

**FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
August 14, 2012**

7:30 p.m. Call to Order.

Invocation: Father Robert Creagan of St. Catherine of Siena Catholic Church.

Pledge of Allegiance.

Roll Call.

Proclamation:

- A. Approval of the July 24, 2012 Regular Meeting Minutes.
- * B. Approval of Consent Agenda Motions.
- * C. Communication from the City Manager recommending that City Council approve the Accounts Payable Register of August 14, 2012, as presented.
- D. Public Hearings:
 - 1. Public hearing for the Conceptual Plan Amendment for Trade Centre Holdings, LLC, 420 and 750 Trade Centre Way:
 - a. Subsequent to the public hearing, consider approving the Trade Centre Holdings, LLC, Conceptual Plan Amendment, 420 and 750 Trade Centre Way.
- E. Petitions and Statements of Citizens:
- F. Reports from the Administration:
 - * 1. Communication from the City Manager recommending that City Council:
 - a. accept the application for an industrial tax abatement for 1716 Vanderbilt Avenue; and
 - b. adopt Resolution No. 1-12 setting a public hearing on the expansion of Industrial Development District No. 55 for 1716 Vanderbilt Avenue on August 28, 2012.
 - * 2. Communication from the City Manager recommending that City Council approve the Preliminary Plat of Oakland Farms North, subject to the conditions identified in the September 9, 2011 Department of Community Development report.
 - * 3. Communication from the City Manager recommending that City Council:
 - a. accept for first reading an ordinance to amend the Codified Ordinances of the City of Portage to grant Centre Street Village II Limited Dividend Housing Association Limited Partnership a tax exemption, establish a payment in lieu of taxes for the Centre Street Village Apartments located at 2151 East Centre Avenue; and
 - b. take final action on August 28, 2012.
 - * 4. Communication from the City Manager recommending that City Council approve the Final Site Plan for Verizon Wireless (mono-pine), 8080 Oakland Drive.
 - * 5. Communication from the City Manager recommending that City Council approve the expenditure for four police vehicle equipment retrofits by Emergency Vehicle Products, in an amount not to exceed \$39,600.48, and authorize the City Manager to execute all documents related to this matter on behalf of the city.
 - * 6. Communication from the City Clerk recommending that City Council adopt the Resolution Designating Polling Places and Rate of Compensation for the November 6, 2012 General Election.

G. Communications:

1. Communication from Ms. Theresa Lockhart requesting consideration of a Resolution Against Fracking.
 - a. Communication from the City Manager recommending that City Council refer the request for a Resolution Against Fracking to the Environmental Board for review and report.

H. Unfinished Business:

- * 1. Communication from the City Manager recommending that City Council:
 - a. accept reconsideration of Rezoning Application #11-04 for first reading and set a public hearing for September 11, 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 regarding the *City Council Best Practices on Formation of City Council Committees and Responsibilities*.

* I. Minutes of Boards and Commissions Meetings:

1. Portage Human Services Board of May 3, 2012.
2. Portage Environmental Board of June 13, 2012.
3. Portage Senior Citizens Advisory Board of June 20, 2012.
4. Portage Park Board of July 11, 2012.
5. Portage Youth Advisory Committee of July 16, 2012.
6. Portage Construction Board of Appeals Draft of July 30, 2012.

J. Ad-Hoc Committee Reports:

K. New Business:

L. Bid Tabulations:

- * 1. Communication from the City Manager recommending that City Council accept the low bid submitted by Interstate Sealant & Concrete of Waukesha, Wisconsin, in the amount of \$27,720 for select major street asphalt crack sealing repairs and authorize the City Manager to execute all documents related to this action 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, August 15, 2:30 p.m., Senior Citizen Advisory Board, Portage Senior Center.
- b. Thursday, August 16, 7:00 p.m., District Library Board, Portage District Library.
- c. Thursday, August 16, 7:00 p.m., Planning Commission, Council Chambers.
- d. Monday, August 20, 8:00 a.m., Legislative Roll Call, Chamber Building, 346 W. Michigan Ave., Kalamazoo.
- e. Monday, August 20, 2:00 p.m., Youth Advisory Committee, City Hall Room #1.
- f. Monday, August 20, 7:00 p.m., Zoning Board of Appeals Special Meeting, Council Chambers.
- g. Wednesday, August 22, 7:00 p.m., Long Lake Board Public Hearing, Council Chambers.
- h. Thursday, August 23, 4:30 p.m., Public Media Network Board of Directors, 359 S. Kalamazoo Mall, 3rd floor, Kalamazoo.

- i. Thursday, August 23, 6:30 p.m., Consumers Energy Public Meeting on Tree Trimming for Upcoming Projects, Council Chambers.

N. Materials Transmitted of July 20 and 24, 2012.

Adjournment.

CITY COUNCIL MEETING SUMMARY

July 24, 2012

CHECK REGISTER

- ◆ Approved the Check Register of July 24, 2012, as presented.

PETITIONS AND STATEMENTS OF CITIZENS

- ◆ Heard objections to the use of Churches as polling places for Portage City electorates from Atheist Tim Earl, 6862 Shallowford Way.

REPORTS FROM THE ADMINISTRATION

- ◆ Accepted the Conceptual Plan Amendment for Trade Centre Holdings, LLC, and set a public hearing for August 14, 2012, at 7:30 p.m. or as soon thereafter as may be heard; and, following the public hearing, consider approval of the Trade Centre Holdings, LLC, Conceptual Plan Amendment, 420 and 750 Trade Centre Way.
- ◆ Adopted the Resolution awarding the bid for the City of Portage Capital Improvement Bonds, Series 2012, in the amount of \$2,135,000 to Stifel, Nicolaus & Co., Inc., at 2.541330%.
- ◆ Adopted the Resolution Designating Polling Places and Rate of Compensation for the August 7, 2012 Primary Election.
- ◆ Received the communication from the City Manager regarding the June 2012 Summary Environmental Activity Report as information only.
- ◆ Received the Department Monthly Reports.
- ◆ Approved the intergovernmental *Agreement for the Development of a Comprehensive Business Plan for the Consolidation of 9-1-1 Emergency Dispatch Centers* and authorized the City Manager to execute all documents related to this agreement on behalf of the city.

COMMUNICATION

- ◆ Directed the City Manager to solicit ideas from Advisory Boards and Commissions and Portage residents for the celebration of the City of Portage 50th Anniversary.

AD HOC COMMITTEE REPORT

- ◆ Received a preliminary verbal report from the Freedom of Information Act Committee.

BID TABULATIONS

- ◆ Approved a three-year contract with Premier Truck Sales and Rental, Incorporated, to provide eight compactor trucks to be utilized for the Fall Leaf Pickup Program in the amount not to exceed \$66,000 per year for Fiscal Years 2012-2013, 2013-2014 and 2014-2015 with an option for three, one-year renewals; a three-year contract to Carleton Equipment Company, Incorporated, to provide four specially equipped front-end loaders to be utilized in the Fall Leaf Pickup Program in the amount of \$20,000 per year for Fiscal Years 2012-2013, 2013-2014 and 2014-2015 with an option for three, one-year renewals; and authorized the City Manager to execute all documents related to these contracts and subsequent renewals on behalf of the city.
- ◆ Awarded a contract to the low bidder, Quantum Construction, for the 2012 Storm Water Basin Rehabilitation Program in the not to exceed amount of \$51,517.90 and authorized the City Manager to execute all documents related to this contract on behalf of the city.
- ◆ Approved a contract with Automatic Microfilm Company, of Michigan Center, Michigan, for document microfilming, imaging and destruction in the amount of \$19,950 for a one-year period with the option of two annual extensions and authorized the City Manager to execute all documents related to this action on behalf of the city.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Randall reminded viewers that the United States Tennis Association Boys 18 and 16 National Championships will take place from Friday, August 3 through Sunday, August 12, 2012, hosted at Western Michigan University and Kalamazoo College, and is the 70th year of doing this in the community.
- ◆ Mayor Pro Tem Reid announced that, as part of her role as Vice Chairman of the Public Media Network (PMN) Board, she would be attending the National American Cable Manufactures Conference on July 31, August 1 and August 2, 2012, where she will be able to review a large section devoted to government applications and get ideas of how other cities and states address using Cable Access as a tool to get information out to the public.
- ◆ Mayor Strazdas mentioned that he had been out of town and expressed his appreciation for Portage upon his return and contrasted the condition of Portage with the fires in Colorado, the bankrupted cities in California and the Federal Government take-over of the New Orleans Police Department. He praised the good work and diligence of the Administration and the City Council.

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

CITY COUNCIL MEETING MINUTES FROM JULY 24, 2012

DRAFT

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

At the request of Mayor Strazdas, Atheist Tim Earl gave an 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 and Patricia M. Randall, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Councilmembers Edward J. Sackley and Terry R. Urban were absent with notice. Also in attendance were Deputy City Manager Brian J. Bowling, City Attorney Randy Brown and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Campbell, seconded by Reid, to approve the July 10, 2012 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 4 to 0 with Mayor Strazdas abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Campbell to read the Consent Agenda. Mayor Pro Tem Reid asked that Item F.6, Consolidated Dispatch Business Plan Development Agreement, be removed from the Consent Agenda. Motion by Pearson, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 5 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JULY 24, 2012:** Motion by Pearson, seconded by Reid, to approve the Accounts Payable Register of July 24, 2012. Upon a roll call vote, motion carried 5 to 0.

REPORTS FROM THE ADMINISTRATION:

* **CONCEPTUAL PLAN AMENDMENT FOR TRADE CENTRE HOLDINGS, LLC, 420 AND 750 TRADE CENTRE WAY:** Motion by Pearson, seconded by Reid, to accept the Conceptual Plan Amendment for Trade Centre Holdings, LLC, and set a public hearing for August 14, 2012, at 7:30 p.m. or as soon thereafter as may be heard; and, following the public hearing, approve the Trade Centre Holdings, LLC, Conceptual Plan Amendment, 420 and 750 Trade Centre Way. Upon a roll call vote, motion carried 5 to 0.

* **RESOLUTION AWARDING BID:** Motion by Pearson, seconded by Reid, to adopt the Resolution awarding the bid for the City of Portage Capital Improvement Bonds, Series 2012, in the amount of \$2,135,000 to Stifel, Nicolaus & Co., Inc., at 2.541330%. Upon a roll call vote, motion carried 5 to 0.

* **ELECTION POLLING PLACES AND RATE OF COMPENSATION RESOLUTION:** Motion by Pearson, seconded by Reid, to adopt the Resolution Designating Polling Places and Rate of Compensation for the August 7, 2012 Primary Election. Upon a roll call vote, motion carried 5 to 0.

* **JUNE 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Pearson, seconded by Reid, to receive the communication from the City Manager regarding the June 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 5 to 0.

* **DEPARTMENT MONTHLY REPORTS:** Motion by Pearson, seconded by Reid, to receive the Department Monthly Reports from the various city departments. Upon a roll call vote, motion carried 5 to 0.

CONSOLIDATED DISPATCH BUSINESS PLAN DEVELOPMENT AGREEMENT:

At the request of Mayor Pro Tem Reid, Deputy City Manager Brian Bowling provided a brief history and an overview of the process involved thus far for Portage participation in the intergovernmental effort to establish a consolidation of 9-1-1 Emergency Dispatch services in Kalamazoo County. He began with the support by City Council for the issuance of a Request for Proposal in December 2011 for the development of a business plan for a dispatch authority. The RFP has been developed, proposals have been received and evaluated and a recommendation from the evaluation committee that L.R. Kimball of State College, Pennsylvania, be awarded a professional services contract for the development of the business plan and was approved by the Kalamazoo County Board of Commissioners in the amount of \$150,000 on July 17, 2012. He mentioned that as part of the proposal and contract agreement, each of the potential five Public Safety Answering Points (PSAPs) agreed to a cost-sharing agreement among the prospective authority participants that distributes the costs based upon the 2010 Census population figures with the City of Portage share at 18.49 %, or \$27,735. He indicated that through the development of the Business Plan, the consultant will be analyzing current operations of all of the 9-1-1 Emergency Dispatch Centers and developing a technology and a staffing plan for a consolidated dispatch operation; and, will be doing this through two fiscal scenarios: a \$0.42 charge on phones in the county and an allocation of \$3.00 per phone in the county. He also indicated that the consultants will be developing the plan under four different consolidation alternatives which will involve combinations of the various agencies, and presenting a potential 9-1-1 consolidated dispatch operation which means City Council is being asked to approve the development of the business plan and the cost-sharing element of the plan in the amount of \$27,735. Discussion followed.

Motion by Reid, seconded by Campbell, to approve the intergovernmental *Agreement for the Development of a Comprehensive Business Plan for the Consolidation of 9-1-1 Emergency Dispatch Centers* and authorize the City Manager to execute all documents related to this agreement on behalf of the city. Discussion followed. Upon a roll call vote, motion carried 5 to 0.

COMMUNICATION:

CITY 50TH ANNIVERSARY: At the request of Mayor Strazdas, motion by Campbell, seconded by Reid, to direct the City Manager to solicit ideas from Advisory Boards and Commissions and Portage residents for the celebration of the City of Portage 50th Anniversary. Upon a voice vote, motion carried 5 to 0.

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

Portage Public Schools Board of Education Special and Regular of June 4 and 11, 2012.

Portage Park Board of June 6, 2012.

Portage Zoning Board of Appeals of June 11, 2012.

AD HOC COMMITTEE REPORT:**FREEDOM OF INFORMATION ACT (FOIA) REQUEST COMMITTEE:**

Councilmember Campbell indicated that the FOIA Request Committee met for an information gathering session and deferred to Councilmember Pearson, who summarized the discussion at the July 18, 2012 FOIA Request Committee Meeting. He said that at the City Council Retreat concern was expressed that the City of Portage asks for too many FOIA's; that City Clerk Jim Hudson provided the FOIA Fee Structure, the FOIA Policy and a quantitative report of FOIA's processed by the Public Safety Department with which the Committee had no problems. After a general discussion of FOIA's, the

Committee discussed the possibility of relaxing FOIA requirements for business development because some businesses have the opinion that the City of Portage requires too many and that some are unnecessary, so staff will compare current Portage policy with that of other jurisdictions and report back to the Committee if there needs to be any change recommendations.

With regard to the task of reviewing City Council requests for information, Mr. Pearson indicated there is general agreement that if there is a reasonable request from any individual Councilmember on a subject that is outside a Committee, the request would be granted and staff would devote some time to studying that issue with the reason being that sometimes City Councilmembers want to do a pre-study of a topic he or she may want to bring up at the City Council Retreat so that a Committee can be established and have some information for a basis; also, any requests of the City Council as a whole would, of course, always be granted. He also mentioned that there were a couple of individual FOIA requests that City Council wanted investigated further, so staff will review and report back to the Committee with an analysis of whether to require a FOIA for these type events in the future or not.

Finally, he indicated that these action items and the FOIA Policy will be reviewed at the next meeting.

City Attorney Brown indicated that this report is an interim report and should be received by City Council. Discussion followed. Motion by Reid, seconded by Pearson, to receive the verbal report of the Freedom of Information Act Request Committee. Upon a voice vote, motion carried 5 to 0.

* **FALL LEAF PICKUP PROGRAM – RENTAL EQUIPMENT:** Motion by Pearson, seconded by Reid, to approve a three-year contract with Premier Truck Sales and Rental, Incorporated, to provide eight compactor trucks to be utilized for the Fall Leaf Pickup Program in the amount not to exceed \$66,000 per year for Fiscal Years 2012-2013, 2013-2014 and 2014-2015 with an option for three, one-year renewals; approve a three-year contract to Carleton Equipment Company, Incorporated, to provide four specially equipped front-end loaders to be utilized in the Fall Leaf Pickup Program in the amount of \$20,000 per year for Fiscal Years 2012-2013, 2013-2014 and 2014-2015 with an option for three, one-year renewals; and authorize the City Manager to execute all documents related to these contracts and subsequent renewals on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

* **2012 STORM WATER BASIN REHABILITATION PROGRAM:** Motion by Pearson, seconded by Reid, to award a contract to the low bidder, Quantum Construction, for the 2012 Storm Water Basin Rehabilitation Program in the not to exceed amount of \$51,517.90 and authorize the City Manager to execute all documents related to this contract on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

* **DOCUMENT MICROFILMING, IMAGING AND DESTRUCTION:** Motion by Pearson, seconded by Reid, to approve a contract with Automatic Microfilm Company, of Michigan Center, Michigan, for document microfilming, imaging and destruction in the amount of \$19,950 for a one-year period with the option of two annual extensions and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL: Councilmember Randall reminded viewers that the United States Tennis Association Boys 18 and 16 National Championships will take place from Friday, August 3 through Sunday, August 12, 2012, hosted at Western Michigan University and Kalamazoo College, and is the 70th year of doing this in the community.

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Mayor Strazdas mentioned that he had been out of town and expressed his appreciation for Portage upon his return and contrasted the condition of Portage with the fires in Colorado, the bankrupted cities in California and the Federal Government take-over of the New Orleans Police Department. He praised the good work and diligence of the Administration and the City Council.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:00 p.m.

James R. Hudson, City Clerk

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

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 7, 2012

FROM: Maurice S. Evans, City Manager

MS (for M. Evans)

SUBJECT: Accounts Payable Register

ACTION RECOMMENDED: That City Council approve the Accounts Payable Register of August 14, 2012 as presented.

The attached Accounts Payable Register for the period July 15, 2012 through August 7, 2012 is recommended for approval.

c: Daniel S. Foecking, Finance Director

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
07/19/2012	281500	ATET	849		3,536.05
07/19/2012	281501	ALLEGRA PRINT & IMAGING	533		61.48
07/19/2012	281502	J. ALLEN & CO. INC.	67		11,050.00
07/19/2012	281503	AMALGAM LLC	4674		3,500.00
07/19/2012	281504	AMERICAN BUSINESS EQUIPMENT, I	112		1,865.00
07/19/2012	281505	ARROWHEAD SCIENTIFIC, INC.	3744		332.92
07/19/2012	281506	ASSOCIATED GOVERNMENT SERVICES	3554		1,470.00
07/19/2012	281507	ADP, INC.	3305		1,834.42
07/19/2012	281508	BAILEY CONTRACTORS INC., ROBER	771		1,800.00
07/19/2012	281509	BAKER, MICHAEL	654		95.00
07/19/2012	281510	BESCO WATER TREATMENT, INC.	3339		41.95
07/19/2012	281511	BLUE, ALEC	999999		50.00
07/19/2012	281512	BORGESS CORPFIIT	4125		750.00
07/19/2012	281513	BORGESS HEALTH ALLIANCE	151		27.00
07/19/2012	281514	CHAMPION, CASEY	999999		50.00
07/19/2012	281515	CHARTER COMMUNICATIONS	3080		243.63
07/19/2012	281516	CITY OF PORTAGE	177		1,028.39
07/19/2012	281517	CLARK, KAREN	999999		80.00
07/19/2012	281518	CLARK, RITA	999999		70.00
07/19/2012	281519	CLARK, RONALD	532		340.68
07/19/2012	281520	CLINGENPEEL, DAVID	4786		120.00
07/19/2012	281521	CONSUMERS ENERGY	743		38,863.60
07/19/2012	281522	CONSUMERS ENERGY	4063		1,000.00
07/19/2012	281523	CONSUMERS ENERGY-BILL PMT CMT	189		27,489.04
07/19/2012	281524	CONTRACTORS EQUIPMENT & SUPPLY	192		112.00
07/19/2012	281525	DRAFTA, TERRI L	532		15.00
07/19/2012	281526	ECONOMY CONSTRUCTION LLC	4802		7,140.00
07/19/2012	281527	ENGINEERING SUPPLY & IMAGING	2615		2,995.00
07/19/2012	281528	EPIC REAL ESTATE SOLUTIONS	999999		112.23
07/19/2012	281529	FASTENAL CO.	1248		1,888.00
07/19/2012	281530	FEDEWA, INC.	4765		30,766.15
07/19/2012	281531	GLENN MILLER PRODUCTIONS, INC.	1539		5,600.00
07/19/2012	281532	GORDON WATER SYSTEMS	517		41.25
07/19/2012	281533	GRIFFIN PEST CONTROL, INC.	598		104.00
07/19/2012	281534	HAM, RARON	532		340.68
07/19/2012	281535	HANSEN, JEFF	999999		300.00
07/19/2012	281536	HARGUS, ELIZABETH	999999		70.00
07/19/2012	281537	HARTMAN, CHARLES	913		94.00
07/19/2012	281538	HAUN, KEVIN J	674		70.50
07/19/2012	281539	HAVENS, ELAINE	999999		60.00
07/19/2012	281540	HENRY, MICHELLE	999999		110.00
07/19/2012	281541	HOADLEY, LEO	4228		44.00
07/19/2012	281542	INTERNATIONAL CITY MANAGEMENT	3344		2,034.28
07/19/2012	281543	JOHNSON'S WELDING, ETC.	76		1,900.00
07/19/2012	281544	KALAMAZOO VALLEY COMMUNITY COL	3443		100.00
07/19/2012	281545	KUHN'S YARD & GARDEN CARE, INC	4551		574.70
07/19/2012	281546	LEWIS, AISHAH	999999		150.00
07/19/2012	281547	LINCOLN INSTITUTE OF LAND POLI	999999		99.00
07/19/2012	281548	LOUTHAN, WILLIAM F	3021		47.00
07/19/2012	281549	LOWE'S HOME CENTER	2630		51.33
07/19/2012	281550	M M R M A	945		108,494.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
07/19/2012	281552	MAURER'S TEXTILE RENTAL SERVIC	4746		271.34
07/19/2012	281553	MAYHEW, BRYAN	532		475.00
07/19/2012	281554	MCNALLY ELEVATOR CO.	256		347.54
07/19/2012	281555	METZELAARS, DAISY	999999		55.00
07/19/2012	281556	MI GOVT FINANCE OFFICERS ASSOC	2134		90.00
07/19/2012	281557	MISSOURI STATE HWY PATROL	999999		395.00
07/19/2012	281558	MLIVE MEDIA GROUP	89		3,464.58
07/19/2012	281559	N A S R O	999999		495.00
07/19/2012	281560	NATIONAL FIRE PROTECTION ASSOC	4099		855.00
07/19/2012	281561	NYE UNIFORMS	299		2,635.62
07/19/2012	281562	OFFICE DEPOT, INC.	1721		561.86
07/19/2012	281563	OFFICEMAX INCORPORATED	301		701.24
07/19/2012	281564	OPTICS PLANET INC.	4330		799.96
07/19/2012	281565	PATESEL, TERRY	4455		142.50
07/19/2012	281566	PETTY CASH-DPS	538		351.00
07/19/2012	281567	PETTY CASH-PARKS	536		558.81
07/19/2012	281568	PRICE, DANIEL ROBERT	999999		1,277.00
07/19/2012	281569	PRINTEK, INC.	4711		82.15
07/19/2012	281570	RAFFERTY-POLK, VICKI	999999		9.70
07/19/2012	281571	RELS TITLE	438		81.74
07/19/2012	281572	RIDGE AUTO NAPA	999999		677.09
07/19/2012	281573	ROBB, MAXINE	438		70.00
07/19/2012	281574	SCHIAVONE, LOUISE	999999		70.00
07/19/2012	281575	SCOTHORN, BILL & PAM	999999		140.00
07/19/2012	281576	SIGNWRITER & SERIGRAPHICS	2376		25.00
07/19/2012	281577	SIMPLEX GRINNELL	2521		487.56
07/19/2012	281578	SIRCHIE FINGER PRINT LABORATOR	786		820.73
07/19/2012	281579	STANDARD & POOR'S	1057		5,925.00
07/19/2012	281580	START RESCUE	999999		380.00
07/19/2012	281581	STATE OF MICH - STATE POLICE	367		60.00
07/19/2012	281582	STATE SYSTEMS RADIO, INC	369		9,809.00
07/19/2012	281583	SUREFIRE, LLC	3558		895.00
07/19/2012	281584	T D S METROCOM, LLC	4539		3,118.50
07/19/2012	281585	T-MOBILE USA INC	3665		29.99
07/19/2012	281586	TERBERG, JOYCE	999999		70.00
07/19/2012	281587	JOHANNA THOMPSON	4682		1,025.00
07/19/2012	281588	U S BANK	3497		387.50
07/19/2012	281589	UNITED PARCEL SERVICE	545		24.00
07/19/2012	281590	VANDERBILT, JOHN	668		47.00
07/19/2012	281591	WEST MICHIGAN STAMP & SEAL, INC	415		18.20
07/19/2012	281592	XEROX CORPORATION	2684		1,211.17
07/19/2012	281593	ZESIGER, JOHN	532		637.00
07/19/2012	281594	57TH DISTRICT COURT	999999		175.00
07/19/2012	281595	61ST DISTRICT COURT	999999		00
07/19/2012	281596	9TH CIRCUIT COURT	999999		450.00
07/20/2012	281597	ACTIVE WATER	999999		96.65
07/20/2012	281598	ALL-PHASE ELECTRIC SUPPLY CO.	108		47.67
07/20/2012	281599	ALLEGRA PRINT & IMAGING	533		130.00
07/20/2012	281600	ANY CUTTING & WELDING	3347		87.00
07/20/2012	281601	APOLLO FIRE EQUIPMENT COMPANY	1253		3,320.00
07/20/2012	281602	TODD ARBANAS ENTERPRISES INC.	1704		

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
07/20/2012	281603	ARTISTIC MEDIA PARTNERS, INC.	999999		600.00
07/20/2012	281604	BCHS-HELPMET	1732		1,237.23
07/20/2012	281605	BIERENGA, LAURIE	999999		100.00
07/20/2012	281606	BLUE CROSS/BLUE SHIELD OF MICH	642		90,128.86
07/20/2012	281607	BORGESS HEALTH ALLIANCE	151		888.00
07/20/2012	281608	C & E CONSTRUCTION	4631		3,830.00
07/20/2012	281609	C B C INNOVIS INC	2887		60.10
07/20/2012	281610	CAREERTRACK	1344		199.00
07/20/2012	281611	CATHOLIC FAMILY SERVICES	752		4,554.50
07/20/2012	281612	CHARTER COMMUNICATIONS	3080		49.02
07/20/2012	281613	CITY OF KALAMAZOO (TRANS MILLA	4649		750.26
07/20/2012	281614	CITY OF KALAMAZOO TREASURER	540		596.10
07/20/2012	281616	CONSUMERS ENERGY-BILL PMT CNT	189		37,497.80
07/20/2012	281617	DEYOUNG LANDSCAPE SERVICE	2000		74.00
07/20/2012	281618	DIXON ENGINEERING, INC	748		8,200.00
07/20/2012	281619	FEDEWA, INC.	4765		8,790.00
07/20/2012	281620	FLETCHER ENTERPRISES	1399		4,618.00
07/20/2012	281621	GORDON WATER SYSTEMS	517		216.50
07/20/2012	281622	GRIFFIN PEST CONTROL, INC.	598		50.00
07/20/2012	281623	GWILLIAMS, PAM	532		158.98
07/20/2012	281624	HOME DEPOT	691		198.11
07/20/2012	281625	HOPE HEALTH	3890		316.74
07/20/2012	281626	HOUSING RESOURCES, INC.	750		9,752.00
07/20/2012	281627	HURLEY & STEWART, LLC	2905		2,295.33
07/20/2012	281628	IERVOLINA, SUSAN	2074		96.00
07/20/2012	281629	THE IRRIGATOR	2047		264.06
07/20/2012	281630	KALAMAZOO COUNTY HEALTH & COMM	84		100.00
07/20/2012	281631	KALAMAZOO COUNTY TREASURER	514		13,206.47
07/20/2012	281632	KALAMAZOO LANDSCAPE SUPPLIES	90		345.00
07/20/2012	281633	KALAMAZOO REG'L EDUC SVS AGENG	721		9,614.82
07/20/2012	281634	KALAMAZOO VALLEY COMMUNITY COL	230		5,542.12
07/20/2012	281635	KLOSTERMAN DISTRIBUTING	3805		300.87
07/20/2012	281636	KOWALSKI, CAROL	999999		50.00
07/20/2012	281637	LAKE MICHIGAN MAILERS, INC.	682		23.64
07/20/2012	281638	LAWSON PRODUCTS, INC	240		2,283.73
07/20/2012	281639	MAURER'S TEXTILE RENTAL SERVIC	4746		107.09
07/20/2012	281640	MENARDS, INC	258		30.93
07/20/2012	281641	MICH MUNICIPAL POLICE & FIRE R	4777		3,360.50
07/20/2012	281642	MICHIGAN ELECTION RESOURCES, L	264		2,084.85
07/20/2012	281643	MIRACLE RECREATION EQUIPMENT	488		384.00
07/20/2012	281644	MLIVE MEDIA GROUP	89		1,091.52
07/20/2012	281645	NATIONAL LINK	999999		969.36
07/20/2012	281646	A NEW LEAF	635		85.00
07/20/2012	281647	NIEWOONDER & SONS INC, E.	782		458.74
07/20/2012	281648	O'BOYLE-COLWELL-BLALOCK & AS.	860		3,040.00
07/20/2012	281649	O'BRIEN REAL ESTATE INC	999999		9.07
07/20/2012	281650	OFFICEMAX INCORPORATED	301		187.91
07/20/2012	281651	PEERLESS, INC.	1171		90.00
07/20/2012	281652	PETTY CASH-PARKS	536		230.82
07/20/2012	281653	PETTY CASH-POLICE DEPT.	890		378.64
07/20/2012	281654	POLDERMAN'S FLOWER SHOP	4157		135.85

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07/20/2012	281655	PORTAGE DISTRICT LIBRARY	810	2,832.32
07/20/2012	281656	PORTAGE PUBLIC SCHOOLS	590	10,135.53
07/20/2012	281657	PROFESSIONAL LAKE MANAGEMENT	461	223.45
07/20/2012	281658	RATHCO SAFETY SUPPLY, INC.	327	71.40
07/20/2012	281659	RENEWED EARTH, INC.	4686	7,316.66
07/20/2012	281660	ROBERTS LANDSCAPE	4294	790.90
07/20/2012	281661	ROSE PEST SOLUTIONS	634	495.00
07/20/2012	281662	SAFARILAND, LLC	4531	895.00
07/20/2012	281663	SOUTHWEST MICHIGAN GOV CONSULT	4484	612.50
07/20/2012	281664	STATE OF MICHIGAN (TREASURY)	722	58,759.29
07/20/2012	281665	JOHANNA THOMPSON	4682	6,824.90
07/20/2012	281666	TOO CLEAN JANITORIAL	2220	3,095.00
07/20/2012	281667	TRACY TIME SYSTEMS	387	105.00
07/20/2012	281668	TUESLEY GREENHOUSES	2664	.00
07/20/2012	281669	UNDERGROUND SECURITY COMPANY	980	965.90
07/20/2012	281670	USA TODAY SUBSCRIBER	999999	195.00
07/20/2012	281671	WIGHTMAN & ASSOCIATES, INC.	3785	27,351.25
07/20/2012	281672	WIGHTMAN & ASSOCIATES, INC.	4779	14,500.00
07/20/2012	281673	WOXC FM	999999	500.00
07/20/2012	281674	Y W C A, INC	751	4,702.50
07/20/2012	281675	ZIMMERMAN, CATHY	999999	100.00
07/20/2012	281676	PRIORITY HEALTH	4254	23,040.74
08/03/2012	281677	AT&T	849	2,051.24
08/03/2012	281678	AT&T	849	49.50
08/03/2012	281679	A T & T LONG DISTANCE	4060	6.89
08/03/2012	281680	A-1 SIGNS	2873	32.20
08/03/2012	281681	ACS GOVERNMENT SYS., INC.	3748	845.00
08/03/2012	281682	ALEXANDER, ALLISON	999999	177.64
08/03/2012	281683	ALL-PHASE ELECTRIC SUPPLY CO.	108	166.52
08/03/2012	281684	ALLEGRA PRINT & IMAGING	533	769.91
08/03/2012	281685	ALLIED MECHANICAL SERVICE	974	1,005.00
08/03/2012	281686	ALTA CONSTRUCTION EQUIPMENT LL	4588	172.71
08/03/2012	281687	AMERICAN HOIST AIR & LUBE EQUI	3663	476.50
08/03/2012	281688	ANDRUS, PHILIP	999999	115.00
08/03/2012	281689	ANY CUTTING & WELDING	3347	140.00
08/03/2012	281690	APOLLO FIRE EQUIPMENT COMPANY	1253	725.00
08/03/2012	281691	TODD ARBANAS ENTERPRISES INC.	1704	1,615.00
08/03/2012	281692	ADP, INC.	3305	1,158.97
08/03/2012	281693	B M C SOFTWARE, INC.	4809	3,649.50
08/03/2012	281694	BAKER, MICHAEL	654	95.00
08/03/2012	281695	BALKEMA EXCAVATING, INC.	130	1,050.00
08/03/2012	281696	BANK OF NEW YORK MELLON	3939	650.00
08/03/2012	281697	BEGEMAN, CRAIG	532	297.96
08/03/2012	281698	BESCO WATER TREATMENT, INC.	3339	12.70
08/03/2012	281699	BILL'S LOCK SHOP, INC.	146	51.75
08/03/2012	281700	BOYNE	999999	271.40
08/03/2012	281701	BOYNE USA, INC.	4753	340.00
08/03/2012	281702	BRANT, HAROLD	999999	106.00
08/03/2012	281703	BRINK'S, INC	153	260.43
08/03/2012	281704	BRONSON HEALTHCARE GROUP	4813	700.00
08/03/2012	281705	BYCE & ASSOCIATES, INC.	3711	665.00

