

**OSHTEMO CHARTER TOWNSHIP BOARD
7275 West Main Street
Kalamazoo, MI 49009**

May 10th, 2022

Refer to www.oshtemo.org home page for Virtual Meeting Information

**REGULAR MEETING
6:00 P.M.
AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Public Comment on Non-Regular Session Items

WORK SESSION ITEMS

4. Office Hours – Lunch Time Closing Trial, through August 2022
5. Update on ARPA Funds List Items (any questions on item descriptions?)
6. Other Updates & Business

BREAK (Time Permitting) – 7:05 P.M.

REGULAR SESSION ITEMS – 7:15 P.M.

7. Consent Agenda
 - a. Approve Minutes - April 26, 2022
 - b. Receipts & Disbursements Report
 - c. Budget Amendments
 - d. Handbook Amendment Section 7.4
 - e. Sanitary Sewer SAW Work Update
8. Consideration of 3393 S 9th Street Dangerous Building Order
9. Prairies Conditional Rezoning – First Reading (Request Withdrawn by Applicant)
10. Consideration of Open Space Community Sidewalk Deviation (N Ave; Tournesol)
11. Consideration of Parkview Nonmotorized Detailed Engineering (Bridge to Drake Road; Outside RCKC Project Limits)
12. Public Comment
13. Board Member Comments

**Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Clare Buszka	216-5260	cbuszka@oshtemo.org
<u>Trustees</u>		
Cheri L. Bell	372-2275	cbell@oshtemo.org
Kristin Cole	375-4260	kcole@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Kizzy Bradford	375-4260	kbradford@oshtemo.org

Township Department Information		
<u>Assessor:</u>		
Kristine Biddle	216-5225	assessor@oshtemo.org
<u>Fire Chief:</u>		
Mark Barnes	375-0487	mbarnes@oshtemo.org
<u>Ordinance Enf:</u>		
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org
<u>Parks Director:</u>		
Karen High	216-5233	khigh@oshtemo.org
Rental Info	216-5224	oshtemo@oshtemo.org
<u>Planning Director:</u>		
Iris Lubbert	216-5223	ilubbert@oshtemo.org
<u>Public Works:</u>		
Anna Horner	216-5236	ahorner@oshtemo.org

Zoom Instructions for Participants

Before a videoconference:

1. You will need a computer, tablet, or smartphone with a speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. If you are going to make a public comment, please use a microphone or headphones with a microphone to cut down on feedback, if possible.
3. Details, phone numbers, and links to videoconference or conference call are provided below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 11-digit Meeting ID.

To join the videoconference:

1. At the start time of the meeting, click on this link to [join via computer](#). You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](#) on any browser and entering this **Meeting ID: 868 1946 8760**

If you are having trouble hearing the meeting or do not have the ability to join using a computer, tablet, or smartphone then you can join via conference call by following instructions below.

To join the conference by phone:

1. On your phone, dial the teleconferencing number: **1-929-205-6099**
2. When prompted using your touchtone (DTMF) keypad, enter the Meeting ID number: **868 1946 8760#**

Participant controls in the lower-left corner of the Zoom screen:



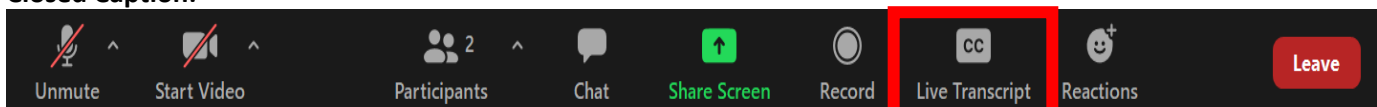
Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- Participants – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand. **This will be used to indicate that you want to make a public comment.**
- Chat – opens pop-up screen that allows participants to post comments during the meeting.

If you are attending the meeting by phone, to use the “Raise Hand” feature **press *9 on your touchtone keypad.**

Public comments will be handled by the “Raise Hand” method as instructed above within Participant Controls.

Closed Caption:



Turn on Closed Caption:

Using the icons at the bottom of the Zoom screen:

1. Click on the “Live Transcription” button.
2. Then select “Show Subtitle”.

Budget Amendment Request Worksheet

Date	Dept. Head	Fund Name	Funds Requested To			Funds Requested From			Explanation of Request	Previously Discussed	Within Apprvd Budget
			GL Number	Description	Amount	GL Number	Description	Amount			
4/11/2022	Iris Lubbert	DDA	900-728-80100	Community Events	\$ 300.00	900-001-40100	Carryover	\$ 600.00	To amend DDA budget per DDA recommendation, to add dollars for annual landscaping expense increase and for 'Music in the Park' raffle (second year).	Yes	No
			900-728-93300	Repairs and Maintenance	\$ 300.00						
			Total		\$ 600.00	Total		\$ 600.00			

Date	Dept. Head	Fund Name	Funds Requested To			Funds Requested From			Explanation of Request	Previously Discussed	Within Apprvd Budget
			GL Number	Description	Amount	GL Number	Description	Amount			
4/28//2022	Biddle	General	101-209-70300	BOR Salary	\$ 3,000.00	101-001-40100	Carryover	\$ 3,000.00	Add BOR salaries to 2022 annual budget, as per prior years.	Yes	No
			Total		\$ 3,000.00	Total		\$ 3,000.00			

Date	Dept. Head	Fund Name	Funds Requested To			Funds Requested From			Explanation of Request	Previously Discussed	Within Apprvd Budget
			GL Number	Description	Amount	GL Number	Description	Amount			
4/28/2022	Barnes/Farr	Fire	211-344-98000	Capital Equipment	\$ 12,000.00	211-001-40100	Carryover	\$ 12,000.00	Emergency purchase of replacement of two (2) multi gas detectors and eleven (11) personal CO gas detectors.	No	No
			Total		\$ 12,000.00	Total		\$ 12,000.00			

Date	Dept. Head	Fund Name	Funds Requested To			Funds Requested From			Explanation of Request	Previously Discussed	Within Apprvd Budget
			GL Number	Description	Amount	GL Number	Description	Amount			
			Total		\$ -	Total		\$ -			

Grand Total	\$ 15,600.00
Total Added to Budget (Projects not completed/not spent in 2021)	\$ 15,600.00
Total Not Previously Discussed with TB	\$ 12,000.00

REVIEW DATE 5/6/2022

SIGNATURE _____

Memorandum

Date: 06 May 2022
To: Township Board
From: Libby Heiny-Cogswell, Supervisor
Subject: Employee Handbook Amendment Section 7.4



Objective

Township Board consideration to amend Section 7.4 of the current Employee Handbook to bring it into agreement with Appendix B, subsection K.

Background

Full Time Elected Officials and Staff are in discussion to both reorganize the handbook and to review policies related to the timing of benefit provision (annually vs bi-weekly or monthly). Overall recommendations on these efforts will come to the Board, likely in June, for comprehensive discussion and consideration. In the course of these Staff discussions a current handbook section for PTO was identified as needing clarification to better align the language with the appendix.

Roughly 20 years ago the vacation and sick time benefits were combined into one benefit, paid time off (PTO), as learned from history provided from the then-serving elected official instrumental in the change. At that same time, the payment at employee termination evolved from paying fully for one benefit (vacation) and none for the other (sick time), to paying 50% for the combination benefit (PTO). The appendix describes this longstanding practice, and states,

“If an employee terminates his/her employment with the Township, he/she will be paid for 50% of any accrued PTO.”

Recommendation is to align language more clearly in handbook Section 7.4 with the Appendix, from,

“Final paychecks for regular employees who have resigned or have retired will contain, in addition to compensation owed for time worked, compensation for unused PTO days accrued to the effective date of termination,” to,

“Final paychecks for regular employees who have resigned or have retired will contain in addition to compensation owed for time worked, compensation for **one half (1/2) of unused PTO days accrued to the effective date of termination.**”

Information Provided

[Sections of 7.4 and Appendix B](#)

NOTE: This sanitary sewer SAW work item is included in 2022 budget. No Board action required. Update provided for Board understanding and notification per Purchasing Policy.



Sent via email: libbyhc@oshtemo.org

April 25, 2022
2190659

Ms. Elizabeth Heiny-Cogswell, Township Supervisor
Charter Township of Oshtemo
7275 W. Main Street
Kalamazoo, MI 49009-8210

RE: Oshtemo Township – Sanitary Sewer Cleaning and Televising & PACP Inspections

Dear Ms. Heiny-Cogswell:

On April 4, 2020, Oshtemo Township received a proposal to clean and televise sanitary sewer of various sizes within Oshtemo Township as part of the Township’s ongoing O&M program that was incorporated into the Township’s Capital Improvement Plan. The intent of these proposal is to establish unit prices for high velocity jet washing and televising pricing for the Township to clean and televise approximately 25,700 LF of sanitary sewer per year (10% of the system).

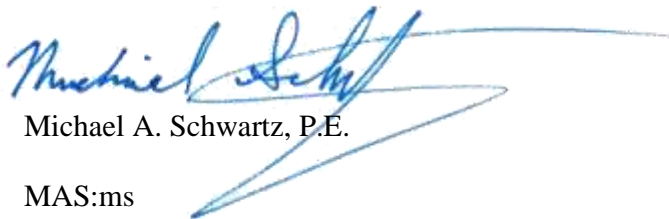
In 2021, the Township awarded the contract to Taplin Group of Kalamazoo, Michigan. Taplin provided updated pricing for 2022 to adjust for inflation and fueling costs (see attached). We recommend continuing the 2022 work under the proposed contract with the revised 2022 pricing.

In the Township’s CIP, it was anticipated the Township would spend approximately \$53,500 for this work in the 2022 calendar period. As part of the SAW program the Township’s sanitary system was divided into 10 regions for this type of work. As the scope of work is on a unit price basis, we would expect the CCTV and Cleaning costs to be approximate \$45,000 for the “2022 region” with the updating pricing. There would also be some associated engineering costs that would be performed by our office on a T&M basis related to GIS exports, adding the videos and data into the Township’s GIS system, and evaluation of the CCTV data and videos (anticipated around \$5,000).

Following action regarding contract award (continuation), we will notify Taplin that they are authorized for this year’s services at the updated unit prices. If you have any questions, please contact our office.

Sincerely,

Prein&Newhof



Michael A. Schwartz, P.E.

MAS:ms

Enclosure: Updated Pricing for 2022

Prein&Newhof

1707 South Park Street, Suite 200 Kalamazoo, MI 49001
t. (269) 372-1158 f. (616) 364-6955

Township CCTV and Cleaning
Updated Pricing for 2022

Item	2021	2022
Jetting 8"-12"	\$0.57	\$0.64
Jetting 15"-21"	\$0.76	\$0.85
Jetting 24"-27"	\$0.99	\$1.10
CCTV 8"-12"	\$0.57	\$0.66
CCTV 15"-21"	\$0.60	\$0.69
CCTV 24"-27"	\$0.59	\$0.68
Traffic Adder	\$0.66	\$0.86
Off Road Adder	\$0.67	\$0.84

The following is the revised pricing for the fuel cost increases.

MEMORANDUM



Date: May 3, 2022
To: Township Board
From: James Porter
Subject: Dangerous Building Hearing and Order- 3393 S. 9th Street

OBJECTIVE:

To request that the Board uphold the Order of the Dangerous Building Hearing Officer from the March 28, 2022 Dangerous Building Hearing and require demolition of the accessory structure at 3393 S. 9th Street.

BACKGROUND:

The enforcement matter related to this structure has been on-going since 2019. The property owner (as reflected in the attached minutes) has not take any concrete action to repair the accessory structure on his property in over two years. The structure has been deemed unsafe by the Township's Ordinance Enforcement and Building Official. The Hearing Officer found that the structure was unsafe and should be demolished. The Dangerous Building Hearing Officer determined that the structure could not be made safe, and that the property owner did not intend to take action to attempt to do so. The Property owner was given thirty (30) days to comply with the Dangerous Building Hearing Officer's Order to demolish the structure, but has not done so.

The property owner was mailed a copy of the Dangerous Building Hearing Officer Order (to the address he provided at the Dangerous Building Hearing) on April 5, 2022. That letter was returned to the Township as "undeliverable". Ordinance Enforcement provided him with a copy of the letter via email on April 15, 2022. Said letter made the property owner aware that the Order required demolition, and that, if not demolished by the deadline, the matter would come before the Township Board. The structure has not been demolished.

Township Ordinance No. 98, as amended, Subsection 7- Failure or refusal to comply, states:

In the event of the failure or refusal of the owner, agent, lessee or party in interest to comply with the decision of the Oshtemo Township Board, the Township Board may, in its discretion, contract for the demolition or making safe of the dangerous building or of maintaining the exterior of the building or structure or grounds adjoining the building structure. The cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure, or grounds adjoining the building or structure incurred by the Township to bring the property into conformance with the order shall be reimbursed to the Township by the owner or party in interest in whose name the property appears. The owner or party in interest in whose name the property appears upon the last Township tax assessment records shall be notified by the Assessor of the amount of the cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure by first class mail at the address shown on the records. If the owner or party in interest fails to pay the cost within 30 days after mailing by the Assessor of the notice of the amount of the cost, the Township shall have a lien for the cost incurred by the Township to bring the property into conformance. In addition to other remedies under this Ordinance, the Township may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. The Township shall have a lien on the property for the amount of a judgment obtained pursuant to this provision.

As the owner has not complied with the Dangerous Building Hearing Officer's Order to demolish the structure, the Board must now decide if it will uphold that Order and require the demolition.

INFORMATION PROVIDED:

I have attached the Minutes from the March 28, 2022 Dangerous Building Hearing, the Order of the Dangerous Building Hearing Officer, and the evidence presented at the Dangerous Building Hearing on March 28th, 2022.

STATEMENT OF REQUESTED BOARD ACTION:

I recommend that the Board uphold Dangerous Building Hearing Officer's Order to demolish the structure.



Property Address: 3393 S. 9th Street, Kalamazoo, MI 49009

Property Owner: Mehdi Purazrang

Hearing Officer: David Brayton

Order Date: March 30, 2022

ORDER OF DANGEROUS BUILDINGS HEARING OFFICER


A hearing was conducted on March 28, 2022, at the Oshtemo Charter Township Hall, pursuant to the Township's Dangerous Buildings Ordinance (Ordinance No. 98, as amended, "the Ordinance") concerning the condition of the accessory building (garage) and need for corrective action to repair or demolish the garage at 3393 S. 9th Street, Kalamazoo, MI 49009 ("Subject Building").

The Township's Ordinance Enforcement Officer, Rick Suwarsky, and the Township's Building Official, Garrett Reitenour, both testified that the Subject Building was a "Dangerous Building" as defined by Oshtemo Charter Township Ordinance No. 98 as reflected and set forth in the minutes of the March 28, 2022 Dangerous Building Hearing.

The owner of the Subject Property, Mehdi Purazrang, was given the opportunity to speak, present evidence, and comment on the alleged violation as reflected and set forth in the minutes of the March 28, 2022 Dangerous Building Hearing.

Based upon the evidence heard at said hearing, finding of fact that the Subject Building is a "dangerous building" as defined by the Ordinance, and my determination at the March 28, 2022 Dangerous Building Hearing (as reflected and set forth in the minutes thereof), **I hereby Order that the Subject Building be demolished within thirty (30) days.**

Dated: April 1, 2022



David Brayton
Dangerous Buildings Hearing Officer
Oshtemo Charter Township



**MEETING MINUTES OF A DANGEROUS BUILDING HEARING
HELD MARCH 28, 2022 AT OSHTEMO CHARTER TOWNSHIP HALL**

The Oshtemo Township Public Hearing on the alleged Dangerous Building at 3393 S. 9th Street, Kalamazoo, MI 49009 was held in person at the Township Hall, 7275 West Main Street. The Public Hearing was duly noticed by mailing to properties within 300’ of the subject property on March 8th, 2022, posting on the Township notice board, and by publication in the Kalamazoo Gazette on March 17th, 2022. The public was able to attend the meeting in person.

James Porter, Township Attorney, called the meeting to order at approximately 3:00 PM.

PRESENT:

James Porter, Township Attorney
David Brayton, Dangerous Buildings Hearing Officer
Rick Suwarsky, Ordinance Enforcement Officer
Rodney Rought, Ordinance Enforcement Officer
Garrett Reitenour, Township Building Official
Mehdi Purazrang, Property Owner
Trinda Purkey

Also present were Township Law Clerk, Emily Westervelt, and 1 interested person.

AGENDA:

Public Hearing regarding the alleged Dangerous Building at 3393 S. 9th Street, Kalamazoo, MI 49009. Pursuant to Oshtemo Charter Township Ordinance No. 98, a hearing was requested to determine whether the accessory structure at 3393 S. 9th Street constitutes a “dangerous building” within the meaning of the Ordinance, and if so, the disposition of the structure.

Attorney Porter opened the hearing by explaining the process for the hearing, the possible outcomes of the hearing, the right to appeal to the Township Board, and the timeline for compliance. He informed the property owner that if the order is not complied with, then the Township can seek enforcement of that order within 21 days, and if there is a demolition order, it would likely go to court for final approval by the judge to ensure due process. If a demolition is ordered, and approved by the court, the Township would proceed with the demolition and, per the ordinance, the cost will be assessed to the property. Attorney Porter then gave the floor to the Township’s Ordinance Enforcement Officers, Building Official, and the Hearing Officer to present their testimony and findings.

Rick Suwarsky, Township Ordinance Enforcement Officer, then introduced the Hearing Officer, David Brayton, and provided his background and qualifications. He then proceeded to state that the purpose of the hearing was to discuss the cinder block accessory building located at 3393 South Ninth Street in Oshtemo Township. Officer Suwarsky provided the timeline of their involvement with the structure, having received a complaint on August 9, 2019 regarding permit work being performed without a permit and substandard roof work performed on an accessory garage. He proceed with information about the Township Building Official inspecting the accessory building, posting a stop work order, and tagging the structure as condemned after determining that it was a dangerous building (the structure had building and structural deficiencies, did not appear to have been done to code, and a portion of the roof had failed). He stated that the property owner then had some interactions with the Southwest Michigan Building Authority regarding permitting, and that the Ordinance Enforcement Department had issued a notice in January of 2021 that the structure was a dangerous building, that identified the accessory building was unsafe structurally unsound, and condemned. He stated that the property owner, Mr. Purazrang was provided this Dangerous Building Notice by mail on January 26, 2021 to his mailing address of record with the Township, which is a P.O. Box. That notice identified the partially collapsed roof, failing cinderblock walls (deflecting and bowing), the non-code compliant work performed in 2018, and that the building appeared to be in danger of further structural failure, and possible collapse. The notice also advised Mr. Purazrang to obtain a demolition permit from the Southwest Michigan Building Authority either for complete demolition or removal of the failed structure no later than Monday, March 1 2021.

Attorney Porter requested that Officer Suwarsky make clear which documents he was referring to, so that the property owner could follow along on his copy, and that Officer Suwarsky give the materials to the Hearing Officer when he was done presenting them for his review.

Officer Suwarsky then formally identified himself for the record and the minutes, and identified the documents reflecting the information provided to Mr. Purazrang. Officer Suwarsky then proceeded to point out that the documents reflect an agreement understanding with Mr. Purazrang of actions that would be taken to correct the issues (notice sent on February 9, 2021) where Mr. Purazrang agreed to locate and hire a design professional (structural engineer architect) to evaluate the accessory structure, provide sealed drawings with recommendations for structural repairs to the walls and roof, and to do so within 30 days. The Township Building Official would then review and approve the plans. However, Officer Suwarsky continued, the next official action was almost a year later when Ordinance Enforcement advised Mr. Purazrang (January 19, 2022 notice) that the Township was proceeding to a Dangerous Buildings Hearing because the conditions had worsened over the course of that year, and had not been corrected.

Attorney Porter asked Officer Suwarsky if the plans and application were ever received. Officer Suwarsky differed to the Township's Building Official to respond.

Garrett Reitenour, Building Official for the Southwest Michigan Building Authority, identified himself for the record, and stated that the did receive plans for the repair, but never received the associated permit application.

Officer Suwarsky clarified that the packet provided included a permit that was disapproved from 2018 (prior to the designation of the structure being unsafe) for the roof permit work that was referenced. Officer Suwarsky clarified that this was not the permit for repair of the structure, and also indicated photos taken in February and March of 2022 (notice was posted to the building and status of the structure).

Officer Suwarsky and Official Reitenour discussed the plans received by the Southwest Michigan Building Authority in February 2021 from Chris Nelson of Schley Nelson Architects (which were received without a permit application for the work). Official Reitenour stated that the plan were reviewed, and approvable, and that he had contacted Mr. Nelson and Mr. Purazrang to advise that all that was needed was the permit application. Official Reitenour clarified that the plans were for structural repair of the building. Attorney Porter confirmed that this was over a year ago. Official Reitenour confirmed the timeline and stated that he had not received any additional communications during that time.

Official Reitenour continued that he had visited the sight early that day, and took additional photographs, which he presented, showing no progress, or structural repair, on the site only further dilapidation. Officer Suwarsky added that he had observed that the cinderblock was, in various parts of the building, separating with step cracking in some locations, some deflection of the walls (indicating clear structural failure), and a lot of rot along the roofline. Official Reitenour agreed that there was failure to the cinderblock on every side of the building, the buildings corners, middle mid spans, top corners, and cracks all the way down through blocks. He stated that the damage was evident in August of 2019, and that he saw same things on his March 28th trip to the site, with, if possible, even further dilapidation.

Attorney Porter asked Officer Suwarsky if it was his conclusion that this structure constitutes “dangerous building” as defined by Township Ordinance No. 98. Officer Suwarsky responded in the affirmative, based on the structural deficiencies in the walls and roof. Attorney Porter then asked Official Reitenour if he had determined this was a “dangerous building” for the same reason. Official Reitenour described further the state of the building, speculated as to the cause of the original roof damage, and stated that the center third of the roof is collapsed and has not been repaired, and is now covered with a tarp.

Attorney Porter then asked the Hearing Officer if he had any questions for the Township officials. Mr. Brayton stated that he was ready to hear from the property owner on the matter.

