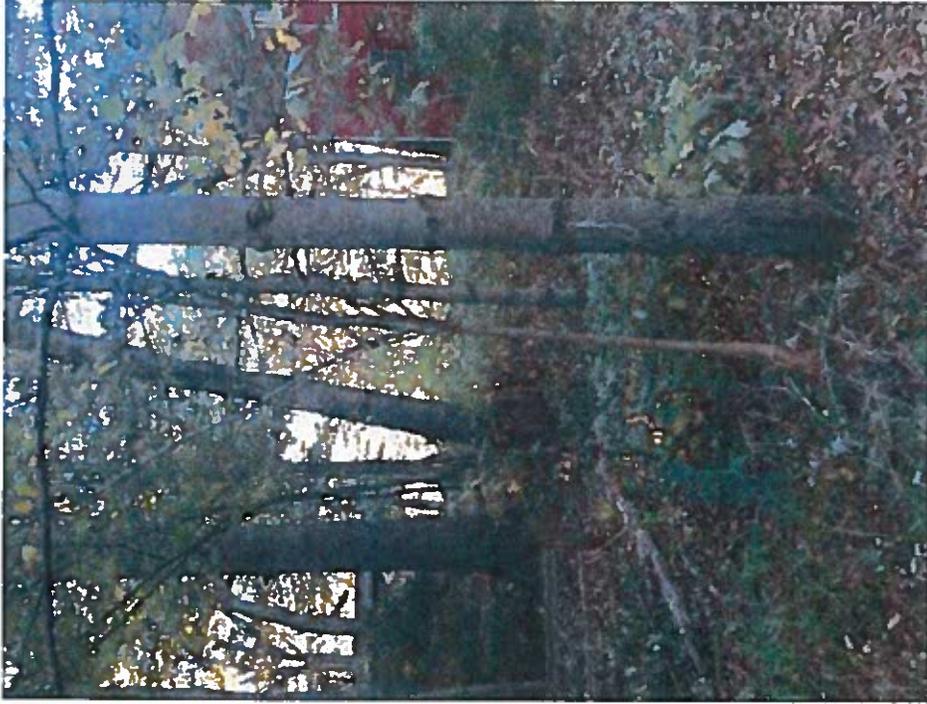
Approx. location of property line between Parcel "B" (Left) and Parcel "A" (Right)
View - East



Parcel "B" on left and Remainder Parcel on Right
View - West from Street side



Train Barn from Street
View – North - West

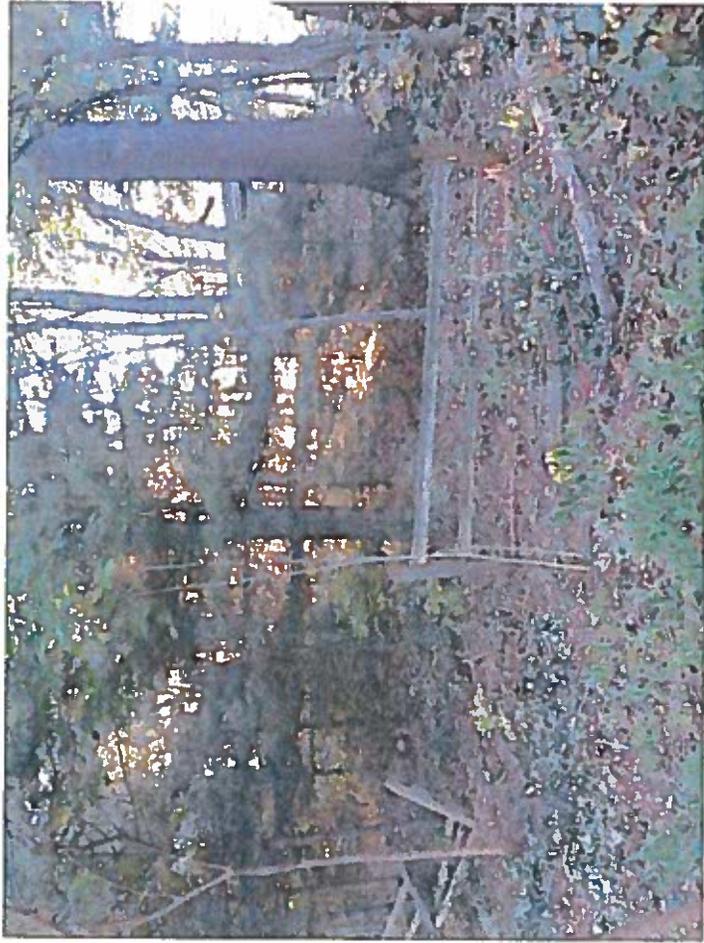


View from Street toward Train Barn
View – more North - West



Approx. location of property line of Parcel "B" (Right)
and Parcel "A" (Left)

View - West towards lake



View of Parcel "B" from Street

View - South - West



Approx. location of property line of Parcel "B" (Right)
and Parcel "A" (Left)
View - West towards lake



Approx. location of property line of Parcel "B" (Right)
and Parcel "A" (Left)
View - West towards lake



Michigan Centennial Farm



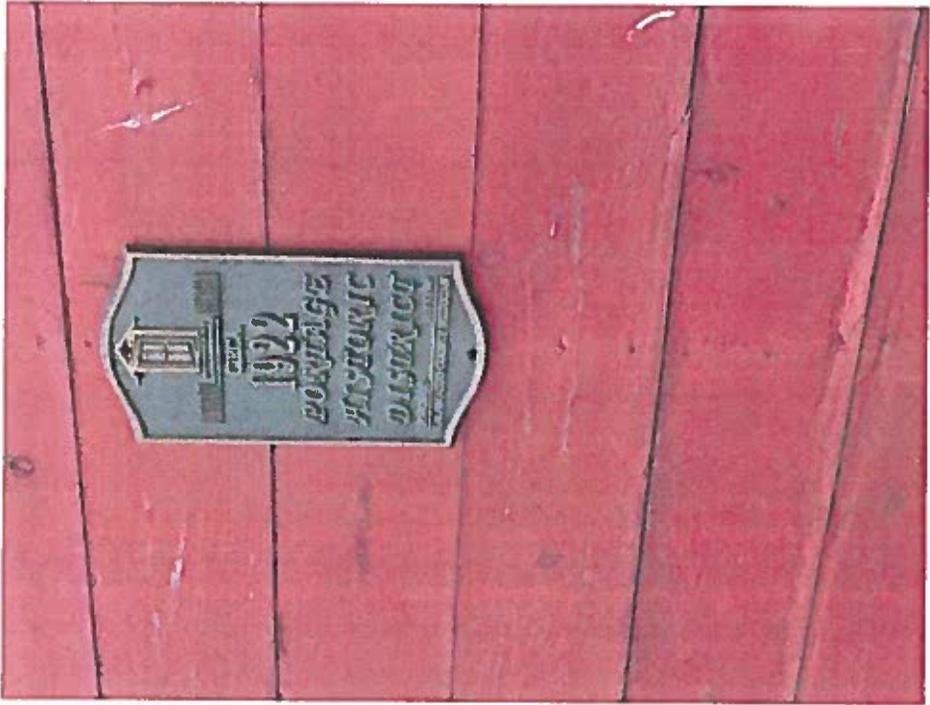
View from Street of Parcel "A" toward lake



