

CITY OF
PORTAGE
A Place for Opportunities to Grow

PLANNING COMMISSION

December 2, 2010

CITY OF PORTAGE PLANNING COMMISSION

A G E N D A

**December 2, 2010
(7:00 p.m.)**

Portage City Hall Council Chambers

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

- * November 18, 2010

SITE/FINAL PLANS:

- * 1. Site Plan for Centre Meadows of Portage Senior Apartments, 1405, 1419 and 1503 East Centre Avenue (re-approval)

PUBLIC HEARINGS:

PLATS/RESIDENTIAL CONDOS:

OLD BUSINESS:

NEW BUSINESS:

- * 1. Revised Home Occupation Ordinance (referral from City Council)

STATEMENT OF CITIZENS:

ADJOURNMENT:

MATERIALS TRANSMITTED

October 2010 Summary of Environmental Activities Report

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

PLANNING COMMISSION

November 18, 2010

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The City of Portage Planning Commission meeting of November 18, 2010 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Approximately twenty-five citizens were in attendance.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Jim Pearson.

IN ATTENDANCE:

Christopher Forth, Deputy Director of Planning and Development Services; Christopher Barnes, Director of Transportation and Utilities; and Randall Brown, City Attorney

PLEDGE OF ALLEGIANCE:

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

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the November 4, 2010 meeting minutes. A motion was made by Commissioner Bailes, seconded by Commissioner Patterson, to approve the minutes as submitted. The minutes were unanimously approved.

PUBLIC HEARINGS:

1. Special Land Use Permit Amendment: Air Zoo, 6151 Portage Road. Mr. Forth summarized the staff report dated November 12, 2010 involving a request by Air Zoo officials to amend the special land use permit approved by the Planning Commission in 2003 to permit construction of an approximate 46,000 square foot building addition and associated site improvements. The proposed building addition will be located on the east side of the existing building and will be used for additional aircraft display: Exhibits from the original museum located at the east end of East Milham Avenue will be transferred to the new addition.

The public hearing was opened by Chairman Cheesebro. Mr. Scott Musser, Delta Design, was present to speak in support of the special land use permit amendment. Patrick Ellstiffer, 2711 East Milham Avenue, asked about the use of earth movers and other heavy equipment that may generate noise. Mr. Ellstiffer was also concerned about construction traffic on East Milham Avenue. Mr. Musser stated all major earth work has been completed and construction traffic will use Portage Road and not East Milham Avenue. No other citizens were present to speak in support or opposition to the special land use permit amendment. The public hearing was closed. There being no further discussion, a motion was made by Commissioner Welch, seconded by Commissioner Bosch, to approve the special land use permit amendment for the Air Zoo, 6151 Portage Road. The motion was unanimously approved.

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SITE/FINAL PLANS:

1. Site Plan: Air Zoo, 6151 Portage Road. Mr. Forth summarized the proposed site plan improvements involving construction of an approximate 46,000 square foot building addition and associated site improvements. Mr. Scott Musser, Delta Design, was present to support the plan. There being no further discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Siegfried, to approve the Site Plan for the Air Zoo, 6151 Portage Road. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Final Report: Valley Family Church – Kalamazoo, 2500 Vincent Avenue, Special Land Use Permit Review. Mr. Forth introduced the item, summarized the October 21, 2010 public comment and noted all conditions of the May 1, 2008 special land use permit approval have been fulfilled. Mr. Forth also summarized the four requests made by Valley Family Church – Kalamazoo (VFC-K) to modify previous conditions of special land use permit or site plan approval. Commissioner Welch asked what happens after September 2012 when the Traffic Control Services Agreement expires. Mr. Forth responded by stating the traffic situation will be monitored by city and MDOT staff and evaluated for continuation of the Agreement and/or roadway/signalization improvements.

Attorney Dan Dalton was present to speak on behalf of VFC-K. Mr. Dalton stated VFC-K desires to withdraw three of the four requests. VFC-K would, however, like to eliminate the site plan condition that requires the center driveway to be gated accept for special events. The Commission discussed with Mr. Dalton and VFC-K representative Don DeBruyen, use of the center driveway, traffic flow before and after church services, full utilization of the west driveway (church now limits tuning movements), impacts on Vincent Avenue and at the intersection of Oakland Drive/Vincent Avenue

Chairman Cheesebro reconvened the public hearing. Mr. Mark Wollam, 5235 Greenhill Street, commended VFC-K officials for their efforts to reduce the noise levels and acknowledged MDOT efforts to fill the gap in the existing vegetative screen located along the south side of his home. In order to ensure adequate on-street parking for Angling Road Elementary School, Mr. Woolam asked how far west the no parking order extends. Mr. Barnes stated the no parking order extends to the point where the school zone speed limit begins. Mr. Woolam also asked if the dumpster located near the northeast corner of the parking lot also had to meet the 150 foot setback distance referenced in condition No. 6. Mr. Forth responded that the 150 setback distance is not applicable to the dumpster. Aaron Johnson and Richard Pilger, VFC-K representatives, also spoke in support of removing the condition that the center driveway be gated accept for special activities. Mr. Johnson and Mr. Pilger explained the internal traffic flow patterns. There being no further public comment, the public hearing was closed.

The Commission discussed the VFC-K request to allow unrestricted use of the center drive. Commissioners Welch, Patterson and Chairman Cheesebro believed use of three full service Vincent Avenue driveways would result in unnecessary and avoidable traffic conflicts and congestion along Vincent Avenue and at the Oakland Drive/Vincent Avenue intersection. VFC-K officials currently have available two full-service Vincent Avenue driveways that can be used to distribute inbound and outbound traffic. There being no further discussion, a motion was made by Commissioner Patterson, seconded by Commissioner Dargitz, to conclude the one-year special land use permit review, with additional action to modify special land use permit Condition No. 1 and Condition No. 2 as approved by the Planning Commission on May 1, 2008:

1. VFC-K maintain the executed agreement to provide and pay for traffic enforcement/control services consistent with the terms of the Traffic Control Services Agreement through September 2012. After this date, either traffic enforcement/control services, traffic improvements along Oakland Drive and Vincent Avenue or at the Oakland Drive – Vincent Avenue intersection, or other appropriate option, will be determined by the City Council using the existing process to deliberate and consider such actions during the annual City of Portage budget process including the Capital Improvement Program.

2. The submission of bi-monthly attendance reports by VFC-K to the City of Portage be discontinued effective immediately.

Commissioner Stoffer noted that noise appears to be a lingering issue and suggested a six month review. City Attorney Brown advised the Commission that his office is working with the church and neighbors to address the matter. His office can provide an update to the Commission in six months but at this point in time it is appropriate for the Planning Commission to conclude the public hearing. Issues involving noise complaints are outside the jurisdiction of the Planning Commission. The Commission discussed this issue and an amendment to the motion. The motion was not amended. Chairman Cheesebro asked for a roll call vote: Siegfried – Yes; Stoffer– Yes; Dargitz – Yes; Patterson – Yes; Bailes, – Yes; Cheesebro – Yes; Welch – Yes; Bosch – Yes. Motion was approved 8-0.

Chairman Cheesebro asked for a motion regarding the VFC-K request to eliminate the site plan condition that the center Vincent Avenue driveway be gated except for special events at the existing cathedral. A motion was offered by Commissioner Patterson, seconded by Commissioner Welch, that site plan Condition No. 1 not be eliminated and the center driveway remain gated and only utilized during special events at the existing cathedral. The motion was unanimously approved.

2. Preliminary Report: Ordinance Amendment #10-01, Keeping of Hens and Other Animals. Mr. Forth introduced the item and summarized the November 12, 2010 staff report regarding an amendment to the Zoning Code initiated by the Planning Commission during the October 7, 2010 meeting in response to a request from a Portage resident to raise/keep chickens in residential areas. Mr. Forth summarized the options presented in the staff report. There was a brief discussion regarding rabbits as domestic pets and as an animal for sustainability purposes. Chairman Cheesebro opened the public hearing.

The following people spoke in support of ordinance language that would allow chickens on small residential lots in the city: Charles Agusty, 1723 Romence Road; Bryan Mohny, 7911 Lakewood; Eric Myers, 7245 Balfour; Jamie Jager, 8810 South Westnedge; Janice Ryan, 225 Crockett; Melanie Brothers, 7011 Winters; Dave Ostrem, 1515 Dogwood; Andrea Stork, 1515 Dogwood; Molly Ostrem, 1515 Dogwood; Roger Schultz, 3208 Romence Road; Lynda Stewart, 329 East Vanhoesen Blvd; Lauren Wise, 710 Ludington Avenue; Cody Smith, 4465 West Milham Avenue; Fernando Costas, 7639 Harvest Lane; Mary Kindt, 1603 East Centre Avenue; Betty Ongley, 8620 Tozar Court; and Channon Mondoux, 6924 Angling Road. Reasons cited for support included sustainability, minimize government involvement, minimal odors and noise, health concerns related to avian flu and parasites are unfounded, chickens are permitted in the City of Kalamazoo and there have been no problems, chickens make good pets and teaches children responsibility.

The following people spoke in opposition of ordinance language that would allow chickens on small residential lots in the city: Laura Taylor, 2302 Abbott Avenue; Mildred Taraszka, 410 Merrylynn Court; Dana Steele, 8149 Black Forest Drive; Terry Martin, 6614 Cypress Street; Sami Taylor, 2302 Abbott Avenue; Angie Brodie, 4263 Suffield Woods; and Steve Rodia, 7220 Prestwick Lane. Reasons cited for opposition included concerns involving salmonella and e-coli, negative impact from odors, attraction of rodents and predators, financial cost to the city to administer and enforce the ordinance, farm animals do not belong in a small lot residential neighborhood, keeping of farm animals may increase tension between neighbors, decrease in property values, animal cruelty and release of chickens into the wild.