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08/03/2012	281706	BYHOLT INC.	999999		80.00
08/03/2012	281707	C T S TELECOM, INC.	4768		966.33
08/03/2012	281708	CAMPBELL AUTO SUPPLY	437		11.34
08/03/2012	281709	CHANNING BETE COMPANY, INC.	4660		163.50
08/03/2012	281710	CHARTER COMMUNICATIONS	3080		6.19
08/03/2012	281711	CHICAGO TITLE OF MICHIGAN INC	999999		24.51
08/03/2012	281712	CITY OF KALAMAZOO (TRANS MILIA	4649		146,425.25
08/03/2012	281713	CITY OF KALAMAZOO TREASURER	540		1,007.24
08/03/2012	281714	CITY OF KALAMAZOO TREASURER	540		173,911.63
08/03/2012	281715	CITY OF PORTAGE	177		68.87
08/03/2012	281716	CITY OF PORTAGE	177		5,000.00
08/03/2012	281717	CLEAN EARTH ENVIRONMENTAL SERV	1821		402.00
08/03/2012	281718	CLINGENPEEL, DAVID	4786		160.00
08/03/2012	281719	COMSTOCK PUBLIC SCHOOLS	1671		565.80
08/03/2012	281720	CONSUMERS ENERGY-BILL PMT CNT	189		28,331.23
08/03/2012	281721	CROSSROADS CAR WASH	195		288.50
08/03/2012	281722	DATA CONSTRUCTS LLC	4741		97.50
08/03/2012	281723	DAVE'S GLASS SERVICE, INC.	2874		459.33
08/03/2012	281724	JOHN DEERE LANDSCAPES	4448		807.04
08/03/2012	281725	DENOEVER BROTHERS, INC.	210		238.95
08/03/2012	281726	DEPATIE FLUID POWER CO., INC.	211		1,077.13
08/03/2012	281727	DEVON TITLE AGENCY	999999		80.00
08/03/2012	281728	DIESEL INJECTION SERVICE, LLC	1874		1,081.07
08/03/2012	281729	JACK DOHENY SUPPLIES INC.	69		670.17
08/03/2012	281730	DOMINQUE, KELLY	999999		200.00
08/03/2012	281731	DRAMATIC PUBLISHING	999999		395.56
08/03/2012	281732	DRAPER, SAVANNAH	999999		200.00
08/03/2012	281733	DRUG & LABORATORY DISPOSAL INC	4701		261.75
08/03/2012	281734	ECHELBARGER, HIMBAUGH, TAMM &	4664		150.00
08/03/2012	281735	EMERGENCY VEHICLE PRODUCTS	2948		587.40
08/03/2012	281736	ESPER ELECTRIC	999999		85.00
08/03/2012	281737	EXTREME POWER EQUIPMENT, INC.	4189		751.98
08/03/2012	281738	FARM N GARDEN	833		455.28
08/03/2012	281739	FASTENAL CO.	1248		208.00
08/03/2012	281740	FLINT NEW HOLLAND, INC.	1114		1,618.83
08/03/2012	281741	FURRY, BILL	532		242.87
08/03/2012	281742	GORDON WATER SYSTEMS	517		143.02
08/03/2012	281743	GRAHAM FORESTRY SERVICE, INC.	464		720.00
08/03/2012	281744	GREAT WOLF LODGE	999999		236.25
08/03/2012	281745	GREATER KALAMAZOO FOP LODGE 98	623		2,773.46
08/03/2012	281746	GREATER KALAMAZOO FOP LODGE 98	623		549.20
08/03/2012	281747	GREATER KALAMAZOO UNITED WAY	628		1,022.50
08/03/2012	281748	GUEST SERVICES, INC.	3526		167.32
08/03/2012	281749	GUEST SERVICES, INC.	3526		167.32
08/03/2012	281750	TAMMY HAMMEL	3858		500.00
08/03/2012	281751	HANSEN BUILDING AND DESIGN COR	999999		950.00
08/03/2012	281752	HARMON AUTOGLASS	50		376.38
08/03/2012	281753	HARTMAN, CHARLES	913		188.00
08/03/2012	281754	HAUN, KEVIN L	674		188.00
08/03/2012	281755	HOADLEY, LEO	4228		44.00
08/03/2012	281756	HOME DEPOT	691		1,400.35

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08/03/2012	281757	HOWARD, DON	999999		100.00
08/03/2012	281758	INT'L PERSONNEL MGMT ASSOC	1048		369.00
08/03/2012	281759	THE IRRIGATOR	2047		6,721.68
08/03/2012	281760	IRWIN JR., LOUIS A	3303		464.79
08/03/2012	281761	JOHNSON'S WELDING, ETC.	76		950.00
08/03/2012	281762	KALAMAZOO COUNTY TREASURER	514		547.50
08/03/2012	281763	KALAMAZOO COUNTY TREASURER'S	999999		37.58
08/03/2012	281764	KALAMAZOO LANDSCAPE SUPPLIES	90		382.00
08/03/2012	281765	KALAMAZOO VALLEY COMMUNITY COL	3443		350.00
08/03/2012	281766	KELLY RADIATOR & AUTO REPAIR	4591		40.95
08/03/2012	281767	KENDALL ELECTRIC, INC.	231		56.69
08/03/2012	281768	KIENBAUM, RICHARD	999999		100.00
08/03/2012	281769	KUSTOM SIGNAL, INC	237		745.89
08/03/2012	281770	LANGUAGE LINE, INC	1093		177.34
08/03/2012	281771	LAWSON PRODUCTS, INC	240		374.85
08/03/2012	281772	LEMMEN OIL CO.	2595		19,859.10
08/03/2012	281773	LOCEY SWIM POOL CO.	243		90.70
08/03/2012	281774	LOUTHAN, WILLIAM F	3021		258.50
08/03/2012	281775	LSI TITLE AGENCY INC	999999		239.20
08/03/2012	281776	M & M CUSTOM FABRICATING INC.	4576		42.50
08/03/2012	281777	MANHATTAN TOUR & TRAVEL, INC.	3720		34,233.00
08/03/2012	281779	MAURER'S TEXTILE RENTAL SERVIC	4746		377.72
08/03/2012	281780	MAYHEW, BRYAN	532		475.00
08/03/2012	281781	MCNALLY ELEVATOR CO.	256		102.84
08/03/2012	281782	MENARDS, INC	258		14.40
08/03/2012	281783	MICH MUNICIPAL POLICE & FIRE R	4777		974.62
08/03/2012	281784	MICH MUNICIPAL TREAS ASSN	999999		295.00
08/03/2012	281785	MICHIGAN APCO	999999		175.00
08/03/2012	281786	MICHIGAN ASSESSOR'S ASSOC.	763		75.00
08/03/2012	281787	MICHIGAN ASSESSOR'S ASSOC.	763		75.00
08/03/2012	281788	MICHIGAN ASSESSOR'S ASSOC.	763		50.00
08/03/2012	281789	MICHIGAN ASSESSOR'S ASSOC.	763		150.00
08/03/2012	281790	MICHIGAN ASSESSOR'S ASSOC.	763		150.00
08/03/2012	281791	MICHIGAN ASSOCIATION OF FIRE C	3204		185.00
08/03/2012	281792	MICHIGAN OFFICE ENVIRONMENTS	934		155.00
08/03/2012	281793	MICHIGAN STATE FIREMANS ASSOC.	1292		1,179.82
08/03/2012	281794	MICHIGAN STATE TAX COMMISSION	2848		50.00
08/03/2012	281795	MICHIGAN TAX TRIBUNAL	999999		50.00
08/03/2012	281796	MIDWEST ENERGY COOPERATIVE	2030		234.20
08/03/2012	281797	MILLS, DANIEL J.	532		1,529.82
08/03/2012	281798	MIZIKAR, CHARLES	999999		586.60
08/03/2012	281799	MLIVE MEDIA GROUP	89		687.18
08/03/2012	281800	MML UNEMPLOYMENT FUND	4476		2,451.61
08/03/2012	281801	MOORS I, LLC	3834		23.40
08/03/2012	281802	NATIONAL LAW ENFORCEMENT SUPPL	4323		91.90
08/03/2012	281803	NATIONAL RECREATION & PARK AS.	919		150.00
08/03/2012	281804	NEW FRESH CLEANING SERVICE	4351		7,031.00
08/03/2012	281806	NEXTEL	1709		748.44
08/03/2012	281807	NYE UNIFORMS	299		4,255.99
08/03/2012	281809	OFFICE DEPOT, INC.	1721		1,587.10
08/03/2012	281810	OFFICEMAX INCORPORATED	301		177.84

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CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
08/03/2012	281811	ON DUTY GEAR, LLC	4803		1,126.77
08/03/2012	281812	ONE WAY PRODUCTS	440		1,541.66
08/03/2012	281813	PARIS CLEANERS	1794		792.45
08/03/2012	281814	PATESEL, TERRY	4455		208.00
08/03/2012	281815	PETERMAN CONCRETE CO.	310		2,265.40
08/03/2012	281816	PETTY CASH-CITY MANAGER	805		269.29
08/03/2012	281817	PETTY CASH-PARKS	536		618.29
08/03/2012	281818	PETTY CASH-SENIOR CENTER	537		230.26
08/03/2012	281819	PHILIPS MEDICAL SYSTEMS	2655		331.80
08/03/2012	281820	PORTAGE FIREFIGHTERS	625		1,440.32
08/03/2012	281821	PORTAGE ON-CALL FIREFIGHTERS	504		280.00
08/03/2012	281822	PORTAGE POLICE OFFICERS ASSOC	624		1,655.39
08/03/2012	281823	POWELL, CASEY	999999		100.00
08/03/2012	281824	PRO-FLEET	3209		69.00
08/03/2012	281825	PROJECT FISH	4273		81.00
08/03/2012	281826	QUADRANT II MARKETING, LLC	3139		2,168.40
08/03/2012	281827	R C M HEADSETS/R C M & ASSOC.	4113		465.00
08/03/2012	281828	RATHCO SAFETY SUPPLY, INC.	327		195.00
08/03/2012	281829	RELIABLE MANAGEMENT SYSTEMS, I	4354		331.00
08/03/2012	281830	RELS TITLE	999999		270.26
08/03/2012	281831	REPUBLIC SERVICES OF WEST MICH	4443		42,200.84
08/03/2012	281832	RESIDENTIAL OPPORTUNITIES INC	999999		340.19
08/03/2012	281833	RIDGE AUTO NAPA	438		2,090.85
08/03/2012	281834	RIETH-RILEY CONSTRUCTION CO.,	4386		287.99
08/03/2012	281835	RIGHT-WAY RENTAL, INC.	337		188.00
08/03/2012	281836	RIVERSIDE INTEGRATED SYSTEMS,	3598		270.00
08/03/2012	281837	ROBERTS LANDSCAPE	4294		65.00
08/03/2012	281838	ROMENCE GARDENS, INC	343		284.70
08/03/2012	281839	ROWLEY BROTHERS, INC.	346		3,343.68
08/03/2012	281840	SCHURING JR CO, JOHN	789		50.00
08/03/2012	281841	SENIOR SERVICES, INC.	909		50.00
08/03/2012	281842	SEYBURN AND ASSOC PLC	999999		132.42
08/03/2012	281843	SHERWIN WILLIAMS	356		611.40
08/03/2012	281844	SHORELINE TOURS & TRAVEL	1727		3,583.04
08/03/2012	281845	SIMMONS FORD	2064		32.06
08/03/2012	281846	SPRINT	3721		1,450.36
08/03/2012	281847	SPRINT NEXTEL	999999		276.39
08/03/2012	281848	STAP BROS LAWN & LANDSCAPE, INC	366		2,375.67
08/03/2012	281849	STATE INDUSTRIAL PRODUCTS CORP	2010		788.60
08/03/2012	281850	STATE OF MICHIGAN	999999		50.00
08/03/2012	281851	STATE OF MICHIGAN (DOT)	368		50.00
08/03/2012	281852	STATE SYSTEMS RADIO, INC	369		65,881.46
08/03/2012	281853	STEENSWA LAWN & POWER EQUIPMEN	3222		3,745.18
08/03/2012	281854	STEFANICK, TREVOR	4810		1,102.76
08/03/2012	281855	STOP TRCH, LTD	2680		1,200.00
08/03/2012	281857	SUCCESS COMMUNICATIONS, INC	999999		207.75
08/03/2012	281858	SURVEYMONKEY.COM	4106		359.00
08/03/2012	281859	TERMINAL SUPPLY CO.	380		300.00
08/03/2012	281860	THE OMNI HOTEL	999999		505.70
08/03/2012	281861	TOLEDO PHYSICAL EDUCATION	999999		617.12
08/03/2012	281861				199.80

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08/03/2012	281862	TOY BOX STORAGE	3208	2,105.28
08/03/2012	281863	TREDROC TIRE	4303	186.25
08/03/2012	281864	TRUCKEY CONCRETE CONSTRUCTION	999999	589.35
08/03/2012	281865	TRUGREEN	390	1,383.00
08/03/2012	281866	TUESLEY GREENHOUSES	2664	200.00
08/03/2012	281867	U S POSTMASTER	392	6,000.00
08/03/2012	281868	UNITED PARCEL SERVICE	545	12,196.00
08/03/2012	281869	VAN BUREN COUNTY	4792	24.00
08/03/2012	281870	VANBENNEKOM, MARLA	999999	50.00
08/03/2012	281871	VANCE OUTDOORS, INC.	4808	540.00
08/03/2012	281872	VANDERBILT, JOHN	668	94.00
08/03/2012	281873	VANGUARD FIRE & SUPPLY CO., IN	3996	208.70
08/03/2012	281874	VERIZON WIRELESS SERVICES, LLC	4653	1,429.22
08/03/2012	281875	WATKINS, SCOTT	999999	105.00
08/03/2012	281876	WIGHTMAN & ASSOCIATES, INC.	425	1,147.50
08/03/2012	281877	WILCOX, JIM	999999	300.00
08/03/2012	281878	WINDEMULLER ELECTRIC, INC.	3061	10,282.95
08/03/2012	281879	WINGFOOT COMMERCIAL TIRE	2613	114.97
08/03/2012	281880	WOLFE, MATT	532	297.96
08/03/2012	281881	WOLVERINE LAWN SERVICE, INC.	1089	555.22
08/03/2012	281882	WOLVERINE POWER SYSTEMS	4322	738.00
08/03/2012	281883	XEROX CORPORATION	2684	1,211.17
08/03/2012	281884	ZOLL DATA SYSTEMS, INC.	4709	730.59
08/03/2012	281885	ZULL, JOHN W & A L	999999	230.00

DATE RANGE TOTAL * 1,359,682.27 *

FROM: 07/15/2012 TO: 08/05/2012

PAYMENT NO	VENDOR NAME	TRANSFER DATE	AMOUNT	TRACE		BANK
				NUMBER	EFT BATCH CODE	
1276	ABONMARCHE CONSULTANTS, INC	08/03/2012	19,718.85	072000320000001	0000001	00
1235	ADAMS REMCO, INC.	07/19/2012	1,493.55	072000320000001	0000001	00
1236	ADMIRAL LOCK & KEY SERVICE	07/19/2012	22.50	072000320000002	0000001	00
1277	AMERICAN SAFETY & FIRST AID	08/03/2012	154.05	072000320000002	0000001	00
1278	ANDRUS TRAVEL, GAIL	08/03/2012	1,716.75	072000320000003	0000001	00
1237	ANIMAL REMOVAL SERVICE, LLC	07/19/2012	955.00	072000320000003	0000001	00
1279	ANIMAL REMOVAL SERVICE, LLC	08/03/2012	300.00	072000320000004	0000001	00
1238	B & B YARDSCAPE	07/19/2012	14,002.50	072000320000004	0000001	00
1260	B & B YARDSCAPE	07/20/2012	605.00	072000320000001	0000001	00
1280	B & B YARDSCAPE	08/03/2012	10,972.50	072000320000005	0000001	00
1239	BEBEE, RON	07/19/2012	235.00	072000320000005	0000001	00
1281	BEBEE, RON	08/03/2012	423.00	072000320000006	0000001	00
1240	BELL EQUIPMENT COMPANY	07/19/2012	1,078.00	072000320000006	0000001	00
1282	BELL EQUIPMENT COMPANY	08/03/2012	1,479.04	072000320000007	0000001	00
1241	BEVERIN, TYLER	07/19/2012	120.00	072000320000007	0000001	00
1283	BEVERIN, TYLER	08/03/2012	280.00	072000320000008	0000001	00
1261	BLUE CARE NETWORK-GREAT LAKES	07/20/2012	62,869.35	072000320000002	0000001	00
1284	C D W GOVERNMENT, INC.	08/03/2012	2,546.78	072000320000009	0000001	00
1262	C M P DISTRIBUTORS, INC.	07/20/2012	64.00	072000320000003	0000001	00
1285	C M P DISTRIBUTORS, INC.	08/03/2012	2,361.00	072000320000010	0000001	00
1286	CONTINENTAL LINEN SUPPLY CO.	08/03/2012	66.32	072000320000011	0000001	00
1287	DELTA DENTAL PLAN OF MI	08/03/2012	20,045.38	072000320000012	0000001	00
1263	EMPLOYMENT GROUP, INC.	07/20/2012	1,151.62	072000320000004	0000001	00
1288	EMPLOYMENT GROUP, INC.	08/03/2012	1,297.60	072000320000013	0000001	00
1242	ENGINEERED PROTECTION SYSTEMS, INC.	07/19/2012	840.00	072000320000008	0000001	00
1289	ENGINEERED PROTECTION SYSTEMS, INC.	08/03/2012	278.25	072000320000014	0000001	00
1264	ETNA SUPPLY, INC.	07/20/2012	375.39	072000320000005	0000001	00
1290	ETNA SUPPLY, INC.	08/03/2012	297.37	072000320000015	0000001	00
1243	FORSHEE, MARK	07/19/2012	176.00	072000320000009	0000001	00
1291	FORSHEE, MARK	08/03/2012	264.00	072000320000016	0000001	00
1292	GRAINGER INC, W W	08/03/2012	550.00	072000320000017	0000001	00
1265	HARTFORD LIFE INSURANCE COMPANY	07/20/2012	7,757.92	072000320000006	0000001	00
1293	HI-TECH ELECTRIC CO.	08/03/2012	204.00	072000320000018	0000001	00
1266	INDUSCO SUPPLY CO., INC.	07/20/2012	611.84	072000320000007	0000001	00
1294	INDUSCO SUPPLY CO., INC.	08/03/2012	254.36	072000320000019	0000001	00
1244	IRISH AYRES ENTERPRISES, LLC	07/19/2012	898.50	072000320000010	0000001	00
1267	IRISH AYRES ENTERPRISES, LLC	07/20/2012	5,148.20	072000320000008	0000001	00
1295	IRISH AYRES ENTERPRISES, LLC	08/03/2012	6,221.42	072000320000020	0000001	00
1296	KEHOE, EDWARD J	08/03/2012	355.00	072000320000021	0000001	00
1245	KNAPP ENERGY, INC.	07/19/2012	11,106.55	072000320000011	0000001	00
1246	KOPEC, CASEY	07/19/2012	90.00	072000320000012	0000001	00
1297	KOPEC, CASEY	08/03/2012	225.00	072000320000022	0000001	00
1268	KUIPER BUILDING SERVICES LLC	07/20/2012	1,600.00	072000320000009	0000001	00
1298	KUIPER BUILDING SERVICES LLC	08/03/2012	550.00	072000320000023	0000001	00
1269	KUSHNER & COMPANY, INC.	07/20/2012	332.67	072000320000010	0000001	00
1299	KUSHNER & COMPANY, INC.	08/03/2012	1,400.00	072000320000024	0000001	00
1270	LIFEGUARD STORE, THE	07/20/2012	160.00	072000320000011	0000001	00
1247	MALZ, DONALD	07/19/2012	270.00	072000320000013	0000001	00
1300	MALZ, DONALD	08/03/2012	135.00	072000320000025	0000001	00
1248	MCCARTHY SMITH LAW GROUP, PLC	07/19/2012	6,461.70	072000320000014	0000001	00
1249	MEDEMA, TIMOTHY	07/19/2012	57.00	072000320000015	0000001	00
1301	MEDEMA, TIMOTHY	08/03/2012	114.00	072000320000026	0000001	00

FROM: 07/15/2012 TO: 08/05/2012

PAYMENT NO	VENDOR NAME	TRANSFER DATE	AMOUNT	TRACE		BANK	
				NUMBER	EFT	NUMBER	BATCH CODE
1302	MEJUR ELECTRIC LLC	08/03/2012	209.00	072000320000027	0000001	00	00
1303	MICROSYSTEMS, INC.	08/03/2012	2,725.20	072000320000028	0000001	00	00
1250	PACIFIC TELEMGMT SVRS, JAROTH INC	07/19/2012	303.00	072000320000016	0000001	00	00
1251	PARKER, ROBERT	07/19/2012	141.00	072000320000017	0000001	00	00
1304	PARKER, ROBERT	08/03/2012	188.00	072000320000029	0000001	00	00
1252	PEAVEY COMPANY	07/19/2012	52.35	072000320000018	0000001	00	00
1253	FLEUNE SERVICE COMPANY	07/19/2012	9,892.00	072000320000019	0000001	00	00
1254	PRECISION PRINTER SERVICES INC	07/19/2012	580.56	072000320000020	0000001	00	00
1305	PRECISION PRINTER SERVICES INC	08/03/2012	1,493.74	072000320000030	0000001	00	00
1271	PREIN & NEWHOF	07/20/2012	850.00	072000320000012	0000001	00	00
1306	QUALITY AIR HEATING & COOLING, INC.	08/03/2012	1,000.83	072000320000031	0000001	00	00
1307	ROAD EQUIPMENT PARTS CENTER	08/03/2012	431.54	072000320000032	0000001	00	00
1255	ROBERTS, CHARLES D	07/19/2012	94.00	072000320000021	0000001	00	00
1308	ROBERTS, CHARLES D	08/03/2012	188.00	072000320000033	0000001	00	00
1309	ROE-COMM, INC.	08/03/2012	14,311.00	072000320000034	0000001	00	00
1310	S B F/CORONA GRAPHICS	08/03/2012	1,590.70	072000320000035	0000001	00	00
1256	SAFETY SERVICES, INCORPORATED	07/19/2012	956.06	072000320000022	0000001	00	00
1272	SARCOM, INC	07/20/2012	675.33	072000320000013	0000001	00	00
1311	SARCOM, INC	08/03/2012	4,389.65	072000320000036	0000001	00	00
1273	SHULTS EQUIPMENT	07/20/2012	5,281.20	072000320000014	0000001	00	00
1274	SNELL, DEBRA	07/20/2012	105.00	072000320000015	0000001	00	00
1312	SNELL, DEBRA	08/03/2012	126.00	072000320000037	0000001	00	00
1313	TECHNOLOGY SOLUTIONS	08/03/2012	680.00	072000320000038	0000001	00	00
1257	THOMPSON, HELENE	07/19/2012	152.00	072000320000023	0000001	00	00
1314	U A W, LOCAL 2290	08/03/2012	497.78	072000320000039	0000001	00	00
1315	U S SIGNAL COMPANY, LLC	08/03/2012	549.00	072000320000040	0000001	00	00
1316	UNITED PETROLEUM	08/03/2012	143.50	072000320000041	0000001	00	00
1317	UNITED WATER ENVIRONMENTAL SERVICES	08/03/2012	167,775.40	072000320000042	0000001	00	00
1258	VANDERBERG, WARD M	07/19/2012	188.00	072000320000024	0000001	00	00
1318	VANDERBERG, WARD M	08/03/2012	282.00	072000320000043	0000001	00	00
1275	VISION SERVICE PLAN INSURANCE CO	07/20/2012	1,902.36	072000320000016	0000001	00	00
1259	WEST, STEVE	07/19/2012	104.00	072000320000025	0000001	00	00
1319	WEST, STEVE	08/03/2012	235.00	072000320000044	0000001	00	00
1320	360 SERVICES, INC.	08/03/2012	5,387.30	072000320000045	0000001	00	00

GRAND TOTAL:

414,172.46 NO. OF CHECKS:

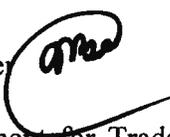
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CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: July 16, 2012

FROM: Maurice S. Evans, City Manager 

SUBJECT: Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way

ACTION RECOMMENDED: That City Council:

- a. accept the Conceptual Plan Amendment for Trade Centre Holdings LLC and set a public hearing for August 14, 2012; and
- b. following the public hearing, approve the Trade Centre Holdings LLC Conceptual Plan Amendment, 420 and 750 Trade Centre Way.

Attached is information concerning a conceptual plan amendment involving approximately 20 acres of land located along Trade Centre Way within the Downtown Development Authority. The conceptual plan amendment proposes the development of two hotels, one office building, three restaurant/retail buildings and associated site improvements. The original conceptual plan for this property received City Council approval in March 2002 but has since expired.

As part of the concept plan amendment, the applicant is requesting two ordinance modifications and one waiver. The first modification involves building height/number of stories to permit two, 59-foot tall, four story hotels and one 65-foot tall, four story office building. The second modification involves building setbacks in order to locate the east hotel building 30-feet from the north property line and the west hotel building 10-feet from the north property line. Finally, the requested waiver involves the conflicting land use screening requirement along the north property line adjacent to the 50-acre City of Kalamazoo wellfield site. City staff and the Planning Commission are supportive of the building height and setback modifications, as well as the conflicting land use screening waiver. The presence of the 50-acre City of Kalamazoo wellfield to the north, combined with the setback distances, elevation differences and the presence of the Portage Creek and associated natural area (trees/wetlands) will mitigate any potential impacts to the existing single family residences situated northwest of the development site.

The proposed 2012 conceptual plan is consistent with the City Council approved 2011 DDA Amended Development Plan/Tax Increment Financing Plan intended to facilitate further economic expansion within this area of the community. The City Administration and Planning Commission both support the proposed conceptual plan amendment and recommend approval, including the modifications and waiver requests.

Attachment: Communication from the Department of Community Development

CITY OF PORTAGE

COMMUNICATION

TO: Maurice S. Evans, City Manager

DATE: July 16, 2012

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

SUBJECT: Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way

An application to amend a previously approved conceptual plan has been submitted by Trade Centre Holdings LLC and involves approximately 20 acres of land located along Trade Centre Way within the Downtown Development Authority district. The conceptual plan amendment proposes the development of two hotels, one office building, three restaurant/retail buildings and associated site improvements.

As background information, the original conceptual plan for this property submitted by Furniture Row USA received City Council approval in March 2002 and proposed construction of two hotels, one retail furniture store, two specialty retail buildings and two restaurants. In 2003, H & G LLC acquired the property and constructed Phase I of the development, which included an 83,000 square foot office building (Trade Centre I) and related improvements along the western portion of the site. In 2005 but under a separate conceptual plan/narrative and specific (site) plan, H & G LLC constructed a second 110,000 square foot office building (Trade Centre II) and related site improvements west of Trade Centre I. The approved 2002 and proposed 2012 conceptual plans are similar in terms of proposed uses and number/location of buildings. Also, the proposed 2012 conceptual plan is consistent with the City Council approved 2011 DDA Amended Development Plan/Tax Increment Financing Plan intended to facilitate further economic expansion within this area of the community.

Consistent with the CPD, commercial planned development ordinance and since submission of subsequent specific (site) plans has not occurred in accordance with the approved program of development, the previously approved conceptual plan has expired. As a result, Trade Centre Holdings LLC has submitted an updated conceptual plan with revisions to the program of development and associated phasing schedule.

As part of the concept plan amendment, the applicant is requesting the following two ordinance modifications and one waiver:

- 1) Height/number of stories modification. The applicant is proposing four-stories and a maximum height of 59-feet for the two hotel buildings and four-stories and a maximum of height of 65-feet for the office building. Zoning Code establishes a building height of 25-feet and one-story when the zoning lot abuts a single family residential district but can be increased with City Council approval.
- 2) Building setback modification. The applicant is proposing a 30-foot setback from the north property line for the east hotel building and a 10-foot setback from the north property line for the west hotel building. The Zoning Code establishes a 75-foot building setback from the outer perimeter of the CPD district but can be reduced with City Council approval.
- 3) Conflicting land use screening waiver. The applicant is proposing a waiver from the conflicting land use screening requirement along the north property line adjacent to the 50-acre City of Kalamazoo wellfield site. The Zoning Code requires construction of a six-foot tall high landscaped berm between property either zoned or used for residential purposes unless a waiver is approved by City Council.

Staff and the Planning Commission are supportive of the building height/setback modifications and the conflicting land use screening waiver. The presence of the 50-acre City of Kalamazoo wellfield to the

north, combined with the setback distances, elevation differences and the presence of the Portage Creek and associated natural area (trees/wetlands) will mitigate any potential impacts to the existing single family residences situated northwest of the development site.

In conjunction with this development, the applicant is proposing to modify the wetland area and 100-year floodplain adjacent the Portage Creek. As part of the wetland/floodplain modifications, the applicant will be working with the City of Kalamazoo and Nature Ventures Inc. to restore a natural area on a brownfield site in downtown Kalamazoo. The Michigan Department of Environmental Quality (MDEQ) has reviewed and issued a permit for this work.

The Planning Commission reviewed the proposed conceptual plan amendment during the June 21, 2012 meeting and held a public hearing on July 5, 2012. Following the July 5th public hearing, the Planning Commission voted 5-0 to recommend to City Council that the Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way, be approved. The Planning Commission also approved the specific (site) plan for the Marriott Courtyard Hotel, 420 Trade Centre Way, subject to City Council approving the conceptual plan amendment.

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

Attachments: Planning Commission transmittal dated July 6, 2012
Planning Commission Minutes dated June 21st and July 5th, 2012
Department of Community Development report dated June 29, 2012

TO: Honorable Mayor and City Council
FROM: Planning Commission
DATE: July 16, 2012
SUBJECT: Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way

During the June 21, 2012 meeting, the Planning Commission reviewed and discussed the proposed Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way. Mr. Greg Dobson, representing Trade Centre Holdings LLC and Mr. Todd Hurley, Hurley and Stewart, Inc., were present to support the application and to explain the proposed conceptual plan amendment. No other citizens spoke in regards to the proposed conceptual plan amendment.

