

**FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
June 12, 2012**

- 6:00 p.m. Special Meeting to discuss the city policy for utility connection charges, including the application of the policy in regard to utility connection charges for the Greenspire Retail Development.
- 7:30 p.m. Call to Order.
- Invocation: Mr. Kyle Douglas of Life Point Church.
- Pledge of Allegiance.
- Roll Call.
- Proclamation:
- A. Approval of the May 22, 2012 Special Budget Work Session and Regular Meeting Minutes and May 31, 2012 Special Meeting Minutes.
- * B. Approval of Consent Agenda Motions.
- * C. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of June 12, 2012, as presented.
- D. Public Hearings:
1. Communication from the City Manager recommending that City Council approve the Tentative Plan Amendment for Oakland Hills at Centre Planned Development at 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive, subject to the conditions outlined in the April 13, 2012 Department of Community Development report.
- E. Petitions and Statements of Citizens:
- F. Reports from the Administration:
- * 1. Communication from the City Manager recommending that City Council:
- a. accept Rezoning Application #11-04 for first reading and set a public hearing for July 10, 2012; and
- b. subsequent to the public hearing, consider approving Rezoning Application #11-04 and rezone 7932 Lakewood Drive, 707, 743, 775 and 903 East Centre Avenue, and the southern 264-feet of 801, 809, 815, 821 and 827 East Centre Avenue to OS-1, office service with the northern 198-feet of 801, 809, 815, 821 and 827 East Centre Avenue to remain zoned R-1A, one family residential.
- * 2. Communication from the City Manager recommending that City Council:
- a. accept the Rezoning Application #11-05 for first reading and set a public hearing for July 10, 2012; and
- b. subsequent to the public hearing, consider approving Rezoning Application #11-05 and rezone 7812, and 7842 Portage Road to B-3, general business and the portion of 7908 Portage Road (approximately feet by 178-feet) located immediately south of 7842 Portage Road to P-1, vehicular parking.
- * 3. Communication from the City Manager recommending that City Council order notice to applicable property owners that all water and/or sewer charges remaining unpaid as of June 30, 2012, will be transferred to the 2012 city tax roll and assessed against the property for which the services were furnished.
- * 4. Communication from the City Manager recommending that City Council award a three-year contract renewal to B&B Yardscape to provide quarterly brush pickup services in the amount not to exceed \$87,780 per year Fiscal Years 2012-2013, 2013-2014 and 2014-2015; and authorize the City Manager to execute all documents related to this contract on behalf of the city.

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for

- * 5. Communication from the City Manager recommending that City Council approve a three-year lease extension on the Xerox Work Centre 7665P multifunction system for copying, digital printing and scanning and authorize the City Manager to execute all documents related to this matter on behalf of the city.

G. Communications:

- 1. Communication from Councilmember Patricia Randall regarding the follow-up review of the discussion on "Best Practices on Formation of City Council Committees and Responsibilities."

H. Unfinished Business:

- * 1. Communication from the City Manager recommending that City Council confirm the appropriateness of unassessed sewer utility connection charges in accordance with the 1991 Special Assessment Policy and the application of this charge to the Greenspire Retail Development at 3201 West Centre Avenue.

* I. Minutes of Boards and Commissions Meetings:

- 1. Portage Board of Education Special of April 11, Regular Business of April 16, Policy Governance of April 23, Special of April 25 and Special Meetings and Committee of the Whole Work Session of May 7, 2012.
- 2. Portage Senior Citizen Advisory Board of April 18, 2012.
- 3. Portage Park Board of May 2, 2012.

J. Ad-Hoc Committee Reports:

K. New Business:

L. Bid Tabulations:

- * 1. Communication from the City Manager recommending that City Council approve:
 - a. a contract with Michigan Paving & Materials Company for the 2012 Local Street Reconstruction Program and asphalt surface repairs to isolated sections of major streets in the not to exceed amount of \$750,784.77;
 - b. a change order in the not to exceed amount of \$113,490.29 for additional street repairs at unit pricing within this contract;
 - c. a contract with Jones & Henry Engineer, Ltd., for construction administration and material testing for the 2012 Local Street Reconstruction Program in the not to exceed amount of \$22,725.00; and authorize the City Manager to execute all documents related to this contract on behalf of the city.
- * 2. Communication from the City Manager recommending that City Council accept the low bid from J. Allen & Company to provide repairs to selected major street bicycle lanes in the amount not to exceed \$18,608.05 and authorize the City Manager to execute all documents related to this contract on behalf of the city.
- * 3. Communication from the City Manager recommending that City Council approve the purchase of eight Motorola APX7000 SWAT Radios from the Van Buren County Region 5 Fiduciary in the amount of \$12,196 and authorize the City Manager to execute all documents related to this matter 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. Wednesday, June 13, 2:00 p.m., Youth Advisory Committee, City Hall Room #2.
- b. Wednesday, June 13, 7:00 p.m., Environmental Board, City Hall Room #1.

- c. Monday, June 18, 8:00 a.m., Legislative Roll Call, Chamber Building, 346 W. Michigan Ave., Kalamazoo.
- d. Wednesday, June 20, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.
- e. Thursday, June 21, 7:00 p.m., District Library Board, Portage District Library.
- f. Thursday, June 21, 7:00 p.m., Planning Commission, Council Chambers.

N. Materials Transmitted of May 18, 2012.

Adjournment.

CITY COUNCIL MEETING SUMMARY

May 22, 2012

PROCLAMATION

- ◆ Mayor Strazdas issued a Letter of Honor to Portage Northern High School and Portage Public Schools.

CHECK REGISTER

- ◆ Approved the Check Register of March 22, 2012, as presented.

COMMUNICATION

- ◆ Received a presentation by Linda Teeter of the Kalamazoo County Transportation Authority.

PUBLIC HEARING

- ◆ Approved Rezoning Application #11-03 and rezoned 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; 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research; and, 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service and areas as further described in the Ordinance itself.

PETITIONS AND STATEMENTS OF CITIZENS

- ◆ Portage Community Center Board Chair Mike Ortega, 5539 Green Pine Land, Texas Township, expressed his appreciation for the continued support of City Council on behalf of the Portage Community Center Board, the Director Diane Schrock, the Portage Community Center Staff and the people who receive service from the Portage Community Center.

REPORTS FROM THE ADMINISTRATION

- ◆ Approved the Fiscal Year 2012-2013 Budget and adopted the Salary and Wage Resolution.
- ◆ Adopted the Bond Resolution authorizing the sale of Capital Improvement Bonds, Series 2012, in the amount of \$2,135,000; and the Resolution Approving the Undertaking to Provide Continuing Disclosure by the City of Portage for the Capital Improvement Bonds, Series 2012.
- ◆ Supported the 2013 In-kind Service Commitment for the City of Portage portion of the Kalamazoo Area Transportation Study budget.
- ◆ Confirmed the appropriateness of unassessed sewer utility connection charges in accordance with the 1991 Special Assessment Policy and the application of this charge to the Greenspire Retail Development at 3201 West Centre Avenue.
- ◆ Received the communication from the City Manager regarding the April 2012 Summary Environmental Activity Report as information only.
- ◆ Received the Department Monthly Reports.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Pearson invited everyone to participate in the Memorial Day Parade and the Veterans Memorial Ceremony afterwards.
- ◆ Councilmember Sackley congratulated Portage Northern High School Senate President Nathan Novario for becoming the latest Portage Eagle Scout from Scout Troop 255.
- ◆ Mayor Pro Tem Reid congratulated all of the graduating high school and college seniors and invited everyone to the Memorial Day Parade.
- ◆ Mayor Strazdas asked for one surrency for City Council to use in the Memorial Day Parade and invited everyone to participate.

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.

DRAFT

MINUTES OF THE BUDGET WORK SESSION OF THE PORTAGE CITY COUNCIL May 22, 2012

Meeting was called to order by Mayor Strazdas at 5:37 p.m.

The following members of City Council were present: Councilmembers Jim Pearson, Patricia Randall and Ed Sackley, Mayor Pro Tem Claudette Reid and Mayor Peter Strazdas. Councilmember Terry Urban was absent with excuse. Also in attendance were City Manager Maurice Evans, Deputy City Manager Brian Bowling, Financial Services Director Bob Luders, Finance Director Daniel Foecking and City Clerk James Hudson. Councilmember Pearson had handed out an analysis that included cost figures for the Ending Fund Balance at Selected Percentages from 13% through 34%. Discussion followed. Mayor Strazdas indicated that Councilmember Elizabeth Campbell would arrive at around 6 p.m., that the wish was to have a dialogue on the General Fund Balance, and asked if City Councilmembers wished to wait for her arrival. There was a consensus to wait, so Mayor Strazdas called for a recess. Discussion followed before the recess.

RECESS: 5:39 p.m.

RECONVENE: 6:02 p.m. with Councilmember Elizabeth Campbell present.

Mayor Strazdas introduced the discussion on the General Fund Balance versus paying down debt. Finance Director Daniel Foecking arrived at 6:08 p.m. at the request of Councilmember Sackley in response to the technical aspects presented by Councilmember Pearson in his handout. Mayor Strazdas asked, "Should the City of Portage have a Fund Balance?" There was a consensus that there should be a Fund Balance.

Councilmember Sackley interjected and posed the following questions: "What is a Fund Balance?" "Is a Fund Balance working capital so our checks can clear?" He pointed out that there are fund balances in the utility and enterprise accounts, the General Fund Balances, etc., and Mayor Strazdas responded that it would be a good idea to get answers to these questions and asked Mr. Foecking to define the fund balance topic for the purposes of the discussion.

Mr. Foecking responded that Fund Balance might be considered "capital" in the private sector, but is not to be considered "cash" even though the two terms are used interchangeably. He differentiated the utility and enterprise accounts and explained that the "working capital" is the "cash" we have to cover payroll and to pay bills daily without the need to get a short term loan. Discussion followed.

In response to Councilmember Campbell's concern about disasters, Mr. Foecking indicated that the funds to pay for clean-up and other necessary measures owing to a disaster would come from the Fund Balance, as it did in 2001 when \$1 million was drawn from the General Fund Balance. Mayor Strazdas confirmed that there was no confusion regarding the definition of the fund balance topic for the purposes of the Special City Council Meeting discussion and that there was still a consensus that the City of Portage should have a Fund Balance. He then posed the question of how much should be in the Portage Fund Balance and discussion followed regarding the size of the Fund Balance over the years.

Councilmember Pearson asked the question of why the Fund Balance has grown from 13% over the last 27 years to 17% and now 34% over the last nine years. Mr. Foecking explained that it was because the Administration has worked hard to constrain spending and keep expenditures at a lower level. Financial Services Director Bob Luders indicated that the primary reason for the lower level of spending is because of attrition, absorbing the work load by the departments and not replacing positions; and, the other significant factor is the fact that no one has gotten a raise in three years. Discussion followed.

Councilmember Pearson asked whether or not it matters what per cent the City Council prescribes since the Fund Balance has been on an "up trend" because the Administration has been considering and reacting to what has been happening (in the market). City Manager Maurice Evans responded that the proposed increase is because of the perceived needs in the community, the many unknowns, the elimination of the personal property tax and the question of whether Act 51 Funds will still be available, and no room for growth short of increasing the millage. Deputy City Manager Brian Bowling pointed out that the Resolution that established the 13% Fund Balance reads specifically that the City will endeavor to maintain a Fund Balance at a level in excess of 13% of General Fund expenditures and explained. Councilmember Pearson asked again whether or not it really matters because the Administration is controlling expenses and, when employees leave, the extra funds stay to build up the General Fund Balance referring to the three year gap before the personal property tax is eliminated. Discussion followed. Mayor Strazdas summed up the discussion thus far.

In answer to Councilmember Pearson, Mr. Foecking indicated that the Fund Balance is projected to be about 26% by the end of Fiscal Year 2011-2012. Discussion followed. Councilmember Sackley pointed out that the Fund Balance has not increased because the Administration has been hoarding cash owing to revenue growth, but because the Administration has been cutting expenses; and, we find ourselves in the wonderful situation of praising our employees and our City Council for prudent budgeting and saving these funds so we are in a solid financial basis that provides the ability to pay for 90 days of operating expenses and explained.

Mayor Strazdas summed up and asked the question of what are the proper criteria a city should use to establish a Fund Balance. Mr. Luders analyzed and explained some of the possible scenarios and posed the following questions that need to be considered: "What revenue streams do you have?" "How leveraged are you?" "How much debt do you have?" "How much money have you spent to invest in infrastructure and the amount owed on the mortgage to go with it?" "Is there a working capital cash issue in the Water and Sewer Fund?" "Where do we go in the future, increase or decrease the fund, or take a potential hit of \$4 million?" Because of these factors, he recommended that the City Council be very conservative in their approach to the Fund Balance at this time.

Mayor Strazdas asked staff to identify what "good" city is using Best Practices that the City of Portage should mirror, considering the level of Fund Balance retained by those cities, and for a professional opinion of how "far out" should the City of Portage have cash reserves to cover expenses. Mr. Luders referred City Council to Chart #6 and Chart #7 provided as support material to the Fiscal Year 2012-2013 Budget and indicated that Portage is in the middle with regard to Fund Balance of 34% and the 25% would place city at the lower 25%. Councilmember Randall asked how the Administration arrived at this list of cities, and advocated paying down the debt instead of having cash on hand.

Mr. Luders respectfully pointed out that the city has paid off a significant amount of debt from \$105 million to \$95 million with a significant effort to pay off the debt the last five to seven years. He indicated that the cities on the list reflect a ratio in order to reflect comparatively what the small cities do, what the medium cities do and what the large cities do. He said that the idea was to get a gradation of cities and a corresponding comparison of percentages. In answer to Mayor Strazdas, Mr. Luders reiterated that the city should have three months in reserves for operations. Discussion followed.

Mayor Pro Tem Reid expressed her concerns about the unknowns, advocated having a plan and favored being prudent. Being able to have a plan to pay down debt is prudent, but she did not advocate paying down a mortgage only to then have to borrow to run the city and pay the bills. She pointed out that the environment when the City Council set the 13% Fund Balance and the environment facing the City Council now is extremely different and it is incumbent upon City Council to be explicit.

Mr. Pearson defended his position that the debt should be paid down and that some of the Fund Balance could be used to do this because some City Councilmembers are hearing from citizens and some financial people that this would be a good practice.

Mr. Luders indicated that the approach of the team assembled by Mr. Evans has been to address things in advance in order to avoid the unnecessary challenges experienced by other cities in Michigan. He addressed the opportunity costs and analyzed the percentages, presented the debt retirement plan that is in place and discussed the debt retirement opportunity, the decline in revenue streams, the reduction of staff that can not be done again and provided explanations. Discussion followed. In response to Mr. Pearson, Mr. Bowling pointed out that if the funds are spent, there is no opportunity to prescribe a Fund Balance because the funds will not be available and discussion followed.

Mayor Strazdas summed up, listed some options and asked for a "straw vote." Discussion followed and each Councilmember, including Mayor Strazdas, provided his or her thoughts on paying down the debt versus keeping the proposed Fund Balance reserves. Mayor Strazdas thanked each of the Councilmembers for their professional discussion and entertained a motion. Motion by Reid, seconded by Campbell, to establish the Fund Balance at 25%. Mayor Pro Tem Reid indicated that she did not place a time limit on the motion. Councilmember Sackley asked if it should be in the form of a Resolution. After discussion, the motion was withdrawn at the request of Mayor Strazdas. Discussion followed.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 7:07 p.m.

James R. Hudson, City Clerk

CITY COUNCIL MEETING MINUTES FROM MAY 22, 2012

DRAFT

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

At the request of Mayor Strazdas, Rabbi Harvey Spivak of the Congregation of Moses 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 and Edward J. Sackley, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Councilmember Terry R. Urban was absent with excuse. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

PROCLAMATION: Mayor Strazdas issued a Letter of Honor to Portage Northern High School and Portage Public Schools received by Superintendent Ric Perry and School Board Chair Bo Snyder. Discussion followed.

APPROVAL OF MINUTES: Motion by Reid, seconded by Sackley, to approve the Special and Regular Meeting Minutes of May 8, 2012 as presented. Upon a voice vote, motion carried 5 to 0 with Councilmember Sackley abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Randall to read the Consent Agenda. Mayor Strazdas removed Item G.4, Greenspire Retail / Sewer Utility Connection Charges, from the Consent Agenda. Discussion followed. Motion by Reid, seconded by Randall, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MAY 22, 2012:** Motion by Reid, seconded by Randall, to approve the Accounts Payable Register of May 22, 2012. Upon a roll call vote, motion carried 6 to 0.

COMMUNICATION:

PRESENTATION BY LINDA TEETER OF THE KALAMAZOO COUNTY

TRANSPORTATION AUTHORITY: City Council received a presentation by Linda Teeter of the Kalamazoo County Transportation Authority (KCTA). She introduced KCTA Member Paul Ekland and KCTA Executive Director Sean McBride. She spoke about the 2011 KCTA Annual Report and the KCTA taking steps towards integrated Countywide Public Transit Services. She mentioned the resultant plan called the "Roadmap" that resulted from the collaboration with key staff from the City and County of Kalamazoo and serves as the guiding strategic document for the KCTA and focuses on: strengthening the governance and the capacity of the KCTA board; recruiting and hiring a strategic leader for the KCTA, Sean McBride; increasing the commitment and ownership of governmental jurisdictions throughout the county; strengthening the vision for a public transportation system throughout the County; and, to look toward achieving financial stability beyond 2012.

Next, she mention the two legislative changes necessary to create a Countywide Public Transit System: the law making it possible to create a second transportation authority in Kalamazoo and to pass and amendment to the incompatible offices statute that allows the members from the first authority to serve on the second authority. She discussed the bipartisan support throughout the process and the successes that resulted from these efforts, financial and governance policies, the grant obtained by the Public Transit and Regional partners, and a financial review of 2011.

She discussed the service to the City of Portage and mentioned that there were 63,513 rides on three routes, now four routes, serving the City of Portage, and thanked Portage Community Center Director Diane Schrock and Mayor Pro Tem Reid for their assistance in the analysis and the process. She thanked City Manager Evans for his assistance in placing a service van in Portage. She disclosed that Kalamazoo Metro Transit operates a community service van program with access to six vans with service to Vicksburg beginning soon.

Ms. Teeter indicated that once the second KCTA board is formed and the Articles of Incorporation are adopted by the Kalamazoo County Board of Commissioners, the boundaries will have to be established and an election for funding of 1 mill would have to take place in May 2013. She then discussed the people who are using public transportation, the travel trainer position created to help people use the system more efficiently, the plan to engage in a visioning process, the end goal of transferring assets and responsibility of operating, overseeing and the governance of the transportation system under the Kalamazoo County Transportation Authority and the responsibilities of the Executive Director in the process. Discussion followed.

In answer to Mayor Pro Tem Reid's question about the length of the millages and, once the goals are completed, what will the millage breakdown be, Ms. Teeter indicated that the proposed 0.6 renewal millage that funds the fixed route within the City of Kalamazoo is being considered for the November 2012 Election. She stated that KCTA has opted to wait for the County Board of Commissioners to form the new KCTA and set the boundaries before asking for the millages as they will be separate issues on the same ballot. Discussion followed.

In answer to Councilmember Sackley, Ms. Teeter agreed to find out where the people who use transit service lives, perhaps by zip code. Discussion followed.

PUBLIC HEARING:

REZONING APPLICATION #11-03, ROMENCE ROAD PARKWAY: Mayor Strazdas opened the public hearing and introduced Community Development Director Vicki Georgeau, who provided a review and summary of the request to approve Rezoning Application #11-03 and rezone: 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; 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research; and 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service. She analyzed the proposed zoning change for each parcel in detail using three zoning maps that reflected the proposed changes; she explained the process of the Planning Commission thus far, including requests from local neighborhoods; and, she introduced the new zoning category, Office Research Technology (OTR).

In answer to Councilmember Campbell, Ms. Georgeau indicated that, at the request of the Planning Commission, Community Development staff did "reach out" to all of the property owners in the corridor and got their input, that none of the property owners provided anything in writing, nor did they attend any of the Planning Commission meetings to provide input.

Mayor Strazdas opened the public hearing for public input. There being no discussion, motion by Sackley, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 6 to 0.

Motion by Sackley, seconded by Reid, to approve Rezoning Application #11-03 and rezone: 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; 2301 Romence Road Parkway, 6710, 6718 and 6726 Portage Road and 2328 and 2402 Lansing Avenue to OTR, office technology and research; and 6646 Portage Road and 6941, 7013 and 7019 Lovers Lane to OS-1, office service. Councilmember Pearson expressed his

appreciation to the Planning Commission and Community Development staff for bringing this rezoning to fruition. At the suggestion of City Attorney Randy Brown, motion by Sackley, seconded by Reid, to amend the original motion to include the language “as further described in the Ordinance” to ensure that the “areas” language in the motion was specifically defined. Discussion followed. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Portage Community Center Board Chair Mike Ortega, 5539 Green Pine Land, Texas Township, expressed his appreciation for the continued support of City Council on behalf of the Portage Community Center Board, the Director Diane Schrock, the Portage Community Center Staff and the people who receive service from the Portage Community Center. Discussion followed.

REPORTS FROM THE ADMINISTRATION:

FISCAL YEAR 2012-2013 BUDGET APPROVAL: At the request of Mayor Strazdas, City Manager Evans indicated that the proposed Fiscal Year 2012-2013 proposed Budget is \$61.4 million, and is a sound, conservative financial plan that does several different things: it meets the service demands with a reduction in curbside recycling levy; it provides for maintenance of the city streets; and it has a tax rate of 10.7778 mills which keeps Portage in the lowest 25% of Michigan cities with population greater than 25,000. He indicated that the Administration is recommending an increase in the Fund Balance from the 13% fund balance as prescribed by City Council to 25% to assist the city in the future because of the uncertainties with all of the various revenue sources and the Budget supports economic development with \$10.9 million in infrastructure improvements through the Capital Improvement Program (CIP); and, it continues a balanced cost containment approach by providing a high level of both municipal and privatized services.

Mr. Evans had great praise for the excellent Budget Team of Deputy City Manager Brian Bowling, Financial Services Director Bob Luders, Finance Director Dan Foecking and Deputy Finance Director Pat Fitnitch; also, Community Development Director Vicki Georgeau, who helps out with the CIP. Discussion followed.

Motion by Sackley, seconded by Reid, to approve the Fiscal Year 2012-2013 Budget. Discussion followed.

Motion by Pearson, seconded by Randall, to amend the motion to reduce the City Council prescribed Fund Balance from 25% to 13%. Discussion followed.

Councilmember Pearson explained that some Councilmembers wanted the 25% Fund Balance to pay for uncertainties instead of using the funds to pay down some debt and, after some very good discussion in a public workshop, there was an agreement to disagree.

Councilmember Randall indicated that for months City Council has been receiving information about the Budget, including excellent graphs and hypothetical situations because of the future always being uncertain. Next, she indicated that one of the uncertainties was the proposed elimination of the Personal Property Tax and recently the Bill was passed by the Senate and instead of the Michigan Municipal League and the County Governments actively opposing the measure, they are now neutral, so she felt that the immediate fear of losing \$4 million is not going to happen this fiscal year. She pointed out that there are no cuts, no lay-offs and no reduction of services; there is only a question of what to do with excess “cash.” She reflected that City Council has had a 13% Fund Balance for 27 years, and this year it is 34%. She indicated that the City has \$94 million in outstanding debt and recognized that Portage has excellent bike trails, parks and services that now have to be “paid for.” She referred to the legally required 7% allocated for the CIP bond for Fiscal Year 2012-13 and reflected that there are Portage municipal bonds currently paying 5.5%, yet the City of Portage interest income is only 0.0012%, so she said that the city has an “opportunity cost” of \$240,000 in interest and opined that it is a significant amount and the 13% is preparation enough for “rainy day” expenses.

Mayor Pro Tem Reid corrected Councilmember Randall indicating that the Fund Balance is currently 26% and not 34% with the projection being 26 to 27% by the end of this fiscal year. She indicated that the reason for the increase in savings is the result of the efficiencies and efforts of the City staff which have come primarily from not filling positions as they become vacant through attrition, rearranging and restructuring duties, and requiring more from staff. She pointed out that the City of Portage can not keep cutting employee positions in order to generate more revenue without reducing services; and, if the funds are used to reduce debt, those funds are no longer available, so the prudent measure to take is to increase the Fund Balance in order to anticipate the many unknowns in the economy with the cuts in the Personal Property Tax as only one of those uncertainties. She pointed out that of the other indicators show that revenues continue to go down; that there are no increases coming; and, the 25% only provides the funds to run the city for only three months which is problematic since revenue only comes in two times a year. She noted that the Fund Balance is set aside for emergencies and indicated that she is not in support of the amendment to the original motion, but is in support of the original motion and the increase in the Fund Balance to 25% at least for this fiscal year.

Councilmember Campbell indicated that because of the uncertainties, debt costs associated with the building of the infrastructure of the city, deficiencies in the water fund, and the possibility of a disaster such as the straight line wind storm in October 2001 that cost \$1.2 million for only a portion of the city that was affected. She viewed this as a one-time opportunity that would probably not be available again, and indicated that she is not in support of the amendment to the original motion.

Mayor Strazdas indicated that he had respect for everyone's position; that this is a wonderful problem to have, the question of what to do with a Fund Balance at the end of the year of 26 to 27%. He repeated the two options, buy down debt or increase the fund balance, and indicated that all Councilmembers agreed at the earlier work session that the city needs to have a fund balance; however, as a policy-making board, the question remains of what kind of policy do we want to have this year and with the unknowns, the use of these funds needs to be protected by the policy. He indicated that there are no right or wrong answers, only the question of what is in the best interest of the city. He indicated that this year the best choice is to set the funds aside and let future City Councils determine how to use the Fund Balance in the future, and he cited some comparisons among other cities and Kalamazoo County at 25% or higher. He thanked City Council for their professional approach to the question and expressed his opinion that 25% is prudent at this time and he is not in support of the amendment to the original motion. Upon a roll call vote, the motion on the amendment failed 4 to 2. Yeas: Councilmembers Pearson and Randall. No: Mayor Strazdas, Councilmembers Campbell and Sackley and Mayor Pro Tem Reid. Mayor Strazdas asked for any other amendments.

Councilmember Randall recused herself from the Catholic Charities portion of the Community Development Block Grant (CDBG) segment of the Fiscal Year 2012-2013 Budget. Discussion followed. Motion to approve the Fiscal Year 2012-2013 Budget carried 6 to 0. Discussion followed.

Motion by Sackley, seconded by Reid, to adopt the Resolution to adopt the Salary and Wage Schedules for the Fiscal Year July 1, 2012, to June 30, 2013. Upon a roll call vote, motion carried 6 to 0. Discussion followed.

ADOPTION OF BOND RESOLUTIONS: Mayor Strazdas asked if these resolutions should be taken separately and City Attorney Brown indicated that it was up to the discretion of City Council. City Manager Maurice Evans indicated that this is the initiation of the legal process required for the city to issue bonds. Motion by Reid, seconded by Sackley, to adopt the: Bond Resolution authorizing the sale of Capital Improvement Bonds, Series 2012, in the amount of \$2,135,000; and the Resolution Approving the Undertaking to Provide Continuing Disclosure by the City of Portage for the Capital Improvement Bonds, Series 2012. Upon a roll call vote, motion carried 6 to 0.

* **KALAMAZOO AREA TRANSPORTATION STUDY IN-KIND SERVICE CONTRIBUTIONS FOR 2013:** Motion by Reid, seconded by Randall, to support the 2013 In-kind Service Commitment for the City of Portage portion of the Kalamazoo Area Transportation Study budget. Upon a roll call vote, motion carried 6 to 0.

GREENSPIRE RETAIL / SEWER UTILITY CONNECTION CHARGES: Mayor Strazdas indicated that because Joe Gesmundo was out of town, he asked that City Council defer this matter until a future meeting so he can be a part of the conversation. Councilmember Randall said she agreed with Mr. Gesmundo and moved to defer the matter to the Special Meeting, to be held on Thursday, May 31, 2012, at 2 p.m. The motion was seconded by Councilmember Pearson. Discussion followed.

Councilmember Sackley expressed confusion as to why this matter was set for a Special City Council Meeting in the middle of the day when the last time it was before City Council, it was at a Regular City Council Meeting, plus the Special Meeting was called for a specific purpose with an outside facilitator. He pondered why a Regular Meeting was not the appropriate forum and also interjected that no one knew when Councilmember Urban would be back into Portage. He expressed a preference to have the matter addressed at a Regular Meeting unless Mr. Gesmundo asks that the matter be handled as expeditiously as possible. Mayor Strazdas indicated that Mr. Gesmundo did not make any of these requests, only a request for dialogue and explained that it would take an hour to understand the complexities and details of this matter.

Mayor Pro Tem Reid concurred and offered that the motion could perhaps contain a proviso that the developer be available and can be at the Special Meeting.

Councilmember Randall indicated that she was in phone contact with Mr. Gesmundo, who said he would make himself available for the Special Meeting, May 31, 2012.