There being no further public comment, a motion was made by Commissioner Welch, seconded by Commissioner Bosch to adjourn the public hearing until the December 16, 2010 meeting. The motion was unanimously approved. Mr. Forth asked for Commissioner feedback on the several options presented to the Planning Commission. Commissioner Bosch asked for clarification regarding issuance of a permit. Mr. Forth responded by saying the staff-prepared options presented to the Commission would not require a permit but residents must comply with ordinance requirements. Mr. Forth referenced keeping a horse(s) as a similar ordinance provision not requiring a permit. Commissioners Welch, Patterson and Bailes believed issuance of a permit is needed to help regulate the placement of the coop and for enforcement action if it becomes necessary.

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Attorney Brown asked if the Commission wanted to consider chickens as pets and whether or not the ordinance should be expanded to include other animals. The consensus of the Commission is chickens are not pets and to limit the ordinance language to only chickens. Commissioner Patterson also suggested allowing up to six chickens. Mr. Forth indicated staff would revise the ordinance language based on Commission comments.

PLATS/RESIDENTIAL CONDOS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

Commissioner Stoffer requested that staff provide an update to the Commission in June 2011 regarding the efforts by Valley Family Church – Kalamazoo to address the noise complaints from adjacent neighbors. After a brief discussion, it was the consensus of the Commission that staff provide a brief update in June 2011.

There being no further business, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Christopher Forth, AICP
Deputy Director of Planning and Development Services

TO: Planning Commission **DATE:** November 24, 2010
FROM: Jeffrey M. Erickson, Director of Community Development
SUBJECT: Site Plan for Centre Meadows of Portage Senior Apartments, 1405, 1419 and 1503 East Centre Avenue.

I. INTRODUCTION

On April 15, 2010 the Planning Commission approved a site plan submitted by the Milham Group, LLC to construct a three-story, multiple family residential apartment building and associated site improvements on property addressed as 1405, 1419 and 1503 East Centre Avenue. Since construction activities did not commence within six months pursuant to Section 42-484 of the Zoning Code, site plan approval has expired. The applicant has resubmitted the site plan with no changes from the April 15, 2010 approval with the exception of minor modifications to the engineering design of the public water main extension identified on Sheet C-5.

As identified on the previously approved site plan, the apartment building will be 126,540 square feet in size (42,180 square feet per floor) with a total of 122 apartment units. The 10.5 acre property is zoned RM-1, multiple family residential and OS-1, office service. The apartment building and parking areas will be situated on the RM-1 zoned portion of the property. A copy of the April 15, 2010 staff report which discusses issues previously reviewed by the Planning Commission including the building height modification, screening, access, storm water management, outdoor lighting and parking is attached. Additionally, a copy of the April 15, 2010 Planning Commission meeting minutes is also attached for Commission reference.

II. RECOMMENDATION

The site plan for Centre Meadows of Portage Senior Apartments, 1405, 1419 and 1503 East Centre Avenue, has been reviewed by the City Administrative departments and staff recommends the plan be approved again with 114 parking spaces based on documented evidence provided by the applicant.

Attachments: April 15, 2010 Department of Community Development staff report (with attachments)
April 15, 2010 Planning Commission meeting minutes
Site Plan sheets

TO: Planning Commission

DATE: April 15, 2010

FROM: Jeffrey M. Erickson, Director of Community Development

SUBJECT: Site Plan: Centre Meadows Senior Apartments, 1405, 1419 and 1503 East Centre Avenue

I. INTRODUCTION:

A site plan has been submitted by Milham Group, LLC to construct a three-story, multiple family residential apartment building and associated site improvements on property addressed as 1405, 1419 and 1503 East Centre Avenue. The apartment building will be 126,540 square feet in size (42,180 square feet per floor) with a total of 122 apartment units. The 10.5 acre property is zoned RM-1, multiple family residential and OS-1, office service. The apartment building and parking areas will be situated on the RM-1 zoned portion of the property.

At the March 18, 2010 meeting, the Planning Commission approved a height modification for Centre Meadows Senior Apartments to allow construction of the three-story apartment building to a height of 36 feet with an architectural feature/cupola on top of the building that will extend to a height of 49 feet subject to installation of landscaping treatments along the west, south and east sides of the building that soften and break-up the expanse of the three-story building walls and also recommended that City Council approve the height modification. At the April 13, 2010 meeting, the City Council approved the height modification subject to the same condition.

Consistent with the height modification approval, the applicant has included landscaping treatments (deciduous trees and shrub plantings) along the west, south and east sides of the building. Since the site is bordered by single family residential zoning/land use, conflicting land use screening is also required between the parking lot and these adjoining areas. To satisfy this requirement, the applicant is proposing to retain existing mature trees/natural vegetation along the perimeter of the site and install supplemental evergreen trees (6-8 foot tall spruce and fir trees) along the south, east and west portions of the site. Preservation of mature trees/natural vegetation combined with supplemental evergreen tree plantings, building/parking lot setbacks and natural topography will provide an effective screen that will be confirmed by the Department of Community Development prior to issuance of the certificate of occupancy.

Access to the site will be provided from a full-service, boulevard driveway from East Centre Avenue. Consistent with the Access Management Ordinance, the applicant has agreed to provide future shared/cross access to adjacent properties. A note has been placed on the plan citing the commitment to this future cross/shared access and the appropriate affidavit will be prepared and recorded with the Kalamazoo County Register of Deeds. Storm water from the development will be collected and treated prior to discharge to infiltration basins located along the north and south portions of the development. Outdoor lighting units associated with the development will consist of light poles and building mounted units that will contain shielded (sharp cut-off) fixtures and comply with all applicable outdoor lighting standards.

The Zoning Code classifies the senior apartment facility as "housing for the elderly", which establishes a minimum parking requirement of 1 space for every two units plus 1 space per employee. Section 42-520.O allows a development to exceed the minimum parking requirement by up to 10%, with additional

increases subject to Planning Commission review. The proposed 122 unit senior apartment building with four employees would require a minimum of 65 parking spaces or a maximum of 72 spaces (65 + 10%). The applicant is proposing a total of 114 parking spaces. In support of the proposal, the applicant has provided a letter along with a copy of the Michigan State Housing Development Authority (MSHDA) recommended standards of design for "Buildings for Elderly Residents". As indicated by the applicant, the senior apartment facility will also provide congregate care services, if desired by the occupant. As a result, the applicant is proposing a parking ratio that is between the MSHDA standard for housing for the elderly (1.0 space per unit, or greater) and the MSHDA standard for congregate developments (.80 space per unit). Based on the information provided by the applicant, the proposed 114 parking spaces for the 122 unit senior apartment facility is necessary and reasonable and will not adversely impact surrounding properties including any natural features thereon.

II. RECOMMENDATION:

The site plan has been reviewed by the city administrative departments. It is recommended that the site plan for Centre Meadows Senior Apartments, 1405, 1419 and 1503 East Centre Avenue, be approved with the proposed 114 parking spaces based on documented evidence provided by the applicant.

Attachments: April 15, 2010 letter from Mr. Tim Woodhams (Milham Group LLC)
MSHDA Standards of Design

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April 15, 2010

Mr. Mike West, AICP
City of Portage
7900 South Westnedge Avenue
Portage, Michigan 49002

Re: Centre Meadows Senior Apartments
1405, 1419 and 1503 East Centre Avenue

Dear Mr. West:

To further clarify the Centre Meadows Senior Apartments parking requirements I thought further information beyond the information provided in the MSDHA Standards of Design package provided would be helpful to City staff and the members of the Planning Commission.

The Centre Meadows project will offer its elderly residents congregate services. Typical services available to residents include catered meal plans, housekeeping, personal laundry service, personal aides, transportation and other services that might be necessary to accommodate its residents. The majority of residents will likely choose some level of support thru the available services.

The MSDHA Standards of Design deviate from the City of Portage standard Elderly Housing Parking requirement of 0.5 spaces per unit. MSDHA recommends 0.8 spaces per unit for congregate care to 1.0 for elderly housing without services. We believe that the City Standard of 0.5 is intended for a traditional elderly care facility with a limited number of residents owning vehicles. The MSDHA Standard contemplates a more active resident who would rely on congregate services available within the development or off site services.

Our ratio of parking of approximately 0.9 spaces per unit follows the guidelines of MSDHA for the type of facility being constructed. Need for additional parking is not anticipated. However, in the current site plan, accommodations have been made to expand parking easily should demand dictate. All site design such as layout, site grading, storm water calculations, storm water basin placement have been prepared accordingly.

We appreciate your continued assistance with this development. Please feel free to contact me at (269) 760-6688 should you have any questions.

Sincerely,



Timothy A. Woodhams, PE

MSHDA STANDARDS OF DESIGN

C. Buildings for Elderly Residents

1. Elevators

Buildings designed for elderly residents shall be located at grade or an elevator shall serve each dwelling unit level. Buildings having two or more stories and designed for elderly residents shall be equipped with at least one elevator and of sufficient size (approximately 5' x 7') so as to facilitate move-ins/outs and emergencies (refer also to 14001.).

Buildings designed for elderly residents with 100 or more dwelling units or of three or more stories shall be equipped with at least two elevators. One such elevator shall be located and of sufficient size (approximately 5' x 7') so as to facilitate move-ins/outs and emergencies (refer also to 14001.)

