

**FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
April 24, 2012**

7:00 p.m. Tree Planting Ceremony – City Hall Property.

7:30 p.m. Call to Order.

Invocation: Pastor Clayton Smith, First Reformed Church of Portage.

Pledge of Allegiance.

Roll Call.

Proclamations: National Arbor Day

National Children's Mental Health Awareness Day

A. Approval of the Regular Meeting Minutes of April 10, 2012.

* B. Approval of Consent Agenda Motions.

* C. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of April 24, 2012, as presented.

D. Public Hearings:

1. Communication from the City Manager recommending that City Council consider approving Rezoning Application #11-02 and rezone the southern 539.5 feet of 1106 West Centre Avenue to OS-1, office service, while keeping the remainder of the property zoned RM-2, multiple family residential, and R-1B, one family residential.
2. Communication from the City Manager recommending that City Council adopt the 2012 Sewer and Water Rate Resolutions establishing sewer and water utility rates, sewer and water franchise area fees, service fees and charges as outlined in the 2012 Utility Rate Financial Study and as recommended by the City Administration and the City Council Water and Sewer (Utility) Rate Study Committee.

E. Petitions and Statements of Citizens:

F. Reports from the Administration:

- * 1. Communication from the City Manager recommending that City Council authorize the Mayor and City Clerk to execute a three-year labor agreement with the International Association of Fire Fighters subsequent to city acceptance of health insurance plan documents.
- * 2. Communication from the City Manager recommending that City Council adopt the Resolution setting a public hearing on May 8, 2012, for the Fiscal Year 2012-2013 proposed city budget and the proposed 2012 tax levy.
- * 3. Communication from the City Manager recommending that City Council:
 - a. accept Rezoning Application #11-03 for first reading and set a public hearing for May 22, 2012; and
 - b. subsequent to the public hearing, consider approving Rezoning Application #11-03 and rezone: 1) 1901 Romence Road Parkway to OTR, office technology and research, with the exception of the northwest area that is to remain R-1B, one family residential, and the southwest area that is to be rezoned to OS-1, office service; 2) 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research; and 3) 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service.
- * 4. Communication from the City Manager recommending that City Council approve Contract 12-5119 between MDOT and the City of Portage for funding of a flashing beacon installation at the Osterhout Avenue/Oakland Drive intersection and adopt a Resolution authorizing the City Manager to sign Contract 12-5119 and any other documents related to this project on behalf of the city.

- * 5. Communication from the City Manager regarding the March 2012 Summary Environmental Activity Report – Information Only.
- * 6. Department Monthly Reports.
- G. Communications:
 - 1. Presentation by Human Services Board Chairperson Marc Meulman.
- H. Unfinished Business:
- * I. Minutes of Boards and Commissions Meetings:
 - 1. Portage Zoning Board of Appeals of March 12, 2012.
 - 2. Portage Environmental Board of March 14, 2012.
 - 3. Portage Youth Advisory Committee of March 26, 2012.
 - 4. Portage Board of Education Special and Regular of March 26, 2012.
 - 5. Portage Planning Commission of April 5, 2012.
- J. Ad-Hoc Committee Reports:
 - 1. Presentation from Mayor Pro Tem Claudette Reid regarding the recent activity of the Fees (Transparency/Fairness) Committee.
- K. New Business:
- L. Bid Tabulations:
 - * 1. Communication from the City Manager recommending that City Council award an engineering services contract to Wightman & Associates, Incorporated, for the Forest Drive reconstruction and water main replacement from Lovers Lane to Portage Road, in the not to exceed amount of \$24,100 and authorize the City Manager to execute all documents related to the contract on behalf of the city.
- M. Other City Matters:
 - 1. Statements of Citizens.
 - 2. From City Council and City Manager.
 - * 3. Reminder of Meetings:
 - a. Thursday, April 26, 4:30 p.m., Public Media Network Board of Directors, 359 South Kalamazoo Mall, 3rd floor.
 - b. Monday, April 30, 3:00 p.m., City Council Budget Review Session, City Hall Room #1.
 - c. Tuesday, May 1, 4:30 p.m., City Council Budget Review Session, City Hall Room #1.
 - d. Wednesday, May 2, 8:15 a.m., Historic District Commission, City Hall Room #2.
 - e. Wednesday, May 2, 6:30 p.m., Park Board, West Lake Nature Preserve.
 - f. Thursday, May 3, 6:30 p.m., Human Services Board, City Hall Room #1.
 - g. Thursday, May 3, 7:00 p.m., Planning Commission, City Council Chambers.
 - h. Tuesday, May 8, 5:15 p.m., City Council Special Meeting to Interview Board and Commission Applicants, City Hall Room #1.
- N. Materials Transmitted of April 6 and 10, 2012.

Adjournment.

CITY COUNCIL MEETING SUMMARY

April 10, 2012

PROCLAMATION

- ◆ Mayor Strazdas issued the Fair Housing Month 2012 Proclamation.

CHECK REGISTER

- ◆ Approved the Check Register of April 10, 2012, as presented.

PETITIONS AND STATEMENTS OD CITIZENS

- ◆ City Council received an update from State Representative Margaret O'Brien.

REPORTS FROM THE ADMINISTRATION

- ◆ Received the Presentation of the Fiscal Year 2012-13 proposed Budget from City Manager Maurice Evans.
- ◆ Confirmed the appointment of Bill Deming as the Director of the Department of Parks, Recreation & Public Services.
- ◆ At the request of the West Lake Improvement Association, awarded a contract for the 2012 West Lake Management Program to Aquatic Services, Incorporated, for lake weed treatment measures at a cost not to exceed \$40,000 and authorized the City Manager to execute all documents related to this action on behalf of the city.
- ◆ Set a Special Meeting on Tuesday, May 8, 2012, beginning at 5:15 p.m., to interview board and commission applicants.
- ◆ Received the communication from the City Manager regarding the Tree City USA Tree Planting and Proclamation as information only.

COMMUNICATION

- ◆ Received the communication from the Planning Commission regarding the City of Portage FY 2012-2022 Capital Improvement Program

UNFINISHED BUSINESS

- ◆ Established April 30, 2012 from 3:00 to 7:00 p.m. and May 1, 2012 from 4:30 to 8:30 p.m. as the dates for review of the Fiscal Year 2012-2013 proposed Budget.
- ◆ Received the communication from the City Manager and agreed to have a facilitator at a future workshop session to discuss City Council Best Practices on Formation of City Council Committees and Responsibilities.

BID TABULATIONS

- ◆ Awarded a contract to perform engineering services for the Centre Avenue/Portage Road Traffic Signal Interconnection project to Abonmarche Consultants, Incorporated, in the not to exceed amount of \$72,000 and authorized the City Manager to execute all documents related to the contract on behalf of the city.
- ◆ Awarded a two-year contract, with the option to extend the contract for up to two additional one-year periods to the low bidder, Michigan Municipal Police & Fire Repair LLC, for maintenance of all Department of Public Safety - Police Division vehicles at a labor rate of \$35.00 per hour and authorized the City Manager to execute all documents related to this action on behalf of the city.
- ◆ Approve the expenditure for repairs to a portion of the concrete sidewalk and stairs along the northwest corner of the police facility to Truckey Concrete Construction of Mendon, Michigan, in the amount of \$11,787 and authorized the City Manager to execute all documents related to this matter on behalf of the city.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Campbell indicated that Shirley Johnston was awarded Community Leader of the Year by the Portage Rotary for her fine work with youth.
- ◆ Councilmember Sackley indicated that he would be absent for both the Special and Regular City Council Meetings on Tuesday, May 8, 2012.
- ◆ Councilmember Pearson mentioned the Star Awards and encouraged volunteerism in the community and indicated that, "You get more back than you give," and encouraged everyone to go to www.volunteerkalamazoo.org in order to find volunteer opportunities.
- ◆ City Manager Evans informed everyone that the 2012 Spring Brush and Bagged Leaf Collection and Annual Spring Cleanup map and time table is on the City of Portage website at www.portagemi.gov.
- ◆ Mayor Pro Tem Reid pointed out that the City of Portage celebrating its 50th Anniversary and also wished Councilmember Sackley a Happy Birthday.
- ◆ Mayor Strazdas thanked retired Public Services Director and decorated Viet Nam Veteran Jack Hartman for his many years of dedicated service and he and Mayor Pro Tem Reid thanked Bill Deming for "picking up the slack."

COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEMI.GOV, IN CITY HALL AND IN THE DISTRICT LIBRARY. MINUTES OF CITY BOARDS AND COMMISSIONS ARE AVAILABLE ON REQUEST FROM VARIOUS DEPARTMENTS.



City of Portage Proclamation

NATIONAL ARBOR DAY

WHEREAS, the importance of trees to the quality of the environment is recognized by designation of April 27th as National Arbor Day; and

WHEREAS, The National Arbor Day Foundation is a non-profit group committed to tree planting and conservation; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, the City of Portage has been designated as a Tree City USA by The National Arbor Day Foundation for its efforts in tree planting and tree conservation; and

WHEREAS, the Portage City Council held a ceremonial tree planting, Tuesday, April 24th on City property in recognition of National Arbor Day:

NOW THEREFORE, I, Peter Strazdas, Mayor of the City of Portage, Michigan do hereby proclaim April 27, 2012 as Arbor Day in Portage and do hereby encourage all residents to plant trees at their homes and places of work.



Signed this 24th day of April 2012

Peter J. Strazdas, Mayor



City of Portage Proclamation

NATIONAL CHILDREN'S MENTAL HEALTH AWARENESS DAY

- WHEREAS,** addressing the complex mental health needs of children, youth and families today are fundamental to the future of the City of Portage; and
- WHEREAS,** the need for comprehensive, coordinated mental health services for children, youth and families places upon our community a critical responsibility; and
- WHEREAS,** it is appropriate that a day should be set aside each year for the direction of our thoughts toward our children's mental health and well-being; and
- WHEREAS,** Kalamazoo Wraps, through its unique and collaborative approach to serving children, youth and families, is improving the System of Care supporting the mental health needs of all children, youth and families in our community; and
- WHEREAS,** May 3rd has been designated "National Children's Mental Health Awareness Day" and Kalamazoo Wraps is committed to caring for every child's mental health through education, raising awareness and eliminating stigma.

NOW, THEREFORE, I, Peter J. Strazdas, Mayor of the City of Portage, do hereby proclaim Thursday, May 3, 2012, as **NATIONAL CHILDREN'S MENTAL HEALTH AWARENESS DAY** in the City of Portage and urge our citizens and all agencies and organizations interested in meeting every child's mental health needs to unite on that day in the observance of such exercises as will acquaint the people of the City of Portage with the fundamental necessity of providing comprehensive and coordinated services for children and youth with mental health needs and their families.



Signed this 24th day of April 2012

Peter J. Strazdas, Mayor

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

At the request of Mayor Strazdas, Reverend Bonnie Edwards of St. Barnabas Episcopal Church of Portage gave the invocation and City Council and the audience recited the Pledge of Allegiance.

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

PROCLAMATION: Mayor Strazdas issued a Fair Housing Month 2012 Proclamation that was read by Bob Ells, Executive Director of the Fair Housing Center, who reviewed many of the recent activities of the Fair Housing Center. Discussion followed.

APPROVAL OF MINUTES: Councilmember Pearson asked that the minutes reflect that he indicated that the Budget deficit was over \$90 million and his reference to Randy Rathford should read Rusty Rathburn. Councilmember Sackley asked Councilmember Pearson if he meant to use the words, "budget deficit," and Councilmember Pearson indicated twice that he did. Motion by Pearson, seconded by Reid, to approve the April 27, 2012 Regular Meeting Minutes as amended. Upon a voice vote, motion carried 6 to 0 with Mayor Strazdas abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Urban to read the Consent Agenda. Mayor Strazdas asked that Item F.3, West Lake Management – 2012 Application Program, be considered under a separate motion as he will abstain from any action on the motion and will recuse himself regarding any discussion on the matter. Motion by Urban, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0. Motion by Urban, seconded by Reid, to add Item F.3, West Lake Management – 2012 Application Program, to the Consent Agenda. Upon a roll call vote, motion carried 6 to 0 with Mayor Strazdas abstaining.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF APRIL 10, 2012:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of April 10, 2012. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: State Representative Margaret O'Brien indicated that April is the month to educate and help people become aware of Autism, and she brought greetings from St. Ignace where she attended an event on Autism and made reference to City Manager Maurice Evans' athletic accomplishments that are still well-known in the Upper Peninsula. She also updated City Council on the State of Michigan Budget and Appropriation Process which is on track to being completed around June 1, 2012. She indicated that because of sound budget practices, the State has earned some real positive indicators: the increase in the per capita income of 5.2% is higher than the National Average, which she indicated is not where it should be and is lower than it was before the economic downturn; and, the business rankings continue to rise owing to a perceived business and job friendly environment in the state. She also indicated that the State continues to fund unfunded liabilities, currently at \$40 billion, thereby saving interest costs, and continues to make tough decisions to get the State on sound financial footing for more than just one year in order to be in a position to be able to allocate funds in the future to areas that are in need across the state.

In answer to Mayor Strazdas, Representative O'Brien indicated that the Governor's Office has been very active in trying to outreach to natural critics like the Michigan Municipal League and the Michigan Township Association to get their input. She anticipated that by the end of April, a Bill will be introduced trying to target Industrial Development Districts as a "doable" reduction at \$400 million

out of the \$1.2 Billion total of Industrial/Utilities/Commercial personal property revenues. Discussion followed.

City Manager Evans stated that Senator Jack Brandenburg will be introducing eight Bills over a ten-year period starting in 2016 making \$500 million available to municipalities, but he pointed out that there is still a need for the \$400 million that is no longer available for redistribution; therefore, the State is asking for a solution to the long term issues as there is the need for a mechanism for distribution back to the municipalities. Also, Mr. Evans pointed out that, since the personal property tax is going away, there is going to be no future growth from the personal property tax area which was a very much appreciated \$250,000 this year, for example. Discussion followed and Mr. Evans disclosed that the personal property tax is currently 19% of the City Budget and is \$4.1 million annually and a 50% redistribution would only be \$2 million, again with no future growth in the future. Discussion followed.

In response to Mayor Pro Tem Reid, Representative O'Brien indicated that the personal injury insurance premium of approximately \$145 per vehicle is due to increase about 20% because the liabilities exceed the current fund balance of the Auto No Fault Insurance Fund. She commented that various efforts are being taken by the Governor's Office to try to find a real solution since the Catastrophic Fund received an audit statement with a letter indicating that the liabilities exceed the assets. Discussion followed and, on behalf of City Council, Mayor Strazdas expressed appreciation for her coming to the meeting to provide an update and her fine efforts in Lansing.

REPORTS FROM THE ADMINISTRATION:

PRESENTATION OF THE FISCAL YEAR 2012-13 PROPOSED BUDGET: At the request of Mayor Strazdas, City Manager Evans presented the proposed 2012-13 Fiscal Year Budget to City Council in accordance with the requirements of the Portage City Charter, and indicated that it is balanced. He offered that there are two budget work sessions proposed to be scheduled for Monday, April 30, 2012, from 3:00 p.m. to 7:00 p.m. and Tuesday, May 1, 2012, from 4:30 p.m. to 8:30 p.m. later in the meeting. He asked that City Council e-mail any questions that may arise regarding the Budget as they read through it during the next few weeks, and he would provide all questions and answers to each Councilmember as part of the preparation for the sessions.

He indicated that the overall budget is \$61.4 million and mentioned that it is interesting that 2013 is the 50th Anniversary of the City of Portage and reflected that over the 50 years the City Councils, including this City Council, have been really conservative by being focused on lower costs, for example, by utilizing part-time or on-call personnel and privatization.

He said that conservative budgetary practices implemented during the most recent years have proven to be of added value through a time of serious economic challenges and the City has had the funding of post employment obligations to lessen or eliminate long-term unfunded liability. Also, he pointed out that there have been no lay-offs, no furlough days and no early retirement incentives. He pointed out that the City is not neglecting any obligations to appropriately fund long-term liability accounts and the City debt limits have been reduced over the years.

He indicated that the biggest cost containment effort has been to reduce the number of personnel over the course of the last five or six years from 215 to 179 employees - not through lay-offs, but through attrition and a well-thought out plan in place.

He highlighted some of the elements of the fiscal year budget 2012-13 by noting that there is a decrease in the overall city tax rate from 10.8916 mills to 10.7778 mills, and he discussed some of the reductions found in the municipal street fund and curbside recycling. He mentioned that the Budget reflects a decrease in budgeted General Fund expenditures of approximately 2.4 percent, or a little over one half of a million dollars, and an increase in property tax revenue of 1.5 percent from the increase in personal property tax he mentioned earlier. Likewise, he said the budget reflects an incorporation of the Economic Vitality Incentive Program payments from the State of Michigan, which is Statutory Revenue Sharing, which has been reduced over the years to \$270,000. He noted also that the Budget contains a recommendation of the continuation of General Fund support for the Capital Improvement

Program, the Major Street Fund and the Local Street Fund, and expressed concern about the discussion at the State level of adjusting the Act 51 Fund formula and the unknown results of that discussion.

Mr. Evans asked that City Council not be surprised by the allocation of an Intergovernmental Collaboration Studies Fund of \$100,000 to address funding needs associated with planned collaborative service studies appropriately placed in the City Council budget; also, owing to the projected reduction in personal property tax, incorporated is a recommendation to increase for the next several years the prescribed fund balance for the General Fund from 13 percent to 25 percent to accommodate future debt retirement needs. He explained and summed up by saying that he recognized that there is a lot of reading and study to be done by City Council. Discussion followed.

Motion by Sackley, seconded by Reid, to receive the Presentation of the Fiscal Year 2012-13 proposed Budget. Upon a voice vote, motion carried 7 to 0.

* **DEPARTMENT OF PARKS, RECREATION & PUBLIC SERVICES:** Motion by Urban, seconded by Reid, to confirm the appointment of Bill Deming as the Director of the Department of Parks, Recreation & Public Services. Upon a roll call vote, motion carried 7 to 0.

* **WEST LAKE WEED MANAGEMENT – 2012 APPLICATION PROGRAM:** At the request of the West Lake Improvement Association, motion by Urban, seconded by Reid, to award a contract for the 2012 West Lake Management Program to Aquatic Services, Incorporated, for lake weed treatment measures at a cost not to exceed \$40,000 and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 6 to 0 with Mayor Strazdas abstaining.

* **SPECIAL MEETING WITH BOARD AND COMMISSION APPLICANTS:** Motion by Urban, seconded by Reid, to set a Special Meeting on Tuesday, May 8, 2012, beginning at 5:15 p.m., to interview board and commission applicants. Upon a roll call vote, motion carried 7 to 0.

* **TREE CITY USA TREE PLANTING AND PROCLAMATION:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the Tree City USA Tree Planting and Proclamation as information only. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATION:

PLANNING COMMISSION REGARDING THE CITY OF PORTAGE FY 2012-2022 CAPITAL IMPROVEMENT PROGRAM: Mayor Strazdas introduced this item and, after a brief discussion, motion by Reid, seconded by Sackley, to receive the communication from the Planning Commission regarding the City of Portage FY 2012-2022 Capital Improvement Program. Upon a voice vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

FISCAL YEAR 2012-2013 PROPOSED BUDGET REVIEW SCHEDULE: Mayor Strazdas introduced this item and, after Councilmember Urban indicated that there were small segments of time that he may have to leave for family reasons, motion by Urban, seconded by Reid, to establish April 30, 2012, from 3:00 p.m. to 7:00 p.m. and May 1, 2012, from 4:30 p.m. to 8:30 p.m. as the dates for review of the Fiscal Year 2012-2013 proposed Budget. Upon a voice vote, motion carried 7 to 0.

CITY COUNCIL BEST PRACTICES ON FORMATION OF CITY COUNCIL COMMITTEES AND RESPONSIBILITIES – INFORMATION ONLY: Mayor Strazdas encouraged City Council to have a dialogue on this subject and expressed a preference for a special meeting of City Council to have a two and one-half hour workshop with a facilitator to spend a half hour

on a “tune-up” of City Council and the balance of time spent on the subject. Discussion followed. City Attorney Randy Brown indicated that calling for a workshop is a way of calling for a special meeting and a reason has to therefore be stated for the special meeting; so, if there is a motion for a special meeting or workshop, he indicated that the reason should be included. Discussion followed.

In answer to Councilmember Pearson and his concern regarding whether this issue should or should not be discussed at the City Council Ethics, Rules and Procedures Committee with the recommendation sent to full City Council, Mayor Strazdas indicated that this is the kind of a topic that should have a dialogue of the City Council as a Whole; otherwise, discussion by three Councilmembers and a recommendation to follow would result in a lengthy conversation at a City Council Meeting. He recognized this topic as one that would be better served at a workshop versus a Committee recommendation that would probably result in a good, healthy yet long discussion at a City Council Meeting. Councilmember Pearson agreed as he has several issues of concern, yet he is not on the City Council Ethics, Rules and Procedures Committee.

Motion by Sackley, seconded by Reid, to accept the communication from the City Manager regarding City Council Best Practices on Formation of City Council Committees and Responsibilities and schedule a Special Meeting of the Portage City Council, including an outside facilitator, to further discuss this topic and consider the recommendations. Discussion followed. Upon a voice vote, motion carried 7 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes of the:

Portage Senior Citizens Advisory Board of February 15, 2012.

Portage Board of Education Regular Business Meeting of February 27, Special of March 10 and Special and Committee of the Whole Work Session of March 12, 2012.

Portage Human Services Board of March 1, 2012.

Portage Park Board of March 7, 2012.

Portage Youth Advisory Committee of March 12, 2012.

Portage Planning Commission of March 15, 2012.

BID TABULATIONS:

* **CENTRE AVENUE/PORTAGE ROAD - TRAFFIC SIGNAL INTERCONNECTION PROJECT:** Motion by Urban, seconded by Reid, to award a contract to perform engineering services for the Centre Avenue/Portage Road Traffic Signal Interconnection project to Abonmarche Consultants, Incorporated, in the not to exceed amount of \$72,000 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.