The Commission convened a public hearing during the July 5, 2012 meeting. Mr. Greg Dobson, Trade Centre Holdings LLC, was again present to support the application. Ms. Donna Leverage, 741 West Kilgore Road, commented about the traffic volumes on West Kilgore Road and the impact it has on her and her childcare business. No additional citizens spoke during the public hearing. After a brief discussion, a motion was made by Commissioner Reiff, seconded by Commissioner Dargitz, to recommend to City Council that the Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way, be approved with the following modifications/waiver:

1. Modify the maximum building height and number of stories to permit the two hotel buildings to be constructed to a height of 59-feet and four stories and office building to be constructed to a height of 65-feet and four stories;
2. Modify the minimum building setback requirement to permit a 30-foot setback from the north property line for the east hotel building and a 10-foot setback from the north property line for the west hotel building; and
3. Waive the conflicting land use screening requirement along the northern portion of the site where adjacent to the 50-acre City of Kalamazoo wellfield property.

The motion was unanimously approved.

Finally, and for City Council information, the Planning Commission also approved the specific plan for the Marriott Courtyard, 420 Trade Centre Way, subject to Council approving the amended concept plan.

Sincerely,

CITY OF PORTAGE PLANNING COMMISSION



James Cheesebro
Chairman

COPY

PLANNING COMMISSION

June 21, 2012

The City of Portage Planning Commission meeting of June 21, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Three citizens were in attendance.

MEMBERS PRESENT:

Bill Patterson, Wayne Stoffer, Miko Dargitz, Dave Felicijan, Paul Welch and Chairman James Cheesebro.

MEMBERS ABSENT:

None.

MEMBERS EXCUSED:

Allan Reiff and Rick Bosch.

IN ATTENDANCE:

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

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the May 17, 2012 meeting minutes contained in the agenda packet. A motion was offered by Commissioner Dargitz, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was unanimously approved.

SITE/FINAL PLANS:

None.

PUBLIC HEARINGS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Preliminary Report: Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way. Mr. Forth summarized the preliminary staff report dated June 15, 2012 regarding a request received from Trade Centre Holdings, Inc. to amend a previously approved conceptual plan involving property addressed as 420 and 750 Trade Centre Way. Mr. Forth provided background information regarding the previously

approved 2002 conceptual plan submitted by Furniture Row USA LLC that proposed construction of two hotels, one retail furniture store, two specialty retail buildings and two restaurants, and then summarized the conceptual plan amendment submitted by Trade Centre Holdings LLC that proposes the development of two hotels, one office building, and three restaurant/retail buildings. Mr. Forth discussed the 2003 construction of the Trade Centre I Office Building (three-story, 50-foot tall, 83,000 square foot) at 750 Trade Centre Way and the 2005 construction of the Trade Centre II Office Building (four-story, 65-foot tall, 110,000 square foot) at 950 Trade Centre Way. Since submission of subsequent specific (site) plans has not occurred in accordance with the approved program of development, Mr. Forth indicated the original 2002 conceptual plan has expired. Mr. Forth discussed the similarities between the 2002 conceptual plan and the proposed conceptual plan amendment, and, summarized the requested building height/number of stories modification, building setback modification and the conflicting land use screening waiver along the northern portion of the development site where adjacent the 50-acre City of Kalamazoo wellfield. Mr. Forth discussed the MDEQ permit involving planned modifications to a small portion of the 100-year floodplain and wetlands adjacent Portage Creek and the related wetland restoration project planned in downtown Kalamazoo.

Mr. Greg Dobson (representing Trade Centre Holdings LLC) and Mr. Todd Hurley (Hurley & Stewart, applicant's engineer) were present to explain the development project and support the amended conceptual plan. Mr. Dobson discussed the 2011 Amended Development Plan/Tax Increment Financing Plan for the associated public improvements. Mr. Dobson summarized the acquisition of the entire 32 acres of property by H & G LLC, from Furniture Row USA, and the development of the two Trade Centre Office buildings. Mr. Dobson stated the proposed conceptual plan amendment proposes only minor changes (addition of an office building) from the original 2002 approved conceptual plan. Mr. Dobson indicated the Courtyard Marriott hotel would be the first development project associated with the conceptual plan amendment and a site plan was expected to be ready for Planning Commission review at the July 5th meeting. Mr. Dobson reviewed the requested building height/number of stories modification, the building setback modification and the screening waiver along the northern portion of the development site where adjacent the 50-acre City of Kalamazoo wellfield site. Mr. Dobson indicated that he had spoken with Bruce Merchant of the City of Kalamazoo and stated the City of Kalamazoo was supportive of the proposed development project and wetland restoration partnership between the applicant, Nature Ventures and the City of Kalamazoo. Mr. Hurley explained the proposed floodplain/wetland modification and wetland restoration project that represented an approximate two-year collaborative effort with the MDEQ, MDOT and City of Kalamazoo. Mr. Hurley stated the Trade Centre development has resulted in identification and elimination of several illicit discharges to the Portage Creek project and has improved water quality in the area. Mr. Hurley discussed the proposed storm water management system that involved underground collection, storage and treatment of storm water prior to being released to the Portage Creek through a controlled rate discharge. No additional citizens were present in the audience to speak regarding the proposed conceptual plan amendment.

The Commission, staff and the applicant discussed various aspects of the development project including the 2011 Amended Development Plan/Tax Increment Financing Plan, differences between the 2002 approved conceptual plan and the proposed conceptual plan amendment, planned wetland/floodplain modifications, parking and storm water management. There being no further discussion, Mr. Forth stated the public hearing for the proposed conceptual plan amendment has been noticed and scheduled for the July 5, 2012 Planning Commission meeting.

STATEMENT OF CITIZENS:

None.

 **DRAFT**

PLANNING COMMISSION

July 5, 2012

The City of Portage Planning Commission meeting of July 5, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. Three citizens were in attendance.

MEMBERS PRESENT:

Miko Dargitz, Dave Felicijan, Rick Bosch, Allan Reiff, Wayne Stoffer (arrived 7:25 p.m.) and Chairman James Cheesebro.

MEMBERS ABSENT:

Bill Patterson.

MEMBERS EXCUSED:

Paul Welch.

IN ATTENDANCE:

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

PLEDGE OF ALLEGIANCE:

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Chairman Cheesebro referred the Commission to the June 21, 2012 meeting minutes contained in the agenda packet. A motion was offered by Commissioner Dargitz, seconded by Commissioner Felicijan, to approve the minutes as submitted. The motion was unanimously approved.

PUBLIC HEARINGS:

1. Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way. Mr. Forth summarized the staff report dated June 29, 2012 regarding a request received from Trade Centre Holdings, Inc. to amend a previously approved conceptual plan involving property addressed as 420 and 750 Trade Centre Way. Mr. Forth provided background information regarding the previously approved 2002 conceptual plan submitted by Furniture Row USA LLC and then summarized the conceptual plan amendment submitted by Trade Centre Holdings LLC. Since submission of subsequent specific (site) plans has not occurred in accordance with the approved program of development, Mr. Forth indicated the original 2002 conceptual plan has expired. Mr. Forth summarized the requested building height/number of stories modification, building setback modification and the conflicting land use screening waiver along the northern portion of the development site where adjacent the 50-acre City of Kalamazoo wellfield. Mr. Forth also summarized the MDEQ permit involving planned modifications to a small portion of the 100-year floodplain and wetlands adjacent Portage Creek and the related wetland restoration project planned in downtown Kalamazoo.

Mr. Greg Dobson (representing Trade Centre Holdings LLC) was present to explain the development project and support the amended conceptual plan. Mr. Dobson noted that the developer of the Marriott Courtyard Hotel is ready to move forward with the project. Mr. Dobson also mentioned that unlike the Furniture Row USA concept plan for a commercial shopping center, there is more interest at this location for a mix of office, hotel and restaurant uses. Commissioner Reiff asked Mr. Dobson to summarize the wetland mitigation project proposed in downtown Kalamazoo. Mr. Dobson explained the project.

Chairman Cheesebro opened the public hearing. Ms. Donna Leversee, 741 West Kilgore Road, expressed concern about traffic volumes on West Kilgore Road and the impact it has on her and her child daycare business. There being no further public comment, a motion was made by Commissioner Bosch, seconded by Commissioner Felicijan, to close the public hearing. The motion was unanimously approved.

Commissioner Dargitz asked staff to summarize traffic-related issues. Mr. Forth mentioned that traffic-related issues have been regularly reviewed/addressed since the comprehensive rezoning of this area in 1998 and several infrastructure improvements have been completed to address existing as well as future traffic volumes. Commissioner Felicijan asked for clarification on the wetland impacts. Mr. Forth noted a small area of wetland is proposed to be modified but in accordance with the approved MDEQ permit, Trade Centre Holdings LLC will be creating new wetland areas in downtown Kalamazoo.

There being no further discussion, a motion was made by Commissioner Reiff, seconded by Commissioner Dargitz, to recommend to City Council that the Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way, be approved with the following modifications/waiver:

1. Modify the maximum building height and number of stories to permit the two hotel buildings to be constructed to a height of 59-feet and four stories and office building to be constructed to a height of 65-feet and four stories;
2. Modify the minimum building setback requirement to permit a 30-foot setback from the north property line for the east hotel building and a 10-foot setback from the north property line for the west hotel building; and
3. Waive the conflicting land use screening requirement along the northern portion of the site where adjacent to the 50-acre City of Kalamazoo wellfield property.

The motion was unanimously approved.

SITE/FINAL PLANS:

1. Specific (Site) Plan for Marriott Courtyard, 420 Trade Centre Way. Mr. Forth summarized the staff report dated June 29, 2012 regarding a request received from TMI Hospitality to construct a four-story, 55,123 square foot hotel building and associated site improvements at 420 Trade Centre Way. The Marriott Courtyard hotel represents the first development project under the amended conceptual plan submitted by Trade Centre Holdings LLC for the remaining vacant land located along Trade Centre Way. The approximate 2.3 acre site is zoned CPD, commercial planned development and the hotel development project has been designed in substantial conformance with the proposed amended conceptual plan.

Mr. Greg Dobson, representing TMI Hospitality, was present to support the plan. Commissioner Bosch asked about parking/cross access easement rights. Mr. Dobson indicated that all development sites would provide the minimum amount of parking spaces required by the City of Portage and the appropriate documents would be executed to ensure cross access rights.

Commissioner Stoffer arrived at 7:25 p.m. Attorney Brown asked Commissioner Stoffer if he was familiar with the staff report and heard enough of the discussion at tonight's meeting to vote on the specific plan for Marriott Courtyard. Commissioner Stoffer indicated he read the staff report and based on the discussion he heard during the meeting, is familiar with the development project and will be voting on the plan.

There being no further discussion, a motion was made by Commissioner Bosch, seconded by Commissioner, Felicijan to approve the specific plan for Marriott Courtyard, 420 Trade Centre Way, subject to City Council approving the Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way. The motion was unanimously approved.

OLD BUSINESS:

None.

NEW BUSINESS:

1. Election of Officers. It was the consensus of the Planning Commission to postpone election of officers until the July 19, 2012 meeting when all current officers are present.

STATEMENT OF CITIZENS:

None.

ADJOURNMENT:

Commissioners Reiff and Bosch asked to be excused from the July 19, 2012 meeting. There being no further business to come before the Commission, the meeting was adjourned at 7:32 p.m.

Respectfully submitted,

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

TO: Planning Commission

DATE: June 29, 2012

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

SUBJECT: Final Report: Conceptual Plan Amendment for Trade Centre Holdings, LLC, 420 and 750 Trade Centre Way

I. APPLICATION INFORMATION:

An application to amend a previously approved conceptual plan involving property addressed as 420 and 750 Trade Centre Way has been received from Trade Centre Holdings LLC (Roger Hinman and Joseph Gesmundo). The conceptual plan amendment proposes the development of two hotels, one office building, three restaurant/retail buildings and associated site improvements on the approximate 20 acre tract of land.

The original conceptual plan for this property submitted by Furniture Row USA LLC received City Council approval in March 2002 and proposed construction of two hotels, one retail furniture store, two specialty retail buildings and two restaurants. In 2003, H & G LLC acquired the property from Furniture Row USA LLC and constructed Phase I of the development, which included a three-story, 50-foot tall, 83,000 square foot office building (Trade Centre I) and related improvements along the western portion of the site. This office building replaced two 30,000 square foot retail buildings that were previously identified in the original conceptual plan. Consistent with the CPD, commercial planned development ordinance and since submission of subsequent specific (site) plans has not occurred in accordance with the approved program of development, the previously approved conceptual plan has expired. Trade Centre Holdings LLC has submitted an updated conceptual plan with revisions to the program of development and associated phasing schedule. Please refer to the attached conceptual plan, narrative and supporting information submitted by the applicant for additional details. A summary comparison between the original 2002 approved conceptual plan and the proposed conceptual plan amendment is provided below.

CPD Conceptual Plan - Program of Development		
Element	2002 Approved Conceptual Plan	2012 Proposed Conceptual Plan Amendment
Uses	Hotel (3-story, 37,500 square feet) Hotel (3-story, 37,500 square feet) Retail/Furniture (30,000-50,000 square feet) Specialty Retail (30,000-50,000 square feet) Specialty Retail (30,000-50,000 square feet) Restaurant (3,500-4,500 square feet) Restaurant (3,500-4,500 square feet)	Hotel (4-story, 50,000-60,000 square feet) Hotel (4-story, 50,000-60,000 square feet) Office (4-story, 110,000 square feet) Restaurant/Retail (5,000-12,000 square feet) Restaurant/Retail (5,000-12,000 square feet) Restaurant/Retail (5,000-12,000 square feet)
Phasing	<u>Phase I (May 2002)</u> * Hotel (3-story, 101 units, 37,500 square feet) <u>Future (2002)</u> * Retail/Furniture (30,000-50,000 square feet) * Restaurant (3,500-4,500 square feet) <u>Future (2003)</u> * Specialty Retail (30,000-50,000 square feet) * Restaurant (3,500-4,500 square feet) <u>Future (2004)</u> * Hotel (3-story, 100 units, 37,500 square feet) * Specialty Retail (30,000-50,000 square feet)	<u>Phase I (Summer 2013 – Fall 2014)</u> * Hotel (4-story, 50,000-60,000 square feet) <u>Future (Summer 2014 – Fall 2015)</u> * Hotel (4-story, 50,000-60,000 square feet) <u>Future (Summer 2013 – Fall 2015)</u> * Restaurant (5,000-12,000 square feet) <u>Future (Summer 2014 – Fall 2016)</u> * Restaurant (5,000-12,000 square feet) <u>Future (Summer 2015 – Fall 2017)</u> * Restaurant (5,000-12,000 square feet) <u>Future (Summer 2015 – Fall 2017)</u> * Office (4-story, 110,000 square feet)

In 1998, City Council approved the Community Investment Initiative that included establishment of the Downtown Development Authority (DDA) north of I-94 and west of South Westnedge Avenue. With the creation of the DDA, public street (Market Place and West Fork Crossing) and sanitary sewer infrastructure were financed and completed that resulted in significant investment in the community by several property owners. In 2003, City Council approved additional public improvements within the DDA including construction of Trade Centre Way from West Fork Crossing together with public storm drainage and water main utilities to further induce redevelopment of deteriorating properties and new development on previously inaccessible vacant land. In 2005, a related program was approved by City Council (South Westnedge Enhancement Project–SWEPS) that included public street and utility improvements along the South Westnedge Avenue Commercial Corridor designed to occur in conjunction with reconstruction/widening of I-94 and reconstruction of the I-94/South Westnedge Avenue interchange.

In 2011, City Council approved a DDA Amended Development Plan/Tax Increment Financing Plan to facilitate further economic expansion consistent with the amended conceptual plan submitted by Trade Centre Holdings LLC. This most recent initiative, which has been completed, included property transfers between the City of Portage, State of Michigan and H & G 2, LLC (Roger Hinman and Joseph Gesmundo) for purposes of constructing a relocated Trade Centre Way/West Fork Crossing intersection and related utility and storm water drainage facilities and public improvements at the South Westnedge Avenue/Trade Centre Way intersection. The resulting planned development projects include the two upscale hotels, multi-story office building and retail/restaurant buildings with an anticipated market value of more than \$12 million and involve several hundred new jobs.

Municipal water and sanitary sewer will serve the commercial planned development. Access will be provided from Trade Centre Way and to/from South Westnedge Avenue via West Fork Crossing/Marketplace and the through the limited turning access (right-in/left-in, right-out) at Trade Centre Way. Storm water from the development is planned to be stored and treated underground, prior to discharge to the Portage Creek. If necessary, some storm water may be stored and treated in aboveground systems similar to the existing basin located between the Trade Centre I and II Office Building along the west end of Trade Centre Way. The approximate 20 acre CPD tract of land is bordered to the north by the City of Kalamazoo wellfield, to the south by Trade Centre Way and Interstate 94 and to the east by West Fork Crossing. As indicated previously, the western portion of the CPD site is occupied by the three-story, 50-foot tall, 83,000 square foot Trade Centre I Office Building and related improvements that was constructed in 2003. A four-story, 65-foot tall, 110,000 square foot office building (Trade Centre II Office Building) and related improvements constructed in 2005 is also located to the west, at 950 Trade Centre Way. This Trade Centre II Office Building received approval in 2005 and was developed under a separate conceptual plan/narrative and specific (site) plan.

In conjunction with the proposed conceptual plan amendment, the applicant is also requesting consideration of three ordinance modifications/waivers:

- 1) The height/number of stories for the two hotel buildings and one office building. The applicant is proposing four-stories and a maximum height of 59-feet for the two hotel buildings and four-stories and a maximum of height of 65-feet for the office building. Section 42-350.B(6) of the Zoning Code establishes a building height of 25-feet and one-story when the zoning lot abuts a single family residential district that can be increased with City Council approval.
- 2) The building setback for the two hotel buildings. The applicant is proposing a 30-foot setback from the northern property line for the east hotel building and a 10-foot setback from the northern property line for the west hotel building. Section 42-350.B(15) of the Zoning Code establishes a 75-foot building setback from the outer perimeter of the CPD district that can be reduced with City Council approval.

- 3) Conflicting land use screening for the remaining northern portion of the development. The applicant is proposing a waiver from the conflicting land use screening requirement along the northern portion of the CPD site where adjacent the 50-acre City of Kalamazoo wellfield site. Section 42-573.E of the Zoning Code requires construction of a six-foot tall high landscaped berm between property either zoned or used for residential purposes unless a modification/waiver is approved by City Council.

II. COMMERCIAL PLANNED DEVELOPMENT PROCEDURES/REQUIREMENTS:

For development projects within the CPD zone, the Zoning Code requires that City Council approve a conceptual plan for development after a public hearing and after Planning Commission review and recommendation. The conceptual plan is intended to show the overall development of the area including proposed uses, number and location of building sites, parking, location of streets/driveways and so forth. The specific (site) plan shows the proposed development details and characteristics for each individual site. The Zoning Code stipulates that the Planning Commission subsequently reviews and approves the specific (site) plan. If a specific (site) plan is not received by the time required in an approved program of development, or two years after approval of the conceptual plan, whichever is less, the conceptual plan approval shall expire. While a specific (site) plan for the Trade Centre I office building was submitted and approved in 2003, approximately one year after the original conceptual plan approval, additional specific (site) plan submittals have not occurred in accordance with the previous approved program of development. Therefore, the applicant is submitting an updated conceptual plan and narrative with an amended program of development including a revised project phasing schedule. In conjunction with the amended conceptual plan, the applicant has also submitted a specific (site) plan for the first hotel development (Marriott Courtyard) along eastern portion of the overall property. A discussion of this specific (site) plan is provided in a separate report.

III. PUBLIC REVIEW/COMMENT:

The Planning Commission reviewed and discussed the proposed conceptual plan amendment at the June 21, 2012 meeting. Mr. Greg Dobson (representing Trade Centre Holdings LLC) and Mr. Todd Hurley (Hurley & Stewart, applicant's engineer) were present to explain and support the conceptual plan amendment. Mr. Dobson discussed the 2011 DDA Amended Development Plan/Tax Increment Financing Plan and summarized the acquisition of the property by H & G LLC from Furniture Row USA and the development of the two Trade Centre Office buildings. Mr. Dobson stated the proposed conceptual plan amendment proposes only minor changes (addition of an office building) from the original 2002 approved conceptual plan. Mr. Dobson reviewed the requested building height/number of stories modification, the building setback modification and the screening waiver along the northern portion of the development site where adjacent the 50-acre City of Kalamazoo wellfield site. Mr. Hurley explained the proposed floodplain and wetland modifications and discussed the proposed storm water treatment and management system that was planned for the remainder of the development site. No citizens were present to comment on the proposed development project.

IV. FINAL ANALYSIS - PROPOSED CONCEPTUAL PLAN AMENDMENT:

Specific aspects of the proposed conceptual plan amendment are discussed in greater detail below.

Surrounding Property Issues – Consistent with the CPD ordinance, the proposed conceptual plan amendment has been designed to minimize impacts on surrounding properties through site design, access, building use/location and related details. The portion of the CPD development addressed as 420 Trade Centre Way is situated adjacent to a 50-acre City of Kalamazoo wellfield property to the north which is characterized by natural wetlands, floodplain, Portage Creek, mature trees and associated vegetation. While the wellfield property is zoned residential (RS-5: Residential, single-dwelling) under the City of Kalamazoo Zoning Ordinance, it has been exclusively utilized as a municipal wellfield and natural area.

Single family residences, situated within the City of Portage, are located west of the City of Kalamazoo wellfield property. However, the nearest single family residences (located along Dukeshire Avenue) will be situated in excess of 600-feet from the proposed office building and western hotel building. Additionally, the single family residences located to the northwest of the CPD site are situated approximately 30-35 feet higher than the proposed hotels, office and restaurant/retail buildings within the development. As indicated previously, the Trade Centre I (three-story, 50-foot tall, 83,000 square feet) and Trade Centre II (four-story, 65-foot tall, 110,000 square feet) office buildings are located to the west of the proposed development area at 750 and 950 Trade Centre Way.

With regard to the proposed building height/setback modifications and screening waiver, the presence of the 50-acre City of Kalamazoo wellfield to the north, combined with the setback distances, elevation differences and the presence of the Portage Creek and associated natural area (trees/wetlands) will mitigate any potential impacts to the existing single family residences situated northwest of the CPD site. As indicated in the attached materials, the applicant is designing the layout of the CPD site, particularly the two hotel buildings, so as to provide scenic views over this large natural wetland area. Additionally, the proposal to construct two four-story hotels and one four-story office building is consistent and compatible with the existing three-story and four-story Trade Centre I and II office buildings that were previously approved and constructed along the western portion of Trade Centre Way.

For the above stated reasons, staff is supportive of the requested building height/setback modifications and the conflicting land use screening waiver. Consistent with Section 42-414.G (Authority to waive or modify standards) of the Zoning Code, the requests are consistent with the commercial planned development as a whole and will not be detrimental to the public welfare or injurious to other surrounding properties. Additionally, the objectives of the CPD standards can be satisfactorily met without strict adherence to the requirements due to the characteristics of the development and adjacent property to the north (50-acre municipal wellfield).

Traffic, Access and Parking Issues – The capacity of the adjacent street network to accommodate land development within and adjacent to the DDA has been carefully considered over the past several years. In preparation of establishing the DDA and changing the area zoning, a planning level traffic study was prepared in 1998 by Traffic Engineering Consultants, P.C. that evaluated the entire approximate 60 acre CPD area, which included the Trade Centre Way development site. This study assumed a land use matrix and anticipated traffic generation that is consistent with existing and proposed development pattern within the surrounding area. Another traffic study was completed in 2009 by Abonmarche Consultants that specifically evaluated the Trade Centre Holdings, LLC project area, redesign/reconstruction of the South Westnedge Avenue and I-94 interchange area and concluded with several recommendations regarding the design of the South Westnedge Avenue and Trade Centre Way intersection.

Significant investment has been made to the surrounding public street network (Trade Centre Way, West Fork Crossing, Marketplace and South Westnedge Avenue) over the past decade in and around the DDA to support existing and planned development projects based, in part, on the results of these previously completed traffic studies. As such, traffic generation from the existing and proposed uses in the conceptual plan amendment can be accommodated by the adjacent street network. While additional traffic reviews will occur with subsequent specific (site) plan submittals, planned access drives from Trade Centre Way and vehicular connections between uses will continue to further integrate proposed and existing developments.

Finally, and consistent with the site design for 750 and 950 Trade Centre Way, the applicant is proposing to bank or defer several parking areas for future use, if necessary. These banked parking areas are highlighted in green on the attached conceptual plan. Further evaluation of these banked/deferred parking areas will be completed upon submission of the specific (site) plans.

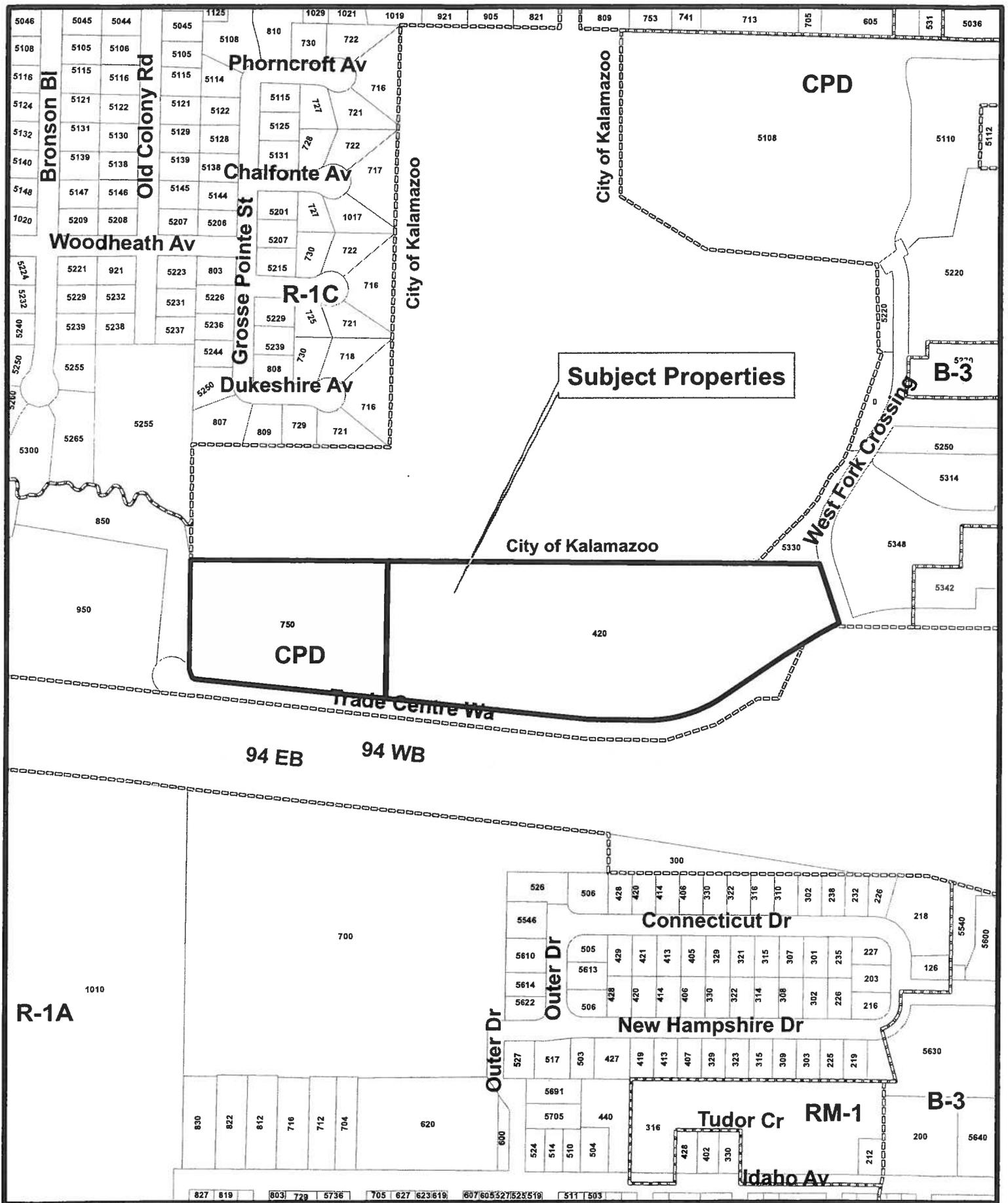
Environmental Issues – The northern portion of the CPD site includes or is adjacent to the Portage Creek and associated floodplain and wetland areas. In conjunction with construction of the two hotel buildings, the applicant is proposing to modify the wetland area and 100-year floodplain adjacent the Portage Creek, along the northern boundary of the CPD site. A proposal that involves placement of approximately 6,923 cubic yards of fill in approximately 0.42 acres of emergent wetland and a portion of the 100-year floodplain, along with off-site wetland restoration, has been reviewed and approved by the Michigan Department of Environmental Quality (MDEQ). A copy of the MDEQ Permit issued on March 9, 2012 is included as an attachment. As part of the wetland/floodplain modifications, the applicant will be working with the City of Kalamazoo and Nature Ventures Inc. to restore a natural area on a 4.1 acre brownfield site in downtown Kalamazoo. Attached are letters from the City of Kalamazoo and Nature Ventures Inc. that further explain this wetland restoration project.

Integration of the Development – The applicant has indicated in the attached narrative that each building within the CPD site will be designed to be part of a cohesive development with an integrated architectural theme. Orientation of buildings will occur so as to be aesthetically pleasing from I-94 and Trade Centre Way and to overlook natural wetland/floodplain areas located to the north within the City of Kalamazoo wellfield property. Exterior building finishes will mainly consist of concrete or unit masonry materials such as split face block, brick, pre-cast or synthetic materials (DRIVIT) with integration of natural stones or woods for architectural diversity. Color schemes for the primary building surfaces will be limited to those that integrate positively with the existing Trade Centre I and II office buildings and the masses of the larger hotel and office buildings will include banding or similar treatments. Landscaping throughout the CPD development will also consist of upscale and unifying themes that emphasis the adjacent Portage Creek and associated wetland/floodplain vegetation. Individual development sites will also be integrated through interior vehicular and pedestrian interconnections. Finally, the overall CPD site will be subject to a reciprocal easement agreement (REA) that will ensure the property is developed in a cohesive manner with common drives, cross access and shared utility corridors and connections. Copies of preliminary building elevations are attached for Commission review.

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 Conceptual Plan Amendment for Trade Centre Holdings LLC, 420 and 750 Trade Centre Way, be approved with the requested building height/number of stories and building setback modifications and the conflicting land use screening waiver. Based on information provided by the applicant and the characteristics of the development and adjacent property to the north, provisions of Section 42-414.G (Authority to waive or modify standards) have been satisfied.

Attachments: Zoning/Vicinity Map
 Aerial Photograph
 Proposed Conceptual Plan Amendment (June 26, 2012 narrative and conceptual plan drawing)
 Building elevation drawings
 Preliminary Site Plan for Marriott Courtyard
 Michigan Department of Environmental Quality – wetland/floodplain permit (March 9, 2012)
 Letters from the City of Kalamazoo and Nature Ventures Inc
 Previously Approved 2002 Conceptual Plan for Furniture Row USA, LLC (narrative/conceptual plan)

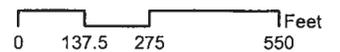


Legend

-  Zoning Boundary
-  Subject Property

Conceptual Plan

420 & 750 Trade Centre Way



Aerial Photography
420, 750 Trade Centre Way



Pictometry Image
March 30, 2009



avb
construction | development

June 26, 2012

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

RE: Conceptual Plan for 420 Trade Center Way-Trade Centre Holdings, LLC

Dear Mike:

What follows is our revision to the conceptual plan for the 20.00 acre +/- property which includes 420 and 750 Trade Centre Way. The original conceptual plan was approved by Portage City Council in 2002. Interestingly, at that time, the developers Furniture Row, LLC had envisioned the property for hotel, restaurant and retail use-three uses we still proposed today. Further, they planned for an Extended Stay America hotel and had requested modifications for screening, setbacks and heights – all to accommodate the Extended Stay America hotel.