2. Barrier Free Designed Units

Barrier Free designed units shall not be arranged all in one wing of a building. Such units shall be located on the floor at grade for ease of exiting in an emergency, but shall be located throughout that floor.

3. Congregate Housing

At a minimum, congregate housing shall include facilities and services for common dining, housekeeping and personal health services.

4. Common Spaces

Management, mail pick-up and primary vertical circulation functions shall be grouped at the primary entrance and lounge.

All common facilities shall be accessible without passing directly through the lounge. If provided, medical and social services, central dining facilities and similar common facilities (including trash removal) shall be grouped in close proximity to the main circulation elements but in such a way that it is not necessary for a resident to pass through the lobby or the lounge to reach them.

The design shall provide easy "way finding" cues to distinguish location within a building. These cues can include: clear organization in the design of space and circulation, plants, lighting, features, color (carpet, walls, features), furnishings, and consistent signs.

Provide glass panels adjacent to or in doors to common area rooms, allowing residents to see into a room before attempting to open the door.

Proposed furnishings for Common spaces shall be appropriate for the spaces to be furnished and for the intended resident, paying particular attention to the needs of elderly residents. (Refer also to 02870 and 12600.)

MSHDA STANDARDS OF DESIGN

5. Circulation

Common corridors shall be a minimum of five feet wide. For reasons of eliminating visual and physical corridor length, the maximum length of a corridor shall be 150'. For the purpose of this measurement, a corridor shall be defined as ending at any intersection with another corridor resulting in a visual terminus or where common space provides a significant visual break or offset. The maximum length of travel from a unit to an elevator shall be 150'. The maximum length of travel from the farthest unit to common dining and/or office facilities shall be minimized through building arrangement. No ramps shall be used in corridors.

6. Community rooms

All community rooms shall be provided with a kitchen that shall minimally have a double bowl sink, garbage disposal, a range/oven, a refrigerator, and a barrier free workspace.

7. Crafts rooms

All crafts rooms shall be provided with a sink with gooseneck faucet and plaster trap. All craft rooms shall have negative air pressure.

8. Maintenance Space

Common maintenance space shall be provided for storage and as a work area. Maintenance buildings or, in large buildings, maintenance spaces shall be provided at all developments. Buildings or spaces shall be heated and insulated, a toilet for staff shall be provided. The maintenance space shall be approximately 400 square feet. Provision shall be made for the storage of flammable materials. Workbenches and storage shelves shall be provided within the maintenance space.

9. Common Laundry

Common laundry rooms shall be provided with a table for folding laundry and a rod for hanging clothes. If feasible, common laundry rooms shall have a window to the exterior. Common laundry rooms shall have a floor drain. Common laundry rooms shall have a seating area within, immediately adjacent to, or in line of sight of the laundry room. All laundry rooms shall have negative air pressure.

10. Trash Compactor and Trash Chute

The trash compactor room shall be designed so that the trash gondola can be easily wheeled in and out of the space without sharp turns.

A hose bibb shall be provided within the trash compactor area for ease in washing down the area. A wash down sprayer shall be provided for within the trash chute. The residents shall not have to carry trash through the main lobby in order to dispose of their trash. A remote trash room shall be provided as needed. All trash rooms shall have negative air pressure.

MSHDA STANDARDS OF DESIGN

- 02000 Site Work**
Site design shall take advantage of positive site features and characteristics and shall address and mitigate negative site features. Site analysis and design concept shall be developed to respond to these features.
- 02001.1 Design of Drives and Parking**
02001.11 Parking Lots
Designs shall not contain dead end parking lots.
- 02001.12 Collector Roads**
Designs shall have no parking along collector roads.
- 02001.13 Parking Ratios**
Parking for developments for elderly residents shall be provided in the following ratio: 1.0 space per unit or greater. Parking for developments providing congregate services and marketed as "congregate" developments may be provided at 0.8 space per unit or greater. Parking for developments for family (non-elderly) residents shall be provided in the following ratio: 2 spaces per unit or greater.
- 02001.16 Drive Widths**
Collector drives shall be a minimum of 22'-0" in width.
Drives within parking areas shall be a minimum of 20'-0".
- 02001.17 Parking Spaces**
Parking spaces within developments for elderly residents shall be a minimum of 10' in width X 20' in length. Parking spaces within developments for family residents shall be a minimum of 9' in width.
- 02001.18 Curbing**
All drives, parking areas and parking islands shall be curbed. Curbing shall be concrete. Curb profiles shall accommodate snow plowing in identified areas. The Authority recommends main drives and collector roads be crowned with drainage along curbs.
- 02001.19 Catch Basins**
Catch basins shall not be located under carports. Drainage shall be away from carports and not towards or through carports.
- 02001.2 Design of Walkways**
There shall be an internal system of walkways. BF ramps shall be provided at curb crossings. In housing for elderly residents walks shall provide easy access to secure interactions with human activity and natural surroundings.
Walks shall be concrete. (Refer also to 03000.2.) Asphalt "walking trails" may be provided.

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PLANNING COMMISSION

April 15, 2010

The City of Portage Planning Commission meeting of April 15, 2010 was called to order by Chairman Fox at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Three citizens were in attendance.

MEMBERS PRESENT:

Cory Bailes, James Cheesebro, Paul Welch, Jim Pearson, Rick Bosch, Bill Patterson and Chairman Thomas Fox.

MEMBERS ABSENT:

Wayne Stoffer.

MEMBERS EXCUSED:

Miko Dargitz.

IN ATTENDANCE:

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

PLEDGE OF ALLEGIANCE:

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

APPROVAL OF MINUTES:

Chairman Fox referred the Commission to the April 1, 2010 meeting minutes. A motion was made by Commissioner Welch, seconded by Commissioner Cheesebro, to approve the minutes as submitted as submitted. The minutes were unanimously approved.

SITE/FINAL PLANS:

1. Site Plan: Cross Creek Self Storage (expansion), 800 Gladys Street. Mr. West summarized the staff report dated April 15, 2010 involving a site plan submitted by Great Lakes Self Storage I, LLC to expand the existing Cross Creek Self Storage facility located at 800 Gladys Street. Mr. West stated the expansion project involves construction of a 5,100 square foot self storage building and associated site improvements along the southeast portion of the site.

Mr. Scott Carter (owner/developer) and Mr. Mickey Bittner (applicant's engineer) were present to explain the proposed expansion project. Commissioner Cheesebro asked the applicant about the gravel parking area at the site and the reference included on the site plan. Mr. Carter indicated he was unaware that parking of vehicles could not occur on a gravel surface and agreed that vehicles would no longer be parking on this gravel surface. A motion was then made by Commissioner Cheesebro, seconded by Commissioner Bailes, to approve the Site Plan for Cross Creek Self Storage (expansion), 800 Gladys Street. The motion was unanimously approved.

2. Site Plan: Centre Meadows Senior Apartments, 1405, 1419 and 1503 East Centre Avenue. Mr. West summarized the staff report dated April 15, 2010 involving a site plan submitted by Milham Group, LLC to construct a three-story, multiple family residential apartment building and associated site improvements at property addressed as 1405, 1419 and 1503 East Centre Avenue. Mr. West stated the Centre Meadows Senior Apartments building would be approximately 126,500 square feet in size (42,180 square feet per floor) with a total of 122 apartment units. Mr. West summarized the previous review and approval of the height modification

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request by both the Planning Commission and City Council and discussed landscaping and screening that would be provided with the development project. Mr. West discussed the access arrangement from East Centre Avenue and indicated the applicant has agreed to provide future shared/cross access to adjacent properties. Mr. West indicated a note has been placed on the plan citing this future shared/cross access commitment and the appropriate affidavit would be prepared and recorded with the Kalamazoo County Register of Deeds. Mr. West then discussed the proposed parking arrangement and the applicant's request for a total of 114 parking spaces. Mr. West stated the applicant has provided a letter and supporting documentation regarding the proposed parking and the request appears necessary and reasonable for the 122-unit senior apartment building and will not adversely impact surrounding properties including natural features.

Mr. Tim Woodhams (owner/developer) was present to support the site plan and explain the proposed development project. Mr. Woodhams discussed the Michigan State Housing Development Authority (MSHDA) recommended parking standards for a congregate care facility and a "housing for the elderly" facility. Mr. Woodhams stated the proposed 114 parking spaces for the 122-unit senior apartment building was within the MSHDA recommended standards and was appropriate for the use. After a short discussion, a motion was made by Commissioner Cheesebro, seconded by Commissioner Bailes, to approve the Site Plan for Centre Meadows Senior Apartments, 1405, 1419 and 1503 East Centre Avenue, with the proposed 114 parking spaces based on documented evidence provided by the applicant. The motion was unanimously approved.

PUBLIC HEARINGS:

None.