* **POLICE VEHICLE MAINTENANCE CONTRACT:** Motion by Urban, seconded by Reid, to award a two-year contract, with the option to extend the contract for up to two additional one-year periods to the low bidder, Michigan Municipal Police & Fire Repair LLC, for maintenance of all Department of Public Safety - Police Division vehicles at a labor rate of \$35.00 per hour and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **POLICE FACILITY CONCRETE SIDEWALK AND STAIR REPLACEMENT:** Motion by Urban, seconded by Reid, to approve the expenditure for repairs to a portion of the concrete sidewalk and stairs along the northwest corner of the police facility to Truckey Concrete Construction of Mendon, Michigan, in the amount of \$11,787 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 AND CITY MANAGER: Councilmember Campbell indicated that Shirley Johnston will be awarded Community Leader of the Year by the Portage Rotary for her fine work with youth.

Councilmember Sackley indicated that he would be absent from both the Special and Regular City Council Meetings on Tuesday, May 8, 2012.

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Mayor Pro Tem Reid pointed out that the City of Portage is celebrating its 50th Anniversary and also wished Councilmember Sackley a Happy Birthday.

Mayor Strazdas thanked retired Public Services Director and decorated Viet Nam Veteran Jack Hartman for his many years of dedicated service and he and Mayor Pro Tem Reid thanked Bill Deming for "picking up the slack."

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:27 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: April 16, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Accounts Payable Register

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of April 24, 2012 as presented.

Attached please find the Accounts Payable Register for the period April 1, 2012 through April 15, 2012, which is recommended for approval.

c: Daniel S. Foecking, Finance Director

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
04/13/2012	280278	AT&T	849	3,601.81
04/13/2012	280279	AT&T	849	49.79
04/13/2012	280280	A-1 CONSTRUCTION	999999	100.00
04/13/2012	280281	ABSOLUTE VIDEO PRODUCTIONS	3682	420.00
04/13/2012	280282	ADAMS, SUE	999999	60.00
04/13/2012	280283	AGGRESSIVE INDUSTRIES	1541	11,250.00
04/13/2012	280284	AIRGAS GREAT LAKES	106	209.85
04/13/2012	280285	ALL-PHASE ELECTRIC SUPPLY CO.	108	431.60
04/13/2012	280286	ALLEGRA PRINT & IMAGING	533	1,388.18
04/13/2012	280287	ANDERSON, LORI	999999	57.32
04/13/2012	280288	TODD ARBANAS ENTERPRISES INC.	1704	4,060.00
04/13/2012	280289	ADP, INC.	3305	876.18
04/13/2012	280290	BARN THEATRE INC	999999	268.00
04/13/2012	280291	BCHS-HELPHNET	1732	1,216.26
04/13/2012	280292	BECK, PAT	999999	60.00
04/13/2012	280293	BESCO WATER TREATMENT, INC.	3339	23.45
04/13/2012	280294	BORGESS HEALTH ALLIANCE	151	90.00
04/13/2012	280295	BOYLAN SALES	2059	3,640.00
04/13/2012	280296	BRANCH, JOYCE	999999	160.00
04/13/2012	280297	BRINK'S, INC	153	263.88
04/13/2012	280298	BRONSON METHODIST HOSPITAL	156	25.30
04/13/2012	280299	FENNEMA ENTERPRISES, LLC	4645	36.05
04/13/2012	280300	C B C INNOVIS INC	2887	215.00
04/13/2012	280301	CALIBRE PRESS	2883	685.58
04/13/2012	280302	CAMPBELL AUTO SUPPLY	437	150.00
04/13/2012	280303	CAMPBELL, AWANDA	999999	79.10
04/13/2012	280304	CHARTER COMMUNICATIONS	3080	263.43
04/13/2012	280305	CINTAS CORP.	2206	263.00
04/13/2012	280306	CITY OF KALAMAZOO (TRANS MILLA	4649	1,507.00
04/13/2012	280307	CLEAN EARTH ENVIRONMENTAL SERV	1821	42,850.02
04/13/2012	280308	CONSUMERS ENERGY	743	1,000.00
04/13/2012	280309	CONSUMERS ENERGY	4063	4,297.87
04/13/2012	280310	CONSUMERS ENERGY-BILL PMT CNT	189	294.68
04/13/2012	280311	COSTAR REALTY INFORMATION, INC	4620	19.00
04/13/2012	280312	CROSSROADS CAR WASH	195	100.00
04/13/2012	280313	DEGRAFF, JOAN	999999	95.00
04/13/2012	280314	DELTA COLLEGE	4532	1,825.00
04/13/2012	280315	DICKINSON WRIGHT PLLC	215	510.00
04/13/2012	280316	DUSSEAU, JERRY	999999	113.00
04/13/2012	280317	ECHSELBARGER, HIMEBAUGH, TAMM &	4664	733.48
04/13/2012	280318	EMERGENCY VEHICLE PRODUCTS	2948	174.81
04/13/2012	280319	F D LAKE COMPANY	985	337.42
04/13/2012	280320	FADER EQUIPMENT, INC.	688	25.00
04/13/2012	280321	FAMILY RELOCATION	999999	121.00
04/13/2012	280322	FAMLEY OVERHEAD DOOR, INC.	690	304.28
04/13/2012	280323	FERRELLGAS, LP	384	1,951.36
04/13/2012	280324	FIRST DUE FIRE SUPPLY CO.	4422	60.00
04/13/2012	280325	FREEMAN, CARYL	999999	400.00
04/13/2012	280326	GARDEN 7310, LLC	999999	105.25
04/13/2012	280327	GORDON WATER SYSTEMS	517	2,610.00
04/13/2012	280328	GRAHAM FORESTRY SERVICE, INC.	464	

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
04/13/2012	280329	GROSSER, SANDRA	999999	150.00
04/13/2012	280330	GUARDSTAR CORP.	4755	500.00
04/13/2012	280331	GUEST SERVICES, INC.	3526	234.48
04/13/2012	280332	GWIAZDOWSKI, ALEX	999999	200.00
04/13/2012	280333	HESS, DEREK	532	365.00
04/13/2012	280334	HOME ACRES BUILDING SUPPLY CO.	1948	107.22
04/13/2012	280335	HOME DEPOT	691	754.33
04/13/2012	280336	HORENSKY, GEORGE & MARY	999999	584.00
04/13/2012	280337	HUNTINGTON, STEVEN	999999	300.00
04/13/2012	280338	IDENTIX INCORPORATED	3921	6,091.00
04/13/2012	280339	IERVOLINA, SUSAN	2074	98.00
04/13/2012	280340	ILLINOIS ASSOC OF PROPERTY &	999999	400.00
04/13/2012	280341	KALAMAZOO COUNTY HEALTH & COMM	84	200.00
04/13/2012	280342	KALAMAZOO COUNTY TREASURER	514	31,686.25
04/13/2012	280343	KALAMAZOO GAZETTE	4756	83.10
04/13/2012	280344	KALAMAZOO REG'L EDUC SVS AGENG	721	2,650.64
04/13/2012	280345	KALAMAZOO VALLEY COMMUNITY COL	230	1,292.27
04/13/2012	280346	KUHNS, AL & VERNA	999999	100.00
04/13/2012	280347	KUHNS, RUBY	999999	100.00
04/13/2012	280348	KUIPER BROTHERS MOVING INC.	1066	178.00
04/13/2012	280349	KZOO TIRE COMPANY	564	147.00
04/13/2012	280350	LAKE MICHIGAN MAILERS, INC.	682	19.00
04/13/2012	280351	LAWSON PRODUCTS, INC	240	2,312.12
04/13/2012	280352	LERMA, INC.	999999	35.00
04/13/2012	280353	LEWIS PAPER PLACE, INC.	242	98.40
04/13/2012	280354	LOWE'S HOME CENTER	2630	193.80
04/13/2012	280355	MAURER'S TEXTILE RENTAL SERVIC	4746	628.04
04/13/2012	280357	MCDONALD'S TOWING & RESCUE, IN	728	62.00
04/13/2012	280358	MCDONNELL, JOSEPH	532	946.61
04/13/2012	280359	MCKINLEY, KENNETH	999999	141.70
04/13/2012	280360	MCLAUGHLIN, DORVAL	999999	56.25
04/13/2012	280361	MENARDS, INC	258	94.25
04/13/2012	280362	MEYER, JANET	999999	33.54
04/13/2012	280363	MICH PUBLIC HEALTH INSTITUTE	999999	60.00
04/13/2012	280364	MIRACLE RECREATION EQUIPMENT	488	966.00
04/13/2012	280365	MLIVE MEDIA GROUP	89	1,855.54
04/13/2012	280366	MML UNEMPLOYMENT FUND	4476	19,615.88
04/13/2012	280367	MOORE MEDICAL, LLC	3850	682.29
04/13/2012	280368	MOORS I, LLC	3834	78.26
04/13/2012	280369	MUSAR TRAINING FOUNDATION	999999	575.00
04/13/2012	280370	NCFEMS	999999	500.00
04/13/2012	280371	NEW FRESH CLEANING SERVICE	4351	4,999.00
04/13/2012	280372	A NEW LEAF	635	85.00
04/13/2012	280373	NEW SKATES.COM LLC	999999	359.50
04/13/2012	280374	NYE UNIFORMS	299	789.83
04/13/2012	280375	OBERRHILL, KYLE	999999	1,150.00
04/13/2012	280376	OFFICE DEPOT, INC.	1721	67.10
04/13/2012	280377	OFFICEMAX INCORPORATED	301	1,076.51
04/13/2012	280378	ONE WAY PRODUCTS	440	772.66
04/13/2012	280379	OTTEN TROPHIES	304	269.40
04/13/2012	280380	P K CONTRACTING, INC.	1737	9,500.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
04/13/2012	280381	PETER STONE HORSES	999999	252.00
04/13/2012	280382	PETTY CASH-CITY HALL	767	209.92
04/13/2012	280383	PETTY CASH-DPS	538	236.72
04/13/2012	280384	PETTY CASH-FIRE	610	211.52
04/13/2012	280385	PETTY CASH-POLICE DEPT.	890	310.53
04/13/2012	280386	PHILLIPS, EARL	999999	60.00
04/13/2012	280387	PORTAGE DISTRICT LIBRARY	810	3,154.06
04/13/2012	280388	PORTAGE PUBLIC SCHOOLS	590	10,371.71
04/13/2012	280389	POWERPHONE, INC	608	738.00
04/13/2012	280390	RAMBADT, DAN	999999	50.00
04/13/2012	280391	RATHCO SAFETY SUPPLY, INC.	327	112.50
04/13/2012	280392	RELIABLE MANAGEMENT SYSTEMS, I	4354	366.00
04/13/2012	280393	RENEWED EARTH, INC.	4686	9,916.66
04/13/2012	280394	REPUBLIC SERVICES OF WEST MICH	4443	42,901.55
04/13/2012	280395	RHINO PRODUCTS, INC.	736	291.90
04/13/2012	280396	RIDGE AUTO NAPA	438	2,956.27
04/13/2012	280397	RLETH-RILEY CONSTRUCTION CO.,	4386	1,267.40
04/13/2012	280398	SCHLABACH, LORETTA	999999	518.00
04/13/2012	280399	SCHWARTZ, RACHEL	999999	150.00
04/13/2012	280400	SILLS, RAE	4571	350.00
04/13/2012	280401	SKARTSIARIS, MATTHEW	532	170.44
04/13/2012	280402	SLAGER CONSTRUCTION	3593	751.00
04/13/2012	280403	SMITH, DONALD E	999999	5.50
04/13/2012	280404	SPELLING PERSONNEL SERVICES	2107	369.38
04/13/2012	280405	SOUTHWEST MICHIGAN GOV CONSULT	4484	1,300.00
04/13/2012	280406	STATE SYSTEMS RADIO, INC	369	1,278.38
04/13/2012	280407	STEENSMAN LAWN & POWER EQUIPMEN	3222	2,023.57
04/13/2012	280408	STURGEON, TIMM	999999	44.00
04/13/2012	280409	SWANK MOTION PICTURES, INC.	2694	296.00
04/13/2012	280410	T D S METROCOM, LLC	4539	3,146.51
04/13/2012	280411	T-MOBILE USA INC	3665	29.99
04/13/2012	280412	JOHANNA THOMPSON	4682	2,212.25
04/13/2012	280413	THOMPSON, TODD	999999	100.00
04/13/2012	280414	TOO CLEAN JANITORIAL	2220	110.00
04/13/2012	280415	TOY BOX STORAGE	3208	1,745.10
04/13/2012	280416	TRACTOR SUPPLY CORP.	2817	22.99
04/13/2012	280417	U S POSTMASTER	392	6,000.00
04/13/2012	280418	UNITED PARCEL SERVICE	545	60.51
04/13/2012	280419	UNIVERSAL TOOL INC.	2610	375.00
04/13/2012	280420	VANBECK ROOFING & SIDING CO.	399	1,900.00
04/13/2012	280421	WENTWORTH, JORDAN	999999	45.00
04/13/2012	280422	WHITE, RICHARD	532	490.51
04/13/2012	280423	WIGHTMAN JONES, INC.	3785	13,495.00
04/13/2012	280424	WINDEMULLER ELECTRIC, INC.	3061	1,014.53
04/13/2012	280425	WINGFOOT COMMERCIAL TIRE	2613	3,612.68
04/13/2012	280426	WOLFE, MATT	532	400.00
04/13/2012	280427	W Awards Processing Center	999999	95.00
04/13/2012	280428	XEROX CORPORATION	2684	1,423.87
04/12/2012	280429	JONATHAN JENKINS, CHRISTINA	999999	3,452.15
04/12/2012	280430	SMITH, MATTHEW	532	137.95

DATE RANGE TOTAL *

304,428.97 *

PAYMENT NO	VENDOR NAME	TRANSFER DATE	AMOUNT	TRACE NUMBER	EFT BATCH CODE	BANK BATCH CODE
969	ABONMARCHE CONSULTANTS, INC	04/13/2012	3,725.70	072000320000001	0000001	00
970	ALL-TRONICS, INC.	04/13/2012	78.00	072000320000002	0000001	00
971	AMERICAN SAFETY & FIRST AID	04/13/2012	70.99	072000320000003	0000001	00
972	ANDRUS TRAVEL, GAIL	04/13/2012	1,039.50	072000320000004	0000001	00
973	B & B YARDSCAPE	04/13/2012	5,225.00	072000320000005	0000001	00
974	BLUESTONE PSYCH	04/13/2012	425.00	072000320000006	0000001	00
975	C D W GOVERNMENT, INC.	04/13/2012	5,084.91	072000320000007	0000001	00
976	C M P DISTRIBUTORS, INC.	04/13/2012	848.00	072000320000008	0000001	00
977	CONTINENTAL LINEN SUPPLY CO.	04/13/2012	18.62	072000320000009	0000001	00
978	CROWN TROPHY	04/13/2012	65.00	072000320000010	0000001	00
979	ENGINEERED PROTECTION SYSTEMS, INC.	04/13/2012	278.25	072000320000011	0000001	00
980	ETNA SUPPLY, INC.	04/13/2012	269.41	072000320000012	0000001	00
981	INDUSCO SUPPLY CO., INC.	04/13/2012	285.97	072000320000013	0000001	00
982	KEHOE, EDWARD J	04/13/2012	95.00	072000320000014	0000001	00
983	KNAPP ENERGY, INC.	04/13/2012	18,053.49	072000320000015	0000001	00
984	KUSHNER & COMPANY, INC.	04/13/2012	429.49	072000320000016	0000001	00
985	LANDS END	04/13/2012	447.45	072000320000017	0000001	00
986	MCCARTHY SMITH LAW GROUP, PLC	04/13/2012	12,608.40	072000320000018	0000001	00
987	PACIFIC TELEMGMT SERVS, JAROTH INC	04/13/2012	303.00	072000320000019	0000001	00
988	PLEUNE SERVICE COMPANY	04/13/2012	9,892.00	072000320000020	0000001	00
989	PRECISION PRINTER SERVICES INC	04/13/2012	964.92	072000320000021	0000001	00
990	ROE-COMM, INC.	04/13/2012	89.75	072000320000022	0000001	00
991	SARCOM, INC	04/13/2012	20,704.00	072000320000023	0000001	00
992	SHULTS EQUIPMENT	04/13/2012	1,775.40	072000320000024	0000001	00
993	UNITED PETROLEUM	04/13/2012	143.50	072000320000025	0000001	00
994	UNITED WATER ENVIRONMENTAL SERVICES	04/13/2012	167,775.40	072000320000026	0000001	00

GRAND TOTAL:

250,696.15 NO. OF CHECKS:

26

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 16, 2012

FROM: Maurice S. Evans, City Manager 

SUBJECT: Rezoning Application #11-02, 1106 West Centre Avenue

ACTION RECOMMENDED: That City Council:

- a. accept Rezoning Application #11-02 for first reading and set a public hearing for April 24, 2012; and
- b. subsequent to the public hearing, consider approving Rezoning Application #11-02 and rezone the southern 539.5 feet of 1106 West Centre Avenue to OS-1, office service, while keeping the remainder of the property zoned RM-2, multiple family residential and R-1B, one family residential.

An application has been received from Mr. Nathan Cronenwett requesting that his property at 1106 West Centre Avenue be rezoned from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. The rezoning site is a long, flag-shaped parcel with 90-feet of frontage on West Centre Avenue and 1,282 feet in depth. According to the applicant, the rezoning is being requested to facilitate redevelopment of the property for a hair salon/spa. In 1994, City Council rezoned the subject property from I-1, light industry to RM-2, multiple family residential with the exception of the north 75-feet, which was rezoned to R-1B, one family residential in order to serve as a buffer to the adjacent single family residential subdivision to the north.

In a report dated February 24, 2012, the Department of Community Development recommended that the southern 539.5 feet of 1106 West Centre Avenue be rezoned to OS-1, office service while keeping the remainder of the property zoned RM-2, multiple family residential and R-1B, one family residential (Alternative 3). This recommended zoning change is consistent with the Comprehensive Plan and would 1) afford the applicant office redevelopment options along the West Centre Avenue frontage; 2) retain the RM-2 zoning within the middle portion of the parcel (approximately 668 feet) for uses permitted in the district or for conveyance to an adjacent property owner; and 3) preserve the previously approved 75-foot R-1B buffer zone along the northern portion of the property adjacent to the single family residential neighborhood.

The Planning Commission convened a public hearing during its February 16 and March 1, 2012 meetings. After considering the proposed rezoning and public comment, the Commission voted unanimously to recommend to City Council that Rezoning Application #11-02 be approved consistent with staff recommended Alternative 3 and that the southern 539.5 feet of 1106 West Centre Avenue be rezoned to OS-1, office service maintaining the remainder of the property as zoned RM-2, multiple family residential and R-1B, one family residential.

Attachment: Communication from the Department of Community Development

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: March 16, 2012

FROM: Vicki Georgeau, Director of Community Development

SUBJECT: Rezoning Application #11-02, 1106 West Centre Avenue

An application has been received from Mr. Nathan Cronenwett requesting that 1106 West Centre Avenue be rezoned from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. The rezoning site is a long, flag-shaped parcel with 90-feet of frontage on West Centre Avenue and 1,282 feet of depth. The rezoning is being requested to facilitate redevelopment of the property for a hair salon/spa.

The Future Land Use Map designates the rezoning site as appropriate for medium density residential but in an area of transition between office uses and low density residential. Properties to the west of the rezoning site are designated for office land use, with a depth extending approximately 400-feet north of West Centre Avenue. Adjacent properties to the east are designated for medium density residential land use, while properties located along the south side of West Centre Avenue are identified as appropriate for office land use. The Comprehensive Plan also identifies Centre Avenue as one of two primary office corridors and indicates that offices are an important "transitional" use between higher intensity uses and major streets and interior residential neighborhoods.

In a report dated February 24, 2012, the Department of Community Development has recommended that Rezoning Application #11-02 be approved and the southern 539.5 feet of 1106 West Centre Avenue be rezoned to OS-1, office service and the remainder of the property remain zoned RM-2, multiple family residential and R-1B, one family residential. This recommended rezoning (Alternative 3 in staff report) is consistent with the Comprehensive Plan and would afford the applicant office redevelopment options along the West Centre Avenue frontage, retain the RM-2 zoning within the middle portion of the parcel (approximately 668-feet) for uses permitted in the district or for conveyance to an adjacent property owner; and would preserve the previously approved 75-foot R-1B buffer zone along the northern portion of the property adjacent to the single family residential neighborhood.

The Planning Commission convened a public hearing during the February 16th and March 1st, 2012 meetings. Mr. Nathan Cronenwett (applicant) was present to support the application at both meetings. During the February 16th meeting, one citizen (Jim Bischoff, 1119 Tanglewood Drive) spoke and requested the 75-foot R-1B zoned buffer along the northern portion of the site be preserved and any OS-1 zoning change be limited to the southern portion of the site. No citizens spoke during the March 1st meeting. After careful consideration, the Commission voted unanimously to recommend to City Council that Rezoning Application #11-02 be approved consistent with staff recommended Alternative 3 (southern 539.5 feet be rezoned to OS-1 and remainder of property remain zoned RM-2 and R-1B).

Attached find the Planning Commission transmittal, Department of Community Development report and related materials for review.

Attachments: Planning Commission transmittal dated March 16, 2012
Planning Commission Minutes dated February 16th and March 1st, 2012
Department of Community Development report dated February 24, 2012
Ordinance Amendments

TO: Honorable Mayor and City Council
FROM: Planning Commission
DATE: March 16, 2012
SUBJECT: Rezoning Application #11-02, 1106 West Centre Avenue

The Planning Commission convened a public hearing during the February 16th and March 1st, 2012 meetings to consider a request from Mr. Nathan Cronenwett to rezone 1106 West Centre Avenue from RM-1, multiple family residential and R-1B, one family residential, to OS-1, office service. Mr. Cronenwett was present at both meetings to support the rezoning request. At the February 16th meeting, one citizen (Mr. Jim Bischoff, 1119 Tanglewood Drive) spoke and requested that the 75-foot R-1B zoned buffer along the northern portion of the site be preserved and also suggested any OS-1 zoning change be limited to the southern portion of the property. While no additional citizens spoke during the March 1, 2012 meeting, a letter from Jim and Sandy Bischoff (1119 Tanglewood Drive) and John and Judy Provancher (7711 Ravenswood Drive) was received and considered by the Commission.