Mr. Purazrang stated that he had obtained a permit, referencing the second page of his documents. The Hearing Officer, Mr. Brayton, proceeded to ask Mr. Purazrang what he was using the building for. Mr. Purazrang proceed to provide information regarding the collapse of the roof from a branch, his starting work on the repair, the complaint, and stop work order. He then stated that when he tried to get a new permit for the roof work, he was denied, and told he needed another permit and a professional to do the work. After a question from Mr. Brayton, Mr. Purazrang confirmed that he had been told he could not build a new building or make these repairs without an architect’s stamp on the plans.

Mr. Brayton proceeded to inquire why the work had not been done in the two and half years since the 2018 roof collapse, and why he had not followed the plan for repairs. Mr. Purazrang replied that it was because of the stop work order, and that the report from Mr. Nelson said that the building was secure, and the wall was only a barrier that had nothing to do with the weight of the roof (February 15, 2021 letter from Kris Nelson).

Mr. Brayton inquired whether the Township had received the information from Mr. Nelson with the plans. Building Official Reitenour responded that he had received the letter from Mr. Nelson on February 16, 2021 and that he replied to Mr. Nelson and Mr. Purazrang by email on February 25th to tell them he had received that letter, and that the details of the repair were acceptable, however, to move forward with the repair he required (a) a completed building permit application with the architect and contractor information no later than March 31, 2021, and (2) seal drawings detailing the framing repairs to the structure. Official Reitenour stated that while Mr. Nelson's letter presented some options for the repair, nothing was actually identified as to the details, he needed more information. In response to a question from Mr. Brayton, Official Reitenour confirmed that they never received a permit application to accompany the submitted plans.

Mr. Brayton then asked Mr. Purazrang why he was here today, what he had been doing all this time, and why he had not completed the work. Trinda Purkey interjected to say that this was during the middle of Covid. Mr. Purazrang continued that he had been unable to find anyone to perform the work and therefore did not want to pull a permit. Mr. Brayton then asked if he had obtained an estimate for the work. Mr. Purazrang responded again, no, because he had not been able to find anyone to do the work, even through Mr. Nelson. Mr. Brayton asked Mr. Purazrang if he was capable of doing the work himself. A discussion followed between Mr. Brayton, Mr. Purazrang, and Building Official Reitenour where it was explained that due to the non-owner-occupied status of the property, the tenants renting the main structure, and the commercial storage nature of the accessory building, it was not permissible for Mr. Purazrang to perform the work himself. Rather, the work needed to be performed under the supervision of a licensed design professional. Officer Suwarsky then added that, having reviewed the notices sent to Mr. Purazrang, that they never included a requirement that the work had to be completed by a licensed contractor.

Attorney Porter clarified that the discussion was regarding the February 25, 2021 email. Mr. Brayton and Attorney Porter then asked how many people Mr. Purazrang solicited to do the work, and what documentation he had of those attempts. Mr. Purazrang was unable to provide names or documentation beyond referring to Mr. Nelson. Mr. Brayton then asked Mr. Purazrang if he had the money to repair the building and if he was willing to put it in escrow. A discussion followed of the costs- Mr. Purazrang estimating the repairs to be around \$3,000 while Mr. Brayton said it would be more like \$10,000. There was a discussion about the use- commercial storage- of the building now, and that the use would be the same if it was repaired. Mr. Brayton concluded by stating that Mr. Purazrang was not being realistic about the costs of repairs.

Attorney Porter then asked Mr. Purazrang if there was anything else he wished to bring to the attention of the Hearing Officer. Mr. Purazrang and Attorney Porter agreed that all of the information appeared to be in the record. Mr. Purazrang then stated his belief that it shouldn't be legal not allow him to extend his permit.

Building Official Reitenour sought to clarify the record on this matter, and the discussion returned to the original permit that was issued. Building Official Reitenour explained that the original permit was issued administratively for a shingle removal and replacement- not structural work. That a new permit was needed for the structural work, and that when the original 2018 permit expired on August 27th, 2018, he went out to inspect it and was unable to determine what work had been done, and that he could not confirm that the repair had been made. That he assumed the roofing was for the house on the property, not the accessory building. That building permit was closed because of the lack of inspection request and no active work was being performed.

Attorney Porter clarified that the permit they were now waiting for was for the structural work. Official Reitenour stated that this was correct, and that it was not until the complaint in 2019 that the nature of the original permit was understood. The work had not been completed at that time, and that the new permit was required for the structural work, as previously discussed.

Mr. Brayton then summed up that this issue started in 2018, and that there was ample time to fix it, but that the work was not done. There was a discussion, clarifying that the tree fell on the roof (causing the original damage) in 2018. Attorney Porter stated his belief that the facts had been covered and asked if Mr. Brayton had additional questions. Mr. Brayton stated that he had heard enough.

Attorney Porter invited Mr. Brayton to make his ruling in this matter and presented the three options: that the building be made safe, properly maintained, or demolished; and that he give the time frame for any ordered action.

Mr. Brayton then stated that the building was, realistically, beyond repair. He then issued his order that the building be demolished within thirty (30) days. Mr. Purazrang responded that they would have to go to court.

Attorney Porter then explained the process from this point regarding the preparation of the Order and the further proceedings at the Township Board.

The Hearing Officer having issued his determination, and having no other items to discuss, the Public Hearing was adjourned at approximately 3:50 p.m.

Minutes prepared:
March 29, 2022

Minutes approved:
April 1, 2022

By: David Brayton
David Brayton
Dangerous Buildings Hearing Officer
Oshtemo Charter Township

Garrett Reitenour

From: Garrett Reitenour
Sent: Thursday, February 25, 2021 10:46 AM
To: 'mpurazrang@aol.com'; 'knelson@schley-aia.com'
Cc: 'Rick Suwarsky'; Rod Rought; Kyle Gibson; Elvira Oropeza
Subject: 3393 S 9th. St detached accessory building

Good morning.

I have received and reviewed the structural analysis letter prepared by Schley Nelson Architects.

The proposed structural repairs, as stated in the letter, are acceptable.

To move forward with the repair of the structure, SMBA will need the following:

1. A completed building permit application with architect and contractor information, submitted by no later than 3/31/2021.
2. Sealed drawings detailing the framing repairs to the structure. A few options were proposed in the letter. The option being used will need to be defined.

This work will need to be performed by licensed contractor(s) or under the direct supervision of the registered design professional in responsible charge.
Once a permit is issued, the work shall be completed within the 180 day validity of the permit. NO PERMIT EXTENSIONS WILL BE GRANTED. If the work is not completed within the 180 days, Oshtemo Township may proceed with the Dangerous Building process.

Garrett Reitenour

Building Official
Southwest MI Building Authority
7275 West Main
Kalamazoo MI 49009
greitenour@swmiba.org
www.swmiba.org



February 15, 2021

Mr. Mehdi Purazrang
3393 S. 9th St
Kalamazoo, MI 49009
Ph: (269)352-8027

RE: Storage Building Repairs
3393 S. 9th St.
Kalamazoo, MI 49009

Dear Mr. Purazrang,

Now that we have had a chance to review your existing storage barn we can propose a course of action for you to present to the Township.

The existing building is a single story accessory structure located on your property at 3393 S. 9th Street in Oshtemo Township. The site is zoned VC – Village Commercial District with the Village Form Based Code Overlay Zone. The structure in discussion is a barn that is 1,382 s.f. in size. The barn is a single story slab on grade with a single sloped roof. The interior of the barn is one large open space. The structure of the barn consists of 4x4 posts located along the perimeter and a row of 4x4 posts down the center. The perimeter posts are currently intermittently supporting 4x4 beams which are supporting 2x4 rafters spaced at 24" on center and the center posts are supporting a double 2x6 beam also supporting the 2x4 rafters. The exterior of the barn is a 4" thick single wythe masonry wall. The wall appears to have at one time been a bearing wall for the roof, however now it is only being used to enclose the space.

What we propose as the solution to shore up the building is as follows:

The existing 4x4 posts at the perimeter will need to be confirmed for spacing distances but likely will need to have additional posts. Currently the posts are spaced randomly anywhere from 5 feet apart to 8 feet apart. We will normalize that spacing to allow for calculations of the loading. The center column spacing is roughly 8 feet on center. The center beam is a patchwork of existing 2x6 that has been rotted away with two new 2x6's sistered to each side. The beam will likely need to have some repairs done so as to allow for a more uniform bearing onto the posts.

The existing rafters are 2x4's that span 7'-11 3/4" on one side and 8'-4 3/4" on the other side. They are spaced at roughly 24" on center. There are a number of rafters that were damaged from the limb that fell on the building in 2018 and a lot of them have been supplemented with new 2x4's. In doing the calculations for a 2x4 roof rafter in our area using a ground snow load of 35 pounds per square foot (psf) we see that the 2x4 is only allowed to span a little over 6' when spaced at 24" o.c. If the spacing were reduced to 12" o.c. then the span would go up to about 8'-4". We are right at the maximum limit for rafters but we believe with the proper configuration of the 2x4's it will meet code requirements.

All of the existing posts at the perimeter and in the center are assumed to be sitting on at minimum a thickened slab. As this building has never been and is not intended to be a tempered space, we

understand there is no requirement for frost protection of the existing footings. It could be noted that the building appears to have been in place since around 1932 with no evidence of heaving.

The exterior masonry wall will need to be repaired in a number of places due to cracked mortar joints and rolled top course. This exterior wall will be a non-bearing wall; therefore, the repairs would be meant to repair and shore the wall so as to eliminate existing crack and to secure the building. Tuck pointing of some areas will be required and likely other areas will simply need to be pulled apart and re-lain to be a true and plumb wall.

Once the above noted work has been completed then a new membrane or rolled roofing style roof material could be installed on the roof. We would also recommend a sealer to the exterior masonry to help maintain a weather tightness to the building.

We would recommend you provide this letter to Oshtemo Township Building Officials for review to determine if this described course of action is acceptable to them. Once they approve the concept, we will be able to provide you with a proposal to complete the documentation work as noted above.

If you have any questions in the meantime please do not hesitate to give me a call.

Respectfully,
SCHLEY NELSON ARCHITECTS



Kristopher Nelson, AIA, LEED AP
President

Garrett Reitenour

From: Rick Suwarsky <RSuwarsky@oshtemo.org>
Sent: Tuesday, February 9, 2021 12:34 PM
To: Mehdi Purzarang (mpurazrang@aol.com)
Cc: Rod Rought; Garrett Reitenour; Libby Heiny-Cogswell; Josh Owens
Subject: List of Kalamazoo Area Structural Engineers / Design Professionals & Plan Letter re: 3393 S 9th St Accessory Building
Attachments: Letter Re 3393 S 9th St Accessory Bldg 2-9-2021.pdf; 3393 S 9th St Accessory Bldg DANGEROUS BUILDING STATUS UPDDATE 02-09-2021.pdf

Dear Mehdi,

Thank you for meeting today with Township Supervisor Libby Heiny-Cogswell, SMBA Building Official Garrett Reitenour, and Ordinance Enforcement Officers Rod Rought & Rick Suwarsky to discuss the status of your accessory building, located at 3393 S 9th Street. Following our discussion about the building conditions and needed repairs, we agreed to the following plan of action:

You will locate and contract with a Registered Design Professional (Structural Engineer / Architect) to evaluate the accessory building and provide sealed drawings with any recommendations for structural repairs to the walls and roof to be included with a new building permit application submitted to the Southwest Michigan Building Authority within 30 days. Once the Building Official reviews and approves the submitted permit plans, the building permit will be issued, and repairs may commence. If after consultation with the registered design professional, should you decide that the structure is beyond repair or too cost-prohibitive to repair, please submit a building demolition permit application within 30 days.

See below list of structural engineers / design professionals. Thank you.

Sincerely yours,

Rick Suwarsky

Ordinance Enforcement Officer
Oshtemo Township
7275 W. Main Street
Kalamazoo, MI 49009
Direct: 269-216-5230
Dept: 269-216-5227
Fax: 269-375-7180



From: Rod Rought <rrought@oshtemo.org>
Sent: Tuesday, February 9, 2021 10:46 AM
To: Rick Suwarsky <RSuwarsky@oshtemo.org>
Subject:

ehil-Sivak PC
No reviews · Structural engineer
414 S Burdick St #300

Open now · (269) 383-3111

WEBSITE
DIRECTIONS

Byce & Associates, Inc.

5.0 (1) · Structural engineer

487 Portage Street

Open · Closes 5PM · (269) 381-6170

WEBSITE
DIRECTIONS

StructureTec Group

5.0 (1) · Structural engineer

4777 Campus Dr · In Western Michigan University College of Engineering and Applied Sciences

(269) 353-9944

WEBSITE
DIRECTIONS

Wightman

4.7 (7) · Engineering consultant

433 E Ransom St

Open · Closes 5PM · (269) 327-3532

🚧 "... it is merely under **construction**. They do have another location in ..."

WEBSITE
DIRECTIONS

WGI

3.0 (3) · Structural engineer

Portage, MI

Open · Closes 5:30PM · (269) 381-2222

WEBSITE
DIRECTIONS

Nehil Sivak Consulting: Sivak Jerome

No reviews · Engineer

414 S Burdick St #300

(269) 383-3111

WEBSITE
DIRECTIONS

Abonmarche Consultants

No reviews · Civil engineer

Portage, MI

Open · Closes 5PM · (269) 447-1800

WEBSITE
DIRECTIONS

DLZ

2.0 (1) · Engineering consultant

535 S Burdick St Ste 248

Open · Closes 5PM · (269) 553-0640

WEBSITE
DIRECTIONS

Eckert Wordell

3.0 (1) · Architecture firm

161 E Michigan Ave

Open · Closes 5PM · (269) 388-7313

WEBSITE
DIRECTIONS

AR Engineering

5.0 (1) · Civil engineering company
5725 Venture Park Dr A
Open · Closes 5PM · (269) 250-5991
WEBSITE
DIRECTIONS

Hurley & Stewart

5.0 (2) · Civil engineering company
2800 S 11th St
Open · Closes 5PM · (269) 552-4960
WEBSITE
DIRECTIONS

Kieser & Associates

No reviews · Engineering consultant
536 E Michigan Ave #300
(269) 344-7117
WEBSITE
DIRECTIONS

Psi

5.0 (1) · Engineering consultant
3614 Lake St
WEBSITE
DIRECTIONS

Barry-Wehmiller Design Group

No reviews · Engineering consultant
261 E Kalamazoo Ave suite I-200
(847) 918-8099
WEBSITE
DIRECTIONS

Stephenson Land Surveying

No reviews · Land surveyor
251 N Rose St #200
Open · Closes 4:30PM · (269) 445-8903
WEBSITE
DIRECTIONS

Ingersoll Watson & Mc Machen

No reviews · Land surveyor
Portage, MI
Open · Closes 4:30PM · (269) 344-6165
🌐 Their website mentions **civil engineering**
WEBSITE
DIRECTIONS

Driesenga & Associates

3.0 (1) · Land surveyor
552 S 8th St
Open now · (269) 544-1455
WEBSITE
DIRECTIONS

Owen-Ames-Kimball Co.

No reviews · Construction company
161 E Michigan Ave #102

Open · Closes 5PM · (269) 276-9700
WEBSITE
DIRECTIONS

Skanska USA Building Inc
No reviews · General contractor
Portage, MI
(269) 342-5400
DIRECTIONS

Building Dreams Construction
5.0 (5) · Custom home builder
5462 Gull Rd #1b
Open · Closes 4PM · (517) 974-3747
✓ Onsite services · ✓ Online estimates
WEBSITE
DIRECTIONS

Can't find what you are looking for?
ADD A MISSING PLACE

[123Next](#)

49503, Grand Rapids, MI - From your Internet address [Use precise location](#) - [Learn more](#)

[Help](#) [Send feedback](#) [Privacy](#) [Terms](#)

Rod Rought

Ordinance Enforcement Officer
Oshtemo Township
7275 W. Main Street
Kalamazoo, MI 49009
Direct: 269-216-5222
Dept: 269-216-5227
Fax: 269-375-7180



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Garrett Reitenour

From: Rick Suwarsky <RSuwarsky@oshtemo.org>
Sent: Tuesday, October 22, 2019 7:33 PM
To: Dusty Farmer; Garrett Reitenour
Subject: FW: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order - New Building Permit Required

Dusty & Garrett,

This was the last correspondence I've had from Mehdi Purazrang regarding the garage. He did not meet the deadline in the email, but this was not a formal Violation Notice. I tried the polite, less formal approach out of respect. I am aware that he has not been cooperative with providing sealed drawings to SMBA.

Where this sits with Ordinance Enforcement next step is a Violation Notice that concurs with the Building Official's condemnation, declaring the garage a dangerous structure that needs to be repaired or demolished and removed through building permit process. I would give him no more than two weeks deadline in the notice to do what he was asked to do already in the email. Then it is a matter of citation, court or dangerous building hearing, and I would think we should go the citation / injunctive relief filing in court route.

-Rick

From: Mehdi Purazrang <mpurazrang@aol.com>
Sent: Tuesday, August 13, 2019 7:04 PM
To: Rick Suwarsky <RSuwarsky@oshtemo.org>
Subject: Re: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order - New Building Permit Required

Hi Rick... today was very busy day for me ... but I will plan on seeing the building authority as soon as possible... once again I did not know that the building permit would expire...

Thanks again Mehdi

Sent from my iPhone

On Aug 13, 2019, at 10:15 AM, Rick Suwarsky <RSuwarsky@oshtemo.org> wrote:

Mehdi,

Good morning. I checked the permit record for this garage and found a permit you pulled 1 ½ year ago. It was closed 08/31/2018, inspection was disapproved with no indication as to which section of roof was repaired. Roof work appeared to have been performed, but the Building Inspector could not confirm that the installation was code compliant. That permit was CLOSED last summer. Has there been roof work performed this summer, 2019?

As of now, the entire building has been determined to be dangerous. The scoped of work required is beyond roof repair. The roof permit from March 2018 is now expired, disapproved, closed.

- 1) You need to submit repair plans to the satisfaction of the SMBA Building Official for the complete structural repair.
- 2) Roof partially collapsed, block walls failing. Roof work performed in 2018 does not appear to be code compliant.

3) New Building Permit required for roof repair work as a result of the roof of the detached accessory building collapsing and for repair of failing block walls.

Please obtain Building Permit with structural repair details and commence repair work by 08/28/2019.

Thank you.

Rick Suwarsky
Ordinance Enforcement Officer
Oshtemo Township
269-216-5227

<image002.jpg><image008.jpg>
<image009.jpg>

-----Original Message-----

From: Rick Suwarsky
Sent: Monday, August 12, 2019 8:20 PM
To: Mehdi Purazrang <mpurazrang@aol.com>
Cc: Garrett Reitenour <greitenour@swmiba.org>; LouAnn VanDenBos <louannv@oshtemo.org>
Subject: Re: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order

Mehdi,

Sorry I missed you. I was out ill today.

I received a complaint of substandard roof work being performed on the garage. I stopped and took a few photos, asked the Building Official to inspect the building. The Building Official posted a Stop Work Order and tagged the structure as Condemned/Dangerous building.

The building has structural problems and the roof work is not to code. You will need to submit structural repair plan, possibly with sealed drawings by design engineer to the Southwest Michigan Building Authority. The structure needs repair in addition to a new roof. Please have your contractor direct any permit questions to Garrett Reitenour, Building Official for the Southwest Michigan Building Authority, 269-585-4150.

Thank you.
Rick Suwarsky

Sent from my iPhone

> On Aug 12, 2019, at 6:25 PM, Mehdi Purazrang <mpurazrang@aol.com> wrote:

>

> Hi Rick, I stopped by to see you today , but you where unavailable .. I dropped off a copy of the building permit for the storage room roof replacement. unfortunately I did not realize that the permit would expire. I just wanted you to know I did not start this project without a permit.

>

> Thank you Mehdi

>

> Sent from my iPhone

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Garrett Reitenour

From: Rick Suwarsky <RSuwarsky@oshtemo.org>
Sent: Monday, August 12, 2019 8:20 PM
To: Mehdi Purazrang
Cc: Garrett Reitenour; LouAnn VanDenBos
Subject: Re: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order

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Garrett Reitenour

From: Garrett Reitenour
Sent: Thursday, August 22, 2019 12:31 PM
To: 'mpurazrang@aol.com'
Cc: 'Rick Suwarsky'
Subject: 3393 S 9th

Mehdi,

I have received the application for the structural repairs to the accessory building t 3393 S 9th St. Please have a registered design professional prepare construction drawings for the repairs to the roof and block walls.

Thanks

Garrett Reitenour

Building Official
Southwest MI Building Authority
7275 West Main
Kalamazoo MI 49009
greitenour@swmiba.org
www.swmiba.org

Garrett Reitenour

From: Garrett Reitenour
Sent: Friday, September 27, 2019 2:01 PM
To: 'mpurazrang@aol.com'
Cc: 'Rick Suwarsky'
Subject: 3393 S 9th

Mehdi,

I have received a couple of sketches for the proposed roof repair of the accessory building at 3393 S 9th.

Unfortunately I cannot issue a permit from these drawings.

In my email to you dated 8/22, I stated that the drawings needed to be prepared by a registered design professional. The drawings submitted to me were not. They also did not include any details for repairs to the block walls.

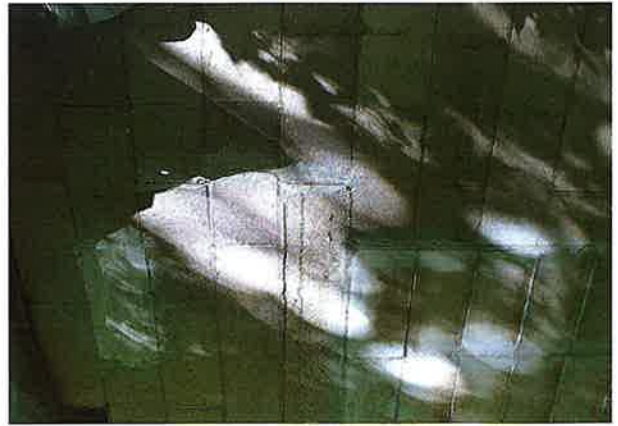
Please have a registered design professional prepare drawings for the repairs to the roof structure and the block walls, and submit them to me.