PLATS/RESIDENTIAL CONDOS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

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

Respectfully submitted,

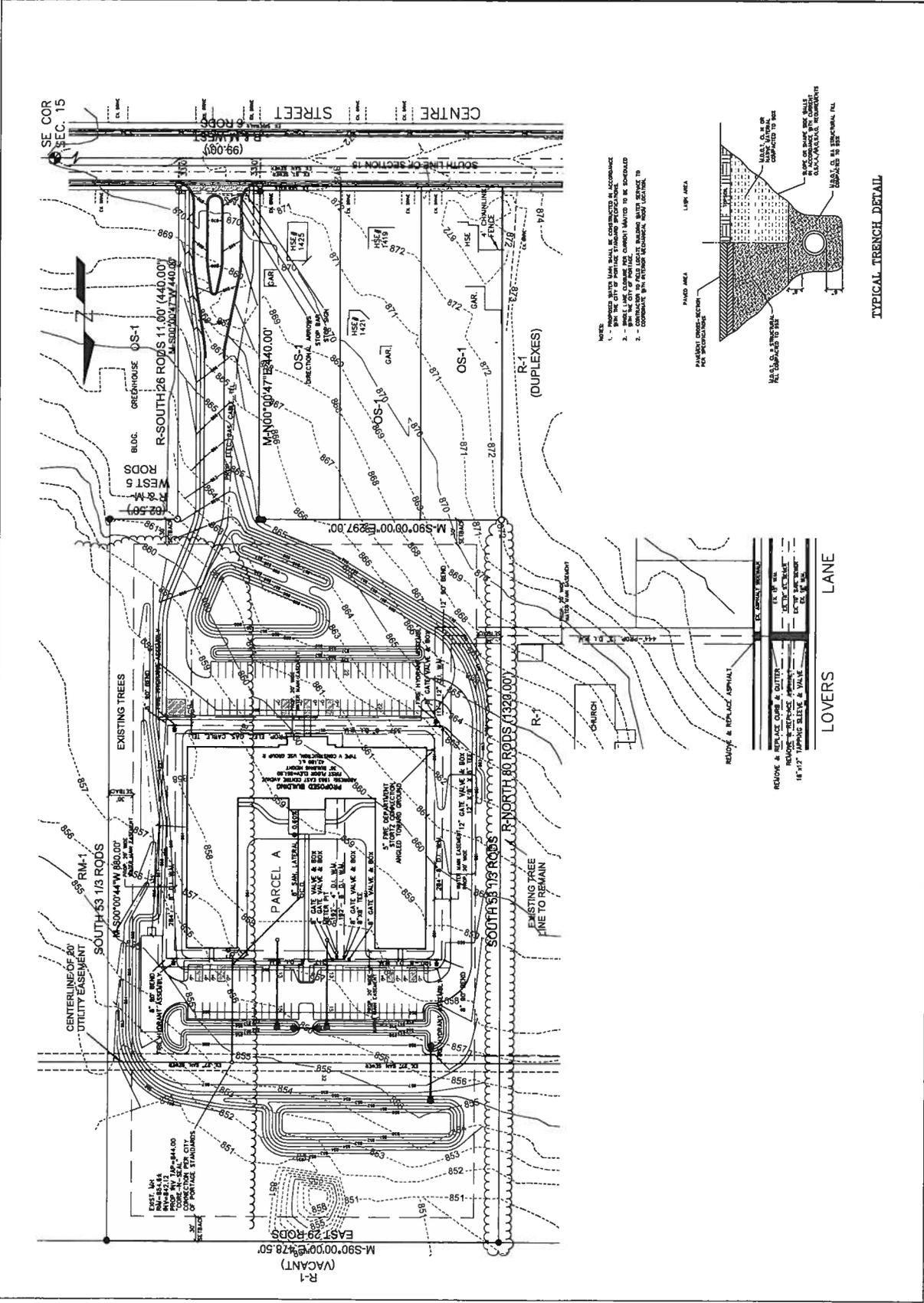
Michael K. West, AICP
Assistant City Planner

DATE:	07/15/09	BY:	WATKINS ANALYSTS - REMSON
REVISIONS:	1/5/09	BY:	CITY OF PORTAGE ENGINEERS
	10/2/08	BY:	WATKINS ANALYSTS
	11/2/08	BY:	WATKINS ANALYSTS - REMSON

UTILITY PLAN
 SENIOR APARTMENTS OF PORTAGE
 PORTAGE, MICHIGAN

DESIGNED BY:	DATE:
DRAWN BY:	DATE:
CHECKED BY:	DATE:
SCALE:	DATE:
PROJECT NO.:	DATE:
DATE:	DATE:
SCALE:	DATE:
PROJECT NO.:	DATE:

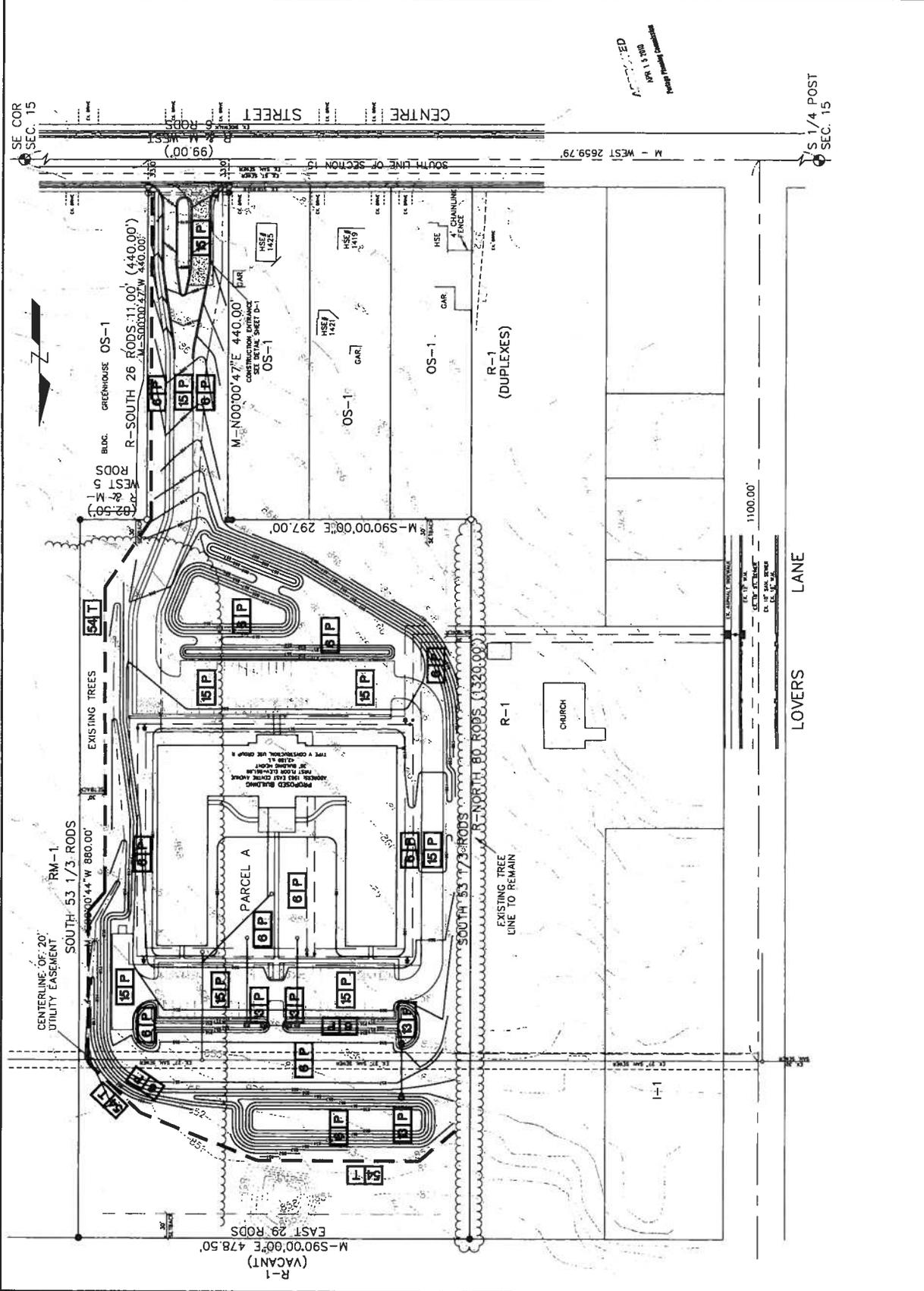
C-5
 SHEET NUMBER



DATE: / /		CITY OF PORTAGE MICHIGAN	
DRAWN BY: TUB		DATE: 3/27/18	
CHECKED BY: TUB		DATE: 3/27/18	
PROJECT NO: 18-0000		DATE: 3/27/18	
SCALE: 1" = 40'		DATE: 3/27/18	
SHEET NO: 5		DATE: 3/27/18	
SHEET NUMBER		DATE: 3/27/18	