After a careful consideration, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application #11-02 be approved consistent with staff recommended Alternative 3 and the southern 539.5 feet of 1106 West Centre Avenue be rezoned to OS-1, office service and the remainder of the property remain zoned RM-2, multiple family residential and R-1B, one family residential. The motion was unanimously approved 8-0.

Sincerely,



James Cheesebro, Chairman
City of Portage Planning Commission

PLANNING COMMISSION

February 16, 2012

The City of Portage Planning Commission meeting of February 16, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Two citizens were in attendance.

MEMBERS PRESENT:

Bill Patterson, Wayne Stoffer, Mark Siegfried, Dave Felicijan, Rick Bosch and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Miko Dargitz, Paul Welch and Allan Reiff.

IN ATTENDANCE:

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

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the February 2, 2012 meeting minutes. A motion was offered by Commissioner Bosch, seconded by Commissioner Stoffer, to approve the minutes as submitted. The motion was unanimously approved.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Preliminary Report: Rezoning Application #11-02, 1106 West Centre Avenue. Mr. West summarized the preliminary staff report dated February 10, 2012 regarding a request received from Mr. Nathan Cronenwett to rezone 1106 West Centre Avenue from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. Mr. West stated the rezoning was being requested to facilitate redevelopment of the property for a hair salon/spa. Mr. West discussed the Future Land Use Map designation, surrounding zoning pattern, suitability of the existing RM-2 zone and the potential impacts of the proposed OS-1 zone.

Mr. Nathan Cronenwett was present to support the rezoning request and explain his plans to demolish the vacant single family home and construct a hair salon/spa along the southern portion of the property. Mr. Cronenwett stated he has no immediate plans to develop the northern portion of the property and also does not want the 75-foot R-1B buffer rezoned. Mr. Cronenwett also stated that he recently spoke with the owner of the Spruce Creek Apartments facility to the east and there was no interest at this time to purchase the northern portion of the property. The public hearing was then opened by Chairman Cheesebro. One citizen (Jim Bischoff, 1119 Tanglewood Drive) spoke in regards to the proposed rezoning. Mr. Bischoff requested that the 75-foot R-B zoned buffer along the northern portion of the site be preserved and possibly increased to 100-feet. Mr. Bischoff also suggested that any OS-1 zoning change be limited to the southern portion of the

property, to a depth similar to the Portage Printing site. No additional citizens spoke regarding the proposed rezoning.

After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Felicijan, to adjourn Rezoning Application#11-02, 1106 West Centre Avenue, to the March 1, 2012 meeting. The motion was unanimously approved.

OLD BUSINESS:

None

STATEMENT OF CITIZENS:

None

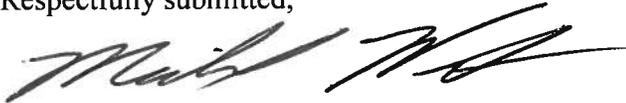
NEW BUSINESS:

None

ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned at 7:15 p.m.

Respectfully submitted,



Michael West, AICP
Assistant City Planner

PLANNING COMMISSION

March 1, 2012

The City of Portage Planning Commission meeting of March 1, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Eight citizens were in attendance.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Dave Felicijan.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; Michael West, Assistant City Planner and Randall Brown, City Attorney.

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the February 16, 2012 meeting minutes. A motion was offered by Commissioner Bosch, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was unanimously approved.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

1. Final Report: Rezoning Application #11-02, 1106 West Centre Avenue. Mr. West summarized the final staff report dated February 24, 2012 regarding a request received from Mr. Nathan Cronenwett to rezone 1106 West Centre Avenue from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. Mr. West stated the rezoning was being requested to facilitate redevelopment of the property for a hair salon/spa. Mr. West discussed the Future Land Use Map designation, surrounding zoning pattern, suitability of the existing RM-2 zone, potential impacts of the proposed OS-1 zone and alternatives available

for Planning Commission consideration. Mr. West indicated that staff was recommending Rezoning Application #11-02 be approved and the southern 539.5 feet be rezoned to OS-1 and the remainder of the property remained zoned RM-2 and R-1B. The staff recommendation is consistent with the Future Land Use Map and Comprehensive Plan designations and would afford the applicant office redevelopment options along the West Centre Avenue frontage while retaining the RM-2 zoning within the north portion of the parcel for future use or sale and 75-foot R-1B buffer zone adjacent to the existing single-family residential neighborhood.

Mr. Nathan Cronenwett was present to support the rezoning request. The public hearing was reconvened by Chairman Cheesebro. No additional citizens spoke regarding the proposed rezoning. A motion was made by Commissioner Welch, seconded by Commissioner Bosch, to close the public hearing. The motion was unanimously approved.

After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Stoffer, to recommend to City Council that Rezoning Application#11-02, 1106 West Centre Avenue, be approved and the southern 539.5 feet be rezoned to OS-1, office service and the remainder of the property remain zoned RM-2, multiple family residential and R-1B, one family residential. The motion was unanimously approved.

2. Preliminary Report: Tentative Plan Amendment (Oakland Hills at Centre PD), 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive. Mr. Forth summarized the preliminary staff report dated February 24, 2012 regarding a request received from American Village Development II, LLC to amend the previously approved tentative plan for the Oakland Hills at Centre Planned Development. Mr. Forth summarized the proposed amendment that involves the addition of a 150-foot tall wireless telecommunication tower ("mono-pine") within the designated office area along Oakland Drive, revision to the residential layout and reduction in the overall number of units from 116 to 107, revision to the layout of the office area along West Centre Avenue and Oakland Drive and an update to the project phasing timeline. Mr. Forth also referred the Commission to a March 1, 2012 communication from Attorney James Marquardt, representing William Nuyen and Mangwn Properties, Inc., owners of the adjacent properties to the north of the proposed mono-pine.

Mr. Greg Dobson of American Village Development (AVD) II, LLC was present to explain the proposed tentative plan amendment and discuss the proposed mono-pine tower. Mr. Bill Buck and Mr. Scott Hubble, Verizon Wireless, were also present to speak in support of the proposed mono-pine tower. Mr. Dobson discussed the history of property acquisition and site development within the planned development and summarized the proposed changes since the 2009 approval. Mr. Dobson discussed the proposed location of the mono-pine tower within a natural clearing area and the desire to preserve the mature tree line along Oakland Drive. Mr. Dobson also stated the equipment enclosure around the tower would include upgraded vinyl fencing and landscaping. Mr. Dobson indicated that it was very important to AVD that the structure has a high quality appearance within the development. Mr. Buck discussed the pine tree appearance for the tower and noted the maintenance is less than compared to a flag pole design. Mr. Buck also discussed the design standards and the probability of a structural failure. Mr. Buck stated the branches are designed with withstand hurricane forces and the pole do not blow over. Mr. Hubble discussed the range of cellular coverage (1-3 miles) the mono-pine tower would provide at the proposed location.

The Commission and the applicant discussed ownership of the PD open space within the overall PD area, proposed location of the mono-pine tower and proximity to the north property line, appearance and maintenance of the mono-pine tower and cellular coverage in the surrounding area. The public hearing was then opened by Chairman Cheesebro.

Mr. James Marquardt, attorney representing Mr. William Nuyen and Mangwn Properties Inc. (owners of 8040 Oakland Drive and 2109 West Centre Avenue), spoke in regards to the proposed mono-pine tower. Attorney Marquardt referred the Commission to his March 1, 2012 correspondence and stated his client does not object to the overall development, but has concerns about the proposed location and setback of the mono-

TO: Planning Commission **DATE:** February 24, 2012
FROM: Vicki Georgeau, ^{VJ} Director of Community Development
SUBJECT: Final Report: Rezoning Application #11-02, 1106 West Centre Avenue

I. INTRODUCTION:

An application has been received from Mr. Nathan Cronenwett requesting that 1106 West Centre Avenue be rezoned from RM-2, multiple family residential and R-1B, one family residential to OS-1, office service. The rezoning site is a long, flag-shaped parcel with 90-feet of frontage on West Centre Avenue and 1,282 feet of depth. The approximate north half of the property is 165 feet in width. According to the applicant, the rezoning is being requested to facilitate redevelopment of the property for a hair salon/spa.

Applicant	Property Address	Description	Zoning	
			Existing	Proposed
Nathan Cronenwett	1106 West Centre Avenue	Parcel 00016-510-O	RM-2 and R-1B (north 75-feet)	OS-1
One parcel - 3.92 acres				

II. EXISTING CONDITIONS:

Land Use/Zoning	<p><u>Rezoning Site:</u> Vacant single-family dwelling (1,160 square feet) and attached garage (528 square feet) that were previously in foreclosure. The dwelling and garage are located at the south end of the property adjacent to West Centre. The remaining portion of this larger parcel is wooded and undeveloped.</p> <p><u>West:</u> Portage Printing (1116 West Centre) zoned I-1, light industry and St. Catherine of Sienna Catholic Church (1150 West Centre) zoned R-1B, one family residential.</p> <p><u>East:</u> Portage Pines/Spruce Creek Apartments/Fountainview Retirement Village zoned RM-2, multiple family residential.</p> <p><u>North:</u> Single family residences zoned R-1B, one family residential.</p> <p><u>South:</u> Across West Centre Avenue, various industrial and office land uses zoned I-1, light industry and OS-1, office service.</p>
Zoning/Development History	<p>No rezoning of properties in the surrounding area since adoption of the 2008 Comprehensive Plan.</p> <p>In 1994, 1106 West Centre Avenue was rezoned from I-1, light industry to RM-2, multiple family residential with the exception of the north 75-feet, which was rezoned to R-1B, one family residential to serve as a buffer to the adjacent single family residential subdivision to the north. In 1987, the adjacent parcels to the east were rezoned from I-1, light industry to RM-2, multiple family residential.</p>
Historic District/Structures	The subject site is not located within a historic district and does not contain any historic structures.
Public Streets	West Centre Avenue is designated as a five-lane major arterial with 22,788 vehicles per day (2010); capacity of 34,200 vehicles per day (level of service "D").
Public Utilities	Municipal water and sewer are available.
Environmental	The City of Portage Sensitive Land Use Inventory Map does not identify any wetlands and/or floodplains near the rezoning site.

III. PUBLIC REVIEW/COMMENT

The Planning Commission convened a public hearing on February 16, 2012. The applicant, Mr. Nathan Cronenwett, was present to support the rezoning request. Mr. Jim Bischoff, 1106 Tanglewood Drive, requested that the 75-foot R-1B zoned buffer along the northern portion of the site be preserved and possibly increased to 100-feet. Mr. Bischoff also suggested any OS-1 zoning change be limited to the southern portion of the property, to a depth similar to the Portage Printing site.

IV. FINAL ANALYSIS:

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

Comprehensive Plan/Future Land Use Map Consistency. The Future Land Use Plan Map component of the Comprehensive Plan identifies the rezoning site as appropriate for medium density residential but in an area of transition between office uses and low density residential. Properties to the west of the rezoning site are designated for office land use, with a depth extending approximately 400-feet north of West Centre Avenue. The remaining interior properties to the north are designated for low density residential land use. Adjacent properties to the east are designated for medium density residential land use, while properties located along the south side of West Centre Avenue are identified as appropriate for office land use.

The Comprehensive Plan also identifies Centre Avenue as one of two primary office corridors, with Milham Avenue designated as the other office corridor. Furthermore, the Comprehensive Plan indicates that offices are an important “transitional” use between higher intensity uses and major streets and interior residential neighborhoods.

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

Suitability of Existing RM-2 and R-1B Zones/Impacts of Proposed OS-1 Zone. The existing RM-2 zoning designation is consistent with the Future Land Use Map and the adjacent multiple family residential land use to the east. If developed as currently zoned, the property could accommodate approximately 28 one-bedroom multiple-family dwelling units, 19 two-bedroom units or 23 one/two-bedroom units (the actual number of dwelling units may be less due the configuration and size of the property). While personal service establishments, such as a hair salon/spa, are allowed in the RM-2 district when accessory to other permitted uses, a hair salon/spa as proposed by the applicant is not permitted in the RM-2 zone.

An office zoning district could also be considered consistent with the plan designation given the office designation to the south and west, identification of West Centre Avenue as an office corridor and adjacent nonresidential uses (printing business and church). Additionally, office uses typically have less impact on adjacent residential uses due to limited hours of operation, less traffic volumes and a building style and mass similar to residential structures. Uses permitted in the OS-1 district, and not in the RM-1/RM-2 districts, include executive, administrative and professional offices, medical offices and clinics, banks and credit unions, art and photographic studios as well as personal service establishments. If the property were developed with OS-1 zoning, approximately 40,000 square feet of office building area could be constructed (the actual area may be less due to the configuration and size of the property). Since the subject site is situated adjacent to single family residential zoning, office buildings would be limited to one-story and 25-feet in height. Additional Zoning Code requirements for screening, buffering, lighting and noise designed to mitigate adverse impacts on adjacent residential properties would also be applicable with any office redevelopment project.

With regard to the 75 feet of R-1B, one-family residential zoning located at the north end, this area was rezoned from I-1, light industrial to R-1B in 1994 to buffer the existing residential neighborhood to the north from future development activities.

Traffic Considerations. As noted above, if the entire property was rezoned to OS-1 and redeveloped, the 3.92 acre site could accommodate approximately 40,000 square feet of office building area based on 25% lot coverage. The ITE Trip Generation Manual, Sixth Edition, indicates that an administrative office of this size would generate approximately 657 vehicle trip ends (329 vehicles) on an average weekday. A medical office building of the same size would generate approximately 1,421 vehicle trips (711) vehicles on an average weekday. If the property were developed as currently zoned and 28 one-bedroom, 19 two-bedroom or 23 one/two-bedroom dwelling units were constructed on the site, approximately 224 (112 vehicles), 144 (72 vehicles), or 184 (92 vehicles), vehicle trip ends, respectively, would be generated on an average weekday. The traffic generated by either an office or multi-family type of development would not adversely impact the surrounding roadway network. Specific access management related issues including proposed access location, shared and/or cross access will be reviewed during the site plan stage of redevelopment.

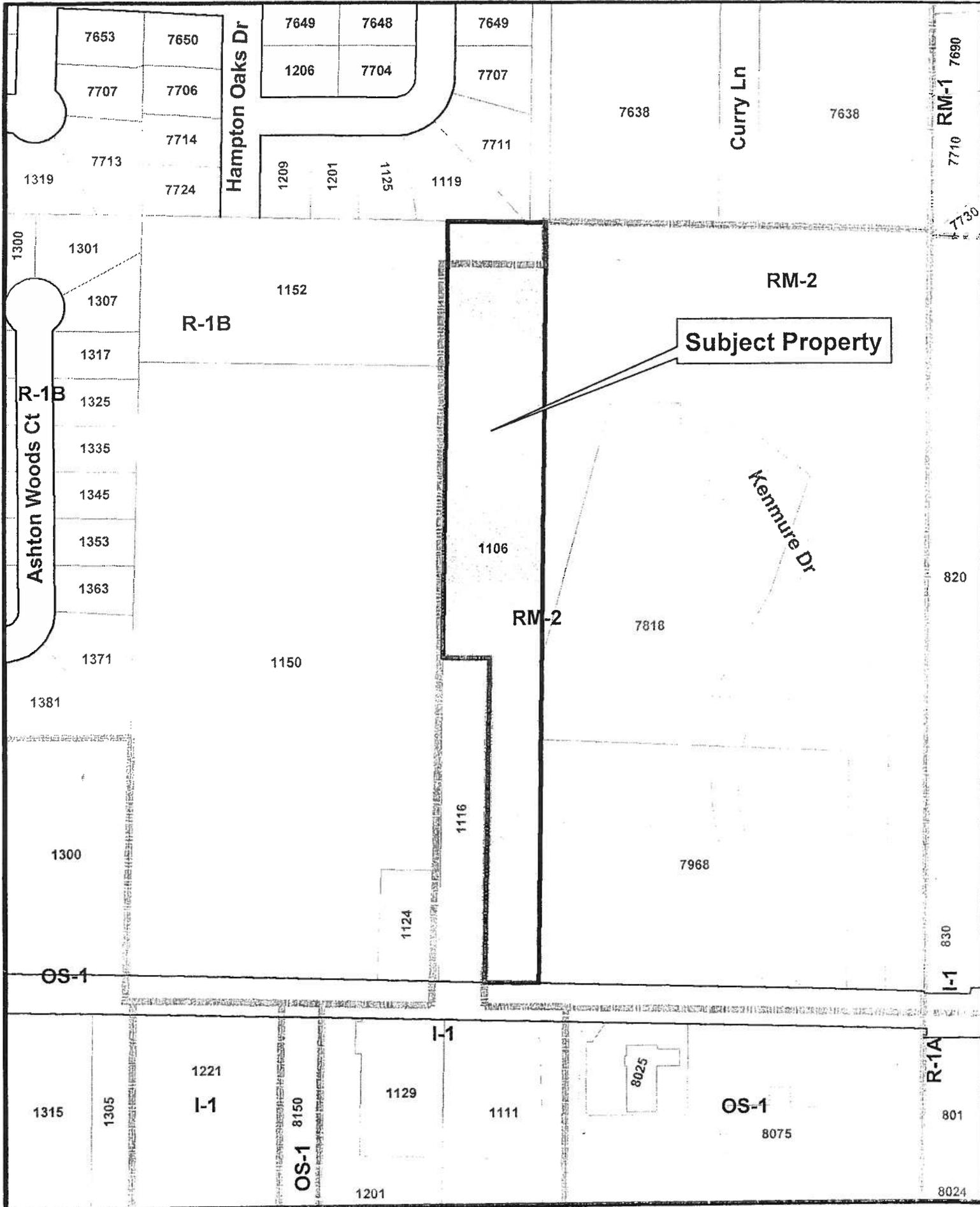
V. RECOMMENDATION:

Several alternatives are available for Planning Commission consideration including the following:

- 1) Recommend to City Council that Rezoning Application #11-02, 1106 West Centre Avenue, be approved and the entire parcel be rezoned to OS-1, office service.
- 2) Recommend to City Council that Rezoning Application #11-02, 1106 West Centre Avenue, be approved and the entire parcel, with the exception of the north 75-feet, be rezoned to OS-1, office service.
- 3) Recommend to City Council that Rezoning Application #11-02, 1106 West Centre Avenue, be approved and the southern 539.5 feet be rezoned to OS-1, office service and the remainder of the property remain zoned RM-2, multiple family residential and R-1B, one family residential.
- 4) Recommend to City Council that Rezoning Application #11-02, 1106 West Centre Avenue, not be approved and the existing zoning pattern be retained.

Staff recommends Alternative 3. Rezoning the south 539.5 feet of the property to OS-1, office service would be consistent with the Future Land Use Map and Comprehensive Plan designations and would be the same depth of the adjacent Portage Printing parcel to the west. This alternative would 1) afford the applicant office redevelopment options along the West Centre Avenue frontage; 2) retain the RM-2 zoning within the middle portion of the parcel (approximately 668-feet) for uses permitted in the district or for conveyance to an adjacent property owner; and 3) preserve the previously approved 75-foot R-1B buffer zone along the northern portion of the property adjacent to the single family residential neighborhood.