Thanks

Garrett Reitenour

Building Official
Southwest MI Building Authority
7275 West Main
Kalamazoo MI 49009
greitenour@swmiba.org
www.swmiba.org

8/9/19







Southwest Michigan Building Authority

BUILDING PERMIT APPLICATION

7275 West Main Street, Kalamazoo MI 49009

Phone: (269) 585-4151

Email: cbartel@swmiba.org

Web: www.SWMIBA.org

PERMIT # P1318-DS-0058

PARCEL ID # DS-35-205-201

Authority: 1972 PA 230. Completion: Mandatory to obtain permit. Penalty: Application must be completed, signed, and proper fee paid, or permit will not be issued.

I. Job Location (Applicant must complete all sections of the application, including the checklist on the back. Separate applications must be pulled for electrical, mechanical, and plumbing work being done.)

Street Number and Street Name	3393 S. 9TH ST KALAMAZOO MI 49009
-------------------------------	-----------------------------------

II. Identification

A. Owner / Lessee

Name	MEHDI PURAZRANG	Phone Number	269-352-8027	Email	MPURAZRANG@AOL.COM
Address (Street Number and Name)	4707 S. VAN KAL ST	City, State	MATTAWAN	Zip Code	49071

B. Architect / Engineer

Name	Phone Number	Email
Address (Street Number and Name)	City, State	Zip Code
License #	Expiration Date	

C. Contractor

Name	Phone Number	Email
Address (Street Number and Name)	City, State	Zip Code
License #	Expiration Date	Federal Employer ID Number
UIA Number	Workers Compensation Insurance Carrier	

III. Type of Improvement

Construction Valuation \$ _____

Residential Commercial (Construction Type ____ Use Group ____ Occ. Load ____)

<input type="checkbox"/> New Building	<input type="checkbox"/> Addition	<input type="checkbox"/> Fence	<input type="checkbox"/> Detached Garage / Accessory Bldg.	<input type="checkbox"/> Sign
<input type="checkbox"/> Deck	<input type="checkbox"/> Demolition	<input checked="" type="checkbox"/> Re-Roofing	<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Other (Describe)
<input type="checkbox"/> Manufactured Home Setup	<input type="checkbox"/> Alteration	<input type="checkbox"/> Foundation Only	<input type="checkbox"/> Siding (w/ Structural Alterations)	

IV. Dimensions

Total Square Feet _____

A. Floor Area

Basement:	(width) _____	x(depth) _____	= _____	square feet
	Is the Basement Finished? <input type="checkbox"/> Yes <input type="checkbox"/> No			
1st Floor	(width) _____	x(depth) _____	= _____	square feet
2nd Floor	(width) _____	x(depth) _____	= _____	square feet
Garage	(width) _____	x(depth) _____	= _____	square feet

B. Setbacks

Front: _____ Left Side: _____ Right Side: _____ Rear: _____

V. Description of Work

Please provide a brief description of the work being done:

MIDDLE OF THE STORAGE ROOM

VI. Instructions

- No work shall be started until a permit has been obtained, and work shall not be concealed until it has been inspected.
- When ready for an inspection, call SMBA providing 48 hours notice. SMBA will need the job location and/or permit number.
- A permit remains valid as long as work is progressing and inspections are requested and conducted. A permit shall become invalid if the authorized work is not commenced within 180 days after issuance of the permit or if the authorized work is suspended or abandoned for a period of 180 days after the time of commencing the work. A PERMIT WILL BE CLOSED WHEN NO INSPECTIONS ARE REQUESTED AND CONDUCTED WITHIN 180 DAYS OF THE DATE OF ISSUANCE OR THE DATE OF A PREVIOUS INSPECTION. CLOSED PERMITS CANNOT BE REFUNDED.
- Before a Certificate of Occupancy is issued, "As Built" plans are required for all commercial projects and any Residential projects that have had changes made to the original drawings.
- Checks should be made payable to: SOUTHWEST MICHIGAN BUILDING AUTHORITY -OR- SMBA

VII. Applicant Signature

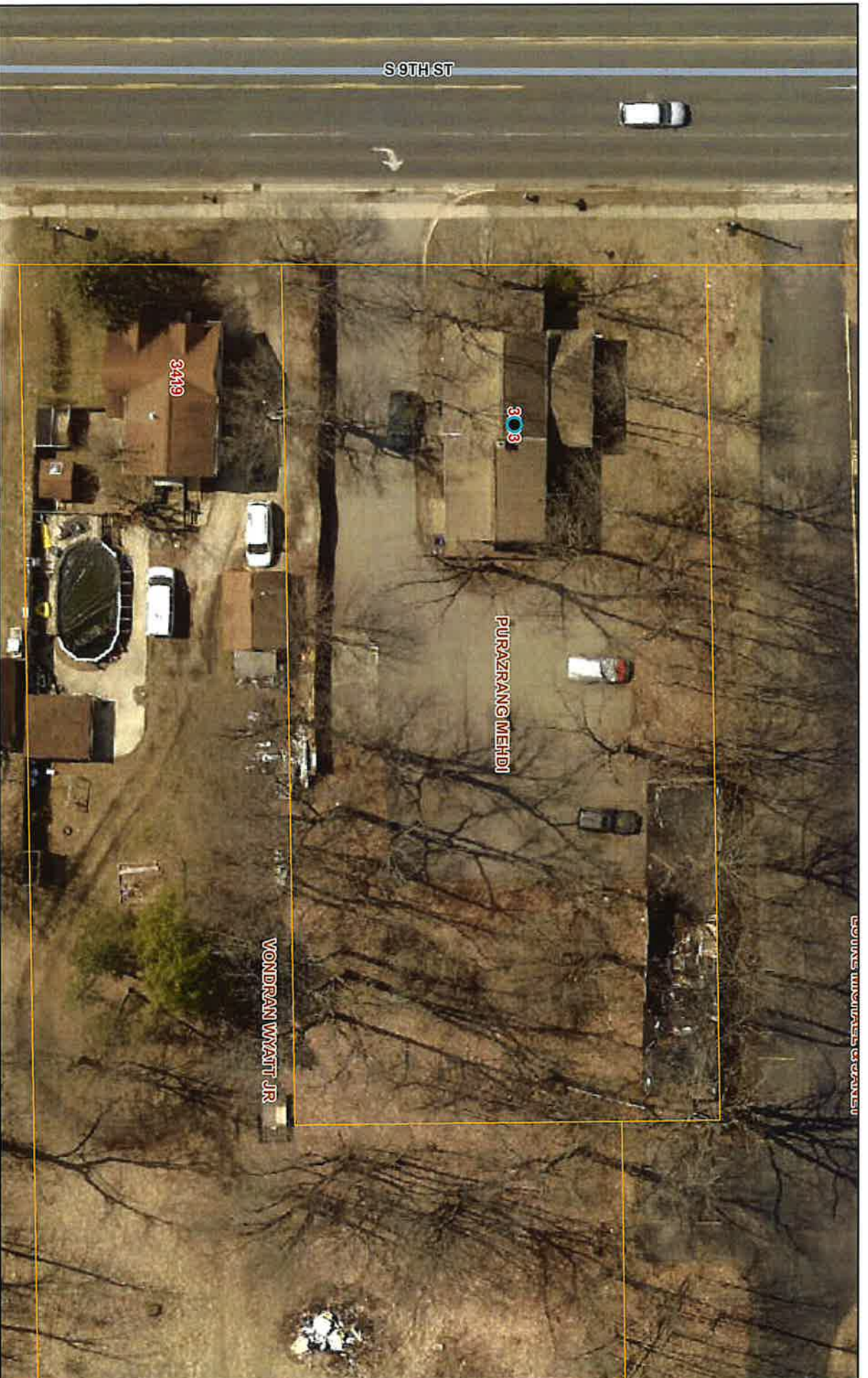
I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. We agree to comply with all applicable ordinances of the local jurisdiction where this property is located and laws of the State of Michigan and that SMBA shall not be held liable for any damages resulting therefrom.

Section 23a of the State Construction Code Act of 1972, 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines.

Martin P. [Signature] Feb 28 2018

Signature of Applicant	Date
\$	
Permit Fee	Approval Signature
	Date

Kalamazoo County GIS



3/28/2022, 9:51:03 AM

Address Points

Street Centerlines

Parcels

Government Units

County Primary Road

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

This map is for reference purposes only, and does not represent a survey or legal document. Data layers on this map are generated from individual local sources. The County makes no representation regarding the accuracy or reliability of the data contained herein.

Kalamazoo County

3/28/22

























PART 253

253.000 - DANGEROUS BUILDINGS

Ord. No. 98 Adopted: November 13, 1973; Amended Ord. No. 580 Adopted: September 13, 2016, Effective: October 6, 2016

Contents:

253.001 - Title.

253.002 - Dangerous building defined.

253.003 - Prohibition.

253.004 - Notice of dangerous conditions.

253.005 - Hearing officer.

253.006 - Hearing.

253.007 - Failure or refusal to comply.

253.008 - Appeal.

253.009 - Repeal.

253.010 - Effective date.

253.001 - Title.

Sec. I.

This Ordinance shall be known and cited as the Oshtemo Township Dangerous Buildings Ordinance.

253.002 - Dangerous building defined.

Sec. II.

As used in this Ordinance, the term "dangerous building" means a building or structure that has one or more of the following defects or is in one or more of the following conditions:

- A. A door, aisle, passageway, stairway or other means of ingress or egress does not conform to the Building Code or Fire Code effective within the Township of Oshtemo.
- B. A portion of the building or structure is damaged by fire, wind, flood, or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township of Oshtemo for a new building or similar structure, purpose or location.
- C. A portion of the building or structure is likely to fall or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- D. A portion of the building or structure has settled to such an event that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township of Oshtemo.
- E. The building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or for other reason, is likely to fall or give way.
- F. The building or structure or any portion is manifestly unsafe for the purpose for which it is used.
- G. The building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for

dangerous building, pursuant to the Ordinance, a final notice shall be served on the owner, agent or lessee that is registered with the Township.

- D. All such notices required by this ordinance shall be in writing and shall be served upon the person to whom they are directed personally, or in lieu of personal service, may be mailed by Certified Mail—Return Receipt Requested, addressed to such owner or party in interest at the address shown on the tax records, at least ten days before the date of the hearing described in the notice. If any person to whom the notice is directed is not personally served, in addition to mailing the notice, a copy thereof shall be posted upon a conspicuous part of the building or structure at last [least] ten days prior to the hearing date.

(Ord. No. 394, § II, 12-12-2000; Ord. No. 531, § VII, 9-11-2012; Ord. No. 580, § V, 9-13-2016)

253.005 - Hearing officer.

Sec. V.

- A. A hearing officer shall be appointed by the Township Supervisor to serve at the pleasure of the Supervisor.
- B. The Township Ordinance Enforcement Officer shall file a copy of the final notice of dangerous building with the Hearing Officer.
- C. At the hearing, the Hearing Officer shall take testimony of the Township Ordinance Enforcement Officer, Township Officials and/or Townships Building Authority Officials, the owner of the property, lessee of the property and any interested party. Not more than five days after the completion of the hearing, the Hearing Officer shall render a decision either closing the proceedings or ordering the building or structure demolished, otherwise made safe, or properly maintained.
- D. If it is determined by the Hearing Officer that the building or structure should be demolished, otherwise made safe, or properly maintained, the Hearing officer shall so order, fixing a time in the order for the owner, agent, lessee or party in interest to comply therewith. The order may require the maintenance of the exterior of the building and exterior grounds, including but not limited to the maintenance of lawns, trees and shrubs.
- E. If the owner, agent, lessee or party in interest fails to appear or neglects or refuses to comply with the order, the Hearing Officer shall file a report of his findings and a copy of the order with the Oshtemo Township Board not more than five days after noncompliance and request that the necessary action be taken to enforce the order. A copy of such findings and order of the Hearing Officer shall be served on the owner or party in interest in the manner prescribed in Section 253.004(D).

(Ord. No. 394, § III, 12-12-2000; Ord. No. 531, § VIII, 9-11-2012; Ord. No. 580, § VI, 9-13-2016)

253.006 - Hearing.

Sec. VI.

Upon receiving the findings and order of the Hearing Officer, the Oshtemo Township Board shall fix a date for hearing, not less than 30 days after the hearing is conducted by the dangerous buildings Hearing Officer, reviewing the findings and order of the Hearing Officer, and shall give notice to the owner, agent, lessee or party in interest in the manner prescribed in Section 253.004(D) of the time and place of the hearing. At the hearing, the owner, agent, lessee or party in interest shall be given the opportunity to show cause why the order should not be enforced. The Township Board shall either approve, disapprove or modify the order. If the Township Board approves or modifies the order, the Township Board shall take all necessary action to enforce the Order. If the order is approved or modified, the owner, agent, lessee or party in interest shall comply with the order within 60 days after the date of the hearing under this subsection. In the case of an order of demolition, if the Township Board determines that the building or structure has been substantially destroyed by fire, wind, flood, or other natural disaster, and the cost of repair of the building or structure will be greater than the state equalized value of the building or structure, the owner, agent, lessee or party in interest shall comply with the order of demolition within 21 days after the date of the hearing under this subsection.

(Ord. No. 394, § IV, 12-12-2000)

253.007 - Failure or refusal to comply.

Sec. VII.

PERMIT WORK - PERMIT REQUIRED Enforcement | EN19-05-0248

Property Information

05-35-205-201

3393 S 9TH ST

Subdivision:

KALAMAZOO MI, 49009

Lot:

Block:

Name Information

Owner: PURAZRANG MEHDI

Phone:

Occupant:

Phone:

Filer:

Phone:

Enforcement Information

Date Filed: 08/13/2019

Date Closed:

Status: PERMIT WORK VIOLATION

Complaint:

8/9/2019. Complaint received: Substandard roof work performed on detached accessory garage. Ofc. Suwarsky stopped and took photos; asked Building Official to inspect the accessory building. Building Official posted a Stop Work Order and tagged the structure as Condemned/Dangerous building.

The building has structural deficiencies and roof work does not appear to have been done to code.

From: Rick Suwarsky
Sent: Tuesday, August 13, 2019 10:16 AM
To: Mehdi Purazrang <mpurazrang@aol.com>
Cc: Garrett Reitenour <greitenour@swmiba.org>; LouAnn VanDenBos <louannv@oshtemo.org>
Subject: RE: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order - New Building Permit Required

Mehdi,
Good morning. I checked the permit record for this garage and found a permit you pulled 1 1/2 year ago. It was closed 08/31/2018, inspection was disapproved with no indication as to which section of roof was repaired. Roof work appeared to have been performed, but the Building Inspector could not confirm that the installation was code compliant. That permit was CLOSED last summer. Has there been roof work performed this summer, 2019?

As of now, the entire building has been determined to be dangerous. The scope of work required is beyond roof repair. The roof permit from March 2018 is now expired, disapproved, closed.

- 1) You need to submit repair plans to the satisfaction of the SMBA Building Official for the complete structural repair. MBC 2015 Section 107.1
- 2) Roof partially collapsed, block walls failing. Roof work performed in 2018 does not appear to be code compliant.
- 3) New Building Permit required for roof repair work as a result of the roof of the detached accessory building collapsing and for repair of failing block walls.

Please obtain Building Permit with structural repair details and commence repair work by 08/28/2019.

Thank you.

Rick Suwarsky
Ordinance Enforcement Officer
Oshtemo Township
269-216-5227

-----Original Message-----

From: Rick Suwarsky
Sent: Monday, August 12, 2019 8:20 PM
To: Mehdi Purazrang <mpurazrang@aol.com>
Cc: Garrett Reitenour <greitenour@swmiba.org>; LouAnn VanDenBos <louannv@oshtemo.org>
Subject: Re: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order

Mehdi,
Sorry I missed you. I was out ill today.
I received a complaint of substandard roof work being performed on the garage. I stopped and took a few photos, asked the Building Official to inspect the building. The Building Official posted a Stop Work Order and tagged the structure as Condemned/Dangerous building.

The building has structural problems and the roof work is not to code. You will need to submit structural repair plan, possibly with sealed drawings by design engineer to the Southwest Michigan Building Authority. The structure needs repair in addition to a new roof. Please have your contractor direct any permit questions to Garrett Reitenour, Building Official for the Southwest Michigan Building Authority, 269-585-4150.

Thank you.
Rick Suwarsky

Sent from my iPhone

- > On Aug 12, 2019, at 6:25 PM, Mehdi Purazrang <mpurazrang@aol.com> wrote:
- >
- > Hi Rick, I stopped by to see you today, but you were unavailable.. I dropped off a copy of the building permit for the storage room roof replacement. Unfortunately I did not realize that the permit would expire. I just wanted you to know I did not start this project without a permit.
- >
- > Thank you Mehdi

Last Action Date: Last Inspection: 02/01/2022

Last Action:

PERMIT COMPLIANCE - STATUS Inspection | Rick Suwarsky

Status:	Completed	Result:	Violation(s)
Scheduled:	02/01/2022	Completed:	02/01/2022

Violations:

Uncorrected

Permit(s) Update

INSPECTOR COMMENTS:

2/1/2022. No response from owner regarding Dangerous Building Notice, no permit activity, no corrective actions. Dangerous Building Notice POSTED on west/front door of structure today.

PERMIT COMPLIANCE - STATUS Inspection | Rick Suwarsky

Status:	Completed	Result:	Violation(s)
Scheduled:	01/19/2022	Completed:	01/19/2022

Violations:

Uncorrected Permit(s) Update

INSPECTOR COMMENTS:

1/19/2022. The garage structure at 3393 S 9th St. remains in dangerous and blighted condition with no permit repair. The property owner has not followed through with the action plan agreed to in a 02/09/2021 meeting with Township officials: No permit has

Mr. Prurazrang has agreed to locate and hire a Registered Design Professional (Structural Engineer/Architect) to evaluate the accessory building at 3393 S. 9th St. and provide sealed drawings with any recommendations for structural repairs to the walls and roof to be included with a new building permit application submitted to the Southwest Michigan Building Authority within 30 days. Once the Building Official reviews and approves the submitted permit plans, the building permit will be issued, and repairs may commence. If after consultation with a registered design professional, should you decide that the structure is beyond repair or too cost-prohibitive to repair, please submit a building demolition permit application within 30 days.

PROPERTY MAINT - REINSPECTION Inspection | Rick Suwarsky

Status:	Scheduled	Result:	
Scheduled:	02/25/2021	Completed:	

PERMIT COMPLIANCE - STATUS Inspection | Rick Suwarsky

Status:	Completed	Result:	Violation(s)
Scheduled:	02/09/2021	Completed:	02/09/2021

Violations:

Uncorrected Permit(s) / Plan Update

INSPECTOR COMMENTS:

02/09/2021.

A meeting was held with building owner, Mehdi Purazrang, Twp. Supervisor Heiny-Cogswell, SMBA Building Official Reitenour, and Ordinance Enforcement Officers Rought & Suwarsky to discuss the status of the accessory building located at 3393 S 9th Street. Following discussion about the building conditions and needed repairs, Mr. Purazrang, Bldg Official Reitenour and Ordinance Enforcement agreed to the following plan of action:

Mr. Prurazrang has agreed to locate and hire a Registered Design Professional (Structural Engineer/Architect) to evaluate the accessory building at 3393 S. 9th St. and provide sealed drawings with any recommendations for structural repairs to the walls and roof to be included with a new building permit application submitted to the Southwest Michigan Building Authority within 30 days. Once the Building Official reviews and approves the submitted permit plans, the building permit will be issued, and repairs may commence. If after consultation with a registered design professional, should you decide that the structure is beyond repair or too cost-prohibitive to repair, please submit a building demolition permit application within 30 days.

Thank you.

PROPERTY MAINTENANCE - INITIAL Inspection | Rick Suwarsky

Status:	Completed	Result:	Violation(s)
Scheduled:	01/26/2021	Completed:	01/26/2021

Violations:

Uncorrected, Unsafe structure dangerous to the life, health & safety due to unsafe equipment, structural damage, decay, dilapidation.

INSPECTOR COMMENTS:

8/9/2019. Complaint received: Substandard roof work performed on detached accessory garage. Ofc. Suwarsky stopped and took photos; asked Building Official to inspect the accessory building. Building Official posted a Stop Work Order and tagged the structure as Condemned/Dangerous building.

The accessory garage / building located at the northeast corner of 3393 S 9th Street has structural deficiencies to such degree that the building has been determined to be unsafe, a DANGEROUS BUILDING which is structurally compromised and needs to be demolished.

The scope of work required is well beyond roof repair. The roof permit from March 2018 expired without inspection, was disapproved and closed.

1) Roof partially collapsed, block walls failing, deflected/bowing. Roof work performed in 2018 is not code compliant. Building appears to be in jeopardy and further failure or collapse is possible.

2) You must obtain a demolition permit from the Southwest Michigan Building Authority (SMBA) for the complete demolition and removal of the failed structure and commence demolition no later than Monday, March 1, 2021.

Thank you.

Rick Suwarsky
Ordinance Enforcement Officer
Oshtemo Township
269-216-5227

Uncorrected A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

Uncorrected The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

Uncorrected When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

Uncorrected The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter.

Uncorrected 304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

Uncorrected 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Uncorrected 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

PERMIT EXPIRED - STATUS CHECK Inspection | Rick Suwarsky

Status: Scheduled Result:
Scheduled: 01/28/2020 Completed:

DANGEROUS BUILDING Inspection | Rick Suwarsky

Status: Completed Result: Violation(s)
Scheduled: 01/28/2020 Completed: 01/28/2020

Violations:

Uncorrected

253.002 - Dangerous building defined.
Sec. II.

As used in this Ordinance, the term "dangerous building" means a building or structure that has one or more of the following defects or is in one or more of the following conditions:

A. A door, aisle, passageway, stairway or other means of ingress or egress does not conform to the Building Code or Fire Code effective within the Township of Oshtemo.

B. A portion of the building or structure is damaged by fire, wind, flood, or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township of Oshtemo for a new building or similar structure, purpose or location.

C. A portion of the building or structure is likely to fall or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

D. A portion of the building or structure has settled to such an event that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township of Oshtemo.

E. The building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or for other reason, is likely to fall or give way.

F. The building or structure or any portion is manifestly unsafe for the purpose for which it is used.

G. The building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral acts.

H. A building or structure, because of dilapidation, decay, damage, or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease when so determined by the health officer, or is likely to work injury to the health, safety or general welfare of those living or working therein.