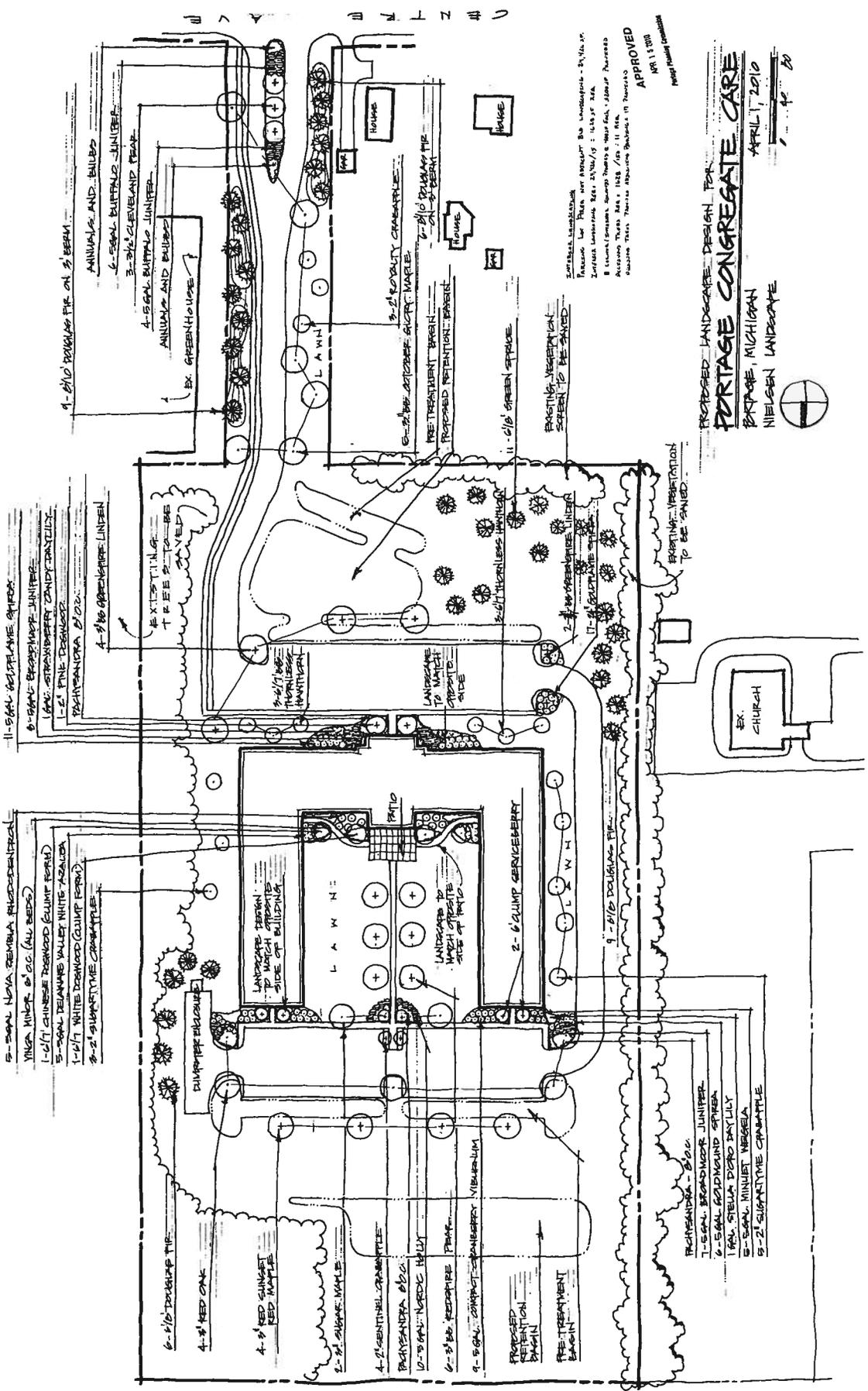
SOIL EROSION CONTROL PLAN
 CENTRE MEADOWS OF PORTAGE
 SENIOR APARTMENTS
 PORTAGE, MICHIGAN

C-6



APPROVED
 APR 13 2018
 PORTAGE PUBLIC COMMUNITY

S 1/4 POST
 SEC. 15



- 5-5 GAL. NYA REMBIA RHODODENDRON
- YING KINER 8' 0" 0" (ALL BEDS)
- 1-6' 7" CHINESE BURNING GUM (FORM)
- 5-5 GAL. DELAWARE VALLEY WHITE AZALEA
- 1-6' 7" WHITE BURNING GUM (FORM)
- 2-2' SUKARTIME CRABAPPLE

- 11-5 GAL. DELAWARE SPIDER
- 8-5 GAL. BRADSHAW JUNIPER
- 1-6' STRAWBERRY CANDY CANTILEY
- 1-2' PINE DECAUWAZ
- ROSEMARY 8' 0" 0"
- 4-5 GAL. GREENHOUSE LINDBER

- 1-6' 10" DOUGLAS FIR ON 3' BEEM
- ANNUALS AND BULBS
- 4-5 GAL. BUTTEND JUNIPER
- 3-3/4" CLEVELAND PEAR
- 4-5 GAL. BUTTEND JUNIPER
- ANNUALS AND BULBS

- 6-6' 10" DOUGLAS FIR
- 4-5' RED OAK
- 4-5' RED SUNSET RED MAPLE
- 2-5' SYRIAN MAPLE

- 4-2' SENTINEL CRABAPPLE
- ROSEMARY 8' 0" 0"
- 10-5 GAL. NORDIC HALLY
- 6-5' 6" REDSPICE PEAR
- 9-5 GAL. COMPACT STRAWBERRY VIBURNUM

- PROPOSED RETENTION BASIN
- PRE-TREATMENT BASIN
- 2-6' QUIMP GERANCEBERRY
- 9-5' 10" DOUGLAS FIR

- ROSEMARY 8' 0" 0"
- 1-5 GAL. BRADSHAW JUNIPER
- 2-5 GAL. CLEVELAND SPREA
- 1-6' STELLA D'ORO SAKULY
- 5-5 GAL. MINNET NISBREA
- 5-2' SUKARTIME CRABAPPLE

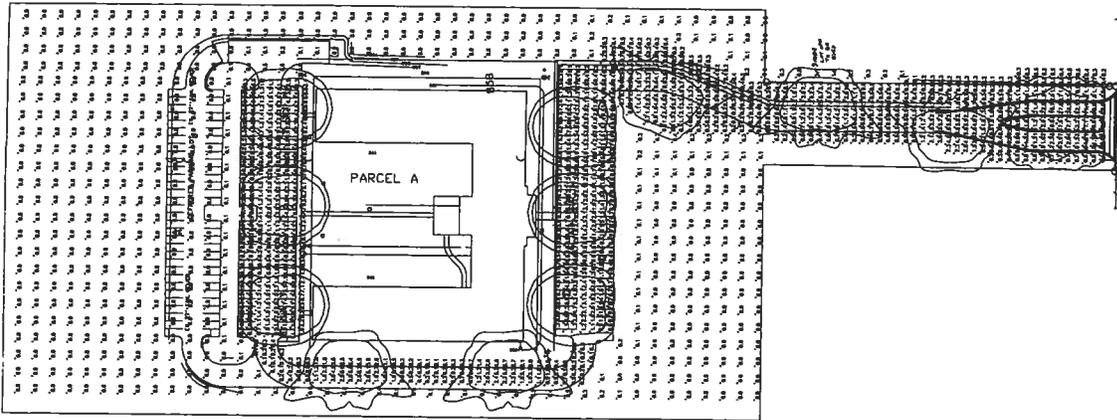
LANDSCAPE ARCHITECTURE
 PETERSON LANDSCAPE ARCHITECTURE
 1100 W. PLYMOUTH AVENUE, SUITE 200
 ANN ARBOR, MI 48106
 PHONE: 734.769.1100
 FAX: 734.769.1101
 WWW: PETERSONLANDSCAPEARCHITECTURE.COM

PROPOSED LANDSCAPE DESIGN FOR
PRIYAGE CONGREGATE CARE
 ANN ARBOR, MICHIGAN
 NIELSEN LANDSCAPE
 APRIL 1, 2010



APPROVED
 APR 1 2010
 PETERSON LANDSCAPE ARCHITECTURE

APPROVED
 APR 13 1988
 [Signature]



Plan View
 Scale 1" = 40'

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
DOME	+	1.8%	8.8%	0.1%	88.51	14.81
NORTH LOT	+	1.8%	8.8%	0.1%	88.51	8.81
SOUTH LOT	+	2.1%	8.8%	0.1%	88.51	21.81
WEST DRIVE	+	1.8%	8.8%	0.1%	88.51	18.81

Symbol	Label	City	Category	Description	Length	Area	Perimeter	Volume
■	B	014-00143	CONCRETE	CONCRETE FLOOR AREA	10000.00	10000.00	10000.00	10000.00
■	C	014-00144	CONCRETE	CONCRETE FLOOR AREA	10000.00	10000.00	10000.00	10000.00
■	D	014-00145	CONCRETE	CONCRETE FLOOR AREA	10000.00	10000.00	10000.00	10000.00

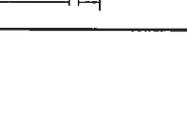
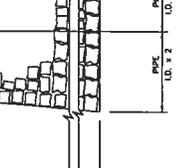
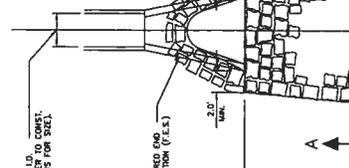
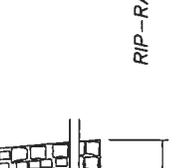
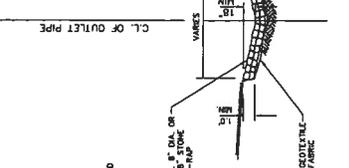
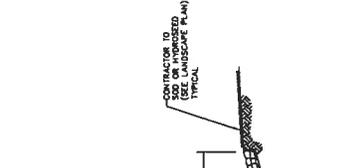
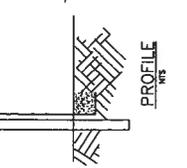
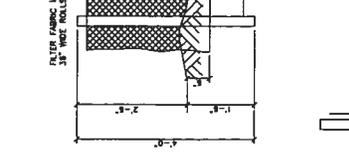
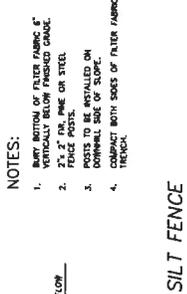
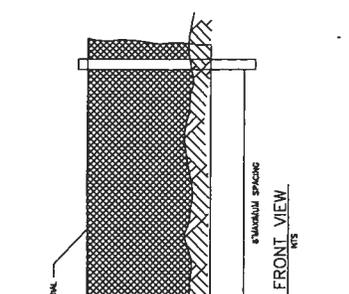
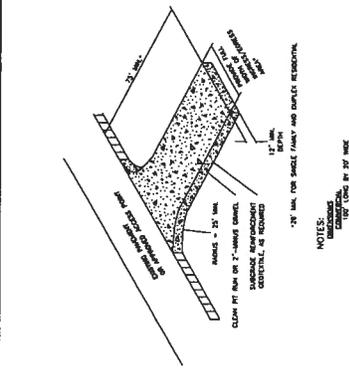
NOTES

1. Based on the information provided, all dimensions and quantities are approximate and not guaranteed.
2. The lighting plan represents the minimum lighting level required for the proposed building or structure.
3. All dimensions of any construction's foundation may vary due to local conditions, setbacks, and other applicable codes.