Attachments: Zoning/Vicinity Map
 Future Land Use Map
 Aerial Photograph Map
 Staff Recommended Alternative #3
 Development Guidelines Table (OS-1)
 Rezoning Application and Attachments
 Communications Received



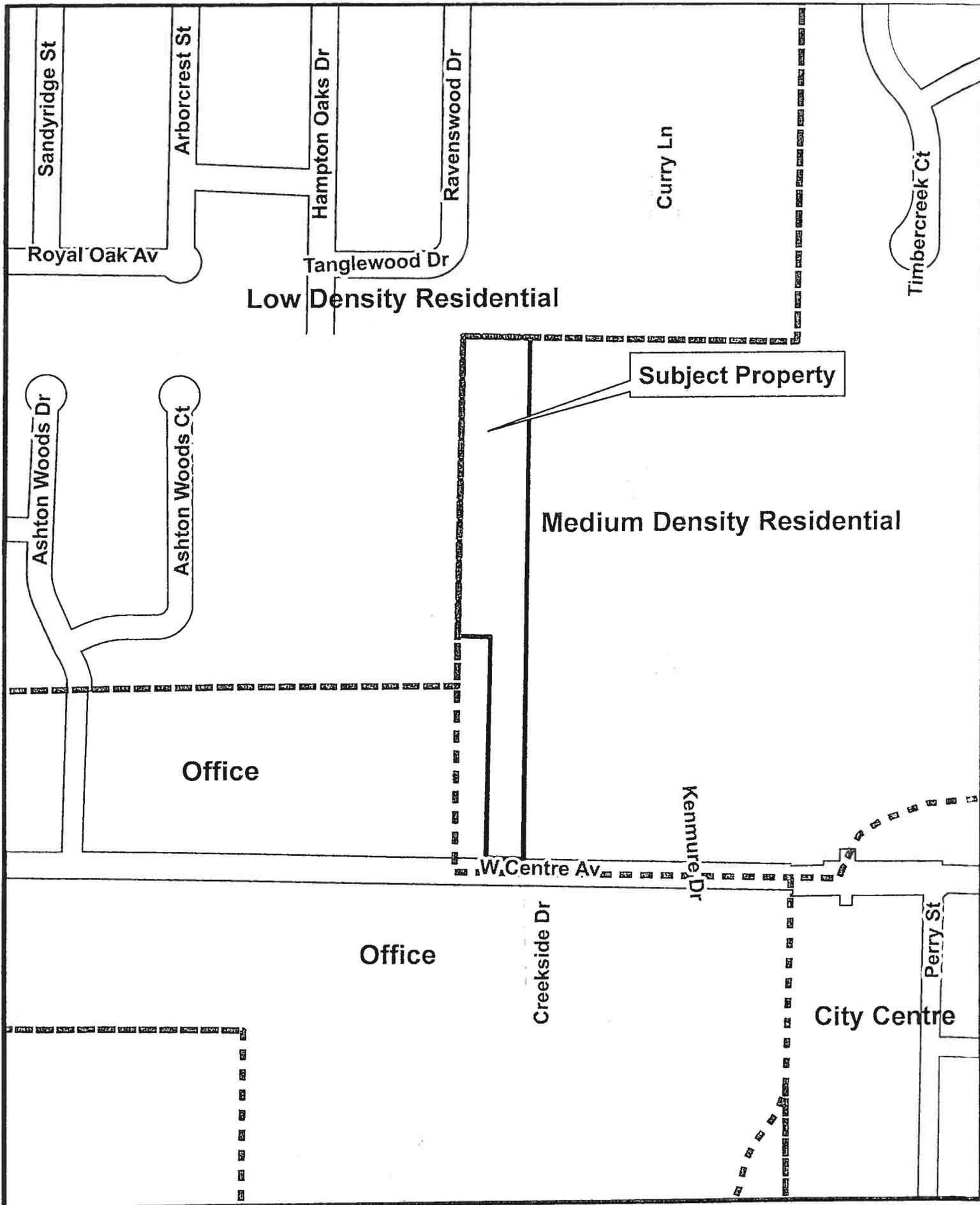
 Zoning Boundary
 Subject Property

Rezoning #11-02

1106 West Centre Avenue



1 inch = 207 feet



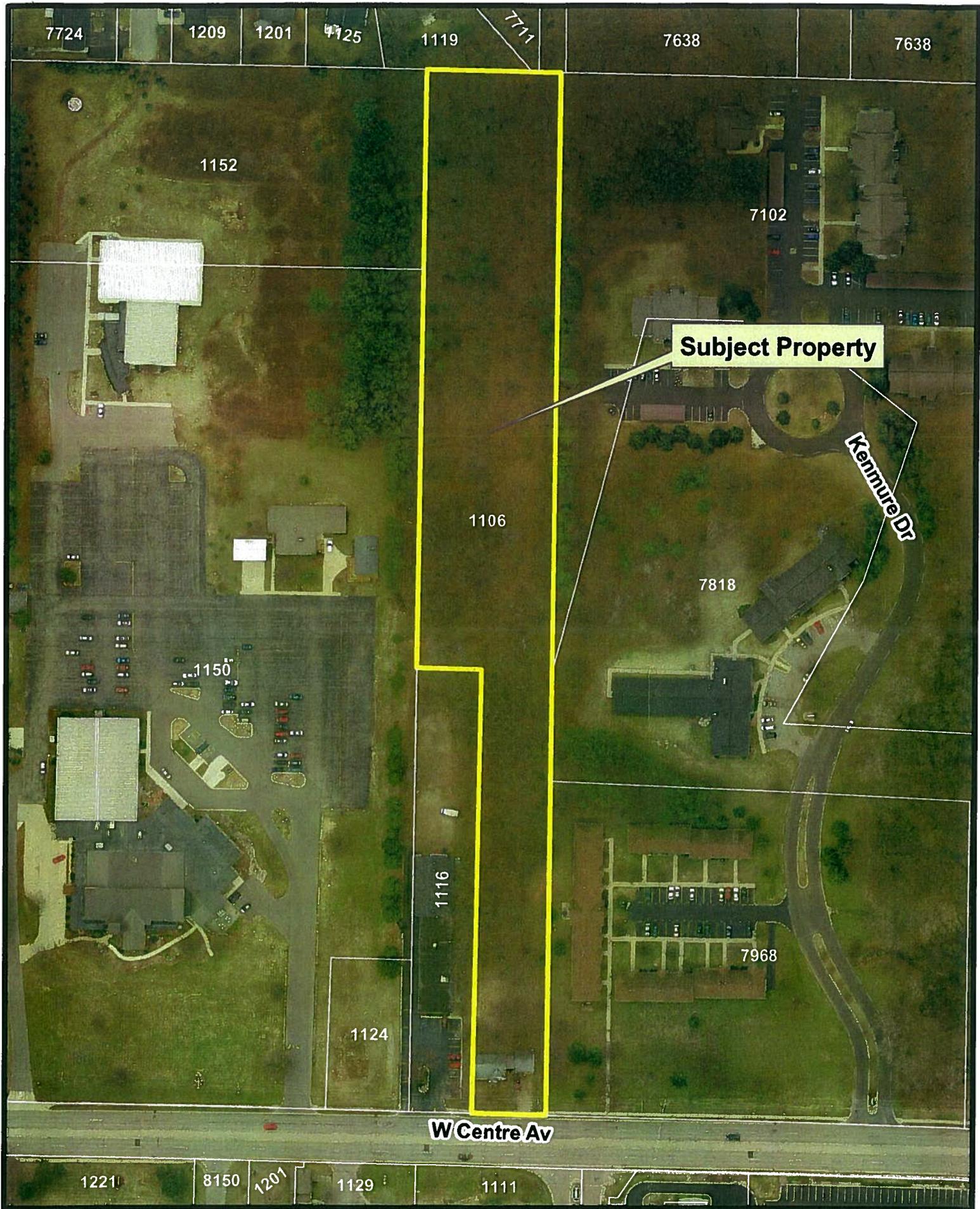
Future Land Use
 Subject Property

Future Land Use Map

1106 West Centre Avenue



1 inch = 300 feet



Subject Property

Kenmore Dr

W Centre Av

Aerial Photography 1106 West Centre Avenue

 Subject Property



1 inch = 150 feet

DEVELOPMENT GUIDELINES
Rezoning Application #11-02 (OS-1, Office Service)

Guideline	Description	Consistent	Comments
Rezoning Request – Z-1	Consistency with Future Land Use Plan	Yes	Future Land Use Map designates the rezoning site as appropriate for medium density residential land use, but also in a zone of transition between office and low density residential land use. Properties to the west are designated for office land use with a depth extending approximately 400-feet north of West Centre Avenue. Properties located along the south side of West Centre Avenue are also designated for office land use. The Comprehensive Plan also identifies Centre Avenue as one of two primary office corridors and further indicates that offices are an important “transitional” use between higher intensity uses and major streets and interior residential neighborhoods.
Commercial – 1	Coordinated Development	Yes	Applicant proposes demolition of the vacant single family residence and garage and redevelopment of the southern portion of the parcel for a hair salon/spa.
Commercial – 2	Commercial/Office Uses in General	Yes	Rezoning site is located along West Centre Avenue, a major arterial street, with ingress/egress occurring from this major thoroughfare.
Commercial – 6	Office/Commercial Site Design	Yes	Since the zoning lot is located adjacent to single family residential zoning/land use, office buildings would be limited to one-story and 25-feet in height. Conflicting land use screening would also be required where adjacent to residential zoning and/or land use. Issues associated with screening, buffering, landscaping, access, sidewalks, etc. would be reviewed when a site plan is submitted.
Natural & Historic Resources - 1	Environmental Protection	Yes	Rezoning site is not characterized by environmentally sensitive areas (wetlands, floodplain, etc).
Natural & Historic Resources - 2	Floodplain	Yes	Rezoning site is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	Yes	Reviewed as part of a site plan submittal.
Natural & Historic Resources – 4	Noise	Yes	Reviewed as part of a site plan submittal.
Natural & Historic Resources – 5	Historic Resource Preservation	N/A	Historic buildings are not present at the rezoning site.
Transportation – 1	Transportation Systems	Yes	West Centre Avenue is a five-lane major arterial street with 22,788 vehicles per day (2010); and a capacity of 34,200 vehicles per day (level of service “D”). Anticipated traffic can be accommodated.
Transportation – 2	Street Design	Yes	Rezoning site has frontage along West Centre Avenue (major arterial). Access associated with redevelopment project would be reviewed as part of a site plan submittal.
Transportation – 3	Access Management	Yes	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	Yes	Specifics associated with the inclusion of walkways and pathways will be reviewed at the site plan stage of development.
Transportation – 5	Right-of-Way Preservation	Yes	Reviewed as part of a site plan submittal.
Transportation – 6	Parking	Yes	Reviewed as part of a site plan submittal.
Municipal Facilities & Services – 2	Sanitary Service	Yes	Sanitary sewer is available.
Municipal Facilities & Services –3	Underground Utilities	Yes	Reviewed as part of a site plan submittal.

APPLICATION FOR ZONING AMENDMENT

Application number #11-2

Date 1-16-12

APPLICATION INFORMATION:

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

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

TO THE PLANNING COMMISSION:

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

RECEIVED
JAN 16 2012
COMMUNITY DEVELOPMENT

ZONING MAP AMENDMENT

1. a. Platted Land:

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

b. Unplatted Land:

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

The property sought to be rezoned is located at 1106 W Centre Ave. Between Oakland Dr. and Shaver Rd.
The property parcel number is: 00016-510-0. The property has 3.75 acres with a road frontage of 90ft and an overall depth of 1282ft.

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

b. Name of the owner of the property to be rezoned: Nathan Cronenwett

Address 9111 Austin Dr. Portage, MI 49002

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

Amendment: I purchased this property with the intrest of building a salon and spa at this location. The property is currently zoned multi-family residential but it is located between many different zonings, light industrial, office, and multi-family residential. The future land use for this property is on the border between office service zoning and multi-family residential.

4. **CURRENT ZONING:** RM-2 Multi-Family Residential **PROPOSED ZONING:** OS-1 Office Service

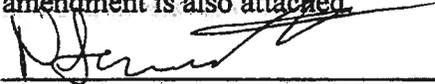
ZONING TEXT AMENDMENT

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

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

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

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



(Signature of Applicant)

(Signature of Applicant)

9111 Austin Dr. Portage MI 49002

(Address)

(Address)

(269) 217-7789

(Phone)

(Phone)

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

1106 W Centre Ave Zoning Change Request

Dear Portage Planning Commission,

I purchased the property at 1106 W Centre Ave. late last year. My business partner and I are hoping and eager to start building a new salon and spa on the property. Our vision for the business is to provide the high-end service that we see a need for in Portage. In order for us to accomplish our plan we will need to change the zoning out my property from Multi-Family Residential to Office Service.

Current Zoning

The property is currently zoned RM-2 Multi-Family Residential. We would like to have this zoning changed to OS-1 for Office and Service. The Property resides next to Portage Printing which is zoned I-1 light industrial and Portage Pines and Spruce Creek Apartments which are also zoned RM-2. It also resides next to many other OS-1 zoned service businesses.



- RM-2
- OS-1

Future Land Use

The future land use for this property is on the line between OS-1 and RM-2. This property really does not lend itself to future RM-2 development due to the long skinny nature. Future development in RM-2 zoning would require a purchase from either of the two existing apartment complexes adjacent to the property neither of which has shown interest in the purchase.



I respectfully request the Portage Planning Commissions consideration towards changing the zoning of my property from RM-2 to OS-1. This will allow us to continue our business and create more jobs in the area.

Thank You,

Nate Cronenwett P.E.
9111 Austin Dr.
Portage MI, 49002
(269) 217-7789

Jim & Sandy Bischoff, 1119 Tanglewood Dr., Portage, MI 49024
John & Judy Provancher, 7711 Ravenswood Dr., Portage, MI 49024

RECEIVED
FEB 21 2012
COMMUNITY DEVELOPMENT

February 21, 2012

Mr. Michael West, AICP
Assistant City Planner
Department of Community Development
7900 South Westnedge Avenue
Portage, Michigan 49002

Re: Proposed Rezoning, Application #11-2, Parcel #00016-510-0 / 1106 W. Centre Ave.

Dear Mr. West,

It is our understanding that the subject parcel is currently zoned RM-2, multiple family residential and that the applicant is requesting a rezone to OS-1, office service.

We are comfortable with the applicant's stated wishes to build a one-story building and appropriate parking area for use as an upscale beauty salon and spa. And further, that the building and parking area will be located close to Centre Avenue.

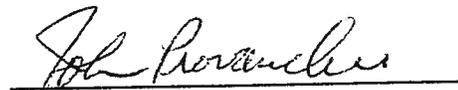
Since the applicant needs and intends to use only the south portion of the parcel to the approximate depth of 539' (same as the Portage Printing parcel),

We respectfully request that:

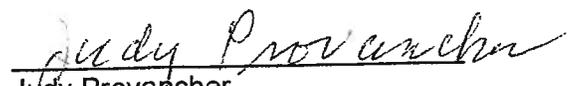
- 1) Only the south 539' portion of the parcel be rezoned to OS-1 to meet the applicants needs and that the northern remainder of the parcel (approximately 742') stay unchanged at RM-2.
- 2) The current north end buffer to 1119 Tanglewood and 7711 Ravenswood of 75' remain unchanged.

Thank you in advance for rezoning to meet the needs and wishes of the applicant and the neighbors and to comply with the City Plan.


Jim Bischoff


John Provancher


Sandy Bischoff


Judy Provancher

**FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE**

**TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF PORTAGE AND
ALL OTHER INTERESTED PERSONS.**

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2012, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2012, at 7:30 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Section 16, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

<u>Street Address</u>	<u>Parcel ID Numbers</u>
1106 West Centre Avenue	00016-510-O

The South 539.5 feet be rezoned from RM-2, multiple family residential to OS-1, office service, or any other classification allowed by law.

PLEASE TAKE FURTHER NOTICE that if the owners of at least twenty percent (20%) of the area of land included in the proposed zoning change, or if the owners of at least twenty percent (20%) of the area of land included within an area extending outward one hundred feet (100') from any point on the boundary of the land included in the proposed change, excluding public right-of-way or other publicly owned land, file a written protest petition against the proposed amendment presented to the City Council before final legislative action on the amendment, a two-thirds vote of the City Council will be required to pass the amendment.

Dated: _____

James R. Hudson, City Clerk

(App #11-02)

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF
PORTAGE, MICHIGAN BY AMENDING ARTICLE 4 OF CHAPTER 42,
LAND DEVELOPMENT REGULATIONS OF THE CODIFIED ORDINANCES
OF PORTAGE, MICHIGAN**

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Section 16, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

<u>Street Address</u>	<u>Parcel ID Numbers</u>
1106 West Centre Avenue	00016-510-O

The South 539.5 feet be rezoned from RM-2, multiple family residential to OS-1, office service.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Peter J. Strazdas, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2012.

James R. Hudson, City Clerk

(App #11-02)

Approved as to Form:

Date: 3/14/12

By: RS

City Attorney

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: April 17, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: 2012 Utility Rate Financial Study

ACTION RECOMMENDED: That City Council adopt the 2012 sewer and water rate Resolutions establishing sewer and water utility rates, sewer and water franchise area fees, service fees and charges as outlined in the 2012 Utility Rate Financial Study and as recommended by the City Administration and the City Council Water and Sewer Rate Study Committee.

The 2012 Utility Rate Financial Study has been prepared by the City Administration and reviewed by the City Council Water and Sewer Rate Study Committee composed of Mayor Pro Tem Reid, Councilmembers Pearson and Sackley and citizens Jeffrey Breneman and Ted W. Vliek, Sr. The Committee, after a thorough review of the study, unanimously recommended to the City Council on March 27, 2012 that the water and sewer rates and charges as outlined in the study be adopted for Fiscal Year 2012-13.

On November 16, 2010, City Council awarded a contract to Utility Financial Solutions, LLC to conduct a comprehensive financial analysis of the utility. The model completed by Utility Financial Solutions, LLC was used by city staff in the preparation of the 2012 Utility Rate Financial Study. The 2012 Utility Rate Financial Study continued the focus on ensuring the long-term financial health and stability of the Water and Sewer Funds while dealing with ongoing increases in the cost of sewage treatment by the City of Kalamazoo and unfunded federal mandates regarding much lower permitted levels of arsenic in the public water supply.

For Fiscal Year 2012-13, the sewer commodity rate is recommended to remain at \$4.81 per thousand gallons of metered water. The water commodity rate is recommended to be increased from \$3.10 to \$3.19 per thousand gallons of metered water. Basic quarterly charges for both sewer and water use, which are calculated to provide funding for certain fixed costs for the utility systems, are recommended to be increased to meet current expenditures.

The net effect of the combined water and sewer rate recommendations on the typical residential customer is an overall utility rate increase of 4.85%. The annual expense of the combined utility rate recommendations would represent an increase of approximately \$41.00, or approximately \$3.41 per month (from approximately \$844.80 per year to approximately \$885.80 per year) for the typical residential customer with both public water and sewer service. No adjustments are recommended to charges for water service connections, installing water meters and installing

water meter boxes. Adjustments are recommended to charges for fire protection service connections, hydrant flow testing, turn on processing fees and in the installation charge, deposit and commodity rate for using water from fire hydrants. These adjustments reflect the actual cost of providing these services.

It is recommended that City Council adopt the 2012 sewer and water rate Resolutions establishing sewer and water utility rates, sewer and water franchise area fees and other fees and charges as set forth in the 2012 Utility Rate Financial Study and recommended by the City Administration and the City Council Water and Sewer Rate Study Committee.

Attachments

cmrutilityratestudy

CITY OF PORTAGE

RESOLUTION

WATER RATES

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the _____ day of _____, 2012 at 7:30 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember _____ and seconded by Councilmember _____:

WHEREAS, it is necessary for the Council to establish by resolution rates for water service in the City of Portage.

NOW, THEREFORE BE IT RESOLVED: That the following rates are hereby established for charges to be paid by users of water service rendered by the water system in the City of Portage, said rates to be in effect commencing with the first billing after September 30, 2012.

A. CUSTOMER CHARGES

The charges to be paid by users of water service rendered by the water system shall consist of a basic quarterly charge plus commodity charges as follows:

<u>Meter Size</u>	<u>Basic Quarterly Charge</u>
5/8"	\$ 21.00
3/4"	\$ 31.50
1"	\$ 47.25
1-1/2"	\$ 84.00
2"	\$ 126.00
3"	\$ 210.00
4"	\$ 420.00
6"	\$ 735.00
8"	\$1050.00

COMMODITY CHARGES

For all use, except as may be provided under Hydrant Meter Charges and Township Customer Charges, the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate
Per 1000 Gallons
\$3.19

B. SENIOR CITIZEN DISCOUNT

Eligible senior citizens shall receive a 10% discount on water use charges upon making proper application to the City Treasurer. This discount applies only to individual residential connections for city customers.

C. TOWNSHIP CUSTOMER CHARGES

The basic quarterly charge for Pavilion Township and Schoolcraft Township customers shall be the same as charged to City customers, as detailed in section "A" above. Commodity charges for Pavilion Township and Schoolcraft Township customers shall be set at \$3.83 per thousand gallons of water used. Other charges and fees to township customers will be the same as for City of Portage customers.

D. FIRE PROTECTION SERVICE CHARGES

The charges to be paid by users of fire protection service rendered by the water system shall consist of a basic quarterly charge as follows:

<u>Service Size</u>	<u>Basic Quarterly Charge</u>
4"	\$ 15.00
6"	\$ 35.00
8"	\$ 60.00
10"	\$ 95.00
12"	\$135.00
16"	\$240.00

E. METER CHARGES

The charges to be paid for installing meters are as follows:

<u>Meter Size</u>	<u>Meter Charge</u>
5/8"	\$ 225
3/4"	\$ 280
1"	\$ 345
1 1/2"	\$ 815
2" SR (Irrigation)	\$ 1,010
2" (Compound)	\$ 2,225
3" (Compound)	\$ 2,925
4" (Compound)	\$ 4,530
6" (Compound)	\$ 7,840

F. METER BOX CHARGES

The charges to be paid for Meter Boxes are as follows:

<u>Service Provided</u>	<u>Meter Box Charge</u>
Meter Box 3/4"	\$ 950
Meter Box 1"	\$1,000
Meter Box 1-1/4"	\$1,050

G. HYDRANT METER CHARGES

The charges to be paid for installation of hydrant meters and use of hydrant water are as follows:

<u>Service Provided</u>	<u>Hydrant Meter Charge</u>
Meter installation	\$150*
Hydrant Use	\$6.40/thousand gallons

*Charge includes 15,000 gallons of water.

Furthermore, a deposit of \$250 will be required before installation of the hydrant meter. The deposit will be applied to the charges and water usage.

H. HYDRANT FLOW TEST

A charge of \$135 per occurrence will be charged for a fire hydrant flow test to determine the quantity of water available for fire fighting use.

I. PROCESSING FEE

The charge to be paid by users having water service turned on is as follows:

<u>Service Provided</u>	<u>Processing Fee</u>
Turning on water service	\$50 (except for first time customers and customer repairs)
	\$100 (turn on after normal working hours)

This fee also applies to services that are turned off for delinquency and is applied once a city work order has been issued.

J. NON-SUFFICIENT FUNDS

A fee of \$30 per occurrence will be charged for any returned/unpaid check or other failed financial instrument which results in uncollected funds.

K. UTILITY BILLING AUTOMATIC PAYMENT PLAN

A credit of \$1.00 for each normal quarterly bill will be given to each customer on the utility billing automatic payment plan.

L. WATER SHUT OFF DUE TO NON-PAYMENT

An amount past due of more than \$60.00 is established as the water shut-off level amount.

M. LATE FEE

The utility billing late fee shall be waived by the Finance Director under the following conditions:

1. (a) The customer has paid all of the last 12 or more quarterly utility bills on time; and

(b) The customer requests that the late fee be waived; or
2. The customer requests participation in the city's automatic payment program and the amount due is taken from their bank account on the due date. However, if the customer discontinues participation in the automatic payment program, no further waivers shall be granted under subsections 1(a) and (b) or this subsection 2.

YEAS:

NAYS:

James R. Hudson, City Clerk

CERTIFICATION

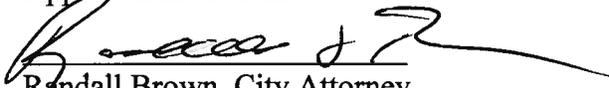
STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said city, held on the _____ day of _____ 2012, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature the _____ day of _____, 2012.