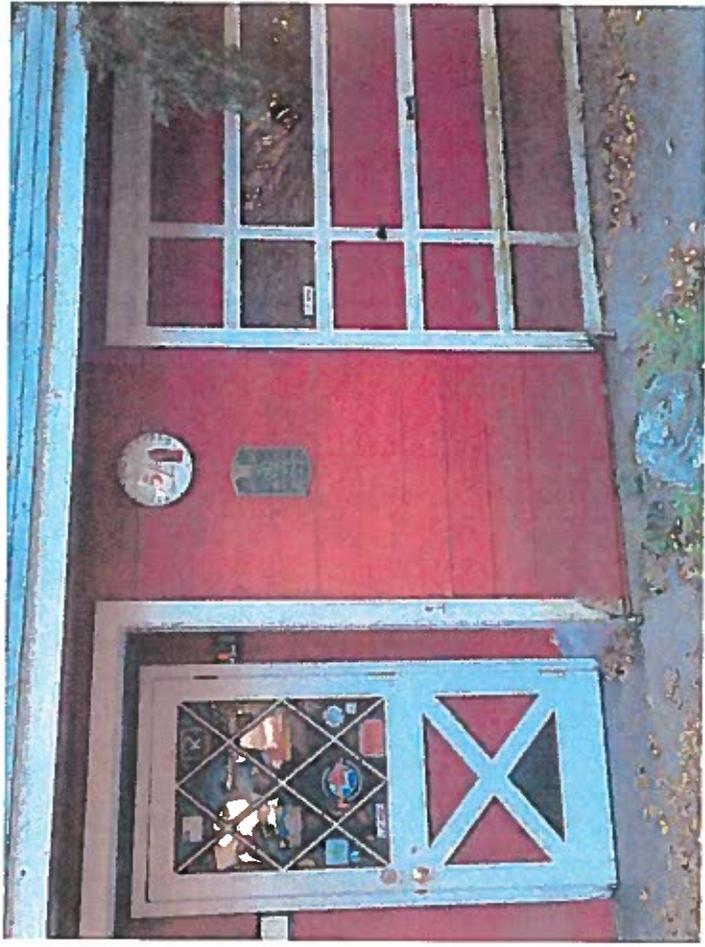
Michigan Centennial Farm



Train Barn view south from Remainder Parcel



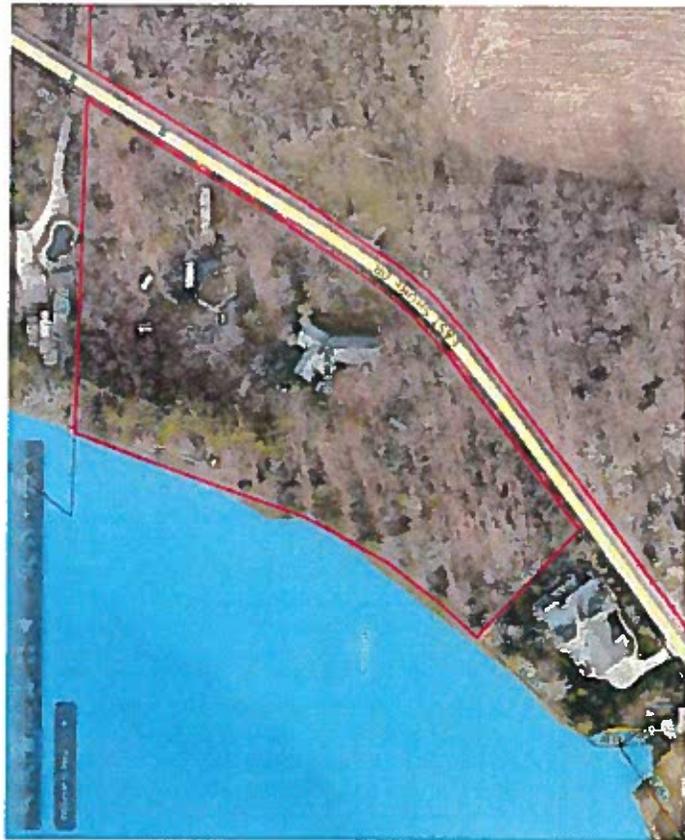
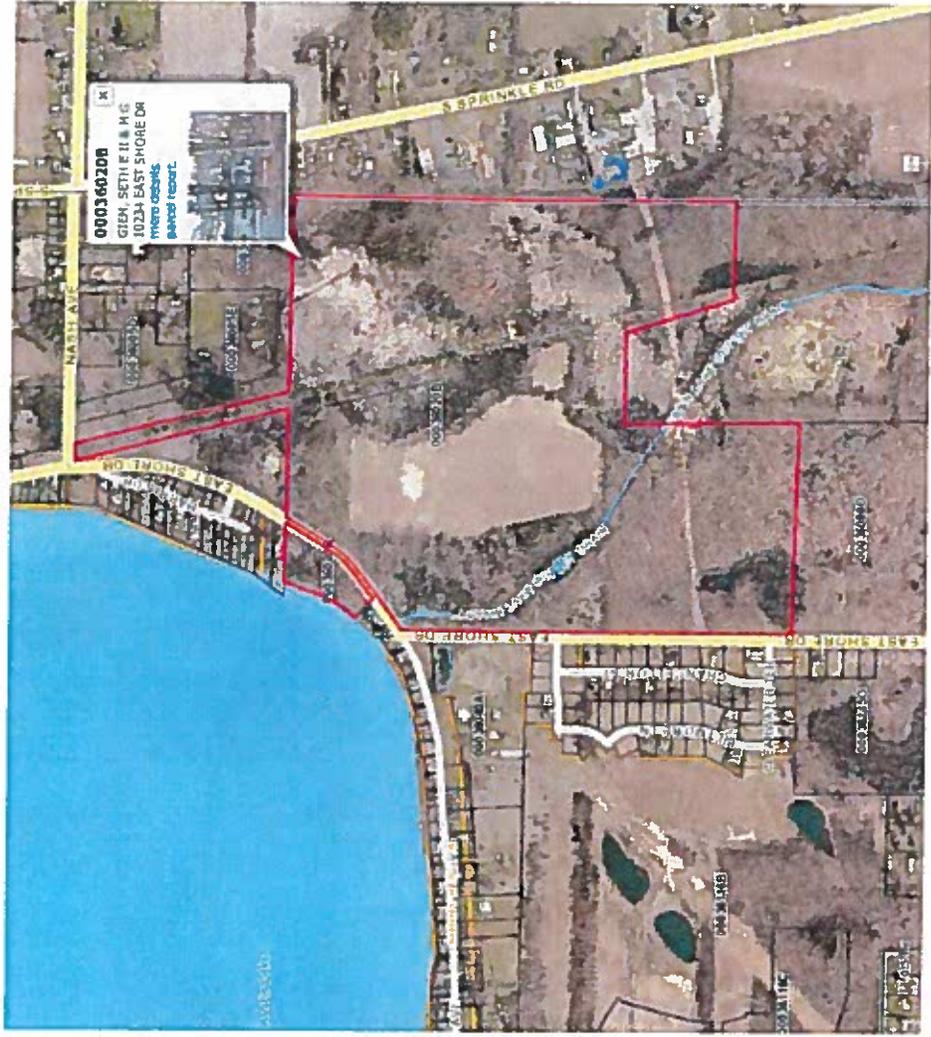
1922 Portage Historic District



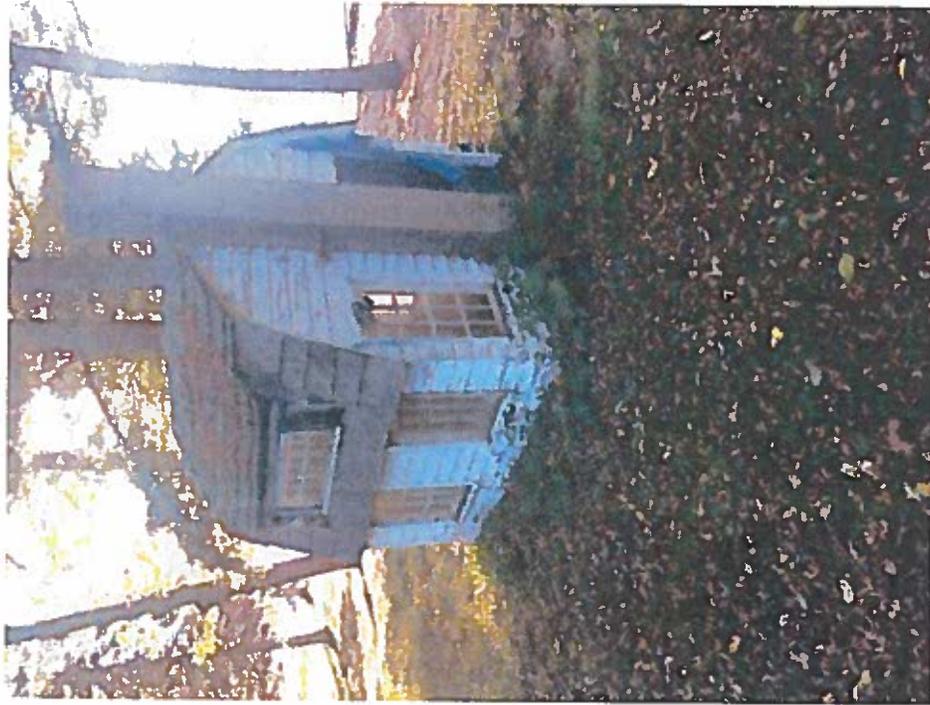
North Entrance to Train Barn on Remainder Parcel