Councilmember Campbell expressed her concern that she had allowed herself her lunch hour to attend the workshop as it was scheduled for one and one-half hours, but she had not planned for a two and one-half hour session of City Council. Mayor Strazdas asked for an early meeting before the next regularly scheduled meeting on Tuesday, June 12, 2012, at 5:15 p.m. Councilmember Randall suggested 6 p.m. to 7:30 p.m. since dinner is always rushed and not a good dining experience. Motion by Randall, seconded by Pearson, to amend the motion to be Tuesday, June 12, 2012, from 6 p.m. to 7:30 p.m.

Councilmember Sackley advocated addressing the item of business at a Regular City Council Meeting; he indicated a concern that any time an order of business calls for lengthy discussions, the City Council would be in the practice of anticipating that and would set a special work session or meeting instead of addressing these matters at a regular meeting day and time. Discussion followed.

Councilmember Pearson expressed his preference for the meeting prior to the Regular City Council Meeting because of the large amount of time and detail to be covered and did not want to put the public through that.

Councilmember Sackley pointed out that Regular City Council Meetings are broadcasted with proper notice and citizens expect these types of things to be discussed at this type of meeting. Also, one of the reasons this matter is being discussed at this time is because there was a question about how the matter was discussed at the committee meeting and the City Attorney said a recommendation to do nothing was in essence a recommendation. He proposed that if a citizen came forward to the podium with a petition, the City Council would most likely discuss it at the Council Meeting, and expressed his frustration that he could not figure out how this matter was different than any other order of business. He indicated that he would not be supporting the motion as he preferred that the matter be discussed on a normal agenda at a Regular City Council Meeting.

Mayor Pro Tem Reid spoke as Chairperson of the Committee and pointed out that the discussion was on whether the handling of this issue was consistent with the policy; the discussion at this point is whether there is a need to change the policy, so there is a need to understand the discussion up to this point to determine whether there is a need to change the policy and if so, how would City Council do that.

Councilmember Sackley conveyed his appreciation for the clarification as the discussion was about the policy, but he expressed his understanding that Mr. Gesmundo does not believe the policy is fair or should be applied, and as City Attorney Brown has said, since it is Council Policy and not an Ordinance that City Council has the ability to grant exceptions or adjustments to the policy; and if at a

special or prior meeting, there is discussion to change the policy itself, it is a good use of our time, but if it is specific to the application of the policy to Mr. Gesmundo's situation and the concerns that he has as to applicability of that, he indicated that he would rather see that decision in Council Chambers at a Regular City Council Meeting. Mayor Strazdas concurred. Discussion followed.

City Attorney Brown asked what purpose would be stated in the Notice for the Special Meeting, and Mayor Strazdas indicated that it would be as stated in Item G.4, the appropriateness of unassessed sewer utility connection charges in accordance with the 1991 Special Assessment Policy and the application of this charge to the Greenspire Retail Development at 3201 West Centre Avenue.

City Attorney Brown commented that the Special Meeting is to confirm the appropriateness; it is not to make changes and vote on the changes, so any discussion of how we are going to change this or motions making changes would not be a part of the Special Meeting; and, the specifics of the Greenspire Development will be discussed at the Special Meeting in relation to the established policy. Mayor Strazdas expressed his intent to weigh into the details with no action taken. City Attorney Brown indicated that that can happen, but it is also possible that a motion can be made at the Special Meeting because it is a meeting open to the public, properly noticed under the City Charter, so a motion can be made to confirm the appropriateness of the policy and to determine the application of that policy to the Greenspire Development without coming out to the Regular City Council Meeting. He also stated that if City Council chooses, it can go either way, but he did not want City Council to believe that it had to be done at the Regular City Council Meeting and not at the Special Meeting.

After discussion of whether City Council can approve the appropriateness of the policy or not, Councilmember Randall asked for a clarification, and Mr. Brown indicated that City Council has the authority to alter the policy, but not under this reading of the notice of the Special Meeting because it is not noted to make changes, so it has to be either noted in the motion, and therefore the notice, or City Council must make the changes at the Regular City Council Meeting.

Mayor Strazdas called for the question. Upon a roll call vote, motion carried 6 to 0.

* **APRIL 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT -**

INFORMATION ONLY: Motion by Reid, seconded by Randall, to receive the communication from the City Manager regarding the April 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 6 to 0.

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

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

Portage Zoning Board of Appeals of April 9, 2012.

Portage Environmental Board of April 11, 2012.

Kalamazoo County Board of Commissioners Committee of the Whole and Regular of May 1, 2012.

Portage Planning Commission of May 3, 2012.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Pearson invited everyone to participate in the Memorial Day Parade and the Veterans Memorial Ceremony afterwards.

Councilmember Sackley congratulated Portage Northern High School Senate President Nathan Novario, for becoming the latest Portage Eagle Scout from Scout Troop 205.

Mayor Pro Tem Reid congratulated all of the graduating high school and college seniors and invited everyone to the Memorial Day Parade.

Mayor Strazdas asked for one surrency for City Council to use in the Memorial Day Parade and invited everyone to participate.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:00 p.m.

James R. Hudson, City Clerk

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

MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL OF MAY 31, 2012 – BEST PRACTICES

Mayor Peter Strazdas called the meeting to order at 2:03 p.m. The following Councilmembers were present: Councilmembers Elizabeth Campbell, Jim Pearson, Patricia Randall and Edward Sackley, Mayor Pro Tem Claudette Reid and Mayor Peter Strazdas. Councilmember Terry Urban was absent with excuse. Also present were Facilitator David Wheatley, City Manager Maurice Evans and City Clerk James Hudson.

At the request of Mayor Strazdas, Mr. David Wheatley provided a review of Best Practices as discussed and established at the November 2011 City Council Retreat. He projected his mapping visually on the wall with the intent of aligning the Best Practices with current City Council thinking and being satisfied with the level of commitment to them. He asked the key questions which he uses in his reviews: what is working and why with a focus on what is working because usually that is a lot more than what is not working; where do we need to be so we look to the future; what do we need to do to be there and any corrective action in order to move forward; and, what do we need to stop doing or change in order to be successful.

He conveyed his understanding that the Best Practices are not being followed in a way as to accomplish the good work necessary for the benefit of Portage. He asked for input on his mapping display to determine areas that need to be highlighted or where focus should take place. He obtained commitment from all for the process, then provided direction and City Council began the discussion of each of the key questions.

Mayor Strazdas used the Budget Work Session as an example where City Council worked together with a large body of information. Discussion followed. Mayor Strazdas asked Mr. Wheatley to review the Rule of Six, and Mr. Wheatley indicated that Native Americans conjure six different views of why something is happening to avoid jumping to conclusions. He also reviewed the cone in a box with a viewing hole on top and one on the side. The top view is circular and the side view is triangular, so a combined view is necessary to determine what is in the box, so there is always an alternative perspective. Discussion followed regarding how to approach one another in private or in public with feedback, the importance of trust among the group and how to earn that trust through follow-through and mutual understanding.

Mayor Strazdas asked how to get to “restart?” Mr. Wheatley responded either dig back into the past or restart with some small steps and move forward. Discussion followed.

Councilmember Pearson revealed that he believes in transparency and honest, open debate, then “go on” and serve the citizens. Mr. Wheatley cautioned that different views might get in the way of expectations of one another. Discussion followed.

Councilmember Randall advocated focusing on policy, not on the behavior of individual people. Discussion followed.

DRAFT

Mr. Wheatley referred City Council to the six questions and how they were answered at the November 2011 Retreat with expectations of behavior, but that have not been followed and have gotten in the way of doing the good work. He challenged them to thin these out and get a more basic set that allows City Council to move forward today and get the work done and not be distracted. Discussion followed.

Mayor Strazdas summed up that some common elements in the discussion are the need to get to a restart, to focus on what is in the best interest of the citizens and to engage in a good, healthy debate on policy. Discussion followed.

Next, City Council discussed “No surprises” and “Say it in the meeting” from the mapping provided by Mr. Wheatley versus talking to the media, other Councilmembers or the general public. Mr. Wheatley noted that we need to over communicate when new people are involved. Discussion followed.

After a discussion of City Council comments at the end of the Regular City Council Meeting, there was a consensus to obtain a legal opinion regarding a requirement for City Councilmembers to use Citizen Comment time, leave the dias and speak from the podium when addressing an unrelated city issue, offer political support or speak about a contentious issue not city related keeping into account provisions of the City Charter, State Constitution and the U.S. Constitution that guarantee freedom of speech?

Notwithstanding the perception and after discussing whether elected officials should meet socially after a Regular City Council Meeting or not, there was a consensus to obtain a legal opinion from the City Attorney whether such gatherings be banned or not. Discussion followed and Mr. Wheatley summed up and asked for each to have a commitment and to be accountable. Discussion followed. Mr. Wheatley indicated each Councilmember should be asking for feedback because it is more likely that beneficial feedback will be forthcoming. Discussion followed.

ADJOURN: Mayor Strazdas adjourned the meeting at 4:00 p.m.

James R. Hudson, City Clerk

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: June 3, 2012

FROM: Maurice S. Evans, City Manager



SUBJECT: Accounts Payable Register

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of June 12, 2012 as presented.

Attached please find the Accounts Payable Register for the period May 13, 2012 through June 3, 2012, which is recommended for approval.

c: Daniel S. Foecking, Finance Director

PROGRAM: GM350L FROM 05/13/2012 TO 06/03/2012 *ALL*

CITY OF PORTAGE BANK CODE CHECK AMOUNT

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
05/15/2012	280756	HARRIS, LEONARD JOHN	999999		995.00
05/25/2012	280757	AT&T	849		3,685.69
05/25/2012	280758	A T & T LONG DISTANCE	4060		6.28
05/25/2012	280759	A-1 SIGNS	2873		141.00
05/25/2012	280760	ALLEGRA PRINT & IMAGING	533		1,096.42
05/25/2012	280761	ALTA CONSTRUCTION EQUIPMENT LL	4588		4,500.00
05/25/2012	280762	AMERICAN VILLAGE BUILDERS	999999		10.14
05/25/2012	280763	APPROVED FIRE PROTECTION CO.	630		290.00
05/25/2012	280764	TODD ARENAS ENTERPRISES INC.	1704		1,050.00
05/25/2012	280765	ARROWHEAD SCIENTIFIC, INC.	3744		247.70
05/25/2012	280766	ADP, INC.	3305		958.09
05/25/2012	280767	B S & A SOFTWARE	1148		6,910.00
05/25/2012	280768	BATES, LOIS	999999		68.00
05/25/2012	280769	BEST BUY	999999		213.98
05/25/2012	280770	BLUE CROSS/BLUE SHIELD OF MICH	642		103,059.94
05/25/2012	280771	BORGESS HEALTH ALLIANCE	151		766.00
05/25/2012	280772	BOULIS, ROB	532		184.33
05/25/2012	280773	BREAKAWAY BICYCLES	1356		239.94
05/25/2012	280774	BROUWER, JAMES	999999		150.00
05/25/2012	280775	RANDALL L BROWN & ASSOC. PLC	2351		201.80
05/25/2012	280776	BROWN, JOHN BARNARD	3990		500.00
05/25/2012	280777	BRUSSEL, LEAH	999999		130.69
05/25/2012	280778	BURKE, GREG	532		335.00
05/25/2012	280779	BYHOLT INC.	68		1,617.80
05/25/2012	280780	CADWELL APPARELL	1845		350.00
05/25/2012	280781	CAMPBELL AUTO SUPPLY	437		108.31
05/25/2012	280782	CANNON ENGINEERING & EQUIPMENT	1177		795.00
05/25/2012	280783	CARLETON EQUIPMENT CO.	168		525.00
05/25/2012	280784	CHAMBER OF COMMERCE MAP PROJEC	999999		359.10
05/25/2012	280785	CHARTER COMMUNICATIONS	3080		104.05
05/25/2012	280786	CITY OF KALAMAZOO TREASURER	540		271,089.90
05/25/2012	280787	CLEAN EARTH ENVIRONMENTAL SERV	1821		693.79
05/25/2012	280788	CLERK OF THE COURT	999999		50.00
05/25/2012	280789	CLINGENPEEL, DAVID	4786		160.00
05/25/2012	280790	COCHRAN GLASS AND DOOR, LLC	4547		298.00
05/25/2012	280792	CONSUMERS ENERGY-BILL PMT CNT	189		39,463.99
05/25/2012	280793	CORPORATE COLORS	193		50.00
05/25/2012	280794	COSTAR REALTY INFORMATION, INC	4620		2,250.00
05/25/2012	280795	CROSSROADS CAR WASH	195		63.50
05/25/2012	280796	CROSSROADS EXPERT AUTO SERVICE	4109		907.80
05/25/2012	280797	JOHN DEERE LANDSCAPES	4448		415.37
05/25/2012	280798	DEPATIE FLUID POWER CO., INC.	211		13.50
05/25/2012	280799	DIESEL INJECTION SERVICE, LLC	1874		1,268.02
05/25/2012	280800	DRAMATIC PUBLISHING	999999		25.65
05/25/2012	280801	E J USA, INC.	226		1,210.80
05/25/2012	280802	ED & TED'S EXCELLENT ADVENTURE	3315		38,145.00
05/25/2012	280803	EDMONSON, EDGAR	532		45.55
05/25/2012	280804	ENCORE PUBLICATIONS	999999		150.00
05/25/2012	280805	ENDERICH, RYAN	532		150.00
05/25/2012	280806	PARTNERSHIP FOR FAIR HOUSING	1385		1,000.00
05/25/2012	280807	FASANEL CO.	1248		66.95

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
05/25/2012	280808	FAWLEY OVERHEAD DOOR, INC.	690		85.00
05/25/2012	280809	FERRELLGAS, LP	384		120.00
05/25/2012	280810	FIELD, LOIS	999999		81.10
05/25/2012	280811	FLETCHER ENTERPRISES	1399		2,540.00
05/25/2012	280812	FORSHEE, MARK	1455		264.00
05/25/2012	280813	GALL'S, AN ARAMARK COMPANY	25		241.86
05/25/2012	280814	GORDON WATER SYSTEMS	517		123.25
05/25/2012	280815	GRIFFIN PEST CONTROL, INC.	598		154.00
05/25/2012	280816	HARTMAN, CHARLES	913		282.00
05/25/2012	280817	HASTINGS AIR ENERGY CONTROL	999999		401.78
05/25/2012	280818	HIGGINBOTTOM, ROSEMARY	999999		191.48
05/25/2012	280819	HOADLEY, LEO	4228		198.00
05/25/2012	280820	HOME DEPOT	691		775.78
05/25/2012	280821	HUTCHINS, CURT	999999		490.52
05/25/2012	280822	HYDRO-CHEM SYSTEMS, INC.	4039		352.59
05/25/2012	280823	IERVOLINA, SUSAN	2074		196.00
05/25/2012	280824	INDIANA WIPING CLOTH, INC.	61		811.00
05/25/2012	280825	KALAMAZOO COUNTY SAFE KIDS COA	3361		175.00
05/25/2012	280826	KALAMAZOO COUNTY TREASURER	514		6,027.11
05/25/2012	280827	KALAMAZOO COUNTY TREASURER	999999		957.24
05/25/2012	280828	KALAMAZOO FLAG COMPANY	4787		125.75
05/25/2012	280829	KALAMAZOO OIL COMPANY	4511		44.23
05/25/2012	280830	KALAMAZOO VALLEY COMMUNITY COL	3443		550.00
05/25/2012	280831	KAMMINGA & ROODVOETS, INC.	4567		1,172.84
05/25/2012	280832	KELLY RADIATOR & AUTO REPAIR	4591		40.95
05/25/2012	280833	KENDALL ELECTRIC, INC.	231		83.90
05/25/2012	280834	KLINE, ERIC	532		384.00
05/25/2012	280835	KOPEC, CASEY	4409		180.00
05/25/2012	280836	KUIPER BROTHERS MOVING INC.	1066		175.48
05/25/2012	280837	KZOO TIRE COMPANY	564		2,629.00
05/25/2012	280838	LAWSON PRODUCTS, INC	240		1,560.33
05/25/2012	280839	LEONE, DINA	999999		31.50
05/25/2012	280840	THE LIFEGUARD STORE	1878		791.00
05/25/2012	280841	LILEK, MICHAEL	532		116.47
05/25/2012	280842	LOCEY SWIM POOL CO.	243		185.80
05/25/2012	280843	LOUTHAN, WILLIAM F	3021		376.00
05/25/2012	280844	LOWE'S HOME CENTER	2630		31.49
05/25/2012	280845	MACNLOW ASSOCIATES	2189		255.00
05/25/2012	280846	MAILFINANCE	1208		744.27
05/25/2012	280847	MALZ, DIANE	532		230.00
05/25/2012	280848	MARSHALL & SWIFT	1509		767.15
05/25/2012	280849	MATSMATMATS.COM	4764		181.94
05/25/2012	280851	MAURER'S TEXTILE RENTAL SERVIC	4746		740.76
05/25/2012	280852	MCDONALD'S TOWING & RESCUE, IN	728		356.00
05/25/2012	280853	MICH AMATEUR SOFTBALL ASSOC	1435		4,860.00
05/25/2012	280854	MICHIGAN ASSESSOR'S ASSOC.	763		75.00
05/25/2012	280855	MIDWEST CUSTOM EMBROIDERY COMP	613		199.00
05/25/2012	280856	MIDWEST GOLF AND TURF	4210		556.56
05/25/2012	280857	MIRACLE RECREATION EQUIPMENT	488		479.00
05/25/2012	280858	MLIVE MEDIA GROUP	89		214.96
05/25/2012	280859	MLIVE MEDIA GROUP	89		180.05

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
05/25/2012	280860	MMTA	999999		50.00
05/25/2012	280861	MOORLAG, TODD	532		105.69
05/25/2012	280862	MUNICIPAL CODE CORPORATION	981		4,736.85
05/25/2012	280863	MUSAR TRAINING FOUNDATION	999999		300.00
05/25/2012	280864	NETWORKS GROUP	3826		7,999.99
05/25/2012	280865	NICHOLS, ANDREW	4229		176.00
05/25/2012	280866	NOVAK, ROBERT	532		139.88
05/25/2012	280867	O'BOYLE-COLWELL-BLALOCK & AS.	860		1,800.00
05/25/2012	280869	OFFICE DEPOT, INC.	1721		1,065.53
05/25/2012	280870	OFFICEMAX INCORPORATED	301		381.68
05/25/2012	280871	ONE WAY PRODUCTS	440		793.55
05/25/2012	280872	OSHTENO CHARTER TOWNSHIP	999999		100.00
05/25/2012	280873	PATESEL, TERRY	4455		151.00
05/25/2012	280874	PAVEMENT RESTORATION OF MICH	307		2,265.23
05/25/2012	280875	PETTY CASH-CITY MANAGER	805		270.08
05/25/2012	280876	PETTY CASH-PARKS	536		293.40
05/25/2012	280877	PIATT, ROBERT	999999		12.97
05/25/2012	280878	PLANNING & ZONING NEWS	999999		350.00
05/25/2012	280879	PLAYFORD, LOUIE	532		346.01
05/25/2012	280880	THE POSTMAN	2633		1,365.00
05/25/2012	280881	PRIORITY HEALTH	4254		22,540.56
05/25/2012	280882	PUBLIC AGENCY TRAINING COUNCIL	999999		260.00
05/25/2012	280883	PUBLIC MEDIA NETWORK	4582		85,990.61
05/25/2012	280884	RATHCO SAFETY SUPPLY, INC.	327		212.00
05/25/2012	280885	RED THE UNIFORM TAILOR	3664		59.95
05/25/2012	280886	REFRIGERATION SERVICES	4527		510.00
05/25/2012	280887	RIETH-RILEY CONSTRUCTION CO.,	4386		1,279.01
05/25/2012	280888	RIGHT-WAY RENTAL, INC.	337		260.00
05/25/2012	280889	ROMENCE GARDENS, INC	343		50.78
05/25/2012	280890	SANDMEYER, MARILYN	999999		68.00
05/25/2012	280891	SCHUPAN ALUMINUM SALES	4780		154.17
05/25/2012	280892	AL LOEFFLER, MGR OF SHOUT	4663		1,200.00
05/25/2012	280893	SIMMONS FORD	2064		169.31
05/25/2012	280894	SLAGER CONSTRUCTION	3593		300.00
05/25/2012	280895	SOCIETY FOR HUMAN RESOURCE MGM	3581		180.00
05/25/2012	280896	SPENCER, SUSANNE	999999		68.00
05/25/2012	280897	SPRINT	3721		1,452.34
05/25/2012	280898	STAP BROS LAWN & LANDSCAPE, INC	366		2,455.67
05/25/2012	280899	STATE OF MICHIGAN (DOT)	368		81,890.88
05/25/2012	280900	STATE SYSTEMS RADIO, INC	369		1,173.38
05/25/2012	280901	STRENSMA LAWN & POWER EQUIPMEN	3222		411.32
05/25/2012	280902	STRONGBOW INN	3881		812.00
05/25/2012	280903	SWANK MOTION PICTURES, INC.	2694		471.00
05/25/2012	280904	T-MOBILE USA INC	3665		29.99
05/25/2012	280905	TALTREE ARBORETUM & GARDENS	999999		250.00
05/25/2012	280906	TEIVENT DTN, INC.	4667		564.75
05/25/2012	280907	TERBERG, JOYCE	999999		68.00
05/25/2012	280908	JOHANNA THOMPSON	4682		632.00
05/25/2012	280909	THOMPSON, PATTI	532		149.46
05/25/2012	280910	TOO CLEAN JANITORIAL	2220		4,565.00
05/25/2012	280911	TRACTOR SUPPLY CORP.	2817		337.33

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
05/25/2012	280912	TRUGREEN	390	82.00
05/25/2012	280913	U S POSTMASTER	391	3,400.00
05/25/2012	280914	UNITED PARCEL SERVICE	545	43.30
05/25/2012	280915	VANDEBILT, JOHN	668	94.00
05/25/2012	280916	VIRGO, SHAUNA	532	145.25
05/25/2012	280917	WASHCO, LLC	1104	420.00
05/25/2012	280918	WELLER TRUCK	1594	119.02
05/25/2012	280919	WIGHTMAN & ASSOCIATES, INC.	425	875.00
05/25/2012	280920	WIGHTMAN JONES, INC.	3785	4,511.25
05/25/2012	280921	WINDEMULLER ELECTRIC, INC.	3061	140.65
05/25/2012	280922	WINGFOOT COMMERCIAL TIRE	2613	1,676.99
05/25/2012	280923	WOLVERINE LAWN SERVICE, INC.	1089	226.33
05/25/2012	280924	WOLVERINE POWER SYSTEMS	4322	548.00
05/25/2012	280925	WOODWARD, MARY	999999	150.00
05/25/2012	280926	WRIGHT, JASON	532	128.75
05/25/2012	280927	WYOMING ASPHALT PAVING CO. INC	1222	401.11
05/25/2012	280928	X M SATELLITE RADIO	4262	177.01
05/29/2012	280929	FEDEWA, INC.	4765	48,345.00
05/29/2012	280930	PETTY CASH-PARKS	536	521.68
05/29/2012	280931	VANDEBILT, JOHN	668	47.00
05/30/2012	280932	TECHNOLOGY SOLUTIONS	4612	4,972.50

DATE RANGE TOTAL * 818,196.43 *

ELECTRONIC FUNDS TRANSFER REGISTER

FROM: 05/13/2012 TO: 06/03/2012

PAYMENT NO	VENDOR NO	VENDOR NAME	TRANSFER DATE	AMOUNT	TRACE		EFT		BANK
					NUMBER	DATE	NUMBER	BATCH CODE	
1053		ABONMARCHE CONSULTANTS, INC	05/25/2012	7,855.00	072000320000001	0000001	0000001	00	00
1054		ADMIRAL LOCK & KEY SERVICE	05/25/2012	157.25	072000320000002	0000002	0000001	00	00
1055		AMERICAN SAFETY & FIRST AID	05/25/2012	239.04	072000320000003	0000003	0000001	00	00
1056		ANIMAL REMOVAL SERVICE, LLC	05/25/2012	850.00	072000320000004	0000004	0000001	00	00
1057		ARROW UNIFORM RENTAL	05/25/2012	90.30	072000320000005	0000005	0000001	00	00
1058		B & B YARDSCAPE	05/25/2012	3,335.00	072000320000006	0000006	0000001	00	00
1059		BEBBE, RON	05/25/2012	399.50	072000320000007	0000007	0000001	00	00
1060		BELL EQUIPMENT COMPANY	05/25/2012	86.73	072000320000008	0000008	0000001	00	00
1061		BEVEEN, TYLER	05/25/2012	120.00	072000320000009	0000009	0000001	00	00
1062		BEVEEN, TYLER	05/29/2012	120.00	072000320000001	0000001	0000001	00	00
1063		BLUE CARE NETWORK-GREAT LAKES	05/25/2012	58,308.72	072000320000010	0000010	0000001	00	00
1064		BRENNER OIL CO.	05/25/2012	19,311.48	072000320000011	0000011	0000001	00	00
1065		C D W GOVERNMENT, INC.	05/25/2012	245.00	072000320000012	0000012	0000001	00	00
1066		CAPITAL ADVANTAGE LEASING	05/25/2012	22,099.85	072000320000013	0000013	0000001	00	00
1067		CONTINENTAL LINEN SUPPLY CO.	05/25/2012	73.57	072000320000014	0000014	0000001	00	00
1068		CROWN TROPHY	05/25/2012	56.00	072000320000015	0000015	0000001	00	00
1069		DELTA DENTAL PLAN OF MI	05/25/2012	19,488.01	072000320000016	0000016	0000001	00	00
1070		EMPLOYMENT GROUP, INC.	05/25/2012	827.22	072000320000017	0000017	0000001	00	00
1071		ESPER ELECTRIC, LTD	05/25/2012	1,450.00	072000320000018	0000018	0000001	00	00
1072		FERGUSON ENTERPRISES, INC.	05/25/2012	125.00	072000320000019	0000019	0000001	00	00
1073		HARTFORD LIFE INSURANCE COMPANY	05/25/2012	7,630.57	072000320000020	0000020	0000001	00	00
1074		HI-TECH ELECTRIC CO.	05/25/2012	2,400.00	072000320000021	0000021	0000001	00	00
1075		INDUSCO SUPPLY CO., INC.	05/25/2012	857.82	072000320000022	0000022	0000001	00	00
1076		IRISH AYRES ENTERPRISES, LLC	05/25/2012	595.00	072000320000023	0000023	0000001	00	00
1077		KNAPP ENERGY, INC.	05/25/2012	9,159.20	072000320000024	0000024	0000001	00	00
1078		KUIPER BUILDING SERVICES LLC	05/25/2012	2,547.00	072000320000025	0000025	0000001	00	00
1079		KUSHNER & COMPANY, INC.	05/25/2012	354.36	072000320000026	0000026	0000001	00	00
1080		MALZ, DONALD	05/25/2012	90.00	072000320000027	0000027	0000001	00	00
1081		MCCARTHY SMITH LAW GROUP, PLC	05/25/2012	7,582.10	072000320000028	0000028	0000001	00	00
1082		MEDEMA, TIMOTHY	05/25/2012	57.00	072000320000029	0000029	0000001	00	00
1083		MEJUR ELECTRIC LLC	05/25/2012	869.00	072000320000030	0000030	0000001	00	00
1084		PARKER, ROBERT	05/25/2012	141.00	072000320000031	0000031	0000001	00	00
1085		PRECISION PRINTER SERVICES INC	05/25/2012	504.50	072000320000032	0000032	0000001	00	00
1086		RESIDENTIAL PLUMBING SERVICES, INC	05/25/2012	493.38	072000320000033	0000033	0000001	00	00
1087		ROBERTS, CHARLES D	05/25/2012	141.00	072000320000034	0000034	0000001	00	00
1088		SARCOM, INC	05/25/2012	42,438.80	072000320000035	0000035	0000001	00	00
1089		SNELL, DEBRA	05/25/2012	126.00	072000320000036	0000036	0000001	00	00
1090		THOMPSON, HELENE	05/25/2012	228.00	072000320000037	0000037	0000001	00	00
1091		VANDERBERG, WARD M	05/25/2012	141.00	072000320000038	0000038	0000001	00	00
1092		VANDERBERG, WARD M	05/29/2012	141.00	072000320000002	0000002	0000001	00	00
1093		VISION SERVICE PLAN INSURANCE CO	05/25/2012	1,877.47	072000320000039	0000039	0000001	00	00
1094		WEST, STEVE	05/25/2012	80.50	072000320000040	0000040	0000001	00	00
1095		WEST, STEVE	05/29/2012	151.00	072000320000003	0000003	0000001	00	00
1096		WOOD PLUMBING LLC, D	05/25/2012	616.14	072000320000041	0000041	0000001	00	00

GRAND TOTAL: 214,459.51 NO. OF CHECKS: 44

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: April 30, 2012

FROM: Maurice S. Evans, City Manager



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

ACTION RECOMMENDED: That City Council:

- a. accept the Tentative Plan Amendment for Oakland Hills at Centre Planned Development and set a public hearing for June 12, 2012; and
- b. following the public hearing, approve the Tentative Plan Amendment for Oakland Hills at Centre Planned Development at 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive, subject to the conditions outlined in the April 13, 2012 Department of Community Development report.