James R. Hudson, City Clerk

Approved as to form:



Randall Brown, City Attorney

WaterRateresolution2012

CITY OF PORTAGE

RESOLUTION

SEWER RATES

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan, held in Council Chambers in the Portage City Hall in said City on the _____ day of _____, 2012 at 7:30 p.m.

PRESENT:

ABSENT:

The following resolution was offered by Councilmember _____ and seconded by Councilmember _____:

WHEREAS, it is necessary for the Council to establish by resolution rates for sewer service in the City of Portage.

NOW, THEREFORE BE IT RESOLVED: That the following rates are hereby established for charges to be paid by users of wastewater service rendered by the wastewater system in the City of Portage, said rates to be in effect commencing with the first billing after September 30, 2012.

A. CUSTOMER CHARGES

The charges to be paid by users of wastewater service rendered by the sewer system shall consist of a basic quarterly charge plus commodity charges as follows:

<u>Meter Size</u>	<u>Basic Quarterly Charge</u>
5/8"	\$ 24.50
3/4"	\$ 36.75
1"	\$ 55.13
1-1/2"	\$ 98.00
2"	\$ 147.00
3"	\$ 245.00
4"	\$ 490.00
6"	\$ 857.50
8"	\$1225.00

COMMODITY CHARGES

For all metered use, except as may be provided under Township Customer Charges, the following commodity rate per thousand gallons shall be applied:

Total Commodity Rate
Per 1000 Gallons
\$4.81

B. MINIMUM FOR NON-METERED (FLAT RATE) CUSTOMERS

The flat rate for non-metered customers shall be established based on water usage of 15,000 gallons per quarter.

	<u>Flat Charge</u>	<u>Basic Charge</u>	<u>Total Charge</u>
Per quarter based on commodity charge for 15,000 gallons	\$72.15	\$24.50	\$96.65

C. IRRIGATION ALLOWANCE

Residential customers shall be given a discount if the customer is eligible for an irrigation discount under City Ordinance as follows: 1) Charges for such customers shall be based on actual water consumption, except that there shall be no sewage charge for the water consumption exceeding 125 percent of the water consumption for the most recent quarter billing in which the month of January is included; 2) Residential customers who do not have a quarterly billing in which the month of January is included or who have a zero (0) water usage for the quarter which includes the month of January, shall have the sewer charge for the other three quarters established at the maximum rate volume of 15,000 gallons or actual usage, if less, per quarter until such time as quarterly billing information, in which the month of January is included, is available.

D. SURCHARGES AND CREDITS

Surcharges for pollutant loadings above standard domestic waste will be charged rates established by ordinance of the City of Kalamazoo. Industries which pretreat may qualify for credits for pollutant loading at a strength below standard domestic strength in accordance with rates established by ordinances of the City of Kalamazoo.

E. ADDITIONAL CHARGES

Additional charges shall be as follows:

- (1) Equal to the actual expense incurred by the City for removing prohibited material discharged or caused or allowed to be discharged by the user and/or for the handling and/or treating of material in the wastewater system; and
- (2) Equal to the actual expense incurred by the City for cleaning or repairing the waste water system or any part thereof as required by a discharge by, or caused or allowed by, a user.

F. TOWNSHIP CUSTOMER CHARGES

The basic quarterly charge for Schoolcraft Township customers shall be the same as charged to city customers, as detailed in Section "A" above. Commodity charges for Schoolcraft Township customers shall be set at \$5.40 per thousand gallons of water used. Other charges and fees to township customers shall be the same as for City of Portage customers.

G. NON-SUFFICIENT FUNDS

A fee of \$30 per occurrence will be charged for any returned/unpaid check or other failed financial instrument which results in uncollected funds.

H. UTILITY BILLING AUTOMATIC PAYMENT PLAN

A credit of \$1.00 for each normal quarterly bill will be given to each customer on the utility billing automatic payment plan.

I. LATE FEE

The utility billing late fee shall be waived by the Finance Director under the following conditions:

1. (a) The customer has paid all of the last 12 or more quarterly utility bills on time; and
(b) The customer requests that the late fee be waived; or
2. The customer requests participation in the city's automatic payment program and the amount due is taken from their bank account on the due date. However, if the customer discontinues participation in the automatic payment program, no further waivers shall be granted under subsections 1(a) and (b) or this subsection 2.

YEAS:

NAYS:

James R. Hudson, City Clerk

CERTIFICATION

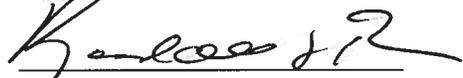
STATE OF MICHIGAN)
)
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting City Clerk of the City of Portage, County of Kalamazoo, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of said city, held on the ____ day of _____ 2012, the original of which is on file in my office.

IN WITNESS THEREOF, I have hereto affixed my official signature the _____ day of _____, 2012.

James R. Hudson, City Clerk

Approved as to form:



Randall Brown, City Attorney

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: April 14, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Proposed Labor Agreement with the International Association of Fire Fighters

ACTION RECOMMENDED: That City Council authorize the Mayor and City Clerk to execute a three-year labor agreement with the International Association of Fire Fighters subsequent to city acceptance of health insurance plan documents.

The City Administration has negotiated a replacement labor agreement with the International Association of Fire Fighters (IAFF) for the contract that expires June 30, 2012. The agreement has been ratified by the IAFF membership. The agreement covers twenty-eight Public Safety Department - Fire Division employees for a period from July 1, 2012 through June 30, 2015. Highlights of the recommended agreement include:

- Wages remain at current levels.
- A change to employee health insurance plan coverage whereby the city will pay a maximum of \$5,500 for single coverage, \$11,000 for two-person coverage and \$15,000 for family coverage, adjusted annually based upon the medical care component of the U.S. Consumer Price Index, in conformance with Public Act 152.
- A reduction in the health insurance opt-out payment from 50% to 40%.
- A changed benefit structure for employees hired on or after July 1, 2012 including:
 - A reduction in the monthly sick leave time accrual from twelve hours to nine hours beginning on the seventh month of employment;
 - A reduction in the maximum accrued sick leave payout at separation of employment from 600 hours to 500 hours; and
 - A limitation on the employer pension contribution to ten percent of base salary.
- A one-time contribution of \$12,600 to the IAFF retiree health fund in lieu of a first year signing bonus.
- A signing bonus of \$450 in the second and third year of the contract (total of \$900).
- The addition of a Health Management Program requiring the employee to undergo an annual physical examination. Employees will receive a \$100 incentive for successful completion of the program.
- A limitation on the payment of a food allowance to only those employees assigned to a 54-hour shift.
- Inclusion of grandchildren, step-grandchildren and grandparents-in law as immediate family members for purposes of funeral leave.

As with the recently approved equity adjustment for non-union personnel and contract renewals with the Portage Police Command Officers Association (PPCOA) and United Auto Workers (UAW), the IAFF contract renewal involves an increase in cost. However, cost increases are offset by employer-related health insurance savings, as well as long term benefit savings which are being implemented with each of these respective groups. Accordingly, the proposed labor agreement represents a mutually beneficial contractual arrangement that is recommended for approval by the City Council.

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: April 16, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Public Hearing on Fiscal Year 2012-2013 Budget

ACTION RECOMMENDED: That City Council adopt the Resolution setting a public hearing on May 8, 2012 for the Fiscal Year 2012-2013 proposed city budget and the proposed 2012 tax levy.

In order to permit adoption of the Fiscal Year 2012-2013 Budget on May 22, 2012 and satisfy the requirements of the City Charter and state law, a public hearing must be held at the regular Council meeting of May 8, 2012.

Public Act 5 of 1982 requires that any millage rate above the "base tax rate" must be identified separately in the Notice of Public Hearing on the proposed 2012 tax levy. The "base tax rate" as defined by Public Act 5 of 1982 is the prior year operating millage adjusted for the inflationary growth in the Taxable Value of property in the city. As the proposed tax levy is less than the base tax rate, no Truth in Taxation hearing is required for 2012. However, a public hearing on the proposed budget and the tax rate needed to support the proposed budget is still required.

City Council adoption of the attached Resolution is recommended.

c: Daniel S. Foecking, Finance Director

CITY OF PORTAGE
RESOLUTION OF CITY OF PORTAGE

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on April 24, 2012 at 7:30 p.m. local time at the Council Chambers in the City of Portage, Michigan.

Present: _____

Absent: _____

The following resolution was offered by:

Councilmember _____, and supported by:

Councilmember _____.

NOW THEREFORE, BE IT RESOLVED:

That the City of Portage set a public hearing for 7:30 p.m., or as soon thereafter as may be heard, on May 8, 2012, on the proposed 2012-2013 City budget as required by Chapter Seven of the City Charter and state law.

Be it further resolved:

That notice, in substantially the following form, be published in a newspaper of general circulation within the City, giving notice of the City's intent to set the public hearing.

CITY OF PORTAGE, MICHIGAN
NOTICE OF PUBLIC HEARING
ON PROPOSED CITY BUDGET AND
PROPOSED PROPERTY TAXES

The City Council of the City of Portage will hold a public hearing at 7:30 p.m., or as soon thereafter as may be heard, on May 8, 2012 in the Council Chambers at 7900 South Westnedge Avenue on the proposed 2012-2013 City budget and on the proposed 2012 City tax levy. Copies of the proposed budget are available for public inspection during regular business hours in the offices of the City Clerk and the Finance Director.

The hearing is being held for the purpose of receiving testimony and discussing the proposed levy of the millage needed to support the proposed budget.

Public comments, oral or written, are welcome at the hearing on the proposed City budget and the proposed millage rate.

This notice published by: CITY OF PORTAGE
7900 SOUTH WESTNEDGE AVENUE
PORTAGE, MICHIGAN 49002
(269) 329-4412

Dated: _____, 2012

City Clerk

AYES: Councilmember _____

NAYS: Councilmember _____

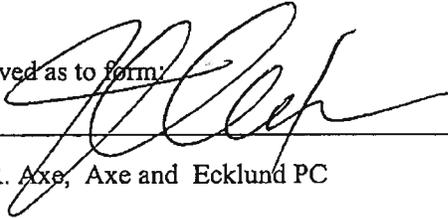
ABSENT: Councilmember _____

RESOLUTION DECLARED ADOPTED: _____

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on April 24, 2012, the original of which is in the official proceedings of the City Council.

City Clerk

Approved as to form:



John R. Axe, Axe and Ecklund PC

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: April 16, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Rezoning Application #11-03, Romence Road Parkway

ACTION RECOMMENDED: That City Council:

- a. accept Rezoning Application #11-03 for first reading and set a public hearing for May 22, 2012; and
- b. subsequent to the public hearing, consider approving Rezoning Application #11-03 and rezone: 1) 1901 Romence Road Parkway to OTR, office technology and research with the exception of the northwest area that is to remain R-1B, one family residential and the southwest area that is to be rezoned to OS-1, office service; 2) 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research; and 3) 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service.

During the October 20, 2011 rezoning consideration of a 1.3 acre portion of 1901 Romence Road Parkway, the Planning Commission determined that further study of the Romence Road Parkway corridor from Lovers Lane to Portage Road was appropriate. The corridor study was prompted by comments from area residents regarding the existing heavy industry zoning adjacent to the residential neighborhood and the Future Land Use Map designation of the subject property and surrounding properties as appropriate for Research & Development/Technology land use. Similar comments also arose during City Council review of the rezoning request on December 20, 2011. The Planning Commission completed the corridor study on February 2, 2012, and voted unanimously to initiate the public hearing process.

In a report dated March 29, 2012, the Department of Community Development recommended: 1) rezoning 1901 Romence Road Parkway to OTR, office technology and research with the exception of the northwest area that is to remain R-1B, one family residential and the southwest area that is to be rezoned to OS-1, office service; 2) rezoning 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research; 3) rezoning 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service; and 4) retaining the I-2, heavy industry zoning designation for 7005 Lovers Lane and 7000 Portage Road.

The Planning Commission convened a public hearing during the March 15th and April 5th, 2012 meetings. After considering the proposed rezoning and public comment, the Commission voted unanimously to recommend to City Council that Rezoning Application #11-03 be approved consistent with the staff recommendation.

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF
PORTAGE, MICHIGAN BY AMENDING ARTICLE 4 OF CHAPTER 42,
LAND DEVELOPMENT REGULATIONS OF THE CODIFIED ORDINANCES
OF PORTAGE, MICHIGAN**

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Sections 10, 11, and 15, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

A.	<u>Street Address</u>	<u>Parcel ID Numbers</u>
	1901 Romence Road Parkway	06480-085-E [except: Northwest portion of parcel to remain zoned R-1B described as Lot 89 of Portage Heights, except for the North 66 feet of the East 617.45 feet thereof, and; Southwest portion of parcel described as the South 72 feet of the West 550 feet of Lot 85 of Portage Heights, excepting the portion reserved for Romence Road Parkway, approximately 48.59 feet by 550 feet]
	2301 Romence Road Parkway	00011-002-O
	6710 Portage Road	06480-039-O
	6718 Portage Road	06480-040-O
	6726 Portage Road	06480-041-O
	2328 Lansing Avenue	06480-043-O
	2402 Lansing Avenue	06480-042-O

From I-2, heavy industry to OTR, office technology and research.

B.	<u>Street Address</u>	<u>Parcel ID Numbers</u>
	1901 Romence Road Parkway	06480-085-E (portion thereof: Southwest portion of parcel described as the South 72 feet of the West 550 feet of Lot 85 of Portage Heights, excepting the portion reserved for Romence Road Parkway, approximately 48.59 feet by 550 feet]
	6941 Lovers Lane	06480-085-D
	7013 Lovers Lane	08340-026-A
	7019 Lovers Lane	08340-027-O
	6646 Portage Road	06480-001-A

From I-2, heavy industry and R-1B, one family residential to OS-1, office service.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Peter J. Strazdas, Mayor

STATE OF MICHIGAN)
) SS
COUNTY OF KALAMAZOO)

I do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2012.

James R. Hudson, City Clerk

(App #11-03)

Approved as to Form:
Date: 4-19-12
By: CRB
City Attorney

**ADOPTION OF ZONING ORDINANCE
CITY OF PORTAGE, MICHIGAN
NOTICE**

TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF PORTAGE AND ALL OTHER INTERESTED PERSONS.

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was adopted by the City Council at a regular meeting held on the _____ day of _____, 2012, and will become effective _____, 2012.

NOTICE IS FURTHER GIVEN that Article 4 (Zoning) of Chapter 42, Land Development Regulations, of the Codified Ordinance of Portage, Michigan, has been amended as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Sections 10, 11, and 15, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

<u>A.</u>	<u>Street Address</u>	<u>Parcel ID Numbers</u>
	1901 Romence Road Parkway	06480-085-E [except: Northwest portion of parcel to remain zoned R-1B described as Lot 89 of Portage Heights, except for the North 66 feet of the East 617.45 feet thereof, and; Southwest portion of parcel described as the South 72 feet of the West 550 feet of Lot 85 of Portage Heights, excepting the portion reserved for Romence Road Parkway, approximately 48.59 feet by 550 feet]
	2301 Romence Road Parkway	00011-002-O
	6710 Portage Road	06480-039-O
	6718 Portage Road	06480-040-O
	6726 Portage Road	06480-041-O
	2328 Lansing Avenue	06480-043-O
	2402 Lansing Avenue	06480-042-O

From I-2, heavy industry to OTR, office technology and research.

<u>B.</u>	<u>Street Address</u>	<u>Parcel ID Numbers</u>
	1901 Romence Road Parkway	06480-085-E (portion thereof: Southwest portion of parcel described as the South 72 feet of the West 550 feet of Lot 85 of Portage Heights, excepting the portion reserved for Romence Road Parkway, approximately 48.59 feet by 550 feet]
	6941 Lovers Lane	06480-085-D
	7013 Lovers Lane	08340-026-A

7019 Lovers Lane
6646 Portage Road

08340-027-O
06480-001-A

From I-2, heavy industry and R-1B, one family residential to OS-1, office service.

PLEASE TAKE NOTICE that a copy of the Ordinance as amended may be purchased or inspected at City Hall on any business day except public and legal holidays from and after publication of this Notice from 8:00 a.m. to 5:00 p.m. local time. Further, a copy of a map showing the property rezoned is also available at the time and days noted above.

Dated: _____

James R. Hudson, City Clerk

(App #11-03)

**FIRST READING
CITY OF PORTAGE, MICHIGAN
NOTICE**

**TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF PORTAGE AND
ALL OTHER INTERESTED PERSONS.**

NOTICE IS HEREBY GIVEN, that an Ordinance to amend Article 4 (Zoning) of Chapter 42 of the Codified Ordinances of Portage, Michigan, was introduced for first reading at a regular meeting of the City Council held on _____, 2012, and that the Council will hold a public hearing on the proposed amendment at the Portage City Hall in said City on _____, 2012, at 7:30 p.m. or as soon thereafter as may be heard.

NOTICE IS FURTHER GIVEN that the proposed amendment to Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan reads as follows:

THE CITY OF PORTAGE ORDAINS:

That Article 4 (Zoning) of Chapter 42, of the Codified Ordinances of Portage, Michigan, Official Zoning Map, be amended as follows:

Parcel of land described as follows:

Tract of land located in Sections 10, 11, and 15, Township 3 South, Range 11 West, City of Portage, County of Kalamazoo, State of Michigan, and further described as follows:

<u>A.</u>	<u>Street Address</u>	<u>Parcel ID Numbers</u>
	1901 Romence Road Parkway	06480-085-E [except: Northwest portion of parcel to remain zoned R-1B described as Lot 89 of Portage Heights, except for the North 66 feet of the East 617.45 feet thereof, and; Southwest portion of parcel described as the South 72 feet of the West 550 feet of Lot 85 of Portage Heights, excepting the portion reserved for Romence Road Parkway, approximately 48.59 feet by 550 feet]
	2301 Romence Road Parkway	00011-002-O
	6710 Portage Road	06480-039-O
	6718 Portage Road	06480-040-O
	6726 Portage Road	06480-041-O
	2328 Lansing Avenue	06480-043-O
	2402 Lansing Avenue	06480-042-O

From I-2, heavy industry to OTR, office technology and research or any other classification allowed by law.

<u>B.</u>	<u>Street Address</u>	<u>Parcel ID Numbers</u>
	1901 Romence Road Parkway	06480-085-E (portion thereof: Southwest portion of parcel described as the South 72 feet of the West 550 feet of Lot 85 of Portage Heights, excepting the portion reserved for Romence Road Parkway, approximately 48.59 feet by 550 feet]

6941 Lovers Lane
7013 Lovers Lane
7019 Lovers Lane
6646 Portage Road

06480-085-D
08340-026-A
08340-027-O
06480-001-A

From I-2, heavy industry and R-1B, one family residential to OS-1, office service or any other classification allowed by law.

PLEASE TAKE FURTHER NOTICE that if the owners of at least twenty percent (20%) of the area of land included in the proposed zoning change, or if the owners of at least twenty percent (20%) of the area of land included within an area extending outward one hundred feet (100') from any point on the boundary of the land included in the proposed change, excluding public right-of-way or other publicly owned land, file a written protest petition against the proposed amendment presented to the City Council before final legislative action on the amendment, a two-thirds vote of the City Council will be required to pass the amendment.

Dated: _____

James R. Hudson, City Clerk

(App #11-03)

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: April 16, 2012

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

SUBJECT: Rezoning Application #11-03, Romence Road Parkway

In October 2011 and during consideration of Rezoning Application #11-01 involving a 1.3 acre portion of 1901 Romence Road Parkway, the City of Portage Planning Commission determined that further study of the Romence Road Parkway corridor from Lovers Lane to Portage Road was appropriate. The corridor study was prompted by citizen and Commissioner comments regarding the existence of heavy industry zoning adjacent to single family residential zoning/land use and the Future Land Use Map designation of the subject property and surrounding properties as appropriate for Research & Development/Technology land use. Similar comments also arose during City Council review of the rezoning request.

On February 2, 2012, the Planning Commission completed review of the Romence Road Parkway Corridor Study and voted unanimously to initiate the public hearing process to consider changing the zoning of 13 parcels of land located along the north and south sides of Romence Road Parkway, between Lovers Lane and Portage Road, and along the west side of Portage Road from I-2, heavy industry, OS-1 office service and R-1B, one family residential to OTR, office, technology and research.

The Future Land Use Plan Map component of the Comprehensive Plan designates the subject properties, along with properties located to the north, south and east, as appropriate for research & development/technology (RDT) land use. In total, the RDT designation encompasses approximately 1,100 acres of land located in this area of the city generally defined as south of East Milham Avenue and north of East Centre Avenue, between Lovers Lane and Portage Road. The RDT future land use map designation was first developed and included in the 2002 Comprehensive Plan to address, in part, the changing Michigan economy as it continues to transition from an industrial-based economy to a knowledge-based economy. In conjunction with development of the RDT land use classification, a corresponding OTR, Office Technology and Research zoning district was also developed and included with the 2003 Zoning Code Update. The OTR district replaced two previous zoning districts: OS-2, Office Service (High-Tech, Research Use) and RC, Research Park.

In a report dated March 29, 2012, the Department of Community Development has recommended that Rezoning Application #11-03 be approved as follows:

1. Rezone 1901 Romence Road Parkway to OTR, office technology and research with the exception of:
 - the northwest portion of the parcel that is to remain zoned R-1B, one family residential, and

- the southwest portion of the parcel (48.59-feet by 550-feet) which is recommended to be rezoned to OS-1, office service;
2. Rezone 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research;
 3. Rezone 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service; and
 4. Retain the current I-2, heavy industry zoning designation for 7005 Lovers Lane and 7000 Portage Road. Given the potential future development plans for these two parcels by Pfizer and since the property is not adjacent to an existing single family residential neighborhood, there is no current development activity that necessitates a rezoning of these properties at this time.

The Planning Commission convened a public hearing during the March 15th and April 5th, 2012 meetings. Two citizens spoke during the March 15th meeting expressing concerns about future development on the 1901 Romence Road Parkway property, whether vehicular access would be allowed to Gertrude Drive and requested that the R-1B zoned area along the northwest portion the 1901 Romence Road Parkway be retained, along with the mature tree line on the south side of Kromdyke Avenue. No additional citizens spoke during the March 15th and April 5th meetings and no written communications have been received from the affected property owners. At the conclusion of the April 5th meeting and after careful consideration, the Commission voted unanimously to recommend to City Council that Rezoning Application #11-03 be approved consistent with the staff recommendation.