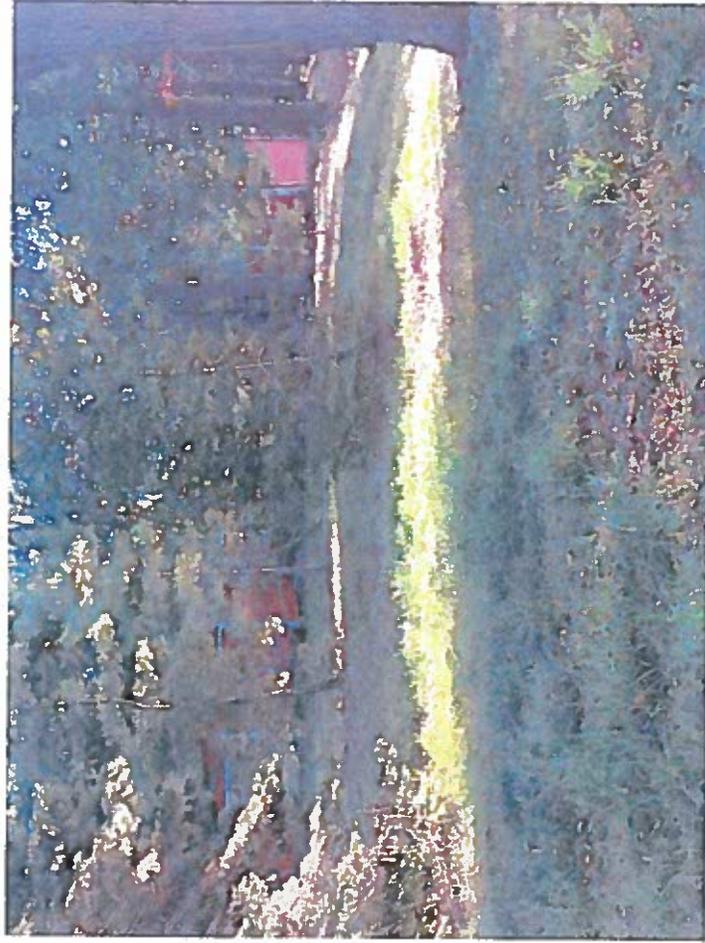
10234 EAST SHORE DRIVE



Detail View (take front segment)



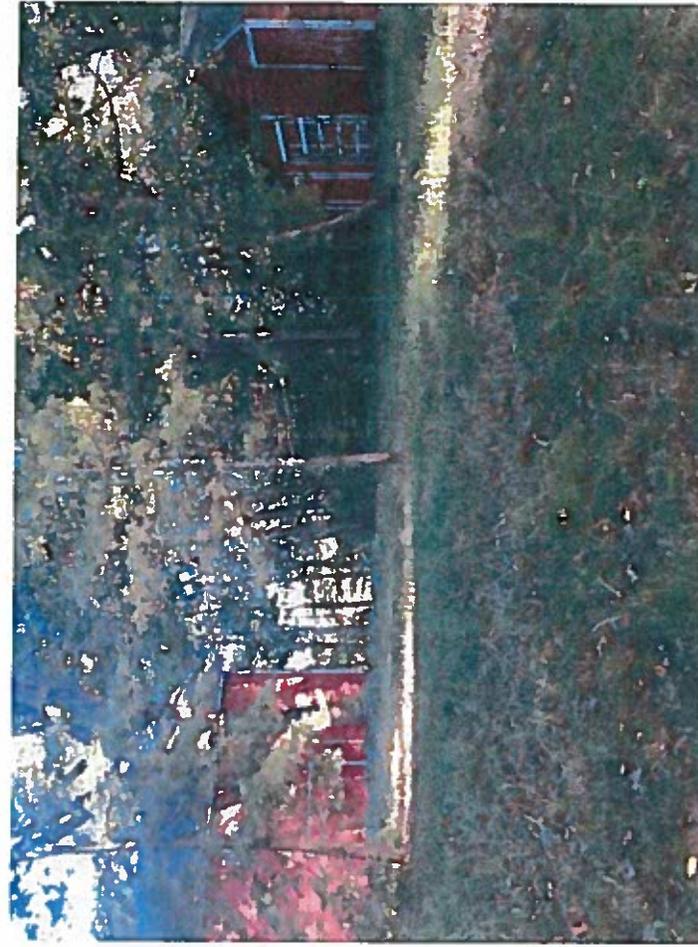
Small "Model" House
View - West toward lake



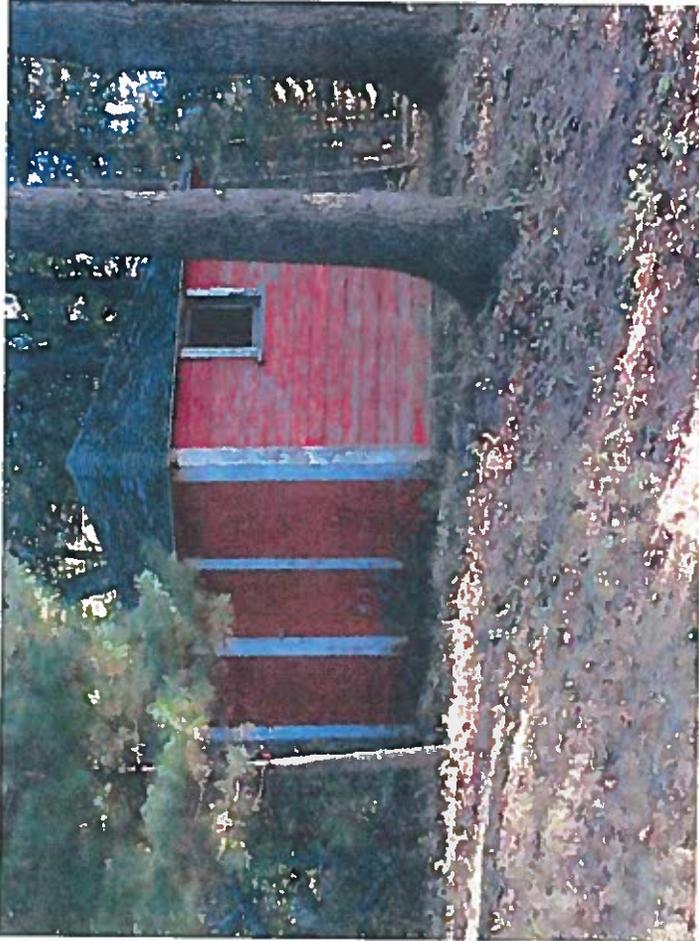
Original "Granary" (left) & Chicken Coop (right)
View - South



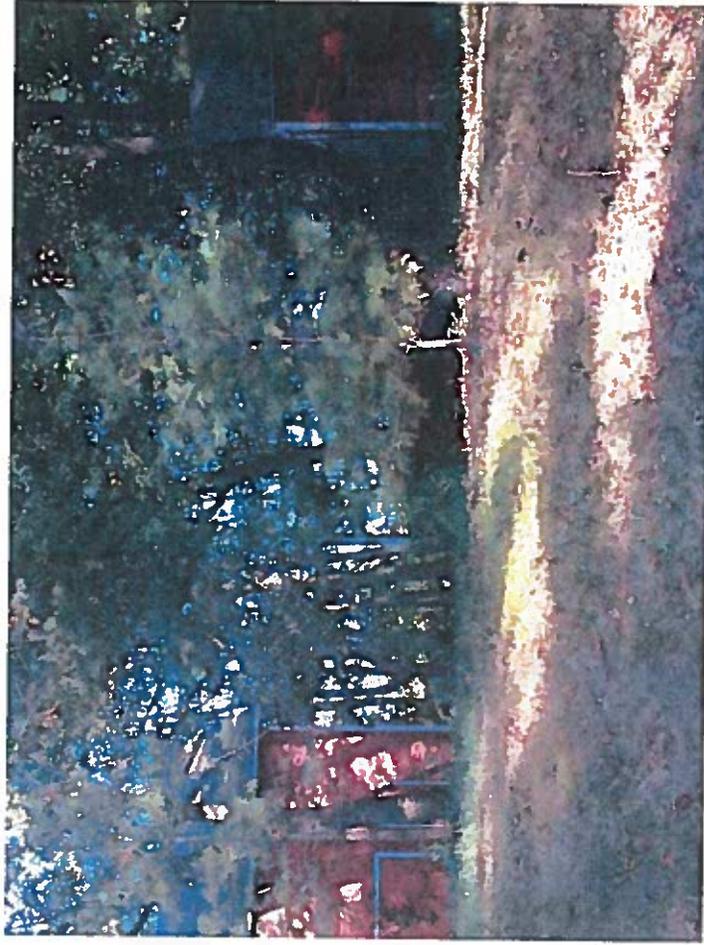
Original "Granery"
View – from lake toward South East