An application has been received from Mr. Greg Dobson of American Village Development II, LLC requesting a Tentative Plan Amendment for the Oakland Hills at Centre Planned Development (PD) located at 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive. The proposed Tentative Plan Amendment involves the following:

- Addition of a 150-foot tall wireless telecommunication tower (“mono-pine”) within the office portion of the PD along Oakland Drive;
- Revisions to the layout of the attached residential portion of the PD including a reduction in the overall number of units from 116 to 107;
- Revisions to the layout of the office portion of the PD along West Centre Avenue and Oakland Drive; and
- An updated project phasing timeline.

In a report dated April 13, 2012, the Department of Community Development and Planning Commission, after convening a public hearing on March 1, 2012 and April 19, 2012, are recommending approval of the Tentative Plan Amendment for Oakland Hills at Centre Planned Development at 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive, subject to conditions outlined in the staff report.

Attachment: Communication from the Department of Community Development

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: April 30, 2012

FROM: Vicki Georgeau, Director of Community Development

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

An application to amend the previously approved tentative plan for the Oakland Hills at Centre Planned Development (PD) has been received from American Village Development II, LLC (AVD). The tentative plan amendment proposes to add a 150-foot tall wireless telecommunication tower ("mono-pine") within the office portion of the PD along Oakland Drive, revise the layout of the attached residential and office portions of the PD and update the project phasing timeline. The development project and proposed amendments are summarized below.

The original Oakland Hills at Centre PD rezoning/tentative plan application, which involves a 47.6 acre tract of land located south of West Centre Avenue and west of Oakland Drive, received City Council approval in 2006. In 2009, City Council granted the applicant a two-year extension to the PD rezoning and tentative plan approval that included several minor changes. Also in 2009, City Council approved the final plan for an approximate 7,000 square foot office building (Cole-Gavlas) within the first phase of the development.

The proposed tentative plan amendment involves four modifications and are summarized below:

1. A new 150-foot tall wireless telecommunication tower is proposed within the office portion of Phase II along Oakland Drive. The alternative tower structure will be designed as a mono-pine (pine tree with simulated branches/bark). The mono-pine tower will be setback 90-feet from Oakland Drive and 55-feet from the north property line, with the associated fenced lease area (50-feet by 70-feet) setback 50-feet from Oakland Drive and 10-feet from the north property line. Preservation of the existing mature tree line located along Oakland Drive is proposed and supplemental screening is also planned along the north side of the fenced enclosure. While alternative locations for the mono-pine tower were considered, locating the tower within the office portion of the PD along Oakland Drive, with appropriate tree preservation and supplemental screening, will be less impactful than other on-site locations.
2. The layout of the residential condominium buildings has been revised slightly and the total number of units reduced from 116 units to 107 units. Attached residential condominium buildings will maintain a minimum 40-foot setback from the perimeter of the property, 25-foot setback from the edge of the internal streets and 20-foot separation between buildings.
3. The layout of the office portion of the development has been revised to reflect the construction of the Cole-Gavlas building, entrance drive from West Centre Avenue, location of the proposed mono-pine tower along Oakland Drive and the current marketing plan. Office buildings will maintain a minimum 40-foot setback from the perimeter of the property and a 50-foot green belt/setback from West Centre Avenue and Oakland Drive.

4. The project phasing timeline has been updated due to challenging economic conditions. Phase I is now planned between Winter 2009 – Fall 2014, Phase II between Summer 2012 – Fall 2016 and Phase III between Fall 2016 – Fall 2018.

In a report dated April 13, 2012, the Department of Community Development has recommended the Tentative Plan Amendment be approved subject to the following conditions:

1. The 150-foot tall mono-pine tower be constructed with a minimum capacity to carry four co-locations and the mono-pine tower design include significant branches and appropriate camouflaging as identified in the Sabre Towers and Poles brochure provided by the applicant. Furthermore, the mono-pine tower shall be constructed with a minimum 55-foot setback from the north property line and a minimum 90-foot setback from the east property line.
2. The fenced area around the mono-pine tower (50-feet by 70-feet lease area) be fully enclosed by a minimum six-foot tall solid, vinyl fence (in lieu of the proposed vinyl clad chain link fence) and supplemental evergreen tree plantings (minimum 10-foot tall, spaced 10 feet on-center) be installed along the north side of the enclosure.
3. The applicant preserve the large Oak tree located west of the mono-pine tower and the existing mature tree line located along Oakland Drive to the greatest extent possible in an effort to ensure the mono-pine tower blends in with the surrounding area and to minimize the visual impact on nearby property owners, motorists and pedestrians.

The Planning Commission convened a public hearing during the March 1, 2012 and April 19, 2012 meetings. After careful consideration, the Commission voted 7-2 to recommend to City Council that the Tentative Plan Amendment for Oakland Hills at Centre Planned Development, 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive, be approved subject to the same three conditions listed in the Department of Community Development staff report.

With regard to the proposed mono-pine tower, if the proposed tentative plan amendment is approved, more specific details regarding the design and construction of the mono-pine tower will be subject to Planning Commission review/approval of a Special Land Use Permit and Planning Commission review/recommendation and City Council review/approval of a Final (site) Plan.

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

Attachments: Planning Commission transmittal dated April 30, 2012
Planning Commission Minutes dated March 1, 2012 and April 19, 2012
Department of Community Development report dated April 13, 2012 (with attachments)
April 19, 2012 Correspondence from Attorney James Marquardt (representing Mangwn Properties)

TO: Honorable Mayor and City Council
FROM: Planning Commission
DATE: April 30, 2012
SUBJECT: Tentative Plan Amendment for Oakland Hills at Centre Planned Development, 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive

An application to amend the previously approved tentative plan for the Oakland Hills at Centre Planned Development (PD) has been received from American Village Development II, LLC (AVD). The tentative plan amendment proposes to add a 150-foot tall wireless telecommunication tower ("mono-pine") within the office portion of the PD along Oakland Drive, revise the layout of the attached residential portion of the PD and reduce the overall number of units from 116 to 107, revise the layout of the office portion of the PD along West Centre Avenue and Oakland Drive and update the project phasing timeline.

The Planning Commission convened a public hearing during the March 1, 2012 and April 19, 2012 meetings. At the March 1st meeting, Mr. Greg Dobson of AVD and Mr. Bill Buck and Mr. Scott Hubble of Verizon Wireless were present and spoke in regards to the proposed tentative plan amendment and proposed mono-pine tower. Mr. James Marquardt, attorney representing Mangwn Properties Inc. (owners of 8040 Oakland Drive and 2109 West Centre Avenue), also spoke and stated his client does not object to the overall development, however, has concerns about the proposed location and setback of the mono-pine tower from the northern property line. At the April 19th meeting, Mr. Greg Dobson of AVD and Mr. Jonathan Crane (attorney representing Verizon Wireless) were present to explain the proposed tentative plan amendment and discuss the mono-pine tower. Attorney Crane stated Verizon Wireless concurs with the staff recommendation and conditions of approval, and indicated he had spoken with Attorney Marquardt. Mr. Dobson indicated that he also met with Attorney Marquardt in an attempt to address concerns of the neighboring property owner to the north regarding the location of the proposed mono-pine tower. Mr. Dobson indicated that AVD performed a detailed review of the 47 acre PD property and concluded the Oakland Drive portion of the site was the most preferred location for the mono-pine tower. No additional citizens spoke during the April 19, 2012 meeting.

After careful consideration, a motion was made by Commissioner Bosch, seconded by Commissioner Reiff, to recommend to City Council that the Tentative Plan Amendment for Oakland Hills at Centre Planned Development, 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive, be approved subject to the three conditions set forth in the Department of Community Development staff report dated April 13, 2012. Upon motion was approved 7-2.

Sincerely,



James Cheesebro, Chairman
City of Portage Planning Commission

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-

pine tower from the northern property line. Attorney Marquardt indicated the mono-pine is a very tall structure that is proposed extremely close to the property line. Attorney Marquardt acknowledged that there was only a slight risk for a catastrophic failure; however, this was still a concern for his client. Attorney Marquardt stated his client was also concerned about possible negative impacts on future development of the vacant parcel to the north (8040 Oakland Drive) given the close proximity of the mono-pine tower. Attorney Marquardt requested that AVD consider other locations for the mono-pine tower. No additional citizens spoke during the public hearing.

There being no further public comment, a motion was made by Commissioner Welch, seconded by Commissioner Reiff, to adjourn the public hearing for Tentative Plan Amendment for the Oakland Hills at Centre Planned Development to the March 15, 2012 meeting. The motion was unanimously approved.

OLD BUSINESS:

None.

NEW BUSINESS:

1. 2012 Major Thoroughfare Plan Status Update Report. Mr. Forth referred the Commission to the 2012 Major Thoroughfare Plan Status Update Report that was provided to the Planning Commission as a separate document. Mr. Forth summarized the report, which included updated traffic volumes and three-year crash data for various street segments, and asked the Commission if there were any questions or comments. Commissioner Reiff noted the new traffic signal was installed at Portage Central High School and not Northern. Commissioner Patterson asked whether the high V/C ratio identified on Oakland Drive, I-94 to Milham (.91), may have been due in part to the I-94 and South Westledge Avenue interchange construction and motorist seeking alternative routes. Mr. Forth indicated it was possible but and new traffic counts would verify the change. A motion was then made by Commissioner Welch, seconded by Commissioner Bosch, to accept the 2012 Major Thoroughfare Plan Status Update Report. The motion was unanimously approved.

2. 2012-2022 Capital Improvement Program. Mr. Forth briefly discussed the proposed 2012-2022 Capital Improvement Program and the role of the Planning Commission in review and recommendation of the document. Mr. Forth summarized the February 12, 2012 memo from City Manager Evans that provided an overview of the 2012-2022 Capital Improvement Program (CIP) document with emphasis on the FY 2012-2013 budget year. Mr. Forth discussed the timeline for Planning Commission review of the document and indicated a recommendation to City Council was needed by the March 15th meeting.

Commissioner Reiff asked for three clarifications under Program Overview, Revenues and Other Sources: 1) Why are interest revenues projected to increase substantially beginning in FY 2018-2019; 2) Are the proceeds from the sale of the former Portage Community Outreach Center included in the proposed CIP; and 3) What is the source of the \$450,000 in "Other Revenue" in FY 2013-2014? It was noted the \$450,000 revenue item will result from a vehicle trade in. Mr. Forth stated he would get answers to the other questions prior to the next meeting. Commissioner Dargitz and Chairman Cheesebro discussed previous reviews of the CIP in a workshop setting where a category-by-category review could occur and suggested that further review be adjourned to the March 15, 2012 meeting. The Commission concurred. Commissioner Welch suggested that any questions from the Commission should be forwarded to staff in advance of the meeting so that appropriate responses could be obtained. Mr. Forth stated that all questions received from the Commission would then be provided in a written communication with appropriate responses, prior to the March 15th meeting.

bus service from off-site locations. Mr. Johnson confirmed that the parking plan request was being resubmitted with no changes from the July 2011 approval. After a brief discussion, a motion was made by Commissioner Bosch, seconded by Commissioner Felicijan, to approve the parking plan and request to exceed the maximum number of off-street parking spaces by 34 allowing a total of 768 off-street parking spaces for Valley Family Church-Kalamazoo, 2500 Vincent Avenue, with a finding that the additional parking was necessary based on documented evidence provided by the applicant. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Final Report: Tentative Plan Amendment (Oakland Hills at Centre PD), 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive. Mr. Forth summarized the final staff report dated April 13, 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 1) the addition of a 150-foot tall wireless “mono-pine” telecommunication tower within the designated office area along Oakland Drive, 2) revision to the residential layout and reduction in the overall number of units from 116 to 107, 3) revision to the layout of the office area along West Centre Avenue and Oakland Drive and 4) an update to the project phasing timeline. Mr. Forth noted that since the March 1, 2012 meeting, the tower has been relocated to the southern portion of fenced enclosure to provide a 55-foot setback from the northern property line. Mr. Forth summarized the staff recommendation and also referred the Commission to an April 19, 2012 communication from Attorney James Marquardt, representing William Nuyen and Mangwn Properties, Inc., owner of the adjacent properties to the north.

Mr. Greg Dobson of American Village Development (AVD) II, LLC and Mr. Jonathan Crane (attorney representing Verizon Wireless) were present to explain the proposed tentative plan amendment and discuss the proposed mono-pine tower. Attorney Crane stated Verizon Wireless concurs with the staff recommendation and conditions of approval, and indicated he had spoken with Attorney Marquardt. Mr. Dobson indicated that he also met with Attorney Marquardt in an attempt to address concerns of the neighboring property owner to the north regarding the location of the proposed mono-pine tower. Mr. Dobson indicated that AVD performed a detailed review of the 47 acre PD property and concluded the Oakland Drive portion of the site was the most preferred location for the mono-pine tower. Mr. Dobson stated it was not desirable to locate the mono-pine tower within or adjacent to the residential portion of the PD planned for the interior portion of property, or, within the office area of the PD planned along West Centre Avenue due to its high visibility. Mr. Dobson stated the proposed location within the office area of the PD planned along Oakland Drive is preferred due to the lower visibility of this area, natural topography and presence of mature trees that will help the mono-pine tower better blend into the surrounding environment.

The Commission, staff and the applicant discussed the tower proposal including alternative locations, preservation of the mature trees along Oakland Drive, affects on cellular coverage if the tower was relocated to a different area of the PD and the setback of the tower from the north property line. Mr. Dobson stated relocating the tower would eliminate the opportunity to conceal the structure within the existing mature trees located along Oakland Drive. Attorney Crane summarized the structural design of the tower and referred the Commission to the letter from Verizon Wireless that indicated any catastrophic failure of the tower would be confined to a 40-foot radius around the base of the structure. Commissioner Reiff noted there is a difference in appearance between the Bloomfield Hills, MI mono-pine tower photograph and the mono-pine tower shown in the Saber Tower brochure, which staff is recommending. Attorney Crane stated the Bloomfield Hills, MI mono-pine tower is precisely what is proposed for the Oakland/West Centre location. Commissioner Reiff noted the trees limbs of the tower shown on the Saber Towers brochure extend much closer to the ground than those shown on the Bloomfield Hills tower and asked Attorney Crane to explain the difference since staff is recommending the tower as shown in the Saber Tower brochure. Attorney Crane indicated he would provide

an answer during the site plan review stage. Commissioner Patterson indicated he agrees with the applicant and staff and believes the proposed tower location has the least impact on surrounding properties and future development with the PD. Commissioner Stoffer expressed concerns about the two letters received from Attorney Marquardt and the setback of the tower from the north property line and related impacts. Commissioner Stoffer suggested that the setback of the mono-pine tower be at least 50% of the tower height and the applicant be given flexibility to either lower the tower height or determine an alternative location. Commissioner Bosch stated he agrees with Commissioner Patterson and indicated the revised location of the tower is almost five times the minimum setback established in the Zoning Code. Commissioner Welch indicated that he concurs with Commissioners Patterson and Bosch and stated that moving the tower an additional 20-feet to the south would have a negligible impact on external affects of the structure and would adversely impact future development within the PD. Commissioner Dargitz disagreed and stated that Commissioner Stoffer's attempt to balance the concerns of the applicant and adjacent property owner was appropriate. Commissioner Dargitz indicated she would like to see a further analysis of the cellular coverage and impacts on the residential portion of the PD and vehicular visibility if the mono-pine tower was to be relocated further west, near the Cole-Gavlas building.

The public hearing was reconvened by Chairman Cheesebro. No citizens were present to speak in regards to the proposed tentative plan amendment and mono-pine tower. A motion was made by Commissioner Bosch, seconded by Commissioner Felicijan, to close the public hearing. The motion was unanimously approved. After additional discussion, a motion was then made by Commissioner Bosch, seconded by Commissioner Reiff, to recommend to City Council that the Tentative Plan Amendment for Oakland Hills at Centre Planned Development, 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive, be approved subject to the following:

1. The 150-foot tall mono-pine tower be constructed with a minimum capacity to carry four co-locations and the mono-pine tower design include significant branches and appropriate camouflaging as identified in the Sabre Towers and Poles brochure provided by the applicant. Furthermore, the mono-pine tower shall be constructed with a minimum 55-foot setback from the north property line and a minimum 90-foot setback from the east property line.
2. The fenced area around the mono-pine tower (50-feet by 70-feet lease area) be fully enclosed by a minimum six-foot tall solid, vinyl fence (in lieu of the proposed vinyl clad chain link fence) and supplemental evergreen tree plantings (minimum 10-foot tall, spaced 10 feet on-center) be installed along the north side of the enclosure.
3. The applicant preserve the large Oak tree located west of the mono-pine tower and the existing mature tree line located along Oakland Drive to the greatest extent possible in an effort to ensure the mono-pine tower blends in with the surrounding area and to minimize the visual impact on nearby property owners, motorists and pedestrians.

Upon a roll call vote: Patterson (yes), Bosch (yes), Stoffer (no), Cheesebro (yes), Welch (yes), Dargitz (no), Reiff (yes), Siegfried (yes), Felicijan (yes), the motion was approved 7-2.

OLD BUSINESS:

None.

TO: Planning Commission

DATE: April 13, 2012

FROM: Vicki Georgeau, ¹⁶Director of Community Development

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

I. APPLICATION INFORMATION:

An application to amend the previously approved tentative plan for the Oakland Hills at Centre Planned Development (PD) has been received. The 2012 tentative plan amendment proposes to add a 150-foot tall wireless telecommunication tower (“mono-pine”) within the office portion of the PD along Oakland Drive, revise the layout of the attached residential portion of the PD and reduce the overall number of units from 116 to 107, revise the layout of the office portion of the PD along West Centre Avenue and Oakland Drive and update the project phasing timeline. Please refer to the attached application, narrative and tentative plan submitted by the applicant for additional details regarding the proposal.

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

The Oakland Hills at Centre PD involves a 47.6 acre tract of land located south of West Centre Avenue and west of Oakland Drive. The original Oakland Hills at Centre PD rezoning/tentative plan application received City Council approval in 2006 and proposed the construction of 116 attached single family residential condominiums within the interior of the property and between 30,000 and 50,000 square feet of offices in a multiple building arrangement along West Centre Avenue and Oakland Drive. In 2009 and since construction did not commence within the required two-year period, City Council granted the applicant a two-year extension to the PD rezoning and tentative plan approval. As part of the extension, the applicant submitted an updated tentative plan that identified minor changes including an approximate 36-foot shift in the boundary line between the office and attached residential portions of the development, updated acreages and densities for the office and attached residential portions of the development and a revised phasing schedule. Also in 2009, City Council approved the final plan for an approximate 7,000 square foot office building and associated site improvements (Cole-Gavlas, 2301 West Centre Avenue) on a 1.5 acre site within the first phase of the office portion of the development. No additional development activity has occurred since this 2009 final plan approval.

II. TENTATIVE PLAN AMENDMENT PROCEDURES/REQUIREMENTS:

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

Section 42-374 of the Land Development Regulations stipulates the development standards in the zoning district. This section provides flexibility in the types of land uses of which up to 20% of the land area available can be utilized for nonresidential uses. Public water and public sanitary s

required. Overall density of the project may not exceed seven units per acre and density in any one phase may not exceed 12 units per acre. Building setbacks, building height, open space and screening are also regulated under the ordinance.

III. PUBLIC REVIEW/COMMENT:

The Planning Commission convened a public hearing during the March 1, 2012 meeting. Mr. Greg Dobson of American Village Development II, LLC and Mr. Bill Buck and Mr. Scott Hubble of Verizon Wireless were present and spoke in regards to the proposed tentative plan amendment and 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, the desire to preserve the mature tree line along Oakland Drive and importance of ensuring the structure has a high quality appearance. Mr. Buck discussed the pine tree design for the tower and the added flexibility and limited maintenance compared to the flag pole design. Mr. Buck also discussed the design standards and the very low probability of any structural failure. Mr. Hubble discussed the range of cellular coverage (1-3 miles) the mono-pine tower would provide at the proposed location.

Mr. James Marquardt, attorney representing Mr. William Nuyen and Mangwn Properties Inc. (owners of 8040 Oakland Drive and 2109 West Centre Avenue), spoke during the public hearing. Attorney Marquardt referred the Commission to his March 1, 2012 correspondence and stated his client does not object to the overall development, however, has concerns about the proposed location and setback of the mono-pine tower from the northern property line. Attorney Marquardt indicated the mono-pine is a very tall structure that is proposed extremely close to the property line. Attorney Marquardt acknowledged that there was only a slight risk for a catastrophic failure, however, this was still a concern for his client. Attorney Marquardt stated his client was also concerned about possible negative impacts on future development of the vacant parcel to the north (8040 Oakland Drive) given the proposed close proximity of the mono-pine tower. Attorney Marquardt requested that AVD consider other locations on their larger, vacant property for the mono-pine tower. No additional citizens spoke during the public hearing.

During the March 15, 2012 meeting and at the request of the applicant, the Commission adjourned the public hearing for the Oakland Hills at Centre Tentative Plan Amendment to the April 19, 2012 meeting. The applicant indicated the adjournment would allow additional time for AVD to complete discussions with the neighboring property owner to the north and more fully develop their proposal for the mono-pine tower.

IV. FINAL ANALYSIS - PROPOSED TENTATIVE PLAN AMENDMENT:

Since the March 1, 2012 meeting, the applicant has revised the proposal for the mono-pine tower. Although the overall enclosure (50-foot by 70-foot lease area) is proposed in the same location on the property, approximately 10-feet from the northern property line, the mono-pine tower has been relocated to the southern portion of the fenced enclosure to provide a 55-foot setback from the northern property line (previously 20-feet from the northern property line). As indicated on the preliminary site plan submitted by Verizon Wireless, the 50-foot by 70-foot lease area is proposed to be enclosed by a six-foot tall green vinyl-clad chain link fence with additional evergreen tree plantings along the north side to screen the fenced enclosure, base of the mono-pine and associated equipment structures. The applicant has also indicated the existing mature tree line along Oakland Drive will be preserved to minimize the visual appearance of the mono-pine tower.

A summary comparison between the 2009 approved tentative plan and 2012 proposed tentative plan amendment is provided in the table below. Specific aspects of the proposed tentative plan amendment are discussed in greater detail following the summary table.

Oakland Hills at Centre Planned Development		
Element	2009 Approved Tentative Plan ¹	2012 Proposed Tentative Plan Amendment
Uses	Mixed use attached residential and office development	Mixed use attached residential and office development with 150-foot tall wireless telecommunication tower (“mono-pine”)
Office/Attached Residential Acreage	30,000–56,000 square feet offices/8.61 acres (along West Centre and Oakland Drive) 116 attached residential units/39.10 acres (within interior portion of PD property)	30,000–56,000 square feet offices/8.61 acres (along West Centre and Oakland Drive) 107 attached residential units/39.10 acres (within interior portion of property)
Phasing	Phase I (Winter 2009--Fall 2011) * 8.61 acres office along West Centre Avenue Phase II (Fall 2010--Fall 2012) * 2.75 acres office along Oakland Drive * 9.61 acre attached residential (47 units) Phase III (Fall 2012--Fall 2014) * 29.4 acres attached residential (69 units)	Phase I (Winter 2009--Fall 2014) * 8.61 acres office along West Centre Avenue Phase II (Summer 2012--Fall 2016) * 2.75 acres office along Oakland Drive plus 150-foot tall mono-pine tower along Oakland Drive * 9.61 acre attached residential (47 units) Phase III (Fall 2016--Fall 2018) * 29.4 acres attached residential (60 units)
Setbacks	40-foot building setback around perimeter of property 50-foot green belt/setback for offices along West Centre Avenue and Oakland Drive 25-foot building setback for residential buildings from internal private streets and 30-foot separation between residential buildings	40-foot building setback around perimeter of property with the exception of the fenced enclosure and accessory buildings associated with the mono-pine cell tower that are proposed to be setback 10 feet and 15 feet, respectively. 50 foot green belt/setback for offices along West Centre Avenue and Oakland Drive 25-foot building setback for residential buildings from internal private streets and 20-foot separation between residential buildings
Access	Phase I – Full service drive from West Centre (existing boulevard shared with Hospice Care) Phase II – Full service drive from Oakland Dr (proposed in approximate mid-point of property) Phase III - Shared/cross access between other phases and adjacent uses	Phase I – Full service drive from West Centre (existing boulevard shared with Hospice Care) Phase II – Full service drive from Oakland Dr (proposed in approximate mid-point of property) Phase III - Shared/cross access between other phases and adjacent uses
¹ Original 2006 PD rezoning/tentative plan approval was granted a two –year extension by City Council in 2009.		

- **Wireless Telecommunication Tower (Mono-pine)** – A new 150-foot tall wireless telecommunication tower is proposed within Phase II of the office portion of the planned development along Oakland Drive. The alternative tower structure (ATS) proposed by Verizon Wireless will be designed as a mono-pine (pine tree with simulated branches/bark) to better blend into the surrounding natural environment and conceal the presence of antennas and related support structures. The revised tentative plan/narrative indicates the mono-pine tower will be setback 90-feet from Oakland Drive and 55-feet from the north property line, with the associated fenced lease area (50-feet by 70-feet) setback 50-feet from Oakland Drive and 10-feet from the north property line within the area previously designated as a 40-foot building setback around the property perimeter. Preservation of the existing mature tree line located along Oakland Drive is proposed with construction of the mono-pine tower/enclosure and supplemental screening is also planned along the north side of the fenced enclosure.

Consistent with ordinance requirements, Verizon Wireless has submitted preliminary engineering documentation and related information that demonstrates no existing tower, structure or other alternative technology in the area can accommodate the proposed wireless telecommunications antennas and related equipment. While an existing 160-foot tall flag pole tower is located approximately 466-feet northeast of the proposed mono-pine site, along the east side of Oakland Drive, this structure is fully occupied and at capacity for antenna/equipment collocation. Verizon Wireless antennas are already situated on this flag pole tower, however, the applicant has indicated this structure can not accommodate planned upgrades to the Verizon Wireless network.

A February 21, 2012 letter from Jonathan Crane (attorney representing Verizon Wireless) along with a mono-pine tower brochure and photographic perspectives of the proposed mono-pine tower at the subject site previously provided to the Commission are attached. Additionally, an April 4, 2012 letter from Attorney Crane along with additional information regarding the proposed mono-pine tower is also attached for Commission review. Included in these materials is a March 15, 2012 communication from Ms. Amy Herbst, P.E., Senior Design Engineer for Sabre Towers and Poles, that discusses the structural design of the mono-pine tower. While the communication states that "...there has never been a failure of a Sabre mono-pine.", it also indicates that if there was to be a failure of the mono-pine tower, the failure would occur "...within the upper portion of the mono-pine..." and that there would be "...no debris in a radius greater than 40' from the monopole." Based on this information, the revised location of the mono-pine tower (55-feet from the north property line) should ensure that the tower would not adversely affect adjacent properties in the event of a catastrophic collapse.

With the exception of the Cole-Gavlas office building along the West Centre Avenue office portion of the development, the remainder of the approximate 47-acre property is currently vacant land. While alternative mono-pine tower locations are available, approximately 80% of the land area within the PD is designated for residential land use and open space. Staff believes locating the mono-pine tower within the office portion of the PD will be less impactful than locating the tower in the area designated for residential use since office uses have limited hours of operation and, unless a work/live arrangement exists, are not used as a place of residence.

While land area planned for office use is available along West Centre Avenue, location of the tower in this portion of the PD will have a greater impact on the surrounding area since it is more visible to the motorists/pedestrians along West Centre Avenue, and residents of the Chippewa Hills neighborhood located on the north side of West Centre. This office land area also has fewer mature trees and is approximately 22 feet higher in elevation than the proposed Oakland Drive mono-pine location. Given the existing and planned land use characteristics of the area, locating the mono-pine tower within the office area of the PD along the Oakland Drive frontage has merit. Options for this vicinity of the office portion of the PD should include consideration of the proximity to existing and future residential land uses, and opportunities to construct the proposed mono-pine tower in proximity to existing mature trees compatible with the proposed tower design.

While the mono-pine tower/enclosure could be located along the south portion of the 8080 Oakland Drive parcel, this would place the structure adjacent to a nonconforming single family residence on the parcel to the south (8100 Oakland Drive). Alternatively, the mono-pine tower/enclosure could be moved further west of the proposed location near the southeast boundary of the Hospice of Southwest Michigan property (2255 West Centre Avenue). However, this option would result in the tower being located in a natural clearing area more visible to adjacent property owners and to future residents of the PD development. Finally, the mono-pine tower/enclosure could be located within the middle portion of the 8080 Oakland Drive parcel; however, this location would significantly impact the planned layout of the office portion of the PD (buildings and parking) and the boulevard entrance from Oakland Drive.

With regard to the proposed tower/enclosure location, impacts associated with the placement of the accessory buildings within the 40-foot perimeter setback area (tower is not located in this area) as identified on the previously approved tentative plan should be minimal. The equipment shelters are relatively small, ranging in size from 20-26 feet long, 10-12 feet wide and nine feet high and will be setback not less than 15 feet from the north property line. Supplemental screening consisting of natural vegetation (evergreen trees) will also be installed by the applicant between the fenced enclosure and north property line. As indicated above, the mono-pine tower has been shifted further south from its initial proposed location and will be constructed within a stand of existing mature trees compatible with the proposed alternative tower structure design. The proposed location, with additional requirements for mature tree preservation and installation of supplemental screening, will be the least impactful and is appropriate based on the analysis of alternative site locations.