Since this time, significant progress has been made in relation to this conceptual plan. Importantly, in 2003, the property was sold to H & G, LLC a 50/50 partnership of local developers Roger Hinman from the Hinman Company and Joe Gesmundo from AVB – paving the way for new development to actually commence on the property. Very shortly thereafter, a 83,000 square foot, Class A office building was developed and is 100% occupied on the conceptual plan property. In addition, in 2006/07, the property to the west, which is not part of this conceptual plan, was developed as a 110,000 square foot Class A office building.

This property is comprised of the 750 Trade Centre Way office building, and the currently vacant property which sits at the at the east end of Trade Center Way west of West Fork Crossing and east of 750 Trade Centre Way. The information contained in this narrative is intended to be used in connection with the concept plan. Within this document we are requesting three modifications, the same ones requested in 2002- a height modification request, a rear setback modification request, and a screening modification in accordance with City of Portage Land Development Regulations.

Statement of Purpose: The purpose of this conceptual plan is to allow for the development office buildings, hotels, restaurants and retail space in a manner is that consistent with the high quality that has been established in the Trade Center development. Specifically, we are requesting to revise the Commercial Planned Development conceptual plan for the Trade Centre as noted herein.

General Development Plan: The concept plan indicates one additional four-story office building along with two four story hotels and three one to two-story restaurants. While the actual mix of office to hotel to restaurant may change, we are working to develop a cohesive development with a well-developed sense of place. While this plan is conceptual in nature and name, we expect the following approximate sizes and square footages for each use. The 110,000 square foot +/- office building will occupy between five and six acres, the 5,000 to 12,000 square foot restaurants will occupy pad sites between one and two acres and the 50,000 to 60,000 square foot hotel buildings will occupy between two and three acre sites each. The buildings will be of an architectural and structural character that will express an architectural character that integrates well into the existing development. In addition, the landscaping will be upscale through the development and will emphasize the adjacent West Fork of the Portage Creek where appropriate. We intend to orient the buildings so that they are aesthetically pleasing from I-94 and Trade Centre Way. The exterior building finishes will be mainly concrete or unit masonry materials such as split face block, brick, pre-cast or synthetic materials such as DRIVIT which have the appearance of masonry. Some natural stones or woods may be integrated in for architectural diversity. The color schemes for the primary

building surfaces will be limited to those that integrate positively with the existing Trade Center office buildings and the masses of the larger hotel and office buildings will be broken with banding, or movement in the elevation.

Property Map: We have attached a conceptual plan per the CPD requirements.

Developer: The developer is H & G, L.L.C, (Roger Hinman, Principal of The Hinman Company and Joe Gesmundo, Principal of AVB) of 4200 W. Centre Avenue, Portage, MI, 49024 and 750 Trade Centre Way, Portage, MI 49024. The land owner entity is Trade Centre Holdings, LLC of 750 Trade Centre Way, Portage, MI, 49024. Both entities, H & G, L.L.C. and Trade Centre Holdings, LLC, are owned 50/50 by Joe Gesmundo and Roger Hinman.

Holdings: A Warranty Deed showing this property is owned by Trade Centre Holdings, LLC is included in this package. Please note that two properties are owned by the City of Portage as shown on the attached concept plan. The easternmost holding is a street vacation which will be deeded to Trade Centre Holdings shortly. The southernmost holding will be retained by the City of Portage, but an easement will be given to Trade Centre Holdings, LLC for off street parking. Both properties are being conveyed, as noted above, according to a development agreement between the City of Portage and Trade Centre Holdings, LLC.

Property Lines, Streets and Utilities: The attached conceptual plan provides the adjacent tract property lines, the public streets, easements, and the locations of the underground water and sanitary sewer. All of these utilities are in place and ready to serve this portion of the development.

Topography: The topography is also shown on the conceptual plan.

Use, Height & Setbacks: The Class A office building will be four stories and will not exceed 65 feet tall to the top of the screen wall (tallest point on the building). The hotel buildings will be four stories and will not exceed 59 feet tall. The Class A office building is the same height as the existing 950

Trade Centre Way office building which was granted the same modification we are requesting herein.

We are therefore requesting, in accordance with Section 42-414(G) of the Land Development Regulations of the City of Portage, a height modification request to allow the construction of an office building to a height not to exceed 65 feet above the existing elevation of the land and hotel buildings not to exceed 59 feet above the existing grade. We ask that when considering this request you note the following factors which mitigate the impact of the height of this building.

- The property immediately north of these buildings is an approximately 50 acre natural area, owned by the City of Kalamazoo, presently used a well field.
- The property to the north and west contains a significant number of mature trees that will further screen the homes to the west from our proposed building. Further the residential property to the north and west is 30 to 35 feet higher in grade higher than the conceptual plan property.
- The nearest proposed building itself will be approximately 525 feet from the nearest residential property line, located on Dukeshire, to the north and approximately 600 feet from the nearest home to the north.
- Expert testimony, during development of the 950 Trade Centre building, indicated that the additional building mass reduces road noise impact on the residential properties to the north. Some resident comments have also indicated that the construction of the 950 Trade Centre building has reduced the sound impact of I-94.

We are also hereby requesting a rear set-back modification to 30' for the easterly hotel and 10' for the westerly hotel. These setback modifications are necessary owing to the following important factors:

- The property is wide (east to west) and fairly shallow in depth (north to south)
- Our goal with this plan is to allow for smooth vehicular circulation which requires drive aisles to be coordinated between the hotel sites, the restaurant pad sites and the 650 Trade Centre Way proposed office site
- Further, we desired to the best-looking front elevations front on I-94
- The westerly hotel proto-type requires a north and south orientation while the easterly hotel proto-type requires an east west orientation
- The general alignment of the hotels allows for a symmetrical repetition of the of the restaurant pads

These factors combined require the two hotel buildings to be pushed further to the north than normal and hence the requested set-back medication.

We are also requesting a waiver from the screening requirement from the adjacent City of Kalamazoo well field. It is our desire to allow the hotel guests and users to overlook the natural adjacent wetland properties. The easterly hotel is being designed with an outdoor open space and plaza to specifically orient to the natural views. As the property to the immediate north is a combination of wetlands and floodplain and presently serves as the City of Kalamazoo well field, we do not see that our requested waiver will create any negative impact on the property to the north.

Development Staging: What follows is our present anticipated staging of the development. However, no final commitments exist beyond the first hotel building.

- Hotel Building #1 – Summer 2013 to Fall 2014
- Hotel Building #2 – Summer 2014 to Fall 2015
- Restaurant #1 – Summer 2013 to Fall of 2015
- Restaurant #2 – Summer 2014 to Fall of 2016
- Restaurant #3 – Summer 2015 to Fall of 2017
- 650 Trade Centre Way Office Building –Summer of 2015 to Fall of 2017

Development Integration & Independence: Each building proposed herein is designed to be a part of a cohesive development while maintaining the ability to fully stand on its own merits. As such the buildings rely on being designed around an integrated architectural theme. Additionally the buildings will be benefited by a REA (Reciprocal Easement Agreement) to allow for the integrated development of the area as a whole. As such, common drives are shared, utility corridors and connections are ensured, and each parcel requires at least one vehicular and pedestrian connection to each adjacent parcel.

Common Open Space: The common open space within the Trade Centre is best demonstrated by viewing the attached conceptual plan. To outline the conceptual plan, common open space includes the Westnedge and Trade Centre Way entry statement, sign, and boulevard, the landscaping along the entire Trade Centre both north and sides, the storm retention area west of 750 Trade Centre Way. Additionally, for aesthetics, the Trade Centre mows the I-94 right of way between I-94 and the decorative fence (which is also owned and maintained as common space). This common area maintenance program would be one of many common areas that have been maintained by the developer successfully over the last 35 years. These common areas facilitate a natural and well-maintained feel to the entire development and is a unifying theme for the entire development.

Water & Sanitary Sewer: The water and sanitary sewer already run through the development, mainly along Trade Centre Way. The proposed buildings would be served by tying directly into these existing utilities. The storm system is worthy of particular note as that it is a bit unusual and relates directly to the permit that we have received from the MDEQ which is attached to this submission for reference. We presently anticipate maintaining all storm water underground, with overflows of said underground system being release to the West Fork of Portage Creek according to the flows approved by the MDEQ permit. If above ground storm water detention becomes necessary, such storm water volume would be proposed in a manner substantially similar to the storm water area between the 750 and 950 Trade Centre Way buildings. These storm water area has been an enhancement to our overall development and is

commented on often by current and prospective tenants for its attractiveness and natural feel.

Traffic & Parking: The traffic will be routed to the development along the newly constructed Trade Center Way, West Fork Crossing and Westnedge Avenue. As these roads has been recently constructed, we assume they have been designed in anticipation of the approved 2002 conceptual plan. Therefore we expect that this road has been designed to handle exactly the traffic that is proposed for it. The width of the street is 32 feet which can also been seen on the attached conceptual plan. Parking will all be accommodated around the buildings as can be seen on the attached conceptual plan.

For your information, we provide the below table showing the anticipated traffic flows, based on the ITE Trip Generation Manual.

Future Traffic Impacts

Use	Amount	Trip Ends/Day
Hotels	180 Rooms	1250
3 Restaurants	30,000 sq. ft.	2700
Office*	193,000 sq. ft.	1850
	Total	5800

*number includes 83,000 sq. ft. from the existing 750 Trade Centre Way building.

Covenants, Restrictions, Easements: As mentioned previously, the property will be developed subject to the REA (Reciprocal Easement Agreement). This document will ensure that the property is developed in a cohesive manner and is maintained properly into the future.

Natural Features: The property is bordered on the west by the natural storm water detention area, on the north by the City of Kalamazoo well field, on the east by West Fork Crossing and on the South by Trade Centre Way and I-94. As such the property is exposed to a significant amount of visual inspection on a daily basis and the main natural features have either been created in our re-development of this property or by the City of Kalamazoo well field to the north.

It should be noted that there are existing wetlands on the north edge of the property, immediately adjacent to Portage Creek. A small portion of this northern edge of the property is also within the floodplain. We have designed our hotels and the 650 Trade Centre office building to overlook the natural wet lands of the City of Kalamazoo well fields to the north and we think this is an especially appealing feature of these properties which are positioned so closely to I-94.

Over the last several years we have employed two highly regarded consultants to help us revise the current location of the floodplain line by filing a Letter of Map Amendment with FEMA. The Michigan Department of Environmental Quality has granted H & G the required permits to relocate a portion of the wetland that was in conflict with our proposed development. The permit includes a FEMA letter of map amendment to redefine the floodplain line and allows the relocation of the existing wetlands on our property. This is a particularly interesting and innovative project which is a cooperative venture between Trade Centre Holdings and The Nature Centre. The project features mitigating this wetland from the Trade Centre to downtown Kalamazoo as part of a larger Kalamazoo Nature Center rehab project.

This proposed concept plan is fully in compliance with the MDEQ permit, including the manner in which storm water is handled on site with controlled releases to the West Fork of the Portage Creek in volumes that are controlled by said permit.

In summary we at H & G look forward to working with both the City of Portage and our neighbors in a positive manner. Please direct any questions to me 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

C: Joseph L. Gesmundo
Roger E. Hinman
Rich MacDonald

Perspective



650 Trade Center Way



RSA | RSA Design Group LLC
Architects

REFERENCE NOTES

1. PAINT LOUVERS SIMILAR TO ADJACENT WALL FINISH.
2. MECHANICAL LOUVERS SHOULD BE ARRANGED SIMILAR TO WINDOW PATTERN.
3. MECHANICAL LOUVERS TO BE MATCHED ON THIS SHEET FOR MATERIALS AND COLOR.
- 4.

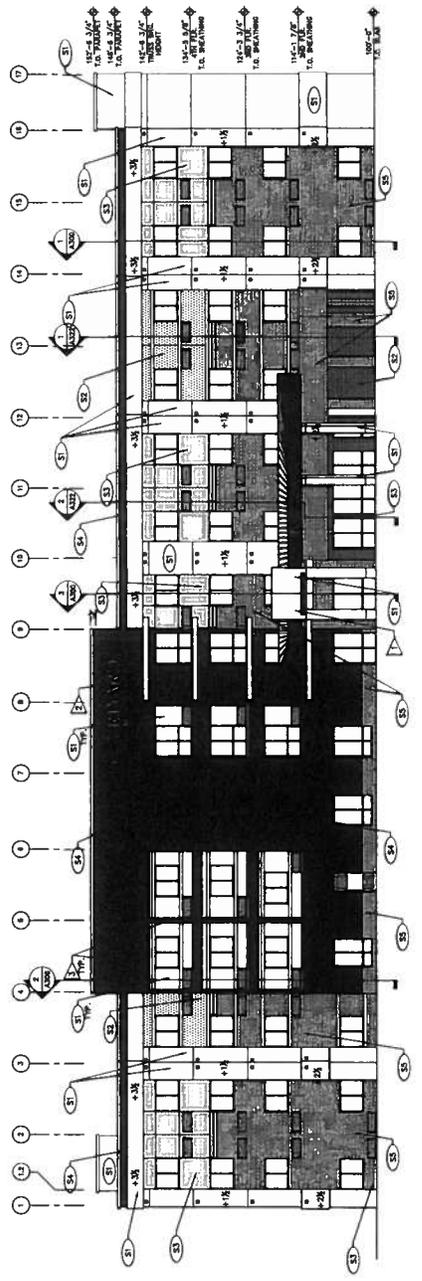
CRITERIA NOTES

- △ PAINT CODES. SEE SHEET A312 FOR DETAILS.
- △ CENTER SKIN AT APOL OF ANC.
- △ 3/4" x 3/4" REVEAL.

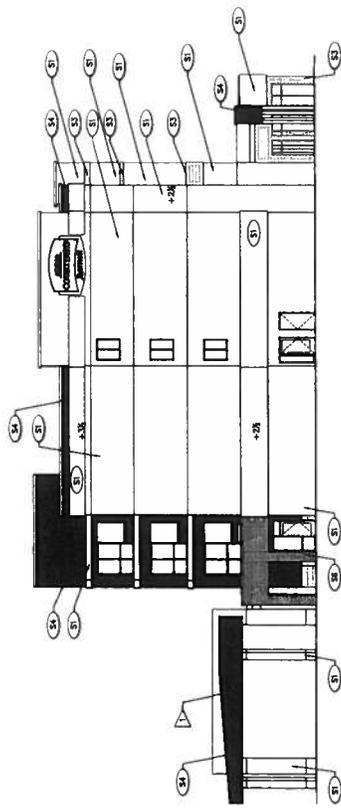
EXTERIOR FINISH KEY

	EX-1 EX-1 COLOR 1 COLOR: CAPTAN SAMPLABLE
	EX-2 EX-2 COLOR 2 COLOR: TOTALLY TAN SAMPLABLE
	EX-3 EX-3 COLOR 3 COLOR: SMOKEY TOPAZ QUARTZITE
	EX-4 EX-4 COLOR 4 COLOR: ANTHRACITE PATINA REFLECT (SPECIALTY METAL FINISH)
	EX-5 EX-5 COLOR 5 COLOR: PLACED TAN SMOOTH FS HONEY TAIL

1. ALUMINUM WINDOWS: DARK BRONZE
2. MECHANICAL LOUVERS: PAINT TO MATCH EX-5.
3. ALUMINUM ENTRANCE DOOR: DARK BRONZE
4. HVAC UNITS: PAINT TO MATCH EX-5.
5. METAL ROOFING: ANTHRACITE PATINA



1 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



2 EAST ELEVATION
SCALE: 3/32" = 1'-0"



**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER RESOURCES DIVISION
PERMIT**

ISSUED TO:

Trade Centre Holdings, LLC
Attn: Mr. Rich MacDonald
750 Trade Centre Way, Suite 100
Kalamazoo, MI 49002

Permit No.	10-39-0075-P
Issued	March 9, 2012
Extended	
Revised	
Expires	March 9, 2017

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and specifically:

- | | |
|--|---|
| <input type="checkbox"/> Part 301, Inland Lakes and Streams | <input type="checkbox"/> Part 315, Dam Safety |
| <input type="checkbox"/> Part 325, Great Lakes Submerged Lands | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input checked="" type="checkbox"/> Part 303, Wetlands Protection | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input checked="" type="checkbox"/> Part 31, Floodplain/Water Resources Protection | |

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Permitted Activity:

Place approximately 6,923 cubic yards of fill in approximately 0.42 acres of emergent wetland, of which 1,691 cubic yards is in the 100-year floodplain of the West Fork of Portage Creek, for the purpose of constructing a multi-use commercial facility. Place approximately fifteen cubic yards of clean riprap to construct three storm water outlets adjacent to the West Fork of Portage Creek.

Excavate approximately 4,475 cubic yards of material from the compensation & mitigation site to restore floodplain and wetland functions adjacent to Portage Creek, resulting in a minimum of 0.63 acres of wetland restoration. Construct a 10 foot wide by 200 foot long elevated, open-pile boardwalk following the mitigation construction. All work shall be completed in accordance with the attached plans dated by the WRD.

Water Course Affected: Wetland contig. to Portage Creek
Property Location: Kalamazoo County, City of Portage, Section 4
Town/Range 3S, 11W Property Tax No. 01900-150-B

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the plans and specifications submitted with the application and/or plans and specifications attached hereto.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved herein.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that act.

- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of the MDEQ.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. Work to be done under authority of this permit is further subject to the following special instructions and specifications:

1. The design flood or 100-year floodplain elevation at this location on the West Fork of Portage Creek is approximately 852 feet NAVD88.
2. The project is located within a community that participates in the National Flood Insurance Program (NFIP). As a participant in the NFIP, the community must comply with the Michigan Building Code 2009 (including Appendix G and listed supporting materials), the Michigan Residential Code 2009, and Title 44 of the Code of Federal Regulations, Part 60 Criteria for Land Management and Use. The community is also responsible to ensure that its floodplain maps and studies are maintained to show changes to flood elevations and flood delineations as described in 44 CFR, Part 65.
3. Any other filling, grading, or construction within the 100-year floodplain will require a separate MDEQ permit before starting the work.
4. The compensating cut (excavations) for floodplain fill, as authorized by this permit, shall be completed prior to, or concurrently with, the placement of the fill. Alternatively, should the mitigation/compensation site be unavailable at the time of construction, the permittee may delay the compensating cut excavations until such time that the site is available. **Failure to complete the compensating cut prior to expiration of this permit shall be considered a permit violation.** The compensating cut and fill areas shall be properly stabilized to prevent soil erosion and off site sedimentation in conformance with Part 91, Soil Erosion and Sedimentation Control (Part 91), of the NREPA.
5. The proposed fill will change the 100-year floodway boundary and the 100-year flood elevation that are published in the community's Flood Insurance Rate Map and/or Flood Elevation Study.

A Conditional Letter of Map Revision must be received from the Federal Emergency Management Agency (FEMA) prior to placement of the fill or start of work. A Letter of Map Revision must be obtained upon completion of the project.

The requirements found in Section 65.5(a) of the FEMA's 44 CFR Part 65 must be followed. Along with the review of the technical data involving the potential impacts to the regulatory floodway, the local community must determine that areas that will be removed from the floodplain and any existing or proposed structures are "reasonably safe from flooding." ("Reasonably safe from flooding" means that base flood waters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters related to the base flood will not damage existing or proposed buildings.)

This information shall include professional certification regarding the fill material, compaction tests, etc.; and it may also include a signed and stamped certification by a qualified design professional indicating the land or structures to be removed from the SFHA are reasonably safe from flooding according to the criteria described in Technical Bulletin 10-01. Technical Bulletin may be accessed on the internet at www.fema.gov/plan/prevent/floodplain/techbul.shtm.

6. The lowest floor of any structure, including basement, shall be elevated one foot above the design flood elevation.
7. MBC 1612.4.2 Type II buildings (as defined in ASCE 24 table 1-1) shall have the lowest floors elevated one foot above 100-year design flood elevation.

The elevation requirements of referenced standard ASCE 24 must be met for electrical, plumbing, mechanical, heating, ventilation, and air conditioning components.

8. Authority granted by this permit does not waive permit requirements under Part 91 of the NREPA, or the need to acquire applicable permits from the City of Portage Municipal Enforcing Agency (MEA).
9. A storm water discharge permit may be required under the Federal Clean Water Act for construction activities that disturb one or more acres of land and discharge to surface waters. For sites over five (5) acres, the permit coverage may be obtained by a Part 91 permit and filing a "Notice of Coverage" form to the MDEQ's Water Resources Division. For sites with disturbance from one acre up to five acres, storm water coverage is automatic once the Part 91 permit is obtained. These one to five acre sites are not required to apply for coverage, but are required to comply with storm water discharge permit requirements. Information on the storm water discharge permit is available from the MDEQ's Water Resources Division's Storm Water Permit Program at: www.mi.gov/degstormwater.
10. The permittee acknowledges that the dredged material at the mitigation/compensating site has not been classified as to contaminant status. Disposal of the dredged sediments is to uplands. If the dredged sediments are determined to be contaminated at a future date, permittee is considered a potentially responsible party and remains liable for any and all necessary site restoration and clean up under Part 115, Solid Waste Management, and Part 201, Environmental Remediation, of the NREPA.
11. The riprap shall consist of clean stone/rock that is free of paint, soil, other "fines", asphalt, soluble chemicals, and organic material. The riprap shall be of appropriate weight and dimension necessary to achieve the intended erosion protection.
12. Fill shall not be placed to prevent surface water drainage across the site. Site runoff shall be directed to public or natural drainage ways and not unnaturally discharged onto adjacent properties.
13. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.

Wetland Mitigation

The permittee shall, as a primary condition of this permit, mitigate the loss of 0.42 acres of emergent wetland. The authorization granted by this permit is contingent upon the completion of mitigation as follows:

- a. A minimum of 0.63 acre of historically impacted urban former wetland area shall be restored in accordance with plans approved by the MDEQ. If the permit conditions modify the mitigation plan, the permit conditions shall take precedence over the mitigation plan.
- b. The approved wetland mitigation area is adjacent to, and is contiguous to Portage Creek. Portage Creek is the subject of a current United States Environmental Protection Agency (EPA) clean-up effort. The stream reach adjacent to the wetland mitigation site is scheduled for completion in approximately two years. Final construction of the wetland mitigation is scheduled to occur upon completion of the EPA clean-up effort. If, due to unforeseen circumstances, the completion of the EPA clean-up effort is delayed beyond the expiration date of this permit, the MDEQ will allow additional reasonable time to complete the wetland mitigation, provided that the financial assurance document remains in full force and effect. If the financial assurance document expires for any reason prior to the completion of construction of the wetland mitigation site, and subsequent monitoring and reporting requirements, a new financial assurance document will be provided to the MDEQ by the permittee. All wetland mitigation requirements and permit conditions must be adhered to.
- c. The mitigation grading, planting, and introduction of hydrology shall be constructed prior to or concurrent with initiating any other permitted activities and shall be completed concurrent with or

prior to the date of construction completion or permit expiration, whichever comes first (see permit condition #4).

- d. The permittee shall provide a bond or letter of credit to the MDEQ in a form identical to the financial assurance models on the MDEQ's website at www.mi.gov/wetlands in the amount of \$40,000.00 to ensure that the mitigation wetland is restored, the conservation easement is recorded, monitoring is completed, and corrective actions are performed as required to comply with the mitigation requirements and conditions of this permit. **The financial assurance document will be provided and accepted by the MDEQ prior to signature of this permit by the MDEQ.**

Prior to the transfer of this permit to another person, the new person must obtain and provide a financial instrument acceptable to the MDEQ in the name of the new person and in the amount required by this permit.

Upon request of the permittee and with the submittal of adequate proofs, the MDEQ may release portions of the financial instrument in accordance with the following guidelines:

50 percent of the financial instrument may be released after the MDEQ concurs that the mitigation grading and planting have been completed, and that proper hydrology has been established for a minimum of two years after construction of the mitigation wetland.

The remaining 50 percent of the financial instrument will be released upon all of the following:

- i. Submittal of all the required monitoring reports,
 - ii. Substantial compliance with the performance standards as outlined in this permit, and
 - iii. Final approval by the MDEQ.
- e. The permittee shall execute a conservation easement over the mitigation area (less the area around and for the elevated boardwalk, for maintenance purposes) as shown on the permit plans in a form identical to the conservation easement model on the MDEQ's website. The original executed conservation easement and associated exhibits must be sent to the MDEQ for review and recording within 60 days of mitigation construction. Send to: Conservation Easement Coordinator, MDEQ, Water Resources Division, P.O. Box 30458, Lansing, Michigan, 48909, with a copy of the executed easement mailed to the Kalamazoo District Office.

An acceptable executed conservation easement must be submitted to the MDEQ by the permittee within 60 days of mitigation construction.

The conservation easement boundary shall be demarcated by the placement of signs along the perimeter. The signs shall be placed at an adequate frequency, visibility, and height for viewing, made of a suitable material to withstand climatic conditions, and should be replaced as needed. The signs shall include the following language:

WETLAND CONSERVATION EASEMENT
NO CONSTRUCTION OR PLACEMENT OF STRUCTURES ALLOWED.
NO MOWING, CUTTING, FILLING, DREDGING OR
APPLICATION OF CHEMICALS ALLOWED.
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

Except as otherwise provided by this permit or approved in writing by the MDEQ, the following activities are prohibited in perpetuity within the mitigation area: alteration of topography, creation of paths, trails, or roads; placement of fill, dredging, or excavation; drainage of surface or groundwater; construction or placement of any structure; plowing, tilling, or cultivating the soils or vegetation; cutting, removal, or alteration of vegetation; including the planting of non-native plant species; construction of unauthorized utility or petroleum lines; storage or disposal of garbage, trash, debris, abandoned equipment; accumulation of machinery or other waste materials; use or

- storage of off-road vehicles; placement of billboards or signs; or the use of the wetland for the dumping of storm water (except as otherwise allowed in this permit).
- f. The mitigation site shall not be fine graded, but shall be left in a rough grade state (allowing for the establishment of micro-topography). Any planting or seeding of the mitigation site must consist of native Michigan plant materials, as submitted by Timothy Bureau Consulting, LLC.
 - g. The permittee shall notify the MDEQ's Kalamazoo District Office, in writing and within 20 days of completion of each of the following items:
 - 1) final grading
 - 2) seeding and plant installation
 - h. In the event the permitted activity is begun but not completed, the permittee or owner of record shall remain responsible for completion of the mitigation wetland and associated conditions, as determined by the MDEQ. Such determinations shall be based upon the extent of the disturbance to the existing wetlands.
 - i. Should the mitigation wetland fail to become established after two complete growing seasons, or fail to progress satisfactorily towards a self-sustaining wetland system as required by this permit, the permittee shall:
 - i. Assess the problem and its probable causes;
 - ii. develop reasonable and necessary corrective measures as a revision to original plans;
 - iii. submit proposed corrective measures to the MDEQ for confirmation and approval within 60 days of identification of the problem; and
 - iv. upon MDEQ approval, implement corrective measures.

Additional mitigation monitoring may be required to evaluate the success of the corrective measures.

Wetland Mitigation Performance Standards

The following performance standards will be used to evaluate the mitigation wetland:

- a. Construction has been completed in accordance with the MDEQ's approved plans and specifications included in the permit and mitigation plan.
- b. The mitigation wetland is characterized by the presence of water at a frequency and duration sufficient to support a predominance of wetland vegetation and the wetland types specified at the end of the monitoring period.
- c. A layer of high-quality topsoil, from the A horizon of an organic or loamy surface texture soil, is placed (or exists) over the entire wetland mitigation area at a minimum thickness of six (6) inches.
- d. The mitigation wetland shall be free of debris. Any contaminants remaining above acceptable use and applicable criteria shall be appropriately managed as required under all applicable State and Federal rules and regulations. The wetland mitigation site is known to currently contain soil and groundwater contamination from sources unrelated to Trade Center Holdings, LLC and/or Nature Ventures. All material removed from the site shall be appropriately managed as required under all applicable state and federal rules and regulations.
- e. A minimum of five (5) habitat structures, consisting of at least three (3) types, have been placed in the mitigation wetland. At least 50 percent of each structure shall extend above the normal water level. The types of acceptable wildlife habitat structures are:
 - i. Tree stumps laid horizontally within the wetland area. Acceptable stumps shall be a minimum of 6 feet long (log and root ball combined) and 12 inches in diameter.

- ii. Logs laid horizontally within the wetland area. Acceptable logs shall be a minimum of 10 feet long and 6 inches in diameter.
 - iii. Whole trees laid horizontally within the wetland area. Acceptable whole trees shall have all of their fine structure left intact (i.e., not trimmed down to major branches for installation), be a minimum of 20 feet long (tree and root ball), and a minimum of 12 inches in diameter at breast height (DBH).
 - iv. Snags which include whole trees left standing that are dead or dying, or live trees that will be flooded and die, or whole trees installed upright into the wetland. A variety of tree species should be used for the creation of snag habitat. Acceptable snags shall be a minimum of 20 feet tall (above the ground surface) and a minimum of 12 inches DBH. Snags should be grouped together to provide mutual functional support as nesting, feeding, and perching sites.
- f. Extensive open water and submergent vegetation areas having no emergent and/or floating vegetation shall not exceed 20 percent of the mitigation wetland area. Extensive areas of bare soil shall not exceed five percent of the mitigation wetland area. For the purposes of these performance standards, extensive refers to areas greater than 0.01 acre (436 square feet) in size.
- g. The mean percent cover of invasive species including, but not limited to, *Phragmites australis* (Common Reed), *Lythrum salicaria* (Purple Loosestrife), and *Phalaris arundinacea* (Reed Canary Grass) shall in combination be limited to no more than ten (10) percent within each wetland type. Invasive species shall not dominate the vegetation in any extensive area of the mitigation wetland.

If the mean percent cover of invasive species is more than ten (10) percent within any wetland type or if there are extensive areas of the mitigation wetland in which an invasive species is one of the dominant plant species, the permittee shall submit an evaluation of the problem to the MDEQ. If the permittee determines that it is infeasible to reduce the cover of invasive species to meet the above performance standard, the permittee must submit an assessment of the problem, a control plan, and the projected percent cover that can be achieved for review by the MDEQ. Based on this information, the MDEQ may approve an alternative invasive species standard. Any alternative invasive species standard must be approved in writing by the MDEQ.

If the mitigation wetland does not satisfactorily meet these standards by the end of the monitoring period, or is not satisfactorily progressing during the monitoring period, the permittee will be required to take corrective actions.

Wetland Mitigation Monitoring

The permittee shall monitor the wetland mitigation for a minimum of three (3) years following grading, planting, and introduction of hydrology. A monitoring report, which compiles and summarizes all data collected during the monitoring period, be submitted annually by the permittee. Monitoring reports shall cover the period of January 1 through December 31 and be submitted to the MDEQ prior to January 31 of the following year. The permittee shall conduct the following activities and provide the information collected in the monitoring reports:

- a. Hydrology data shall be measured and provided at sufficient sample points to accurately depict the water regime of each wetland type.
- b. Sample vegetation in plots located along transects once between July 15 and August 31. The number of sample plots necessary within each wetland type shall be determined by use of a species-area curve or other approach approved by the MDEQ. The minimum number of sample plots for each wetland type shall be no fewer than five (5). Sample plots shall be located on the sample transect at evenly spaced intervals or by another approach acceptable to the MDEQ. If additional or alternative sample transects are needed to sufficiently evaluate each wetland type, they must be approved in advance in writing by the MDEQ.

The herbaceous layer (all non-woody plants and woody plants less than 3.2 feet in height) shall be sampled using a 3.28 foot by 3.28 foot (one square meter) sample plot. The shrub and tree layer shall be sampled using a 30 foot radius sample plot. The data recorded for each herbaceous layer

sample plot shall include a list of all living plant species, and an estimate of percent cover in five (5) percent intervals for each species recorded, bare soil areas, and open water relative to the total area of the plot. The number and species of surviving, established, and free-to-grow trees and surviving, established, and free-to-grow shrubs shall be recorded for each 30-foot radius plot.

Provide plot data and a list of all the plant species identified in the plots and otherwise observed during monitoring. Data for each plant species must include common name, scientific name, wetland indicator category from the U.S. Fish and Wildlife Service's "National List of Plant Species That Occur in Wetlands" for Region 3, and whether the species is considered native according to the Michigan Floristic Quality Assessment (Michigan Department of Natural Resources, 2001). Nomenclature shall follow Voss (1972, 1985, and 1996) or Gleason and Cronquist (1991).