Attached find the Planning Commission transmittal, Department of Community Development report and related materials for review.

Attachments: Planning Commission transmittal dated April 16, 2012
Planning Commission Minutes dated March 15th and April 5th, 2012
Department of Community Development report dated March 29, 2012
Ordinance Amendments

TO: Honorable Mayor and City Council
FROM: Planning Commission
DATE: April 16, 2012
SUBJECT: Rezoning Application #11-03, Romence Road Parkway

The Planning Commission convened a public hearing during the March 15th and April 5th, 2012 meetings to consider rezoning 13 properties located along the north and south sides of Romence Road Parkway, between Lovers Lane and Portage Road, and along the west side of Portage Road. The properties are proposed to be rezoned from I-2, heavy industry; OS-1, office service; and R-1B, one family residential to OTR, office technology and research. At the March 15th meeting, two citizens (Chad Learned, 6813 Gertrude Drive and Phil Merchant, 6822 Gertrude Drive) spoke and expressed concerns about future development on the 1901 Romence Road Parkway property, vehicle access to Gertrude Drive and requested that the R-1B zoned area along the northwest portion the 1901 Romence Road Parkway be retained, together with the mature tree line along the south side of Kromdyke Avenue. No additional citizens spoke during the March 15th and April 5th meetings. Additionally, no written communications were received from the affected property owners.

After careful consideration, a motion was made by Commissioner Patterson, seconded by Commissioner Welch, to recommend to City Council that Rezoning Application #11-03 be approved as follows: 1) Rezone 1901 Romence Road Parkway to OTR, office technology and research with the exception of the northwest portion of the parcel that is to remain zoned R-1B, one family residential, and the southwest portion of the parcel (48.59-feet by 550-feet) which is recommended to be rezoned to OS-1, office service; 2) Rezone 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research; 3) Rezone 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service; and 4) At the request of Pfizer, retain the current I-2, heavy industry zoning designation for 7005 Lovers Lane and 7000 Portage Road. Given the potential future development plans for these two parcels by Pfizer and since the property is not adjacent to an existing single family residential neighborhood, there is no current development activity that necessitates a rezoning of these properties at this time. The motion was unanimously approved.

Sincerely,



James Cheesebro, Chairman
City of Portage Planning Commission

PUBLIC HEARINGS:

1. Tentative Plan Amendment (Oakland Hills at Centre PD), 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive. Mr. West referred the Commission to the March 8, 2012 correspondence from Mr. Greg Dobson, American Village Development II, LLC, requesting the public hearing for the tentative plan amendment be adjourned to the April 19, 2012 meeting. Mr. West indicated the adjournment was being requested by the applicant to allow additional time to complete discussions with the neighboring property owner to the north and to more fully develop the mono-pine tower proposal. A motion was made by Commissioner Stoffer, seconded by Commissioner Patterson, to adjourn the public hearing for the Tentative Plan Amendment for the Oakland Hills at Centre Planned Development to the April 19, 2012 meeting. The motion was unanimously approved.

2. Preliminary Report: Rezoning Application #11-03, Romence Road Parkway Corridor. Mr. Forth summarized the preliminary staff report dated March 9, 2012 regarding the Planning Commission initiated rezoning consideration of several properties located along the north and south sides of Romence Road Parkway, between Lovers Lane and Portage Road. Mr. Forth discussed the Planning Commission initial review of the Romence Road Parkway Corridor Study during the February 2, 2012 meeting and the proposed zoning change from I-2, heavy industry and R-1B, one family residential to OTR, office technology and research. Mr. Forth stated the property owners whose land is being considered for rezoning were personally contacted to further explain the proposed zoning change. Although none of the affected property owners provided written comments, Mr. Forth indicated the owner of 1901 Romence Road Parkway did not object to the proposed OTR zoning. Mr. Forth stated the Pfizer representative did not object to OTR zoning for Pfizer properties located on the north side of Romence Road Parkway but asked that the current I-2 zoning for properties located on the south side of Romence Road Parkway (7000 Portage Road and 7005 Lovers Lane) be retained. Mr. Forth indicated the other property owners also did not object to a zoning change but preferred the alternative OS-1, office service district given the small parcel size and OTR minimum project area and setback standards. Mr. Forth summarized the Research & Development/Technology Future Land Use Plan designation, the corresponding OTR, Office Technology and Research zoning district and potential impacts associated with an OTR rezoning. Commissioner Dargitz asked whether the Pfizer representative provided a reason why they did not want the zoning changed on the south side of Romence Road Parkway. Mr. Forth indicated that a specific reason was not provided.

The public hearing was opened by Chairman Cheesebro. Two citizens (Chad Learned, 6813 Gertrude Drive and Phil Merchant, 6822 Gertrude Drive) were present and spoke in regards to the proposed rezoning. Mr. Learned and Mr. Merchant expressed concerns about future development on the 1901 Romence Road Parkway property, whether vehicular access would be allowed to Gertrude Drive and whether the R-1B zoned strip along the northwest portion the 1901 Romence Road Parkway would be rezoned. Mr. Forth indicated that future development involving 1901 Romence Road Parkway would not be permitted access to Gertrude Drive to the north and retention of the existing R-1B zoned land located in the northwest portion of the property as a buffer area was previously discussed by the Commission. Mr. Forth also reviewed building setback requirements for any future development in the OTR district and the OTR review/approval process. Mr. Learned requested that the existing R-1B zoned area be retained and the mature tree line along the south side of Kromdyke also be preserved with any future development plans. No additional citizens spoke regarding the proposed rezoning.

The Commission discussed the two Pfizer owned properties along the south side of Romence Road Parkway and possible impacts if these properties were rezoned to OTR. Mr. Forth indicated that during development of the Research, Development and Technology Comprehensive Plan designation and OTR zoning district, Pharmacia (now Pfizer) representatives requested that pharmaceutical manufacturing be included in the descriptions. As a result, pharmaceutical manufacturing is permitted in either the I-2 or OTR

districts. After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Dargitz, to adjourn Rezoning Application#11-03, Romence Road Parkway Corridor, to the April 5, 2012 meeting. The motion was unanimously approved.

7:30 p.m. – The Commission took a short recess. 7:35 p.m. – The Commission reconvened the meeting.

OLD BUSINESS:

1. 2012-2022 Capital Improvement Program. Mr. Forth and the Planning Commission reviewed and discussed the March 15, 2012 staff memo that provided responses to Commissioner questions regarding the FY 2012-2022 Capital Improvement Program (CIP). Mr. Forth explained the Vincent Drive/Oakland Drive realignment project planned for FY 2021-2022 and the use of general funds to address CIP debt. The Commission reviewed each category of the CIP with emphasis on the FY 2012-2013 budget year:

- Program Overview – The Commission did not have any further questions or comments regarding this category.
- Streets – The Commission did not have any further questions regarding this category.
- Sidewalks/Bikeways – Commissioner Dargitz noted the lack of funding for future sidewalk extensions in the CIP. Mr. Forth indicated that previous CIPs have included sidewalk projects and the majority of the major thoroughfares in the city have sidewalks on at least one side of the street.
- Water – The Commission did not have any further questions or comments regarding this category.
- Sanitary Sewer – The Commission did not have any questions or comments regarding this category.
- Police Category – Commissioner Dargitz asked whether the protective vests, identified in last year's CIP, were purchased for the Police Department. Mr. Forth stated the vests were recently purchased.
- Fire Category – The Commission did not have any further questions or comments regarding this category.
- Public Facilities Category – The Commission discussed the Information Systems Improvements project in the current CIP and what items were purchased last fiscal year.
- Parks & Recreation Category – The Commission discussed the Eliason Nature Reserve Development project. Mr. Forth indicated the land was donated by the Eliason Family and a master plan will be developed for future park improvements. The Commission also discussed the Dog Park Development project and whether it was still necessary given the construction of other public and private dog parks in the surrounding area.
- Debt Services Category – The Commission did not have any further questions or comments regarding this category.

Chairman Cheesebro noted the City Administration has continued a conservative approach with CIP projects and debt reduction. After additional discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Patterson, to recommend to City Council that the FY 2012-2022 CIP be approved (FY 2012-2013 budget year and remaining nine-year planning projects). The motion was unanimously approved.

NEW BUSINESS:

None.

streets in this neighborhood. In regard to the fencing around the backyard of the site, the Commission concurred that additional screening was not necessary. The motion was unanimously approved.

2. Final Report: Rezoning Application #11-03, Romence Road Parkway Corridor. Mr. West summarized the final staff report dated March 29, 2012 regarding the Planning Commission initiated rezoning consideration of several properties located along the north and south sides of Romence Road Parkway, between Lovers Lane and Portage Road. On February 2, 2012, Mr. West indicated the Planning Commission conducted an initial review of the Romence Road Parkway Corridor Study and decided to initiate rezoning consideration of 13 properties from I-2, heavy industry and R-1B, one family residential to OTR, office technology and research. Concurrent with the public notice, Mr. West stated that all property owners involved in the rezoning consideration were contacted to further explain the proposed zoning change. Although none of the affected property owners provided written comments, Mr. West stated the owner of 1901 Romence Road Parkway did not object to the proposed OTR zoning or retaining the R-1B zoned strip of land located within the northwest portion of the parcel. Mr. West indicated a Pfizer representative did not object to OTR zoning for the Pfizer properties located on the north side of Romence Road Parkway, however, asked that the existing I-2 zoning be retained for the two Pfizer properties located along the south side of Romence Road Parkway. Mr. West stated the other property owners also did not object to a zoning change but preferred the alternative OS-1, office service district given the OTR requirements and small parcel sizes. Mr. West discussed the development standards under the OTR, I-2 and OS-1 zones and then summarized the staff recommendation.

The Commission next discussed various aspects of the rezoning consideration including the impacts of a zoning change for the two residential parcels at the southeast corner of Lovers Lane and Romence Road Parkway. If rezoned to OS-1, Mr. West stated the two residences would become lawfully nonconforming. The Commission, Mr. West and Attorney Brown discussed the nonconforming regulations contained in the Zoning Code. When considering zoning changes, Attorney Brown stated the Commission should be focus deliberations on legal rezoning criteria such as consistency with the Comprehensive Plan/Future Land Use Map and surrounding land use/zoning patterns. The Commission and staff then discussed the individual properties involved in the rezoning consideration, the staff recommendation and rationale for the recommendation.

The public hearing was reconvened by Chairman Cheesebro. No citizens spoke regarding the proposed rezoning. A motion was made by Commissioner Welch, seconded by Commissioner Reiff, to close the public hearing. The motion was unanimously approved. A motion was then made by Commissioner Patterson, seconded by Commissioner Welch, to recommend to City Council that Rezoning Application #11-03 be approved as follows: 1) Rezone 1901 Romence Road Parkway to OTR, office technology and research with the exception of the northwest portion of the parcel that is to remain zoned R-1B, one family residential, and, the southwest portion of the parcel (48.59-feet by 550-feet) which is recommended to be rezoned to OS-1, office service; 2) Rezone 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research; 3) Rezone 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service; and 4) At the request of Pfizer, retain the current I-2, heavy industry zoning designation for 7005 Lovers Lane and 7000 Portage Road. Given the potential future development plans for these two parcels by Pfizer and since the property is not adjacent to an existing single family residential neighborhood, there is no current development activity that necessitates a rezoning of these properties at this time. The motion was unanimously approved.

OLD BUSINESS:

None.

TO: Planning Commission

DATE: March 29, 2012

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

SUBJECT: Final Report: Rezoning Application #11-03, Romence Road Parkway Corridor

I. INTRODUCTION:

During the October 2011 rezoning consideration of a 1.3 acre portion of 1901 Romence Road Parkway, the City of Portage Planning Commission determined that further study of the Romence Road Parkway corridor from Lovers Lane to Portage Road was appropriate. The corridor study was prompted by comments from area residents and Commissioners regarding the existence of heavy industry zoning adjacent to single family residential zoning/land use and the Future Land Use Map designation of the subject property and surrounding properties as appropriate for Research & Development/Technology land use. Similar comments also arose during City Council review of the rezoning request.

The Planning Commission completed review of the initial Romence Road Parkway Corridor Study during the February 2, 2012 meeting. Several rezoning options were presented by staff for consideration by the Commission. At the conclusion of the discussion, the Commission decided to initiate the public hearing process to consider changing the zoning of several parcels of land located adjacent to the north and south sides of Romence Road Parkway and along the west side of Portage Road from I-2, heavy industry, OS-1 office service and R-1B, one family residential to OTR, office, technology and research. Table 1 below lists the properties that are subject to rezoning consideration, including ownership and other site related information.

Table 1

Address	Parcel I.D. Number	Property Owner	Acres	Existing Land Use	Current Zoning	Proposed Zoning
1901 Romence Road Parkway	06480-085-E	1901 Romence LLC	34	Office	I-2 & R-1B	OTR
7005 Lovers Lane	00015-001-O	Pfizer	16.5	Vacant	I-2	OTR
7000 Portage Road	00014-005-A	Pfizer	80.5	Vacant	I-2	OTR
2301 Romence Road Parkway	00011-002-O	Pfizer	33.2	Vacant	I-2	OTR
6710 Portage Road	06480-039-O	Pfizer	0.33	Vacant	I-2	OTR
6718 Portage Road	06480-040-O	Pfizer	0.31	Vacant	I-2	OTR
6726 Portage Road	06480-041-O	Pfizer	0.31	Vacant	I-2	OTR
2328 Lansing Avenue	06480-043-O	Pfizer	0.29	Vacant	I-2	OTR
2402 Lansing Avenue	06480-042-O	Pfizer	0.29	Vacant	I-2	OTR
6646 Portage Road	06480-001-A	ImageStream	1.8	Office	I-2 & OS-1	OTR
6941 Lovers Lane	06480-085-D	Slomp	0.9	Residential	I-2	OTR
7013 Lovers Lane	08340-026-A	Meyers & Pacheco	1.6	Residential	R-1B	OTR
7019 Lovers Lane	08340-027-O	Meyers & Pacheco	1.9	Residential	R-1B	OTR
Total acres: 171.93						

Staff personally contacted the above property owners and provided information regarding the corridor study and the rezoning initiative concurrent with the required public notice. Although none of the affected property owners have yet provided written comments, the owner of 1901 Romence Road Parkway stated no objection to the proposed OTR zoning district. A representative of Pfizer stated no objection to OTR zoning for the Pfizer properties located on the north side of Romence Road Parkway but requested the

current I-2 zoning for properties located on the south side of Romence Road Parkway (7000 Portage Road and 7005 Lovers Lane) be retained. While no current plans exist, Pfizer may have some future need for these two large parcels and prefers the current I-2 zoning. The other property owners involved in the rezoning consideration (ImageStream, Slomp and Meyers & Pacheco) also indicated no objection to a zoning change, but stated a preference for an alternative OS-1, office service district given the small parcel sizes and OTR minimum project area and setback standards.

II. EXISTING CONDITIONS:

Table 2

Land Use/Zoning	<p><u>Rezoning Area:</u> See Table 1 above for existing land use and zoning designations.</p> <p><u>West:</u> Single family residences (6901-6937 Lovers Lane) and vacant land zoned R-1B, one family residential. Across Lovers Lane, vacant land zoned I-1, light industry and OS-1, office service.</p> <p><u>East:</u> Across Portage Road, Pfizer manufacturing headquarters, office building and vacant land zoned I-2, heavy industry.</p> <p><u>North:</u> Single family residences and vacant lots located within the Portage Heights subdivision zoned R-1B, one family residential, along with vacant land zoned I-1, light industry (along Lovers Lane) and I-2, heavy industry (north of Ramona Avenue).</p> <p><u>South:</u> Vacant land zoned R-1B, one family residential and I-2, heavy industry.</p>
Zoning/Development History	<p>In December 2011, City Council approved Rezoning Application #11-01 that rezoned a 1.3 acre portion of 1901 Romence Road Parkway from R-1B, one family residential to I-2, heavy industry.</p> <p>Other than the recent rezoning of the 1.3 acre area of 1901 Romence Road Parkway, no rezoning of properties in the surrounding area have occurred since adoption of the 2002 Comprehensive Plan. The 2002 Comprehensive Plan changed the future land use designation of the area from industrial to research & development/technology.</p>
Historic District/ Structures	<p>The properties involved in the rezoning consideration are not located within a historic district and do not contain any historic structures.</p>
Public Streets	<p>Romence Road Parkway is a limited access boulevard and designated as a four-lane minor arterial with 10,600 vehicles per day (2008) with a capacity of 32,500 vehicles per day at a level of service "D."</p> <p>Lovers Lane is also designated as four-lane minor arterial with 8,866 vehicles per day (2011) north of Romence Road Parkway and 7,745 vehicles per day (2011) south of Romence Road Parkway. Lovers Lane has a capacity of 32,500 vehicles per day at a level of service "D."</p> <p>Portage Road is designated as four-five lane major arterial with 16,242 vehicles per day (2008) with a capacity of 34,200 vehicles per day at level of service "D."</p>
Public Utilities	<p>Municipal water and sewer are available.</p>
Environmental	<p>The City of Portage Sensitive Land Use Inventory Map identifies areas of potential wetlands along the northwest portion of 1901 Romence Road Parkway, along the southwest portion of 7000 Portage Road, and within portions of 7005, 7013 and 7019 Lovers Lane (refer to the attached aerial photograph). A more detailed site-specific environmental review of these areas would be necessary with any future development plans occurring proximate to these areas.</p>

III. PUBLIC REVIEW/COMMENT:

The Planning Commission convened a public hearing on March 15, 2012. Two citizens (Chad Learned, 6813 Gertrude Drive and Phil Merchant, 6822 Gertrude Drive) were present and spoke in regards to the proposed rezoning. Mr. Learned and Mr. Merchant expressed concerns about future development on the 1901 Romence Road Parkway property, whether vehicular access would be allowed to Gertrude Drive and whether the R-1B zoned strip along the northwest portion the 1901 Romence Road Parkway would be

rezoned. Mr. Learned requested that the existing R-1B zoned area be retained and the mature tree line along the south side of Kromdyke Avenue also be preserved with any future development plans. No additional citizens spoke regarding the proposed rezoning.

IV. FINAL ANALYSIS:

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

Comprehensive Plan/Future Land Use Map Consistency. As shown on the attached Future Land Use Plan Map component of the Comprehensive Plan, all the subject properties as well as the properties located to the north, south and east as appropriate for research & development/technology (RDT) land use. In total, the RDT designation encompasses approximately 1,100 acres of land located in this area of the city generally defined as south of East Milham Avenue and north of East Centre Avenue, between Lovers Lane and Portage Road. This area is served by an excellent roadway and municipal water/sanitary sewer network and quick/convenient access to major transportation facilities including I-94 and Kalamazoo/Battle Creek International Airport.

The RDT future land use map designation was first developed and included in the 2002 Comprehensive Plan to address, in part, the changing Michigan economy as it continues to transition from an industrial-based economy to a knowledge-based economy. Prior to 2002, industrial land use designations were identified in one general "Industrial" classification. The RDT designation was retained in the 2008 Comprehensive Plan update and is one of three industrial-related land use classifications.

The RDT designation provides "... a location for certain industrial-related uses distinct from other types of industrial or commercial businesses..." The designation intends to concentrate compatible uses "...in a planned, campus-like setting with more extensive landscaping, higher quality architecture and more site amenities than typically found in general industrial areas." Representative uses envisioned for the RDT designation include research facilities and centers, technology and testing facilities, microelectronic and biotechnology uses, large-scale corporate or professional offices and pharmaceutical production operations, along with supporting businesses such as accommodation/motels, conference facilities and service oriented businesses.

In conjunction with development of the RDT land use classification with the 2002 Comprehensive Plan, a corresponding OTR, Office Technology and Research zoning district was also developed and included with the 2003 Zoning Code Update. The OTR district replaced two previous zoning districts: OS-2, Office Service (High-Tech, Research Use) and RC, Research Park. Given the fairly recent adoption of the OTR zoning district, uncertainty regarding future plans for Pfizer, Inc. (majority owner of property designated for RDT land use) and the lack of new development/redevelopment activity in the central area of the city, rezoning of land to the OTR district was not yet previously requested or initiated.

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

community development objectives. A change in zoning to OTR would be consistent with applicable development guidelines contained in the Comprehensive Plan (attached).

Suitability of Existing I-2, OS-1 and R-1B Zones and Proposed OTR Zone. The existing I-2, heavy industrial zoning district has been part of the City of Portage Zoning Code since 1965 and was developed when the Michigan economy was invested heavily in manufacturing activities. There are two primary areas of the city zoned for heavy industrial land uses: The Portage Road and South Sprinkle Road corridors (majority of the I-2 zoned land in this area is owned by Pfizer), and the east side of Shaver Road south of West Centre Avenue. Within these two areas are approximately 2,100 acres zoned for I-2 use of which approximately 1,040 acres are vacant. For Commission information, Pfizer owns approximately 1,500 of the 2,100 acres, or 71% of the total. Table 3 below includes the intent and a list of allowable uses permitted in the I-2 district. A cursory review of the land uses currently located in these two heavy industrial areas indicates Pfizer's Portage Road manufacturing facility is a use restricted to the heavy industrial zoning district. Although the other land uses are located in the I-2 district, these uses would also be permitted in the I-1, light industrial zoning classification. While retention of I-2 heavy industrial zoning within the city is beneficial to accommodate heavy manufacturing operations, the amount of acres zoned for such use appears to exceed the demand based on development trends. Nevertheless, potential future development plans of the I-2 property owners in the vicinity should be carefully considered during this rezoning initiative.

With regard to the OTR district, this zoning designation was developed to capitalize on the shift from traditional manufacturing to a more knowledge-based economy emphasizing innovation through research and development. As such, the OTR district permits land uses intended to foster this type of development by emphasizing research, development, pilot production and related facilities. The zoning district also permits several types of land uses, such as health/fitness clubs and restaurants, designed to support the principal land uses. Uses allowed in the OTR district are generally less intensive than those allowed in the I-2 district.