While the applicant has provided many details of the proposed tower with the tentative plan amendment application, it is important to note that if the proposed tentative plan amendment is approved by City Council, specific details regarding the design and construction of the mono-pine tower will be subject to Planning Commission review/approval of a Special Land Use Permit and Planning Commission review/recommendation and City Council review/approval of a Final (site) Plan.

- Revised Attached Residential Layout/Reduction in Units – As identified by the applicant, the layout of the attached single family residential condominium buildings has been revised slightly. A combination of two, three and four unit buildings continue to be planned for Phase II and Phase III of the development. Additionally, the total number of condominium units for the attached residential portion of the planned development has been reduced from 116 units to 107 units. Attached residential condominium buildings will maintain a minimum 40-foot setback from the perimeter of the property, 25-foot setback from the edge of the internal streets and 20-foot separation between buildings. Internal private streets, storm water areas, entry statements and common open space areas around the attached residential buildings will be owned and maintained by the Oakland Hills at Centre Neighborhood Association. The remainder of the approximate 18 acres of the common open space will be owned by the developer with covenants that will include the right for all residents of Oakland Hills to use these areas for walking and other passive recreational uses.
- Revised Office Layout along West Centre Avenue/Oakland Drive – As identified by the applicant, the layout of the office portion of the development has been revised to reflect the construction of the Cole-Gavlas building and associated boulevard drive from West Centre Avenue, the proposed location of the 150-foot tall mono-pine tower along Oakland Drive and the current marketing plan. Multiple office buildings ranging in size from 1,250 – 30,000 square feet continue to be planned for Phase I and Phase II of the development, along the West Centre Avenue and Oakland Drive frontages. Office buildings will maintain a minimum 40-foot setback from the perimeter of the property and a 50-foot green belt/setback from West Centre Avenue and Oakland Drive.
- Updated Project Phasing Timeline – Challenging economic conditions have slowed the originally anticipated application/construction schedule for the planned development. Phase I of the development that involves construction of 8.61 acres of offices along West Centre Avenue is now planned between Winter 2009 – Fall 2014. Phase II that involves construction of 2.75 acres of offices along Oakland Drive, including the 150-foot tall mono-pine tower, and 9.61 acres of attached residential condominiums (47 units) is now planned between Summer 2012 – Fall 2016. Phase III of the development that involves construction of 29.4 acres of attached residential condominiums (60 units) is now planned between Fall 2016 – Fall 2018.

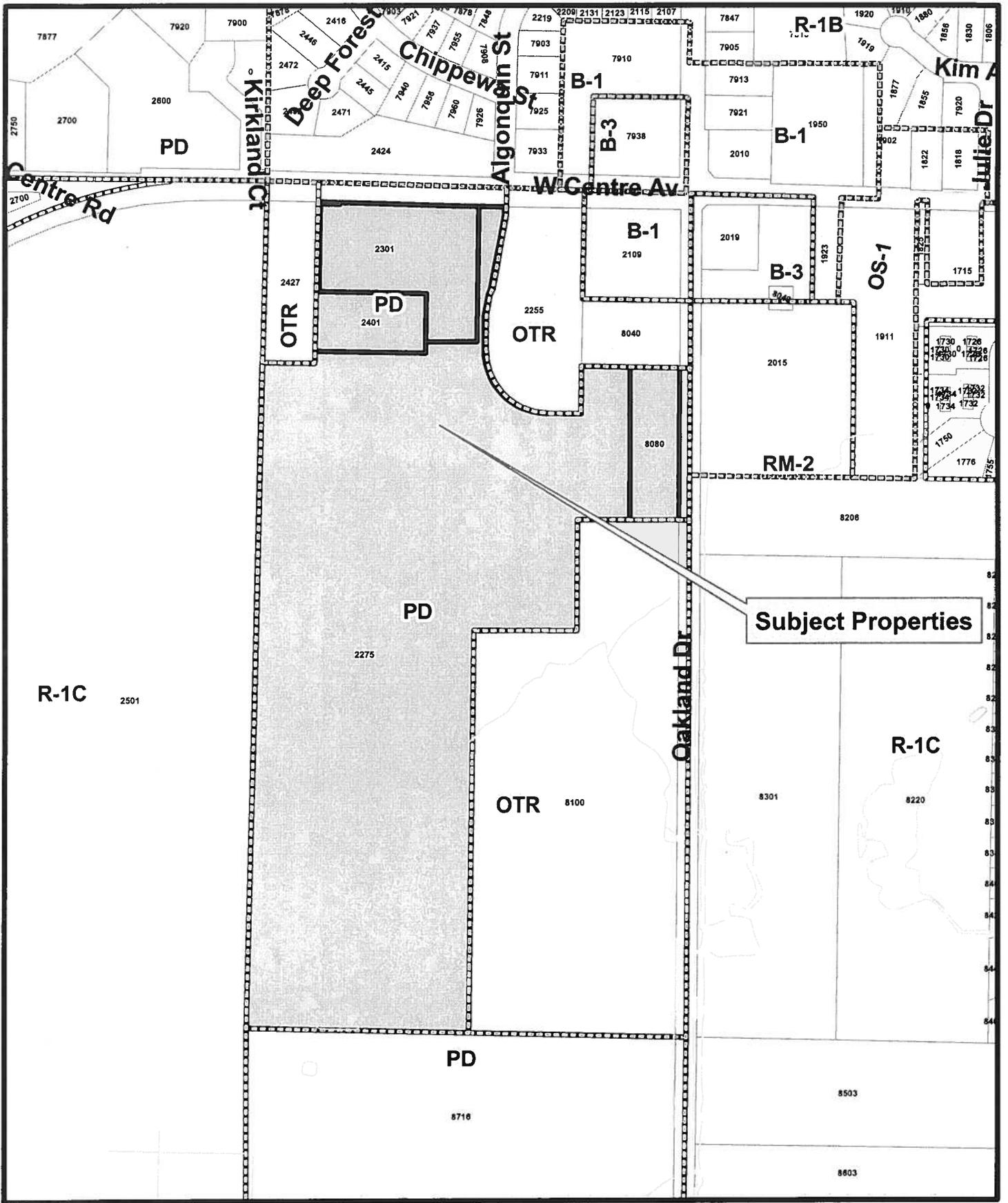
V. RECOMMENDATION:

Based upon the above analysis and subject to any comments received during the public hearing, staff advises the Planning Commission to recommend to City Council that the Tentative Plan Amendment for Oakland Hills at Centre Planned Development, 2275, 2301 and 2401 West Centre Avenue and 8080 Oakland Drive, be approved subject to the following:

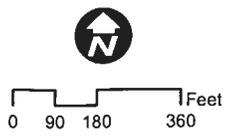
1. The 150-foot tall mono-pine tower be constructed with a minimum capacity to carry four co-locations and the mono-pine tower design include significant branches and appropriate camouflaging as identified in the Sabre Towers and Poles brochure provided by the applicant. Furthermore, the mono-pine tower shall be constructed with a minimum 55-foot setback from the north property line and a minimum 90-foot setback from the east property line.
2. The fenced area around the mono-pine tower (50-feet by 70-feet lease area) be fully enclosed by a minimum six-foot tall solid, vinyl fence (in lieu of the proposed vinyl clad chain link fence) and supplemental evergreen tree plantings (minimum 10-foot tall, spaced 10 feet on-center) be installed along the north side of the enclosure.
3. The applicant preserve the large Oak tree located west of the mono-pine tower and the existing mature tree line located along Oakland Drive to the greatest extent possible in an effort to ensure the mono-pine tower blends in with the surrounding area and to minimize the visual impact on nearby property owners, motorists and pedestrians.

Specific design and construction of the mono-pine tower, along with tree preservation and screening details will be reviewed further by the Planning Commission/City Council during consideration the Special Land Use Permit and Final (site) Plan.

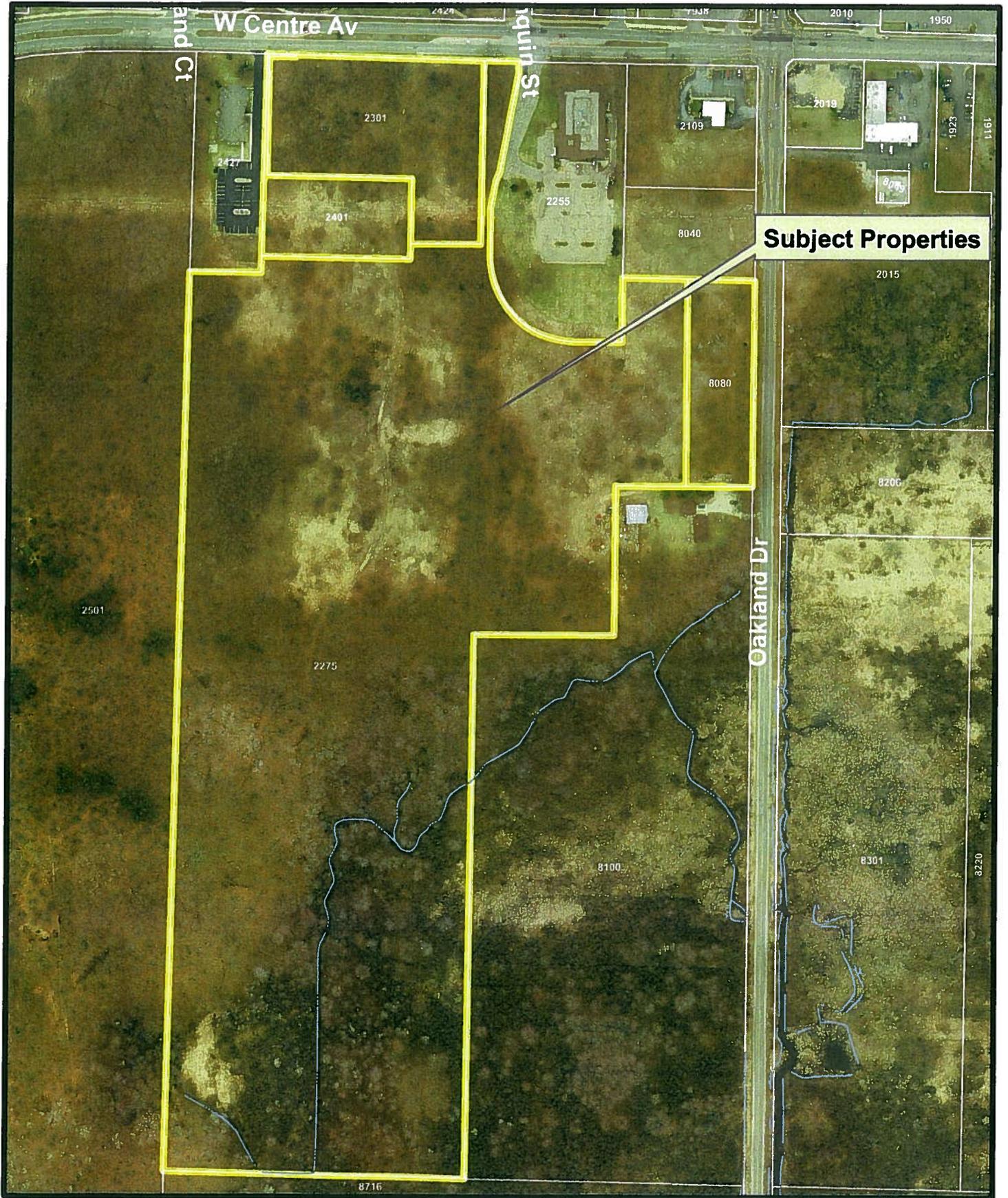
Attachments: Zoning/Vicinity Map
Aerial Photograph
Proposed Tentative Plan Amendment (narrative and tentative plan layout)
February 21, 2012 Correspondence from Attorney Jonathan Crane (representing Verizon Wireless) and Information Regarding Proposed Mono-Pine Tower
Previously Approved 2009 Tentative Plan for Oakland Hills at Centre PD (narrative and plan)
March 1, 2012 Correspondence from Attorney James Marquardt (representing Mangwn Properties)
April 4, 2012 Correspondence from Attorney Jonathan Crane (representing Verizon Wireless)
Supplemental Information regarding the Verizon Wireless Mono-Pine Tower (dated April 4, 2012)



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



-  Zoning Boundary
-  Subject Properties



Subject Properties



0 65 130 260 Feet

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

 Subject Properties

avb
construction | development

April 13, 2012

Mr. Christopher Forth
Deputy Director of Planning and Community Development
City of Portage
2900 S. Westnedge Ave.
Portage, MI 49002

RE: Oakland Hills at Centre Planned Development Conceptual Plan

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

We look forward to reviewing the below along with the attached related site plan before the Planning Commission and City Council meetings. The material changes from the approved 2009 tentative plan narrative are as follows:

1. Slight revision to the layout and number of condominium units from 116 to 107.
2. Addition of a cell tower area which is strategically positioned within an existing tree line and in a depression a berm area along Oakland Drive, and with the pole now 55’ from the property line to the north
3. Update of the office area along center to show our current marketing plan along with the completed Cole Gavlas office building
4. Update of the office area to show the actual location of the boulevard drive from Centre Avenue to Cole Gavlas as constructed.
5. Update of the project phasing timeline.

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

1. The main purpose of the proposed tentative plan revision is to allow for the addition of a 150’ mono-pine cell tower to be installed within the Oakland Drive portion of the office building area. We have also updated the residential and

office development site plans to match the actual construction to date as well as our most recent conceptual plans. As with all of our planned developments, our focus is on developing great communities. Oakland Hills at Centre exhibit this focus and has been designed to take advantage of the interest in the Oakland Hills planned development which is immediately contiguous to this property to the south. Oakland Hills at Centre will have a traditional "entry statement" at each entrance: one at Centre Avenue and one at Oakland Drive. The Centre Avenue entrance is already constructed and is shared with the Oakland Centre building occupied by Hospice. These entrances create a "sense of arrival" when a resident or guest comes to this community. We enjoy working on developments that have natural topography, views, nature and related features. We plan to harness the natural beauty of this land in many ways at Oakland Hills at Centre including: first-rate landscaping and natural screening where appropriate. Additionally we will take advantage of the natural features and topography of the land by site planning to allow views of the beautiful forests, waterways, wetlands and sensitive areas that border this property on the south where practical. We also look forward to connecting our internal sidewalks and walkways to the planned City of Portage walking trail that is contemplated to travel near our property from Oakland Hills to Centre Avenue.

2. The proposed development is on a 47.6 +/- acre tract of land at the southwest corner of Centre Avenue and Oakland Drive. In aggregate we plan to develop approximately 29 acres of the 47.6 +/- acre parcel of land leaving 18 acres that are part of this tentative plan that will be developed for one of the following uses: common open space, recreational areas and uses, walking trails, storm water retention, wetlands and floodplain. Using a cluster development and open space concept, the 29 acres to be developed will include 107 single-family attached condominium units and 8.61 acres of office space. The office space is divided into two parcels. One parcel fronts on Centre Avenue. A second parcel fronts on Oakland Drive and serves as the Oakland Drive Entrance. It should be noted that the large tract of land adjacent to our property to the west is a State of Michigan forest. Additionally, the large tract of land to the south of the property is also already zoned Planned Development. Please see the attached Exhibit "A" which contains the required site plan for your review.
3. Oakland Hills at Centre will be developed in three phases beginning in January of 2009. Phase I will include the first six acres of office space on Centre Avenue. Phase II will include 47 units of attached condominium units, the installation of a mono-pine cell tower, and the remainder of the office space. A mono-pine cell tower has been selected to better blend with the existing trees and landscape. The mono-pine will be located in the office area that is adjacent to Oakland Drive, approximately 55' south of the northernmost property line and approximately 90' west of the Oakland Drive right of way. The mono-pine, at 150' in height, will be nestled into an existing stand of trees, and the lower

portion screened from view from Oakland Drive by the existing trees and scrub. Our development goal is to minimize the impact of the mono-pine on the future planned uses of the adjacent properties, while creating the first class entry into a residential and office, mixed use development. The goal of minimizing impact on the adjacent community and neighborhoods is why we chose this particular location over all other possibilities on our 47 acres+/- . We avoid the high traffic Centre Avenue office area where larger more mature trees are not as plentiful and we also avoid conflict with residentially zoned land.

In the proposed location, we will be working to create a sense of arrival similar to what may presently be experienced at the Oakland Drive entrance to Oakland Hills. As is referred to in #1 above we will make use of the following existing conditions to add the mono-pine without significantly impacting the neighboring property by: a) placing the structure to the west of, and therefore at a grade lower than, an existing raised grade area along the west side of Oakland drive, b) placing the structure within an existing stand of trees. As the property is being developed, our goal will be to keep as many of the existing trees as possible, particularly in the 50' green strip that we have provided along Oakland Drive, but also around the immediate base of the mono-pine as well. The mono-pine pole will be painted to look like bark and the wireless receivers at the top will be camouflaged by simulated pine branches and pines. Phase III will include the remaining 60 units of attached condominium units. The attached condominium units will be further developed as noted below but will generally consist of two, three and four unit buildings. The office buildings will be between 1,250 square feet and 30,000 square feet depending on the type of user. We anticipate, however, several 2,500 to 7,500 square foot buildings as depicted. All of the residential units developed for this project are "for sale" product and are anticipated to be "owner occupied" units aimed mainly but not exclusively at empty nesters. The office product will either be for sale, build to suit or for lease. The development phase lines have been included on the attached Exhibit "A".

4. The time schedule is proposed as follows:

- a. Phase I Winter 2009 through Fall of 2014
- b. Phase II Summer of 2012 through Fall of 2016
- c. Phase III Fall of 2016 through Fall of 2018

5. The site plan and its associated phasing lines show how each stage of the development is independent, yet is designed to integrate well into the development as well as the existing development pattern. Phase I uses existing Centre Avenue curb cuts and drives which area partially owned and fully benefited by easements in favor of our development at both the far east (Hospice) and the far west ends (Kushner & Co.) of the property. Phase II contemplates a new entry and connection to Oakland Drive, and phase III

integrates together seamlessly with phase I and II. Upon completion, the development will connect to Oakland Drive and Centre Avenue via a drive which runs between the two roads with many ancillary roads making up the remainder of the development. Until such time as the Oakland Drive office area work commences, the mono-pine cell tower will be accessed by a dirt road that will be placed in the same area as the proposed boulevard entry from Oakland Drive. This drive will work its way to the north, behind the existing tree line along Oakland Drive, and over the location of the proposed future office building parking lot.

We anticipate, due to the target demographics for this development, that our residents will average 6 trips per day to and from their units. In addition, our planned 30,000 to 56,258 square feet of office space is planned to generate approximately 125 to 175 employees and another 6 trips per day per employee. This equates to 873 trips at each of the two Oakland Hills at Centre intersections. The Oakland Drive access will be designed to allow for right and left hand turn exit lanes and one entry lane. The Centre Avenue curb cut shared with Hospice is already constructed with a right and left turn out. Additionally, due to our target demographics we do not anticipate any residential traffic impacting peak hours like other more intensive uses may.

6. As mentioned previously, the land is located around the Southwest corner of Oakland Drive and Centre Avenue. The parcel is 47.6 acres +/- in total. We presently own all of this property fee simple.
7. The chart below demonstrates the land use and density for each phase.

Phase I	5.86 acres Office
	27,019 sq. ft. Office
	$27,019 / 5.86 \text{ acres} = 4,610 \text{ sq. ft. per acre}$
Phase II	2.75 acres Office, 9.61 acres Residential
	$47 \text{ units} / 9.61 = 4.9 \text{ units per acre}$
	$7,964 \text{ sq. ft. office} / 2.75 \text{ acre} = 2,896 \text{ sq. ft. per acre}$
	One mono-pine cell tower
Phase I & II Combined	

Office at 4,063 sq. ft. per acre, Residential 4.9 units/acre

Phase III 29.40 acres Residential

60 units/29.4 = 2.04 units per acre

Phases I-III Combined

107 units over 39.01 acres = 2.74 units per acre

Office at 8.61 acres*

*It should be noted that on 8.61 acres using a 15% coverage ratio (a light density that was used for all of Woodbridge Hills) would equate to 56,258 square feet of office space. While this conceptual plan shows only 34,983 square feet of office space, we are asking for approval for office density up to 56,258 square feet. We may ultimately develop significantly less than the 56,258 square feet of office space but we are asking for the flexibility to develop within the parameters established within this narrative.

8. The roads, storm areas and entry statement areas will be maintained by the Oakland Hills at Centre Neighborhood Association. The common space immediately in and around the residential units will also be owned by the Oakland Hills at Centre Neighborhood Association with the balance of the common open space being owned by the developer. The covenants that will be recorded to create the Oakland Hills at Centre Neighborhood Association will include the right for residents of Oakland Hills to use the balance of the property owned by the developer for walking and other passive recreational uses as provided for in this tentative plan. The neighborhood association will be formed upon the completion of the rezoning request and will be fashioned after the Woodbridge Hills Neighborhood Association. The covenants for the Centre Avenue office parcel have already been recorded and are in effect and operation.
9. The residential development units will consist of the following types of units:
 - four unit buildings (some walk out, some townhouses, some garden level and some slab on grade), multi-unit housing
 - three unit buildings, multi-unit housing
 - two unit buildings, two family housing

Please keep in mind that all of the submitted unit elevations and floor plans are always being improved as well as enhanced to meet the market and will be

further developed prior to construction. It is our intention, as in all of our communities, to provide the best possible combinations of colors, materials and architecture. Our final product at Oakland Hills at Centre will take advantage of our in-house staff and their ability to select the proper colors, textures and materials to make every residence feel great. We plan to use a combination of architectural grade roof shingles, vinyl shake siding (which look almost exactly like cedar shakes) and other natural materials.

All of the units that we have proposed above will be between 1,000 and 3,000 square feet. Our 2, 3, and 4 unit condos will have base floor plans of around 1,200 square feet and with finished lower levels as large as 2,500 square feet. The 2, 3 and 4 unit model pricing will start at around \$185,000 and an individual unit can be specified in a fashion to cost as much as \$400,000 each. As in Woodbridge Hills and Oakland Hills, the proper application of colors, materials and architectural details will allow all of these unit types to work well together and to feel like a part of a cohesive community.

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

We have used a 40' set back around the entire perimeter of the property with the exception of the office area along Oakland Drive, in the vicinity of the monopine, where the set back is proposed at 10'. We are also maintaining a 50' green belt on both Centre and Oakland. In addition we have maintained 20' between each building and a 25' front setback from the edge of road. The building heights will not exceed those which are allowed within the PD zoning district.

10. Storm water will be piped via underground structures to the 18.6 acre common open space area to the south. In addition, some water will be integrated into the design of the office sites. Storm water will be pre-treated when required by City of Portage regulations and then released for infiltration into this 18.6 acre lowland. This low-lying 18.6 acre area provides plenty of space for this purpose and this plan will be developed to allow for natural looking rain basins/wetlands as opposed to typical, fenced off, deep and unsightly storm systems. Sanitary sewer will be connected to the available City of Portage sanitary sewer system which is available and already constructed at Centre Avenue
11. Covenants, which have already been recorded on the Centre Ave commercial frontage, will be placed on the entire property. These covenants will provide for the shared use and maintenance of the common open space and the linear trail

system. Easements will be provided for utilities as required by the utility companies for gas, water, electric, street lights, sanitary sewer, cable television and phone service. A 66' wide easement has been reserved for the private streets and the required utilities.

12. Parking will be provided in a number of ways. First, some parking will be accommodated in the driveways of each unit. Second, off-street visitor parking will be provided, as shown on the attached site plan. Additionally, the 26 foot wide streets will be posted for parking on one side of the street only. Within the office district, adequate parking will be provided per City Ordinance.
13. We do not anticipate any required modifications in the regulations otherwise applicable to the subject property.
14. As noted in #4 above, we intend to make our final submittal for the last phase, Phase III, of Oakland Hills at Centre by the fall of 2016.
15. Since the successful implementation of the plan is required both by the ordinance and by our own standards, we do not feel that any performance bonds are necessary. We have a long-standing reputation for successful completion of our projects and the meticulous management of our developments after build-out.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Dobson", with a long horizontal flourish extending to the right.

Greg Dobson

C Joe Gesmundo, J. Craig DeNooyer, Fritz Brown, Jack Gesmundo, Daryl Rynd

JONATHAN R. CRANE, P.C.

ATTORNEY AND COUNSELOR
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February 21, 2012

RECEIVED
FEB 22 2012
COMMUNITY DEVELOPMENT

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

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

Dear Mr. West:

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

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

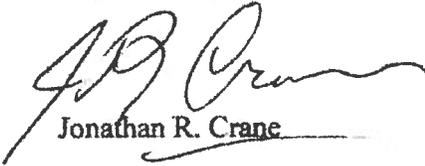
Wireless technology is increasing in both the number of customers and the number of devices. While exciting and useful, the new devices require substantial additional antenna demands. With the addition of high speed services larger antenna capacities are needed. Associated with larger antennas are additional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

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

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

Very truly yours,

JONATHAN R. CRANE P.C.



Jonathan R. Crane

Bark Cladding Repair Instructions

RECEIVED

FEB 10 2012

COMMUNITY DEVELOPMENT



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



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

BARK CLADDING REPAIR ON MONOPOLES

(Pine bark reflected in attached pictures)

Step # 1

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

Step # 2

Mixing materials and ratios:

Making sure the material (6240) is not frozen (A side), both components need to be mixed together well until it turns a dark brown color.

The mixing cups (containers) will be provided and marked which one to use with what material, and how much of it to use per side.

One cup of each material at a time should be enough to start with to get the hang of adding the cabosil part of it.

For the (Cabosil) Powder Thickening agent, add enough to make the liquid material into a thick dough like consistency. Start with a little at a time then gradually add more until it becomes as thick as you can handle it.

Step # 3

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

Let dry and proceed to paint.

Step # 4

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

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





Pine Branch Installation

Universal Mount with T-Arms

Definitions:

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

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

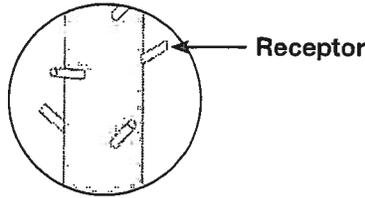
Natural Variation - Describes the shape of the tree. The goal is to attach branches of different lengths in such a manner that the "natural variation" of branch lengths mimics a natural tree.

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

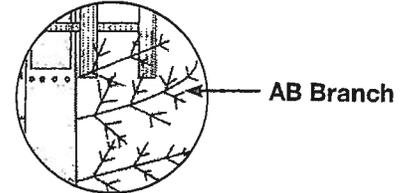
AB Branch - Designed wide with ends that curve upward. When installed the ends will curve up in front of the antennas to help camouflage them.

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

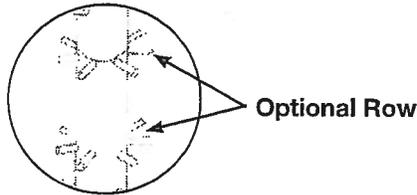
Antenna Wrap - Also referred to in the industry as "Socks". Needle tufts adhered to green plastic mesh which wraps around the antennas to help disguise them.