The locations of sample transects and plots shall be identified in the monitoring report on a plan view showing the location of wetland types. Each transects shall be permanently staked at a frequency sufficient to locate the transect in the field.

- c. Delineate any extensive (greater than 0.01 acre in size) open water areas, bare soil areas, areas dominated by invasive species, and areas without a predominance of wetland vegetation, and provide their location on a plan view.
- d. Document any sightings or evidence of wading birds, songbirds, waterfowl, amphibians, reptiles, and other animal use (lodges, nests, tracks, scat, etc.) within the wetland noted during monitoring. Note the number, type, date, and hour of the sightings and evidence.
- e. Inspect the site, during all monitoring visits and inspections, for oil, grease, man-made debris, and all other contaminants and report findings. Rate (e.g., poor, fair, good, excellent) and describe the water clarity in the mitigation wetland.
- f. Provide annual photographic documentation of the development of the mitigation wetland during vegetation sampling from permanent photo stations located within the mitigation wetland. At a minimum, photo stations shall be located at both ends of each transect. Photos must be labeled with the location, date photographed, and direction.
- g. Provide the number and type of habitat structures placed and representative photographs of each structure type.
- h. Provide a written summary of data from previous monitoring periods and a discussion of changes or trends based on all monitoring results. This summary shall include a calculation of the acres of each wetland type established, a plan view drawing depicting each ecological type, and identification of all performance standards and whether each standard has been met.
- i. Provide a written summary of all the problem areas that have been identified and potential corrective measures to address them.

A qualified individual able to identify plants to genus and species must conduct the wetland monitoring. The MDEQ reserves the right to reject reports with substandard monitoring data.

The MDEQ will determine if the performance standards have been met. If the performance standards have not been met, the MDEQ may require subsequent annual monitoring until final approval from the MDEQ can be granted.

Prior to final written approval of the mitigation by the MDEQ, the permittee shall submit the following:

- i. A written statement that the mitigation is complete and request for final approval of the mitigation.
- ii. A copy of the permit.

- iii. "As-built" plans and specifications signed and sealed by a registered surveyor or licensed engineer.
 - ii. A surveyed boundary of the established wetland within the mitigation area, including the total acreage of the mitigation wetland and the acreage of each type of wetland created.
 - iii. Complete all monitoring requirements including the submittal of all required monitoring reports.
14. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representatives of the permittee, undertaken in connection with this permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
15. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity and/or mitigation plan from the MDEQ. Such revision requests shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
16. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to accept transfer of the permit. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.
17. When issued, this permit will be issued for the maximum 5-year duration allowed under Part 303, Wetlands Protection (Part 303), of the NREPA, including all permit extensions allowed under the relevant Part 303 Administrative Rules, being R281.923. Therefore, **no extensions of this permit can be granted**. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition.

This permit shall become effective on the date of the MDEQ representative's signature. Upon signing and dating by the permittee named herein, this permit and all of the signed and dated permit drawings must be returned to the MDEQ's Water Resources Division, Kalamazoo District office at MDEQ-WRD, 7953 Adobe Road, Kalamazoo, MI, 49009 for final execution.

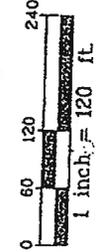
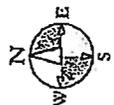
The Permittee hereby accept and agree to comply with the terms and conditions of this permit.

X Richard MacDonald 3-9-12
Permittee Date

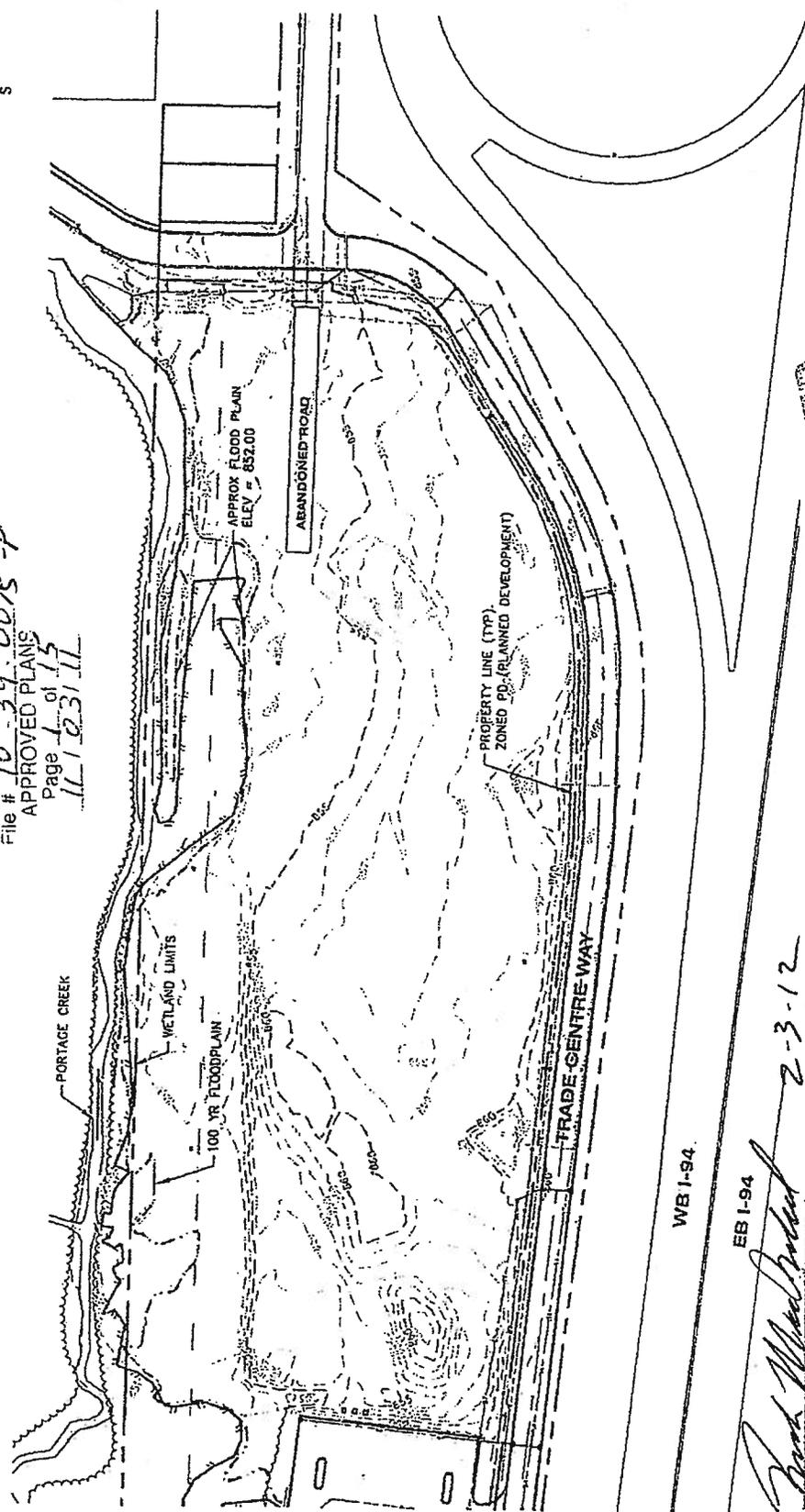
X Rich MacDonald Authorized Agent
Printed Name and Title of Permittee

By: Larry Poynter
Larry Poynter
Water Resources Division
269-567-3566

- cc: Mr. Roger Himnan, Trade Center Holdings, LLC
- Mr. Andy Wenzel, Hinman Company
- Dr. William M. Rose, Nature Ventures, Inc.
- City Manager, City of Portage
- Mr. Chris Barnes, City of Portage Engineer
- Dr. Pat Crowley, Kalamazoo County Drain Commissioner
- City of Portage MEA
- City of Portage Building Department
- Hurley & Stewart
- Mr. Tim Bureau, Timothy Bureau Consulting, LLC
- Mr. David L. Schultz, Schultz Land & Water Consulting, Inc.
- Mr. Kregg Smith, MDNR Fisheries Div., Plainwell OSC
- Mrs. Colleen O'Keefe, MDEQ
- Mr. Ernie Sarkipato, MDEQ



WRD
DEC. 11, 2011
File # 10-39-0075-P
APPROVED PLANS
Page 1 of 15
11.10.31.11



 Hurley & Stewart 289.552.4980 Fax 289.552.4391 4340000 Michigan 49002 2800 South 11th Street Hurley & Stewart, LLC www.hurleyandstewart.com	Job No.: 09-002D Date: 9/21/11 Scale: as noted P.L.: TDI City: SC Client: TRADE CENTRE HOLDINGS, LLC	EXISTING CONDITIONS TRADE CENTRE WETLANDS	Title: Project: Drawing No.: 2
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WB 1-94

ES 1-94

[Signature]
Signature

2-3-12

Date

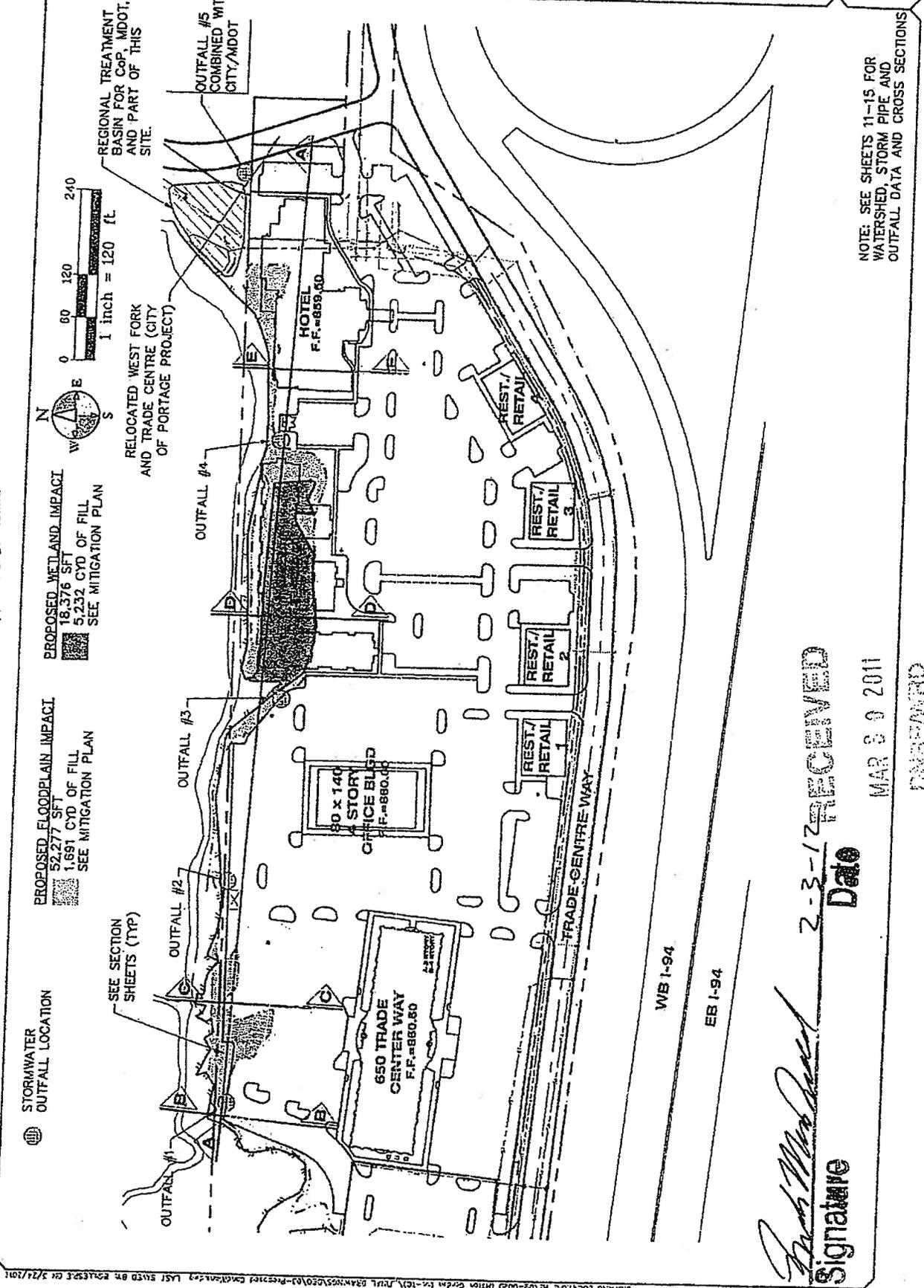
RECEIVED

MAR 30 2011

PERMIT CONSULTATION UNIT SURVEY DATUM IS NAVD1988

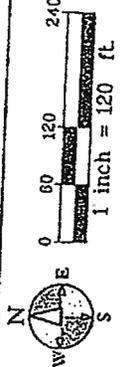
DEQ-LIQUID
 File # 10-34-0075-P
 APPROVED PLANS
 Page 2 of 15
 11/03/11

Title: PROPOSED CONDITIONS
 Project: TRADE CENTRE WETLANDS
 Client: TRADE CENTRE HOLDINGS, LLC
 Drawing No. 3
 Job No.: 09-0020
 Date: 3/21/11
 Scale: as noted
 P.L.: TDN
 RC
 3/21/11
 Hurley & Stewart
 2800 South 11th Street
 Oklahoma, Oklahoma 73109
 280.532.4900 Fax 280.532.4901
 www.hurleyandstewart.com



PROPOSED FLOODPLAIN IMPACT
 52,277 SFT
 1,891 CYD OF FILL
 SEE MITIGATION PLAN

PROPOSED WETLAND IMPACT
 18,376 SFT
 5,232 CYD OF FILL
 SEE MITIGATION PLAN



Signature: *[Handwritten Signature]*
 Date: 2-3-12 RECEIVED
 MAR 30 2011

NOTE: SEE SHEETS 11-15 FOR
 WATERSHED, STORM PIPE AND
 OUTFALL DATA AND CROSS SECTIONS

ENGINEERED
 PERMIT CONSOLIDATION UNIT

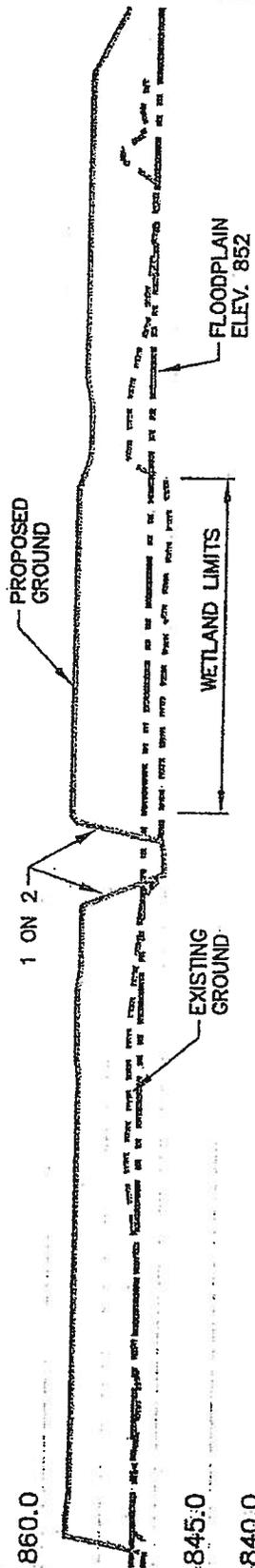
WB 1-94
 EB 1-94

DRAWING LOCATED AT: 103-0020 (When Green for TDN, FULL DRAWINGS/02/01-Resealed Conditions) LAST SAVED BY: RJA/SPC ON: 3/27/2011

W.R.P.
 DIEQ-LABEL
 File # / 0 - 39 - 0075 - P
 APPROVED PLANS
 Page 4 of 15
 11/23/11

SECTION: A-A

870.0
 865.0
 860.0
 845.0
 840.0



SCALE:
 HORIZONTAL: 1"=150'
 VERTICAL: 1"=15'

Shane M. [Signature]
 Signature
 Date 2-3-12

RECEIVED

MAR 30 2011
 RECEIVED
 PERMIT CONSULTATION UNIT

PROPOSED FLOODPLAIN IMPACT
 52,277 SFT
 1,691 CYD OF FILL
 SEE MITIGATION PLAN

PROPOSED WETLAND IMPACT
 18,376 SFT
 5,232 CYD OF FILL
 SEE MITIGATION PLAN



hurley & stewart, llc
 2800 south 11th street
 kalamazoo, michigan 49009
 269.662.4900 fax 269.652.4981
 www.hurleystewart.com

Job No: 09-002D
 Date: 3/21/11
 Scale: as noted
 P.M.: TDH
 D/E: BG
 QA/QC: 3/21/11

Title: **A-A SECTION**
 Project: **TRADE CENTRE WETLANDS**
 Client: **TRADE CENTRE HOLDINGS, LLC**

Drawing No.
4

SECTION: B-B

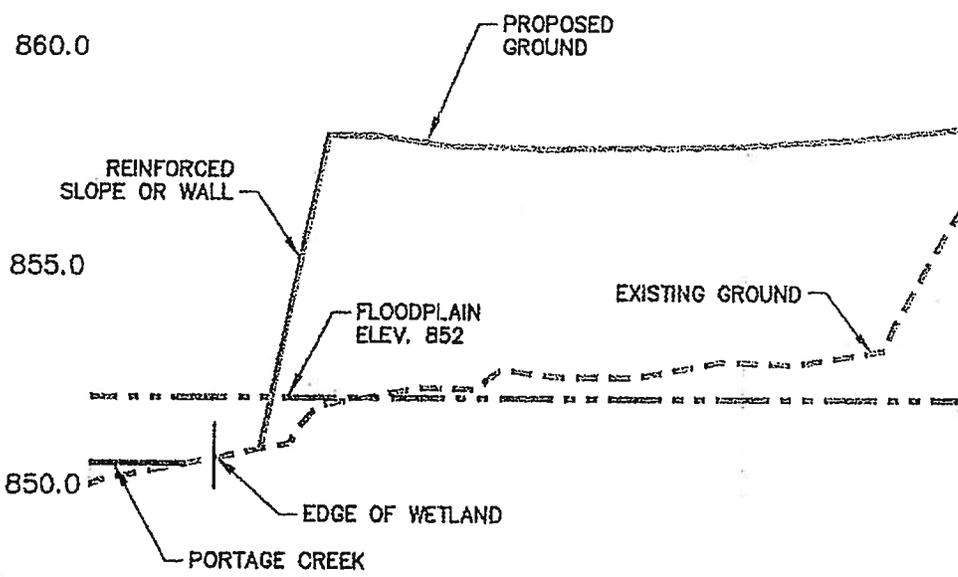
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HORIZONTAL: 1"=40'
VERTICAL: 1"=4'

wro
DEQ-14416
File # *10-39-0075-P*
APPROVED PLANS
Page *5* of *15*
11/23/11

NOTE: ALL SPOILS TO BE SPREAD ON UPLAND AREA

865.0

Paul McDonald *2-3-12*
Signature Date



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DREWARD
PERMIT CONSOLIDATION UNIT

845.0
840.0

PROPOSED FLOODPLAIN IMPACT
52,277 SFT
1,691 CYD OF FILL
SEE MITIGATION PLAN

PROPOSED WETLAND IMPACT
18,376 SFT
5,232 CYD OF FILL
SEE MITIGATION PLAN



hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.552.4600 fax 269.552.4861
www.hurleystewart.com

Job No.: 08-002D
Date: 3/21/11
Scale: as noted
P.M.: TDH
Dtl: BG
QA/QC: 3/21/11

Title: **B-B SECTION**
Project: **TRADE CENTRE WETLANDS**
Client: **TRADE CENTRE HOLDINGS, LLC**

Drawing No.

5

SECTION: C-C

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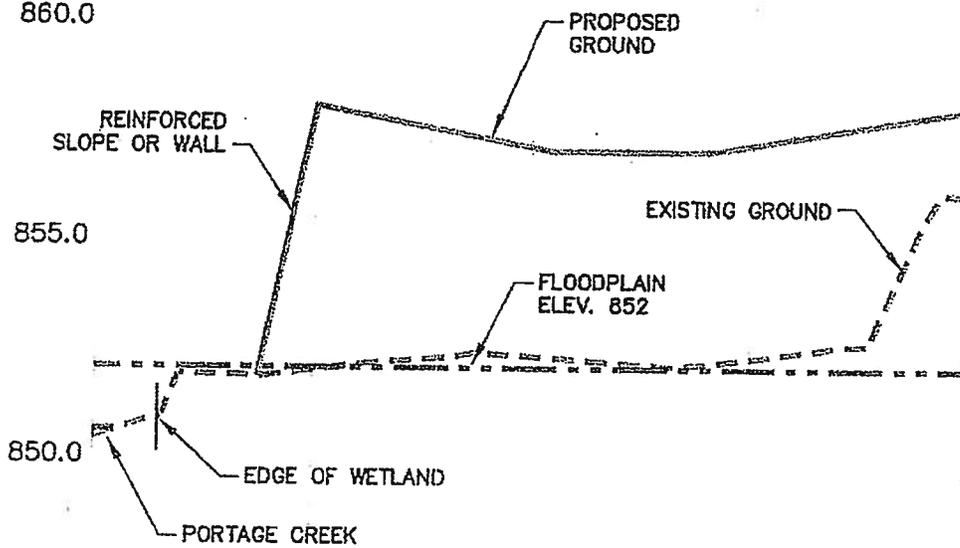
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DEQ-LWMU
File # *10-39-0075-p*
APPROVED PLANS
Page *6* of *15*
11/03/11

NOTE: ALL SPOILS TO BE
SPREAD ON UPLAND AREA

865.0

Paul M. Paulson *2-3-11*
Signature Date

860.0



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MAR 30 2011

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PERMIT CONSOLIDATION UNIT

PROPOSED FLOODPLAIN IMPACT
52,277 SFT
1,691 CYD OF FILL
SEE MITIGATION PLAN

PROPOSED WETLAND IMPACT
18,376 SFT
5,232 CYD OF FILL
SEE MITIGATION PLAN



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2800 south 11th street
kalamazoo, michigan 49009
269.532.4900 fax 269.532.4901
www.hurleystewart.com

Job No.: 09-0020
Date: 3/21/11
Scale: as noted
P.M.: TDH
Dit: BG
QA/QC: 3/21/11

Title: **C-C SECTION**
Project: **TRADE CENTRE WETLANDS**
Client: **TRADE CENTRE HOLDINGS, LLC**

Drawing No.

6

SECTION: D-D

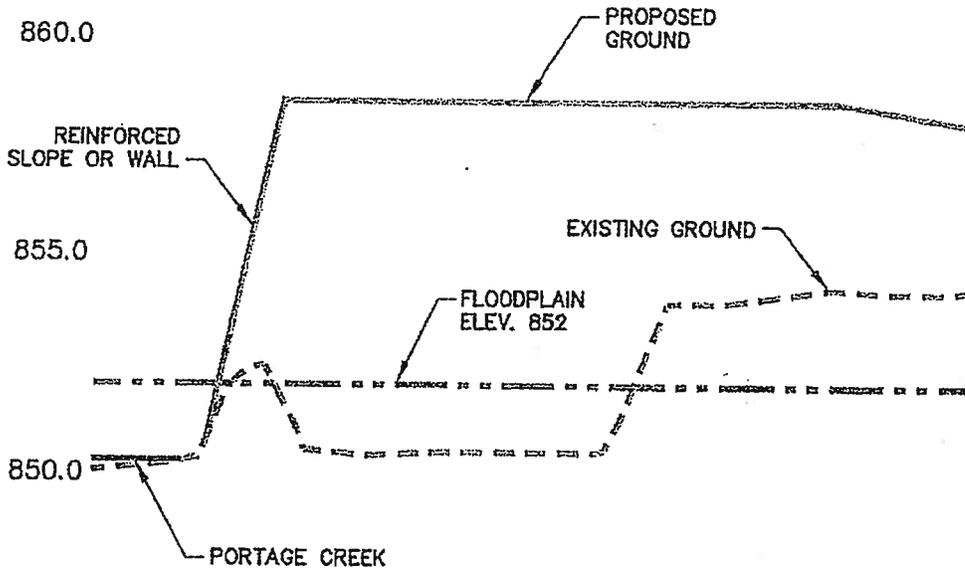
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DEQ-~~LAND~~
File # *10-39-0075-P*
APPROVED PLANS
Page *7* of *15*
11/03/11

NOTE: ALL SPOILS TO BE SPREAD ON UPLAND AREA

865.0

[Signature] *2-3-12*
Signature Date



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MAR 30 2011

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PERMIT CONSOLIDATION UNIT

PROPOSED FLOODPLAIN IMPACT
52,277 SFT
1,691 CYD OF FILL
SEE MITIGATION PLAN

PROPOSED WETLAND IMPACT
18,376 SFT
5,232 CYD OF FILL
SEE MITIGATION PLAN



hurley & stewart, llc
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kalamazoo, michigan 49009
269.562.4980 fax 269.532.4981
www.hurleystewart.com

Job No.: 08-002D
Date: 3/21/11
Scale: as noted
P.M.: TDH
D/E: BG
QA/QC: 3/21/11

Title: **D-D SECTION**
Project: **TRADE CENTRE WETLANDS**
Client: **TRADE CENTRE HOLDINGS, LLC**

Drawing No.

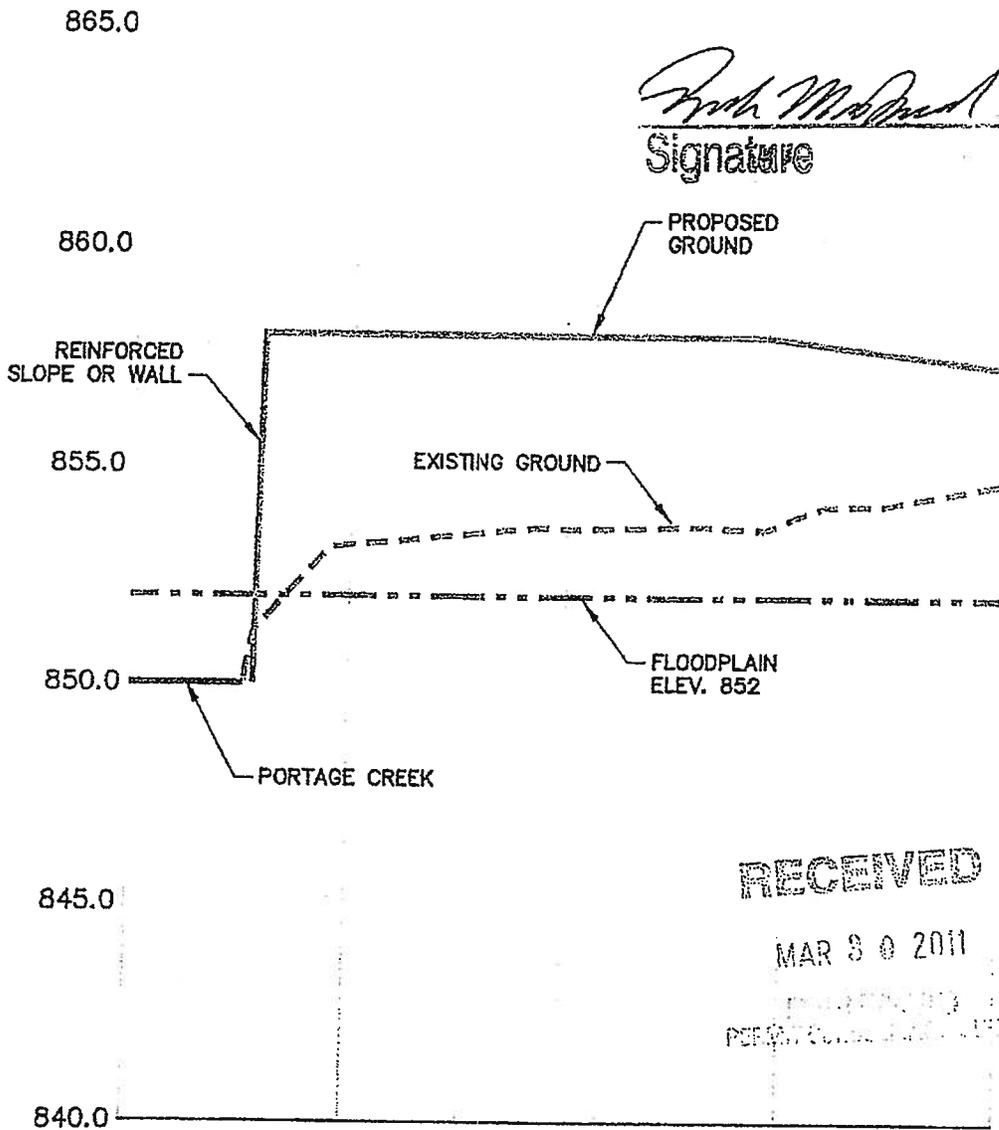
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DEQ-LWMB *WRD*
File # *10-39-0275-P*
APPROVED PLANS
Page *8* of *15*
11/03/11

NOTE: ALL SPOILS TO BE SPREAD ON UPLAND AREA



Frank M. [Signature] 2-3-12
Signature Date

PROPOSED FLOODPLAIN IMPACT
52,277 SFT
1,691 CYD OF FILL
SEE MITIGATION PLAN

PROPOSED WETLAND IMPACT
18,376 SFT
5,232 CYD OF FILL
SEE MITIGATION PLAN



hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.852.4900 fax 269.852.4991
www.hurleystewart.com

Job No.: 09-002D
Date: 3/21/11
Scale: as noted
P.L.: TDH
DIT: BG
QA/QC: 3/21/11

Title: **E-E SECTION**
Project: **TRADE CENTRE WETLANDS**
Client: **TRADE CENTRE HOLDINGS, LLC**

Drawing No. **8**

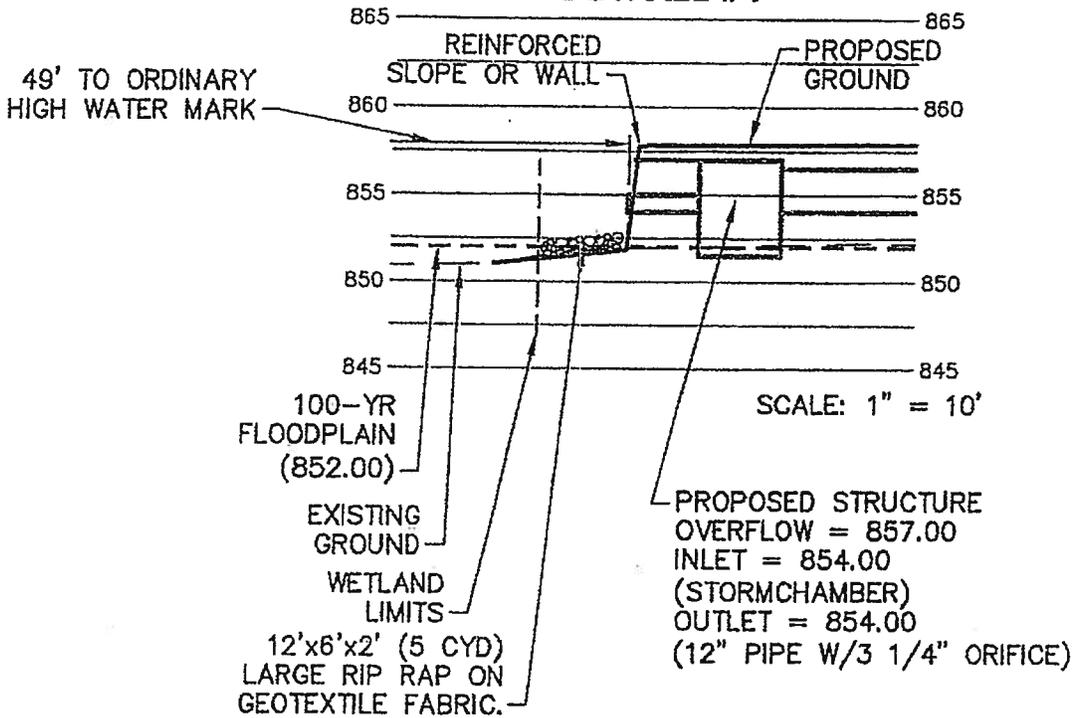
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File # 10-39-0075-P
APPROVED PLANS
Page 9 of 15
11/23/11