Approx. location of property line between Remainder Parcel (left) & Parcel "B" (right)
View – from lake towards East



Wood Framed Chicken Coop
View – from lake toward South East



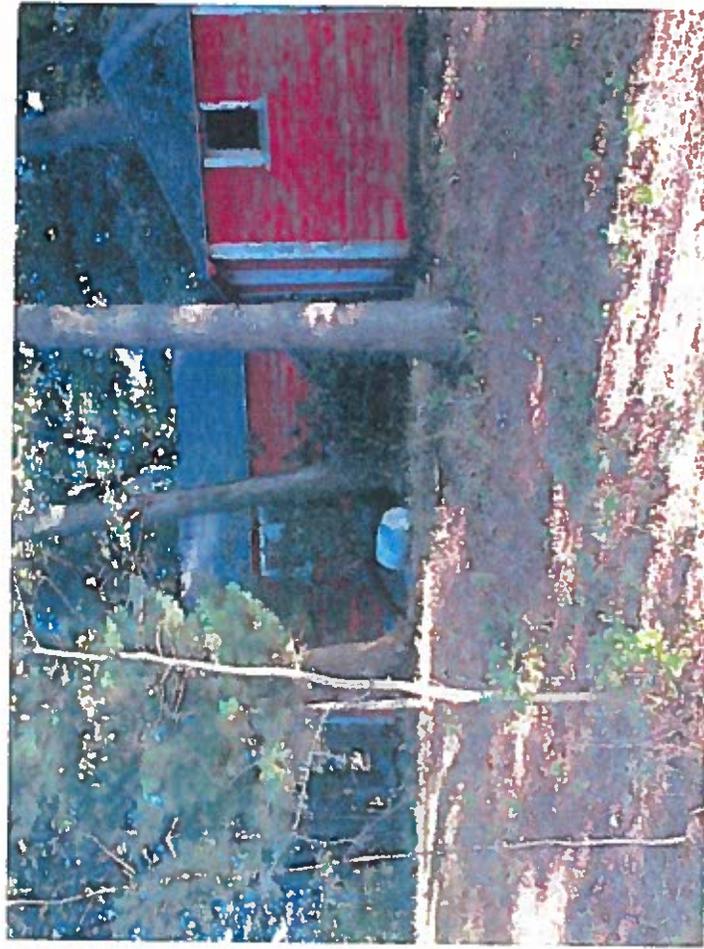
Approx. location of property line between Remainder Property (Train Barn – left) and
Parcel "B" (Granary – Right)
View – from lake toward East



View of Concord Pine that marks original location of Wood Frame Chicken Coop



Train Barn on Remainder Parcel
View- from lake toward East
(West side of Barn)



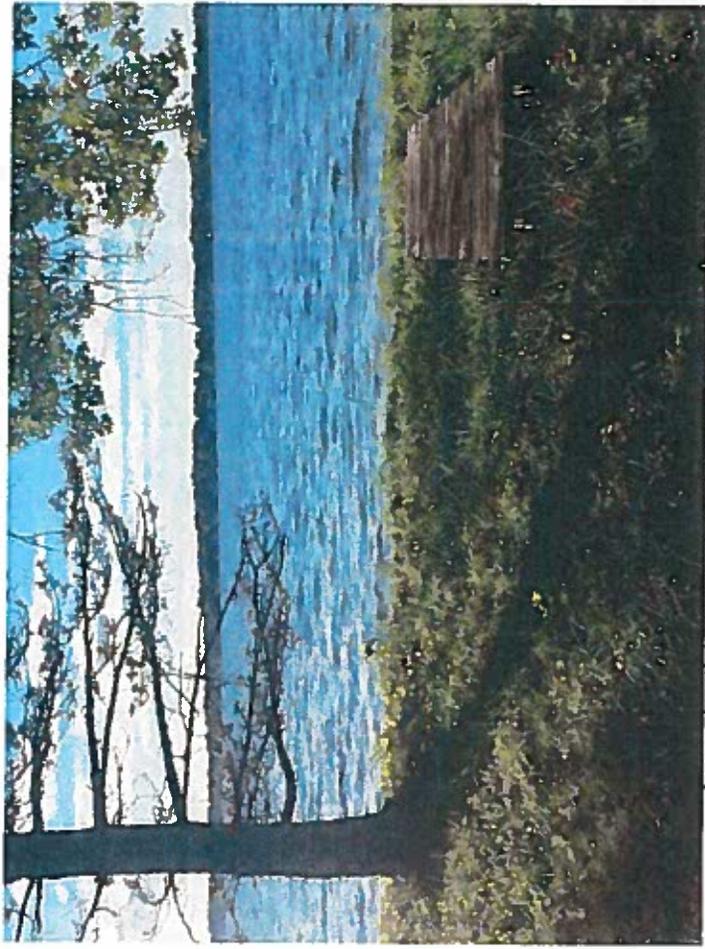
Granary and Chicken Coop
View – from lake toward East



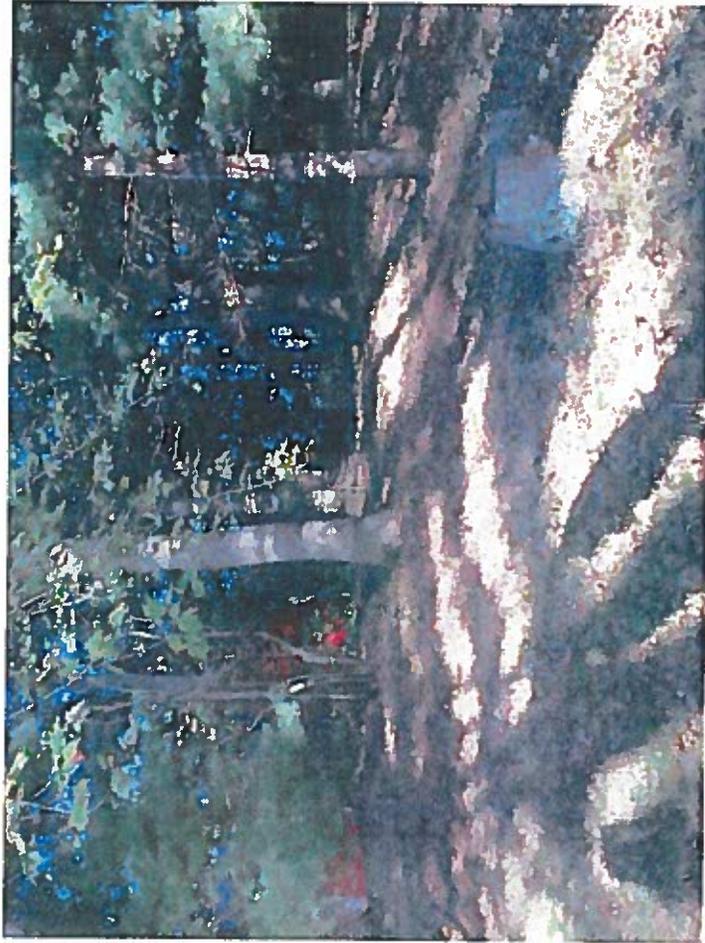
Approx. location of property line between Train Barn (left
And Granary (Right)
View – from lake toward East