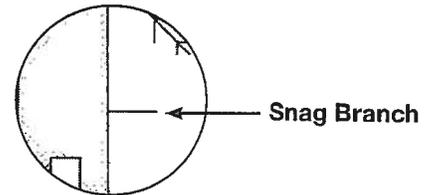
Receptor



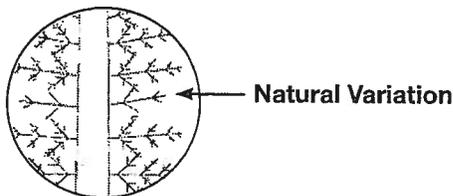
AB Branch



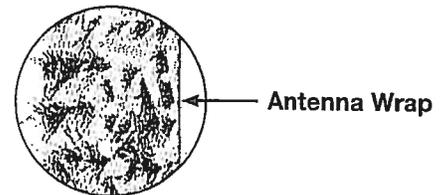
Optional Row



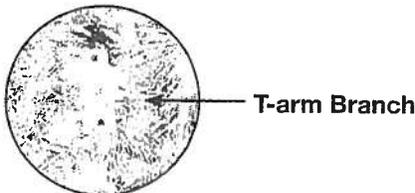
Snag Branch



Natural Variation



Antenna Wrap

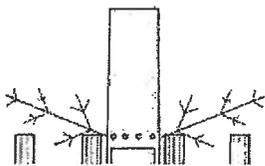
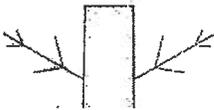
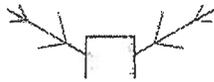
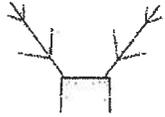
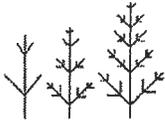


T-arm Branch

Notes for installation:

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

Drawings are not to scale with actual pole



Step 1:

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

Step 2:

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

Step 3:

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

Step 4:

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

Step 5:

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

Step 6:

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

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

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

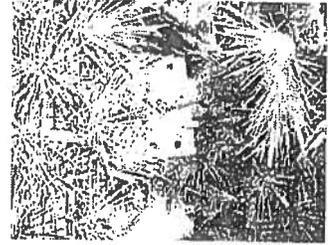
Step 7:

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

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

Step 8:

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

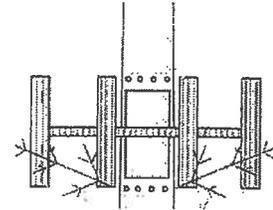


Step 9:

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

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

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

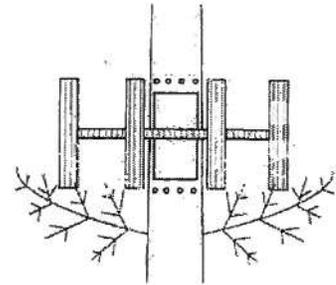


Step 10:

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

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

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



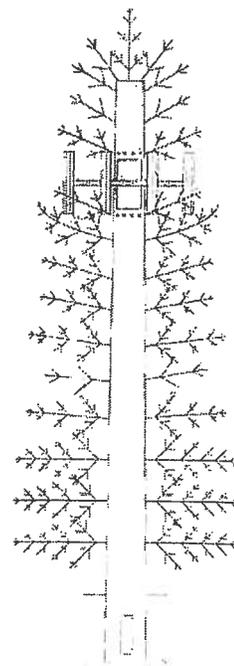
Step 11:

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

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

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

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





2101 Murray Street
P.O. Box 658
Sioux City, IA 51102-0658

Toll Free: 1-800-369-6690
Phone: 712-258-6690
www.SabreTowersandPoles.com

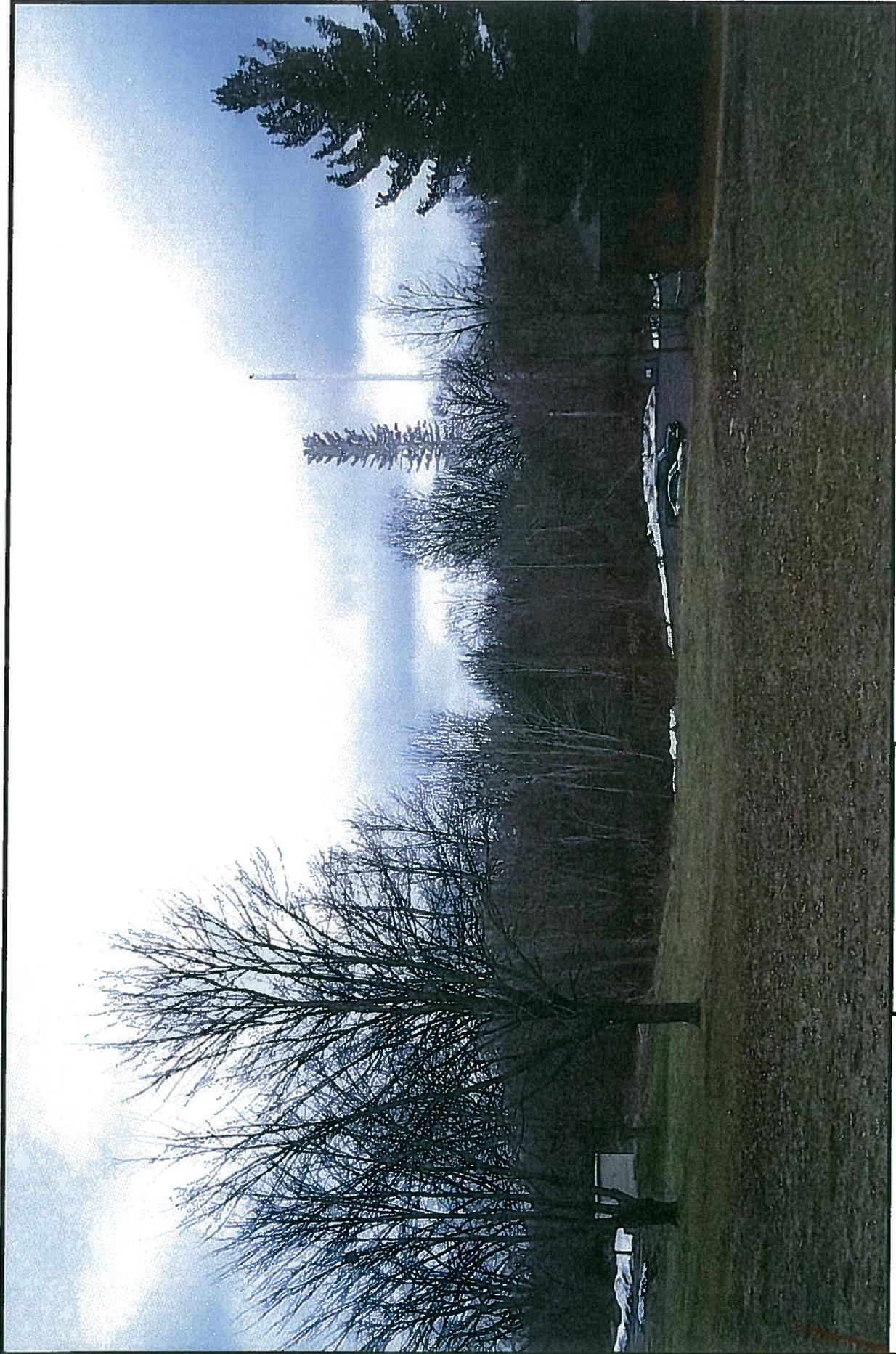


Project Number: 211096.00
Date: 2-14-12
Sheet Number: 1

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

Client: 

NSA Architects
Engineers
Planners
23761 Research Drive
Farmington Hills
Michigan 48335
248.477.2444
248.477.2445 fax
www.nsa-ac.com



Project Number: 211096.00
Date: 2-14-12
Sheet Number: 2

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

Client:  Verizon Wireless

NSA Architects
Engineers
Planners
23761 Research Drive
Farmington Hills
Michigan 48335
248.477.2444
248.477.2445 fax
www.nsa-ae.com



Project Number: 211096.00
Date: 2-14-12
Sheet Number: 3

Description:
Original View
Location:
Cell Site #2708R - West Centre Replacement
Portage, Michigan



NSA
A r c h i t e c t s
E n g i n e e r s
P l a n n e r s
23761 Research Drive
Farmington Hills
Michigan 48335
248.477.2444
248.477.2445 fax
www.nsa-ac.com



Project Number: 211096.00

Date: 2-14-12

Sheet Number: 4

Description: Proposed View

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

Client:



NSA
Architects
Engineers
Planners

23761 Research Drive
Farmington Hills
Michigan 48335

248.477.2444
248.477.2445 fax
www.nsa-ac.com



Project Number: 211096.00

Date: 2-14-12

Sheet Number: 5

Description:
Original View

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

Client:



A r c h i t e c t s
E n g i n e e r s
P l a n n e r s

248.477.2444
248.477.2445 fax
www.nsa-ae.com



23761 Research Drive
Farmington Hills
Michigan 48335



Project Number: 211096.00
Date: 2-14-12
Sheet Number: 6

Description: **Proposed View**
Location: Cell Site #2709R - West Centre Replacement
Portage, Michigan



NSA Architects
Engineers
Planners
23761 Research Drive
Farmington Hills
Michigan 48335
248.477.2444
248.477.2445 fax
www.nsa-ac.com

January 15, 2009



4200 W. Centre Ave.
Portage, MI 49024
269.323.2022 phone
269.323.2484 fax
avbconstruction.com

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

Dear Mr. Forth:

Thank you for your comments regarding our planned Oakland Hills at Centre project. Along with Hurley and Stewart, we have reviewed and responded to each one of the items addressed in your letter.

Furthermore, we have analyzed and updated the conceptual plan for Oakland Hills at Centre and hereby request a two-year extension of the Planned Development zoning.

In regard to the sign located on the northwest corner of the site, Hurley and Stewart has positioned the sign at least ten feet from neighboring property lines as indicated in your third comment. This sign will be one of two that serve the commercial properties along Centre.

Also, we have met with the owner of the adjacent property to the west of the Cole Gavlas site and addressed the issue of shared driveways per your request. Official documentation of the agreement to share the drives has been recorded with Kalamazoo County. Please reference document 2002-030498.

Thanks again for your assistance in helping us to bring this project to fruition. We look forward to working with the City of Portage as the Oakland Hills at Centre project progresses. Please feel free to contact me with any further questions that you might have at (269) 329-3636 or gdobson@avbinc.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Dobson", with a long horizontal line extending to the right.

Greg Dobson

Attachment: Conceptual Plan Narrative



RECEIVED

JAN 30 2009

COMMUNITY DEVELOPMENT

AVB

CONSTRUCTION

4200 W. Centre Ave.

Portage, MI 49024

269.323.2022 phone

269.323.2484 fax

avbconstruction.com

January 30, 2009

Mr. Christopher Forth
Deputy Director of Planning and Community Development
City of Portage
2900 S. Westnedge Ave.
Portage, MI 49002

RE: Oakland Hills at Centre Planned Development Conceptual Plan

We, with our partners at Treystar, are excited to submit to you a conceptual plan for Oakland Hills at Centre. The following "tentative plan" is consistent with our earlier approvals received from the City of Portage.

Per your request we are answering each of the fifteen required questions that are provided in Section 42-375 of the City of Portage Land Development Regulations.

1. The purpose of the proposed tentative plan revision is to allow for the development of a new mixed use residential and office development called Oakland Hills at Centre that is consistent with City of Portage Land Development Regulations. As with all of our planned developments, our focus is on developing great communities. Oakland Hills at Centre will further exhibit this focus and will be designed to take advantage of the interest in the Oakland Hills planned development which is immediately contiguous to this property to the south. Oakland Hills at Centre will sport our traditional "entry statements" at each entrance at Centre Avenue and at Oakland Drive. These entrances will create a "sense of arrival" when a resident or guest comes to this community. We love to work on developments that have natural beauty, or what we call special parcels of land. We plan to harness the natural beauty of this special land in many ways at Oakland Hills at Centre including beautiful entry statements, first-rate landscaping and natural screening where appropriate. Additionally we will take advantage of the natural features and topography of the land by site planning to allow views of the beautiful forests, waterways, wetlands and sensitive areas that border this property on the south. We also look forward to connecting our internal sidewalks and walkways to the planned City of Portage walking trail that is contemplated to travel near our property from Oakland Hills to Centre Avenue.
2. The proposed development is on a 47.6 +/- acre tract of land at the southwest corner of Centre Avenue and Oakland Drive. In aggregate we plan to develop



approximately 29 acres of the 47.6 +/- acre parcel of land leaving 18 acres that are part of this tentative plan that will be developed for one of the following uses: common open space, recreational areas and uses, walking trails, storm water retention, wetlands and floodplain. Using a cluster development and open space concept the 29 acres to be developed will include 116 single family condominium units and approximately 8.6 acres of office space. The office space will front on Centre Avenue along with an additional office parcel at the Oakland Drive entrance. It should be noted that the large tract of land adjacent to our property to the west is a State of Michigan forest. Additionally, the large tract of land to the south of the property is also already zoned Planned Development. Please see the attached Exhibit "A" which contains the required site plan for your review.

3. Oakland Hills at Centre will be developed in three phases beginning in January of 2009. Phase I will include the first six acres of office space on Centre Avenue. Phase II will include 52 units of attached condominium units and the remainder of the office space. Phase III will include the remaining 64 units of attached condominium units. The attached condominium units will be further developed as noted below but will generally consist of two, three and four unit buildings. The office buildings will be between 1,250 square feet and 30,000 square feet depending on the type of user. We anticipate, however, several 4,000 to 10,000 square foot buildings. All of the residential units developed for this project are "for sale" product and are anticipated to be "owner occupied" units aimed at empty nesters. The office product will either be for sale, build to suit or for lease. The development phase lines have been included on the attached Exhibit "A".

4. The time schedule is proposed as follows:

- | | |
|--------------|-----------------------------------|
| a. Phase I | Winter 2009 through Fall of 2011 |
| b. Phase II | Fall of 2010 through Fall of 2012 |
| c. Phase III | Fall of 2012 through Fall of 2014 |

5. The site plan and its associated phasing lines show how each stage of the development is independent, yet is designed to integrate well into the development as well as the existing development pattern. Phase I contemplates initially using the existing Kushner and Company drive for ingress and egress. As phase I is developed further, the Blue Cross/Blue Shield entry will be connected to allow for enhanced ingress and egress. Phase II contemplates a new entry and connection to Oakland Drive, and phase III integrates together seamlessly with phase I and II. Upon completion, the development will connect to Oakland Drive and Centre Avenue via a drive which runs between the two roads with many ancillary roads making up the remainder of the development.

We anticipate, due to the target demographics for this development, that our residents will average 6 trips per day to and from their units. In addition, our planned 30,000 to 56,258 square feet of office space is planned to generate approximately 125 to 175 employees and another 6 trips per day per employee.

This equates to 873 trips at each of the two Oakland Hills at Centre intersections. The Oakland Drive access will be designed to allow for right and left hand turn exit lanes and one entry lane. The Centre Avenue curb cut is already constructed in this exact fashion. Additionally, due to our target demographics we do not anticipate any residential traffic impacting peak hours like other more intensive uses may.

6. As mentioned previously, the land is located around the Southwest corner of Oakland Drive and Centre Avenue. The parcel is 47.6 acres +/- in total. We presently own all of this property fee simple.
7. The chart below demonstrates the land use and density for each phase.

Phase I 5.86 acres Office

27,019 sq. ft. Office

$27,019 / 5.86 \text{ acres} = 4,611 \text{ sq. ft. per acre}$

Phase II 2.75 acres Office, 9.61 acres Residential

47 units / 9.61 = 4.9 units per acre

$7,964 \text{ sq. ft. office} / 2.75 \text{ acre} = 2,895 \text{ sq. ft. per acre}$

Phase I & II Combined

Office at 4,063 sq. ft. per acre, Residential 4.9 units/acre

Phase III 29.40 acres

$69 \text{ units} / 29.4 = 2.35 \text{ units per acre}$

Phases I-III Combined

$116 \text{ units over } 39.01 \text{ acres} = 2.97 \text{ units per acre}$

Office at 8.61 acres*

*It should be noted that on 8.61 acres using a 15% coverage ratio (a light density that was used for all of Woodbridge Hills) would equate to 56,258 square feet of office space. While this conceptual plan shows only 34,983 square feet of office space, we are asking for approval for office density up to 56,258 square feet. We may ultimately develop significantly less than the 56,258 square feet of office

space but we are asking for the flexibility to develop within the parameters established within this narrative.

8. The roads, storm areas and entry statement areas will be maintained by the Oakland Hills at Centre Neighborhood Association. The common space immediately in and around the residential units will also be owned by the Oakland Hills at Centre Neighborhood Association with the balance of the common open space being owned by the developer. The covenants that will be recorded to create the Oakland Hills at Centre Neighborhood Association will include the right for residents of Oakland Hills to use the balance of the property owned by the developer for walking and other passive recreational uses as provided for in this tentative plan. The neighborhood association will be formed upon the completion of the rezoning request and will be fashioned after the Woodbridge Hills Neighborhood Association.
9. The residential development units will consist of the following types of units:
 - four unit buildings (some walk out, some garden level and some slab on grade), multi-unit housing
 - three unit buildings, multi-unit housing
 - two unit buildings, two family housing

While the current tentative plan does not show any two-unit buildings, we may, in the future, replace some four unit buildings with two-unit buildings that have a larger footprint for each building and therefore take up about the same amount of space.

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

All of the units that we have proposed above will be between 1,000 and 2,200 square feet. Our 2, 3, and 4 unit ranch houses will have base floor plans of around 1,200 square feet and with finished lower levels as large as 2,200 square feet. The 2, 3 and 4 unit model pricing will start at around \$165,000 and an individual unit can be specified in a fashion to cost as much as \$285,000 each. As in Woodbridge Hills, the proper application of colors, materials and architectural details will allow all of these unit types to work well together and to feel like a part of a cohesive community.

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

We have used a 40' set back around the entire perimeter of the property, maintaining a 50' green belt on both Centre and Oakland. In addition we have maintained 30' between each building and a 25' front setback from the edge of road. The building heights will not exceed those which are allowed within the PD zoning district.

10. Storm water will be piped via underground structures to the 18.6 acre common open space area to the south. In addition, some water will be integrated into the design of the office sites. Storm water will be pre-treated according to City of Portage regulations and then released for infiltration into this 18.6 acre lowland. This low-lying 18.6 acre area provides plenty of space for this purpose and this plan will be developed to allow for natural looking rain basins/wetlands as opposed to typical, fenced off, deep and unsightly storm systems. Sanitary sewer will be connected to the available City of Portage sanitary sewer system which is available at Centre Avenue.
11. Covenants will be placed on the land and will coordinate with the Oakland Hills at Centre Neighborhood Association. These covenants will provide for the shared use and maintenance of the common open space and the linear trail system. Easements will be provided for utilities as required by the utility companies for gas, water, electric, street lights, sanitary sewer, cable television and phone service. A 66' wide easement has been reserved for the private streets and the required utilities.
12. Parking will be provided in a number of ways. First, some parking will be accommodated in the driveways of each unit. Second, off-street visitor parking will be provided, as shown on the attached site plan. Additionally, the 26 foot wide streets will be posted for parking on one side of the street only. Within the office district, adequate parking will be provided per City Ordinance.
13. We do not anticipate any required modifications in the regulations otherwise applicable to the subject property.
14. As noted in #4 above, we intend to make our final submittal for the last phase, Phase III, of Oakland Hills at Centre by the fall of 2012.
15. Since the successful implementation of the plan is required both by the ordinance and by our own standards, we do not feel that any performance bonds are

necessary. We have a long-standing reputation for successful completion of our projects and the meticulous management of our developments after build-out.

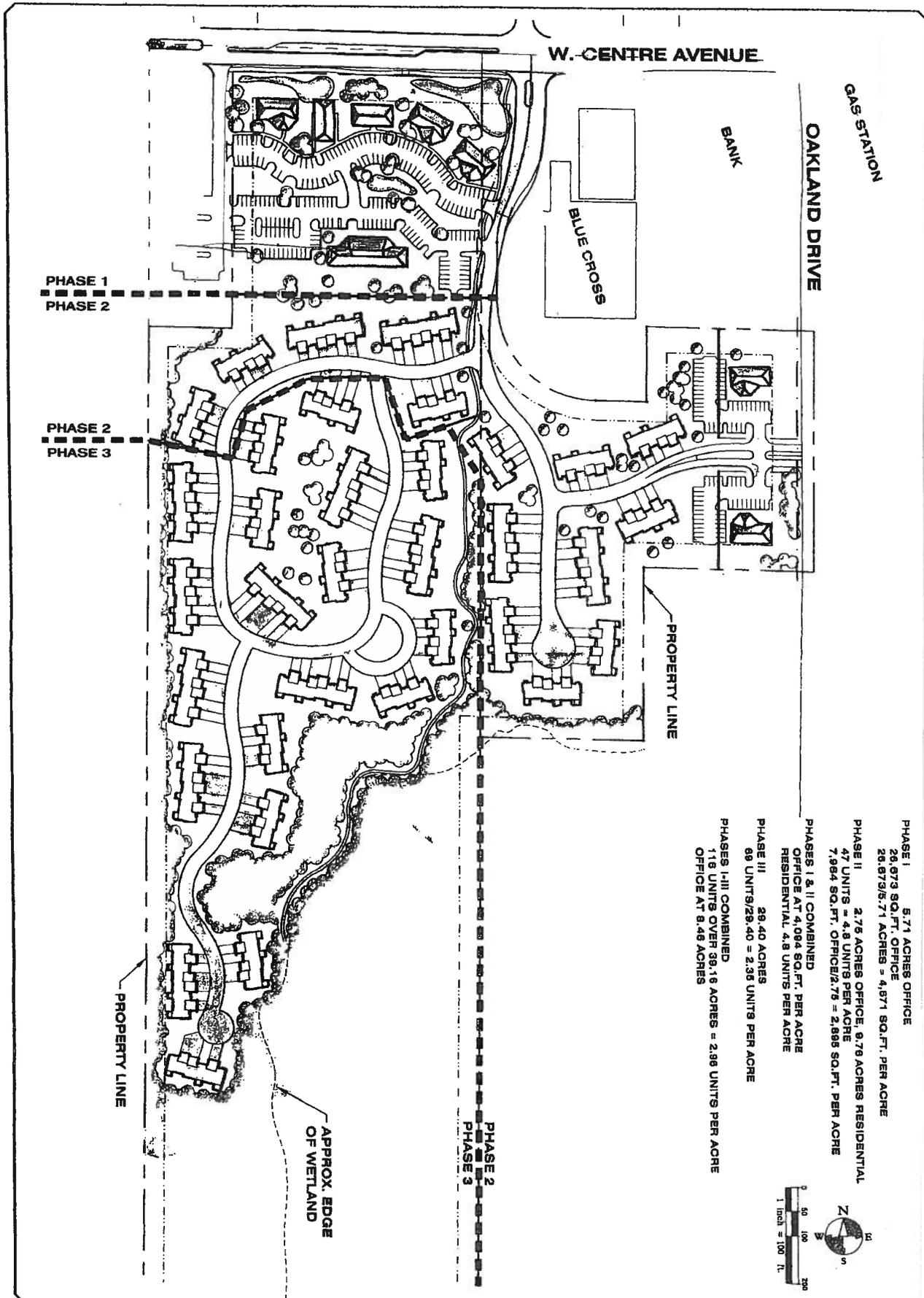
We look forward to the opportunity to discuss this plan with City Staff, Planning Commission and City Council. We feel this can be another first-class development for the City of Portage, Treystar and American Village Builders, Inc.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg", followed by a horizontal line extending to the right.

Greg Dobson

C Joe Gesmundo, J. Craig DeNooyer



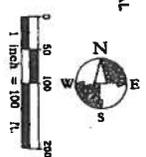
PHASE I 5.71 ACRES OFFICE
 26,873 SQ. FT. OFFICE
 26,873/5.71 ACRES = 4,871 SQ. FT. PER ACRE

PHASE II 2.75 ACRES OFFICE, 8.79 ACRES RESIDENTIAL
 47 UNITS = 4.3 UNITS PER ACRE
 7,964 SQ. FT. OFFICE/2.75 = 2,895 SQ. FT. PER ACRE

PHASES I & II COMBINED
 OFFICE AT 4,094 SQ. FT. PER ACRE
 RESIDENTIAL 4.3 UNITS PER ACRE

PHASE III 29.40 ACRES
 69 UNITS/29.40 = 2.35 UNITS PER ACRE

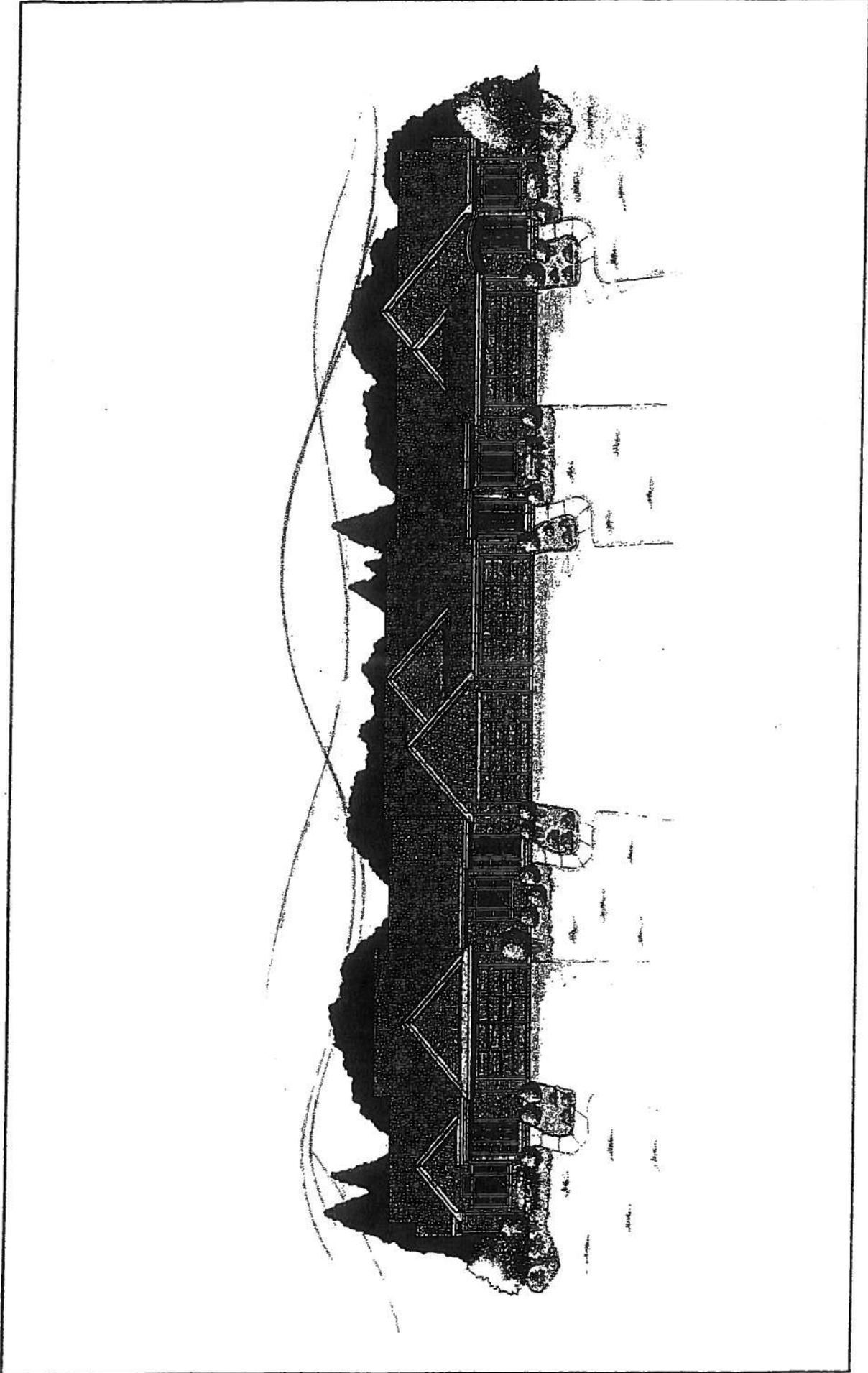
PHASES I-III COMBINED
 116 UNITS OVER 39.16 ACRES = 2.98 UNITS PER ACRE
 OFFICE AT 8.46 ACRES