I. A building or structure becomes vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

J. A building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a real estate broker licensed under Article 25 of the Occupational Code, Act No. 299 of the Public Acts of 1980, being Sections 339.2501 to 339.2515 of the Michigan Compiled Laws. For purposes of this subdivision, "building or structure" includes, but is not limited to, a commercial building or structure. This subdivision does not apply to either of the following:

253.003 - Prohibition.
Sec. III.

It shall be unlawful for any owner or agent thereof to keep or maintain any building or part thereof which is a dangerous building as defined in this ordinance.

PERMIT EXPIRED - STATUS CHECK Inspection | Rick Suwarsky

Status:	Completed	Result:	Violation(s)
Scheduled:	10/22/2019	Completed:	10/22/2019

Violations:

Uncorrected Permit(s) Update

INSPECTOR COMMENTS:

10/22/2019. As of this date, SMBA has not been provided with sealed drawings by a design professional for structural repairs to the dangerous accessory garage. A building permit cannot be issued without sealed drawings and structural repair plan.

PERMIT REQUIRED - INITIAL Inspection | Rick Suwarsky

Status:	Completed	Result:	Violation(s)
Scheduled:	08/13/2019	Completed:	08/13/2019

Violations:

Uncorrected

Permit(s) - Work Without Permit / Expired Permit / Dangerous Structure

INSPECTOR COMMENTS:

8/9/2019. Complaint received: Substandard roof work performed on detached accessory garage. Ofc. Suwarsky stopped and took photos; asked Building Official to inspect the accessory building. Building Official posted a Stop Work Order and tagged the structure as Condemned and determined it to be a Dangerous Building.

The building has structural deficiencies and roof work does not appear to have been done to code. A portion of the roof has failed, collapsed.

Email correspondence from Ord. Officer to Mehdi Purazrang 08/13/2019:

From: Rick Suwarsky

Sent: Tuesday, August 13, 2019 10:16 AM

To: Mehdi Purazrang <mpurazrang@aol.com>

Cc: Garrett Reitenour <greitenour@swmiba.org>; LouAnn VanDenBos <louannv@oshtemo.org>

Subject: RE: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order - New Building Permit Required

Mehdi,

Good morning. I checked the permit record for this garage and found a permit you pulled 1 1/2 year ago. It was closed 08/31/2018, inspection was disapproved with no indication as to which section of roof was repaired. Roof work appeared to have been performed, but the Building Inspector could not confirm that the installation was code compliant. That permit was CLOSED last summer. Has there been roof work performed this summer, 2019?

As of now, the entire building has been determined to be dangerous. The scope of work required is beyond roof repair. The roof permit from March 2018 is now expired, disapproved, closed.

- 1) You need to submit repair plans to the satisfaction of the SMBA Building Official for the complete structural repair.
- 2) Roof partially collapsed, block walls failing. Roof work performed in 2018 does not appear to be code compliant.
- 3) New Building Permit required for roof repair work as a result of the roof of the detached accessory building collapsing and for repair of failing block walls.

Please obtain Building Permit with structural repair details and commence repair work by 08/28/2019.

Thank you.

Rick Suwarsky
Ordinance Enforcement Officer
Oshtemo Township
269-216-5227

-----Original Message-----

From: Rick Suwarsky

Sent: Monday, August 12, 2019 8:20 PM

To: Mehdi Purazrang <mpurazrang@aol.com>

Cc: Garrett Reitenour <greitenour@swmiba.org>; LouAnn VanDenBos <louannv@oshtemo.org>

Subject: Re: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order

Mehdi,

Sorry I missed you. I was out ill today.

I received a complaint of substandard roof work being performed on the garage. I stopped and took a few photos, asked the Building Official to inspect the building. The Building Official posted a Stop Work Order and tagged the structure as Condemned/Dangerous building.

The building has structural problems and the roof work is not to code. You will need to submit structural repair plan, possibly with sealed drawings by design engineer to the Southwest Michigan Building Authority. The structure needs repair in addition to a new roof. Please have your contractor direct any permit questions to Garrett Reitenour, Building Official for the Southwest Michigan Building Authority, 269-585-4150.

Thank you.
Rick Suwarsky

Sent from my iPhone

> On Aug 12, 2019, at 6:25 PM, Mehdi Purazrang <mpurazrang@aol.com> wrote:

>

> Hi Rick, I stopped by to see you today , but you where unavailable .. I dropped off a copy of the building permit for the storage room roof replacement. unfortunately I did not realize that the permit would expire. I just wanted you to know I did not start this project without a permit.

>

> Thank you Mehdi



Ordinance Enforcement Department
7275 West Main Street, Kalamazoo, MI 49009
269-216-5227 Fax 269-375-7180
www.oshtemo.org

DANGEROUS BUILDING VIOLATION NOTICE

01/26/2021

PURAZRANG MEHDI
PO BOX 619
OSHTEMO, MI 49077

RE: 3393 S 9TH ST Parcel: 05-35-205-201 Case #: EN19-05-0248

Dear Property Owner:

The accessory garage building located at 3393 S 9th Street has been determined by the Building Official to be a Dangerous Building, unsafe, and structurally unsound. The building **CONDEMNED** due to violation(s) of Section 108 of the **International Property Maintenance Code**. (See attached list of violations on page 2.)

The dwelling is **CONDEMNED** and is placarded as a Dangerous Building. The structure poses potential hazards to occupants of adjacent properties and the public. The building shall not be occupied or used for storage.

You must obtain a demolition permit and commence demolition no later than Monday, **March 1, 2021**.

Please note:

- **Permits** must be obtained prior to the start of work. To obtain a permit, contact the **Southwest Michigan Building Authority (SMBA)** at **269-585-4151** or visit their website at www.swmiba.org.
- Time extension requests must be in writing or via e-mail (include the timeframe for completion of repairs).

The Oshtemo Township Ordinances are available at www.oshtemo.org. If you have questions regarding this notice, please contact Ofc. Rick Suwarsky or Ofc. Rod Rought at 269-216-5227 or by email at rsuwarsky@oshtemo.org or rrought@oshtemo.org.

Sincerely,

Rick Suwarsky, Ordinance Enforcement Officer

D. A portion of the building or structure has settled to such an event that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township of Oshtemo.

E. The building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or for other reason, is likely to fall or give way.

F. The building or structure or any portion is manifestly unsafe for the purpose for which it is used.

G. The building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral acts.

H. A building or structure, because of dilapidation, decay, damage, or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease when so determined by the health officer, or is likely to work injury to the health, safety or general welfare of those living or working therein.

I. A building or structure becomes vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

J. A building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a real estate broker licensed under Article 25 of the Occupational Code, Act No. 299 of the Public Acts of 1980, being Sections 339.2501 to 339.2515 of the Michigan Compiled Laws. For purposes of this subdivision, "building or structure" includes, but is not limited to, a commercial building or structure. This subdivision does not apply to either of the following:



Ordinance Enforcement Department
7275 West Main Street, Kalamazoo, MI 49009
269-216-5227 Fax 269-375-7180
www.oshtemo.org

DANGEROUS BUILDING STATUS UPDATE

02/09/2021

PURAZRANG MEHDI
PO BOX 619
OSHTEMO, MI 49077

RE: 3393 S 9TH ST Parcel: 05-35-205-201 Case #: EN19-05-0248

Dear Property Owner:

The accessory garage building located at 3393 S 9th Street has been determined by the Building Official to be a Dangerous Building, unsafe, and structurally unsound. The building is CONDEMNED due to violation(s) of Section 108 of the **International Property Maintenance Code**. (See attached list of violations on page 2.)

The dwelling is CONDEMNED and is placarded as a Dangerous Building. The structure poses potential hazards to occupants of adjacent properties and the public. The building shall not be occupied or used for storage.

A meeting was held 02/09/2021 to discuss the building status and plans for repairs (see notes on page 2). Please submit sealed drawings from a registered design professional with any recommendations for structural repairs to the walls and roof along with a new building permit application to the Southwest Michigan Building Authority within 30 days.

Please note:

- **Permits** must be obtained prior to the start of work. To obtain a permit, contact the **Southwest Michigan Building Authority (SMBA)** at 269-585-4151 or visit their website at www.swmiba.org.
- Time extension requests must be in writing or via e-mail (include the timeframe for completion of repairs).

The Oshtemo Township Ordinances are available at www.oshtemo.org. If you have questions regarding this notice, please contact Ofc. Rick Suwarsky or Ofc. Rod Rought at 269-216-5227 or by email at rsuwarsky@oshtemo.org or rrought@oshtemo.org.

Sincerely,

Rick Suwarsky, Ordinance Enforcement Officer

Hi Rick, I stopped by to see you today, but you were unavailable .. I dropped off a copy of the building permit for the storage room roof replacement. unfortunately, I did not realize that the permit would expire. I just wanted you to know I did not start this project without a permit.

Thank you Mehdi

Permit(s) - Status Update *Permit(s) Update*

INSPECTOR COMMENTS:

10/22/2019. As of this date, SMBA has not been provided with sealed drawings by a design professional for structural repairs to the dangerous accessory garage. A building permit cannot be issued without sealed drawings and structural repair plan.

INSPECTOR COMMENTS:

8/9/2019. Complaint received: Substandard roof work performed on detached accessory garage. Ofc. Suwarsky stopped and took photos; asked Building Official to inspect the accessory building. Building Official posted a Stop Work Order and tagged the structure as Condemned/Dangerous building.

The accessory garage / building located at the northeast corner of 3393 S 9th Street has structural deficiencies to such degree that the building has been determined to be unsafe, a DANGEROUS BUILDING which is structurally compromised and needs to be demolished.

The scope of work required is well beyond roof repair. The roof permit from March 2018 expired without inspection, was disapproved and closed.

1) Roof partially collapsed, block walls failing, deflected/bowing. Roof work performed in 2018 is not code compliant. Building appears to be in jeopardy and further failure or collapse is possible.

2) You must obtain a demolition permit from the Southwest Michigan Building Authority (SMBA) for the complete demolition and removal of the failed structure and commence demolition no later than Monday, March 1, 2021.

Thank you.

Rick Suwarsky
Ordinance Enforcement Officer
Oshtemo Township
269-216-5227

DANGEROUS BUILDINGS ORDINANCE 253.002 - Dangerous building defined.
Sec. II.

As used in this Ordinance, the term "dangerous building" means a building or structure that has one or more of the following defects or is in one or more of the following conditions:

A. A door, aisle, passageway, stairway or other means of ingress or egress does not conform to the Building Code or Fire Code effective within the Township of Oshtemo.

B. A portion of the building or structure is damaged by fire, wind, flood, or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township of Oshtemo for a new building or similar structure, purpose or location.

C. A portion of the building or structure is likely to fall or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

D. A portion of the building or structure has settled to such an event that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township of Oshtemo.

E. The building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or for other reason, is likely to fall or give way.

F. The building or structure or any portion is manifestly unsafe for the purpose for which it is used.

G. The building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral acts.

H. A building or structure, because of dilapidation, decay, damage, or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease when so determined by the health officer, or is likely to work injury to the health, safety or general welfare of those living or working therein.

I. A building or structure becomes vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

J. A building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a real estate broker licensed under Article 25 of the Occupational Code, Act No. 299 of the Public Acts of 1980, being Sections 339.2501 to 339.2515 of the Michigan Compiled Laws. For purposes of this subdivision, "building or structure" includes, but is not limited to, a commercial building or structure. This subdivision does not apply to either of the following:

***253.003 - Prohibition.
Sec. III.***

It shall be unlawful for any owner or agent thereof to keep or maintain any building or part thereof which is a dangerous building as defined in this ordinance.

108.1.1. Unsafe Structures. Unsafe structure dangerous to the life, health & safety due to unsafe equipment, structural damage, decay, dilapidation.



Ordinance Enforcement Department
7275 West Main Street, Kalamazoo, MI 49009
269-216-5227 Fax 269-375-7180
www.oshtemo.org

DANGEROUS BUILDING NOTICE

01/19/2022

PURAZRANG MEHDI
PO BOX 619
OSHTEMO, MI 49077

PURAZRANG MEHDI
7130 W ML AVE 7132
OSHTEMO, MI 49009

RE: 3393 S 9TH ST Parcel: 05-35-205-201 Case #: EN19-05-0248

Dear Property Owner:

The accessory building located at 3393 S 9th Street has been determined by the Building Official to be a Dangerous Building, unsafe, and structurally unsound. The building is **CONDEMNED** due to violation(s) of Section 108 of the **International Property Maintenance Code**. (See attached list of violations on page 2.)

The dangerous building poses potential hazards to persons entering the structure and to occupants of adjacent properties and the public. The building shall not be occupied or used for storage.

Note: A meeting was held 02/09/2021 to discuss the building status and plans for repairs. You agreed to submit sealed drawings from a registered design professional with recommendations for structural repairs to the walls and roof with a new building permit application to the Southwest Michigan Building Authority by 03/09/2021. To date, complete and proper documentation has not been submitted for permit issuance. No corrective action has been taken.

A Dangerous Buildings Hearing will be scheduled regarding the condition of the accessory building. You will be notified at least ten (10) days before the date of the hearing described in this notice by personal service or certified mail. Additionally, a copy of the notice will be posted upon the building at least ten (10) days prior to the hearing date.

- **Permits** must be obtained prior to the start of work. To obtain a permit, contact the **Southwest Michigan Building Authority (SMBA)** at 269-585-4151 or visit their website at www.swmiba.org.

The Oshtemo Township Ordinances are available at www.oshtemo.org. If you have questions regarding this notice, please contact Ofc. Rick Suwarsky or Ofc. Rod Rought at 269-216-5227 or by email at rsuwarsky@oshtemo.org or rrought@oshtemo.org.

Sincerely,

Rick Suwarsky, Ordinance Enforcement Officer

CC: SOUTHWEST MICHIGAN BUILDING AUTHORITY
OSHTEMO TOWNSHIP ATTORNEY'S OFFICE

Email correspondence from Ord. Officer to Mehdi Purazrang 08/13/2019:

From: Rick Suwarsky

Sent: Tuesday, August 13, 2019 10:16 AM

To: Mehdi Purazrang <mpurazrang@aol.com>

Cc: Garrett Reitenour <greitenour@swmiba.org>

Subject: RE: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order - New Building Permit Required

Mehdi,

Good morning. I checked the permit record for this garage and found a permit you pulled 1 year ago. It was closed 08/31/2018, inspection was disapproved with no indication as to which section of roof was repaired. Roof work appeared to have been performed, but the Building Inspector could not confirm that the installation was code compliant. That permit was CLOSED last summer. Has there been roof work performed this summer, 2019?

As of now, the entire building has been determined to be dangerous. The scope of work required is beyond roof repair. The roof permit from March 2018 is now expired, disapproved, closed.

- 1) You need to submit repair plans to the satisfaction of the SMBA Building Official for the complete structural repair.**
- 2) Roof partially collapsed, block walls failing. Roof work performed in 2018 does not appear to be code compliant.**
- 3) New Building Permit required for roof repair work as a result of the roof of the detached accessory building collapsing and for repair of failing block walls.**

Please obtain Building Permit with structural repair details and commence repair work by 08/28/2019.

Thank you.

**Rick Suwarsky
Ordinance Enforcement Officer
Oshtemo Township
269-216-5227**

-----Original Message-----

From: Rick Suwarsky

Sent: Monday, August 12, 2019 8:20 PM

To: Mehdi Purazrang <mpurazrang@aol.com>

Cc: Garrett Reitenour <greitenour@swmiba.org>; LouAnn VanDenBos <louannv@oshtemo.org>

Subject: Re: Permit - Dangerous Garage Structure at 3393 S 9th, Re-Roof Stop Work Order

Mehdi,

Sorry I missed you. I was out ill today.

I received a complaint of substandard roof work being performed on the garage. I stopped and took a few photos, asked the Building Official to inspect the building. The Building Official posted a Stop Work Order and tagged the structure as Condemned/Dangerous building.

DANGEROUS BUILDINGS ORDINANCE 253.002 - Dangerous building defined.

Sec. II.

As used in this Ordinance, the term "dangerous building" means a building or structure that has one or more of the following defects or is in one or more of the following conditions:

A. A door, aisle, passageway, stairway or other means of ingress or egress does not conform to the Building Code or Fire Code effective within the Township of Oshtemo.

B. A portion of the building or structure is damaged by fire, wind, flood, or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township of Oshtemo for a new building or similar structure, purpose or location.

C. A portion of the building or structure is likely to fall or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

D. A portion of the building or structure has settled to such an event that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township of Oshtemo.

E. The building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or for other reason, is likely to fall or give way.

F. The building or structure or any portion is manifestly unsafe for the purpose for which it is used.

G. The building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral acts.

H. A building or structure, because of dilapidation, decay, damage, or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease when so determined by the health officer, or is likely to work injury to the health, safety or general welfare of those living or working therein.

the notice, a copy thereof shall be posted upon a conspicuous part of the building or structure at last [least] ten days prior to the hearing date.

(Ord. No. 394, § II, 12-12-2000; Ord. No. 531, § VII, 9-11-2012; Ord. No. 580, § V, 9-13-2016)

253.005 - Hearing officer.

Sec. V.

A. A hearing officer shall be appointed by the Township Supervisor to serve at the pleasure of the Supervisor.

B. The Township Ordinance Enforcement Officer shall file a copy of the final notice of dangerous building with the Hearing Officer.

C. At the hearing, the Hearing Officer shall take testimony of the Township Ordinance Enforcement Officer, Township Officials and/or Townships Building Authority Officials, the owner of the property, lessee of the property and any interested party. Not more than five days after the completion of the hearing, the Hearing Officer shall render a decision either closing the proceedings or ordering the building or structure demolished, otherwise made safe, or properly maintained.

D. If it is determined by the Hearing Officer that the building or structure should be demolished, otherwise made safe, or properly maintained, the Hearing officer shall so order, fixing a time in the order for the owner, agent, lessee or party in interest to comply therewith. The order may require the maintenance of the exterior of the building and exterior grounds, including but not limited to the maintenance of lawns, trees and shrubs.

E. If the owner, agent, lessee or party in interest fails to appear or neglects or refuses to comply with the order, the Hearing Officer shall file a report of his findings and a copy of the order with the Oshtemo Township Board not more than five days after noncompliance and request that the necessary action be taken to enforce the order. A copy of such findings and order of the Hearing Officer shall be served on the owner or party in interest in the manner prescribed in Section 253.004(D).

(Ord. No. 394, § III, 12-12-2000; Ord. No. 531, § VIII, 9-11-2012; Ord. No. 580, § VI, 9-13-2016)

253.006 - Hearing.

Sec. VI.

Upon receiving the findings and order of the Hearing Officer, the Oshtemo Township Board shall fix a date for hearing, not less than 30 days after the hearing is conducted by the dangerous buildings Hearing Officer, reviewing the findings and order of the Hearing Officer, and shall give notice to the owner, agent, lessee or party in interest in the manner prescribed in Section 253.004(D) of the time and place of the hearing. At the hearing, the owner, agent, lessee or party in interest shall be given the opportunity to show cause why the order should not be enforced. The Township Board shall either approve, disapprove or modify the order. If the Township Board approves or modifies the order, the Township Board shall take all necessary action to enforce the Order. If the order is approved or modified, the owner, agent, lessee or party in interest shall

essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.4.1 Placard removal. The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

109.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: **This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official.** It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

301.2. Responsibility - Owner. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition, and which do not comply with the requirements of this chapter.

304.4 Structural members 304.4 Structural members. All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.

304.7 Roofs & drainage 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.6 Exterior walls 304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.



Southwest MI Building Authority

PB18-05-0058

Issued: 02/28/2018

Expires: 08/27/2018

Southwest Michigan Building Authority

7275 West Main

Kalamazoo, MI 49009

(269) 585-4150

www.swmiba.org

(269) 375-7180

info@swmiba.org

This permit conveys no right to occupy any STREET, ALLEY, or SIDEWALK, or any part thereof either temporarily or permanently.

Type of Construction: _____ Occupancy Group: _____ Edition of Code: _____ 2015 RBC

LOCATION	OWNER	APPLICANT
3393 S 9TH ST 05-35-205-201 Lot: Plat/Sub:	PURAZRANG MEHDI PO BOX 619 OSHTEMO MI 49077 Phone: Fax:	PO BOX 619 OSHTEMO MI 49077 Phone: Fax:

Work Description: repairing a portion of roof-in the middle of the storage room

Stipulations:

Permit Item	Work Type	Fee Basis	Item Total
06. Footing/Re-roofing/Re-siding	Standard Item	1.00	55.00

Construction Value: \$0.00

Fee Total: \$55.00

Amount Paid: \$55.00

Balance Due: \$0.00

Jerry Reitenour, Building Official



Southwest Michigan Building Authority

BUILDING PERMIT APPLICATION

7275 West Main Street, Kalamazoo MI 49009

Phone: (269) 585-4151

Email: cbartel@swmiba.org

Web: www.SWMIBA.org

PERMIT # PB18-DS-0058

PARCEL ID # DS-35-205-201

Authority: 1972 PA 230. Completion: Mandatory to obtain permit. Penalty: Application must be completed, signed, and proper fee paid, or permit will not be issued.

I. Job Location (Applicant must complete all sections of the application, including the checklist on the back. Separate applications must be pulled for electrical, mechanical, and plumbing work being done.)