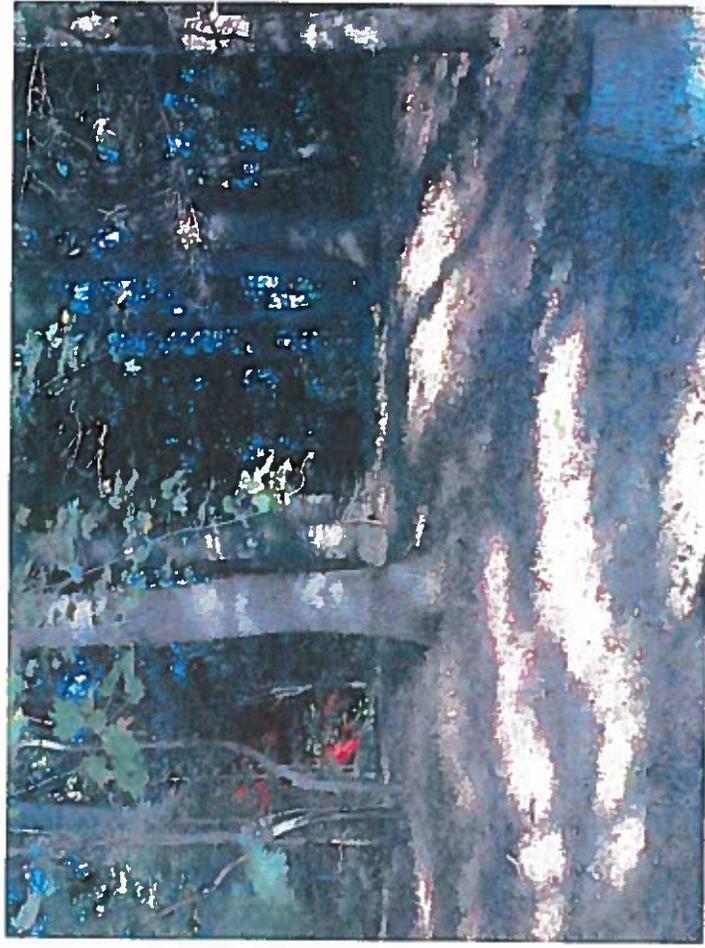
Wood Frame Chicken Coop
View – South (North side of Coop)



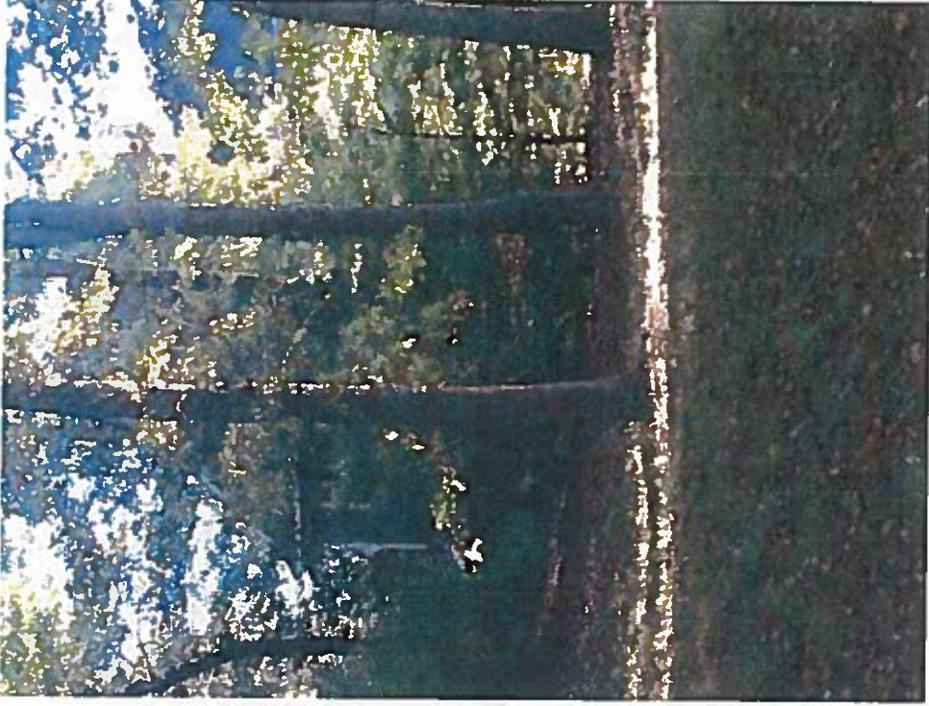
Approx. location of property line between Remainder Parcel (Right)
And Parcel "B" (Left)
Line Runs between the tree and the dock "pallet"
View - West



Approx. location of property line between Parcel "B" (Left)
and Parcel "A" (Right)
View - East



Approx. location of property line between Parcel "B" (Left)
and Parcel "A" (Right)
View - East



View of Parcel "A" toward South



View of Parcel "A" toward South West



View of Parcel "A" - South



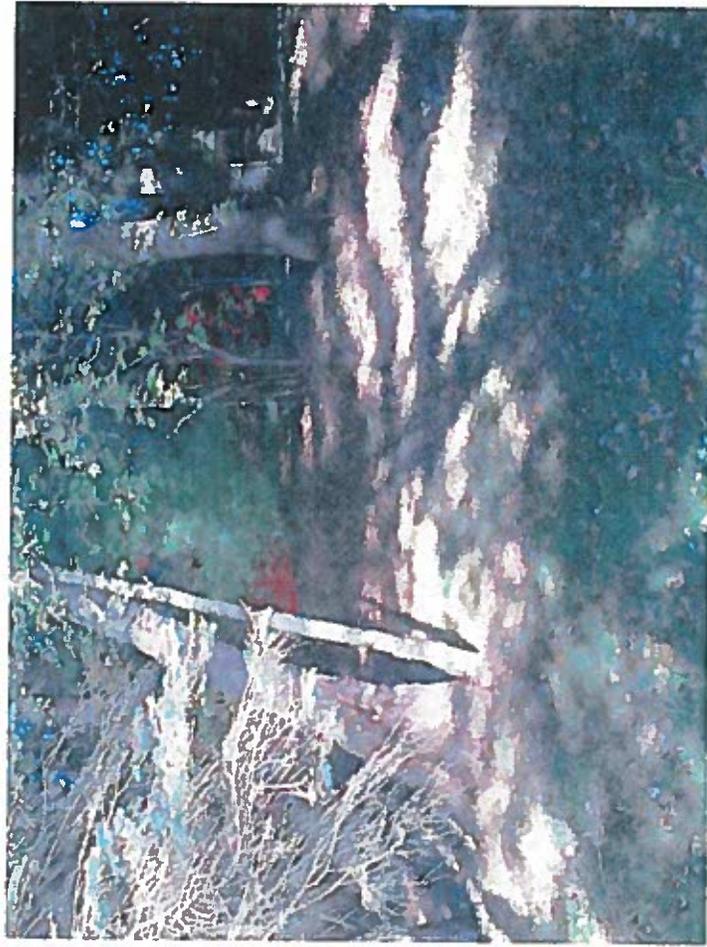
View of Parcel "A" - South West



View of grade change – Parcel "A"



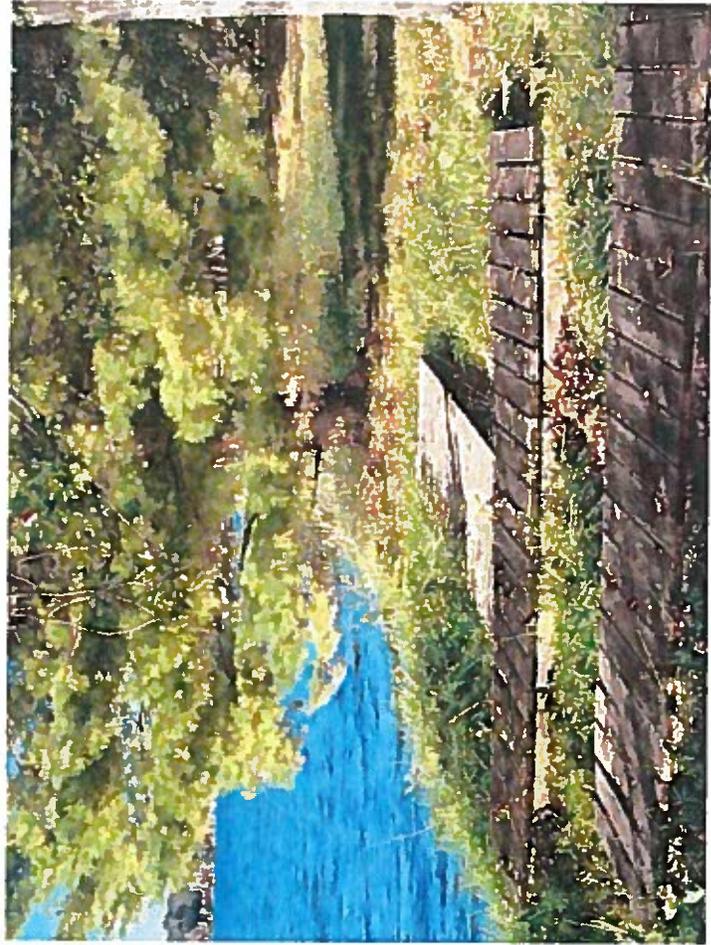
View of Parcel "A" – more South West
toward lake