A summary of other differences between the I-2, heavy industry and OTR, office technology and research zoning districts is provided in the following table.

Table 3

Differences Between I-2 and OTR Zoning Districts		
	I-2	OTR¹
Intent	Designed primarily for manufacturing, assembling and fabrication activities including large scale or specialized industrial operations whose external effects will be felt to some degree by surrounding districts.	Designed to provide for a community of production and research and development facilities, rather than for a single research structure, and to ensure compatibility between production, research and development operations and the activities and character of the community in which the operations are located. Further intended to permit the design and development of larger land areas in a campus setting submitted as a unified form of land development. Land areas to be designed with suitable open space and landscaping and to be harmonious and compatible with the environment and adjacent residential and/or nonresidential areas.
Allowable Uses (examples)	Manufacturing, Processing, Compounding, Packaging and/or Warehousing; Heating and Electrical Power Generating Plants, Central Dry Cleaning Plants and Laundries;	Research, Design and Experimental Product Development; High Technology, Research & Development Uses; Laboratories; University-Based Research Facilities; Product Testing &

Differences Between I-2 and OTR Zoning Districts		
	I-2	OTR¹
	Railroad and Truck Terminal Freight Facilities; Recycling Facilities; Junkyards; Trade or Industrial Schools; Veterinary Clinics; Warehouses or Wholesale/Retail Outlets; Outdoor Theatres.	Analysis; Computer & Hardware Design; Telecommunications; Biotechnology; Pharmaceutical Research and Production; Vocational and Business Schools; Office Buildings; Data Processing Facilities; Medical Facilities; Health & Fitness Clubs; Restaurants (except drive-in and drive-thru).
Setbacks	<u>Front:</u> 100' (50' for office/parking) <u>Rear:</u> 12' or ½ building height (75' from residential district) <u>Side:</u> 12' or ½ building height (100' from residential district)	<u>Front:</u> 50' <u>Rear:</u> 50' (25' for parking) <u>Side:</u> 50' (25' for parking unless adjacent residential district)
Height	60' (one-story and 25' if adjacent residential district; increases in height permitted subject to PC/CC approval)	35' (one-story and 25' if adjacent residential district; increases in height permitted subject to PC/CC approval)
Screening	6' landscaped berm, if greater than 3 acres. 6'- tall screen, 10 foot greenstrip, if less than 3 acres	Same
Development Approval Process	<u>One-Step</u> -- PC review/approval -- Site Plan and Special Land Use Permit, if necessary	<u>Two-Step</u> -- Conceptual Plan – public hearing (PC recommendation/CC approval) -- Specific Plan (PC review/approval)
Minimum Land Area	<u>None Specified:</u> Determined based on building size, setbacks, parking, storm water, etc.	<u>Project Area:</u> 10 acre minimum <u>Lot Area:</u> 2 acre minimum (within the project area)

¹ City Council may waive or modify the standards or requirements for a conceptual plan in the OTR district.

To ensure a more unified and compatible project, developments in the OTR zone are required to first obtain conceptual plan review/approval by the Planning Commission and City Council. The Planning Commission then subsequently reviews/approves a specific/site plan prior to development.

With regard to the smaller properties included in the rezoning consideration (e.g., 6941 Lovers Lane, northern portion of 6646 Portage Road and small lots at the southwest corner of Portage Road and Lansing Avenue), redevelopment potential is limited under the existing I-2 zoning due to significant building setbacks (100 feet when adjacent to a residential area) and other site development requirements.

The parcel located at 6941 Lovers Lane, near the northeast corner of Lovers Lane and Romence Road Parkway, is 72-feet wide by 550-feet long and occupied by nonconforming single family dwellings and accessory buildings within the I-2 zoning district. Additionally, a long, narrow portion of the 1901 Romence Road Parkway parcel (48.59-feet wide by 550-feet long) is also situated at this corner, between the 6941 Lovers Lane parcel and Romence Road Parkway. A change in zoning from I-2 to OTR (or other similar classification) for 6941 Lovers Lane would not change the nonconforming status of the single family residential uses on the property. However, since this parcel does not meet the minimum 10-acre project area standard in the OTR zone, redevelopment would either require additional land assemblage with the adjacent 1901 Romence Road Parkway property, a waiver/modification from City Council or an alternative zoning classification. Additionally, stand alone redevelopment of this parcel under either the existing I-2 or proposed OTR zoning districts is extremely limited due to the parcel configuration (72-foot width) and minimum building setbacks in the I-2 and OTR zones. Similar development challenges also exist with the long, narrow portion of the 1901 Romence Road Parkway parcel (48.59-feet wide by 550-feet long) even if this land area was combined with the 6941 Romence Road Parkway parcel. As such, an alternative OS-1, office service zoning designation for these properties with less restrictive building

setbacks (front: 27-feet, side: 15-feet, rear: 20-feet) is appropriate and will afford the property owners more feasible future development options.

The parcel located at 6646 Portage Road is 212-feet wide by 383-feet deep with frontage on three public streets: Portage Road, Lansing Avenue and Ramona Avenue. The property is owned by ImageStream Properties and contains split zoning with the southern approximate one-third zoned OS-1, office service and northern two-thirds zoned I-2. The OS-1 zoned portion of the parcel is improved with an approximate 4,500 square foot office building and associated parking lot, while the I-2 zoned portion of the parcel is vacant land. Since this property is approximately 1.9 acres, it would not meet the minimum 10 acre project area standard in the OTR zone and, therefore, would require a waiver/modification from City Council. Rezoning this parcel to OTR would also create nonconformities with the existing office building and parking lot since they were originally developed under OS-1 standards and would not meet minimum setbacks requirements established for the OTR zone. Finally, future development of the vacant northern portion of the property under either the I-2 or OTR designations is limited due to the parcel configuration with three public street frontages and minimum building setbacks in the I-2 and OTR zones. For these reasons, an alternative OS-1 zoning designation for the entire parcel is appropriate and would afford the property owner more feasible future development options.

The continued use of the former Upjohn/Pfizer Quad Building at 1901 Romence Road Parkway for offices is protected under the existing I-2 district and is permitted in the OTR district. As noted above, the southwest portion of this parcel, which is long and narrow (48.59-feet wide by 550-feet long) and situated between the 6941 Lovers Lane parcel and Romence Road Parkway, is considered more appropriate for OS-1 rezoning. The northwest portion of this parcel, between Gertrude Drive and Lovers Lane, is currently zoned R-1B, one family residential and occupied by underground utilities associated with the Pfizer manufacturing operation. During review of the corridor study and at the March 15th public hearing, the Commission discussed retaining this R-1B zoning to serve as a buffer to adjacent single family residences and to restrict future non-residential vehicular access to Lovers Lane. Given the presence of adjacent residences to the north and south, retention of this R-1B zoned portion of 1901 Romence Road Parkway is also considered appropriate. The remaining larger acreage of 1901 Romence Road Parkway is considered appropriate for OTR zoning.

The five vacant lots located at the southwest corner of Portage Road and Lansing Avenue are owned by Pfizer, Inc. (Pharmacia/Upjohn) and zoned I-2. While these lots individually or collectively do not meet the 10-acre minimum project area standard in the OTR zone, they are under common ownership with the larger 2301 Romence Road Parkway parcel to the south. These smaller lots cannot be readily developed under the existing I-2 or OTR zones. However, together with the 2301 Romence Road Parkway parcel, development under the OTR district is feasible and considered appropriate.

With regard to the smaller parcels on the south side of Romence Road Parkway, a zoning change from R-1B to OTR for the two single family residential parcels (7013 and 7019 Lovers Lane) located at the southeast corner of Lovers Lane and Romence Road Parkway would cause the residences to become nonconforming, however, the residential uses could continue until redevelopment was desired. Although currently under the same ownership, these two parcels collectively do not meet the minimum 10-acre project area standard in the OTR zone. Therefore, development of these two parcels under an OTR designation would either require additional land assemblage and/or a waiver/modification from City Council. Similar to the properties located at the northeast corner of Lovers Lane and Romence Road Parkway, an alternative OS-1 zoning designation for 7013 and 7019 Lovers Lane would provide less restrictive building setbacks and more redevelopment flexibility and options for the property owners.

The two large Pfizer parcels located along the south side of Romence Road Parkway (7005 Lovers Lane and 7000 Portage Road) are vacant and pharmaceutical production could be accommodated in either the I-2 or OTR zoning districts. However, Pfizer has requested that the I-2 zoning be retained. Given the combined large acreage of these two parcels (97 acres) and additional vacant, large acreage parcels owned by Pfizer to the south, retention of the I-2 zoning would provide further flexibility and broader development options for the property owner.

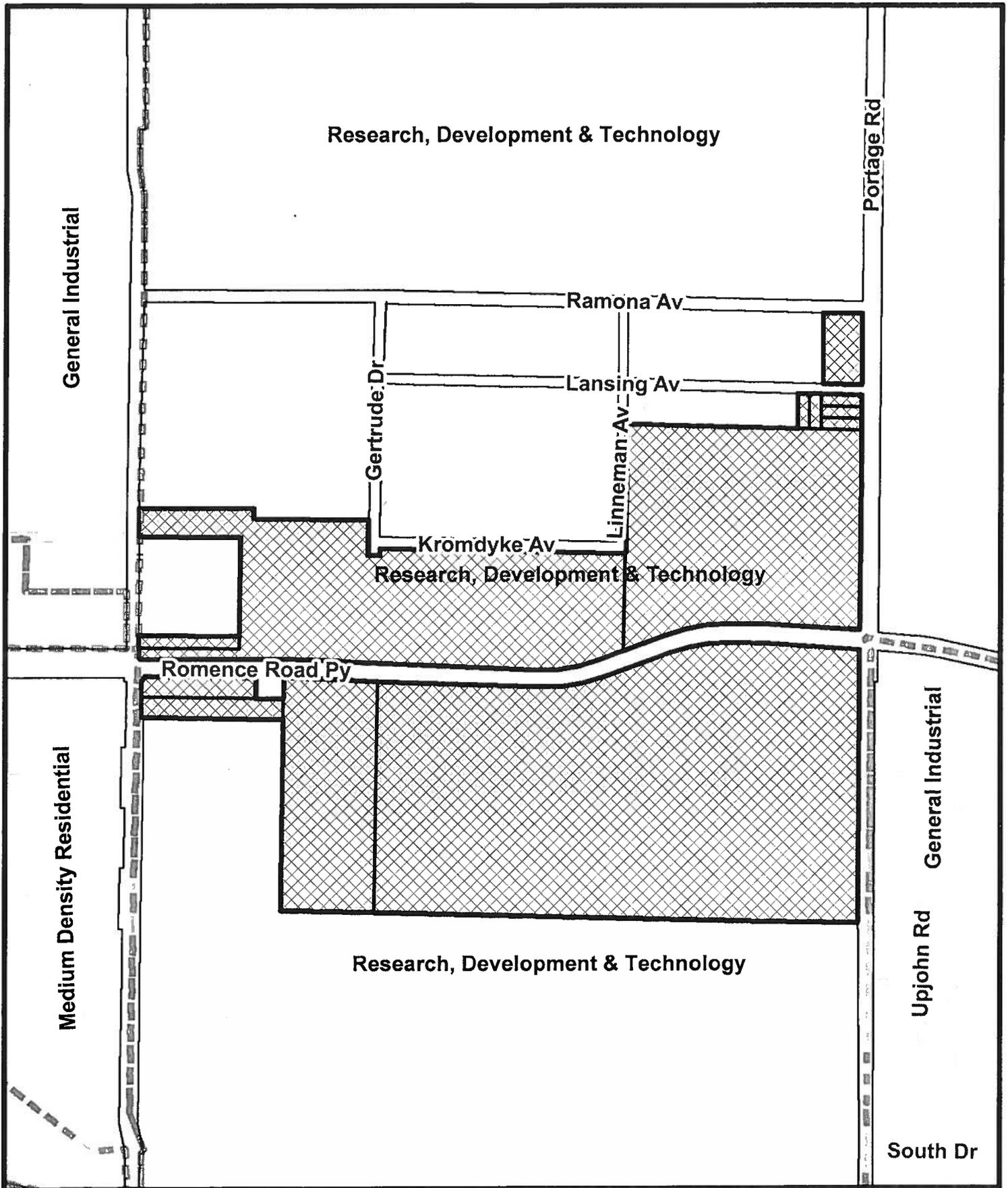
Traffic Considerations. Anticipated traffic generation under either the existing I-2, OS-1 and R-1B zones or the proposed OTR and OS-1 zones can be accommodated by the adjacent roadway network. Specific access management related issues including proposed access location, shared and/or cross access will be reviewed during the site plan stage of redevelopment.

V. RECOMMENDATION:

Based on the above analysis and subject to any additional comments that may be received during the public hearing, staff advises the Planning Commission to recommend to City Council that Rezoning Application #11-03 be approved as follows:

1. Rezone 1901 Romence Road Parkway to OTR, office technology and research with the exception of:
 - the northwest portion of the parcel that is to remain zoned R-1B, one family residential, and
 - the southwest portion of the parcel (48.59-feet by 550-feet) which is recommended to be rezoned to OS-1, office service;
2. Rezone 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research;
3. Rezone 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service; and
4. Retain the current I-2, heavy industry zoning designation for 7005 Lovers Lane and 7000 Portage Road. Given the potential future development plans for these two parcels by Pfizer and since the property is not adjacent to an existing single family residential neighborhood, there is no current development activity that necessitates a rezoning of these properties at this time.

Attachments: Zoning/Vicinity Map
 Future Land Use Map
 Aerial Photograph Map
 Staff Recommended Rezoning Map
 Development Guidelines Table (OTR)
 Rezoning Application

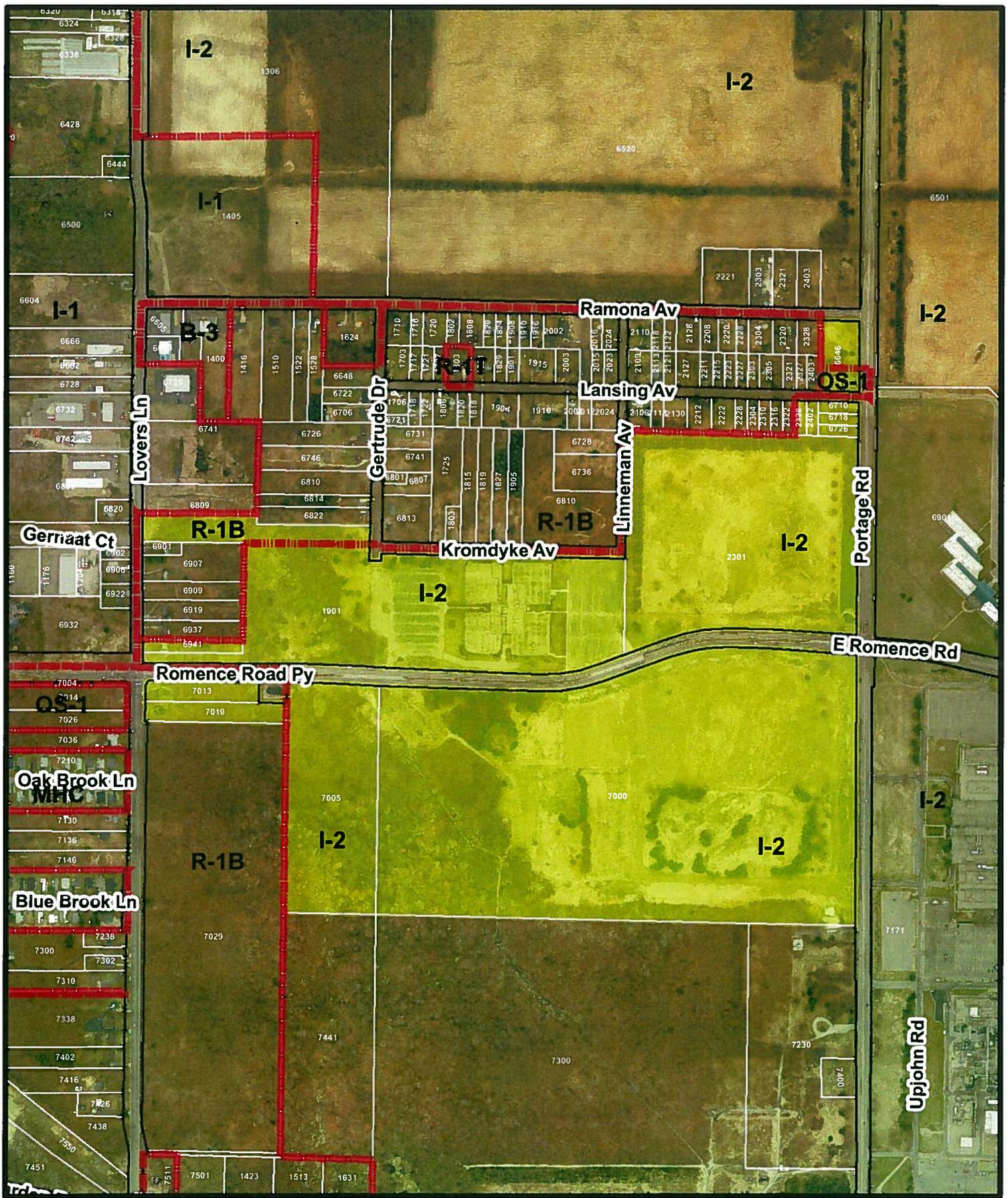


-  Subject Properties
-  Future Land Use

Future Land Use Map
Lovers Lane, Portage Road,
Lansing Avenue, Romence Road Parkway



1 inch = 700 feet



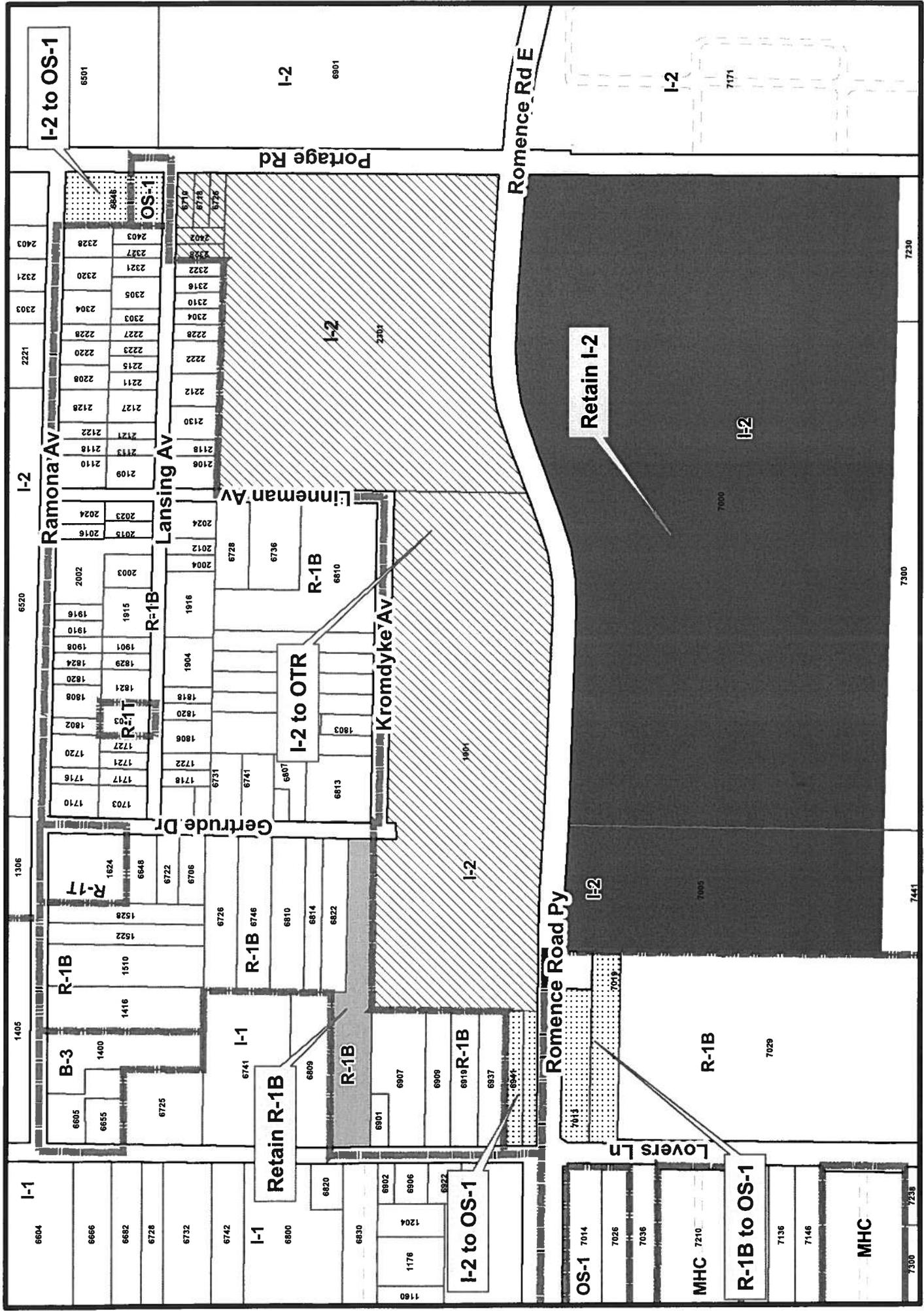
 Zoning Boundary
 Subject Properties

Aerial Photo Map

Lovers Lane, Portage Road, Lansing Avenue, Romence Road Parkway



1 inch = 700 feet



Staff Recommended Rezoning
Lovers Lane, Portage Road,
Lansing Avenue, Romence Road Parkway

1 inch = 500 feet

Legend

- Existing Zoning Boundary
- Staff Recommended Rezoning
- OS-1
- OTR
- R-1B (retained)
- I-2 (retained)

DEVELOPMENT GUIDELINES

Rezoning Application #11-03 (OTR, Office Technology and Research)

Guideline	Description	Consistent	Comments
Rezoning Request – Z-1	Consistency with Future Land Use Plan	Yes	Future Land Use Map designates the rezoning site and adjacent properties as appropriate for research, development and technology land use. This plan designation corresponds with the OTR, office, technology and research zoning district.
Industrial – 1	Industrial Uses in General	Yes	The majority of the properties involved in the rezoning consideration are zoned I-2, heavy industry. Additional I-2 zoning is also located to the south and east (across Portage Road).
Industrial – 2	Environmental Standards	Yes	Properties involved in the rezoning consideration, situated north of Romence Road Parkway, are situated adjacent to residential areas. A change in zoning from I-2 to OTR would result in less intensive land uses where adjacent to these residential areas.
Industrial – 3	Industrial Expansion	Yes	A zoning change from I-2 to OTR along the north side of Romence Road Parkway would allow for office, technology and research land use expansion while protecting adjacent residential areas.
Industrial – 4	Research and Technology Parks	Yes	A zoning change from I-2 to OTR along the north side of Romence Road Parkway would establish a large contiguous land area for possible development of a specialized research and technology business park.
Natural & Historic Resources - 1	Environmental Protection	Yes	Areas of potential wetlands are situated on some of the properties included in the rezoning consideration. A more detailed environmental review of these areas would be necessary with any future development plans.
Natural & Historic Resources - 2	Floodplain	Yes	Rezoning area is not situated within the 100-year floodplain.
Natural & Historic Resources - 3	Water Quality	Yes	Site specific development issues including storm water treatment and design and protection of groundwater resources would be reviewed at the conceptual/specific plan stage of development.
Natural & Historic Resources – 4	Noise	Yes	Reviewed at the conceptual/specific plan stage of development.
Natural & Historic Resources – 5	Historic Resource Preservation	N/A	Historic buildings are not present at the rezoning site.
Natural & Historic Resources – 6	Open Space Protection	N/A	Reviewed at the conceptual/specific plan stage of development.
Transportation – 1	Transportation Systems	Yes	<p>Romence Road Parkway is a 4-lane minor arterial street (limited access boulevard) with 10,600 vehicles per day (2008); and a capacity of 32,500 vehicles per day (level of service “D”).</p> <p>Lovers Lane is a 4-lane minor arterial street with 8,866 vehicles per day north of Romence Road Parkway (2011) and 7,745 vehicles per day south of Romence Road Parkway; and a capacity of 32,500 vehicles per day (level of service “D”).</p> <p>Portage Road is a 4/5-lane major arterial street with 16,242 vehicles per day (2008); and a capacity of 34,200 vehicles per day (level of service “D”).</p> <p>Anticipated traffic generation from the rezoning area, under either the I-2, OTR or OS-1 zones, can be accommodated by the adjacent roadway network.</p>
Transportation – 2	Street Design	Yes	Specific access management related details including driveway locations and shared/cross access will be reviewed at the conceptual/specific plan stage of development.