Street Number and Street Name 3393 S. 9TH ST KALAMAZOO MI 49009

II. Identification

A. Owner / Lessee

Name <u>MEHDI PURAZRANG</u>	Phone Number <u>269-352-8027</u>	Email <u>MPURAZRANG@AOL.COM</u>
Address (Street Number and Name) <u>4707 S. VANKAL ST</u>	City, State <u>MATTAWAN</u>	Zip Code <u>49071</u>

B. Architect / Engineer

Name	Phone Number	Email
Address (Street Number and Name)	City, State	Zip Code
License #	Expiration Date	

C. Contractor

Name	Phone Number	Email
Address (Street Number and Name)	City, State	Zip Code
License #	Expiration Date	Federal Employer ID Number
UIA Number	Workers Compensation Insurance Carrier	

III. Type of Improvement

Construction Valuation \$ _____

Residential Commercial (Construction Type ____ Use Group ____ Occ. Load ____)

<input type="checkbox"/> New Building	<input type="checkbox"/> Addition	<input type="checkbox"/> Fence	<input type="checkbox"/> Detached Garage / Accessory Bldg.	<input type="checkbox"/> Sign
<input type="checkbox"/> Deck	<input type="checkbox"/> Demolition	<input checked="" type="checkbox"/> Re-Roofing	<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Other (Describe)
<input type="checkbox"/> Manufactured Home Setup	<input type="checkbox"/> Alteration	<input type="checkbox"/> Foundation Only	<input type="checkbox"/> Siding (w/ Structural Alterations)	



Ordinance Enforcement Department
7275 West Main Street, Kalamazoo
269-216-5227 Fax 269-375-7180
www.oshtemo.org

fos

DANGEROUS BUILDING NOTICE

01/19/2022

PURAZRANG MEHDI
PO BOX 619
OSHTEMO, MI 49077

PURAZRANG MEHDI
7130 WML AVE 7
OSHTEMO, MI 49

RE: 3393 S 9TH ST Parcel: 05-35-205-201 Case #: EN19-05-0248

Dear Property Owner:

The accessory building located at 3393 S 9th Street has been determined by the Building Department to be structurally unsafe, and structurally unsound. The building is **CONDEMNED** due to Section 108 of the **International Property Maintenance Code**. (See attached list of violations)

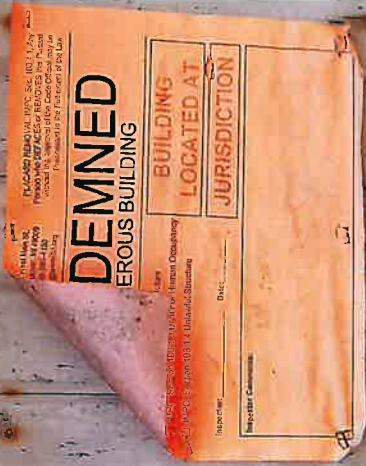
The dangerous building poses potential hazards to persons entering the structure and to occupancies and the public. The building shall not be occupied or used for storage.

Note: A meeting was held 02/09/2021 to discuss the building status and plans for repairs. The owner submitted drawings from a registered design professional with recommendations for structural repairs to the walls and roof with a new building permit application to the Southwest Michigan Building Department on 03/09/2021. To date, complete and proper documentation has not been submitted for permit. Corrective action has been taken.

A Dangerous Buildings Hearing will be scheduled regarding the condition of the building. You will be notified at least ten (10) days before the date of the hearing described in the notice by personal service or certified mail. Additionally, a copy of the notice will be posted on the building at least ten (10) days prior to the hearing date.

- Permits must be obtained prior to the start of work. To obtain a permit, contact the Southwest Michigan Building Authority (SMBA) at 269-585-4151 or visit their website at www.swmiba.org.

The Oshtemo Township...



Garrett Reitenour

From: Garrett Reitenour
Sent: Thursday, June 3, 2021 9:09 AM
To: 'Kris Nelson'; 'mpurazrang@aol.com'
Cc: Rick Suwarsky; Rod Rought
Subject: RE: 3393 S. 9th St

Good morning Kris.

Sorry for the delayed response to this. It got buried in my inbox and I've just gotten back to it.

Thanks for the drawing. It's approvable for the repairs. I guess the best course of action now would be to have an application submitted. We can use your license info to issue the permit. The permit will then be valid for 6 months which will hopefully allow for enough time to secure a contractor and complete the repairs. If additional time is needed we'll cross that bridge when we get there.

Thanks

Garrett Reitenour

Building Official
Southwest MI Building Authority
7275 West Main
Kalamazoo MI 49009
greitenour@swmiba.org
www.swmiba.org

From: Kris Nelson <knelson@schley-aia.com>
Sent: Thursday, March 25, 2021 1:35 PM
To: Garrett Reitenour <greitenour@swmiba.org>
Subject: RE: 3393 S. 9th St

Hi Garrett,

I never heard back from you about this deadline for the Purazrang project but I am following up with an update for you.

The drawing for the work is complete (see attached) but we are still working to find a contractor that is available to do the work. With the drawing in hand do we have some leeway on this 3/31 deadline you had noted in your report?

Kris Nelson, AIA, LEED AP, NCARB
President
Schley Nelson Architects
(269) 375-8360

www.schleynelsonarchitects.com

From: Kris Nelson <knelson@schley-aia.com>
Sent: Thursday, March 18, 2021 8:37 AM
To: 'greitenour@swmiba.org' <greitenour@swmiba.org>
Subject: 3393 S. 9th St

Good Morning Garrett,

I wanted to reach out to you about this project. We have been engaged by Mr. Purazrang to create the construction documents as well as to provide Observation during construction. The issue he is finding is that, as you know, right now is a busy time of year for contractors. He is having a hard time finding a licensed contractor to do the work. Because of that we don't think all the pieces will be in place to have the application to you by the deadline you had noted in your approval letter (3/31/21).

We plan to have the drawing completed by next week but so far he has struck out on finding a contractor. We are going to get him some people to call but I still find it unlikely he will be able to get the application with the contractors information by 3/31/21.

Can you give him an extension on that deadline to get the application turned in?

Kris Nelson, AIA, LEED AP, NCARB

President

Schley Nelson Architects

(269) 375-8360

www.schleynelsonarchitects.com

From: Kris Nelson knelson@schley-aia.com
Subject: RE: 3393 S 9th. St detached accessory building
Date: February 26, 2021 at 7:58 AM
To: Mehdi Purazrang mpurazrang@aol.com

Good Morning Mehdi,

I will put together a proposal for you to do the drawings we outlined in our report as well as the observation work that Garrett noted in his email. I have several proposals that I am trying to put together today and I will add this one to the list. If I you don't see it today it will be over to you sometime next week.

Kris Nelson, AIA, LEED AP, NCARB
President
Schley Nelson Architects
(269) 375-8360

www.schleynelsonarchitects.com

From: 'Mehdi Purazrang' via main <main@schley-aia.com>
Sent: Thursday, February 25, 2021 2:43 PM
To: main@schley-aia.com
Subject: Fwd: 3393 S 9th. St detached accessory building

Hi Kristopher, here is the proposal from Oshtemo township regarding the storage building repairs. Thank you Mehdi

Sent from my iPhone

Begin forwarded message:

From: Garrett Reitenour <greitenour@swmiba.org>
Date: February 25, 2021 at 10:46:29 AM EST
To: mpurazrang@aol.com, knelson@schley-aia.com
Cc: Rick Suwarsky <RSuwarsky@oshtemo.org>, Rod Rought <rrought@oshtemo.org>, Kyle Gibson <kjgibson@swmiba.org>, Elvira Oropeza <eoropeza@swmiba.org>
Subject: 3393 S 9th. St detached accessory building

Good morning.

I have received and reviewed the structural analysis letter prepared by Schley Nelson Architects.

The proposed structural repairs, as stated in the letter, are acceptable.

To move forward with the repair of the structure, SMBA will need the following:

1. A completed building permit application with architect and contractor information, submitted by no later than 3/31/2021.

2. Sealed drawings detailing the framing repairs to the structure. A few options were proposed in the letter. The option being used will need to be defined.

This work will need to be performed by licensed contractor(s) or under the direct supervision of the registered design professional in responsible charge. Once a permit is issued, the work shall be completed within the 180 day validity of the permit. **NO PERMIT EXTENSIONS WILL BE GRANTED.** If the work is not completed within the 180 days, Oshtemo Township may proceed with the Dangerous Building process.

Garrett Reitenour
Building Official
Southwest MI Building Authority
7275 West Main
Kalamazoo MI 49009
greitenour@swmiba.org
www.swmiba.org



SMBA

Southwest Michigan Building Authority

RECEIVED AUG 19 2019

* SWO *

BUILDING PERMIT APPLICATION

7275 West Main Street, Kalamazoo MI 49009

Phone: (269) 585-4150

Email: info@swmiba.org

Web: www.SWMIBA.org

PERMIT # _____

PARCEL ID # _____

Authority: 1972 PA 230. Completion:
Mandatory to obtain permit. Penalty:
Application must be completed, signed, and
proper fee paid, or permit will not be issued.

I. Job Location (Applicant must complete all sections of the application, including the checklist on the back. Separate applications must be pulled for electrical, mechanical, and plumbing work being done.)

Street Number and Street Name	3393 S. 9TH ST
-------------------------------	----------------

II. Identification

A. Owner / Lessee

Name	MEHDI PURAZRANG	Phone Number	269-352-8027	Email	MPURAZRANG@AOL.COM
Address (Street Number and Name)	4707 S. VANKAL ST	City, State	MATTAWAN	Zip Code	49071

B. Architect / Engineer

Name	Phone Number	Email
Address (Street Number and Name)	City, State	Zip Code
License #	Expiration Date	

C. Contractor

Name	Phone Number	Email
Address (Street Number and Name)	City, State	Zip Code
License #	Expiration Date	Federal Employer ID Number
UIA Number	Workers Compensation Insurance Carrier	

III. Type of Improvement

Construction Valuation \$ _____

Residential Commercial (Construction Type ____ Use Group ____ Occ. Load ____)

<input type="checkbox"/> New Building	<input type="checkbox"/> Addition	<input type="checkbox"/> Fence	<input type="checkbox"/> Detached Garage / Accessory Bldg.	<input type="checkbox"/> Sign
<input type="checkbox"/> Deck	<input type="checkbox"/> Demolition	<input checked="" type="checkbox"/> Re-Roofing	<input type="checkbox"/> Swimming Pool	<input type="checkbox"/> Other (Describe)
<input type="checkbox"/> Manufactured Home Setup	<input type="checkbox"/> Alteration	<input type="checkbox"/> Foundation Only	<input checked="" type="checkbox"/> Siding (w/ Structural Alterations)	

Project #

JSMBA19-05-0308



05-35-205-201

08/19/2019



Residential

IV. Dimensions

Total Square Feet _____

A. Floor Area

Basement:	(width) _____	x(depth) _____	= _____	square feet
	Is the Basement Finished? <input type="checkbox"/> Yes <input type="checkbox"/> No			
1st Floor	(width) _____	x(depth) _____	= _____	square feet
2nd Floor	(width) _____	x(depth) _____	= _____	square feet
Garage	(width) _____	x(depth) _____	= _____	square feet

B. Setbacks

Front: _____ Left Side: _____ Right Side: _____ Rear: _____

V. Description of Work

Please provide a brief description of the work being done: **STORAGE ROOM**
FINISHING THE ROOF AND SECURE THE
BLACK ON THE TOP OF THE SOUTH SIDE AND
FIX THE CRACK ON THE NORTH SIDE OF BUILDING


VI. Instructions

- No work shall be started until a permit has been obtained, and work shall not be concealed until it has been inspected.
- When ready for an inspection, call SMBA providing 48 hours notice. SMBA will need the job location and/or permit number.
- A permit remains valid as long as work is progressing and inspections are requested and conducted. A permit shall become invalid if the authorized work is not commenced within 180 days after issuance of the permit or if the authorized work is suspended or abandoned for a period of 180 days after the time of commencing the work. A PERMIT WILL BE CLOSED WHEN NO INSPECTIONS ARE REQUESTED AND CONDUCTED WITHIN 180 DAYS OF THE DATE OF ISSUANCE OR THE DATE OF A PREVIOUS INSPECTION. CLOSED PERMITS CANNOT BE REFUNDED.
- Before a Certificate of Occupancy is issued, "As Built" plans are required for all commercial projects and any Residential projects that have had changes made to the original drawings.
- Checks should be made payable to: SOUTHWEST MICHIGAN BUILDING AUTHORITY -OR- SMBA

VII. Applicant Signature

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. We agree to comply with all applicable ordinances of the local jurisdiction where this property is located and laws of the State of Michigan and that SMBA shall not be held liable for any damages resulting therefrom.

Section 23a of the State Construction Code Act of 1972, 1972 PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines.

Signature of Applicant		Date	AUG 19 2019
\$	Approval Signature	Date	

RECEIVED FEB 16 2021



February 15, 2021.

Mr. Mehdi Purazrang
3393 S. 9th St
Kalamazoo, MI 49009
Ph: (269)352-8027

RE: Storage Building Repairs
3393 S. 9th St.
Kalamazoo, MI 49009

Dear Mr. Purazrang,

Now that we have had a chance to review your existing storage barn we can propose a course of action for you to present to the Township.

The existing building is a single story accessory structure located on your property at 3393 S. 9th Street in Oshtemo Township. The site is zoned VC – Village Commercial District with the Village Form Based Code Overlay Zone. The structure in discussion is a barn that is 1,382 s.f. in size. The barn is a single story slab on grade with a single sloped roof. The interior of the barn is one large open space. The structure of the barn consists of 4x4 posts located along the perimeter and a row of 4x4 posts down the center. The perimeter posts are currently intermittently supporting 4x4 beams which are supporting 2x4 rafters spaced at 24" on center and the center posts are supporting a double 2x6 beam also supporting the 2x4 rafters. The exterior of the barn is a 4" thick single wythe masonry wall. The wall appears to have at one time been a bearing wall for the roof, however now it is only being used to enclose the space.

What we propose as the solution to shore up the building is as follows:

The existing 4x4 posts at the perimeter will need to be confirmed for spacing distances but likely will need to have additional posts. Currently the posts are spaced randomly anywhere from 5 feet apart to 8 feet apart. We will normalize that spacing to allow for calculations of the loading. The center column spacing is roughly 8 feet on center. The center beam is a patchwork of existing 2x6 that has been rotted away with two new 2x6's sistered to each side. The beam will likely need to have some repairs done so as to allow for a more uniform bearing onto the posts.

The existing rafters are 2x4's that span 7'-11 3/4" on one side and 8'-4 3/4" on the other side. They are spaced at roughly 24" on center. There are a number of rafters that were damaged from the limb that fell on the building in 2018 and a lot of them have been supplemented with new 2x4's. In doing the calculations for a 2x4 roof rafter in our area using a ground snow load of 35 pounds per square foot (psf) we see that the 2x4 is only allowed to span a little over 6' when spaced at 24" o.c. If the spacing were reduced to 12" o.c. then the span would go up to about 8'-4". We are right at the maximum limit for rafters but we believe with the proper configuration of the 2x4's it will meet code requirements.

All of the existing posts at the perimeter and in the center are assumed to be sitting on at minimum a thickened slab. As this building has never been and is not intended to be a tempered space, we

understand there is no requirement for frost protection of the existing footings. It could be noted that the building appears to have been in place since around 1932 with no evidence of heaving.

The exterior masonry wall will need to be repaired in a number of places due to cracked mortar joints and rolled top course. This exterior wall will be a non-bearing wall; therefore, the repairs would be meant to repair and shore the wall so as to eliminate existing crack and to secure the building. Tuck pointing of some areas will be required and likely other areas will simply need to be pulled apart and relain to be a true and plumb wall.

Once the above noted work has been completed then a new membrane or rolled roofing style roof material could be installed on the roof. We would also recommend a sealer to the exterior masonry to help maintain a weather tightness to the building.

We would recommend you provide this letter to Oshtemo Township Building Officials for review to determine if this described course of action is acceptable to them. Once they approve the concept, we will be able to provide you with a proposal to complete the documentation work as noted above.

If you have any questions in the meantime please do not hesitate to give me a call.

Respectfully,
SCHLEY NELSON ARCHITECTS

Kristopher Nelson, AIA, LEED AP
President



Southwest Michigan Building Authority

7275 West Main

Kalamazoo, MI 49009

Southwest MI Building Authority

(269) 585-4150

(269) 375-7180

www.swmiba.org

info@swmiba.org

This permit conveys no right to occupy any STREET, ALLEY, or SIDEWALK, or any part thereof either temporarily or permanently.

PB18-05-0058

Issued: 02/28/2018

Expires: 08/27/2018

Type of Construction: _____ Occupancy Group: _____ Edition of Code: _____ 2015 RBC

LOCATION	OWNER	APPLICANT
3393 S 9TH ST 05-35-205-201 Lot: Plat/Sub:	PURAZRANG MEHDI PO BOX 619 OSHTMO MI 49077 Phone: Fax:	PO BOX 619 OSHTMO MI 49077 Phone: Fax:

Work Description: repairing a portion of roof-in the middle of the storage room

Stipulations:

Permit Item	Work Type	Fee Basis	Item Total
06. Footing/Re-roofing/Re-siding	Standard Item	1.00	55.00

Construction Value: \$0.00

Fee Total: \$55.00

Amount Paid: \$55.00

Balance Due: \$0.00

Jerry Reitenour, Building Official

Please provide a brief description of the work to be done.

Handwritten description of work to be done.

VI. Instructions

- 1. No work shall be started until plans have been checked and work shall not be completed until plans are corrected.
2. When ready for an inspection call SMBA regarding 481 hours to call. SMBA will need the job location and permit number.
3. A permit from this jurisdiction as well as work is being started and inspections are requested and conducted. A permit shall become invalid if the authorized work is not completed within 180 days after issuance of the permit or if the authorized work is suspended or abandoned for a period of 180 days after the time of commencing the work. A PERMIT WILL BE CLOSED WHEN NO INSPECTIONS ARE REQUESTED AND CONDUCTED WITHIN 180 DAYS OF THE DATE OF ISSUANCE OR THE DATE OF A PREVIOUS INSPECTION. FEES WILL NOT BE REFUNDED.
4. Before a Certificate of Occupancy is issued, 144 Built Plans are required for all commercial projects and any Residential projects that have had changes made to the original drawings.
5. Checks should be made payable to: SOUTHWEST MICHIGAN BUILDING AUTHORITY -OR- SMBA.

VII. Applicant Signature

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. We agree to comply with all applicable ordinances of the local jurisdiction where this property is located and laws of the State of Michigan and that SMBA shall not be held liable for any damages resulting therefrom.

Section 23a of the State Construction Code Act of 1972, 1972 PA 250, MCL 175.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines.

Signature lines for Applicant and Agent.



Southwest Michigan Building Authority

7275 West Main

Kalamazoo, MI 49009

Southwest MI Building Authority

PB18-05-0058

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Type of Construction: Occupancy Group: Edition of Code: 2015 RBC

Table with 3 columns: LOCATION, OWNER, APPLICANT. Location: 3393 S 9TH ST, 05-35-205-201, Plat/Sub: Lot:; Owner: PURAZRANG MEHDI, PO BOX 619, OSHTEMO MI 49077, Phone:; Applicant: PO BOX 619, OSHTEMO MI 49077, Phone: Fax:

I. Identification

A. Owner / Lessee

Name	Phone Number	Zip Code
Address (Street Number and Name)	City/State	Zip Code

B. Architect / Engineer

Name	Phone Number	Zip Code
Address (Street Number and Name)	City/State	Zip Code
License #	Expiration Date	Federal Project ID Number
IAA Number	Workers Compensation Insurance Carrier	

C. Contractor

Name	Phone Number	Zip Code
Address (Street Number and Name)	City/State	Zip Code
License #	Expiration Date	Federal Project ID Number
IAA Number	Workers Compensation Insurance Carrier	

III. Type of Improvement

Construction Valuation \$

Residential Commercial (Construction Type _____ Use Group _____ Occ. Load _____)

New Building Addition Fence Detached Garage / Accessory Bldg Sign
 Deck Demolition Re-Roofing Swimming Pool Other (Describe):
 Manufactured Home Setup Alteration Foundation Only Siding (w/ Structural Alterations)

Size of Room to be Improved

IV. Dimensions

Total Square Feet

A. Floor Area

Basement:	(width)	x (depth)	=	square feet
Is the Basement Finished? <input type="checkbox"/> Yes <input type="checkbox"/> No				
1st Floor:	(width)	x (depth)	=	square feet
2nd Floor:	(width)	x (depth)	=	square feet
Garage:	(width)	x (depth)	=	square feet

B. Setbacks

Front: _____ Left Side: _____ Right Side: _____ Rear: _____

V. Description of Work

Subject: RE: 3393 S. 9TH ST

Hi Garrett,

I never heard back from you about this deadline for the Purazrang project but I am following up with an update for you.

The drawing for the work is complete (see attached) but we are still working to find a contractor that is available to do the work. With the drawing in hand do we have some leeway on this 3/31 deadline you had noted in your report?

Kris Nelson, AIA, LEED AP, NCARB

President

Schley Nelson Architects

(269) 375-8360

www.schleynelsonarchitects.com

From: Kris Nelson <knelson@schley-aia.com>

Sent: Thursday, March 18, 2021 8:37 AM

To: 'greitenour@swmiba.org' <greitenour@swmiba.org>

Subject: 3393 S. 9th St

Good Morning Garrett,

I wanted to reach out to you about this project. We have been engaged by Mr. Purazrang to create the construction documents as well as to provide Observation during construction. The issue he is finding is that, as you know, right now is a busy time of year for contractors. He is having a hard time finding a licensed contractor to do the work. Because of that we don't think all the pieces will be in place to have the application to you by the deadline you had noted in your approval letter (3/31/21).

We plan to have the drawing completed by next week but so far he has struck out on finding a contractor. We are going to get him some people to call but I still find it unlikely he will be able to get the application with the contractors information by 3/31/21.

Can you give him an extension on that deadline to get the application turned in?

Kris Nelson, AIA, LEED AP, NCARB

President

Schley Nelson Architects

(269) 375-8360

www.schleynelsonarchitects.com

Kris Nelson
FW: 3393 S. 9th St
June 7, 2021 at 9:17 AM
Mehdi Purazrang



Good Morning Mehdi,

I wanted to forward the email to you that I got from Garrett at the Township about your project. I had emailed him back in March when we were trying to get you an extension on the timeline of your project and he finally emailed me back. You can see his comments below.

Kris Nelson, AIA, LEED AP, NCARB
President
Schley Nelson Architects
(269) 375-8360

www.schleynelsonarchitects.com

From: Garrett Reitenour <greitenour@swmiba.org>
Sent: Thursday, June 3, 2021 9:09 AM
To: 'Kris Nelson' <knelson@schley-aia.com>; 'mpurazrang@aol.com' <mpurazrang@aol.com>
Cc: Rick Suwarsky <RSuwarsky@oshtemo.org>; Rod Rought <rrought@oshtemo.org>
Subject: RE: 3393 S. 9th St

Good morning Kris.

Sorry for the delayed response to this. It got buried in my inbox and I've just gotten back to it.