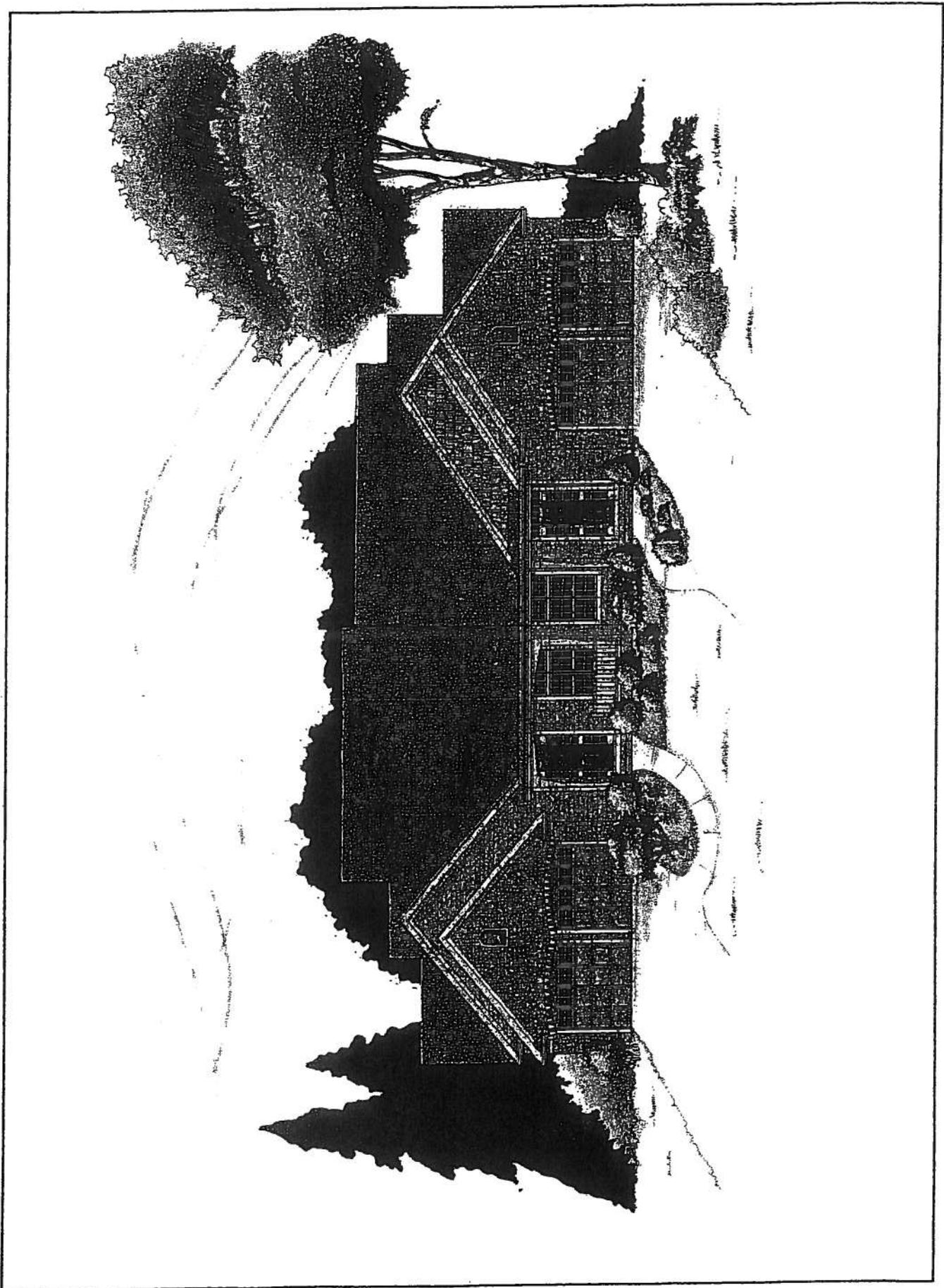


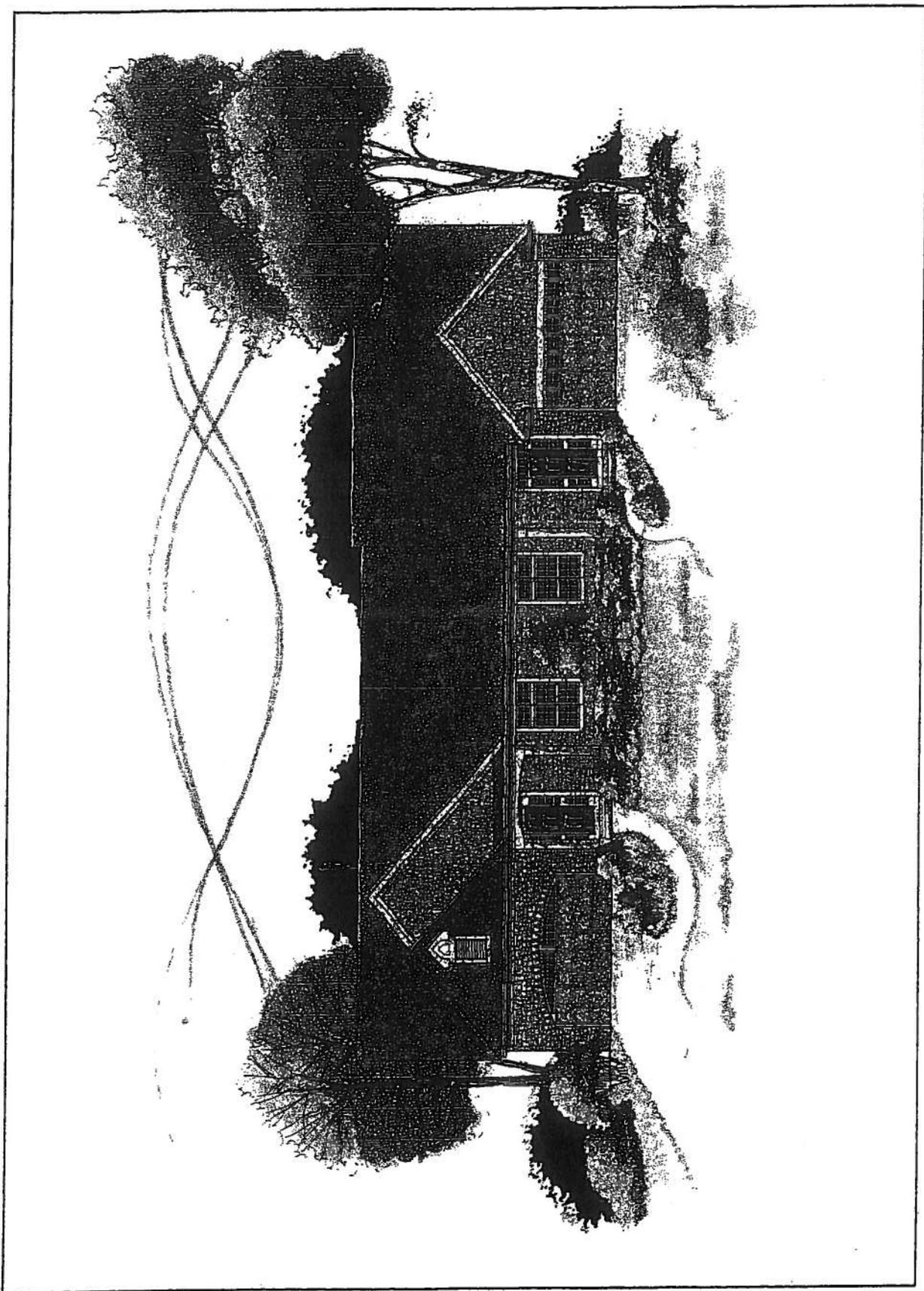
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 Project: **OAKLAND HILLS CENTRE DEVELOPMENT**
 Client: **AVB AND TREYSTAR**

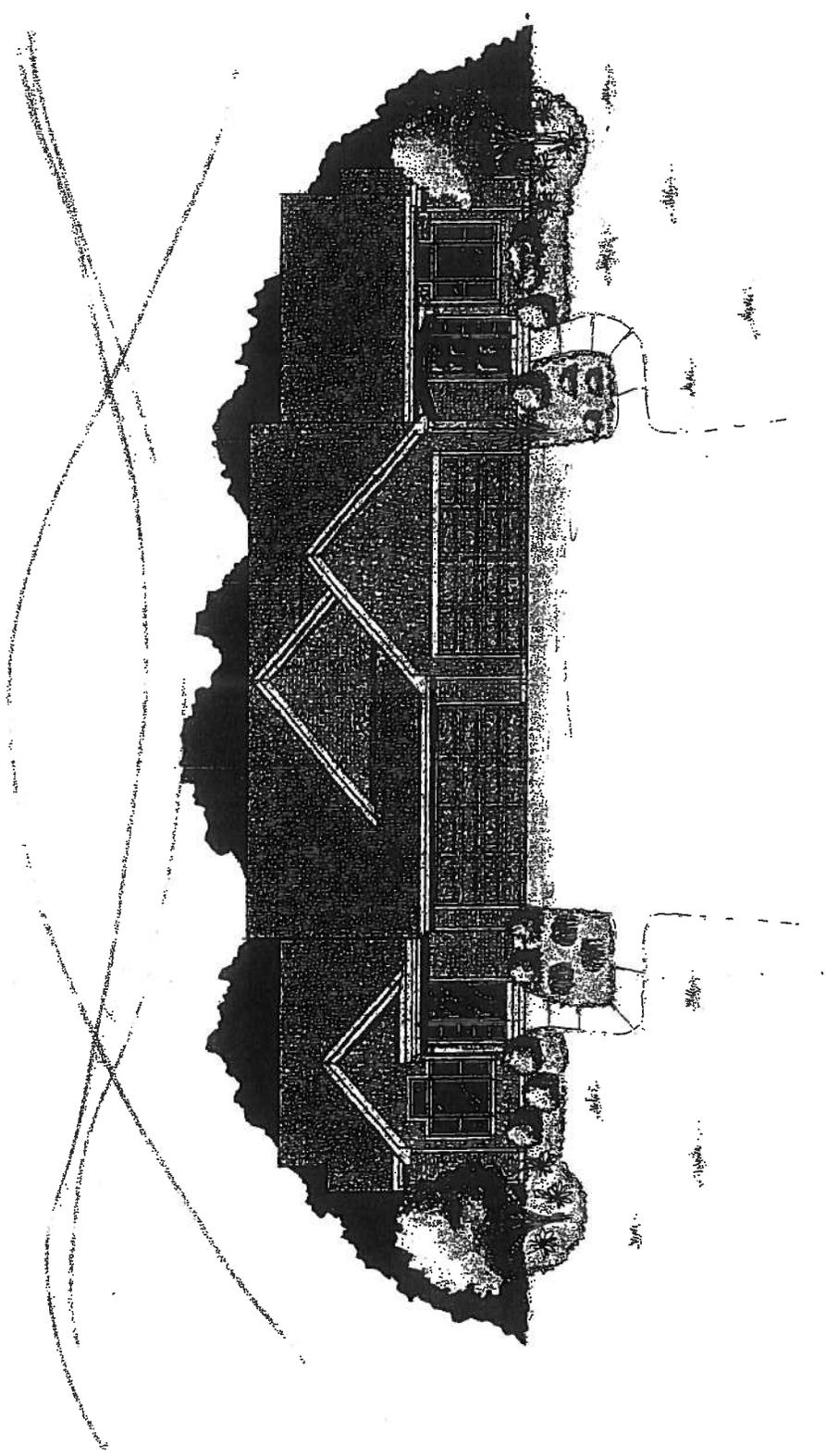
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 ISSUED FOR REVISIONS:
 1 PRINTED 5/16

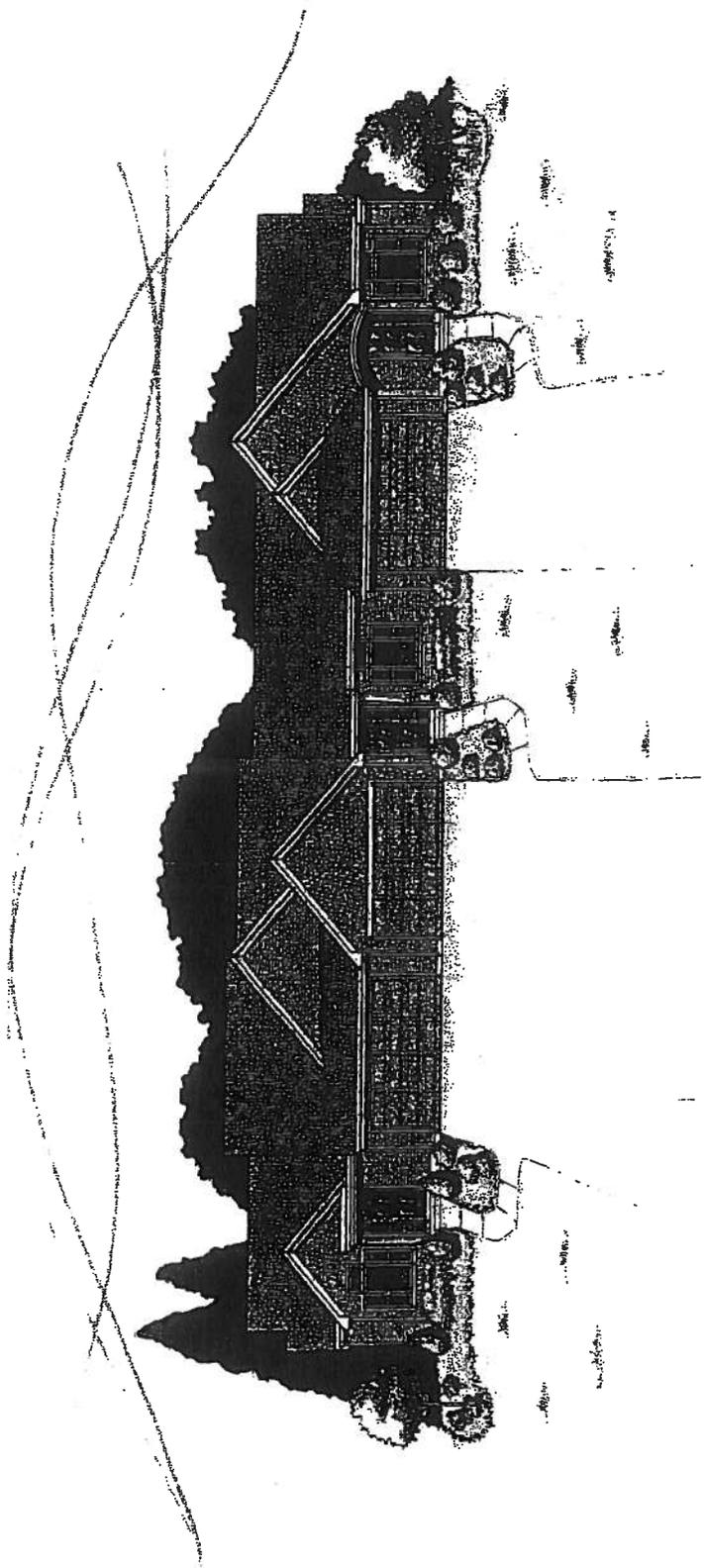
HIS
 hurley & stewart
 hurley & stewart, llc
 350 michigan avenue
 suite 405
 kalamazoo, michigan 49007
 616.552.4980 fax 616.552.4961

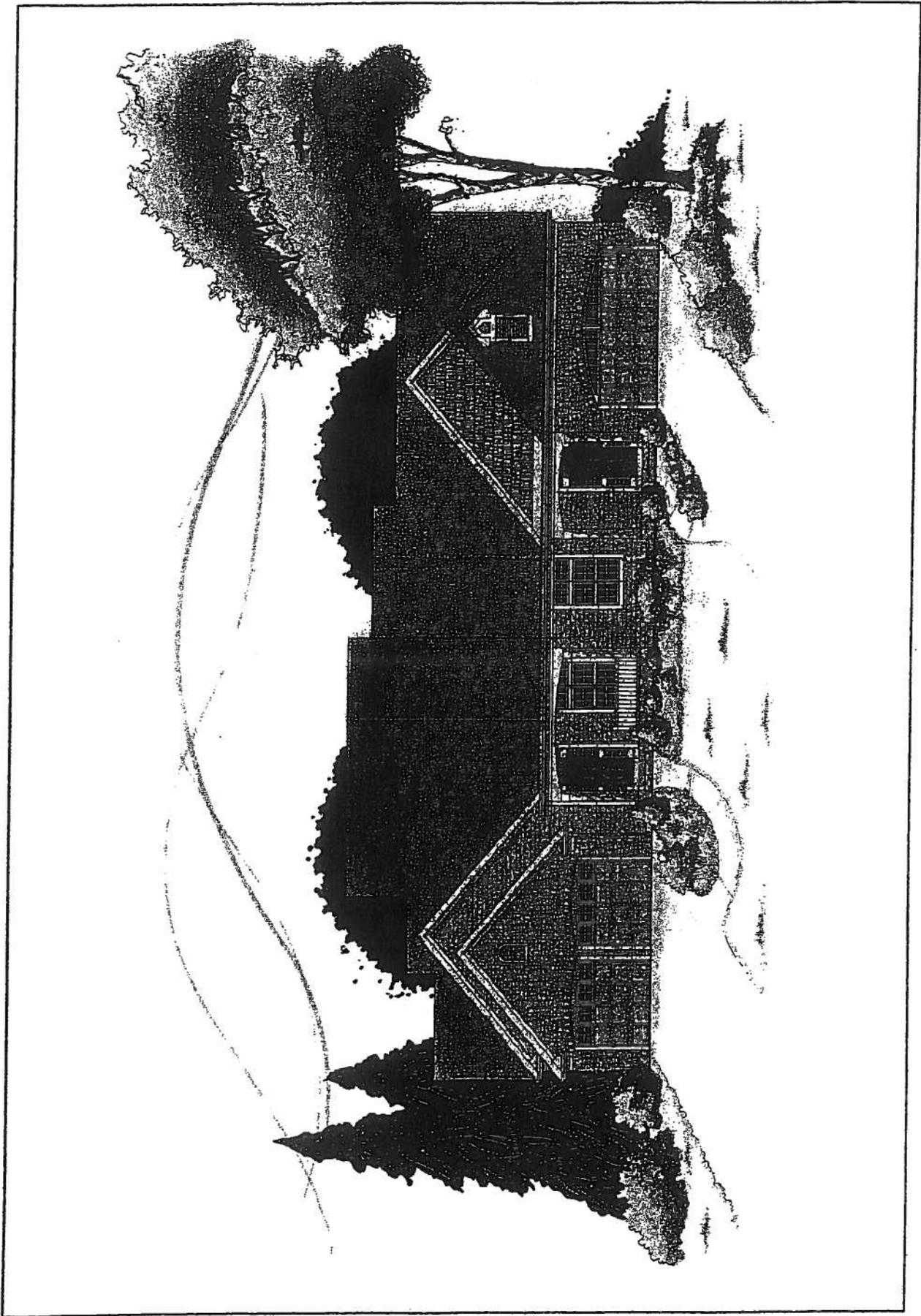


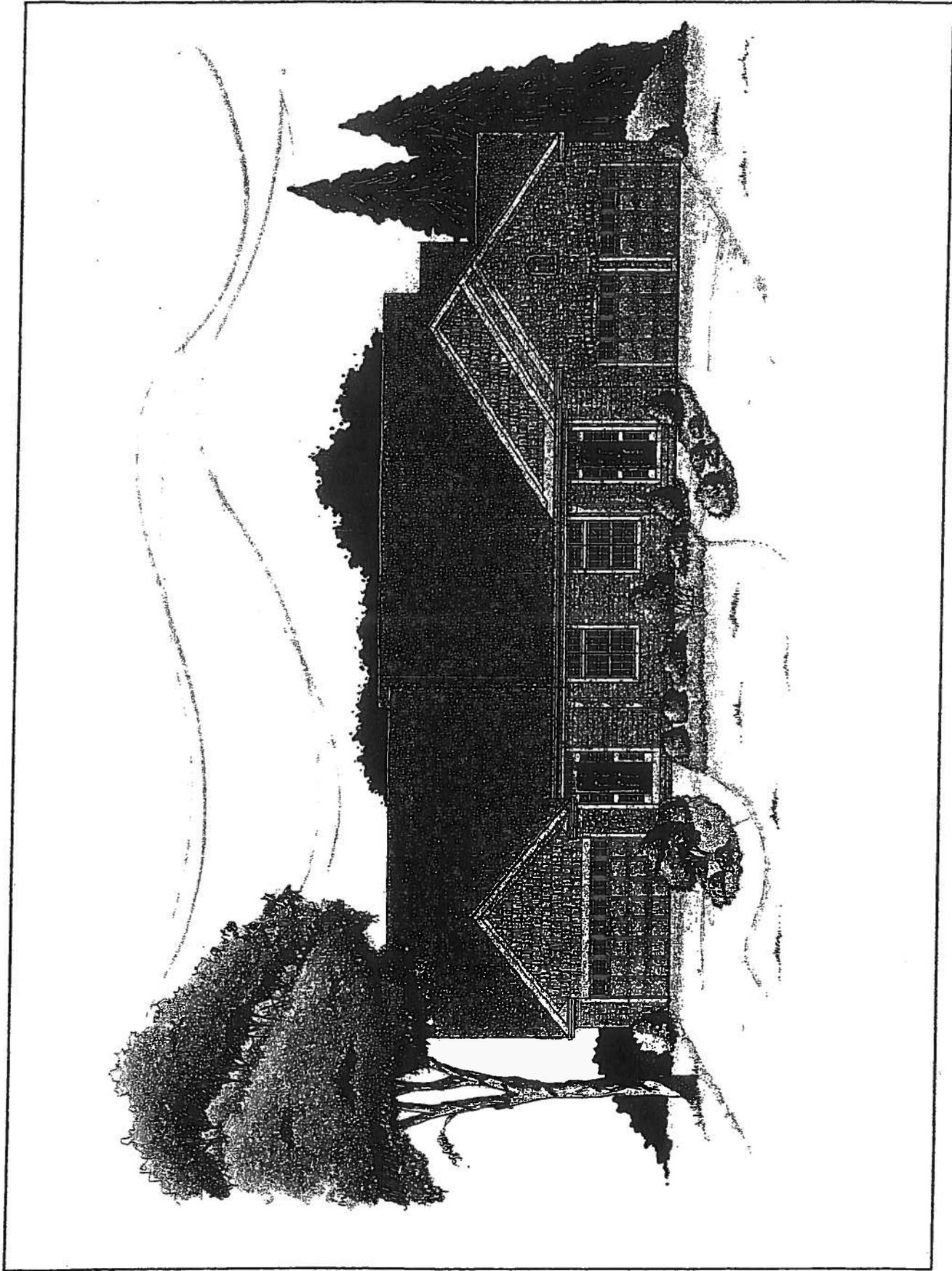


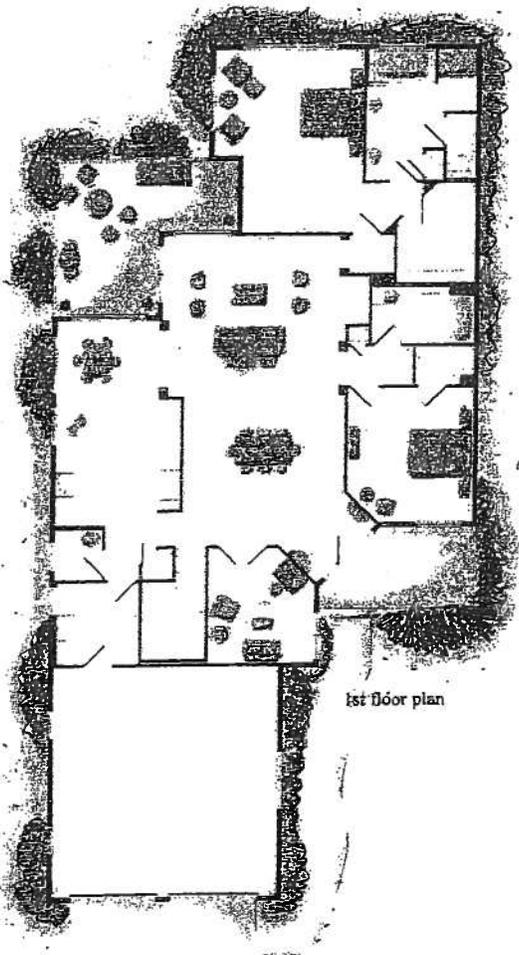




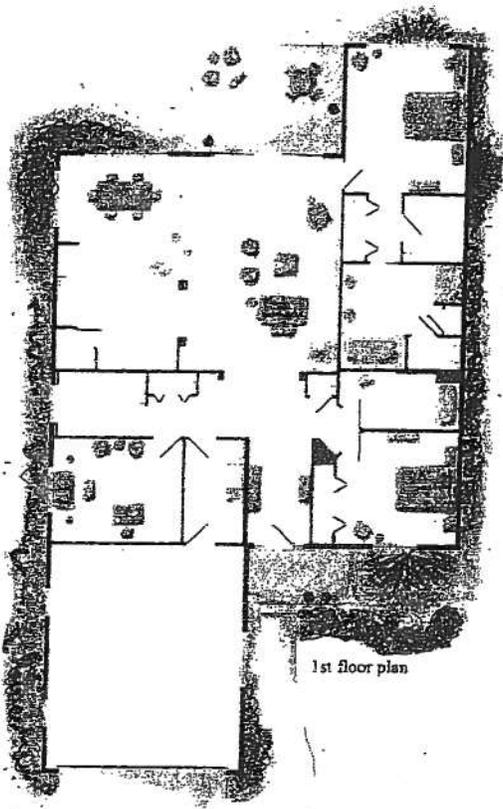




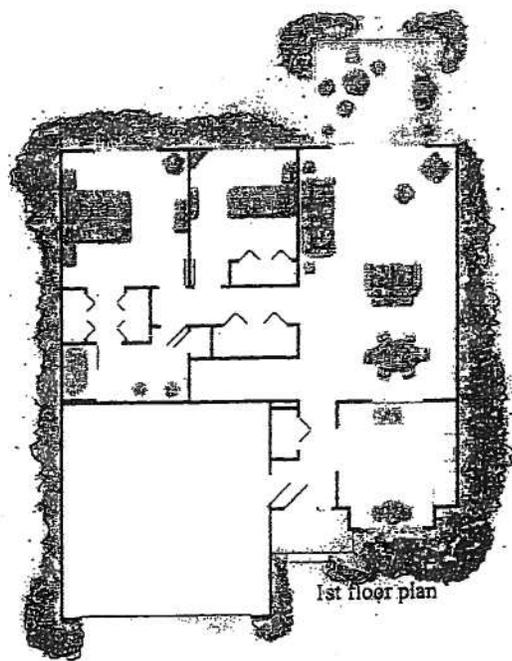




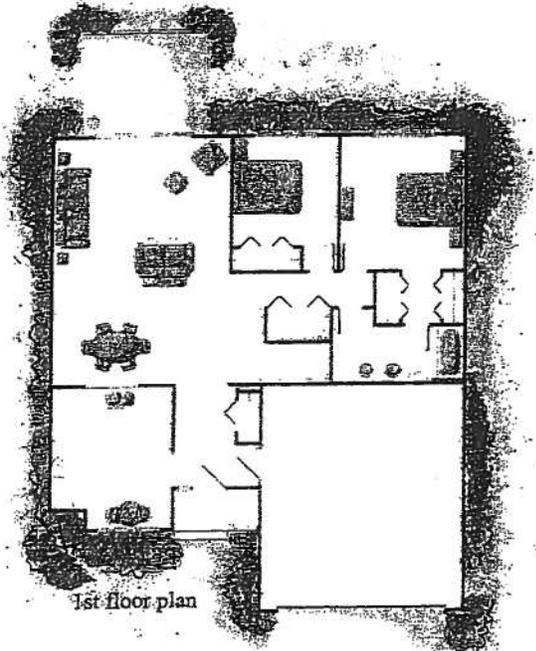
1st floor plan



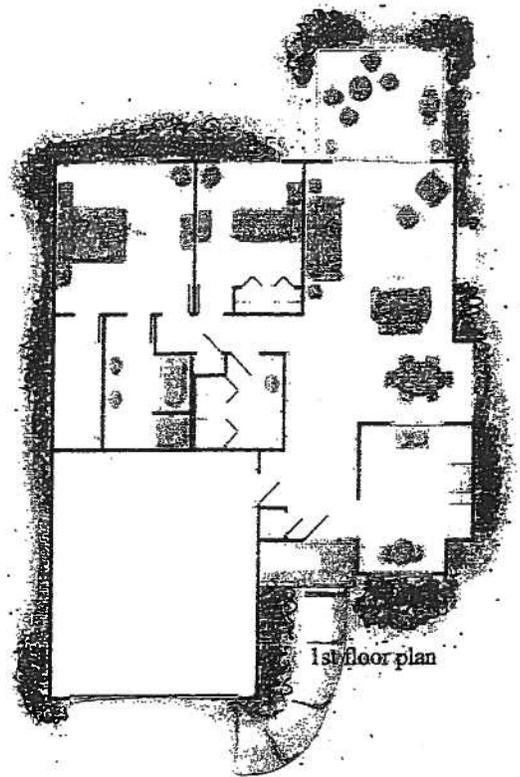
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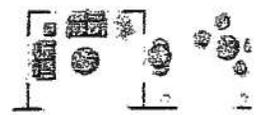
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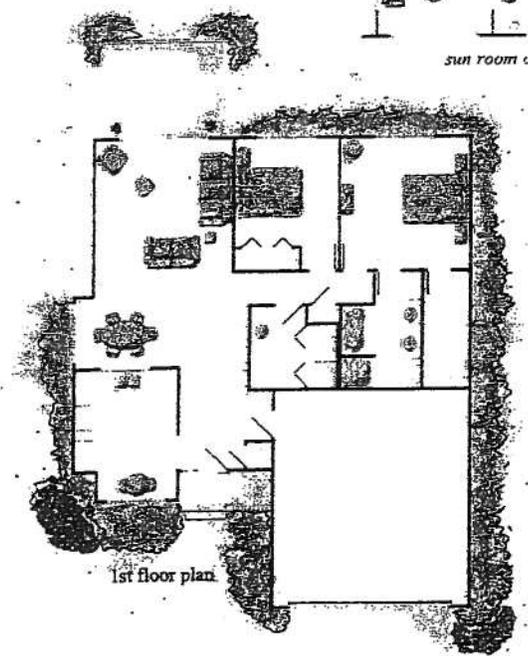
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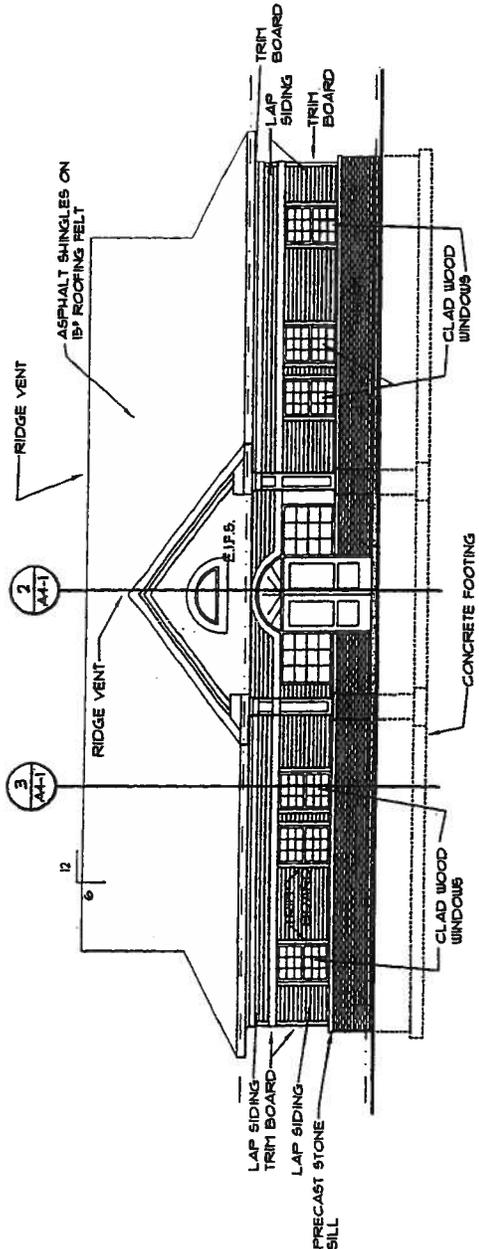
1st floor plan



sun room option



1st floor plan



FRONT ELEV.
 Scale 1/8" = 1'-0"

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LEWIS REED & ALLEN P.C.
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Gould Fox
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March 1, 2012

VIA FAX TO 269-329-4506

Mr. Christopher Forth
Deputy Director of Planning and Community Development
City of Portage
2900 S. Westnedge Avenue
Portage, Michigan 49024

Re: Oakland Hills at Centre Avenue Planned Development

Dear Mr. Forth:

This office represents Mr. William T. Nuyen and Mangwn Properties Inc., which is the owner of two parcels adjacent to the proposed Oakland Hills at Centre Avenue Planned Development. We understand that a hearing has been scheduled this evening, March 1, 2012, to consider certain aspects of the proposed development.