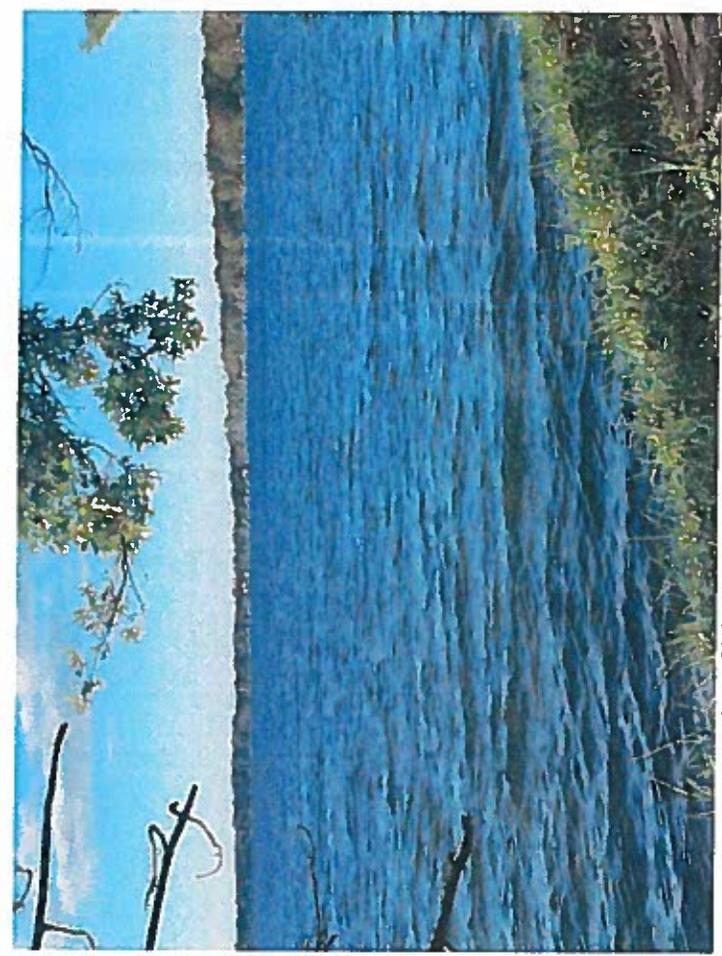
View from Parcel "A" toward Parcel "B"
View - East



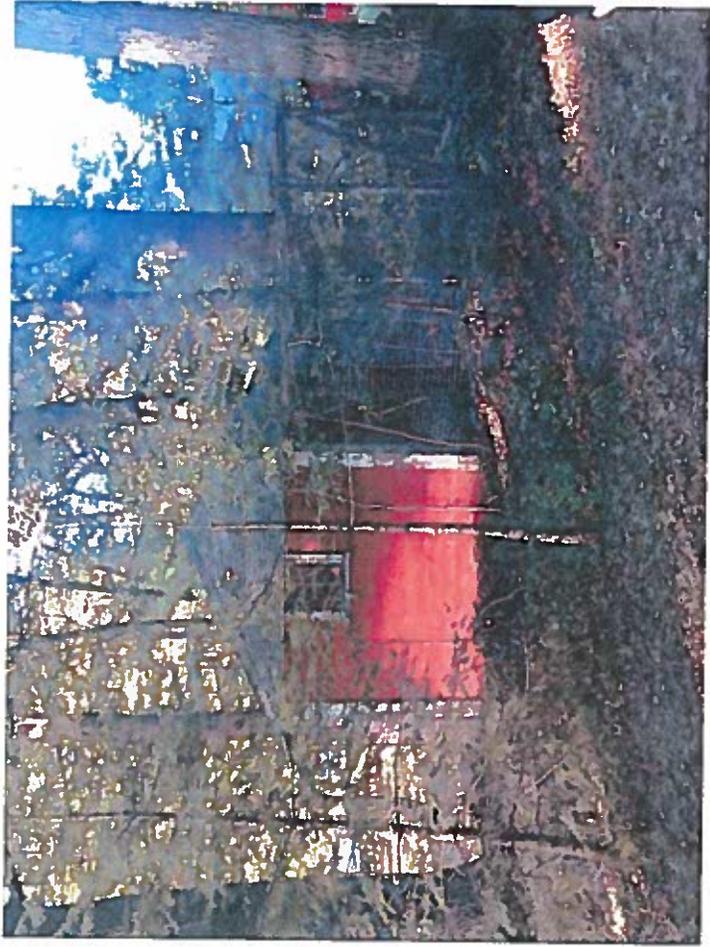
Approx. property line location between Parcel "B"
and Parcel "A"
View - East



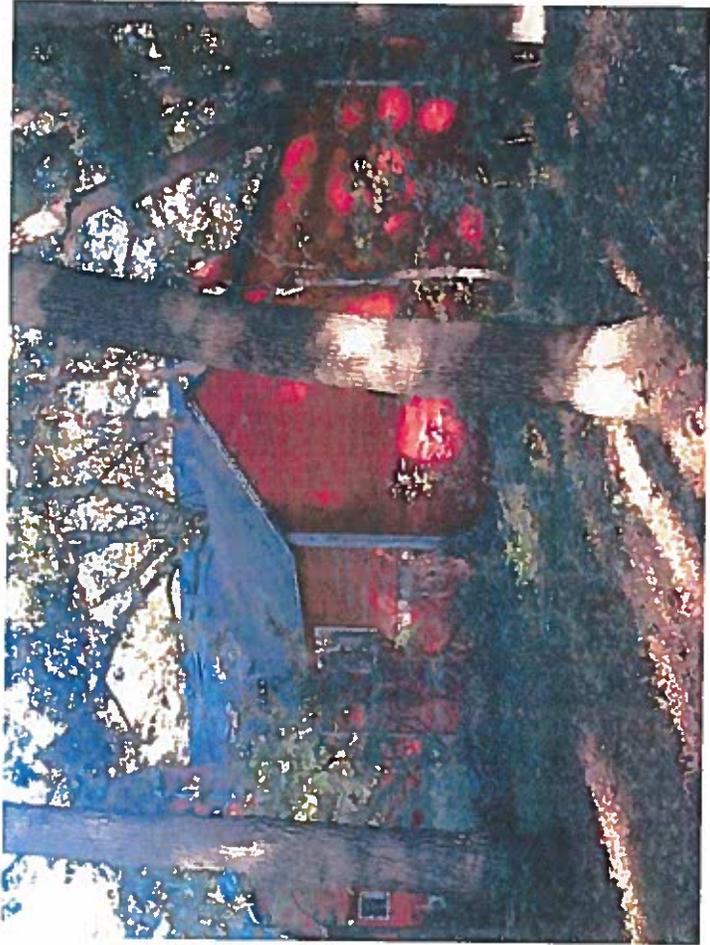
View of "dock" pallets - North



View of lake at property line of Parcel "B" (Right) and Parcel "A" (Left)



South side of Chicken Coop



South side of Granary

MATERIALS TRANSMITTED

CITY COUNCIL MEETING MINUTES FROM OCTOBER 6, 2015

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

At the request of Mayor Strazdas, Pastor Jeff Wenke of The Bridge Church gave the invocation and City Council and the audience recited the Pledge of Allegiance.

The Deputy City Clerk called the roll with the following members present: Councilmembers Nasim Ansari, Richard Ford, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. Also in attendance were City Manager Laurence Shaffer, City Attorney Randy Brown and Deputy City Clerk Adam Herringa.

PROCLAMATIONS: Mayor Strazdas recognized that there were many high school students, parents and teachers in the audience and shared that Portage Public Schools and host families were welcoming 11 students on an exchange program from Denmark. Mayor Strazdas then invited Mr. Chuck Schira with the Portage Public Schools International Baccalaureate program to come forward and share a little about the current exchange program. Mr. Schira explained that this was the third year of this exchange and explained how it got started and some of the activities in which the Danish students and host families were engaged. Two Danish teachers, Ronni Hansen and Mette Brondum, also shared their thoughts on the program and on what it was like to be in Portage. One of the Danish students, Mathilde, and a student from Portage Northern High School, Danna, shared their thoughts on the experience and the Danish student also shared that it is great to see the American lifestyle, experience an American city and that it is great to see all of the nature and trees in Portage.