Transportation – 3	Access Management	Yes	See Transportation – 1 and Transportation – 2 above.
Transportation – 4	Non Motorized Travel	Yes	Specifics associated with the inclusion of walkways and pathways will be reviewed at the conceptual/specific plan stage of development.
Transportation – 5	Right-of-Way Preservation	Yes	Reviewed at the conceptual/specific plan stage of development.
Transportation – 6	Parking	Yes	Reviewed at the conceptual/specific plan stage of development.
Municipal Facilities & Services – 1	Sound Fiscal Growth	Yes	Existing public infrastructure is adequate to accommodate any future development or expansion projects.
Municipal Facilities & Services – 2	Sanitary Service	Yes	Sanitary sewer is available.
Municipal Facilities & Services – 3	Underground Utilities	Yes	Reviewed at the conceptual/specific plan stage of development.

APPLICATION FOR ZONING AMENDMENT

RECEIVED
FEB 02 2012
COMMUNITY DEVELOPMENT

Application number #11-03

Date February 2, 2012

APPLICATION INFORMATION:

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

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

TO THE PLANNING COMMISSION:

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

ZONING MAP AMENDMENT

1. a. Platted Land:

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

b. Unplatted Land:

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

Several properties located along Romence Road Parkway, between Lovers Lane and Portage Road (see attached).

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

b. Name of the owner of the property to be rezoned: Several owners (see attached).

Address Several properties (see attached).

3. My (our) interest in the property and purpose for submitting the proposed Zoning Amendment: Planning Commission decision at the February 2, 2012 meeting to initiate rezoning consideration of various properties located along the Romence Road Parkway corridor, between Lovers Lane and Portage Road, consistent with the Comprehensive Plan and Future Land Use map.

4. CURRENT ZONING: I-2, R-1B, OS-1 PROPOSED ZONING: OTR

ZONING TEXT AMENDMENT

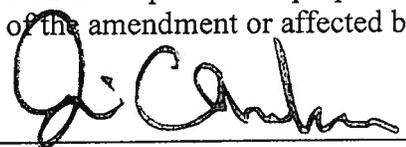
1. The proposed language to be considered is (attach additional sheets as necessary):
NA

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

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

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

City of Portage Planning Commission
(Signature of Applicant)


(James Cheesebro, Chairman)

7900 South Westnedge Avenue, Portage, Michigan 49002
(Address)

(Address)

(269) 329-4477
(Phone)

(Phone)

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

Properties Subject To Rezoning Consideration

(Romence Road Parkway – Lovers Lane to Portage Road)

Parcel	Ownership	Acres	Zoning	Land Use
1901 Romence Road Pky	1901 Romence LLC	34	I-2/R-1B	Office/Vacant
6941 Lovers Lane	Slomp	0.9	I-2	Single Family Residential
7013 Lovers Lane	Meyers & Pacheco	1.6	R-1B	Single Family Residential
7019 Lovers Lane	Meyers & Pacheco	1.9	R-1B	Single Family Residential
7005 Lovers Lane	Pfizer, Inc.	16.5	I-2	Vacant
7000 Portage Road	Pfizer, Inc.	80.5	I-2	Vacant
2301 Romence Road Pky	Pfizer, Inc.	33.2	I-2	Vacant
6710 Portage Road	Pfizer, Inc.	0.33	I-2	Vacant
6718 Portage Road	Pfizer, Inc.	0.31	I-2	Vacant
6726 Portage Road	Pfizer, Inc.	0.31	I-2	Vacant
2402 Lansing Avenue	Pfizer, Inc.	0.29	I-2	Vacant
2328 Lansing Avenue	Pfizer, Inc.	0.29	I-2	Vacant
6646 Portage Road	Imagestream Properties	1.8	OS-1/I-2	Office/Vacant
Total: 171.93 acres				

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: April 16, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Michigan Department of Transportation (MDOT) Contract for a Flashing Beacon Installation at the Osterhout Avenue/Oakland Drive Intersection

ACTION RECOMMENDED: That City Council approve Contract 12-5119 between MDOT and the City of Portage for funding of a flashing beacon installation at the Osterhout Avenue/Oakland Drive intersection and adopt a Resolution authorizing the City Manager to sign Contract 12-5119 and any other documents related to this project on behalf of the city.

The City Administration recently received a proposed contract between the Michigan Department of Transportation (MDOT) and the City of Portage concerning planned installation of a flashing four-way beacon at the Osterhout Avenue/Oakland Drive intersection. Improvements include a new flashing beacon, concrete curb and gutter radius returns, pavement markings and new street signage.

The cost of all planned improvements related to the Osterhout Avenue/Oakland Drive flashing beacon is estimated at \$46,000 with a maximum federal funding contribution of \$36,800. City share of the project cost is estimated at \$9,200 which will be funded by the Municipal Street Fund. It has been MDOT's policy over the years to submit cost sharing agreements to local municipalities once the project has been advertised for construction bids. MDOT cannot award a construction contract without a signed cost sharing agreement from the local municipality. The city share of expenses is based on estimated construction costs developed by the consulting engineer and refined by MDOT staff engineers.

Once the contract is awarded by MDOT, construction of this project will commence in the summer of 2012. Subsequent to contract award by MDOT, the project is turned over to the city for construction inspection and administration.

It is recommended that City Council approve Contract 12-5119 between MDOT and the City of Portage for funding of a flashing beacon at the Osterhout Avenue/Oakland Drive intersection and adopt a Resolution authorizing the City Manager to sign Contract 12-5119 and all other documents related to this project on behalf of the city.

Attachments

**CITY OF PORTAGE
RESOLUTION**

At a regular meeting of the Council of the City of Portage, Kalamazoo County, Michigan, held at the City Hall in said City on the _____ day of _____, 2012 at 7:30 p.m., local time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following resolution was offered by Councilmember _____ and seconded by Councilmember _____.

RESOLVED, that the City Council for the City of Portage does hereby authorize the City Manager, Maurice S. Evans, to sign Contract 12-5119 between the City of Portage and the Michigan Department of Transportation. This contract for traffic signal upgrading, concrete curb and gutter, pavement marking, and permanent sign work at the intersection of Osterhout Avenue and Oakland Drive. Together with necessary related work, located within the corporate limits of the city.

ADOPTED: YEAS:
NAYS:
ABSENT:

James R. Hudson, City Clerk

CERTIFICATION

I hereby certify this _____ day of _____, 2012 that the foregoing is a true and complete copy of the original on file in my office.

James R. Hudson, City Clerk

resMDOT12-5119

APPROVED AS TO FORM
DATE 4/11/12
ms
CITY ATTORNEY

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: April 13, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: March 2012 Summary Environmental Activity Report – Information Only

Attached please find the March 2012 Summary Environmental Activity Report from Department of Transportation & Utilities Director, W. Christopher Barnes. New material, or material of specific interest to City Council is presented in italics.

These items serve to update the Council on environmental affairs.

c: W. Christopher Barnes, Director of Transportation & Utilities
Planning Commission
Portage Environmental Board

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: April 13, 2012

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



SUBJECT: March 2012 Environmental Activity Report – Information Only

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

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

Attachment

SUMMARY ENVIRONMENTAL ACTIVITY REPORT

March 2012 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-City Council awarded a 3 year contract to American Hydrogeologic Corporation on February 23, 2010 to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. Sampling shows continued improvement in groundwater quality. Sampling completed in April 2010. Annual report submitted to MDNRE in June 2010. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future. 2011 sampling completed in March. 2011 annual report submitted to MDEQ, with moderate groundwater quality improvements. <i>Investigation into methane gas presence is underway.</i>
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. - <i>Review of 3 site/building plans and/or plats completed in March 2012.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	- <i>Sanitary sewer hookup permits issued in March 2012: 3 residential; 1 commercial.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions.	-Five Year Lake Management Assessment District process was approved by City Council on March 23, 2010. Construction began on the Austin Dam reconstruction in December 2006 and new structure completed in March 2007. Filtration system construction was substantially completed in July 2008. The 2011 lake survey and treatment preparations are complete. Additional areas requested by the Association for treatment. Amendment to the 2011 Treatment Program approved by City Council on August 9, 2011. The 2011 program is complete. Lake Association is preparing 2012 plan.
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 stormwater infiltration. Alternative road salt practices continue to be considered and evaluated. On March 23, 2010, City Council awarded a four-year contract to Wightman Environmental. Program will focus primarily on groundwater level information. Sampling of retention basins was completed on

June 25, 2010. The 2010 year report received in January 2011. The 2011 results show declining groundwater levels throughout the city. The 2011 annual report received and under review. Groundwater results show that general groundwater table on the east side of Portage has risen approximately one foot in 2011 and is generally at levels seen in 2009. *Groundwater levels especially on the east side of Portage, continued to rise approximately six inches in March.*

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

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

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

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

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 Stormwater Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. SWIPPI submitted on October 21, 2005. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year timeframe with first work item (updating the Public Participation Plan) due December 11, 2009. Plan update completed with other local governments and submitted November 24, 2009. Staff completed an updated SWIPPI submittal to MDNRE. SWIPPI was submitted for MDNRE approval on June 25, 2010. Permit implementation is ongoing. Received a notice from MDNRE rescinding the 2008 permit due to a recent court case ruling. MDNRE reinstated the 2003 permit for implementation. Information on new permit requirement was received February 2011. *MDNRE expected to issue new permit in 2014.* City staff presented public information with other local agencies at the 2011 Home Expo on March 9-12, 2011. Tour of Liberty Park Stormwater

treatment was held September 6, 2011 for the Southwest Michigan Soil Control Association. *2010-11 annual report was submitted on January 20, 2012.* Implementation is ongoing.

National Pollution Discharge Elimination System (NPDES) permit implementation
Kalamazoo River Mainstem Watershed Management Plan

-First meeting was held September 17, 2004. Proposals for completing the watershed plan were received by Kalamazoo County on September 15, 2005 and a contract awarded to Kieser & Associates in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Review comments received from MDEQ and revised watershed plan due in December 2006. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Kalamazoo River Water Festival was held on August 14, 2010 with City of Portage participation. Preliminary grant request submitted September 16, 2010 for West Fork of Portage Creek storm water enhancements. Complete grant application was submitted on October 25, 2010. Notice received July 18, 2011 that grant application was not awarded. Kalamazoo River Watershed council completed a watershed update in November, 2011.

Portage River Watershed Management Plan

-Public participation plan submitted June 28, 2004. Proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Follow-up meetings are held monthly to facilitate an implementation schedule. Portage River Watershed public meeting held in Vicksburg on April 11, 2006. Review comments received from MDEQ and revised watershed plan due November 2006. Revised Watershed Plan submitted November 30, 2006, follow up meetings to be held as necessary. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Based upon MDEQ comments, the plan was revised and resubmitted on December 21, 2009. Interest has been raised by local conservation groups to update the current Watershed Plan using grant funds. Meeting held on May 9, 2011 among stakeholders to determine interest in updating the current water shed plan. Second meeting held on June 20, 2011, and grant application submitted by Kalamazoo and Calhoun County Conservation District to update the Watershed Plan. *Grant outcome pending.*

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

-On October 21, 2001, City Council awarded a contract to Fishbeck, Thompson, Carr and Huber for the Portage Creek element of the IDEP, which was completed in July 2002. On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit

Discharges and Connections". On April 28, 2004, City Council accepted a grant from the State of Michigan in the amount of \$152,264 and awarded a contract to Fishbeck, Thompson, Carr and Huber in the amount of \$184,264 for the remainder of the IDEP for the entire city. Program implementation is ongoing as funding allows. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDNRE on June 25, 2010, and part of the SWIPPI. *Implementation is ongoing.*

Storm Sewer Outfall Testing

On March 23, 2011 City Council awarded a four year contract to Wightman Environmental to perform testing of (selected storm sewers). surface water discharges. This work is required as part of the NPDES permit. 2011 annual report received with minor surface water impacts from the Woodland Avenue discharge. Testing will continue annually and is reported to MDEQ.

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

-City Council approved an agreement with Fishbeck, Thompson, Carr & Huber, Inc. on January 10, 2006 to prepare a feasibility study to meet new USEPA arsenic standards for drinking water. Feasibility study completed in August 2006. Engineering proposals for the project were received August 14, 2007. Project engineering awarded to Earth Tech by City Council on September 11, 2007. Contract awarded by City Council on December 16, 2008 to Adams Building Contractors, Inc., Jackson, Michigan. Preconstruction meeting was held January 29, 2009. Facility is in operation with ribbon cutting held August 2, 2010. City staff gave a presentation on August 9, 2010 to the Michigan Chapter of the American Water Works Association about the arsenic removal of the facility. The facility is producing approximately one million gallons of water per day. Staff conducted a tour of the facility on April 27, 2011 to the local Chapter of the National Society of Professional Engineers. Facility is in regular operation.

Environmental Incident/Spill Clean Up Notification

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

-The number of environmental incident/spill investigations performed in March 2012 – 0. Number of environmental cleanups in March – 0. Emergency spill response contract for 2012-13 with Terra Contracting is in place.

Hampton Wetland Area Water Level

Assistance with the Inverness Condominium Association to Review Surface Water Levels

-Ongoing assistance with the Condominium Association to develop appropriate measures to regulate the rising water level in Hampton Wetlands Area located on the north side of West Centre Avenue and east of Angling Road. Met with MDNRE staff to determine feasible method to lower water levels. Association

currently working with MDNRE permit staff on February 26, 2010 to clarify permit requirements. Lower groundwater table elevation has reduced the concerns from the Condominium Association. Conference call with MDNRE held on December 8, 2010 to discuss permit submission updates. Condo Association discussing project with other property owners for support. Association submitted a letter to City Administration asking that the city consider the Wetland Water Level Regulation a municipal project. On March 22, 2011, city staff response recommending the Association consider governmental lake board. The Association is considering next steps. No new developments.

Southwest Michigan Regional Sustainability Covenant
Collaborative effort with local government, academic, and other stakeholders to lead toward environmental, economic and social sustainability.

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

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: April 17, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Forest Drive Reconstruction and Water Main Replacement – Lovers Lane to Portage Road

ACTION RECOMMENDED: That City Council award an engineering services contract to Wightman & Associates, Incorporated, for the Forest Drive reconstruction and water main replacement from Lovers Lane to Portage Road, in the not to exceed amount of \$24,100 and authorize the City Manager to execute all documents related to the contract on behalf of the city.

The 2012-13 Capital Improvement Program includes projects contained in the Kalamazoo Area Transportation Study Transportation Improvement Program (TIP). Street improvements in the TIP focus on preserving and restoring pavement conditions on major streets. Major street reconstruction projects are selected based on pavement condition, average daily traffic, federal aid eligibility, as well as potential development activities. One of four major street projects in the 2013 TIP is the reconstruction of Forest Drive from Lovers Lane to Portage Road. In addition to the road reconstruction, improvements will also include replacement of undersize cast iron water main located in the roadway, localized storm drainage improvements, necessary asphalt gutters, repair of drive approaches and lawn restoration as appropriate.

Consultant proposals for the necessary engineering services were received on February 16, 2012. Fourteen consultants participated in the proposal process. Costs for design and inspection services ranged from \$19,150.00 to \$41,086.81. Estimated hours for design and inspection services ranged from 195 hours to 526 hours. Based upon the submitted cost, qualifications, experience and expected project hours, four firms were selected for individual interviews with the City Administration.

While all of the interviewed firms were qualified, the firm of Wightman & Associates, Incorporated, demonstrated a clear understanding of the scope of the project, a greater depth of knowledge with the design issues of this project and has a proven ability to complete a project without additional engineering fees. Wightman & Associates, Incorporated, has satisfactorily performed similar projects for the city and has consistently provided reliable and competent engineering services.

Forest Drive Reconstruction - Lovers Lane to Portage Road
Page 2 of 2

It is recommended that City Council accept the proposal submitted by Wightman & Associates, Incorporated, to provide engineering services for the Forest Drive reconstruction and water main replacement from Lovers Lane to Portage Road in the not to exceed amount of \$24,100 and authorize the City Manager to execute all documents related to the contract on behalf of the city. The engineering services will be financed through the sale of Michigan Transportation Fund bonds and the use of special street millage in the Municipal Street Fund (in lieu of street special assessments). A complete bid tabulation is attached for the information of City Council.

Attachment

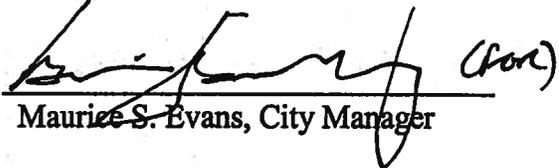
TABULATION OF PROPOSALS
FOREST DRIVE RECONSTRUCTION

<u>FIRM</u>	<u>BID</u>
Prein&Newhoff 7123 Stadium Dr. Kalamazoo, MI 49009	\$19,150.00
Kingscott Associates, Inc. 229 E. Michigan Ave., Suite 335 Kalamazoo, MI 49007	\$22,500.00
Moore & Bruggink, Inc. 2020 Monroe Ave. NW Grand Rapids, MI 49505	\$22,600.00
Wightman & Associates, Inc. 9835 Portage Rd. Portage, MI 49002	\$24,100.00
Paradigm Design, Inc. 550 3 Mile Rd. NW, Ste B. Grand Rapids, MI 4905	\$27,400.00
Hurley & Stewart, LLC 2800 S. 11th Street Kalamazoo, MI 49009	\$28,200.00
Jones & Henry Engineers, Ltd. 4791 Campus Drive Kalamazoo, MI 49008	\$28,450.00
ROWE Professional Services Co. PO Box 3748 Flint, MI 48502	\$29,306.00
Midwest Civil Engineers, PC 13560 - 76th Street South Haven, MI 49090	\$29,500.00
Driesenga & Associates, Inc. 552 S. 8th Street Kalamazoo, MI 49009	\$30,737.00
Ingersoll, Watson & McMachen, Inc. 1133 East Milham Rd. Portage, MI 49002	\$31,900.00
Abonmarche Consultants, Inc. 95 W. Main Street Benton Harbor, MI 49022	\$32,500.00
Civil Engineers, Inc. 14250 Beadle Lake Rd., Suite 150 Battle Creek, MI 49014	\$37,157.50
AECOM 401 S. Washington Square, Ste. 103 Lansing, MI 48933	\$41,086.81

MATERIALS TRANSMITTED

Friday, April 6, 2012

1. Communication from the City Attorney to the Ethics/Rules/Procedures Committee regarding inquiries about the Election of Mayor Pro-Tempore (copy to entire City Council) – Information Only.

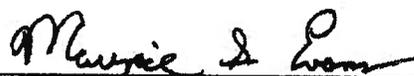
 (for)
Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager

MATERIALS TRANSMITTED

Tuesday, April 10, 2012

1. **TO BE ADDED TO THE APRIL 10, 2012 CITY COUNCIL AGENDA AS ITEM H.2.:**
Communication from the City Manager regarding City Council Best Practices on Formation of City Council Committees and Responsibilities – Information Only.
2. Proposed Fiscal Year 2012-2013 Budget.
3. Fiscal Year 2012-2013 Supplemental Budget Information.
4. Communication from the City Manager regarding the March 2012 Citizen Comment Card Summary – Information Only.



Maurice S. Evans, City Manager

cc: Brian J. Bowling, Deputy City Manager