Thanks for the drawing. It's approvable for the repairs. I guess the best course of action now would be to have an application submitted. We can use your license info to issue the permit. The permit will then be valid for 6 months which will hopefully allow for enough time to secure a contractor and complete the repairs. If additional time is needed we'll cross that bridge when we get there.

Thanks

Garrett Reitenour

Building Official
Southwest MI Building Authority
7275 West Main
Kalamazoo MI 49009
greitenour@swmiba.org
www.swmiba.org

From: Kris Nelson <knelson@schley-aia.com>
Sent: Thursday, March 25, 2021 1:35 PM
To: Garrett Reitenour <greitenour@swmiba.org>
Subject: RE: 3393 S. 9th St



Mtg Date: May 10, 2022
To: Oshtemo Charter Township Board
From: Iris Lubbert, AICP, Planning Director
Subject: Prairies Conditional Rezoning – First Reading (Request Withdrawn by Applicant)

Objective:

No action by the Township Board is needed. This item is purely informational.

Background:

On April 28th the Planning Commission reviewed and unanimously recommended the denial of the AVB and Hinman Co. request to conditionally rezone their approximately 116-acre property located at 5303 W Main Street from R-2 and R-4, Residence Districts to the C, Local Business District. The portion of the draft April 28th meeting minutes, pertaining to this request, is attached. This rezoning request was scheduled for consideration and first reading at the May 10th, 2022 Township Board meeting. On April 29th at 6:28PM, AVB and Hinman submitted a letter to staff, attached, withdrawing their rezoning application.

Attachments: Letter from Applicant, Draft Planning Commission Minutes Excerpt from 4/28/2022,

PRAIRIES

29 April 2022

Iris Lubbert, Planning Director
Charter Township of Oshtemo
7275 W. Main Street
Kalamazoo, MI 49009

RE: Prairies Rezoning Application

Dear Ms. Lubbert:

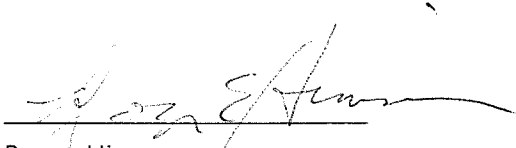
In consideration of the decisions made during the April 28th Planning Commission meeting, we would like to formally withdraw our current application to rezone the Prairies property, located at 5303 West Main Street in Oshtemo Township.

Thank you for taking the time to review our application. We look forward to further discussion related to this property.

Sincerely,



Joe Gesmundo
avb



Roger Hinman
The Hinman Company

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

DRAFT MINUTES OF A REGULAR MEETING HELD APRIL 28, 2022

Agenda

PUBLIC HEARINGS:

SPECIAL USE AND SITE PLAN REVIEW

Kids Empire requested consideration of a special use and site plan review under Article 65: Special Exemption Use, to establish an indoor recreational facility within an existing 10,804 square foot tenant space within a multi-tenant commercial center located at 5130 W. Main Street Kalamazoo, MI 49009, parcel no. 3905-13-280-022, within the C: Local Business District.

SPECIAL USE AND CONCEPTUAL PLAN REVIEW

Hunter Properties requested consideration of a special use and conceptual plan review under Article 43: Open Space Community; Article 65: Special Uses; and Article 290: Subdivision/Site condominium Ordinance to develop 63 acres for a 49-unit Open Space Community. The subject property is located at 7214 West N Avenue, Kalamazoo MI 49009, parcel nos. 05-34-480-010; 05-34-330-014 and 05-34-455-001, within the RR: Rural Resident District.

CONDITIONAL REZONING, THE PRAIRIES

AVB, on behalf of Trade Center H, LLC and Trade Center G, LLC and The Hinman Co. requested to conditionally rezone the approximately 116-acre property located at 5303 W. Main Street from R-2: Residence District R-4 Residence District C: local Business District. Parcel No. 05-13-405-032

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, April 28, 2022, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

ALL MEMBERS WERE PRESENT: Bruce VanderWeele, Chair
Micki Maxwell, Vice Chair
Kizzy Bradford
Deb Everett
Alistair Smith
Anna Versalle
Chetan Vyas

Also present were Iris Lubbert, Planning Director, James Porter, Township Attorney, Colten Hutson, Zoning Administrator, Kyle Mucha and Paul Lippens,

5. Unit #1 (existing residential dwelling) driveway to be shown to connect to Verdon Trail.
6. Site plans to show the proposed streets extended to the boundary line of the project to make provisions for the future expansion of streets onto adjoining properties.
7. The proposed clustered segments of the development have a minimum naturalized buffer one hundred twenty (120) feet between each cluster. By increasing the buffer from fifty (50) feet to one hundred twenty (120) feet, the proposed development will be more in accordance with ordinance requirements and standards.
8. Recommendation to the Township Board that units #9 and #10 be considered a "cluster".
9. Any other conditions as noted by other review Agencies, outlined in the staff report.

Ms. Bradford **seconded the motion**. The **motion was approved** unanimously.

Chairperson VanderWeele moved to the next item on the agenda.

PUBLIC HEARING: CONDITIONAL REZONING, THE PRAIRIES

AVB, on behalf of Trade Center H, LLC and Trade Center G, LLC and The Hinman Co. requested to conditionally rezone the approximately 116-acre property located at 5303 W. Main Street from R-2: Residence District R-4 Residence District C: local Business District. Parcel No. 05-13-405-032

Ms. Lubbert reported the request from AVB and The Hinman Co. to conditionally rezone their approximately 116-acre property located at 5303 W Main Street from R-2 and R-4, Residence Districts to the C, Local Business District. Currently comprised of an existing golf course, these 116 acres are part of the Township's Maple Hill Drive South Sub-Area Plan which was adopted in 2017.

The Future Land Use Plan defines the vision for land development in Oshtemo Township based on sound planning principles and community input. It builds on historic development patterns, factoring in the objective to preserve unique environmental features and to protect the rural character of the community. At the same time, the Future Land Use Plan provides direction for anticipated development within the Township in appropriate places for growth.

She noted the Oshtemo 2011 Master Plan and Township's adopted Future Land Use Plan specifically calls out the Maple Hill Drive South area as a sub-area and recommends that a detailed sub-area plan be developed. As noted in the 2011 Master Plan, the Maple Hill Drive South area is currently comprised of an existing golf course and smaller adjacent properties; it has strong potential to accommodate new development due to its location near W Main Street and US-131. Although the existing golf course is a "man-made" green space area, it exists as the only significant green

space within this heavily developed portion of the Township. Given the strong potential for redevelopment of the site, it was deemed critical to undertake a sub-area study, where a preferred development character can be identified, consistent with community goals and market demand. As a result, in 2017 the Township adopted the Maple Hill Drive South Sub-Area Plan which outlines development recommendations for the sub-area, related to land use, density, circulation and connections.

The Maple Hill Drive South Sub-Area Plan is a component of the Township's Master Plan. The Master Plan is a vision for the future of transportation, land use, the economy, environment, and cultural stewardship of our Township. This Plan is revisited at least every five years by the Planning Commission and is the result of countless hours and efforts of residents, business owners, Township Officials and staff, and consultants over the years.

The long-term vision for the Maple Hill Drive South Sub-Area is to develop it as an attractive and economically vibrant mixed-use district, consisting of a planned mixture of commercial, office and technology, residential, and public use, which features high quality and uniform building and site design standards, and which complements and is compatible with adjacent uses. Furthermore, the sub-area should provide residents and visitors with a unique opportunity to meet their needs for housing, employment, services, entertainment, and recreation.

The applicant requested a conditional rezoning. This means that AVB and The Hinman Co. have offered conditions as part of the request for the rezoning. Ms. Lubbert summarized these conditions below.

1. Request to rezone the majority of the property to be developed as a "Commercial Area". No conditions are tied to this portion of the property; there will be no time limit tied to its development.
2. Request to conditionally rezone the southeastern portion of the property to be developed as a Commercial PUD for a "Multi-Family Residential Area". If a Commercial PUD plan for this area is not approved by the Township no later than two years from the date of the rezoning approval, the area will revert to its current R-2 and R-4 Residential zoning designations.

Article 66 of the Township Zoning Ordinance outlines the process for a conditional rezoning to be considered, which is consistent with Section 405 of the Michigan Zoning Enabling Act (MCL 125.3405) by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request. The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards that a Planning Commission must consider when reviewing a rezoning request. However, there are some generally recognized factors that should be deliberated before a rezoning decision is made. Ms.

Lubbert described these considerations along with staff's analysis, incorporating the applicants' proposed conditions:

1. Master Plan Designation

As described in the 'Future Land Use Map: Maple Hill Drive South Sub Area' section of this report, the property is designated to be developed as a planned mixed-use district. An analysis of the proposed conditional rezoning request against the sub area plan is provided below.

- a) The conditions outlined in the conditional rezoning request do not mention or reference the Maple Hill Sub Area Plan.
- b) The conditional rezoning would allow the site to be designed and developed incrementally in a manner that would go against the adopted vision for this area.
- c) By rezoning a majority of the property to C-1 without any stipulations, all of the following are objectives of the Maple Hill Sub Area Plan that would not be met or guaranteed (this is not an all-inclusive list).
 - Any type of developmental transitional scheme.
 - A comprehensive, safe, efficient, and balanced multi-modal transportation network.
 - A true mixed-use development; C-1 zoning does not permit residential development (including mixed use), unless developed as a PUD. The "Commercial Area" may or may not develop in whole or in parts as one or more Commercial PUDs.
 - A distinct identity, including design guidelines, to promote a sense of place for the new community.
 - The integration of community and open space uses, including the "Town Center" identified in the plan.
 - The integration of public spaces, such as parks.
- d) The proposal is to develop the identified "Multi-Family Residential Area" as a Commercial PUD. The proposal notes an approval of a Commercial PUD for this area would be needed within two years or the specific area would revert to R-2 and R-4 Residence Districts. The "Commercial Area" specifically notes there would be no time restriction. This implies that the "Multi-Family Residential Area" will not be considered in the development of the northern "Commercial Area". A cohesive development for this site would not occur.

The proposed conditional rezoning goes against the goals of the Maple Hill Drive South Sub Area Plan. In summary, the sub area plan was adopted to promote a coordinated and thoughtful planning approach to the development of these approximate 143 acres. As outlined in the sub area plan: "Without standards or controls, this area would likely develop at an elevated intensity due to the high traffic levels on W Main Street and the amount and success of surrounding commercial development. Uncontrolled development would likely be detrimental to the Township, especially to those residents who live south of this area.

Therefore, clearly stating a vision for future land use and establishing goals and standards for improvement in this area is critical to the success of the Township's overall plan for growth and development" (page 52). The proposed conditional rezoning ignores a majority of the recommended standards and controls outlined in the adopted sub area plan. Approving this conditional rezoning request would in essence nullify the Township's master plan for the area. Consideration not met.

2. Consistency of the Zoning Classification in the General Area

5303 W Main Street is located in the middle of a wide assortment of uses. If approved, this rezoning would double the existing commercial property south of W Main Street in this area of the Township. For reference existing commercial property southwest of the W Main Street and S Drake Road intersection is approximately 80 acres. Rezoning a property of this scale to a higher intensity requires careful consideration and planning. One of the reasons the sub area plan was adopted was to help control types and intensities of development within the property so when it develops it works in unison with neighboring uses and protects the quality of life for residents to the south. The sub area plan calls for higher density to the north and lower density (including buffers) to the south. The proposal would allow the majority of this site to be developed with no coordination and no real control of intensity. This large increase in commercial could be detrimental to both residential and commercial neighboring properties. This conditional rezoning request is not consistent with the Zoning Classification in the General Area or the Township's Master Plan. Consideration not met.

3. Consistency and Compatibility with General Land Use Patterns in the Area

When a property is rezoned, that property is permitted to have any of the uses outlined in that zoning district as long as it follows appropriate review procedures. In this case, there is a distinctive commercial pattern to the north and northeast; in addition, there is industrial to the west. Having additional commercial along these areas would follow the general land use pattern. Particularly given its high visibility from US-131 and W Main Street, the sub-area is highly suitable to accommodate mixed-use or standalone buildings that would include retail, restaurant, entertainment, office, and technological use. However, buffering and/or a transition scheme is needed for the residential areas to the south. That is why the adopted sub area plan called for a mix of uses, commercial and residential, with a transition scheme. The applicants' proposed 'Multi-Family Residential Area' does provide some buffer and transition, which designed as a PUD would give the Township additional control over the development of this specific area and the sub area plan can be referenced for guidance. It should be noted that a commercial PUD allows a density of up to eight units per acre. For compatibility, the least intensive and lowest density land uses should be located along the southern edge of the sub-area (adjacent to established residential areas). If the 'Multi-Family Residential Area' does not progress and reverts to R-2

and R-4 Residence District zoning, it would continue to act as a buffer between existing residential and the commercial to the north. Consideration met.

4. Utilities and Infrastructure

A rezoning to a higher density district is equated with higher intensities in both utility and infrastructure use. Water and sewer could be extended into the site in question. However, traffic generation and access to and from the site is a concern. Both W Main Street and N Drake Road are primary roadways that face congestion on a regular basis. Both the Master Plan and the sub area plan note that traffic should be carefully considered, and multiple access points needed to ensure the success of this site. A traffic study/analysis which takes into account the entire site and proposed uses/density is needed to ensure that the transportation network can support this development and that this development can succeed in partnership with the surrounding area. This proposal does not include this requirement or implies piecemeal development which defeats the purpose of addressing traffic circulation and traffic safety resulting from new development. Consideration not met.

5. Reasonable Use under Current Zoning Classification

The property is currently zoned R-2 with the southern portion zoned R-4; the property is operating as a golf course. In addition to the uses permitted in these districts, both zoning districts allow for a Residential Planned Unit Development as a Special Use. A PUD allows for multi-family dwellings (no specified max number of units per building) with a total maximum density of eight units per acre. The Residential PUD type allows for 20% of the PUD area to be developed as low intensity neighborhood commercial. There is reasonable use under current zoning classification. More details on this ordinance section can be found in Section 41.60 of our code. Consideration not met.

6. Effects on Surrounding Property

As outlined in the other considerations above, the proposed conditional rezoning ignores a majority of the recommended standards and controls outlined in the adopted sub area plan. Approving this conditional rezoning request would in essence nullify the Township's Master Plan for the area which was designed to ensure the compatibility and functionality of this site with the surrounding area. Approving this request would in the long term negatively impact Oshtemo as the Planning efforts and vision of the community would be undermined. Consideration not met.

RECOMMENDATION

Ms. Lubbert said Legal Counsel and the Planning Department recommend the Planning Commission deny the request to conditionally rezone 5303 W Main Street to the C-1, Local Business District.

She noted she had received 17 written letters from residents regarding this rezoning request and indicated she would read them during the Public Hearing portion of the meeting.

Chairperson VanderWeele thanked Ms. Lubbert for her presentation and asked if the applicant wished to speak.

Mr. Curt Aardema, AVB, 4200 W. Centre Ave., Portage addressed the Commission.

He said we are in year eight of this exercise and provided a listing of eight successful projects completed in the area by AVB and the Hinman Company as well as a history of the Maple Hill Sub Area Plan. In 2008 the property was owned by the Elks, who had a project in mind for retail. They sought a local developer to help the golf course survive and to do a redevelopment. AVB entered into an agreement with the Elks in 2014, saved the golf course and began work with the Township in 2014. The Elks currently still operate the golf course.

In 2016 a process to develop a sub-area plan was begun at the request of Oshtemo Township. The document was completed and approved by the Planning Commission in 2018. It was used as the guide to start thinking about what was next for the property. Process to establish an overlay zoning district to allow mixed uses started in 2019. Due to staff changes and Covid restrictions the process was stopped in late 2019. The Planning Commission did recommend completion of the process as a top priority for planning staff in 2020 and 2021. The next step has not yet been taken, which led to the AVB application submitted at this meeting.

The plan calls for retail on the northern end of the area with the southern area restricted to residential. AVB feels this is the best way to proceed since the overlay zone has not been completed. He indicated if a commitment on timing to complete the overlay zone with a timeframe is made by the Planning Committee, AVB would be willing to step back into that process.

Ms. Lubbert told Commissioners the examples of other projects and the background provided was not relevant to the request before them, that they should focus only on the request.

At this point in the meeting (7:45 p.m.), the Chair granted a five minute break.

When the meeting reconvened, Chairperson VanderWeele opened a Public Hearing.

Public Comments:

Raylani, Penrose Lane, and her mother spoke about their concern about the Green Meadow roundabout, noting it is also a bus stop for school children.

Pam Brant, 9280 Highland View Drive, spoke in opposition to the request for rezoning for commercial use, that development of the majority of the green space is not needed, the golf course is uniquely situated. She was concerned about increased traffic along the West Main corridor and asked the Commission to retain the beautiful, natural green space and focus on quality of life for residents.

An unidentified resident was opposed to rezoning citing lost green space, wildlife that would be disturbed, socially distanced outdoor recreation that would be lost if the golf course is gone, concern for traffic congestion on W. Main St., safety issues for non-motorized traffic, and unneeded commercial development. He urged updating the Master Plan post Covid and to inventory current retail space to see what retail development may be needed in the Township. He did not want the beautiful golf course turned into commercial space. He acknowledged the wonderful AVB and Hinman projects in the area, but considered the Westgate development to be a failure, an environmental mess that does not live up to the stated ideals. He noted the area near Trader Joe's is undeveloped; there is still construction debris there. He noted the motto cited is "Build Something Better." He wondered how you can make the golf course better and urged looking for a better space.

Mr. Conroy who lives in a condo south of the area said his number one concern is the multi-residential units at the south end of the plan. The neighboring apartments already have SWAT teams responding to incidents, gunfire is heard, and the apartments are poorly run. He is worried the same thing may occur with new units. If what is built are three-story buildings, residents could look into the Redstone Condos.

Mary, 5312 Penrose Lane, doubted AVB's sincerity at past and recent meetings held for residents. When the Master Plan for the area was first being worked on she noted that she attended a Township hosted work session thinking it was going to be a collaborative effort. Once she arrived and sat down at a table, she discovered that each table had a representative from either AVB or Hinman. She felt ambushed and doubted any sincerity in the process. The impression she got was that it was all about the bottom line. She stressed that this is her neighborhood, her quality of life that would be affected. The proposal will increase traffic, noise, safety concerns and more. Traffic using left turn lanes from Stadium to Drake are frequently bottlenecked; the traffic flow was not well designed. Traffic is very busy in that area. The Mission Statement calls for maintaining the rural atmosphere. If the property being discussed is taken away, only residents west of it will have any rural area. She urged the Commissioners to make the right decision.

Paula Rumsey, 139 Mandalay Drive, said she attended the AVB meeting and noted only about six residents attended. The presentation was nice, AVB does beautiful

work, but said the Westgate hotel area was swept clean of natural features which impacted the 65+ community behind it. She urged Commissioners to consider any development carefully and begged that the area not be zoned commercial.

Robert K., 3407 Westhaven Trail, was concerned about the preservation of green space in the Township and the loss of areas for adults to play. He was also concerned about traffic safety, citing West Main and Drake as one of the most dangerous intersections in the county. Traffic is a big issue now and will be bigger with development. The presentation provides a piecemeal approach. It has to be approached in a more sustained manner, in a positive way that residents desire and the Township needs. Green space needs to be preserved.

After attendees spoke, Ms. Lubbert read the 17 letters that were received from residents unable to attend the meeting. The letters are attached to these minutes.

Paul DeHaan, resident, noted he had played golf at the Prairies/Elks course for 51 years. He noted the 2014 agreement between the Elks and AVB saved the golf course which came close to shutting down. AVB does fine work. He said if development is not wanted, Oshtemo Township could make an offer to purchase the property – he challenged the Township to go out and see what kind of real support there is to retain the golf course.

Joe Gesmundo, AVB, told the group the vision for this property development was unlike others and would include mixed use, different types of residential options, residences over small commercial buildings and walking and green space. It has been difficult to do anything, since even though the Planning staff had this as #2 on their priority list of projects, nothing has happened. He noted PC meetings were cancelled both last year and this year due to a lack of agenda items. The overlay zone work is 80% done, but there has been no opportunity for AVB to work with the Planning Commission to finish it. The only option left to them was to do what they did to secure a public hearing. AVB really wants to complete the process that was started years ago. The W.E. Upjohn housing study shows there is lots of demand for housing in this community. The Master Plan calls for more density of development west of 131, which this is. It is not going to be a golf course. He requested the opportunity to finish the overlay zone work.

Mike DeLoo said he was born and raised in the area and has played at the Prairie course over 30 years. He said a lot of good points were made at this meeting and noted there is a lot of vacant commercial property. He said he was sad that the course has not been addressed over the last 20 years and felt the Master Plan needs to be revisited after the request for rezoning is declined.

As no one else wished to speak, Chairperson VanderWeele closed the Public Hearing and moved to Board Deliberations.

Ms. Maxwell said she could not vote to rezone as requested, but would like to get

the Maple Hill Sub Area Overlay Zone work going again.

Chairperson VanderWeele asked for a motion.

Mr. Smith **made a motion** to deny the conditional rezoning request from AVB and The Hinman Company for their approximately 116 acre property located at 5303 W. Main Street from the R-2 and R-4 Residence Districts, to the C: Local Business District. Ms. VerSalle **seconded the motion**. The **motion was approved** unanimously.

The Chair asked for a motion to move forward with the overlay zone process.

Ms. Maxwell **made a motion** to make work on the overlay zone plan for the Maple Hill Sub-Area priority number one for the Commission and to move forward to completion as soon as possible. Ms. VerSalle **seconded the motion**. The **motion was approved** unanimously.

Chairperson VanderWeele said that additional assistance would be provided for the Planning Department, if needed, to expedite this work.

OTHER UPDATES AND BUSINESS

Ms. Lubbert indicated there were no updates and no further business to come before the Commission.

ADJOURNMENT

With no further business to consider, Chairperson VanderWeele adjourned the meeting at approximately 8:40 p.m.

Minutes prepared:
April 30, 2022

Minutes approved:
_____, 2022

Iris Lubbert

From: Andy Marquie
Sent: Tuesday, April 26, 2022 8:49 AM
To: Iris Lubbert
Subject: KEEP THE PRAIRIES GOLF COURSE OPEN!!!