On behalf of our client we wish to express our grave concerns regarding certain aspects of the proposed development, specifically but not exclusively regarding the proposed cell tower facility. Although our client does not on principle oppose the idea of a cell tower being constructed on the applicant's land, the tower, including its location and other issues, raises significant concerns. Our intention is to appear at tonight's hearing and express these concerns.

In that regard we would offer the following comments:

1. **The Mangwn Parcels.** Mangwn Properties Inc. is the owner of the following two parcels, which are adjacent to the proposed development:

2109 Centre Avenue
8040 Oakland Drive

Parcel No. 00020-060Q
Parcel No. 00020-056Q

Mr. Christopher Forth
March 1, 2012
Page 2

The Mangwn parcels are at the southwest corner of the intersection of Centre and Oakland, and in turn are located at the northeast corner of the proposed development. A Chase Bank branch is located on the Centre Avenue parcel. The Oakland Drive parcel is currently vacant, although our client plans to develop this parcel.

1. **Proposed Cell Tower Location.** Site plan drawings provided to us show that the cell tower is proposed to be located approximately 10'-20' from the north line of the applicant's parcel, that is, 10'-20' from the south line of our client's Oakland Drive parcel. We are advised that, once constructed, the cell tower will be approximately 120' in height.

2. **Risk of Damage to Person and Property.** In the event of a catastrophic failure of the cell tower, the very real possibility exists that it could collapse onto our client's Oakland Drive parcel, landing as much as 100' into our client's land. Although the Oakland Drive parcel is currently vacant, our client intends to develop that parcel, so a risk which might now be hypothetical would, in the future, be a very real risk of damage to person and property.

3. **Negative Impact on Future Development.** The developer of the proposed Oakland Hills at Centre Avenue Planned Development has located the proposed cell tower apparently without concern for the negative impact that telecommunications facility will likely have on surrounding properties. Despite the fact that the project has a substantial amount of vacant land on which the cell tower can be located, areas south and west of the proposed location, the tower is proposed in a congested portion of the neighborhood, and immediately adjacent to the boundary with our client's Oakland Drive parcel. The prospect of having a 120' tower looming almost overhead is likely to diminish the appeal of the Oakland Drive parcel, and therefore is likely to reduce its value.

4. **Curb Cuts and Related Access Issues.** Our client's Oakland Drive parcel currently has or is entitled to two (2) curb cuts, which are essential to the successful development of that parcel. We are concerned that the proposed project may cause the City to consider realigning traffic flows in the area, both current and projected, which might prompt the City to propose reducing curb cuts to one or both of our client's properties. The issue of curb cuts is highly significant to Mangwn Properties Inc., who, with all due respect, will strongly resist any suggestion that curb cuts to its parcels be reduced.

5. **Zoning Issues.** We understand the issue of zoning has been discussed, and it is important that the zoning currently in place for both the Centre Avenue parcel and the Oakland Drive parcel not be changed.

6. **Setbacks and Related Dimensional Issues.** We are also concerned that the presence of a cell tower in the location proposed might well cause the City to consider imposing different or restrictive setback requirements, if for no other purpose than to keep buildings and other

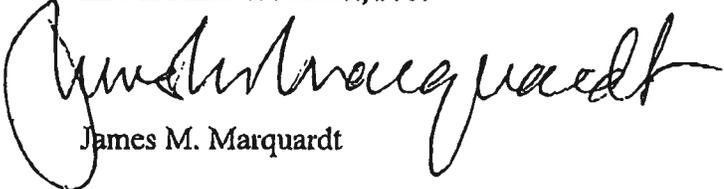
Mr, Christopher Forth
March 1, 2012
Page 3

improvements away from the tower. Again, the issue of setbacks is highly significant to Mangwn Properties Inc., who, with all due respect, will strongly resist any suggestion that setbacks and related dimensional issues applicable to its parcels be increased.

Mr. Forth, we want to reiterate that our client does not on principle oppose the idea of a cell tower being constructed on the applicant's land. Our client shares the view with your office that, done correctly, development is a good thing. However, the proposed Oakland Hills at Centre Avenue Planned Development has raised several issues which are of significant concern to our client, and which should be to the City of Portage as well.

Very truly yours,

LEWIS REED & ALLEN, P.C.



James M. Marquardt

JMM/emb

cc: William T. Nuyen

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**VERIZON WIRELESS MONOPINE
(A Special Land Use Alternate Structure)**

RECEIVED
APR 09 2012
COMMUNITY DEVELOPMENT

Submitted To:

**Planning Commission
City of Portage
7900 S. Westnedge Ave.
Portage, MI 49024**

Submitted By:

**Verizon Wireless
c/o of Jonathan R. Crane
1126 N. Main
Rochester, MI 48307
(248) 650-8000
jrcpc@sbcglobal.net**

April 4, 2012

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

JONATHAN R. CRANE
BENJAMIN S. HERRICK

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

April 4, 2012

Planning Commission
City of Portage
7900 S. Westnedge Ave.
Portage, MI 49024

Re: Verizon Wireless #8004 – West Centre
Oakland Hills at Centre Antenna Planned Development
Our File No. JC3232-11

Dear Planning Commission:

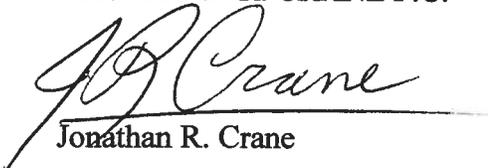
Verizon Wireless is pleased to submit supplemental materials regarding the proposed 150' tall monopine structure. The new construction is proposed on a pad along the northerly property line of the Oakland Hills at Centre Avenue project. This location was selected to fulfill coverage needs relating to the forthcoming 4G LTE enhanced wireless services. These improvements facilitate both voice and data services to businesses and residents in the City of Portage.

Verizon Wireless is most sensitive to neighbor concerns and encloses a response to the seven points raised by Mr. Marquardt at the March 1, 2012 Planning Commission meeting. Each issue is individually addressed in a format similar to Mr. Marquardt's presentation.

Verizon Wireless thanks you for the considerable time you have afforded to this unique special land use application.

Respectfully submitted,

JONATHAN R. CRANE P.C.

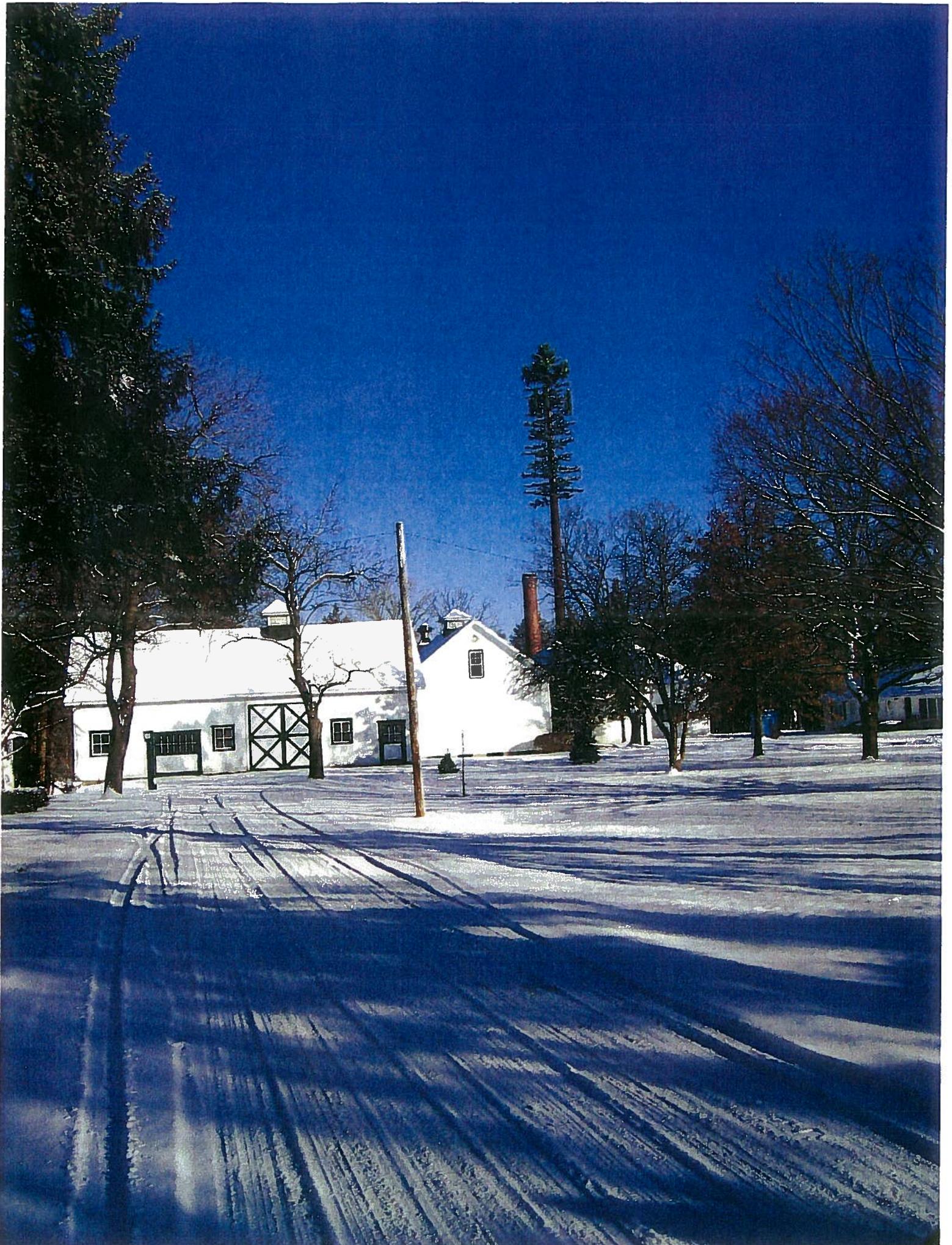


Jonathan R. Crane

enclosure

EXHIBITS

- **Actual Photo of Monopine in Bloomfield Hills, Michigan**
- **Letter responding to neighbor's concerns**
- **Neighbor's letter of March 1, 2012**
- **Revised site plan with relocated monopine 55' south of property line**
- **Color site plan with relocated monopine**
- **Elevation drawing looking westerly**
- **Preliminary layout plan**
- **Structural letter from Sabre Tower & Poles**
- **Previous correspondence of February 21, 2012**
- **Notarized statement regarding collocation**
- **Radio frequency alternate technology**
- **Narrative regarding zoning ordinance**
- **Coverage map with site "not on air" and "on air"**
- **Adjacent existing Verizon Wireless sites**
- **Coverage gap maps**



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

JONATHAN R. CRANE
BENJAMIN S. HERRICK

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

April 4, 2012

James Marquardt
Lewis Reed & Allen P.C.
136 East Michigan Avenue
Suite 800
Kalamazoo, MI 49007-3975

Re: Verizon Wireless #8004 – West Centre
Oakland Hills at Centre Avenue Planned Development
Our File No. JC3232-11

Dear Mr. Marquardt:

This letter is written to address concerns of your client expressed in your March 1, 2012 correspondence to Christopher Forth. We are pleased that you have no principle opposition to the cell tower and submit this letter and revised plan to address your concerns.

1. **The Mangwn Parcels:** We offer no comment and welcome their eventual adjacent development of this undeveloped site.
- 1 **Proposed Cell Tower Location:** The site plan has been revised moving the monopine communications antenna southerly from the Mangwn parcel. The monopine tree is proposed to be 150' tall. However, there is some latitude to reduce this height if requested by the City. The monopine is setback 92' from the Oakland Drive right-of-way and 55' from the Mangwn property line. These setbacks are comparable to locations in other sites in the Verizon Wireless system and conform with Alternative Design Criteria of the Zoning Ordinance.
2. **Risk of Damage To Person and Property:** Complete detailed structural data will be provided at the time of building permit application. However, appropriate structural design review from the monopine manufacturer is included with this report. Monopine structures are used on numerous sites throughout the country including schools, churches, college campuses and government offices. There has never been a catastrophic failure of this structural design including hurricane and tornado conditions. Simply stated, there is no discernable risk of damage to person and property from this project.
3. **Negative Impact on Future Development:** The Oakland Hills developers have an acknowledged and well known history in the City of Portage regarding high-end quality projects. The monopine location was selected to minimize any

adverse impacts on the community, neighbors and their own project. The monopine design is only used where sensitive design issues are expressed by the community. Locating the project will not impact any adjacent developments. Providing high level wireless services is an asset to both the adjacent commercial users as well as the general City of Portage residences.

4. **Curb Cuts and Related Access Issues:** The proposed monopine is located on a parcel that is serviced by the Master Planned Office Technology Research driveway proposed by the Oakland Hills at Centre Avenue Planned Development. **There is not an individual drive approach for the project. This project will not have any impact upon the Mangwn Properties Center Street access.**
5. **Zoning Issues:** There are no plans to change the Office Technology Research (OTR) zoning currently in place.
6. **Setbacks and Related Dimensional Issues:** Setbacks and dimensional requirements are neither changed nor altered by the installation of the monopine. As mentioned, the project is safe, structurally sound with no adverse impacts. In the photo submitted with this report, the monopine is located on Church owned single family residential zoned property in Bloomfield Hills. The monopine is 8' from a garage and approximately 40' from a residence and on a State historic site. There has not been a single complaint regarding this project. As previously mentioned, monopine type designs have been safely located on schools and other retail and office parcels with no adverse impacts.

In conclusion, Verizon Wireless proposes a monopine at an optimum location that does not adversely impact either the continued development plans at the Oakland Hills at Centre Point Planned Development and the adjacent Mangwn parcels. Each of the seven points raised in Mr. Marquardt's March 1, 2012 correspondence is addressed. The revised monopine site plan accompanying this submission locates the project further south and away from the common property line. Structural data and past practices assure safe development to all parties. No changes in driveway approaches, zoning, and setbacks are being requested by this unique and necessary improvement to the Portage infrastructure. Variances are not required.

Please call if you have any questions.

Very truly yours,

JONATHAN R. CRANE P.C.



Jonathan R. Crane

enclosure

LEWIS REED & ALLEN P.C.
Attorneys

Nicholas J. Daly
Stephen M. Denenfeld
Michael A. Dombos
Robert C. Engels
Sheralee S. Hurwitz
Whitney A. Kemerling
David A. Lewis
Dean S. Lewis
James M. Marquardt
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(Retired)

Gould Fox
(1905-2002)

Winfield J. Hollander
(1906-1996)

March 1, 2012

VIA FAX TO 269-329-4506

Mr. Christopher Forth
Deputy Director of Planning and Community Development
City of Portage
2900 S. Westnedge Avenue
Portage, Michigan 49024

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Mr. Christopher Forth
March 1, 2012
Page 2

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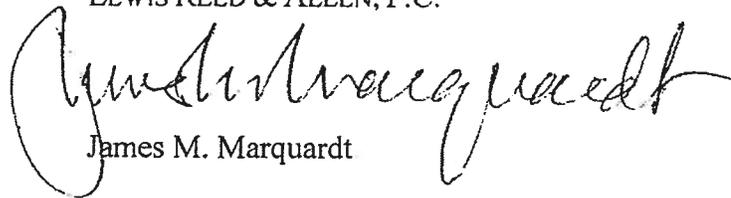
Mr. Christopher Forth
March 1, 2012
Page 3

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Very truly yours,

LEWIS REED & ALLEN, P.C.

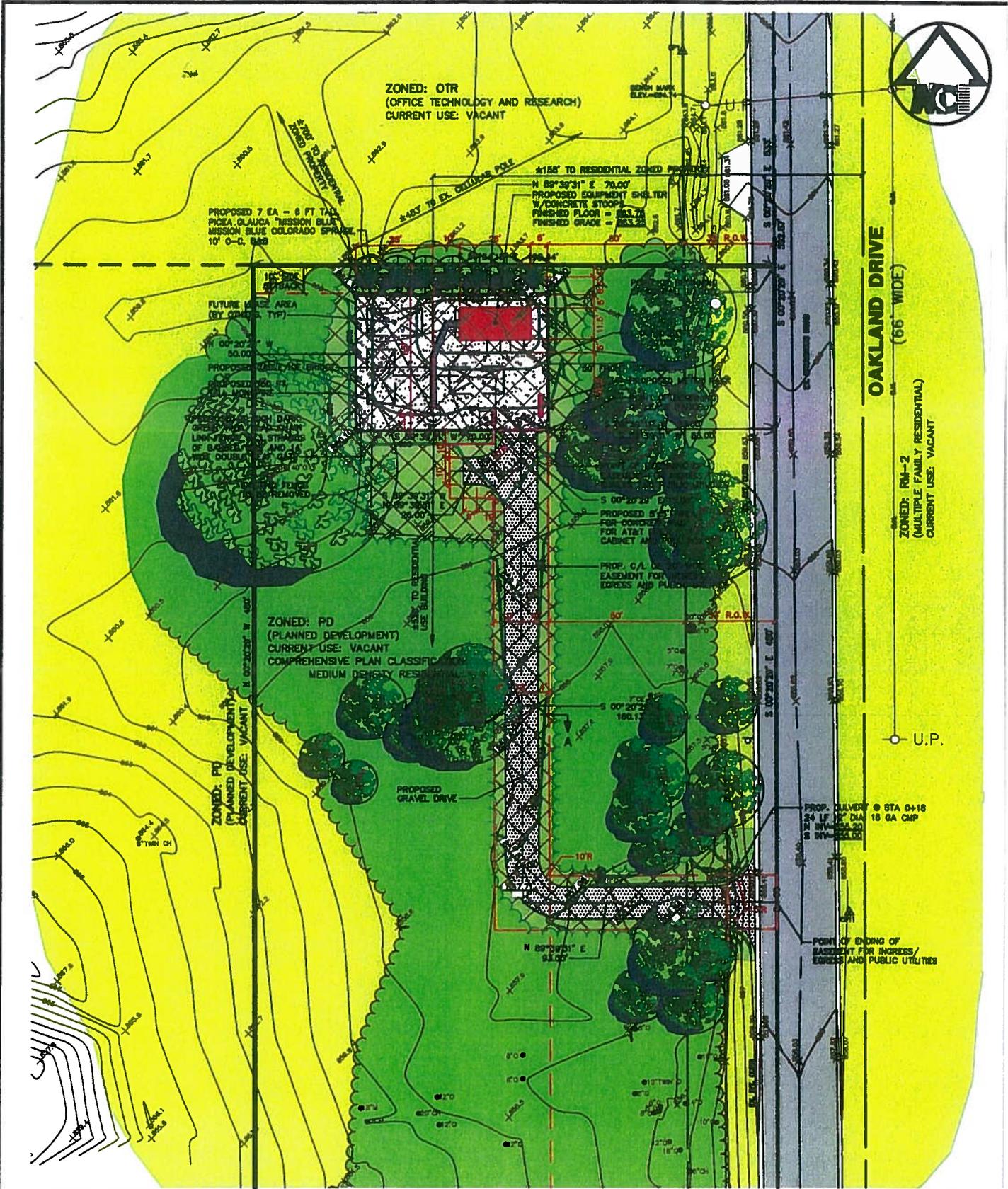
A handwritten signature in black ink, appearing to read "James M. Marquardt". The signature is written in a cursive style with a large, looping initial "J".

James M. Marquardt

JMM/emb

cc: William T. Nuyen

G:\JMM\Mangwn Properties Inc\Forth 001 030112.wpd



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Planners, Surveyors
Landscape Architects

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Ann Arbor, Michigan 48108
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Fax 734.995.0599

VERIZON WIRELESS SITE #2709R - "WEST CENTRE REPLACEMENT"

DATE: 3/6/12 JOB NO.: **05242-2709R**

SCALE: 1" = 50'



SHEET 1 OF 1

R:\05242\2709R\acad\05242_2709R-CR1.dwg, SP (8.5X11), 3/6/2012 4:16:22 PM, WAJ

NSA
ARCHITECTS
PLANNERS
23761 Research Drive
Farmington Hills
Michigan 48335

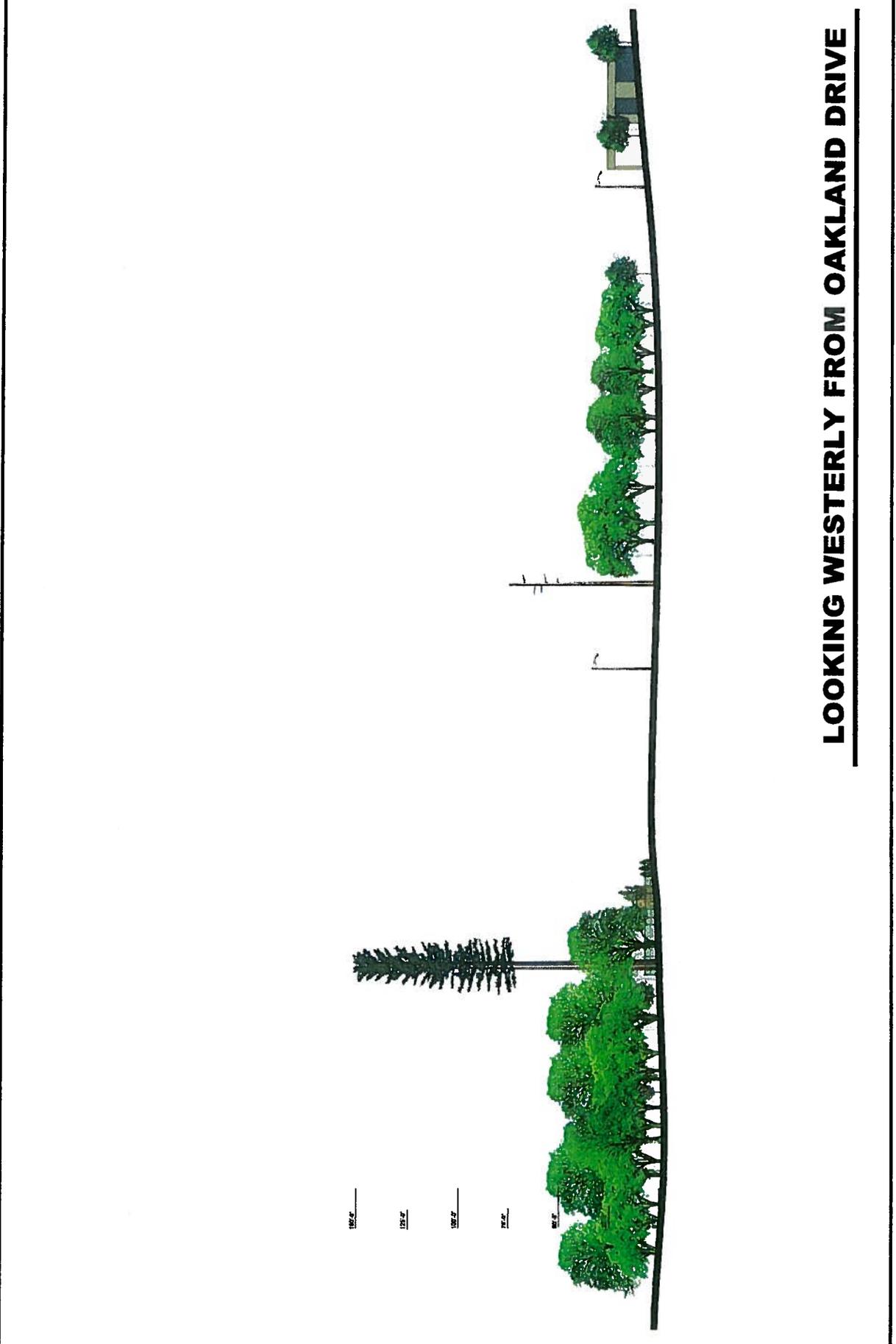
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248.477.2445
www.nsa-arch.com



Client:
Description:
Schematic Site Section
Looking Westeryly From Oakland Drive
Location:
Cell Site #2709R - West Centre Replacement
Portage, Michigan

Project Number: 211096.00
Date: 3-22-12
Sheet Number: 7

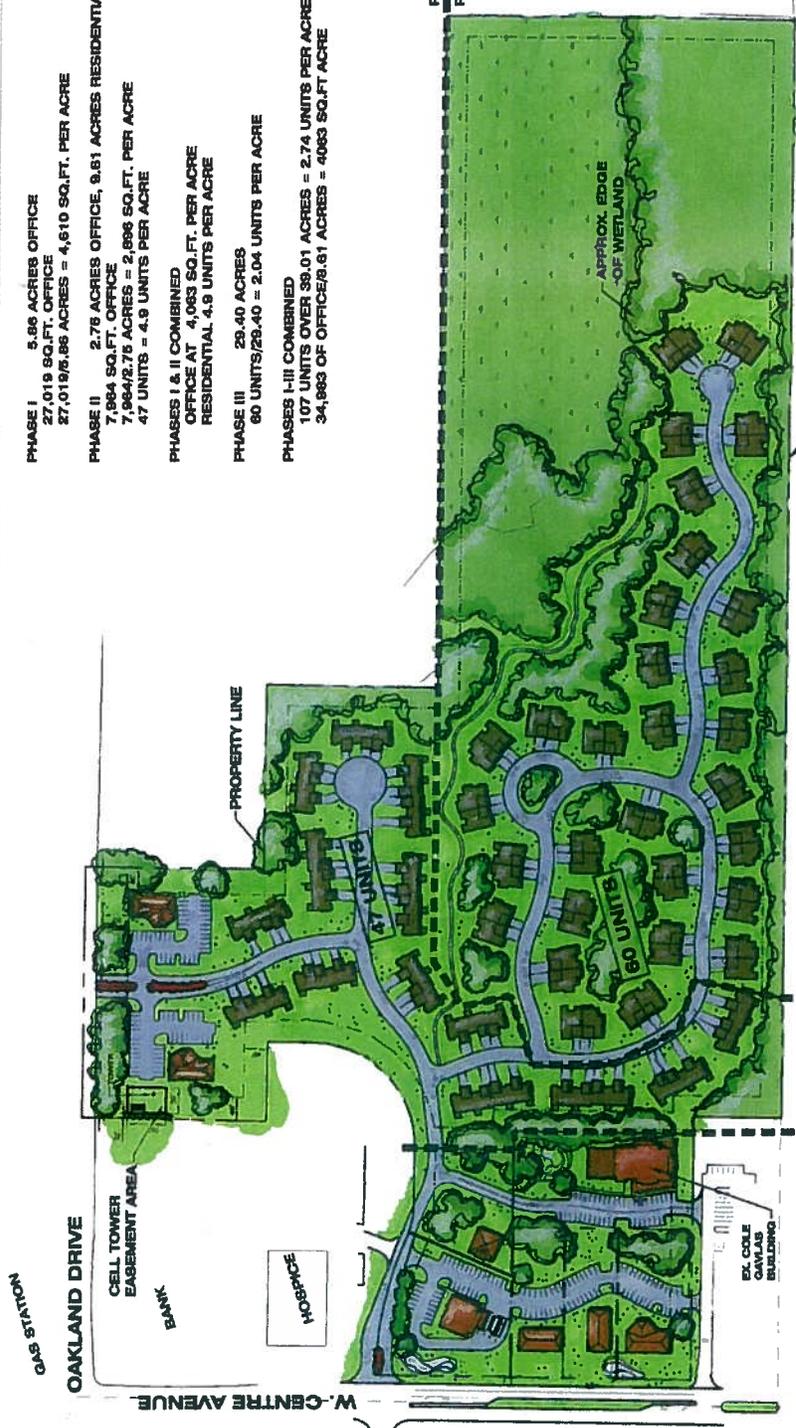
LOOKING WESTERLY FROM OAKLAND DRIVE



2724
2725
2726
2727
2728



- PHASE I** 5.86 ACRES OFFICE
 27,019 SQ.FT. OFFICE
 27,019/5.86 ACRES = 4,610 SQ.FT. PER ACRE
- PHASE II** 2.76 ACRES OFFICE, 9.61 ACRES RESIDENTIAL
 7,984 SQ.FT. OFFICE
 7,984/2.76 ACRES = 2,896 SQ.FT. PER ACRE
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 60 UNITS/29.40 = 2.04 UNITS PER ACRE
- PHASES I-III COMBINED**
 107 UNITS OVER 39.01 ACRES = 2.74 UNITS PER ACRE
 34,983 OF OFFICE/8.61 ACRES = 4063 SQ.FT ACRE



ALSO INCLUDES: PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



A Division of Sabre Industries, Inc.