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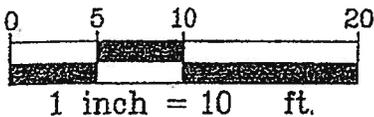
MAR 30 2011

DNRE/WRD
PERMIT CONSOLIDATION UNIT

OUTFALL #1



NOTE: SEE STORM CALCULATIONS ATTACHED TO REVISED PERMIT



Rach McLeod 2-7-12
Signature Date



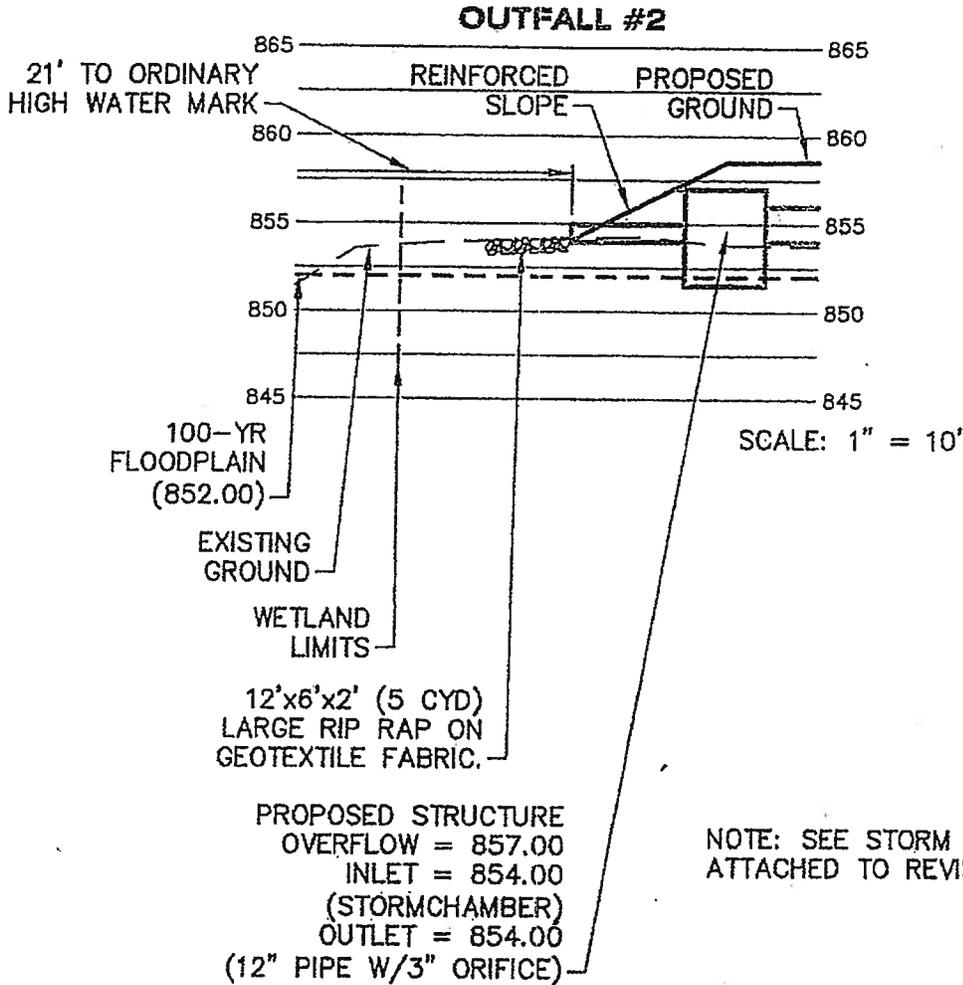
hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.532.4950 fax 269.532.4961
www.hurleystewart.com

Job No.: 09-002D
Date: 3/21/11
Scale: as noted
P.M.: TDH
D/I: BG
QA/QC: 3/21/11

Title: WATERSHED AREA 1 DETAIL
Project: TRADE CENTRE WETLANDS
Client: TRADE CENTRE HOLDINGS, LLC

Drawing No.
10A

WRD
DEQ-LWWD
File # 10-39-0075-P
APPROVED PLANS
Page 10 of 15
11/10/31/11

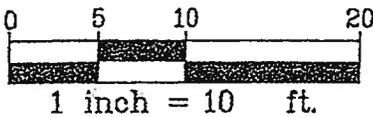


NOTE: SEE STORM CALCULATIONS ATTACHED TO REVISED PERMIT

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MAR 30 2011

DNRE/WRD
PERMIT CONSOLIDATION UNIT



Paul Marshall 2-3-11
Signature Date



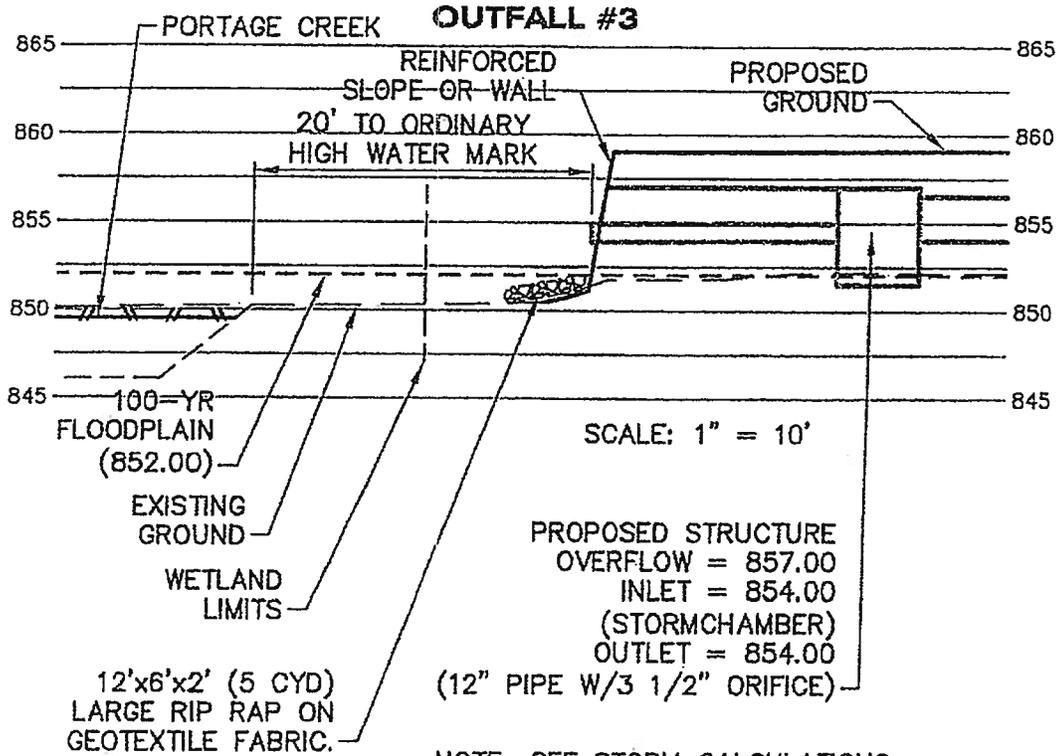
hurley & stewart, llc
2800 south 11th street
kalamazoo, michigan 49009
269.532.4960 fax 269.532.4961
www.hurleystewart.com

Job No.: 09-002D
Date: 3/21/11
Scale: as noted
P.M.: TDH
D/I: BG
QA/QC: 3/21/11

Title: WATERSHED AREA 2 DETAIL
Project: TRADE CENTRE WETLANDS
Client: TRADE CENTRE HOLDINGS, LLC

Drawing No.
11A

wRD
DEC. 14/11
File # 10-34-0075-P
APPROVED PLANS
Page 11 of 15
11.03.11

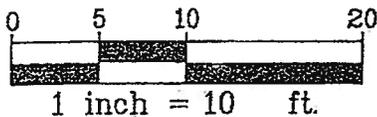


Paul McDowell 2-3-12
Signature Date

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MAR 30 2011

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PERMIT CONSOLIDATION UNIT



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2800 south 11th street
kalamazoo, michigan 49009
269.552.4980 fax 269.552.4981
www.hurleystewart.com

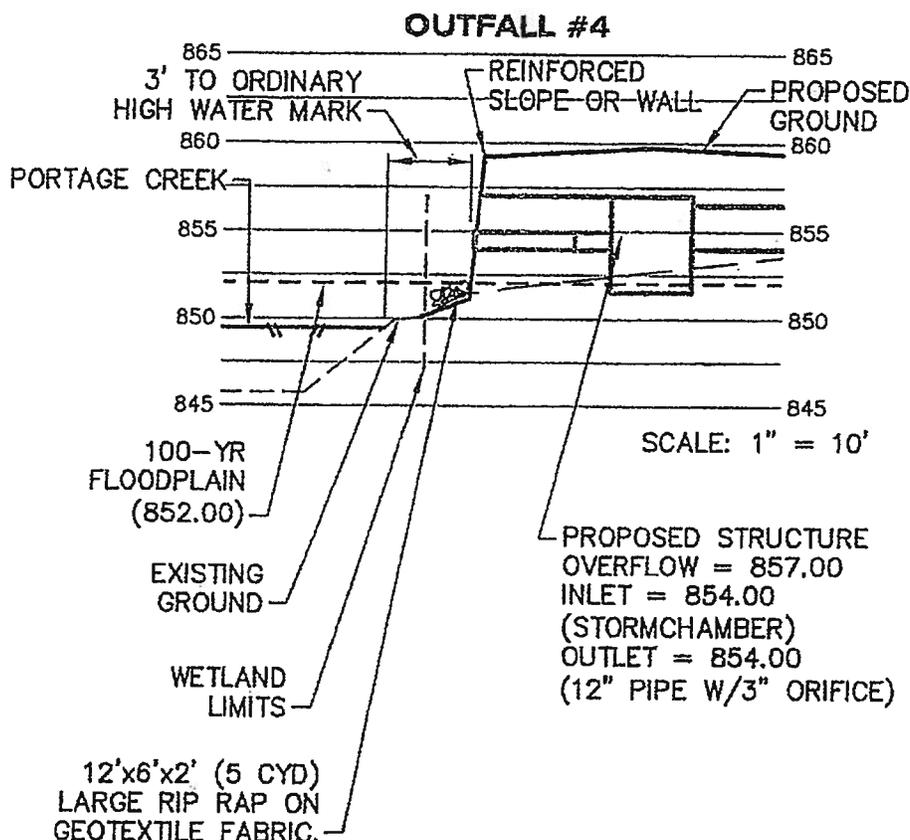
Job No: 09-002D
Date: 3/21/11
Scale: as noted
P.M.: TDH
Dlt: BG
QA/QC: 3/21/11

Title: WATERSHED AREA 3 DETAIL
Project: TRADE CENTRE WETLANDS
Client: TRADE CENTRE HOLDINGS, LLC

Drawing No.

12A

WRD
 REQ. LAND
 File # 10-39-0075-P
 IMPROVED PLANS
 Page 12 of 15
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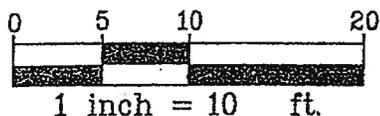
NOTE: SEE STORM CALCULATIONS ATTACHED TO REVISED PERMIT

Bob MacDuff 2-3-12
 Signature Date

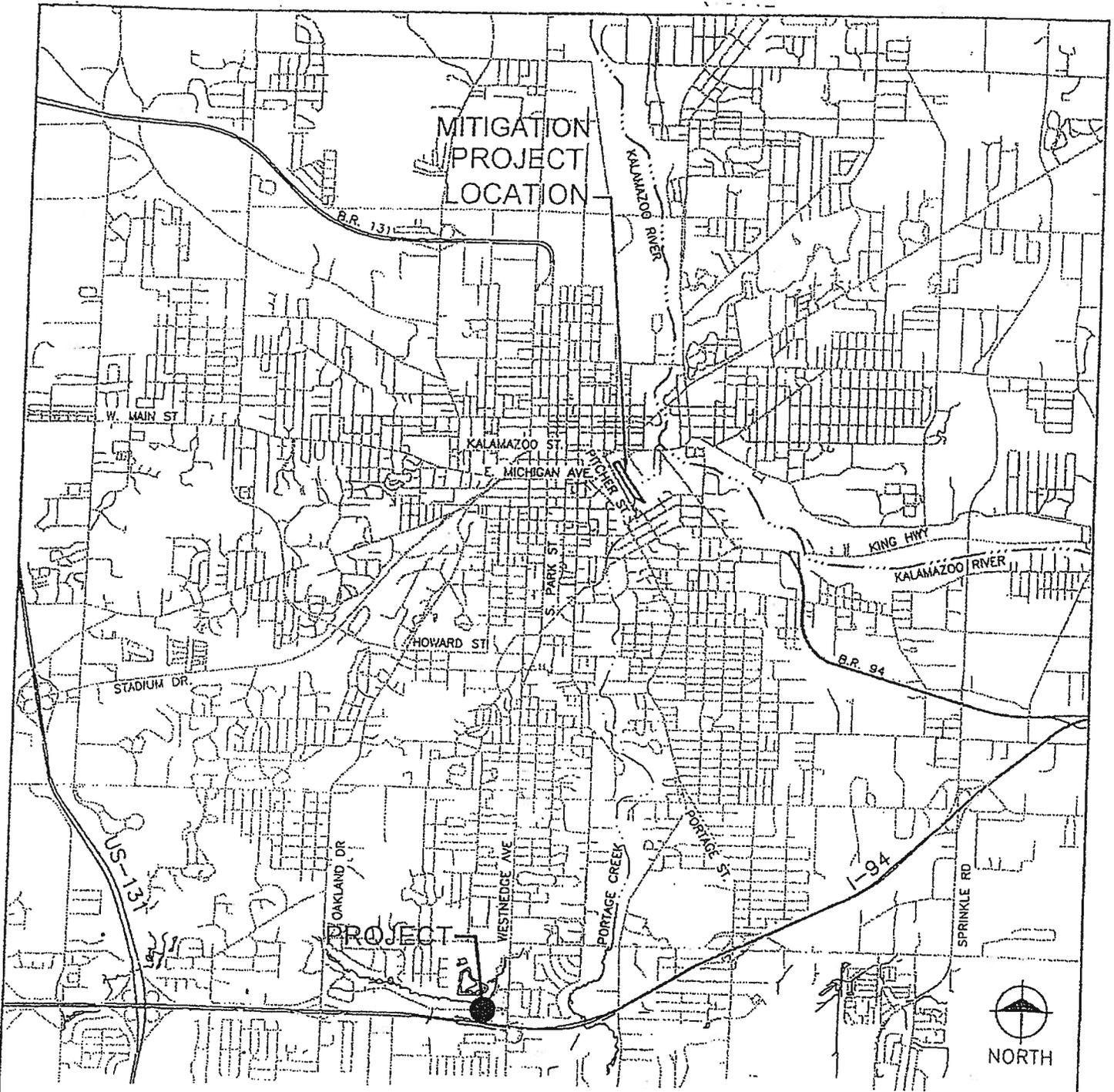
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 hurley & stewart	hurley & stewart, llc 2800 south 11th street kalamazoo, michigan 49009 269.552.4960 fax 269.552.4961 www.hurleyastewart.com	Job No.: 09-002D Date: 3/21/11 Scale: as noted P.M.: TDH D/E: BG QA/QC: 3/21/11	Title: WATERSHED AREA 4 DETAIL Project: TRADE CENTRE WETLANDS Client: TRADE CENTRE HOLDINGS, LLC	Drawing No. 13A
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LOCATION MAP
SCALE: 1" = 5000'

WRD
DEQ-LWRD
File # 10-39-0075-P
APPROVED PLANS
Page 14 of 15
11/03/11

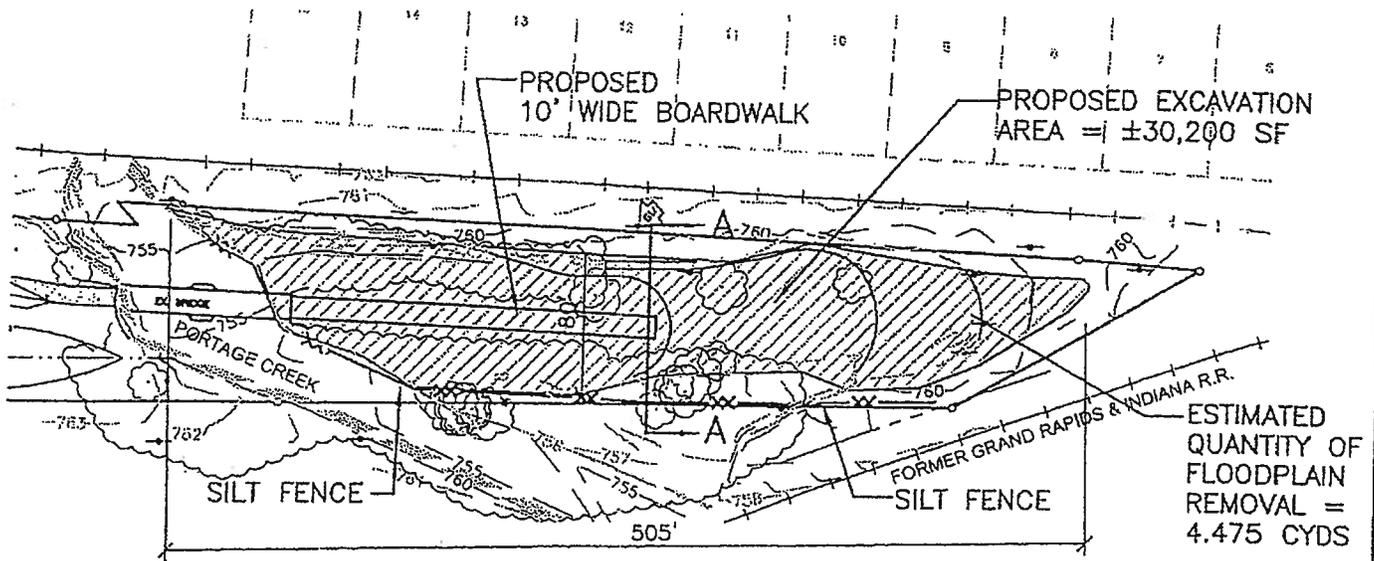
RECEIVED
OCT 18 2010

[Handwritten Signature]
Signature

DNRE/WRD
PERMIT CONSOLIDATION UNIT
2-312 Date

LOCATION MAP
APPLICANT: TRADE CENTRE HOLDINGS, L.L.C.
WATERWAY: PORTAGE CREEK
CITY/TOWNSHIP: CITY OF KALAMAZOO
COUNTY: KALAMAZOO COUNTY
NUMBER OF SHEETS: 1 OF 2
DATE: 7/28/2009

BENCHMARK ELEVATION: 761.94
 COTTON SPINDLE ON WEST SIDE OF UTILITY POLE; 39° NORTHEAST
 OF MW-703D; 17' WEST OF WESTERLY RAIL FOR RAILROAD.
 DATUM: NAVD88



NOTE:
 SEE SEEDING AND PLANTING
 PLAN FOR REVEGETATION
 AND RESTORATION NOTES
 AND SPECIFICATIONS

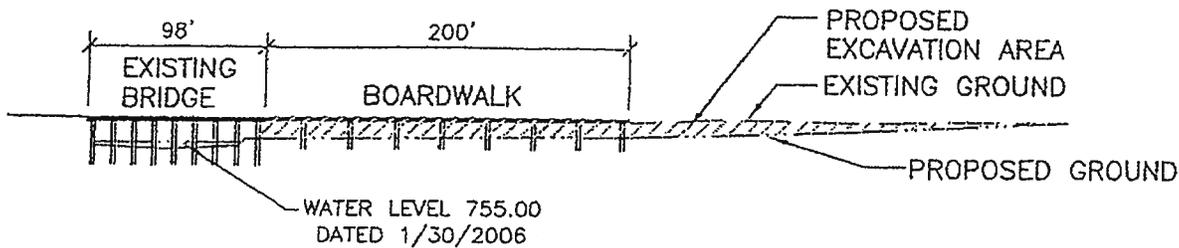


SITE PLAN

SCALE: 1" = 100'

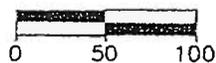


wld
 DEC 14 2011
 File # *10-39-0075-P*
 APPROVED PLANS
 Page 15 of 15
11/23/11



ELEVATION VIEW OF EXCAVATION AREA

SCALE: 1" = 100'



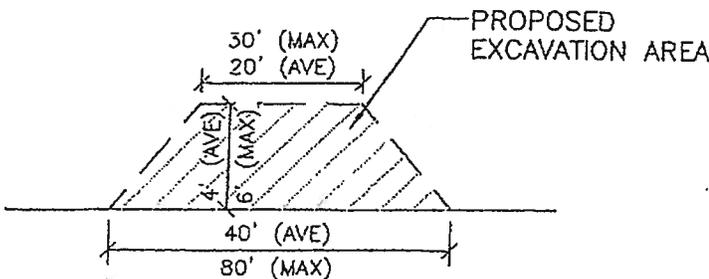
Frank M. Paul
Signature

2-3-12
Date

RECEIVED

OCT 18 2010

DNRE/WRD
 PERMIT CONSOLIDATION UNIT



SECTION A-A
 NO SCALE

WETLAND/FLOODPLAIN MITIGATION PLAN

APPLICANT: TRADE CENTRE HOLDINGS, L.L.C.
 WATERWAY: PORTAGE CREEK
 CITY/TOWNSHIP: CITY OF KALAMAZOO
 COUNTY: KALAMAZOO COUNTY
 NUMBER OF SHEETS: 2 OF 2
 DATE: 7/28/2009

THE CITY OF



April 24, 2009

Mr. David O'Donnell
Kalamazoo District Supervisor
Land & Water Management Division
Michigan Department of Environmental Quality
Kalamazoo District Office
7953 Adobe Road
Kalamazoo, MI 49009-5026

Economic Development Division

445 W. Michigan Avenue, Suite 101
Kalamazoo, MI 49007
Phone 269.337.8082
Fax 269.337.8429

COKEconomicdevelopment@kalamazoo.org
www.kzoobiz.org

RE: Application for Permit 08-39-0025-P
Letter of Support for Nature Ventures, Inc. Downtown Kalamazoo Urban Nature Park
Portage Creek Wetland and Floodplain Restoration Project

Dear Mr. O'Donnell:

The Urban Nature Park site currently under development by Nature Ventures, Inc. is an approximate 4.1 acre brownfield site located at 426 East Michigan Avenue that was used as a railroad siding and for other railroad operations for over 100-years. Based on historical maps, prior to development in this area of downtown Kalamazoo, Portage Creek was a free flowing stream that had extensive wetlands and floodplain adjacent to its banks. These wetlands and low-lying areas were gradually filled in to the current condition where only a very small remnant wetland exists adjacent to the channelized Portage Creek. The majority of this fill material is known to be contaminated with heavy metals and various organic compounds.

It is our understanding that Nature Ventures, Inc. plans to remove several thousand cubic yards of contaminated fill material from the area on the site adjacent to Portage Creek, including the elevated former railroad bed that bisects the former wetland and floodplain area at the site. The original floodplain elevation will be established and a diverse, native wetland plant community will be re-established. The proposed work in the vicinity of the creek will also include the removal of debris, trash and non-native/invasive plant species. The upland area, an approximate 3.5 acres, of the site will be restored to a native prairie, similar to pre-development conditions for the area. A significant amount of work has already been conducted by Nature Ventures, Inc. on the upland portion of the property, including the removal of contaminated soil, recyclable debris, solid waste items and non-native vegetation.

The proposed plans for the site include pedestrian trails, a boardwalk and bridge over the creek and restored wetland, an approximate 0.5 acre area, with interpretive/informational signage. This project is consistent with the on-going efforts of the City of Kalamazoo in the creation of publically-accessible greenspace throughout the City, including the nearby Jack Coombs trailway and the Kalamazoo River outlook, both of which are either on or adjacent to City-owned brownfield sites.

The City will also benefit from the creation of additional floodplain at the site. This area of the City undergoes frequent flooding and the additional flood water storage will assist in reducing the impact to nearby businesses and residents. The City of Kalamazoo is excited and supportive of the proposed development at this site by Nature Ventures, Inc.

Sincerely,


Marc Hatton

Redevelopment Project Manager



July 1, 2009

Mr. Kameron Jordan
Kalamazoo District Supervisor
Land & Water Management Division
Michigan Department of Environmental Quality
7953 Adobe Road
Kalamazoo, MI 49009

Dear Mr. Jordan,

Nature Ventures, Inc., a non-profit conservation organization, is working on a project to restore a natural area on a 4.1 acre brownfield site in downtown Kalamazoo. We are referring to the site as the Urban Nature Park located at 426 East Michigan Avenue. The majority of the property is currently upland and will be restored with native pre-settlement prairie vegetation. Our plan also calls for the restoration of a native plant wetland in the area along Portage Creek.

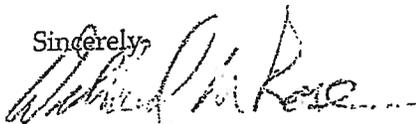
As part of this project, we began to investigate the possibility of funding the wetlands restoration portion of the project through a wetlands mitigation process. We learned about the proposed Trade Centre project along Portage Creek and have inspected that site. If the Trade Centre project is approved, it is our opinion that a wetland mitigation at the Urban Nature Park will result in a net positive for the resource and our community.

We have worked with the applicant on the plan and have given our permission to conduct the restoration on our land. Nature Ventures owns the land being proposed for the wetland and floodplain restoration/mitigation and we have no objection to a perpetual conservation easement being placed over the area.

This proposed project will assist us in completing our vision for the Urban Nature Park. There are numerous ecological, environmental and societal benefits to our project. Invasive species will be removed and replaced with a highly diverse mix of native vegetation that will create an ecologically sustainable natural community of plants and animals. Contaminants and debris will be removed as well as thousands of yards of fill creating natural flood water storage in the downtown area. This park should result in increased redevelopment of the nearby old urban core and residents and businesses will be able to experience a bit of nature along the pathways in the Park.

We look forward to working with the Department of Environmental Quality and the applicant to restore a part of the natural heritage of downtown Kalamazoo.

Sincerely,



Willard M. Rose, Ph.D.
President & CEO
Nature Ventures Inc.

phone: 616-327-3532
fax: 616-327-7679



WIGHTMAN WARD, INC.

**ENGINEERING • LAND SURVEYING
ARCHITECTURE • TESTING • ENVIRONMENTAL**

E-mail:
wightmanward@ameritech.net

GARY D. HAHN, P.S.
THOMAS A. DENEAU, P.E.
JOHN G. KAMER, P.S.
MICHAEL E. KIEWEL, P.E.
WAYNE A. KOCH, A.I.A.

9835 PORTAGE ROAD,
PORTAGE, MICHIGAN 49002

JAMIE J. DYER, P.E.
THOMAS M. RUSHLOW, P.E.
DARYL J. VELDMAN, P.E.
CHRISTOPHER J. BRAYAK, A.I.A.
MICHAEL A. FREEHLING, P.S.

January 23, 2002

Mr. Jeffrey M. Erickson, AICP
Director of Community Development
7900 South Westnedge Avenue
Portage, MI 49002

Subject: Furniture Row USA, L.L.C. Commercial Planned Development

Dear Mr. Erickson:

The following narrative is intended to supplement the conceptual plan submitted for the Furniture Row USA, L.L.C. development site, pursuant to Portage Code Sec. 42-350 "Procedure for Plan Review". The Furniture Row site is located in the Commercial Planned Development (CPD) district located north of I-94 and west of South Westnedge Avenue (see drawing for specific site location). The paragraph headings are paraphrased from the lettered required conceptual plan elements as stated in the aforementioned code section.

A. PURPOSE AND OBJECTIVES

Furniture Row intends to develop the subject parcel as a site condominium, providing building sites custom tailored to suit the varying needs of potential commercial uses. We are fully aware that this site is a "showcase" location for the City of Portage with tremendous visibility to the public, being integral to the I-94/South Westnedge Avenue interchange. Furniture Row appreciates the steps the City has taken to enhance the developability of this site (e.g. trunk sewer relocation within the site, West Fork/Andy Street extension, etc.) and looks forward to continuing this partnership to create an up-scale commercial center. The site condominium concept will serve this goal by allowing individual property ownership while maintaining high development standards and integration of the overall development as specified in the Condominium Master Deed, which will be expanded upon later in this text. The anticipated commercial uses for the site include hotel(s), restaurant(s) and retail establishments.

B. GENERAL PLAN OF DEVELOPMENT

The first condominium site to be developed will be at the extreme west end of the CPD zoned parcel. A tentative site layout is indicated on the drawings for Extended Stay America, a 101 unit hotel.

The remainder of the property is being actively marketed at this time. It is anticipated that the ultimate condominium will contain five to ten building sites. It is very difficult to provide meaningful numbers relating the to proportions of property to be devoted to each land use as no sales are imminent other than the Extended Stay America site. For discussion purposes, it is estimated that the Extended Stay America and a second hotel (approximately 100 rooms each) will occupy 20% - 30%, restaurant(s) will occupy 15% - 20% (approximately 3,500 sft - 4,500 sft buildings) and retail establishments will occupy 50% - 65% (approximately 30,000 sft - 50,000 sft buildings) of the CPD zoned parcel.

Furniture Row also owns the 12 acre (more or less) parcel immediately west of and adjacent to the CPD zoned parcel. The 12 acre parcel will be utilized in conjunction with the condominium development. As you know, the 12 acre parcel is zoned R1-C, although a court order specifically allows non residential use of the property for certain medical related uses. The northern portion of the property will be utilized, as necessary, for wetland and/or flood plain mitigation areas, storm water disposal and possibly passive recreation area (i.e. nature trails). Further development of the parcel will be considered at a later date.

C. MAP

See accompanying conceptual plan drawing.

D. OWNER/LEGAL DESCRIPTION

The owner/developer of the property is Furniture Row USA, L.L.C., 300 Union Boulevard, Suite 350, Lakewood Colorado. Legal descriptions are indicated on the conceptual plan drawing.

E. CONTIGUOUS HOLDINGS

As referenced in paragraph B. above, Furniture Row owns (in addition to the CPD zoned parcel) approximately 12 acres west of and contiguous to the CPD zoned parcel. This parcel is clearly depicted on the conceptual plan drawing. An affidavit of ownership is included with this letter.

F. PROPERTY LINES OF ADJACENT TRACTS

See accompanying conceptual plan drawing.

G. EXISTING STREETS/EASEMENTS

See accompanying conceptual plan drawing.

H. EXISTING UNDERGROUND UTILITIES

See accompanying conceptual plan drawing.

I. TOPOGRAPHY

See accompanying conceptual plan drawing.

J. USE, HEIGHT, SETBACKS

As previously stated, Extended Stay America is the only proposed site development within the CPD at this time. The hotel building is very much residential in character, as depicted on the elevation drawings. I have included a black and white, 11" x 17" drawing with this correspondence, however we will have a color elevation sheet to include in the Planning Commission and City Council agendas. These are "generic" Extended Stay America elevations. When site plan approval is sought the City will be provided with elevation drawings specific to the Portage site.

The height of the main roof line of the Extended Stay America building is 35 feet per definition of building height (this is the average of an eve line 27' 6" above grade and a ridge line 42' 3" above grade). A 35 foot building height is allowed in the CPD district, however, because the site adjoins residentially zoned property the height is limited to 25 feet and one story. Therefore, we are requesting a modification to Portage Code Section 42-551 to permit construction of the three story structure with a principle roof height of 35 feet. In addition, a "trademark" feature of Extended Stay America is their signage, which is affixed to an architectural element with a hip roof extending somewhat above the ridge of the principle roof line (see attached building elevation). The top of the sign (Eve line of the hip roof) is 46' 5" above grade and the peak is 50' 3" above grade. By definition, the building height of this small building element is 48.5 feet (rounded to the next highest 0.5 feet). We are requesting that a height modification also be granted to be allow a roof height of 48.5 feet for the small architectural element supporting the signage. The signage would be located at the extreme south end of the building (adjacent to I-94). The building "foot print" of the prototype is 14,490 square feet, while the architectural feature supporting the signage is approximately 250 square feet, a mere 1.7 % of the overall building size. The applicant would have no problem with the wording of the height modification for the sign element specifying the location (south end of the building) and maximum size (square footage).