APPROVAL OF MINUTES: Councilmember Ford asked that the minutes be modified to reflect the individual who provided the invocation. Motion by Reid, seconded by Ford, to approve the Regular Meeting Minutes of September 22, 2015, as amended. Upon a voice vote, motion carried 7 to 0.

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

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF OCTOBER 6, 2015:** Motion Ford, seconded by Randall, to approve the Accounts Payable Register of October 6, 2015. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Carol Voss, 1104 Rainbow Court, expressed frustration with a parking situation that has been ongoing for several months. She shared that she has been in contact with multiple city officials on several occasions but the situation persists. Ms. Voss expressed concern that officials in one department were providing information which ran counter to what she was hearing from other city staff. She asked what can be done to resolve the parking matter. Mayor Strazdas thanked Ms. Voss for coming before City Council and for clearly articulating her concern. The Mayor then asked the City Manager to meet with Ms. Voss to review the circumstances and to report back to City Council at the October 20th City Council Meeting.

Mr. Tim Earl, 6862 Shallowford Way, expressed concern with a statement made by a Councilmember at the last meeting about a possible shuttle between Portage and airports in Detroit and Grand Rapids. He stated that such a shuttle could be detrimental to the Kalamazoo/Battle Creek International Airport and shared the many benefits of using this airport.

REPORTS FROM THE ADMINISTRATION:

- * **WEST OSTERHOUT RECONSTRUCTION CHANGE ORDER:** Motion by Ford, seconded by Randall, to approve Change Order No. 1 to the West Osterhout Reconstruction Project to include the Portage Road Sidewalk Addition with Michigan Paving & Materials, Incorporated, in the amount not to exceed \$44,390 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.
- * **REZONING 15/16-1 – 710 AND 732 EAST CENTRE:** Motion by Ford, seconded by Randall, to accept Rezoning Application #15/16-1 for first reading and set a public hearing for November 3, 2015; and subsequent to the public hearing, approve Rezoning Application #15/16-1 and rezone 710 and 732 East Centre Avenue from B-1, local business, to OS-1, office service, with the exception of the west five feet of 710 East Centre Avenue, which is to remain zoned R-1A, one family residential. Upon a roll call vote, motion carried 7 to 0.
- * **FY 2014-2015 ANALYSIS OF ZONING CONSISTENCY UPDATE:** Motion by Ford, seconded by Randall, to accept the FY 2014-2015 Analysis of Zoning Consistency Update. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATION:

COMMITTEE OF THE WHOLE MEETING – OCTOBER 20, 2015: Mayor Strazdas stated that the City of Portage has a good problem which is excess funds in the General Fund. He then stated his desire to hold a Committee of the Whole meeting to discuss what to do with these excess funds. Mayor Strazdas asked City Council to share any questions, concerns or thoughts regarding the topic to the City Manager by the end of the week. Motion by Pearson, seconded by Randall, to set a Committee of the Whole meeting on October 20, 2015 at 6:00 p.m. in Conference Room #1 to discuss appropriation of excess funds in the General Fund. Upon a voice vote, motion carried 7 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of the Portage Public Schools Board of Education Regular and Special Meeting Minutes of August 17, Policy Governance Retreat of August 18 and Special and Committee of the Whole Work Session of September 14, 2015.

COUNCIL COMMITTEE REPORTS:

CITY MANAGER SALARY REVIEW/EVALUATION COMMITTEE: Mayor Strazdas shared that the City Manager Salary Review/Evaluation Committee, composed of himself, Mayor Pro Tem Pearson and Councilmember Ford, had met and shared that the committee had received feedback from all seven councilmembers. He stated that it was the desire of this committee to share the individual feedback that had been received with the entire City Council in a digital format. Mayor Strazdas then asked that the Deputy City Manager complete a review of the salaries received by other city managers in comparable cities in advance of the next City Manager Salary Review/Evaluation Committee meeting which is scheduled for October 16th at 4:30 p.m. Mayor Strazdas then disclosed that a closed session would be held toward the end of the Regular City Council Meeting of October 20th to discuss the evaluation and salary of the City Manager.

Councilmember Randall inquired as to the plan to provide copies of individual Councilmember feedback to all of City Council in a digital format and if this was a change to past practice. Mayor Pro Tem Pearson stated that this is a change but that providing the information in advance of the meeting will provide City Council with an opportunity to better review the material.

City Attorney Brown stated that sharing the information in a digital manner is fine but that City Council should refrain from engaging in back and forth discussion of the material. Mayor Strazdas

asked City Council if they would prefer to have the material the week before the October 20th meeting or if the day before would be acceptable. Councilmember Urban expressed support for receiving the material the day before the meeting with the caveat that it be sent early in the day. There was general consensus with this approach. Mayor Strazdas then summarized that there would be a closed session during the October 20th City Council Meeting and that information would be shared with City Council for review on October 19th at 8:00 a.m. Motion by Ansari, seconded by Reid, to receive the verbal report from the Mayor. Upon a voice vote, motion carried 7 to 0.

CENTRAL COUNTY TRANSIT AUTHORITY: Mayor Pro Tem Pearson provided a brief update on the activities of the Central County Transit Authority (CCTA) and shared that small meetings/briefings have been held with the Executive Director of the CCTA and that information is being gathered and contract details reviewed. Councilmember Urban shared that the proposed contract was presented to the Kalamazoo City Commission yesterday evening.

NEW BUSINESS:

* **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:** Motion by Ford, seconded by Randall, to reappoint William Beck and Martha Dahlinger and appoint Jerry Kroehn with term ending October 1, 2018, and appoint Mike Sergeant with term ending October 1, 2017 to the Environmental Board; to reappoint Suzanne Nemeth and Katie vanLonkhuyzen and appoint Collin Forrest with term ending December 31, 2018, and appoint Martha Deming Maytnier with term ending December 31, 2017, to the Historic District Commission; to reappoint Diane Durian, Raymond LaPoint and Sandra Sheppard with terms ending October 1, 2018, and appoint Fiorella Spalvieri with term ending October 1, 2016, to the Human Services Board; to reappoint Tim Earl and Charles Thomas and appoint Marshall Cammack with term ending October 1, 2018, to the Park Board; to reappoint Ann Perkins and Trudy Riker and appoint William Wierenga with term ending October 1, 2018, appoint Arthur Roberts with term ending October 1, 2017, appoint Jean Wenz with term ending October 1, 2016, and appoint Kathleen Mishler and Sharon White as Alternate Members with terms ending October 1, 2016, to the Senior Citizens Advisory Board; and to reappoint Keith Lewandowski with term ending December 31, 2021, to the Economic Development Corporation/Tax Increment Finance Authority/Brownfield Redevelopment Authority. Upon a roll call vote, motion carried 7 to 0.

BID TABULATIONS:

* **PURCHASE OF A VEHICLE FROM DON SEELYE FORD, INC:** Motion by Ford, seconded by Randall, to approve the purchase of a 2016 Ford F-550 crew cab chassis with a KSS Ford stylized service body from Don Seelye Ford, Inc. of Kalamazoo, Michigan in the amount of \$57,375 and authorize the City Manager to execute all documents related to this matter on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL: Councilmember Ansari congratulated the International Baccalaureate (IB) students and shared that his son was among the first group of IB students.

Councilmember Reid thanked all of the residents who had applied and interviewed for a spot on one of the boards and commissions. She continued and stated that City Council was faced with the wonderful dilemma of having more volunteers than vacancies on the boards and commissions.

Councilmember Ford shared that he was pleased with the recent Capital Improvement Program (CIP) Open House, with the format and with the opportunity for public input. Mr. Ford then reviewed the Portage 2025 Visioning exercise and shared some of the thoughts from the "Neighborhoods" group

that was a part of the exercise. Finally, Mr. Ford shared that he went to the new Portage Farmer's Market and that he is the new president of the Kzoo Spartans.