CAUTION: External Email

To Whom it may concern,

I just wanted to share a quick note to let your team know that I believe it's a mistake to close the prairies. It is the only true course that members of the Kalamazoo Community can enjoy that is well kept and has a great staff to go with it. I hope you reconsider the project development and thank about members like me in the community that appreciate having this course.

Thanks,



All of our BSN Catalogs are now online at: <https://www.bsnsports.com/vault/>
Ask me about our industry leading My Team Shop player pay website. Fundraising has never been easier!
<https://bsnteamssports.com/> (My Team Shop Video)



Iris Lubbert

From: rbush3349@mail.kvcc.edu
Sent: Monday, May 2, 2022 2:48 PM
To: Iris Lubbert
Subject: Prairies Golf Course Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: External Email

Hello. My name is Robert Bush. My family and I are Skyridge Avenue residents. Our property backs up to the Prairies Golf Course. We would hate to see this established neighborhood have to deal with yet another apartment community in the area. We simply don't need it. Our neighborhood is currently a quiet, serene setting. We don't want to lose that aspect. Also, we don't want our home values to drop due to crime and other undesirable activities. We just want let you know, that We stand with our neighbors in asking that you DO NOT approve the proposal for the sale of the Prairies golf course.

Sent from my iPhone

Iris Lubbert

From: Brad Toepper
Sent: Tuesday, April 26, 2022 10:54 AM
To: Iris Lubbert
Subject: Public Comment - 4/28/2022

CAUTION: External Email

This e-mail is in regards to public comment that I would like to be read at the townhall meeting on 4/28 regarding the re-zoning of the Prairies property on West Main.

I have resided in Kalamazoo from 1987 to 2010 and 2015 to present, that's 30 years total. I returned to Kalamazoo because of everything that Kalamazoo has to offer. Kalamazoo is a big-little city that can give you the quiet of a small town and the entertainment of a big town. I have watched Kalamazoo grow over all of this time and it has been at the expense of our greenspaces. Building, after building, has been built with no regard to whether or not there is going to be a business to occupy that building. Vacant lots and buildings sit in front of Costco and along 131 with the all too recognizable blue and white sign. Yet, we consider destroying a golf course in order for a company to have more land to develop when they haven't even developed all of their current space!

As a healthcare professional I am disgusted at the consideration of removing an area that is designed for outdoor enjoyment and exercise, only to pour more concrete and put up more walls. The Prairies is one of the last green spaces that exists between this building and Eastern Hills. We don't need less activity for people in this day and age. We need to protect and maintain this space where anyone between the ages of 12 and 85 can come and be active for 2-5 hours. Society needs space for activities, not space for buildings.

I work on Turwill Lane. The intersection of Turwill Lane and West Main is a nightmare between 4pm and 6pm. West bound traffic is consistently backed up through the intersection because of the traffic going through the West Main and Drake Road intersection. I would urge the township to seriously consider, and even study, how much more traffic can be handled by these intersection and all the other intersections down Drake Road and West Main. These are already notoriously dangerous intersections, on a national scale.

I urge the township NOT to re-zone The Prairies land and spend the time to find a solution to maintain the space as it is and was intended when it was built in 1912. I am writing as a resident of Oshtemo township, born and raised in Kalamazoo, a healthcare professional, and someone that wants this space to be available for it's intended purpose for decades to come.

Sincerely,
Brad Toepper, MS, AT, ATC, TPI
294 Beymoure St.
Kalamazoo, MI 49009

Iris Lubbert

From: Bryan Jolliffe
Sent: Tuesday, April 26, 2022 5:34 PM
To: Iris Lubbert
Subject: AVB Plans For 5303 W Main Street

Ms. Lubbert,

I am a longtime resident of this community. I have witnessed the rapid growth of Oshtemo Township. With this growth I have also witnessed the extreme increase in traffic. At times driving anywhere on Drake Rd and W Main St is almost impossible due to the long lines of traffic each direction and the numerous private drives sprinkled up and down Drake Rd and W Main St. To be frank, it is quite dangerous.

When I heard that AVB had bought The Prairies Golf Course located at 5303 W Main St I became even more concerned about this "business district" of Oshtemo Township. This section of the township can barely handle the traffic it currently gets now. This doesn't even factor in that the large area north of W Main St and east of US-131 has not even been fully developed yet.

There is no need to remove the golf course just to add more "big box" stores that will bring even more congestion to the area. Especially in a day and age when these types of stores are closing left and right as more and more people shop online.

A quick Google search of crashes in Oshtemo Township shows that Oshtemo Township has three of the most crash prone areas in all of Kalamazoo County. And it has been this way for quite some time per Michigan State Police crash report data. Drake Rd and W Main St intersection especially.

I believe that ARPA monies Oshtemo Township received should be used to do a traffic impact study on W Main St and Drake Rd.

I do not think AVB request should be granted reference rezoning of 5303 W Main St. They would be able to reap all of the rewards of making money off of their business ventures while the citizens would be stuck dealing with the increased traffic in a section of the township not able to handle all of it.

Sincerely,

Bryan Jolliffe

Iris Lubbert

From: Craig Cleary
Sent: Tuesday, April 26, 2022 9:45 AM
To: Iris Lubbert
Subject: The Praries Golf Course Rezoning

CAUTION: External Email

Hello Iris

I am writing regarding The Praries rezoning because I am unable to attend the public hearing.

I'm a lifelong Kalamazoo resident and a current Osthemo township resident. I grew up in Westwood and currently live right across 131 from The Prairies with my family of 5. I'm writing in advance of the Zoning Board meeting to suggest that the request from AVB to rezone the Prairies Golf Course be **denied**.

My friends, family and I have enjoyed playing golf at the Prairies for decades, it is a good combination of convenient and affordable, and a great value for golfers of all abilities. As other courses in the area have closed (Yarrow, Thornapple Creek) it's been increasingly difficult to find available tee times and league nights. Losing the Prairies as an option for golf would be a catastrophic blow to the golf community on the West Side of Kalamazoo in removing yet another healthy, fun, outdoor activity that is so coveted in today's climate. I grew up learning to play at the Prairies and would plan to do the same with my Children over the next 15 years

I'd urge you to consider a few things:

1. The Prairies is one of the few bright GREEN spots left on this side of town. developing this space would produce more stormwater runoff/pollution, and impact wildlife in the area (we see deer, ducks, geese, foxes and groundhogs everytime we play!)
2. Do we really need more commercial developent space in the era of online shopping/Amazon? There is already significant commercial space vacant just within a few miles of The Prairies.
3. We should be finding other space to affordable housing that does not require eliminating a frequently used, green, recreational space that is so valuable to this side of town. This would clearly decrease recreational opportunities for residents of Oshtemo/Kalamazoo.
4. Additional development here would create even MORE traffic on an already log jammed/dangerous stretch of West Main. I see many accidents on W Main between 131 and Nichols Road and the area at the Prairies turn in is particularly congested already. I believe there needs to be a traffic impact study done and revisions to the master plan that leaves The Prairies intact as a recreational space (that can be used year-around for Cross Country Skiing/Sledding by the way!).

I hope these issues are considered VERY carefully. The Westside of Kalamazoo is a much better place to live with The Prairies as a part of it and the last thing that area needs is more developed space clogging things up.

Thank you

--

Craig Cleary | Craig.Cleary@gfs.com
Gordon Food Service® | Business Transformation - Business Process Owner | www.gfs.com
P 1-616-717-7841
Street: 1300 Gezon Parkway SW | Wyoming, MI 49509-9300

Iris Lubbert

From: DAVID CLEARY
Sent: Tuesday, April 26, 2022 10:39 AM
To: Iris Lubbert
Subject: Prairies zoning meeting

Planning commission,

Please protect this green space for our community! The Prairies is much more than a fabulous golf course. It is home to deer, fox, skunks, and a number of wildlife animals. As well as many birds and some of the most majestic trees anywhere in our township. I have not talked to anyone in favor of changing the zoning at this location.

I hope that the planning commission will act on behalf of the community of Oshtemo and maintain this green space as is.

Thank you, David Cleary

6435 Hollison Dr
Oshtemo

Sent from my iPhone

Iris Lubbert

From: Diane Cleary
Sent: Tuesday, April 26, 2022 12:40 PM
To: Iris Lubbert; Libby Heiny-Cogswell; Karen High
Subject: Prairies Golf Course Property

CAUTION: External Email

Oshtemo Township:

I've been a Kalamazoo west side resident and an Oshtemo township resident for 43 years. I'm writing in advance of the Zoning Board meeting to express my opinion (and the opinion of my immediate family of 11 residents) that the request from AVB to rezone the Prairies Golf Course be **denied**.

Along with many friends and family in the area, we've enjoyed playing golf at the Prairies for decades. Family rounds, holiday scrambles, friend gatherings and leagues have made for some great events over decades for my family and children and soon that will happen with grandchildren if we can retain wakeful free space of The Prairies. The Pairiwa serves our community as an excellent combination of convenience and affordability, not to mention it always seems to be in great shape! As other courses in the area have closed (Yarrow, Thornapple Creek and many others) it's been increasingly difficult to find available tee times and league nights. It would be devastating to golfers on the West side of Kalamazoo and beyond to lose The Prairies.

From a commercial planning and sustainability perspective, developing this beautiful green space would produce more stormwater runoff (pollution), cause detrimental impact on wildlife and trees, decrease recreational opportunities for residents and create more traffic on an already busy stretch of West Main.

There is a lot of dead space on the north side behind Maple Hill and along 131 to the north as well as land west of 131 that is already commercial that could be developed though I think we are already overly developed commercially along these corridors.

The Westside of Kalamazoo is a much better place to live with The Prairies as part of our community! It provides a healthy place for recreation, social connection and is an attraction to the residents that we want to retain in our community.

Please represent these points for our tax paying residents of Oshtemo township and their families.

Diane Cleary
Oshtemo Resident

Sent from my iPhone

Iris Lubbert

From: Earl Hall
Sent: Thursday, April 28, 2022 10:19 PM
To: Iris Lubbert
Subject: Prairies golf course

Follow Up Flag: Follow up
Flag Status: Flagged

Why is it necessary to turn green space into development property of any kind? So far, looking down West Main I see nothing good for the environment with either of your plans. The businesses you're discussing don't care about preserving and protecting land, do you? Again looking down West Main, the answer is no. We are in a serious global warming disaster, we don't need more destruction of land for retail or commercial dwellings. You've decimated the entire area that once held a large tree cover, for your commercial greed. You've not required a serious replacement for loss of this habitat. Looking at the new Advia building, there are a few new trees planted, giving the appearance of green space, when I'm reality, we've lost so many trees to development already, more development would only increase the carbon footprint of Oshtemo. Is it your plan, to remove every tree in the township? How many more buildings, and cars diene need in the area. Decimating prime habitat seems to be your end goal. Leave it alone, better still, turn it into another park. The people who live on Grand Prairie would like that.

Earl Hall

Sent from my iPhone

Iris Lubbert

From: Heather Emaan Adams
Sent: Sunday, May 1, 2022 1:23 PM
To: Iris Lubbert; Colten Hutson; Karen High
Subject: Opposition to rezoning and development of Prairies Golf Course

CAUTION: External Email

I am writing to let you know that I do NOT approve of the rezoning efforts that AVB and the Hinman Company are trying to seek in order to turn the 116-acre golf course into multi-family residential housing and commercial property.

My family moved to the West side of Kalamazoo onto Skyridge Avenue in 2019. We were seeking a more laid back lifestyle coming from the Downtown Kalamazoo area of 17 years. We were ecstatic to find a house suitable for our needs and to top it off we had a vacation style setting in our backyard with the golf course. The previous home owners didn't have blinds up in the back of the house because it was so private and at night time there is no traffic behind our house.

We are pleading with the township to NOT allow the rezoning and building of multi-family residential housing, as it would be constructed right in our back yard behind Skyridge Avenue. The westside of Kalamazoo already has numerous apartment buildings which cause a risk to the community. Canterbury apartments are located right around the corner from our house and a man was killed in March of 2020. Then you have the Country Club Park apartments directly to the east of our house where in April 2021 a vehicle came screeching through the fence and crashed into my neighbor's house nearly striking him. In November of 2021, there was a shooting in Concord Apartments off Drake road where a man was critically injured. The list of crime related incidents is ongoing.

Oshtemo board members, do we really need another multi-family residential building!

The traffic around the West main and Drake road area is terrible. It is so busy and very congested. We don't need another development to make the already nightmare worse. There is plenty of space to build on the other side of west main towards Kalamazoo Central or out West main towards the highway closer to Meijer.

Please consider the requests of the Oshtemo residents that this directly affects. No one on Skyridge Avenue or the Redstone Farms condominiums wants a multi level complex in their backyard with people staring down at them. If housing is going to be erected, it should be one level condominiums or single family homes. As I have stated above, the apartment complexes in this area are dangerous and crime ridden. We don't need to add anymore of those buildings to the area.

Thank you for your time and consideration,

Heather Adams
5278 Skyridge Avenue

Reject the rezoning request for Prairies Golf Course

Submitted by Wayne Fuqua

Concerns:

- Decreases green space (trees, wildlife, sustainability concerns)
- Decreases outdoor recreation opportunities (including safe recreational activities during COVID)
- Increases traffic congestion on West Main (impact on commute time, wasted fuel, pedestrian and bicyclist safety)
- Do we really need more commercial development, especially in an era of online shopping? (Hint: consider the plight of Crossroads mall before expanding commercial development)
- AVB's failure to follow best practices on sustainable and environmentally-sensitive develop on its current (West Gate) and previous projects (Drake Corners)

Suggestions:

- Deny rezoning request
- Redo the Maple Sub Area Master Plan, taking into consideration the impact of COVID and online shopping on the need for commercial and retail development and the need for COVID-safe outdoor recreation. Complete an inventory of vacant and/or undeveloped commercial space before approving additional commercial development.
- Maintain the Prairies as a functional golf course and expand year round recreation opportunities.
- Encourage residential (and commercial) development in locations that would have less adverse impact on existing green space and recreational facilities. Consider focusing residential developments on unused farm fields. Consider repurposing other existing property for residential and commercial development such as the parking lot behind Target, Marshalls and Gordon Foods. Encourage development of affordable housing and housing for seniors in settings that preserve green space and that provide outdoor recreation opportunities as well as access to public transit and non-motorized transportation options.
- Encourage AVB to follow best practices in sustainability and environmentally sensitive development

America Village Builders Web Page

Commitment to our Environment

We have a history as an environmentally-conscious builder and developer. This formed the foundation of our commitment to sustainability. A quick tour of any AVB project shows our focus on being stewards of our earth. Creating projects that integrate with nature is simply part of our DNA. Several of AVB's staff have earned LEED® AP status. We construct projects with a sustainable focus with several achieving LEED certification. We encourage clients to consider the full range of energy efficient opportunities when designing and constructing their project. We are a leader in building Energy Star, Green Built, and HERS rated and certified homes. Our homes are consistently built 30% – 50% more energy efficient than required by the latest energy codes. We use minimally-intrusive site staging to cut site disturbance. We promote energy savings, sustainability and conservation on all jobsites.

West Gate (W. Main and US 131) Development photos: Holiday Inn from the north



West Gate Photos (Continued): Looking north from Holiday Inn



Drake Corners (Drake and Stadium, Costco) AVB undeveloped lots, since 2014?



AVB development sites: West Gate, The Corners at Drake and Enclave (residential development near Walden Woods).



From MLive article, July, 2014: https://www.mlive.com/business/west-michigan/2014/07/by_the_numbers_the_costco_deve.html

Numerous houses in the [Century-Highfield area](#), were demolished to make way for The Corner@Drake project. Tenants of the rental houses were informed last September and had to vacate the houses by this March.

Hundreds of trees that kept the neighborhood largely isolated from the hustle and bustle that surrounds it were cut down. Gesmundo said that although all trees have aesthetic value, the vast majority were wild growth that developed over many years on the up-and-down terrain, and had little value as lumber. Those that did were sold for that purpose. Gesmundo said new trees will be planted in the area as it is redeveloped, but did not provide a number for how many



Installment 3, Prairies, including a photo of the parking lot behind Marshalls



Concerned Oshtemo Resident,

During my time as an Oshtemo resident, I have always been aware of the high density of commercial space between 131 and Drake rd. Traffic is a significant problem on Drake and West Main. While I know this meeting is in regards to rezoning; allowing any development, of the prairies land without performing a traffic impact study, is pure negligence on the township. The congestion is already a safety hazard; adding development that furthers that congestion will be dangerous and will impact first responder's ability to respond timely

Performing a traffic impact study, for West Main and Drake, could lead to the need for change of the township's master plan. If there is any doubt that Drake or West Main would pass a traffic impact study, this township board and leadership will be responsible for any negative outcomes from this development. Master plan should be revised in response to the traffic impact study. AVB asking for the land to be rezoned, so it can be developed outside of the Master Plan guide, is completely self-serving. It is clear they have zero regard for the quality of life of Oshtemo residence. There is absolutely no reason the township should allow the rezoning of the land which allows AVB to develop outside of the masterplan requirements.

I have always had a respect for the townships elected officials and employees; they have an important job to do. Being proactive and spending money to gather the correct data to make the necessary changes is vital! As a taxpayer, I support the township making the necessary investment to gather such data.

Iris Lubbert

From: Janet Grimm
Sent: Thursday, April 28, 2022 6:31 AM
To: Iris Lubbert
Subject: Prairies

Hello
Please keep this golf course and beautiful piece of land as is. We have too much developed property and don't need any more. Nature is good for the soul, buildings are not!
Thanks
Janet Grimm

Sent from my iPhone

Iris Lubbert

From: Julie Stover
Sent: Thursday, March 24, 2022 11:09 AM
To: Iris Lubbert
Subject: Development: Prairies Golf Course

CAUTION: External Email

Dear Members of the Planning Commission:

Please do not allow AVB to build on property that is the Prairies Golf Course. I have been fortunate to golf at the Prairies for over thirty years with my family and friends, and would like to continue that tradition.

I would like to see Oshtemo preserve more green space to encourage healthy activities for all people in our community. It would be a terrible shame to see Oshtemo over build and over develop like some of the surrounding communities, e.g. Portage.

Thank you for taking the time to read & listen to this response to the request by AVB to remove the Prairies Golf Course.

Sincerely,

Julie L. Stover

Iris Lubbert

From: Kevin Adams
Sent: Monday, May 2, 2022 1:17 AM
To: Iris Lubbert
Subject: Re: Golf Course Redevelopment

CAUTION: External Email

Hello,

My name is Kevin Adams, I live at 5278 Skyridge Ave, Kalamazoo, MI 49009. My family and I are totally opposed to multi family apartments being built directly behind our property. This would only add to more traffic, noise and a lack of regard for the peaceful, quiet atmosphere that we currently enjoy. We would prefer to see the residential portion of this development consist of SINGLE family homes, which would give the occupants a long term, vested interest in our community. This area has more than enough apartments, too many in fact. We are already dealing with numerous issues emanating from Canterbury Apartments just to our South - including littering, gun shots, trespassing through yards and cars speeding through the neighborhood. I am asking you to reject any plans that include multi family apartments, especially so close to our property and those of our neighbors. Thank you!

Kevin Adams

Iris Lubbert

From: Lee Vanstrein
Sent: Thursday, April 28, 2022 8:09 AM
To: Iris Lubbert
Subject: Today's Meeting

CAUTION: External Email

Unfortunately, I will not be able to attend in person, but I would like this email read:

My name is Lee VanStrein, I am born and raised in Kalamazoo and am a current resident of the Westport neighborhood in Oshtemo. I vehemently am against the rezoning of The Prairies golf course from residential to commercial for several reasons listed below:

- Safety – Oshtemo Township already has 3 of the most crash prone intersections in all of Kalamazoo County already (W. Main/Drake being the worst) and adding this traffic would certainly contribute to more crashes. There most certainly needs to be a traffic study done on this area. This is the top reason why this should not be rezoned.
- Lack of need for commercial real estate – AVB already owns a lot of commercial real estate, notably the area along US-131 where the Holiday Inn Hotels are, which is, and has been undeveloped for years. Not only this, but there are empty commercial buildings throughout the county that should be used first. We do not need any brick and mortar type stores/buildings. In addition, I know of multiple companies who built or rented very nice commercial buildings who have yet to be in their office due to COVID. The fact is, the demand for commercial real estate is drastically dropping as companies are allowing their employees the option to work remotely and retail stores are also dropping like flies – I have been in the Crossroads Mall recently and 30-40% of the stores are empty.
- Environmental – This would result in hardscape from here to the north with the exception of the Township Park, once this happens, there is NO GOING BACK. Congestion, emissions and air quality will all suffer, we really need to ask ourselves if this is in the best interest of the Oshtemo Residents, which it most certainly is not! This is a clear money grab and has no benefit to the Oshtemo Residents.

I grew up playing at this course with my dad. I learned to golf here and have played hundreds of rounds bonding with my father on this course, who is now retired and spends most of his mornings playing with his friends at The Prairies. I also play frequently with my wife and have met many of friends at this course. My daughters have begun to take golf up and have walked the course with us and we plan to teach them the wonderful game of golf here as well. Please do not change this beautiful green area to unnecessary commercial real estate. This is a wonderful place for families to learn the great game of golf and spend time exercising instead of being indoors. Beyond this rezoning, the Planning Commission and Township need to reevaluate the master plan and future land use plan for this area: KL to H Ave and Drake to 9th.

Thank you for your time,

Lee VanStrein

Iris Lubbert

From: Nicholas Sasak
Sent: Tuesday, April 26, 2022 3:15 PM
To: Iris Lubbert
Subject: The Prairies

CAUTION: External Email

To Whom It May Concern,

I moved to the area about ten years ago. One of the my favorite parts about Kalamazoo is that it's got everything you need, but still has the local charm of a small town.

One of the gems of Kalamazoo that I've been lucky to experience throughout these years is The Prairies. It's a friendly, affordable, flourishing golf course. It's been a great escape for me, personally...especially during times of Covid. Fresh air, sunshine, new friendships/camaraderie, improved mental health...these are just some of the obvious things that so many have benefited from by being part of the Prairie's community.

With this in mind, redeveloping this area would be an utter embarrassment for Kalamazoo. Without even factoring in the rat's nest of unnecessary traffic that any new development would bring to West Main, it just doesn't add up. Getting rid of a historical, beautiful, and beneficial sanctuary (to so many) like the Prairies just to add boring, ordinary developments is just ridiculous. The sheer thought of it is an indictment on where our society is going as a whole. Any possible redevelopment must be reconsidered and (at the very least) relocated to an area where the damage to the the community would be drastically minimized.