Mr. Jeffery M. Erickson

January 23, 2002

Page 4

As the applicant owns the adjoining residentially zoned property to the west, granting such a modification will not impact any independently owned adjacent Portage properties. Furthermore, the aforementioned court order allows non residential use of the property so it is certainly not a typical residentially zoned property that needs to be shielded from the hotel use. The adjoining property north of the west fork of Portage Creek is also residentially zoned property in the City of Kalamazoo. This property is a fully developed well field owned by the City of Kalamazoo, therefore the hotel height will have no negative impact. The closest home to the Extended Stay America facility (on parcel 4-059 A) is approximately 400 feet from the rear of the hotel and over 650 feet from the sign. The rears of the homes on Dukeshire are approximately 460 feet from the rear of the hotel and over 700 feet from the sign. It should also be pointed out that the elevation of Dukeshire is significantly higher than the Extended Stay America site. The sanitary sewer casting grades shown on the aerial photo indicate that the road grade averages an elevation of 891.4, while the topography on the Extended Stay America site indicates an average elevation of approximately 854.5 (a difference of roughly 37 feet). While the site may be filled somewhat, wetland and floodplain issues dictate that the amount of fill be minimized due to the high cost to mitigate modifications to the floodplain or wetland. It is unlikely that the floor elevation of the hotel will exceed elevation 860.0. With the first floor at elevation 860.0, the ridge of the principle roof would be at elevation 902.3 and the "point" of the hip roof over the sign would be at elevation 910.3. Even the extreme peak of the roof over the signage is only approximately 19 feet above the Dukeshire road grade while the peak of the principle roof is approximately 11 feet above the Dukeshire road grade. Therefore, the heights requested for the Extended Stay America Hotel should be very close to roof heights of the Dukeshire homes. We do not feel the requested height modification will have any significant negative impact.

While the site plan for Extended Stay America is not final at this time, the conceptual plan indicates the building encroaching into the required 75 feet rear yard setback from the district boundary. We are requesting a second modification to Portage Code Section 42-551 to permit a reduction of the rear yard setback from 75 feet to 40 feet. This reduction will allow for more efficient use of the property, placing the rear development line approximately at the wetland boundary and creating more green space at the front of the property which is highly visible from I-94. The adjoining property to the north is developed as a City of Kalamazoo well field and the immediately adjacent segment of the Kalamazoo property (between the Extended Stay America site and the creek) is totally undeveloped wetland/flood plain. Given the unusual circumstances associated with this property we believe the modification can be granted with no negative impact to the surrounding area.

Lastly, we are requesting a modification to Portage Code Section 42-503, specifically paragraph (3), a, 3, which would require a six-foot high berm adjacent to the residentially zoned properties. It is our desire to keep the 12 acre parcel as "natural" as possible and we feel the berm would look out of place. Additionally, the berm at the northern reaches of the property would be problematic due to wetland/flood plain issues. As you know, the cited ordinance is titled "Conflicting Land Uses". Due to reasons stated in the proceeding paragraphs we do not feel that there are any conflicting land uses, therefore the berm serves no practical purpose and we are requesting that this requirement be deleted.

K. PROGRAM OF DEVELOPMENT

The initial stage of building development will be construction of the Extended Stay America hotel. A site plan is intended to be submitted shortly after approval of the conceptual plan. The target date for construction to commence is May 2002. The storm water detention/treatment area for the overall site will be designed/constructed in conjunction with Extended Stay America. It is also anticipated that a restaurant and one of the retail buildings will be constructed during the 2002 construction season.

The second phase of construction, anticipated for the 2003 construction season, will include a second restaurant and a second retail store.

It is anticipated that build out of the CPD site will be complete during 2004, with construction of a second hotel and another retail site.

Screening, landscaping and buffering will be accomplished per code and master deed requirements as individual sites are developed, as further described in paragraph M.

L. INDEPENDENCE/INTEGRATION OF DEVELOPMENT

The site condominium form of ownership will provide for independence of the development stages in that each owner will have responsibility for pursuing site plan approval for their facility. At the same time the condominium concept provides for integration of the overall development in that the master deed will require unifying concepts (see paragraph P).

M. COMMON OPEN SPACE/LANDSCAPING

Furniture Row will own the aforementioned 12 acre parcel initially. Once it is determined what portion of this property is required for the common storm water disposal area and wetland/flood plain mitigation the area will be more clearly defined. This area will remain as common area for the aforementioned uses as

Well as passive recreation, with maintenance of the common area to be the responsibility of the Condominium Association. To keep with the "natural" setting adjacent to the creek/wetland areas, plantings and other landscape materials will be selected from native species typical to this type of environment. Trees may include, but will not be limited to: Red Maple, Downy Serviceberry, River Birch, Eastern Redbud, Alternate-leaf Dogwood, Flowering Dogwood, Green Ash, Black Gum, White Spruce, Burr Oak, American Arborvitae and Basswood. Shrubbery may include, but will not be limited to: Black Choke Berry, Cornelian Cherry Dogwood, American Hazelnut, Witch Hazel, Spicebush, Bust Cinquefoil, Fragrant Sumac, Meadow Sweet, Maple Leaf Viburnum, Arrowwood Viburnum and American Cranberry Bush Viburnum. Groundcover in landscape islands may be a variety of natural materials including cobble, grass, wood chips, etc., supplemented with accent features such as boulders.

Landscaping will be the responsibility of the individual site developers. The required landscaping must meet City requirements as well as requirements in the master deed which will state the unifying theme for the overall development. Plant species will be selected based on their availability and suitability to the proposed location.

N. WATER/SEWER/STORM SEWER

The site will be served by municipal water, which will be extended to the site from South Westnedge Avenue or the present terminus on West Fork. Depending on flow requirements and flow availability the system may be "looped" by connecting to other available mains in the well field or platted areas to the west/northwest.

It is also possible to connect to the Portage system, however this would entail a bore and jack under I-94 from the Milham wellfield behind the Portage Northern School complex. We will be discussing the alternatives and finalize the water system provisions in the near future.

The City of Portage sewer system extends the full length of the site in a general east-west direction, which will provide municipal sewer service to the development sites.

An integrated storm sewer system is proposed for the overall development with retention/detention provided on the 12 acre site adjoining the CPD property. Drainage from the I-94 right-of-way to the lowland adjoining the creek will be maintained. The conceptual plan indicates an existing storm sewer pipe, which currently serves this purpose. There is a restriction in the deed to the property, which requires that the drainage flow not be impeded.

O. TRAFFIC/PARKING

The vicinity map on the conceptual plan shows the relationship of this site to existing roadways in the area. Primary access to the site will be via the recently completed West Fork Drive. Per meetings with Portage Staff, it is our understanding that during the development of the recent project undertaken by the City, some reasonable assumptions were made to allow for traffic exiting the Furniture Row site. The proposed hotel will generate a minimal impact on existing infrastructure. As additional traffic generators locate in the development there may be need to revisit the earlier traffic study to ensure the transportation facilities are adequate.

For discussion purposes, the Institute of Traffic Engineers Trip Generation Manual was consulted to provide ball park traffic generation figures. The following table illustrates this information. It must be stressed that these should be considered ball park figures since actual uses and building sizes are all conceptual:

TRIP GENERATION

LAND USE	TRIP END RATES		TRIP END TOTALS	
	AVERAGE	PM PEAK	AVERAGE	PM PEAK
All Suites Hotel*	4.95/Room	0.40/Room	495	40
Hotel*	8.23/Room	0.61/Room	823	61
Furniture Store **	5.06/1,000sf	0.53/1,000sf	253	27
Specialty Retail Center***	40.67/1,000sf	4.93/1,000sf	2,440	296
High-Turnover (sit-down) Restaurant	130.34/1,000sf	19.38/1,000sf	1,043	155
	TOTALS		5,054	579

* Weekday numbers used

** Based on 50,000sft furniture store

*** Based on 60,000 sft

Parking issues will be jointly handled by individual site developers (meeting code requirements) and the condominium requirements. The condominium master deed will contain provisions providing for joint access and interconnection of parking areas.

P. COVENANTS/EASEMENTS/RESTRICTIONS

The condominium master deed will provide for easements as may be necessary to ensure that every unit in the development has access to municipal sewer and water facilities, common storm sewer piping and private utilities such as electric, gas, telephone, etc.

The condominium master deed will also specify building materials and colors as well as building orientation. All buildings will be required to be oriented such that the front or side of the building faces the service road and must present an architecturally pleasing appearance. Screening issues relating to loading areas, dumpsters, etc. are effectively covered in the Portage Code. Exterior building finishes will be restricted to concrete or unit masonry materials (e.g. split face or other decorative block, brick,) or synthetic materials (EIFS, e.g. DRIVIT) having the appearance of masonry. Color schemes for the primary building surfaces will be limited to black, white or earth tones. Trim, architectural accent features and signage may be other colors to preserve corporate identification. Vertical mass will be broken with horizontal banding having differing color and/or texture than the main building. As stated previously, landscaping standards are also proposed in the master deed. Specifically, we wish to carry the "natural" theme of the creek/wetland area throughout the development. To that end, the master deed will require plant materials that are common to these or that are commonly used to promote wildlife/songbird habitat (See M for listings).

Q. NATURAL FEATURES

An aerial photograph is included in the drawing submittal to provide a visual of the property. The property either immediately abuts or is closely adjacent to the West Fork of Portage Creek. Subsequently portions of the property are wetland and/or flood plain. The wetland boundary was defined by Resource Management Group, a wetland consultant who will also be developing any required mitigation plans. Development of a permit submittal for altering the flood plain and/or wetland mitigation will be developed in conjunction with preparation of the final plan for the Extended Stay America site. As I am sure you are aware, permit application to the Michigan Department of Environmental Quality cannot be submitted based on a speculative development and at this point we do not even have conceptual approval from the City. During final plan development for the Extended Stay America we will endeavor to eliminate any encroachment on the wetland and grade the site to minimize the amount of fill required in the wetland. It should also be noted that removal of the dam in the west fork of Portage Creek downstream of this site (done

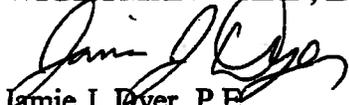
In conjunction with the Lowes development) will lower the flood plain elevation approximately 0.5 feet according to Resource Management Group, although we cannot take advantage of this until the FEMA flood plain map is modified.

Mr. Jeffery M. Erickson
January 23, 2002
Page 9

I trust that this narrative and the drawings submitted provided you with the necessary information to complete your review. If you have any questions or need additional information please feel free to call me.

Respectfully Submitted,

WIGHTMAN WARD, INC.



Jamie J. Byer, P.E.

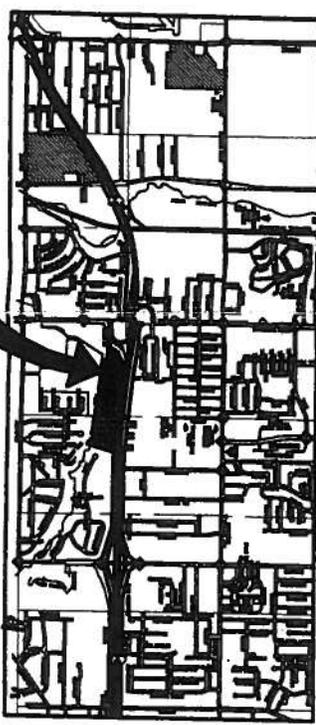
JJD/jm

LEGAL DESCRIPTIONS PER DEED:
 CPD ZONED PARCEL
 A PORTION OF THE CITY OF PORTAGE, MICHIGAN
 VICTORY SECTION NOT TO SCALE

CPD ZONED PARCEL (CONT.)
 A PORTION OF THE CITY OF PORTAGE, MICHIGAN
 VICTORY SECTION NOT TO SCALE

ADJOINING 12.6 ACRE PARCEL
 A PORTION OF THE CITY OF PORTAGE, MICHIGAN
 VICTORY SECTION NOT TO SCALE

PROJECT SITE



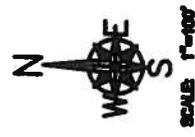
**A PORTION OF THE CITY OF PORTAGE, MICHIGAN
 VICTORY SECTION NOT TO SCALE**

INITIATIVE DEVELOPMENT SCHEDULE

EXHIBIT TITLE	SIZE	PERMISSIBLE USE	START DATE
EXTENDED STAY AMERICA	100 ROOMS	HOTEL	2002
RESTAURANT	3,000-5,000 SF	RESTAURANT	2002
RESTAURANT	3,000-5,000 SF	RESTAURANT	2002
HOTEL	100 ROOMS	HOTEL	2004
HOTEL	20,000-30,000 SF	HOTEL	2004

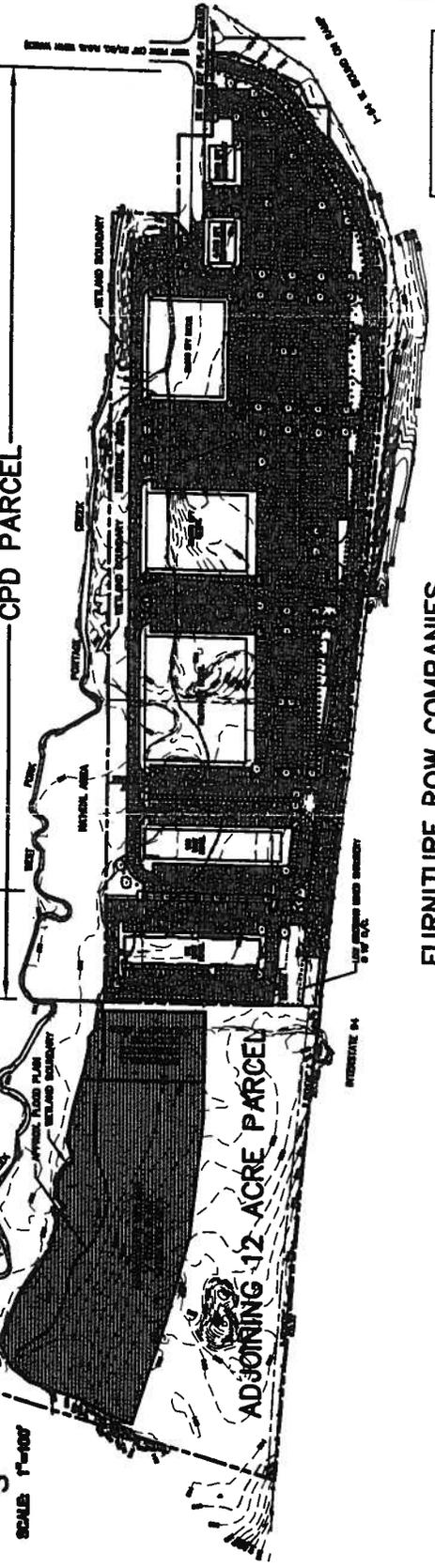
EXTENDED STAY AMERICA
 OCCUPYING 2.6 ACRES
 MORE OR LESS
 ZONED CPD

12 ACRES MORE OR LESS TO BE USED FOR WETLAND AND/OR FLOODPLAIN MITIGATION AS MAY BE NECESSARY. STORMWATER DISPOSAL AND DEVELOPMENT AS ALLOWED BY LAW. NOTE: THIS PARCEL IS NOT IN THE COMMERCIAL PLANNED DEVELOPMENT ZONING DISTRICT, IT IS ZONED RT-C.



CPD PARCEL

LANDSCAPING MATERIAL, ARCHITECTURAL STYLE/BUILDING MATERIALS AND SITE LIGHTING WILL CARRY A COMMON THEME TO UNIFY THE DEVELOPMENT.



ADJOINING 12 ACRE PARCEL

**FURNITURE ROW COMPANIES
 COMMERCIAL PLANNED DEVELOPMENT - PORTAGE MICHIGAN
 CONCEPTUAL PLAN**

LANDSCAPE KEY:
 ○ TREE AND SHRUB PLANTING
 ■ PAVED PLAZAS, DRIVE, DRIVE
 ■ PAVED BIKEWAY

<p>WIGHTMAN WARD, INC. ARCHITECTURAL & PLANNING 1000 W. WASHINGTON ST. PORTAGE, MI 49783 TEL: 268-1111 FAX: 268-1112</p>	<p>FURNITURE ROW USA, L.L.C. 200 UNION BLVD., SUITE 300 LANSING, MI 48226 TEL: 462-1111 FAX: 462-1112</p>	<p>CONCEPTUAL PLAN PREPARED BY WIGHTMAN WARD, INC. DATE: 10/1/01 SCALE: 1"=100'</p>	<p>D-2351</p>
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CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: August 6, 2012

FROM: Maurice S. Evans, City Manager

SUBJECT: FEMA Corporation – PA 198 Tax Abatement

ACTION RECOMMENDED: That City Council:

- a. accept the application for an industrial tax abatement for 1716 Vanderbilt Avenue; and
- b. adopt Resolution No. 1-12 setting a public hearing on the expansion of Industrial Development District No. 55 for 1716 Vanderbilt Avenue on August 28, 2012.

Attached is a PA 198 tax abatement request from FEMA Corporation for 1716 Vanderbilt Avenue. FEMA Corporation designs, manufactures and tests custom engineered electro-hydraulic components. The company is proposing to construct a 39,000 square foot building addition along the west side of the existing facility and invest in machinery and associated equipment to accommodate projected business and employment growth. FEMA Corporation currently has 187 employees at this facility and foresees the retention of 40 jobs with the additional creation of eight new jobs as a result of the proposed expansion project. The total project cost is \$3.65 million. Industrial Development District No. 55 was established in 1989 and expanded in 2004 and 2007. Attached is a vicinity map with the existing and proposed boundaries of District No. 55.

Consistent with the City Council Tax Abatement Incentive Policy, FEMA Corporation is requesting a six year abatement on real property and a three year abatement on personal property.

The City Administration will finalize the review of the application and prepare the necessary analyses for consideration by City Council at the upcoming public hearing, slated for August 28, 2012.

Attachments: July 19, 2012 correspondence from John Pula, FEMA Corporation and PA 198 application materials
Preliminary site plan of proposed building addition and site improvements
Vicinity Map (showing District No. 55 and the proposed expansion area
Resolution No. 1-12 (1716 Vanderbilt)

RECEIVED

JUL 20 2012



FEMA

Corporation

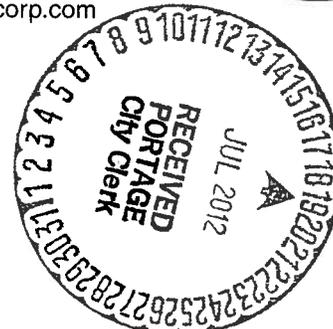
1716 Vanderbilt Ave.
Portage, Michigan 49024-6069

COMMUNITY DEVELOPMENT

PHONE: (269) 323-1369
FAX: (269) 323-0108
E-MAIL: sales@fema-corp.com

July 19, 2012

Honorable Mayor and City Council
City of Portage
7900 South Westnedge Avenue
Portage, Michigan 49002



FEMA Corporation, a manufacturer serving a number of industries, was affected with the rest of the state and country during the past recession. While the economic indicators are still precarious – both domestically and in our foreign markets – we believe we must prepare now to maximize coming opportunities.

We respectfully request that the City of Portage extend the existing real property abatement from our 2007 expansion, and grant approval of the attached request for tax abatement on a \$3,654,000 proposed expansion and investment in capital equipment.

The proposed expansion includes a building totaling 39,000 square feet and equipment to add three state of the art production lines. Some supporting information regarding FEMA Corporation's positive role in the City follows:

- ▶ In our previous expansion in 2007 we came to the city with a similar application and projected adding 5 new jobs and retaining 24. We are pleased to report that since then, we've added 79 people. We anticipate with this project adding 8 additional.
- ▶ Over the same period FEMA Corporation has increased payroll from \$5.5 million annually to \$8.4 million annually.
- ▶ FEMA Corporation currently pays over \$118,000 in real and personal property taxes annually.

FEMA Corporation would like to compliment and thank the City Development Department for their supportive and helpful role in expanding here in the City of Portage.

We have no outstanding environmental issues with any governmental body.

Thank you for your consideration.

Best regards,

Jeffrey C. Huffman
President
FEMA Corporation

Application for Industrial Facilities Tax Exemption Certificate

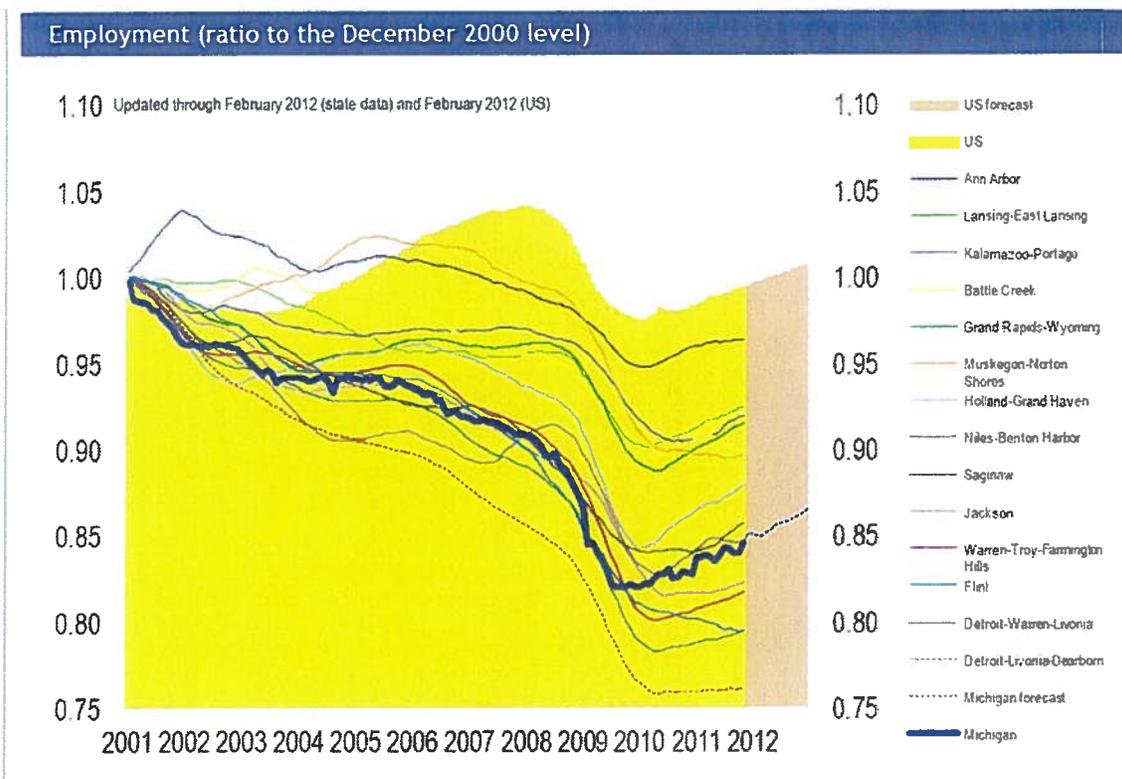
Contents:

- Detailed request for exemption
- Form 1012 Application for Industrial Facilities Tax Exemption Certificate
- Project financial details
- Project diagram
- Existing Industrial Development District 55
- Notarized statement indicating no environmental issues
- Pictures – existing manufacturing facility and equipment and aerial photo of existing facility

Detailed request for exemption

FEMA Corporation requests the commission actively participate in the growth of manufacturing in Portage, and in Michigan, by extending the existing real property abatement from our 2007 expansion, expanding industrial development district 55 and abating the real property taxes for 6 years and the personal property for 3 years on the attached proposed expansion.

The current economic climate is precarious. Unemployment over 8% for 40 months straight, low employment ratios (below), and U of M's consumer sentiment index at its lowest point since December 2011¹.



Source: US Department of Labor

FEMA Corporation, however, is continuing to focus on our customers and as a result attracting new business opportunities both domestically and internationally.

Keeping our sights on the current economic indicators, we've been expanding within our current facilities, recently spending \$250,000 to better utilize our existing space. Through this project we've been able to grow – both sales and employment without expanding our footprint. As an indicator, in our last abatement application in 2007 we agreed we would create 5 new positions within 2 years of the project. With that expansion and subsequent increased space utilization, we've actually created 79 new positions. As you may expect, we are now fairly crowded.

We know from your past support and current discussions with the Portage Community Development team that Portage is pro-growth in manufacturing. Not only does this growth lead to additional employment in the community, but compounded benefits are gained through the multiplier effect – both locally and for our State.

Of our \$23 million in annual purchases last year as a business, we bought \$6 million from Michigan providers, and \$1.5 million from Portage and the greater Kalamazoo businesses. Everything from pumps from W M H Fluid Power to pizzas from Franco's Pizza. Add to this our \$9 million in wages paid to local employees, and it's easy to visualize the benefits of a healthy and growing manufacturing segment.

Our application indicates we will add 8 additional positions for a total compensation with benefits over the duration of the abatement of \$2.4 million. The eight we are projecting include two engineers, two supervisors, and four assembly and test operators. As you might expect, the projected wages of this group will be disparate, but on average will exceed \$35,000 annually. While our benefit package fluctuates as a percent of wages, for our budgeting purposes we use 20% of wages for our benefit projections. We hope we can report back that our employment grows meteorically like in our recent past, but prefer to promise conservatively in the application.

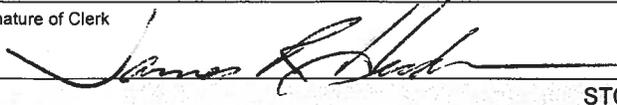
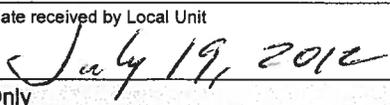
FEMA Corporation is a high tech manufacturer, competing successfully in a global market, wanting to expand in Portage, Michigan. We do not have any outstanding environmental issues with any governmental body nor do we have any real or personal property leases. We do not have any additional service requirement from the city, rather, we desire for the City to partner with us through the abatement process to increase the employment and tax base in our city.

¹ Consumer Sentiment in U.S. Falls to Lowest Since December – Bloomberg - By Caroline Fairchild – 6/29/12

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk 	Date received by Local Unit 
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) FEMA CORPORATION OF MICHIGAN	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3494	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1716 VANDERBILT AVE., PORTAGE MI 49024	1d. City/Township/Village (indicate which) PORTAGE	1e. County KALAMAZOO
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	3a. School District where facility is located PORTAGE	3b. School Code 45
4. Amount of years requested for exemption (1-12 Years) 6 REAL / 3 PERSONAL		

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

SEE ATTACHED

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ \$1,707,000.00 Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ \$1,947,000.00 Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	▶ \$3,654,000.00 Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements ▶	9/1/12	1/15/13	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	9/1/12	6/15/13	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

9. No. of existing jobs at this facility that will be retained as a result of this project. **40** 10. No. of new jobs at this facility expected to create within 2 years of completion. **8**

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	
b. TV of Personal Property (excluding inventory)	
c. Total TV	

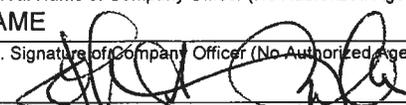
12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) **5/23/89** 12c. Is this application for a speculative building (Sec. 3(8))?
 Yes No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name JOHN PULA	13b. Telephone Number (269) 323-1369	13c. Fax Number (269) 323-0108	13d. E-mail Address jpula@fema-corp.com
14a. Name of Contact Person SAME	14b. Telephone Number	14c. Fax Number	14d. E-mail Address
▶ 15a. Name of Company Officer (No Authorized Agents) SAME			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number	15d. Date
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1716 VANDERBILT AVE., PORTAGE MI 49024		15f. Telephone Number	15g. E-mail Address

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

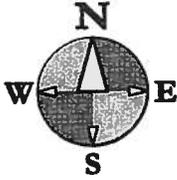
STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Application for Industrial Facilities Tax Exemption Certificate

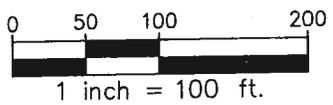
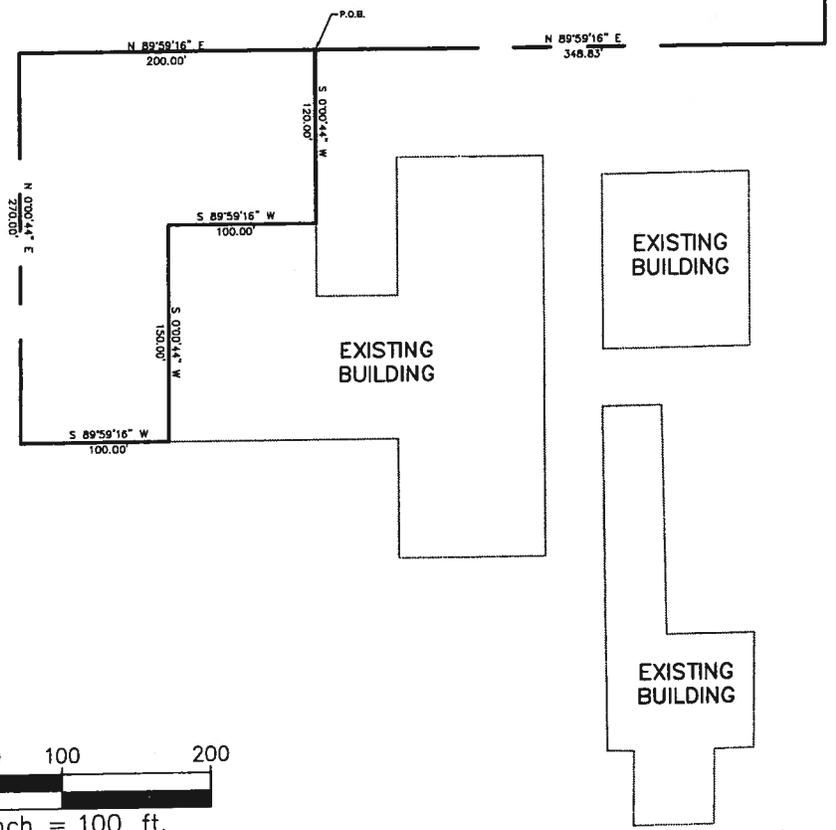
FEMA Corporation

Project financial details

Site work	30,000
Paving	46,000
Building	1,631,000
<hr/>	
Total Real Property Expansion	1,707,000
Personal Property:	
Lab Automation	172,000
SW-Fixture design and fabrication	25,000
CFC- automation	40,000
Sunnen Hone Automation	50,000
32mm Swiss L10N	371,000
Accu-Cut 2 Diameter Hone	238,000
HSSV Test stand 1	140,000
HSSV Test stand 2	140,000
Robot 1	70,000
Robot 2	70,000
Production Line	150,000
Farrow Arm CMM – HSSV	30,000
L10N Production Line	298,000
Zoller tool setter	78,000
Capto tooling package	75,000
<hr/>	
Total Personal Property Expansion	1,947,000
<hr/>	
Grand Total Expansion	3,654,000



NE CORNER SECTION 29,
TOWN 3 SOUTH, RANGE 11 WEST



DESCRIPTION FOR PROPOSED BUILDING

PART OF THE NORTHEAST 1/4 OF SECTION 29, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN DESCRIBED AS: Commencing at the northeast corner of said section 29; thence S00°00'08"E along the east line of said section a distance of 632.42 feet; thence N89°59'16"W a distance of 348.83 feet to the Point of Beginning; thence S00°00'44"W a distance of 120.00 feet; thence S89°59'16"W a distance of 100.00 feet; thence S0°00'44"W a distance of 150.00 feet; thence S89°59'16"W a distance of 100.00 feet; thence N00°00'44"E a distance of 270.00 feet, thence S89°59'16"E a distance of 200.00 feet to the Point of Beginning.