DATE	BY	REVISIONS

SESC BMP's/NOTES/DETAILS
 CENTRE APARTMENTS OF PORTAGE
 PORTAGE, MICHIGAN

REVISIONS
 DATE
 BY
 DESCRIPTION



NOTES:

1. BURY BOTTOM OF FILTER FABRIC 6\"/>

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BEST MANAGEMENT PRACTICES

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SECTION A-A

SECTION A-A

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SECTION A-A

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SOIL EROSION CONTROL NOTES:

ENGINEER'S NOTES

ENGINEER'S NOTES

ENGINEER'S NOTES

ENGINEER'S NOTES

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ENGINEER'S NOTES

CONSTRUCTION SCHEDULE & SEQUENCING:

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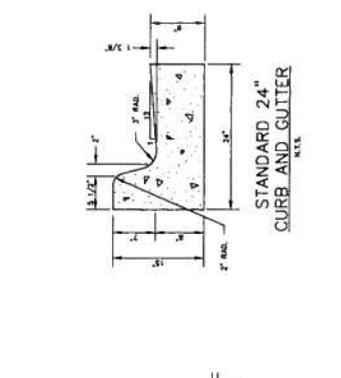
DESCRIPTION

DATE	BY	APP	CITY OF PORTAGE MEMBER

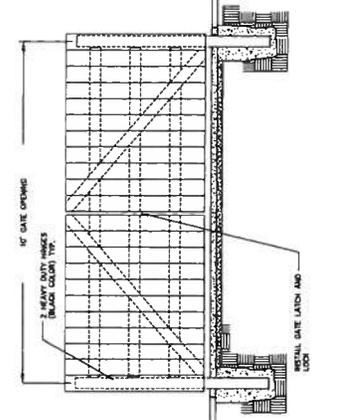
STANDARD DETAILS
 CENTRE MEADOWS OF PORTAGE
 PORTAGE, MICHIGAN

DESIGNED BY: J22/P18
 DRAWN BY: J22/P18
 CHECKED BY: J22/P18
 DATE: 7/22/10
 SCALE: AS NOTED
 SHEET NUMBER: 1884-5

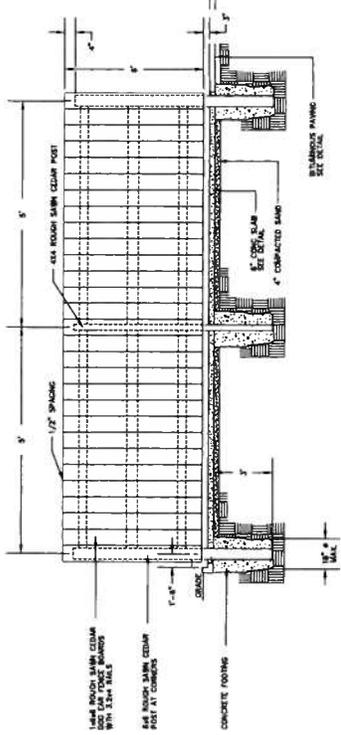
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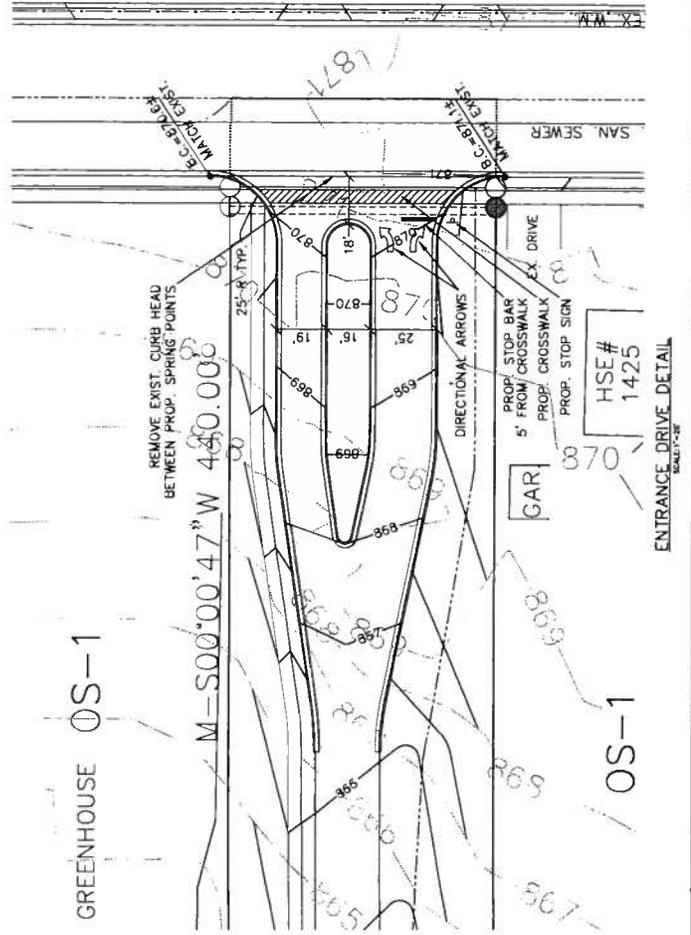
APPROVED
 APR 13 2010
 Project Engineer/Consultant



DUMPSTER ENCLOSURE
 N.E.E.

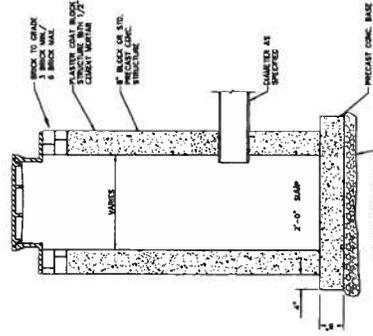


2' DIA. CATCH BASIN
 N.E.E.



GREENHOUSE OS-1

OS-1



2' DIA. CATCH BASIN
 N.E.E.

TO: Planning Commission

DATE: November 23, 2010

FROM: Jeffrey M. Erickson, Director of Community Development

SUBJECT: Revised Home Occupation Ordinance

During the November 16, 2010 meeting, City Council accepted a revised Home Occupation Ordinance as recommended by the City Council Neighborhood Revitalization and Engagement Ad Hoc Committee and referred the revised ordinance to the Planning Commission to initiate the Zoning Code amendment process. Attached is the November 5, 2010 communication from the City Manager to the City Council, revised ordinance language and a draft copy of the November 16, 2010 City Council meeting minutes.

The Planning Commission is advised to review the revised Home Occupation Ordinance. Department Staff and the City Attorney will be present to assist with the review and discussion.

Attachments: November 5, 2010 City Manager communication
Revised Home Occupation Ordinance
November 16, 2010 City Council meeting minutes (draft)

S:\Commdev\2010-2011 Department Files\Board Files\PLANNING COMMISSION\PC Reports\Ordinance Amendments\2010 Home Based Businesses\2010 11 23 JME referral to PC.doc

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: November 5, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Home-based Businesses Ordinance

ACTION RECOMMENDED: That City Council refer the revised Home Occupation Ordinance recommended by the City Council Neighborhood Revitalization and Engagement Ad Hoc Committee, to the Planning Commission to initiate the amendment process to the Zoning Code.

During the City Council meeting of March 9, 2010, the Council did not approve an amendment to the Zoning Code involving home-based businesses and instead referred the matter to the Neighborhood Revitalization and Engagement Ad Hoc Committee. Since that time, the Neighborhood Revitalization and Engagement Committee, City Administration and the City Attorney have met on several occasions to consider the home-based businesses ordinance. The City Administration, with the assistance of the City Attorney, developed revisions to the proposed ordinance language previously considered by City Council.

The Neighborhood Revitalization and Engagement Ad Hoc Committee met on Thursday, November 4, 2010 to discuss the revisions to the proposed ordinance and recommend that the ordinance language be referred by City Council to the Planning Commission for consideration. Attached for City Council information and review is the revised ordinance amendment language as prepared by the City Attorney.

It is recommended that City Council refer the revised ordinance language to the Planning Commission to initiate the amendment process to the Zoning Code.

Attachments: Proposed ordinance amendment

[PUBLICATION VERSION]

ORDINANCE TO AMEND THE CODE OF ORDINANCES
OF THE CITY OF PORTAGE, MICHIGAN
BY AMENDING SECTION 42-112 and 42-129 OF CHAPTER 42,
LAND DEVELOPMENT REGULATIONS

THE CITY OF PORTAGE ORDAINS:

That Section 42-112 and 42-129 of Chapter 42, Land Development Regulations, are hereby amended as follows:

Section 42-112. Definitions.