March 15, 2012

City of Portage
Planning and Zoning

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

Dear Planning Commission Members,

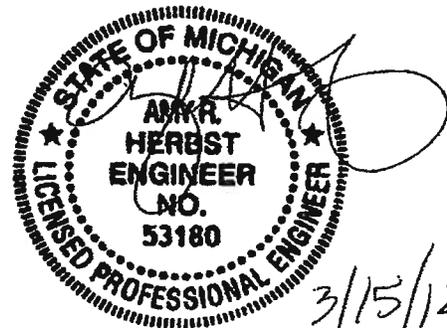
Sabre proposes to design and supply a monopine for a Basic Wind Speed of 90 mph with no ice and 40 mph with 3/4" radial ice, Structure Class II, Exposure Category C, and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard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

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

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

Sincerely,

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



Guyed Towers

Self-Supporting Towers

Monopoles

Concealment Structures

Turnkey Installations

Tower Modifications



JONATHAN R. CRANE, P.C.

ATTORNEY AND COUNSELOR
1126 N. MAIN ST.
ROCHESTER, MI 48307

JONATHAN R. CRANE
BENJAMIN S. HERRICK

TELEPHONE: (248) 650-8000
FACSIMILE: (248) 650-9259
EMAIL: JRCPC@SBCGLOBAL.NET

February 21, 2012

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

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

Dear Mr. West:

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

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

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

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

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

Very truly yours,

JONATHAN R. CRANE P.C.



Jonathan R. Crane

Network



Verizon Wireless
24242 Northwestern Highway
Southfield, MI 48075

Phone 248 915-3000

January 24, 2012

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

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

Dear Mr. Forth:

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

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

Douglas Weber
Network-Real Estate Manager
Verizon Wireless

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

Notary Public

My Notary Expires: _____

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



Jan 25, 2012

City of Portage
7900 South Westnedge Ave
Portage, MI 49002

To Whom It May Concern:

In response to your question regarding "alternative technology":

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

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

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

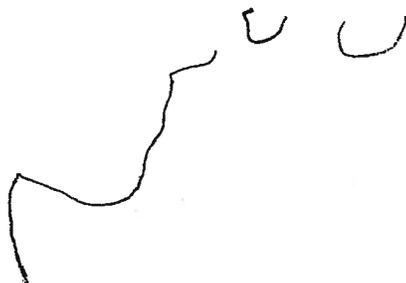
Without our proposed site (West Centre Ave), Verizon and its customers (your constituents) would suffer several hardships: 1.) Ineffective and inefficient network design, reduced data speeds and voice reliability; 2.) Possible gap in coverage and compromised coverage for customers and emergency services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

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

Sincerely,

Scott Hubble

RF Engineer



February 8, 2012

Mr. Christopher Forth, AICP
Deputy Director of Planning Services
City of Portage
7900 South Westnedge
Portage, Michigan 49002

Re: Verizon Wireless Monopine Tower / 8080 Oakland Drive

Dear Mr. Forth:

Thank you for your letter dated February 7, 2012. In response to the items addressed to Tele-Site I offer the following:

2. Narrative and Zoning Ordinance review by Tele-Site, Inc.
 - Information is needed why a mono-pine tower is a better choice than other types of stealth-looking towers. Also, information regarding the long term durability and repair of the branches and needles would be helpful in anticipation of questions during the public hearing process.

It is important to note that the selection of a "monopine" tower for the subject site was, at least in part, the result of discussions with the city staff with regards to what might work best for the project area (understanding that there is an existing flap pole type tower nearby that will remain). It was thought that two flag pole type towers in close proximity to each other would perhaps have an odd appearance. The monopine will also allow for better proposed loading for future carriers because of its more structural capabilities than a flagpole. Tele-Site will be forwarding to your attention a guide from the manufacturer that delineates how to care for and repair the branches and needles.

- Page 7, No. 3 – RF engineer needs to further explain the maps that were submitted (see discussion below) to clearly document the necessity of need.

It is the opinion of the applicant that the RF engineer for the project will need to appear before the Planning Commission and the staff in order to fully explain the details of the maps submitted in support of the project. The RF engineer is prepared to appear and will do so.

- Page 8, paragraph h – If there is additional information regarding the availability of the existing tower or other structures that has not been provided, this information is needed so it can be presented to the Planning Commission with the agenda material. You can then elaborate on the submitted information during the Planning Commission meeting, if necessary.

There is no additional information available from the owner of the existing/nearby flag pole tower. We received an e-mail from Global Tower Partners that the flagpole did not have any additional space for future loadings.

Mr. Christopher Forth
Page Two
February 8, 2012

4. Propagation Maps

- The RF engineer needs to provide a written analysis of the information these maps convey. Also, how do these maps compare to a map that shows the existing antennas mounted on the flagpole when "on-air?"

RF engineer will be present at the March 1st planning commission meeting to address any issues pertaining to the maps that were submitted. This would be much more effective with the RF engineer present at the meeting to demonstrate why we need to improve the quality of services and coverage and go over the maps.

5. Real World Coverage Maps

- The RF engineer also needs to provide a written analysis of the information these maps convey. The "existing" map (assume with existing equipment) appears to show very good coverage.

RF engineer will be present at the March 1st planning commission meeting to address any issues pertaining to the maps and their coverage for Verizon Wireless. Again, this would be more effective to demonstrate in person to the planning commission.

6. Sound level measurement study

- The sound study is app. 4.5 years old and completed for a site in Kalamazoo. Will the very same equipment mentioned in the study be the same equipment installed at 8080 Oakland Drive? Given advancements in technology, it is likely that certain components have been redesigned over the past 4.5 years. If the same equipment will be installed, the decibel readings noted in the 2007 study exceed ordinance maximums at the property line. As a result, noise attenuation methods need to be reviewed and proposed.

Verizon has used previously is the construction of a noise-suppressing wall. Verizon has agreed to place a wall around the equipment to decrease the noise level. Verizon construction will be at the meeting on March 1, 2012 to discuss the noises levels and the sound bearing wall.

7. The photographs with the proposed mono-pine tower superimposed need to be provided. Assistant City Planner Mike West forwarded to Ms. Antoun earlier today several photographs taken from different vantage points that can be used to simulate the appearance once installed.

The photos will be altered to show the tower's appearance.

Mr. Christopher Forth
Page Three
February 8, 2012

- Page 10, paragraph No. 6 – The location of the fenced enclosure and drive should be adjusted to preserve the larger trees that currently exist on the site (see discussion in No. 3 below).

The fence enclosure will be adjusted and drive will be removed to preserve the trees. The site plan will be revised and submitted prior to March 1st.

- Page 11, paragraph No. 3 – This paragraph needs to be updated. Ownership information was submitted on January 27th.

Information was submitted on Jan. 27th, 2012.

3. Site (final) plan submitted by Tele-Site, Inc. showing the location of the mono-pine.
 - As noted on the previous page, the setback is not consistent with the 40 perimeter setback and 50 foot greenbelt mentioned in the written narrative.

The tower compound will be moved further toward the interior of the property so as to meet the above mentioned setbacks.

- There is an inconsistency between the plan and written information involving the height of the tower. The plan indicates 150 feet and the written information mentions 155 feet.

The facility, as proposed, is 150 feet in height.

- The site plan identifies a number of taller oak trees for removal. The location of the fenced enclosure and driveway needs to be modified to preserve these trees. These taller trees will help to conceal a significant portion of the pole, especially when foliage is present but also the ground level equipment. Retaining these taller trees will also reduce the appearance that the mono-pine is out of character for this area.

The tower compound will be moved further toward the interior of the property. Also, the access to the site will be moved so the trees may remain and be used to conceal the tower and equipment. A revised site plan will be submitted.

- The picture of the mono-pine tower on the site plan shows the antennas on the outside of the tower but on page 19 (Section 42-135.U.3) of the narrative provided by Tele-Site, Inc. states the antenna will be mounted on the inside of the tower and will not be visible. Please clarify. If the antennas are in fact mounted on the outside of the pole, the antennas need to be concealed inside the branches and painted green/brown to blend in with the needles/branches.

Correction made. The antennas will be mounted to the exterior of the tower and will be shielded from view by branches. All antennas will be concealed and will be colored or painted in order to blend in with the branches.

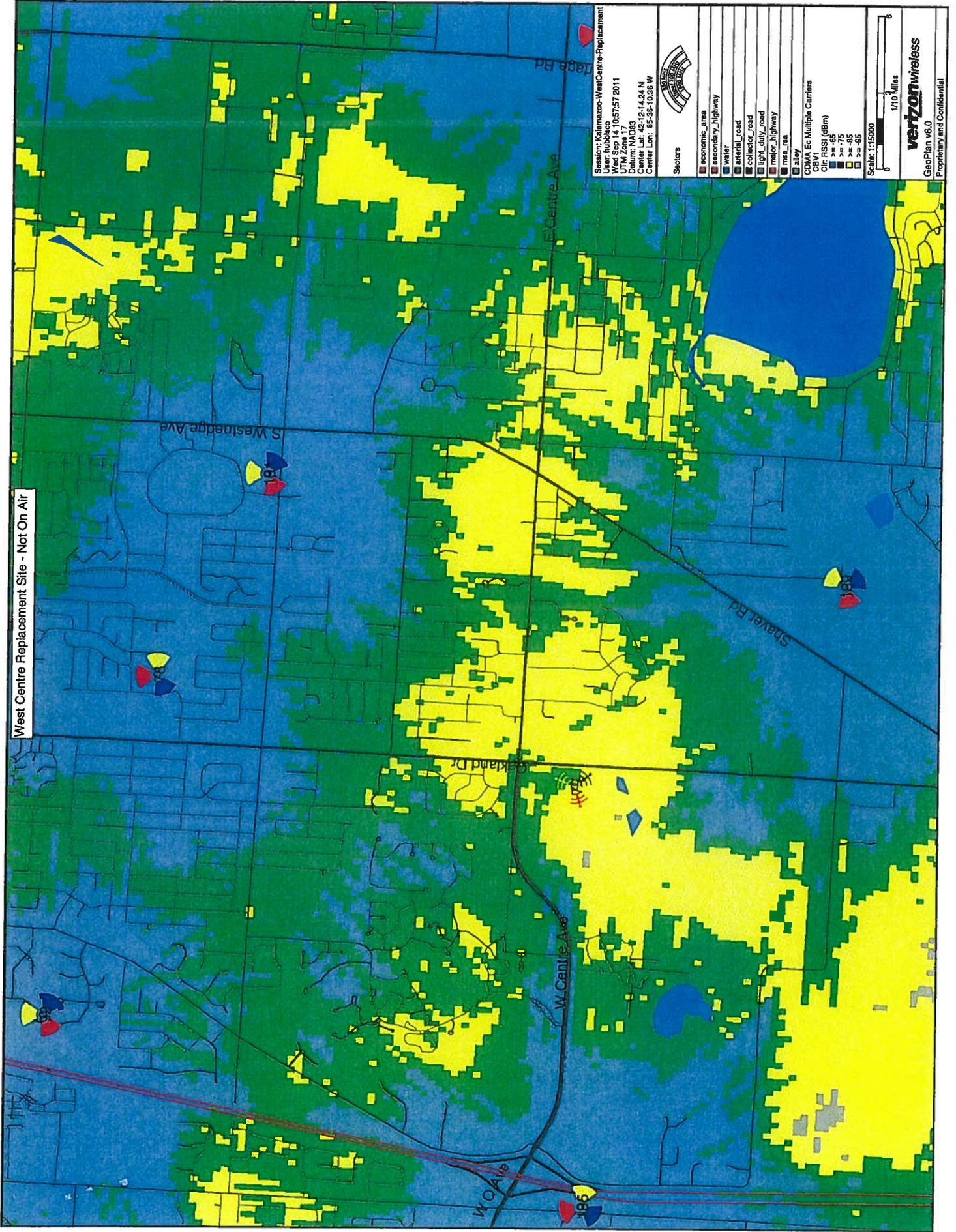
It is our hope that the above listed responses to your letter will allow the project to move forward through the review process. As always, thank you for your assistance and for your patience as we forge ahead on this important project

Sincerely,

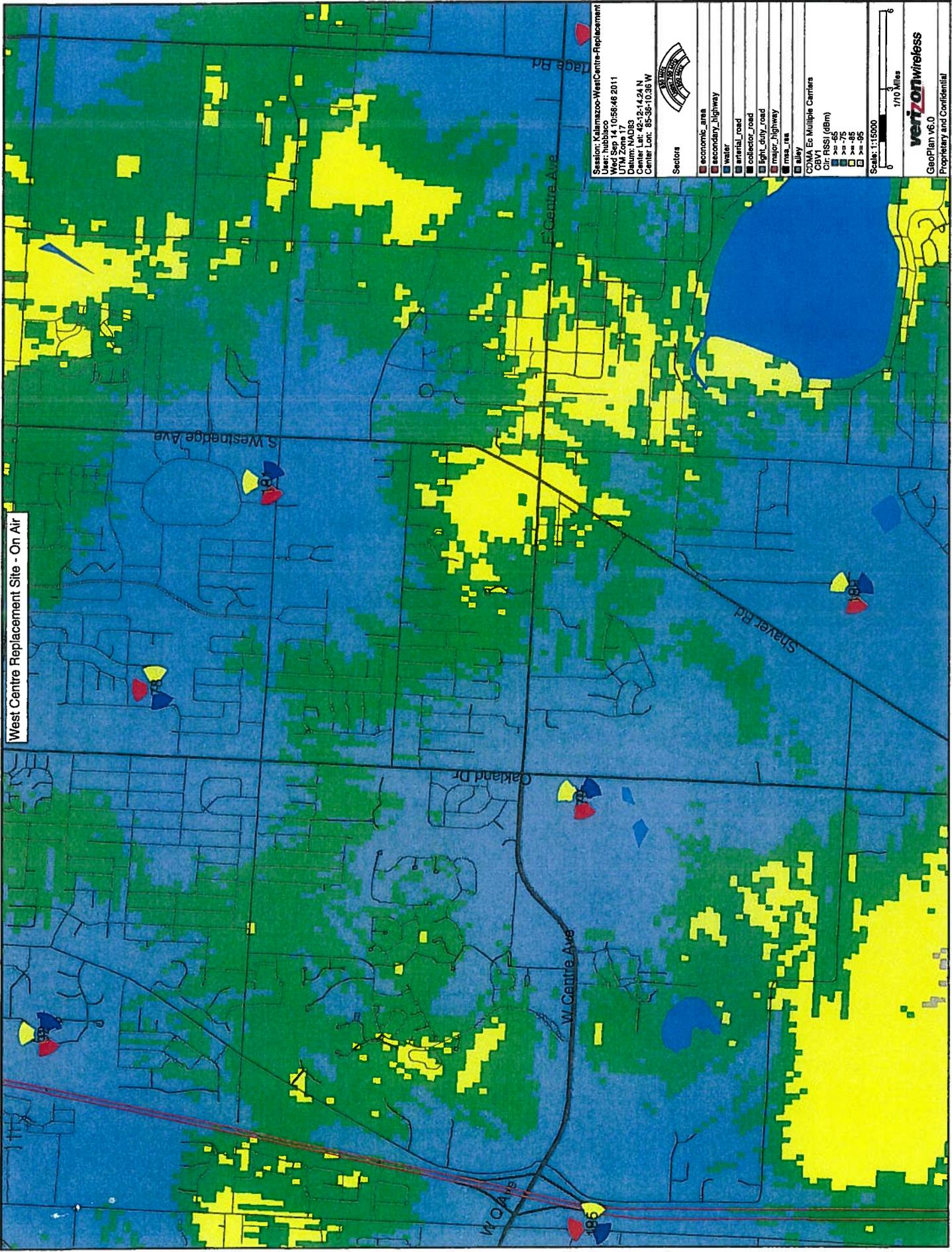
Claudine Antoun

Tele-Site

West Centre Replacement Site - Not On Air



West Centre Replacement Site - On Air



Session: Kalamazoo-WestCentre-Replacement
Date: Wed Sep 14 10:58:48 2011
UTM Zone 17
Datum: NAD83
Center Lat: 42°12'14.24 N
Center Lon: 85°58'10.38 W

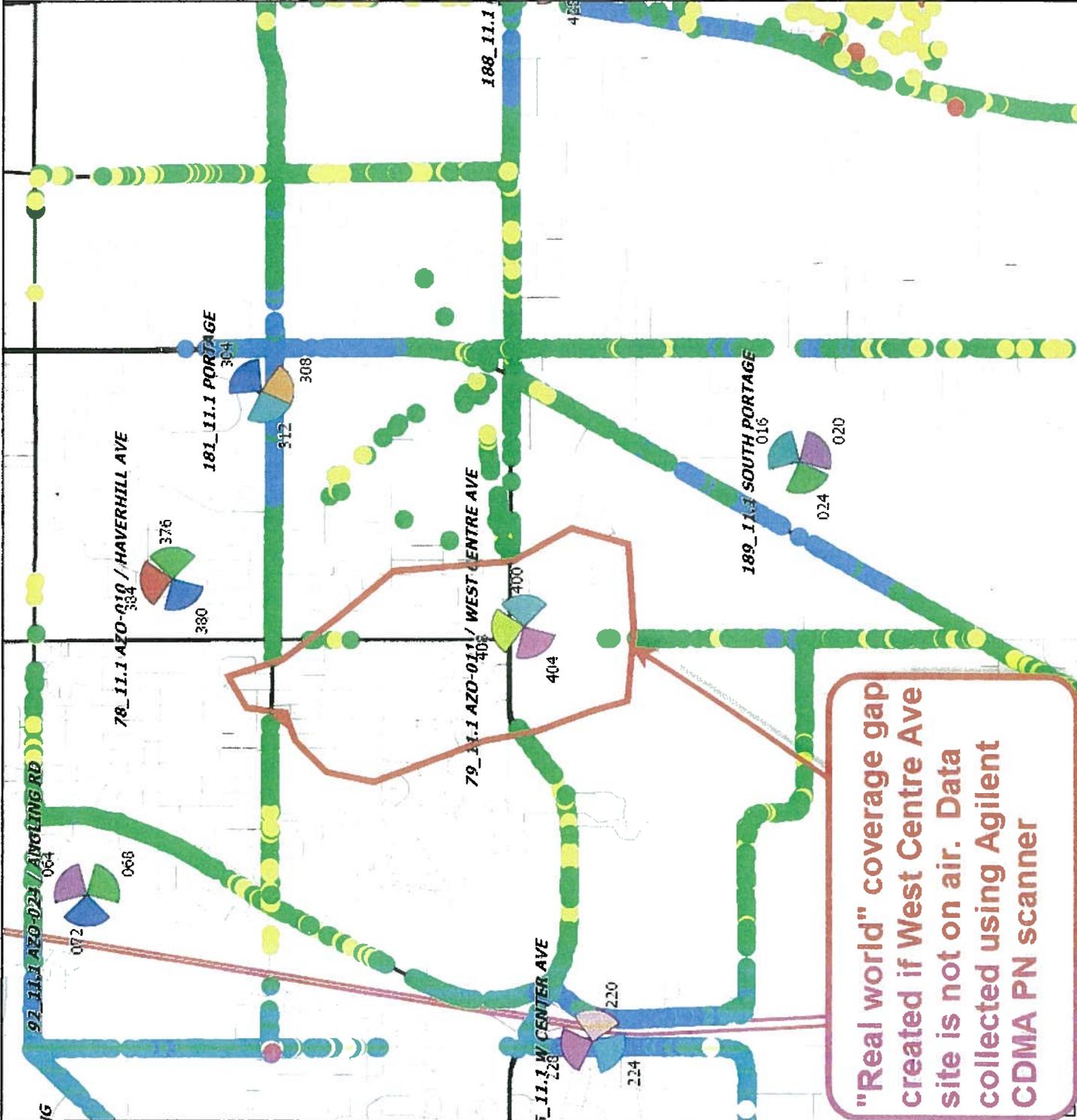
Sectors

- economic_area
- secondary_highway
- water
- arterial_road
- collector_road
- light_duty_road
- major_highway
- rma_area
- alley

CDMA Ec Multiple Carriers
RSSI (dBm)
-75 to -85
-85 to -95

Scale: 1:10000
1/10 Miles

verizonwireless
GeoPlan v6.0
Proprietary and Confidential



**"Real world" coverage gap
created if West Centre Ave
site is not on air. Data
collected using Agilent
CDMA PN scanner**

PN_Scanner_Ec_for_PN_496

- Below -105.0 (0) 0.0%
- >= -105.0 to < -95.0 (17) 2.3%
- >= -95.0 to < -85.0 (297) 39.9%
- >= -85.0 to < -60.0 (431) 57.9%
- Above -60.0 (0) 0.0%

PN_Scanner_Ec_for_PN_428

- Below -105.0 (0) 0.0%
- >= -105.0 to < -95.0 (15) 2.0%
- >= -95.0 to < -85.0 (141) 18.5%
- >= -85.0 to < -60.0 (484) 63.4%
- Above -60.0 (123) 16.1%

PN_Scanner_Ec_for_PN_72

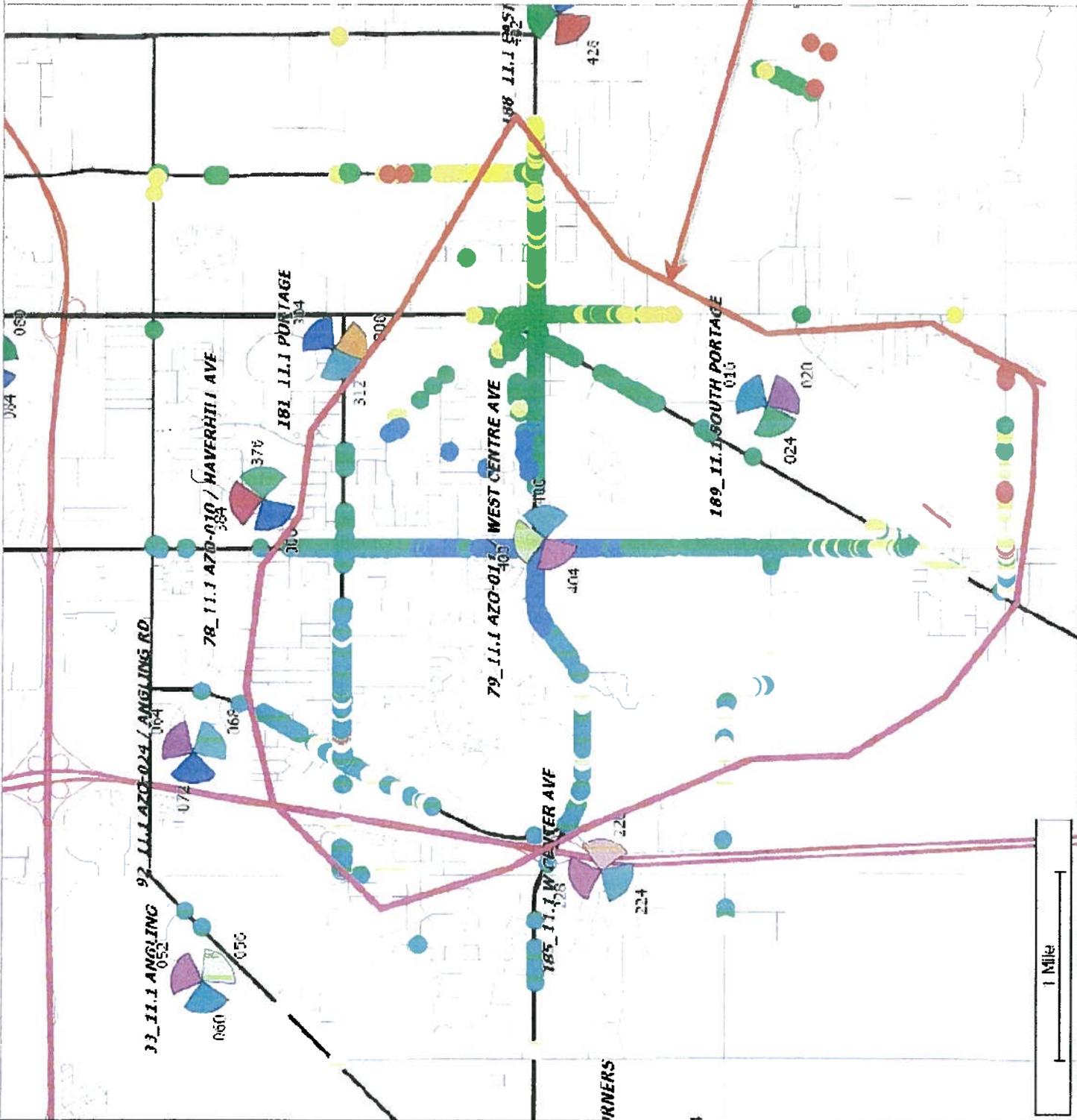
- Below -105.0 (0) 0.0%
- >= -105.0 to < -95.0 (9) 2.4%
- >= -95.0 to < -85.0 (72) 19.2%
- >= -85.0 to < -60.0 (263) 70.1%
- Above -60.0 (31) 8.3%

PN_Scanner_Ec_for_PN_224

- Below -105.0 (0) 0.0%
- >= -105.0 to < -95.0 (2) 0.5%
- >= -95.0 to < -85.0 (43) 11.3%
- >= -85.0 to < -60.0 (241) 63.4%
- Above -60.0 (94) 24.7%

PN_Scanner_Ec_for_PN_20

- Below -105.0 (0) 0.0%
- >= -105.0 to < -95.0 (30) 3.0%
- >= -95.0 to < -85.0 (299) 30.1%
- >= -85.0 to < -60.0 (647) 65.1%
- Above -60.0 (18) 1.8%



- PN_Scanner_Ec_for_PN_408
- Below -105.0 (0) 0.0%
 - >= -105.0 to < -95.0 (1) 0.2%
 - >= -95.0 to < -85.0 (92) 16.6%
 - >= -85.0 to < -60.0 (319) 57.6%
 - Above -60.0 (142) 25.6%
- PN_Scanner_Ec_for_PN_404
- Below -105.0 (0) 0.0%
 - >= -105.0 to < -95.0 (11) 2.5%
 - >= -95.0 to < -85.0 (124) 28.6%
 - >= -85.0 to < -60.0 (235) 54.3%
 - Above -60.0 (63) 14.5%
- PN_Scanner_Ec_for_PN_400
- Below -105.0 (0) 0.0%
 - >= -105.0 to < -95.0 (8) 1.1%
 - >= -95.0 to < -85.0 (128) 17.4%
 - >= -85.0 to < -60.0 (515) 71.1%
 - Above -60.0 (75) 10.4%

Real world coverage of existing West Centre Ave site. Data collected using Agilent CDMA PN scanner



LEWIS REED & ALLEN P.C.

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April 19, 2012

VIA FAX TO 269-329-4506

Mr. Christopher Forth
Deputy Director of Planning and Community Development
City of Portage
2900 S. Westnedge Avenue
Portage, Michigan 49024

Re: **Oakland Hills at Centre Avenue Planned Development**

Dear Mr. Forth:

As you may recall, this office represents Mangwn Properties Inc. ("Mangwn"), and its owners, Bill Nuyen and Greg Nuyen. Mangwn is the owner of two parcels located at the corner of Oakland Drive and Centre, adjacent to AVB's proposed Oakland Hills at Centre Avenue Planned Development (the "Project"). We understand the Planning Commission will be considering a revised site plan submitted by AVB at the upcoming hearing set for Thursday, April 19, 2012.

We want to reiterate our opinion that, overall, the proposed Project will be a positive addition both to the immediate area, and to the City of Portage generally. Our client is also appreciative that Greg Dobson of AVB met with us to go over our client's concerns regarding the Project, which are primarily with the location and design of the Verizon cell tower. We have even entered into discussions with Mr. Dobson regarding ways in which AVB could participate in the future development of Mangwn's property.

The revised site plan drawings for the AVB Project show that the proposed location of the cell tower has been moved southerly a few feet, to a point approximately 40 feet from the common boundary line between the parcels. While Mangwn appreciates the effort at relocating the cell tower, Mangwn continues to be somewhat puzzled why another location for the cell tower within the

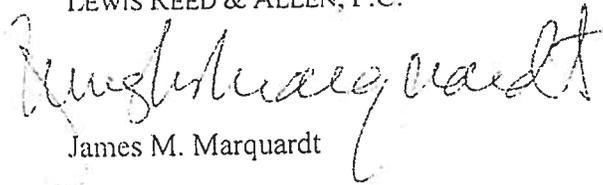
Mr. Christopher Forth
April 19, 2012
Page 2

Project's 47.6 acres could not be found. The tower is still slated to be erected in an area with the highest commercial density.

As we stated previously, our client shares the view with your office that, done correctly, development can be a plus for the City of Portage. In that regard, and in the spirit of being a good neighbor, Mangwn does not oppose the idea of a cell tower being constructed on AVB's land. However, we would hope that, between AVB and Verizon, a more suitable location for the tower could be found.

Very truly yours,

LEWIS REED & ALLEN, P.C.

A handwritten signature in black ink, appearing to read "James M. Marquardt", written over a faint circular stamp.

James M. Marquardt

JMM/emb

cc: William T. Nuyen

G:\JMM\Mangwn Properties Inc\Forth 003 041912.wpd