Described building addition contains 39,000 square feet OR 0.895 acres more or less.

Drawing No. 1	Title: BUILDING ADDITION FEMA CORP.	Job No.: 12-025D Date: 7/17/12 Scale: AS NOTED P.M.: TDH Dft: AJF QA/QC: 7/17/12	 hurley & stewart	hurley & stewart, llc 350 e. michigan avenue suite 405 kalamazoo, michigan 49007 269.552.4960 fax 269.552.4961 www.hurleystewart.com
	Project: DELTA DESIGN SYSTEMS, INC.			

CITY OF PORTAGE
RESOLUTION NO. 2-07
EXPANDING PORTAGE INDUSTRIAL DEVELOPMENT DISTRICT NO. 55
FEMA CORPORATION

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on November 20, 2007, at 7:30 p.m. local time at City Hall in the City of Portage, Michigan.

PRESENT: Campbell, DeShazor, O'Brien, Reid, Sackley, Strazdas, Urban

ABSENT: None

The following resolution was offered by:

COUNCILMEMBER: DeShazor, and supported by:

COUNCILMEMBER: O'Brien.

WHEREAS, the City Council has met in public hearing as heretofore resolved and noticed for the purpose of determining whether a certain described area located at 1716 Vanderbilt, Portage, Michigan, may be expanded as an Industrial Development District, pursuant to 1974 PA 198, MCLA 207.551, et seq.; and

WHEREAS, such location meets all of the prerequisites of the cited Act;

NOW THEREFORE, BE IT RESOLVED that the following described property be the expanded Portage Industrial Development District No. 55:

Please see attached Exhibit "A"

ADOPTED: AYES: Councilmember Campbell, DeShazor, O'Brien, Reid,
Sackley, Strazdas, Urban

NAYS: Councilmember None

ABSENT: Councilmember None

All resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

RESOLUTION DECLARED ADOPTED:


James R. Hudson, City Clerk

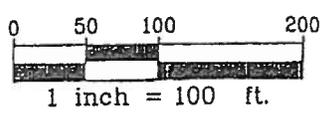
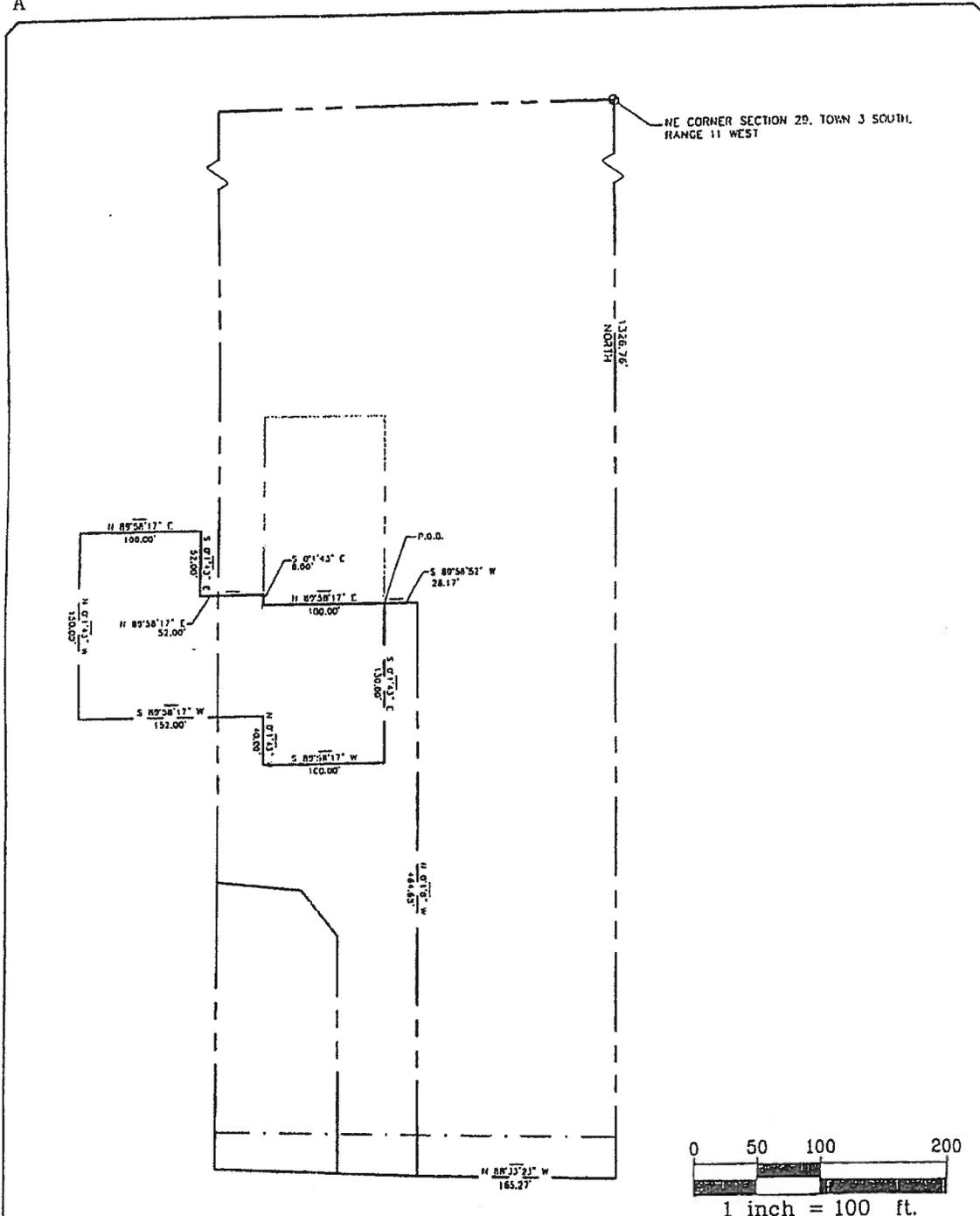
CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of Resolution #2 adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on November 20, 2007, the original of which is in the official proceedings of the City Council.


James R. Hudson, City Clerk

PREPARED BY:
RANDALL L. BROWN
Portage City Attorney
1662 East Centre Avenue
Portage, Michigan 49002
(269) 323-8812

Approved as to Form:
Date: 11/7/07
By: [Signature]
City Attorney



DESCRIPTION FOR PROPOSED BUILDING

PART OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 29, TOWN 3 SOUTH, RANGE 11 WEST, CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN DESCRIBED AS: Commencing at the northeast corner of said section 29; thence S00°00'00"E along the east line of said section a distance of 1326.76 feet to a nail found at the southeast corner of the northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of said section 29; thence N88°18'34"W a distance of 164.50 feet; thence N00°01'08"W a distance of 464.68 feet; thence S89°58'52"W a distance of 28.17 feet to the Point Of Beginning; thence S00°01'43"E a distance of 130.00 feet, thence S89°58'17"W a distance of 100.00 feet; thence N00°01'43"W a distance of 40.00 feet; thence S89°58'17"W a distance of 152.00 feet; thence N00°01'43"W a distance of 150.00 feet; thence S89°58'17"E a distance of 100.00 feet; thence S00°01'43"E a distance of 52.00 feet; thence S89°58'17"E a distance of 52.00 feet; thence S00°01'43"E a distance of 8.00 feet; thence S89°58'17"E a distance of 100.00 feet to the Point of Beginning.

Described piece of land contains 33,096 square feet OR 0.760 acres more or less.

<p>Drawing No.</p> <p>1</p>	<p>Title:</p> <p>BUILDING ADITION</p>	<p>Job No.: 07-0330</p> <p>Date: 10/18/07</p> <p>Scale: AS NOTED</p> <p>P.M.: TDI</p> <p>DIC: LAD</p> <p>QA/QC: 10/16/07</p>	<p>hurley & stewart</p>
	<p>Project:</p> <p>FEMA</p>		
<p>250 e. michigan avenue</p> <p>suite 405</p> <p>inlansape, michigan 49007</p> <p>268.552.4960 fax 268.552.4961</p> <p>www.hurleystewart.com</p>			

**CITY OF PORTAGE
RESOLUTION NO. 2-04
EXPANDING PORTAGE INDUSTRIAL DEVELOPMENT DISTRICT NO. 55
FEMA CORPORATION OF MICHIGAN, INC.**

Minutes of a regular meeting of the City Council for the City of Portage, Michigan held on February 24, 2004, at 7:30 p.m. local time at City Hall in the City of Portage, Michigan.

PRESENT: DeShazor, O'Brien, Vliek, Graham, Ongley, Strazdas

ABSENT: Urban

The following resolution was offered by:

COUNCILMEMBER: Strazdas, and supported by:

COUNCILMEMBER: Vliek.

WHEREAS, the City Council has met in public hearing as heretofore resolved and noticed for the purpose of determining whether a certain described area located at 1720 Vanderbilt, Portage, Michigan, may be added to existing Industrial Development District No. 55, pursuant to 1974 PA 198, MCLA 207.551, et seq.; and

WHEREAS, such location meets all of the prerequisites of the cited Act;

NOW THEREFORE, BE IT RESOLVED that Industrial Development District No. 55 be expanded to include the following described property:

Part of the Northeast of Section 29, Town 3 South, Range 11 West, Portage Township, Kalamazoo County, Michigan described as: Commencing at the northeast corner of said section 29; thence S 00E00'00"E along the east line of said section a distance of 1326.76 feet to a nail found at the southeast corner of the northeast of the northeast of said section 29; thence N88E18'34"W a distance of 164.50 feet; thence N00E01'07"W a distance of 464.68 feet thence S89E58'52"W a distance of 28.17 feet to the Point of Beginning; thence S89E58'17"W a distance of 100.00 feet, thence N00E01'47"W a distance of 150.00 feet; thence N89E58'17"E a distance of 100.00 feet; thence S00E01'47"E a distance of 150.00 feet to the Point of Beginning.

ADOPTED: AYES: Councilmember DeShazor, O'Brien, Vliek, Graham, Ongley, Strazdas

NAYS: Councilmember None

ABSENT: Councilmember Urban

All resolutions or parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

RESOLUTION DECLARED ADOPTED: February 24, 2004



James R. Hudson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of Resolution #2 adopted at a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan held on February 24, 2004, the original of which is in the official proceedings of the City Council.



James R. Hudson, City Clerk

PREPARED BY:
RANDALL L. BROWN
Portage City Attorney
1125 East Milham, Suite B
Portage, Michigan 49002

Approved as to Form:
Date: _____
By: _____
City Attorney

CITY OF PORTAGE

RESOLUTION NO. 2

DESIGNATING PORTAGE INDUSTRIAL DEVELOPMENT DISTRICT NO. 55

FEMA CORPORATION

Minutes of a regular meeting of the City Council of the City of Portage, Michigan held on May 23, 1989, at 7:30 p.m. local time at the Library Building in the City of Portage, Michigan.

PRESENT: Overlander, Brown, Jean, Schreur, Shugars, Vavra, Zull

ABSENT: None

The following resolution was offered by Councilmember Brown and supported by Councilmember Vavra.

WHEREAS, the City Council has met in public hearing as heretofore resolved and noticed for the purpose of reviewing the request of FEMA CORPORATION that a certain described area located at 1716 Vanderbilt Road in the City of Portage, Michigan, be established as an Industrial Development District, pursuant to 1974 PA 198, MCLA Sec. 207.551, et seq.; and

WHEREAS, such application and designation meet all of the prerequisites of the cited Act;

NOW, THEREFORE, BE IT RESOLVED that the following described property be designated Portage Industrial Development District No. 55:

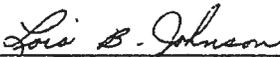
Land located in the City of Portage, County of Kalamazoo, State of Michigan, and described as follows: Beginning at the Northeast corner of Section 29, Town 3 South, Range 11 West, running thence West along the North line of said Section, 165 feet; thence South parallel with the East line of said Section to the center of Vanderbilt Road; thence East along the center of said road 165 feet; thence North along the East line of said Section 1311.18 feet to the Place of Beginning.

AYES: Councilmembers Overlander, Brown, Jean, Schreur, Shugars, Vavra, Zull

NAYS: None

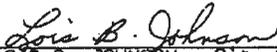
ABSENT: None

RESOLUTION DECLARED ADOPTED:


LOIS B. JOHNSON, City Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Portage, Michigan, Kalamazoo County, held on the 23rd day of May, 1989, the original of which is in the official proceedings of the City Council.


LOIS B. JOHNSON, City Clerk

0020c



Corporation

1716 Vanderbilt Ave.
Portage, Michigan 49024-6069

PHONE: (269) 323-1369
FAX: (269) 323-0108
E-MAIL: sales@fema-corp.com



City of Portage
7900 South Westnedge Avenue
Portage, Michigan 49002

RE: Notarized statement regarding environmental matters – PA 198 Application

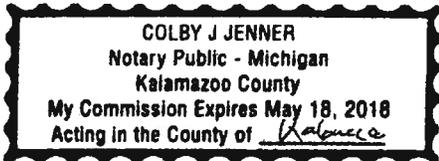
To Whom It May Concern:

FEMA Corporation is in compliance with applicable environmental requirements and is not under any enforcement action by the Michigan Department of Environmental Quality or the U.S. Environmental Protection Agency.

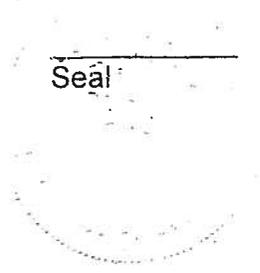
Regards,

John A. Pula
CFO
FEMA Corporation

Subscribed and sworn before me on July 12, 2012



Colby Jenner
Notary Public
Colby Jenner
Print Name (Notary Public)



Seal

Production in our last expansion:





Vendor: 10143

Check 45221
45221

FEMA CORPORATION

Invoice Reference Number	Your Invoice	Invoice Date	Invoice Amount	Amount Paid		Net Check Amount
				Discount Taken		
74610	IndustTax Abate AppFee	7/19/2012	1,800.00		1,800.00	1,800.00
			Discount Taken:		0.00	
				Check Amt:		1,800.00

45221

FEMA CORPORATION

1716 VANDERBILT AVE.
PORTAGE, MI 49024-6069
(269) 323-1369

One Thousand Eight Hundred and 00/100 Dollars

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com
9-32-720

45221

Vendor	Check Date	Check
10143	7/19/2012	45221
		Check Amount
		*****1,800.00

Pay to the Order of CITY OF PORTAGE
7900 S. WESTNEDGE AVE
PORTAGE, MI 49002


AUTHORIZED SIGNATURE

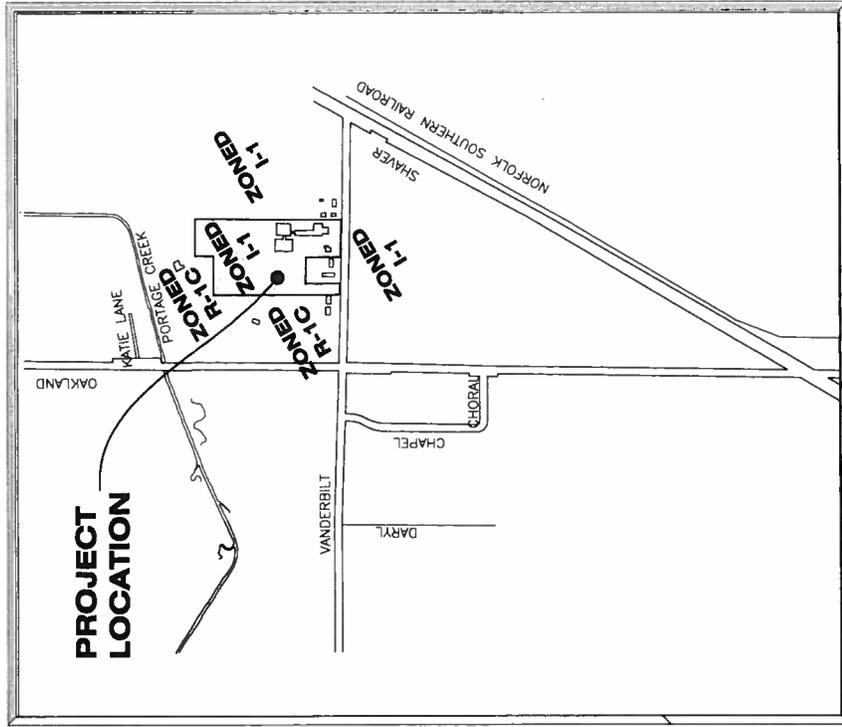
Civil Construction Plans

FEMA CORPORATION ADDITION

1716 VANDERBILT
CITY OF PORTAGE
Kalamazoo County, Michigan
07/20/12

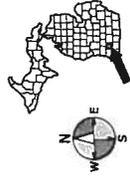
DRAWING INDEX
SHT # DESCRIPTION
C-1 - TITLE SHEET
C-2 - SITE LAYOUT
C-3 - SITE DETAILS

RECEIVED
JUL 20 2012
COMMUNITY DEVELOPMENT



SITE LOCATION MAP
SCALE: 1" = 500'

72 HOURS BEFORE YOU DIG
CALL MISS DIG
1-800-442-7171



ISSUED FOR:
SITE PLAN REVIEW
07/20/12

OWNER
FEMA CORPORATION
1716 VANDERBILT
PORTAGE, MI 48024
(269) 323-1369

PLANS PREPARED BY:

HS
hurley & stewart
hurley & stewart, llc
2800 s. 11th street
kalamazoo, michigan 49009
269.337.4999 fax 269.337.4991
www.hurleyandstewart.com



UTILITY CONTACTS:

- ELECTRIC/GAS**
CONSUMERS ENERGY CO.
MARK W. FLECKENBERG
242 ALMA AVE., 4TH FLOOR
KALAMAZOO, MI 49001
269.337.2314
- CABLE TELEVISION**
CHARTER COMMUNICATIONS
4176 COMMERCIAL AVE.
KALAMAZOO, MI 49002
269.337.3132
- TELEPHONE**
TODD SPRAYNAMA
242 ALMA AVE., 4TH FLOOR
KALAMAZOO, MI 49001
269.337.2314
- WATER/ SANITARY**
CITY OF PORTAGE
LARRY TICH
1716 VANDERBILT
PORTAGE, MI 48024
269.323.1325

X

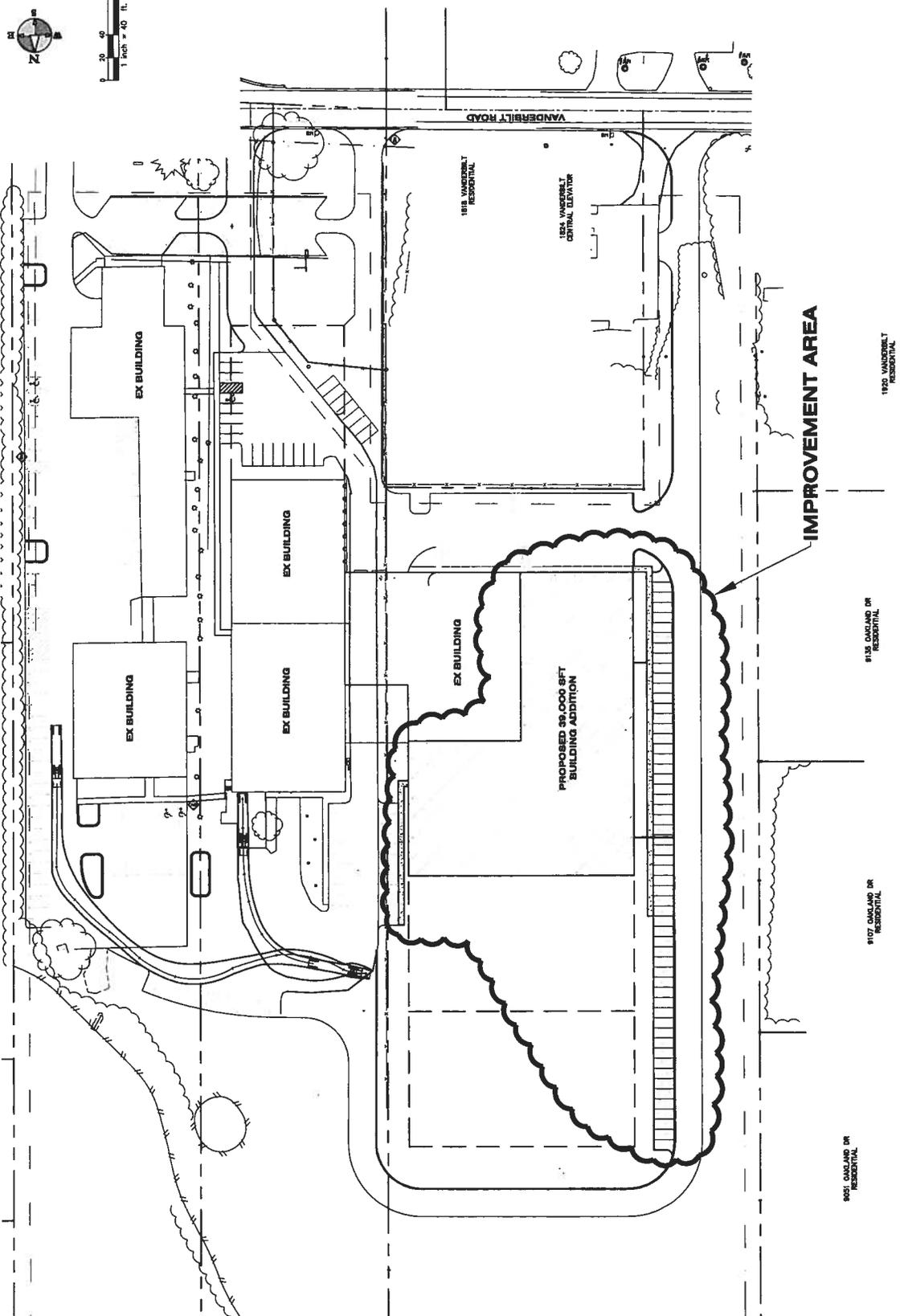
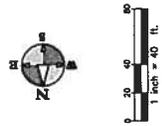
C-3
Sheet

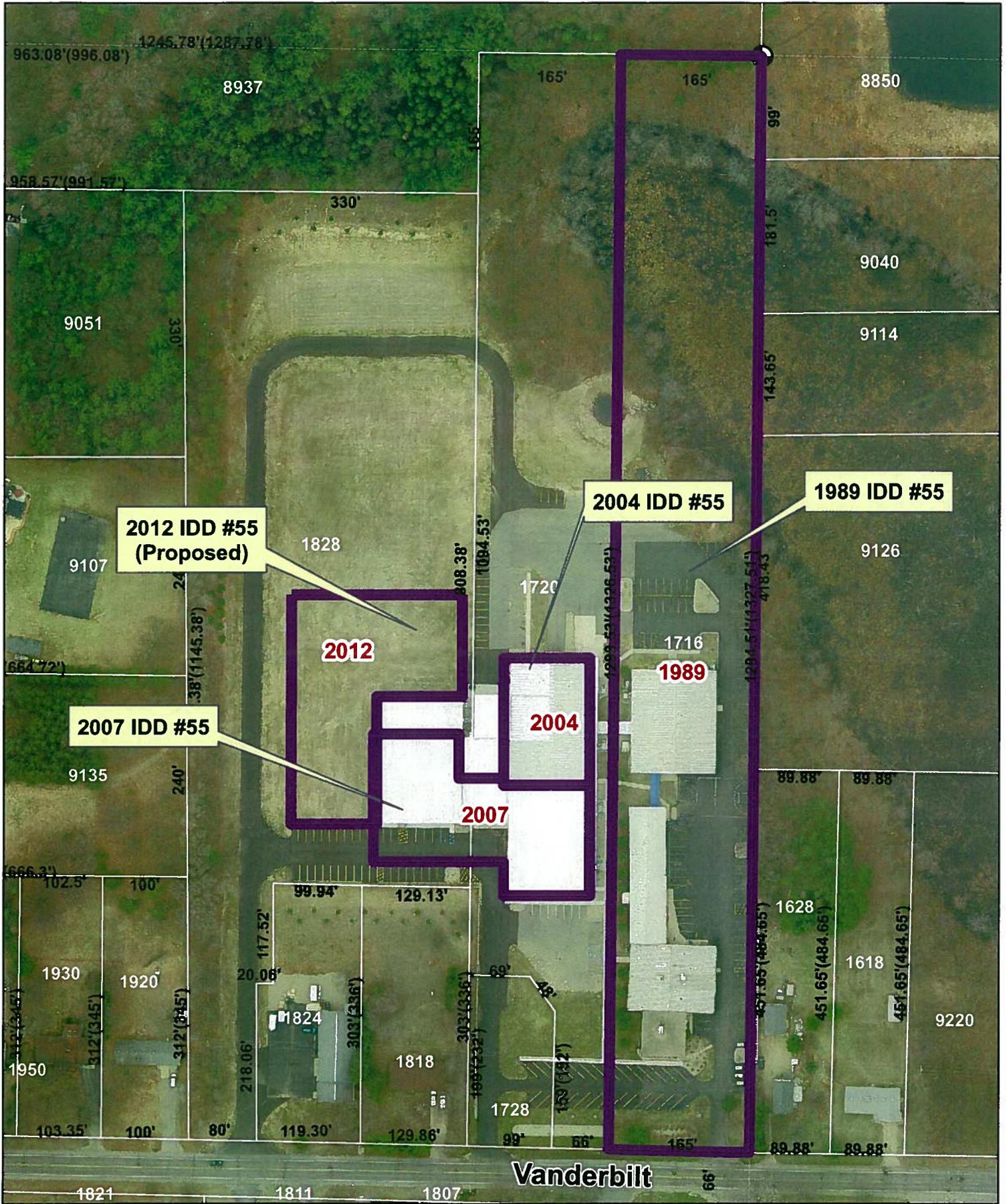
07/20/12
Sheet Title:
Project:
Client:

SITE DETAILS
FEMA 2012 EXPANSION
DELTA DESIGN SYSTEMS, INC.

Job No. 12-0250 P.M. TRH DRL AF 04/05 07/20/12
ISSUED FOR REVISIONS
07/29/12
SITE PLAN REVIEW
COPYRIGHT © of Hurley & Stewart, LLC

Hurley & Stewart, LLC
2900 N. 11th Street
Kalamazoo, Michigan 49008
269.552.4960 fax 269.552.4961
www.hurleyandstewart.com





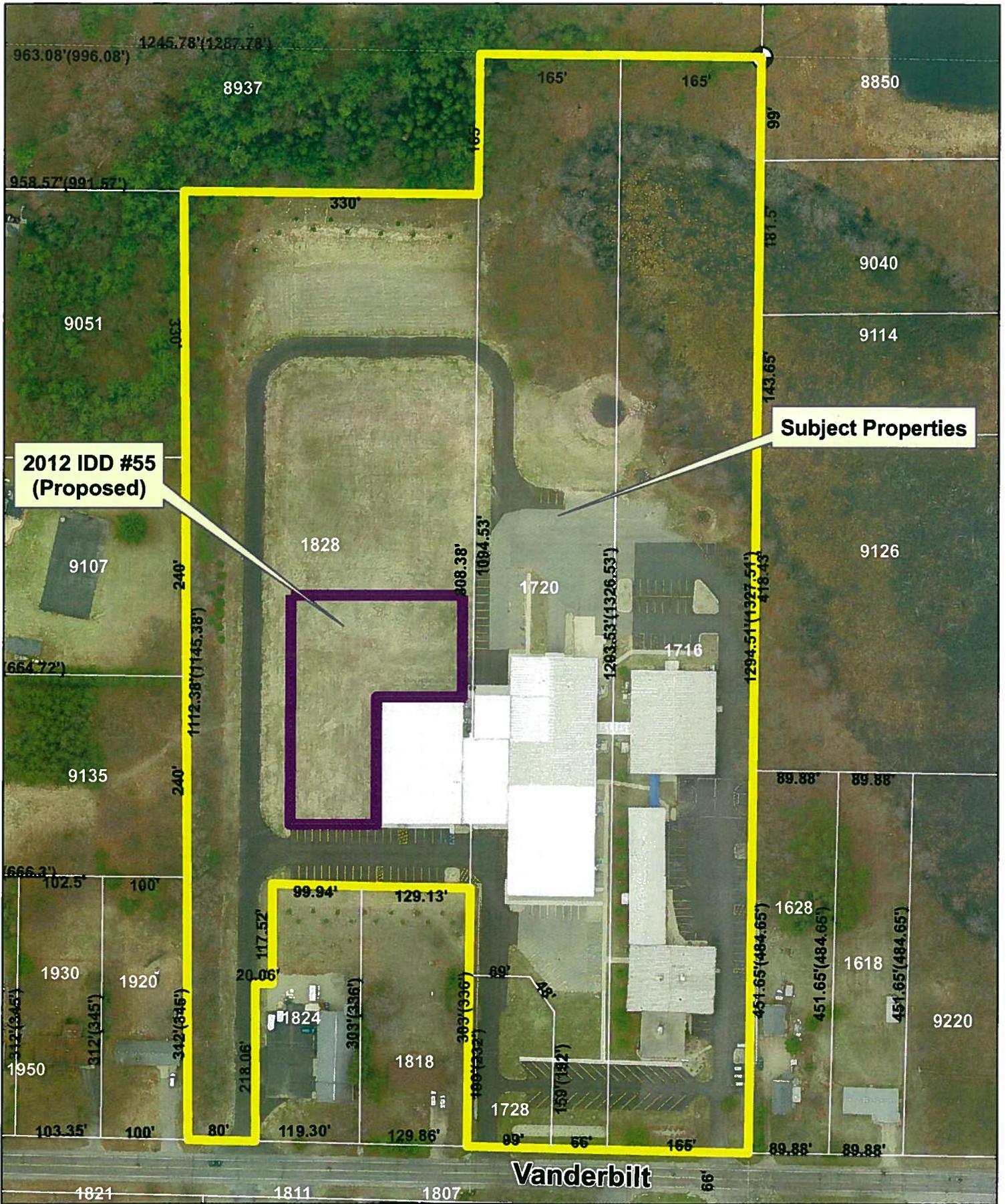
Legend

- IDD Boundary
- 2009 Aerial Photography

**Location Map
Industrial Development
District #55**



1 inch = 150 feet
Date: 8/7/2012



Legend

- IDD Boundary
- FEMA property
- 2009 Aerial Photography

Location Map Industrial Development District #55 Expansion



1 inch = 150 feet
Date: 8/6/2012

**CITY OF PORTAGE, MICHIGAN
RESOLUTION NO. 1-12**

**ESTABLISHING A PUBLIC HEARING FOR THE EXPANSION
OF INDUSTRIAL DEVELOPMENT DISTRICT NO. 55
FEMA CORPORATION**

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

PRESENT: _____

ABSENT: _____

The following resolution was offered by:

Councilmember _____, and supported by Councilmember _____.

BE IT RESOLVED:

That a public hearing be held on the ____ day of _____, 2012, at 7:30 p.m. or as soon thereafter as may be heard at the City Hall, in the City of Portage, Michigan on the request of FEMA CORPORATION for the expansion of an Industrial Development District under Michigan Act No. 198 of P.A. 1974; and

That written notice by certified mail of said hearing be sent to the owners of all real property and the legislative body of each taxing unit which levies ad valorem taxes on the property located within the proposed district described in the attached Exhibit A at least ten (10) days before said hearing; and

That notice in substantially the form attached as Exhibit A be published in the Kalamazoo Gazette at least ten (10) days prior to said hearing.

ADOPTED: YEAS: Councilmember: _____

NAYS: Councilmember: _____

ABSENT: Councilmember: _____

RESOLUTION DECLARED ADOPTED:

JAMES R. HUDSON, City Clerk

CERTIFICATE

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

James R. Hudson, City Clerk

Prepared by:
Randall L. Brown
Portage City Attorney
1662 East Centre Avenue
Portage, MI 49002

Approved as to Form:

Date: 7/25/12

By: [Signature]

City Attorney