Home occupation: A home based activity or service conducted on a zoning lot used for residential purposes by an occupant(s) as a subordinate and accessory use involving the sale or exchange of services. Home occupations may include, but are not limited to: administrative offices, photographic studios, personal service establishments, and instruction in outdoor recreational activities. The sale of products and goods is permitted only if incidental to the services of the home occupation or involve the sale of fruits, vegetables or flowers grown on site pursuant to the Michigan Right to Farm Act, Act 93 of 1981, as amended. Instruction in a craft or fine art within the dwelling unit pursuant to MCLA 125.3204 is permitted as a home occupation. For purposes of this section, family day care homes shall not be considered a home occupation. Two types of home occupations are hereby established and permitted pursuant to the terms of this section as follows:

- (1) Passive home occupations: Home occupations of low intensity which satisfy the specific conditions and requirements for passive home occupations provided in Section 42-129.A.
- (2) Active home occupations: Active home occupations are more intensive than passive home occupations and do not meet one or more of the requirements in Section 42-129.A. Specific conditions and requirements for active home occupations are provided in Section 42-129.B.

Section 42-129. Home occupations.

- A. A passive home occupation on a zoning lot conducted by the occupant that meets the following standards is allowed as an accessory use with no permit being required.
 1. The occupation is conducted as a subordinate use by a member of the family occupying the dwelling unit.
 2. The occupation is conducted wholly within the dwelling unit.
 3. No person outside the family is employed in the home occupation.
 4. Not more than 25 percent of the total floor area of any one floor of the dwelling unit, or 25 percent of the basement, is used for the home occupation.
 5. The home occupation does not require interior or exterior alterations or the use of mechanical or electronic equipment not customarily used in a dwelling unit.
 6. No sign identifies the home occupation. The use of window displays are not permitted.
 7. The home occupation does not produce or generate, in any way, noise, odor, dust, fumes, smoke, glare or comparable nuisances which would cause negative effects on surrounding property. No passive home occupation shall be permitted

to use, store or produce any hazardous materials in excess of quantities permitted in residential structures.

8. The home occupation does not generate pedestrian or vehicular traffic beyond that normally generated by a dwelling unit.
 9. There shall be no other vehicular parking other than the off-street parking facilities normally required for the residential use.
 10. The use or storage of any materials or equipment which is incidental to the services of the home occupation is permitted only within the enclosed sections of the one-family dwelling unit. The home occupation or any part thereof shall not be conducted in any attached or detached accessory building or structure.
- B. An active home occupation on a zoning lot where there is a one-family residential dwelling unit may be conducted by the occupant if approved by the Planning Commission after a public hearing in accordance with the requirements of Section 103 of the Michigan Zoning Enabling Act, MCLA 125.3101, et. seq., and finding that the application of the occupant meets the following standards:
1. No more than one person other than the full-time occupant(s) of the one-family dwelling unit shall be engaged in the conduct of the active home occupation on the zoning lot. The home occupation is personal to the full-time occupant engaged in the conduct of the active home occupation and is not transferrable without Planning Commission approval.
 2. Not more than 25 percent of the total floor area of any one floor of the one-family dwelling unit, or 25 percent of any basement, and provided that no more than 400 square feet of the dwelling unit is occupied by the active home occupation. The planning commission may allow an increase in the floor area of the existing dwelling unit to be used for the home occupation not to exceed a maximum of 50 percent of the floor area of any one floor or basement of the dwelling unit. The planning commission shall make a finding that the increase of floor area used for the home occupation does not adversely impact adjacent residential uses and the increase in floor area used for the home occupation complies with the standards contained in Section 29-142(B)(9)(a) through (f) below.
 3. There shall be no alterations or exterior treatments to the zoning lot or structures on the zoning lot which would, in any way, change its residential character or appearance. Off-street parking provided for the active home occupation shall be provided on an improved driveway that fulfills the requirements of Article 5, Section 24-111, Definitions.
 4. Storage of goods, materials or equipment which is incidental to the services of the home occupation shall be permitted only within the enclosed sections of the one-family dwelling unit or within not more than 50 percent of the total floor area of a completely enclosed accessory building.
 5. The active home occupation, or any part thereof, shall not be conducted in any attached or detached accessory building or structure nor on any patio, deck or lawn area, except outdoor areas may be used for instruction in recreational activities customarily associated with residential uses including, but not limited to, swimming lessons and tennis lessons. This section shall not prohibit the growing of fruits, vegetables or flowers nor any other farm product protected by the Michigan Right to Farm Act, Act 93 of 1981, as amended, in any outside area, provided that the farm product is grown, raised or produced on the zoning lot occupied by the active home occupation.
 6. Materials, equipment or goods which are incidental to the active home occupation shall not be visible from adjacent properties nor shall they be directly sold or delivered to customers on the premises of the one-family dwelling, except for the sale of fruits, vegetables and flowers as permitted in Section 42-129(B)(5).

7. No freestanding signage is permitted. Non-illuminated wall signage (maximum of six square feet) identifying the name of the active home occupation may be affixed to the one-family dwelling unit. Window displays are not permitted.
8. The active home occupation shall not produce or generate excessive or undue noise, odor, dust, fumes, smoke, glare or comparable nuisances which would cause negative effects on surrounding property. No active home occupation shall be permitted to use, store or produce any hazardous materials in excess of quantities permitted in residential structures.
9. The Planning Commission shall consider whether the use and the expected conduct of the use associated with the active home occupation application submitted by the occupant is within an acceptable range of compatibility appropriate for the surrounding area and does not present undue safety hazards. In its determination, the Planning Commission shall consider whether the use and expected conduct of the use specified in the application by the occupant:
 - a. Promotes the intent and purpose of this section;
 - b. Sufficiently mitigates adverse impacts on the surrounding residential uses of land. The Planning Commission may consider factors including, but not limited to, the following:
 - i. The proximity of the surrounding uses to the active home occupation;
 - ii. The size of the zoning lot, location of driveways, topography, vegetation, location of structures and other features of the zoning lot;
 - iii. The seasonal nature of the active home occupation;
 - iv. The size and weight of vehicles to be used in the active home occupation; and
 - v. The number of trips the vehicle to be used in the home occupation is expected to make to and from the property;
 - c. Does not unduly affect the capacities of public services or facilities;
 - d. Is consistent with the public health, safety and welfare;
 - e. Is harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan; and
 - f. Is planned and designed to ensure that the nature and intensity of the use and the site layout and its relation to the streets giving access to it, is not hazardous to the area and does not unduly conflict with normal traffic.
10. The Planning Commission may attach conditions to the application by the occupant to conduct an active home occupation deemed necessary for the general welfare, for the protection of individual property rights, to mitigate any negative impacts on the surrounding residential uses of land including the number of customers allowed on the zoning lot at any one time, hours of operation, and similar factors, and any condition allowed by MCLA 125.3504(4) of the Michigan Zoning Enabling Act.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF KALAMAZOO)

I, James R. Hudson, do hereby certify that I am the duly appointed and acting City Clerk of the City of Portage and that the foregoing Ordinance was adopted by the City of Portage on the _____ day of _____, 2010.

PREPARED BY:
Randall L. Brown (P34116)
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002
(269) 323-8812

Approved as to form

Date: 2/17/2010
RES

City Attorney

CITY COUNCIL MEETING MINUTES FROM NOVEMBER 16, 2010

DRAFT

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

At the request of Mayor Strazdas, Mr. Jason Toman of the St. Michael Lutheran Church of Portage gave the invocation and the City Council and the audience recited the Pledge of Allegiance led by Scout Troop 255.

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

APPROVAL OF MINUTES: Motion by O'Brien, seconded by Reid, to approve the November 2, 2010 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember O'Brien to read the Consent Agenda. Mayor Strazdas added Item F.6, Fiscal Year 2011-2012 Goals and Objectives, to the Agenda. Motion by O'Brien, seconded by Reid, to approve the Consent Agenda motions as presented. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF NOVEMBER 16, 2010:** Motion by O'Brien, seconded by Reid, to approve the Accounts Payable Register of November 16, 2010. Upon a roll call vote, motion carried 7 to 0.

REPORT FROM THE ADMINISTRATION:

HOME-BASED BUSINESS ORDINANCE: After recognition of the work performed by the Community Development Department, Councilmembers O'Brien and Urban and Mayor Pro Tem Sackley, discussion followed regarding active versus passive home occupations, outside occupations, retail sales which home occupations would require Planning Commission approval. Motion by O'Brien, seconded by Sackley, to refer the revised Home Occupation Ordinance recommended by the City Council Neighborhood Revitalization and Engagement Ad Hoc Committee, to the Planning Commission to initiate the amendment process to the Zoning Code. Upon a roll call vote, motion carried 7 to 0.

PRESENTATION AND REPORT FROM POLICE CHIEF RICHARD WHITE: City Council received a presentation and report from Police Chief Richard White regarding Portage Police Department cooperative and collaborative law enforcement activities and efforts. Discussion followed.

* **HOLIDAY TREE LIGHTING/TRADITIONAL HOLIDAY CELEBRATION – INFORMATION ONLY:** Motion by O'Brien, seconded by Reid, to receive the communication from the City Manager regarding the 2010 annual Holiday Tree Lighting/Traditional Holiday Celebration as information only. Upon a roll call vote, motion carried 7 to 0.

* **OCTOBER 2010 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by O'Brien, seconded by Reid, to receive the communication from the City Manager regarding the October 2010 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.

* **DEPARTMENT MONTHLY REPORTS:** Motion by O'Brien, seconded by Reid, to receive the Department Monthly Reports from the various city departments. Upon a roll call vote, motion carried 7 to 0.