Councilmember Randall shared that she found the Portage 2025 Visioning event to be extremely worthwhile and that it will help provide direction for the City and staff in the years to come. She thanked staff for their work in putting on the event and expressed her support for the Farmer's Market and how great it is to have in the community. Finally, she shared that the annual Portage Cross Country Invitational is this coming weekend and that approximately 8,700 runners representing 400 schools will be present. She continued by stating that this is a tremendous event for the community and the local economy and to please be patient with the traffic.

City Manager Shaffer acknowledged staff for their work on Portage 2025 and congratulated all the citizens who participated in the event. Mr. Shaffer then discussed the CIP Open House and that the results of the open house and web surveys would be forwarded to the Planning Commission. Mr. Shaffer expressed his support for involving the public in determining the course of the city and the value of asking citizens for their input. Mr. Shaffer continued by stating his support for the Farmer's Market and implored the public to come out and support it. Finally, Mr. Shaffer shared that the City had recently refinanced some bonds and that the action will save the City \$1.6 million over the course of ten years.

Mayor Pro Tem Pearson offered his support of the Farmer's Market and complimented the Director of Transportation and Utilities, Chris Barnes, who played the banjo as part of the live music at the market. Mayor Pro Tem Pearson was also complimentary of the Portage 2025 Visioning event. He continued by sharing that one participant brought his son to the event and shared that this individual had also participated in the annual Mayor and City Council for the Day program. Mayor Pro Tem Pearson expressed optimism that our schools are providing leaders of the future.

Mayor Strazdas shared that, with Portage 2025, the City of Portage recognizes that the community must continue to look ahead and plan for the future. He likened the City of Portage to a well-built boat that is rising with the tide while other communities are busy fixing leaks and do not have the time to look ahead. Mayor Strazdas asked the community to hold City Council and City Administration accountable for the direction that is set and in how we get there. Mayor Strazdas reminded residents that snow will be falling soon and to please recognize the importance of following winter parking regulations. Finally, Mayor Strazdas invited the public to attend the Committee of the Whole meeting planned for October 20th in which City Council will be discussing what to do with excess funds in the General Fund.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:29 p.m.

Adam Herringa, Deputy City Clerk

*Indicates items included on the Consent Agenda.

SUMMARY ENVIRONMENTAL ACTIVITY REPORT
September 2015 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-Beginning in 1991, South Westledge Park (landfill) has been monitored for on-site and off-site contamination. On July 23, 2013, City Council approved a three-year contract with American Hydrogeologic Corporation (AHC) to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. Initial groundwater and methane results indicate no off-site impact. AHC currently compiling MDEQ sampling requirement costs necessary for closure at the former landfill site. Weekly methane sampling is continuing on-site to collect base line data. AHC is completing the installation of private methane detection devices at several adjacent properties. Soil boring installation was completed on May 28, 2014. Current methane readings have been below detection levels. The 2 nd year of AHC's contract is underway with annual report pending.
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. -Review of 7 site/building plans and/or plats completed in September 2015.
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	-Sanitary sewer hookup permits issued in September 2015: 14 residential; 2 commercial.
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions. Special emphasis on weed control and non-point source pollution reduction.	-Five Year Lake Management Assessment District process was approved by City Council. The West Lake Improvement association has completed a five year plan for a new special assessment district. Special assessment process for 2015-2019 began on August 26, 2014. Resolution No. 5 completing the assessment was adopted October 21, 2014. Year-end report by the consultant is complete. The Association has selected to use

Restorative Lake Sciences, LLC for consulting services for 2015. Treatment application completed in mid-June. Follow-up inspection of treatment will be done by Restorative Lake. The 2015 weed treatment bids were received on February 24, 2015. City Council approved weed treatment contract with Professional Lake Management Company on April 10, 2015. Weed treatment was completed in June.

Retention Basin Sampling Program (Groundwater Elevation)
Investigation regarding potential impact of retention basins on groundwater levels.

-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to storm water infiltration. Alternative road salt practices continue to be considered and evaluated. The 2013 report was received noting minimal impacts. The 2013 report is available on the website for public information. Bids were received for a new four year program on April 16, 2014. The low bidder, Nova Consultants, was awarded a four-year contract by City Council on April 29, 2014. Monitoring performed in October 2014 and July 2015. Monthly sampling at two retention basins continues. Current findings show a rise in groundwater levels of approximately 6 inches over 2014 levels.

Wellhead Protection Program (WHPP)

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

-Current Wellhead Protection was approved March, 2001. Staff has met internally to discuss the future needs to update the plan pending grant opportunities. Staff participated in a MDEQ Water Supply Emergency planning roundtable on June 10, 2013. Update of the program has been initiated as part of the Water Reliability Study in conjunction with Fishbeck, Thompson, Carr & Huber update work currently underway. Wellfield delineation completed. Engineering intern has completed contamination source inventory. Final report preparation was submitted to the Michigan Department of Environmental Quality for review and approval. Letter of approval received from MDEQ on June 15, 2015. Program implementation is ongoing.

Leaf Compost Monitoring Program

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

-City Council awarded contract on August 21, 2001 to Soil & Materials Engineers for monitoring and analysis of groundwater impact of the new compost operation. Drilling was completed in October 2001 and first sampling cycle was completed in February 2002. Semi-annual sampling was performed from 2002 to 2008 in June and January. Sampling and analysis results continue to show negligible groundwater impacts from the

leaf composting. Sampling schedule was reduced to annual sampling in 2009 with results showing continued minor impact on groundwater quality. Sampling completed in June 2015, with report submitted. No significant change in groundwater impacts.

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

-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Storm Water Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) completed December 11, 2009. Received a notice from MDEQ rescinding the 2008 permit due to a recent court case ruling. MDEQ reinstated the 2003 permit for implementation. Information on new permit requirement was received in February 2011. MDEQ expected to issue new permit in 2014. MDEQ scheduled an audit of the program on July 12, 2012. Audit completed with satisfactory results. City website updated in February to provide education of Illicit Storm Water Discharge. Program implementation is ongoing. Annual 2012-13 report was submitted on December 24, 2013. Comments received back have been reviewed by staff and response submitted to MDEQ. MDEQ concurred with city staff response. New permit application process announced in November 2014. New permit application was submitted in March 2015. Implementation is ongoing.

National Pollution Discharge Elimination System (NPDES) Permit Implementation
Kalamazoo River Mainstream Watershed Management Plan

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

Portage River Watershed Management Plan

-Public participation plan submitted June 28, 2004. Proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Based upon MDEQ comments, the plan was revised and resubmitted on December 21, 2009. Interest has been raised by local conservation groups to update the Watershed Plan using grant funds. Grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan in 2012. Grant for watershed update was awarded to Calhoun County Conservation District. First kick-off meeting held December 13, 2012 to introduce working partners and information gathering. A meeting was held on March 12, 2013 to discuss the designated uses of the Portage River/Little Portage Creek watershed, the total maximum daily load of E-coli from samples taken and a review of community ordinances and policies that help protect the Watershed. Meeting held on June 11, 2013 to discuss identified water quality problems in the watershed. Meeting held on December 11, 2013 to inform stakeholders of progress on data collection. Canoe trip inspection was held on September 13, 2014. No new developments.

Plan to implement and maintain an Illicit Discharge Elimination Program (IDEP) Storm Sewer Outfall Testing.

-On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections." Program implementation is ongoing. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDEQ on June 25, 2010, and part of the SWIPPI. Completed an area-wide brochure to educate the public on Illicit Storm Water Discharges in conjunction with the Kalamazoo County Drain Commissioner. On April 29, 2014 City Council awarded a contract to Nova Consultants, Inc., to perform annual investigations of storm outfalls and investigate all outfalls on a four-year cycle. Investigations scheduled for 2014 were completed in July with summary report received. Report will be submitted to MDEQ as part of the annual report. Next report due in December 2015.

Garden Lane Arsenic Removal Facility	<i>Native Prairie Restoration</i>	Staff currently working with the Environmental Board on informative signs and long-term maintenance plans for the native planting landscape design in front of the Garden Lane Treatment Plant. New informational signs are complete and maintenance is ongoing.
Environmental Incident/Spill Clean Up Notification	Environmental Protection Program to assist Portage Police/Fire Departments with spill containment and spill cleanup.	Emergency spill response contract for 2014-15 with Terra Contracting has been renewed. <i>The number of environmental incident/spill investigations performed in September – 0. Number of environmental cleanups in September – 0.</i>
Southwest Michigan Regional Sustainability Covenant	Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.	On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to MDEQ for a greenhouse gas inventory study of the area. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs. No new developments.