MATERIALS TRANSMITTED

SUMMARY ENVIRONMENTAL ACTIVITY REPORT

October 2010 (*updates in italics*)

<u>Project/Activity</u>	<u>Description</u>	<u>Status</u>
Portage City Landfill	Ongoing groundwater monitoring of former municipal landfill.	-City Council awarded a 3 year contract to American Hydrogeologic Corporation on February 23, 2010 to perform annual groundwater sampling. The site groundwater data will continue to be monitored to confirm continuation of the natural attenuation process. Sampling shows continued improvement in groundwater quality. Sampling performed in June 2010. Annual report submitted to MDNRE in June 2010. General groundwater quality continues to improve, but site will require monitoring for the foreseeable future.
Site Inspection/Development Project Review	Review of existing business & industries and review of proposed business and industrial development projects for environmental protection purposes and/or building plans completed.	-Coordination with property owners and City or State agencies ongoing. <i>-Review of 5 site/building plans and/or plats completed in October 2010.</i>
Sewer Connection Program	Groundwater protection program requiring residential/business hookup to the sanitary sewer where available.	<i>-Sanitary sewer hookup permits issued in October 2010: 5 commercial and 3 residential. Two sewer connections made as part of the Mandatory Sewer Program. Eight Civil infraction notices were issued to non compliance properties.</i>
West Lake Management Program	Special assessment district designed to maintain/improve lake conditions.	-Five Year Lake Management Assessment District process initiated (Resolution #1) on December 7, 2004. Resolution #3 was approved by City Council on January 11, 2005. Resolution #5 was adopted by City Council on February 8, 2005. On March 22, 2005, City Council approved a contract with Aquatic Services, Goodrich, MI, to perform annual weed treatment. West Lake currently working with the Kalamazoo County Drain Commissioner to create a filtration system on the Austin Lake Drain. On July 10, 2007, City Council authorized the Administration to submit a grant application in the amount of \$5,000 to the Kalamazoo Foundation to assist funding the filtration system. Construction bids received by the Drain Commissioner on November 14, 2006. Construction began on the Austin Dam reconstruction in December 2006 and new structure completed in March 2007. Filtration system construction was substantially completed in July 2008. On July 8, 2008, City Council awarded contracts to Aquatic Services, Inc. for the 2008 Weed Treatment Program and awarded a contract to ASI Environmental to perform watershed and vegetation survey. Spring 2009 weed control application was completed in June 2009.

City Council on March 23, 2010. The 2010 lake treatment is complete .

Retention Basin Sampling Program
Investigation regarding potential impact of retention basins on groundwater levels.

-Historical monitoring continues to show minor impacts at most basins. From 1993 through 2009 the monitoring program showed stable groundwater impacts due to stormwater infiltration. Alternative road salt practices continue to be considered and evaluated. On March 23, 2010, City Council awarded a four-year contract to Wightman Environmental. Program will focus primarily on groundwater level information. Sampling of retention basins was completed on June 25, 2010. *Report is due in December 2010.*

Wellhead Protection Program (WHPP)

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

-Wellhead Protection Grant award received from MDEQ on August 30, 1999 and Council accepted the grant on October 5, 1999. Council also awarded contract to Earth Tech to complete WHPP. Earth Tech completed the final wellhead protection plan and MDEQ submittal was made on October 14, 2000. Plan was reviewed by MDEQ with written approval received in March, 2001. City staff made a presentation to the American Water Works Association at their April 25, 2008 meeting to highlight current city initiatives. Plan implementation is ongoing.

Leaf Compost Monitoring Program

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

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

National Pollution Discharge Elimination System (NPDES) permit implementation

Five year plan to implement the current NPDES stormwater permit.

-Received NPDES general permit on August 15, 2001. Renewal Application submission was made to MDEQ on March 7, 2003. New permit received in 2004 mandates involvement in several county watershed groups. City staff completed the submission of a Stormwater Pollution Prevention Initiative (SWIPPI) as required by NPDES permit. SWIPPI submitted on October 21, 2005. New certificate of coverage permit was issued by MDEQ on September 30, 2009. New permit covers a 5 year time frame with first work item (updating the Public Participation Plan) due December 11, 2009. Plan update completed with other local governments and submitted November 24, 2009. City staff worked with other agencies at the 2010 Home Expo on March 17 – 20, 2010. Staff completed an updated SWIPPI submittal to MDNRE. SWIPPI was submitted for MDNRE approval on June 25, 2010. *Permit implementation is ongoing.*

National Pollution Discharge Elimination System (NPDES) permit implementation

Kalamazoo River Mainstem Watershed Management Plan

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

Portage River Watershed Management Plan

-Public participation plan submitted June 28, 2004. Proposals for a Watershed Management Plan were received by the Kalamazoo County Road Commission and a contract awarded to the Kalamazoo County Conservation Service in November 2005. Draft watershed plan submitted to MDEQ on December 30, 2005. Follow-up meetings are held monthly to facilitate an implementation schedule. Portage River Watershed public meeting held in Vicksburg on April 11, 2006. Review comments received from MDEQ and revised watershed plan due November 2006. Revised Watershed Plan submitted November 30, 2006, follow up meetings to be held as necessary. A letter not to revise the Watershed Plan was submitted to the MDEQ on March 17, 2008. Public participation plan update submitted to MDEQ on November 24, 2009. Based upon MDEQ comments, the plan was revised and resubmitted on December 21, 2009.

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

-On October 21, 2001, City Council awarded a contract to Fishbeck, Thompson, Carr and Huber for the Portage Creek element of the IDEP, which was completed in July 2002. On February 19, 2002, City Council approved a new ordinance as required by the NPDES permit titled "Storm Water Illicit Discharges and Connections". On April 28, 2004, City Council accepted a grant from the State of Michigan in the amount of \$152,264 and awarded a contract to Fishbeck, Thompson, Carr and Huber in the amount of \$184,264 for the remainder of the IDEP for the entire city. Program implementation is ongoing as funding allows. Continued outfall sampling is required by permit and will be budgeted accordingly. IDEP program was updated for submittal to MDNRE on June 25, 2010, and part of the SWIPPI.

Garden Lane Arsenic Removal Facility

Construction of a water treatment facility at the Garden Lane Wellfield to remove arsenic, iron

-City Council approved an agreement with Fishbeck, Thompson, Carr & Huber, Inc. on January 10, 2006 to prepare a feasibility study to meet new USEPA arsenic standards for drinking water. Feasibility study completed in

and manganese from the groundwater.

August 2006. Feasibility study recommended construction of a filter system using various filter media materials. Small scale pilot studies began in spring 2007. Pilot studies completed with generally favorable results. Geotechnical soils report completed in April 2007 and wetlands delineation received in May. Operating plants visited in May to familiarize staff with various arsenic removal processes. Engineering proposals for the project were received August 14, 2007. Project engineering awarded to Earth Tech by City Council on September 11, 2007. Project design to include Leadership in Energy and Environmental Design (LEED) criteria. Project construction bids were received on November 25, 2008. Contract awarded by City Council on December 16, 2008 to Adams Building Contractors, Inc., Jackson, Michigan. Preconstruction meeting was held January 29, 2009. Garden Lane Well #4 drilling is complete and well building is completed. Start up activities began in May 2010. Facility is in operation with ribbon cutting held August 2, 2010. City staff gave a presentation on August 9, 2010 to the Michigan Chapter of the American Water Works Association about the arsenic removal of the facility. The facility is producing about one million gallons of water per day.

Environmental Incident/Spill Clean Up Notification

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

-The number of environmental incident/spill investigations performed in October 2010-0. The number of incidents requiring city forces/contractor emergency cleanups-0.

Localized Groundwater Table Investigation

Hydrogeologic study of the Portage area, especially in the Sprinkle Woods plat area, to determine causes of increase in groundwater elevation.

-On April 29, 2008, City Council awarded a contract to American Hydrogeology Corporation to investigate the reason and extent of seasonally high groundwater elevation. Special emphasis will be placed on the Black Forest plat area to suggest possible solutions to the basement leaking problems experienced in the area. Study was transmitted to City Council on July 22, 2008. Work was completed on October 31, 2008. City staff continues to investigate other remedies for local groundwater table issues. Work complete on compiling a history of local groundwater table elevations at 19 city-owned retention basins with data from 1994 to 2009. Data from the analysis shows a general upward trend through the Portage area from 2005 to present. Five monitoring wells were installed in the Jamaica Lane area as a result of a number of citizen concerns. *Analysis of the Jamaica Lane wells shows that seasonal groundwater table levels have dropped approximately 24" from spring 2009 levels and level has stabilized through October 2010.* October sampling continued to show stable groundwater table. *Sampling will continue through the fall and winter months as weather allows.*

Hampton Wetland Area Water

Assistance with the Inverness

-Ongoing assistance with the Condominium Association to develop

Level

Condominium Association to Review Surface Water Levels

appropriate measures to regulate the rising water level in Hampton Wetlands Area located on the north side of West Centre Avenue and east of Angling Road. Current activity has centered on meeting with MDNRE staff to determine feasible method to lower water levels. Association currently working with MDNRE permit staff to clarify permit requirements. No change in status. *Lower groundwater table elevation has reduced the concerns from the Condominium Association.*

Southwest Michigan Regional Sustainability Covenant

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

-On May 12, 2009, City Council approved the Southwest Michigan Regional Sustainability Covenant. A sustainability work session was held April 14, 2010, to review elements of the covenant in cooperation with the City of Kalamazoo and the City of Battle Creek. A grant application was made to MDNRE for a greenhouse gas inventory study of the area. Success of grant application may not be known until late summer. Notice received July 15, 2010 that the grant application was not successful. City staff attended a September 10, 2010 meeting in Grand Rapids to discuss sustainable economic, environment, and society programs.