Finally, each time my family and I pass the Prairies on 131, my toddler son looks out of the window, points to the course, and says, "that's where daddy plays golf." He usually follows it up with, "I'm going to play with him there someday when I get bigger." Please do what you can to make sure that he's right.

Thank you.

Sincerely,
Nick Sasak

Iris Lubbert

From: Nora Reid-LeZotte
Sent: Thursday, April 28, 2022 7:57 AM
To: Iris Lubbert
Subject: Prairie Golf Course

CAUTION: External Email

Good Morning,

I just heard that the Township is considering the fate of the Prairie Golf Course on West Main.....I am unable to attend the meeting today,, but would like to make my views heard.

I have grown up on the west side of Kalamazoo and have fond memories of learning to Golf at Prairie Golf Course (Elk's Club) with my father.

This land is an amazing green space in our community. The land provides an oasis of nature in the middle of commercial chaos.

The land reminds us of our stewardship to the natural world around us. It is home to many animals and birds in our area.

The Township should embrace the potential of a Celebration Park instead of the Greed of more Commercial Building space.

Change the course to Nine holes and convert the remaining land into a Township Park to provide the residents with the wonders of the outdoors in all seasons....

What a better gift to further generations, than the preservation of Nature's green place rather than the destruction of green space for more Commercial Buildings.

Please do not destroy this beautiful land for commercial gain. This area of West Main is already way over commercialized and is a driving nightmare at Drake and West Main.

Preserve the Green Space and embrace the potential of Nature's beauty for future generations.

Thank you.

Nora Reid-LeZotte: Stoneberry Farms

Iris Lubbert

From: Paul Armstrong
Sent: Tuesday, April 26, 2022 10:39 AM
To: Iris Lubbert
Subject: Against Rezoning of the Prairies Golf Course

CAUTION: External Email

To whom it may concern;

Good morning,

I would like to ask that you please reconsider the rezoning of the Prairies Golf Course for development. I must ask have you recently driven around the area in its currently developed state, it is not a stress free experience. We as humans all act out of of self interest usually in the guise of the greater good for others. I will be honest, I want to continue to enjoying time spent golfing with my friends and would hate to see the property torn up just to add more congestion to an already overdeveloped area.

I appreciate your time and thank you in advance for your decision to stop this rezoning from taking place.

Best regards, have a great day!

Sincerely,

Paul Armstrong, Kalamazoo Resident

Iris Lubbert

From: Robin Olexa
Sent: Wednesday, April 27, 2022 9:56 PM
To: Iris Lubbert
Subject: Prairies golf course

I am writing on behalf of keeping the Prairies golf course zoned as residential.

As a resident of Oshtemo township, I am not in favor of losing our community to more commercial buildings or property. We already have increased traffic on M43. My husband was in a motor vehicle accident this January on M43. It was stop and go and he was rear ended. I can't imagine more traffic to an already busy road.

Secondly, as a golfer, we need recreation. The citizens of Oshtemo township deserve recreation and relaxation.

We need and desire a local place to go to. We need to unwind and have a place to gather in our own community. We need a place to exercise. Golf provides this. We need to be outdoors. The benefits of being outdoors are proven to lower blood pressure, decrease depression, and have less anxiety.

We are living in crazy times and we need a way to relax. It is upsetting that our township would take this away from us.

We are also losing our country town feeling.

I moved here over twenty years ago and I have witnessed that small town feeling disappearing.

I urge you to consider the residents of your town and to hear our voices. Keep our golf course zoned as residential.

Respectfully,

Robin Olexa and Bob Meyer

3060 N 10th Street

Kalamazoo, Michigan 49009

Sent from my iPhone

3-22-2022

Greetings,

This is in regards to the Planning Commission Meeting on March 24th.

I live in Redstone Farms on the 8th Fairway of the Golf Course.

My concerns for rezoning are as follows:

- ① I would be opposed to multi-story apartment buildings directly behind my condo. Any such buildings including any commercial area should be located as far North ^{on} ~~of~~ the property near West Main
- ② I would like to see a barrier strip of natural, parklike area directly bordering my property (Redstone) and down behind houses on Sky Ridge. All the way to US 131 area.
- ③ Any housing directly bordering this natural strip should be limited to single family homes or condominiums. I would note that there are high density housing units to the South already.

These are my main concerns.

Regards, Thomas G. Dillon

5366 Penrose Lane
269-365-8705

Iris Lubbert

From: Wade Cleary
Sent: Tuesday, April 26, 2022 8:39 AM
To: Iris Lubbert
Subject: Prairies Golf Course Rezoning

CAUTION: External Email

I'm a lifelong Kalamazoo resident and a current Osthemo township resident. I'm writing in advance of the Zoning Board meeting to suggest that the request from AVB to rezone the Prairies Golf Course be **denied**.

Along with many friends and family in the area, we've enjoyed playing golf at the Prairies for decades, it is a good combination of convenient and affordable, not to mention it always seems to be in great shape! As other courses in the area have closed (Yarrow, Thornapple Creek) it's been increasingly difficult to find available tee times and league nights. It would be devastating to golfers on the West side of Kalamazoo and beyond to lose The Prairies.

From a commercial planning and sustainability perspective, developing this beautiful green space would produce more stormwater runoff (pollution), impact wildlife and trees, decrease recreational opportunities for residents and create more traffic on an already busy stretch of West Main.

I hope these issues are considered carefully, the Westside of Kalamazoo is a much better place to live with The Prairies as part of the community!

Wade Cleary
Osthemo Resident



Mtg Date: May 10, 2022
To: Oshtemo Charter Township Board
From: Iris Lubbert, AICP, Planning Director
Subject: Consideration of Open Space Community Sidewalk Deviation (N Ave; Tournesol)

Objective:

Township Board to approve or deny, with a formal motion, the requested sidewalk deviation for the proposed Tournesol Open Space Community. The applicant, Hinter Properties LLC, is requesting to reduce the amount of required sidewalk within the proposed development by 2,250 lineal feet. Sheet 2 of the conceptual plan, attached, depicts the requested frontages that the applicant seeks to not install sidewalks, as indicated by a green hashed line. A Consultant from McKenna, on behalf of the Township's Planning Department, will be present at the May 10th Township Board meeting to present the request.

Background:

On April 28th the Planning Commission reviewed and unanimously approved the concept plan for Tournesol, a new 60.24 acre Open Space Community. The proposed 49-unit residential condominium development was designed using both Article 43 Open Space Community and Article 290 Subdivision, Site Condominium, and Land Division Ordinance. The concept plan was approved by the Planning Commission with nine conditions. An excerpt pertaining to the Tournesol Concept Plan from the draft Planning Commission minutes are attached.

Article 43 Open Space Community offers an alternative to traditional subdivisions through the use of planned unit development legislation. An Open Space Community is defined as a residential development whereby the protection of substantial open space is established as the primary site development consideration of which the clustering or grouping of dwelling units and/or lots upon a small portion of the site is a fundamental part. To encourage flexibility and creativity consistent with the objectives of the open space community concept, the reviewing body may grant specific deviations from the dimensional requirements set forth in the Zoning Ordinance. Such a dimensional deviation is not subject to variance approval by the Zoning Board of Appeals. In this case, the Planning Commission reviewed and denied the proposed sidewalk deviation. However, the Township Board is the final authority for a sidewalk deviation request. The Planning Commission, in this case, acts as a recommending body.

Per Section 290.008.H.1 of the ordinance "sidewalks not less than five feet in width shall be included within the dedicated non-pavement portion of the right-of-way on both sides of all roads within a subdivision or site condominium". The applicant has included proposed trail systems and sidewalks within the conceptual design. The applicant however seeks a waiver to reduce the amount of required sidewalk to be installed throughout the proposed development by 2,250 lineal feet noting that the proposed deviation is consistent with the intent of an open space community ordinance. Their reasoning is outlined in this excerpt from their letter of intent below; the full letter of intent is attached.

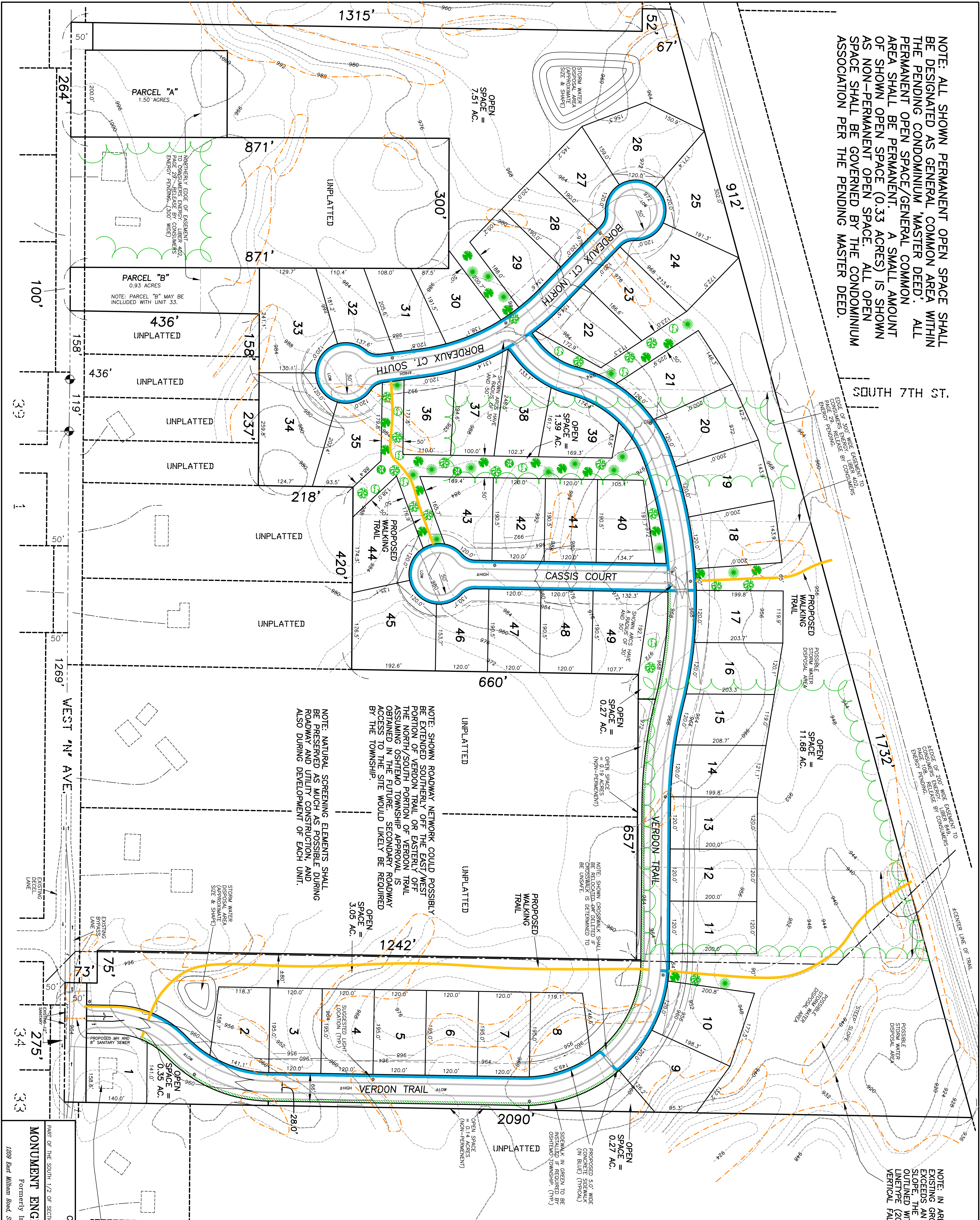
"The sidewalk, as shown on the plan, is found on both sides of the street, except along the single-loaded entry road. In this area we propose a sidewalk only on the side where units are served, for sustainable maintenance such as snow removal, achieving the final grade while minimizing the

impact of surrounding natural features, and taking into account the proposed hiking trail which helps complete the travel system. However, if the sidewalk is required on both sides of all streets, they would be installed as such. Heeding the expert advice of our urban planners, every aspect is inspected to be aligned with the township's vision by achieving a desirable and efficient layout. We want it to be aesthetically pleasing, desirable, well maintained, and highly functionable."

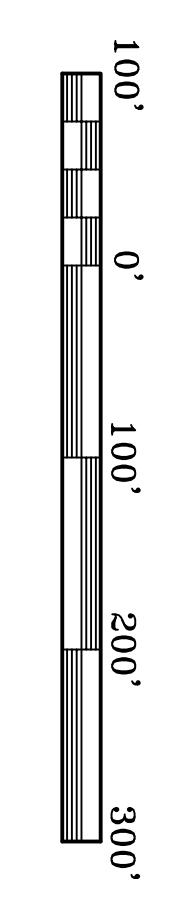
In order to promote multi-modal transportation and a network of complete streets, it is vital that sidewalks be installed along both roadway frontages. While the applicants desire to only install sidewalks along sections of roadways that have dwelling units is acknowledged, staff and the Planning Commission strongly discourage the Township Board from supporting any waiver for the reduction of required sidewalks within this community. Lack of a complete sidewalk network on both sides of the street will necessitate residents and visitors to walk or ride their non-motorized transportation in the traffic lanes of the roadways and will create an unsafe pedestrian environment. It should be noted that the proposed design for the deviation shows sidewalk crossings in curved sections of the road which is a safety concern and goes against AASHTO standards. If the requested deviation is approved, a condition should be to revise the design so that the provided crossings have sufficient sight distance in compliance with AASHTO standards.

Attachments: Sheet 2 of the conceptual plan; Draft Planning Commission Minutes Excerpt from 4/28/2022, Letter from Applicant

NOTE: ALL SHOWN PERMANENT OPEN SPACE SHALL BE DESIGNATED AS GENERAL COMMON AREA WITHIN THE PENDING CONDOMINIUM MASTER DEED. ALL PERMANENT OPEN SPACE/GENERAL COMMON AREA SHALL BE PERMANENT. A SMALL AMOUNT OF SHOWN OPEN SPACE (0.33 ACRES) IS SHOWN AS NON-PERMANENT OPEN SPACE. ALL OPEN SPACE SHALL BE GOVERNED BY THE CONDOMINIUM ASSOCIATION PER THE PENDING MASTER DEED.



NOTE: IN AREAS WHERE THE EXISTING GROUND EQUALS OR EXCEEDS AN APPROXIMATE 20% SLOPE, THE AREA HAS BEEN OUTLINED WITH A DASH/DOT LINETYPE (20% SLOPE = 2' OF VERTICAL FALL IN 10' HORIZONTAL)



REQUESTED WAIVERS:
 1) SIDEWALKS
 2) UNIT FRONTAGE

NOTE: PROPOSED SIDEWALKS (IN BLUE) ARE SHOWN AS BEING EITHER ON ONE SIDE OF THE STREET OR BOTH SIDES OF THE STREET. IF REQUIRED BY OSHTOMO TOWNSHIP, SIDEWALKS SHALL BE INSTALLED ON BOTH SIDES OF ALL STREETS.

NOTE: SHOWN RECTANGULAR UNITS HAVE AT LEAST 120 FEET OF ROAD FRONTAGE. SHOWN PIE-SHAPED UNITS (UNITS 25, 26, 33, 34, 44, AND 45) HAVE A WIDTH OF 120' MEASURED AT THE FRONT BUILDING SETBACK LINE. SEE THE SHOWN WIDTH (TO THE LEFT) FOR THESE 6 UNITS. THESE 6 UNITS HAVE LESS THAN 120 FEET OF FRONTAGE.

NOTE: SHOWN ROADWAY NETWORK COULD POSSIBLY BE EXTENDED SOUTHERLY OFF THE EAST/WEST PORTION OF VERDON TRAIL OR EASTERLY OFF THE NORTH/SOUTH PORTION OF VERDON TRAIL ASSUMING OSHTOMO TOWNSHIP APPROVAL IS OBTAINED IN THE FUTURE. SECONDARY ROADWAY ACCESS TO THE SITE WOULD LIKELY BE REQUIRED BY THE TOWNSHIP.

NOTE: DEVELOPMENT OF SITE SHALL COMPLY WITH OSHTOMO TOWNSHIP 'TREE PRESERVATION' REQUIREMENTS. ALSO, AT LEAST 40% OF EXISTING WOODED AREAS SHALL BE RETAINED. DETAILS SHALL BE PROVIDED WITH DETAILED SITE PLAN. HEALTHY TREES 6" DIAMETER AND LARGER SHALL BE PRESERVED AS MUCH AS POSSIBLE. ALSO SEE SHEET 3.

ALSO SEE SHEETS 1 & 3

CONCEPTUAL SITE PLAN
 "TOURNESOL"
 PART OF THE SOUTH 1/2 OF SECTION 34, T. 2 S., R. 12 W., OSHTOMO TWP., KAWAZOTO COUNTY, MI
 MONUMENT ENGINEERING GROUP ASSOC., INC.
 Formerly Ingersoll, Watson & McEachen, Inc.
 1209 East William Road, Suite B • Portage, Michigan 49682 • Phone 269 344-6165

DATE: 1/03/2022
 SHEET: 2 OF 3
 JOB No.: 368866

REVISIONS:
 4/03/2022
 2/28/2022
 2/19/2022
 2/01/2022

TOURNESOL

43.80 APPLICATION GUIDELINES

C 19 g. A narrative describing how the open space community is supported by the Township's Master Land Use Plan, the capacity and availability of necessary public facilities to the development, and the impact the development will have on adjoining properties.

Tournesol (translated as “sunflower” in French), is a planned open space community proceeding north off of N avenue west of 9th Street, designed to be an aesthetic, naturally flowing, low impact development which supports the growing need for building sites within the community.

I. Design

We chose the sunflower as our theme because it has three defining characteristics which are pillars for our development: (a) natural habitat (b) joyfully bright and (c) beautiful in appearance yet functional by design.

- (a) Natural Habitat – Just as the sunflower is found growing native in the American soil, our desire is to create a development that seamlessly integrates within the environment it is found. Our plan is to preserve and maintain many of the natural features found on the property. We are utilizing the majority of the meadow areas as home site locations, and in turn preserving greater than 40% of the existing wooded area. We are also creating natural cluster separations by working with the existing trees, as well as proposing the storm water disposal areas in the lower lying elevations. In addition to this, we are weaving a natural hiking/biking trail throughout, so that residents can fully appreciate these naturally existing elements.
- (b) Joyfully Bright – The sunflower is an inflorescence, composed of numerous individual flowers, so *Tournesol* is designed to be a lively community composed of numerous homes sites. Our intent is to develop a bright and colorful place within *Oshtemo Township*, where 49 families can live. As observed in the *Go! Green Oshtemo Plan*, our development supports the community’s request for more trails, natural features, open space conservation, and park amenities. The natural terrain of the property and intentional design of the community is aesthetically pleasing and blends with the growing trail system seamlessly. Our hiking trails is to be 6-8 feet of crushed rock and offers convenient access to the *Oshtemo Fruit Belt Trail* which connects to other neighborhoods as well as *Flesher Field*. Additionally, the trail is connected to *Beatrice Drive* providing intermodal access to the 9th Street business district. Being aware of the long-term plan to extend these trail systems, we believe our hiking trail access will be a highly desirable feature that could be used by the community at large for many years to come.
- (c) Beautiful in Appearance yet Functional by Design – This third characteristic ties it all together. The sunflower is not only beautiful in appearance, but also produces a functional fruit as its seed is a source for many vitamins and minerals. Likewise, *Tournesol* is not only to be appealing in design, but also well balanced and functional. The community is carefully planned to be in full accordance with the *Oshtemo Township Zoning Ordinance* for a Rural Residential district and makes use of the *Open Space Community Provision*. Both, from the perspective of a developer and the township at large, it is just as important to formulate the plan with desirably sized and consistently balanced building lots. Each lot has a minimum 120’ of frontage, with the exception of a few pie-shaped cul de sac lots which have a minimum 120’ width at the typical setback.

The lot layout is precisely arranged to ensure that each lot is desirable in shape, being near an average 200' depth, while retaining the rear 50' as preserved woodland. The sidewalk, as shown on the plan, is found on both sides of the street, except along the single-loaded entry road. In this area we propose a sidewalk only on the side where units are served, for sustainable maintenance such as snow removal, achieving the final grade while minimizing the impact of surrounding natural features, and taking into account the proposed hiking trail which helps complete the travel system. However, if the sidewalk is required on both sides of all streets, they would be installed as such. Heeding the expert advice of our urban planners, every aspect is inspected to be aligned with the township's vision by achieving a desirable and efficient layout. We want it to be aesthetically pleasing, desirable, well maintained, and highly functional.

2. Utilities

A preliminary assessment to the property is complete for topographical changes and direct impact to public utilities of the community. With this particular layout, it is possible to fully make use of the existing public utilities installed in the *N Avenue* right of way. The sewer depth in the *N Avenue* right of way is adequate to fully serve the plan for this community. Subsequently, the layout is designed to have no lift station dependency for all build sites. Additionally, there would be no challenges for water to be distributed to each home.

3. Impacts

Tournesol is intentionally designed to integrate with the neighboring properties, without causing a significant impact. It references other communities already built in Oshtemo Township for precedence in design and open space layout. The roadways are kept hidden from the existing dwellings as much as possible, with the single-loaded entry road leading to three fully wooded cul de sacs, avoiding a suburban subdivision appearance. This enhances the feel of the larger community and the appealing nature of the township's current atmosphere. *N Avenue* has been pioneered for some time with the *Norm Carver* community on north (to the east of *Tournesol*) and the *Autumn Woods* community proceeding south (to the west of *Tournesol*). The plan we are proposing is a blend of this surrounding character, and would be a good complement to these communities. We believe that it will increase land value, fill the growing need for new home within the local business districts and provide an appealing option for families to call *Oshtemo* home!

Knowing our thoughtful approach to this community, we hope that you appreciate and support our plan.

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

DRAFT MINUTES OF A REGULAR MEETING HELD APRIL 28, 2022

Agenda

PUBLIC HEARINGS:

SPECIAL USE AND SITE PLAN REVIEW

Kids Empire requested consideration of a special use and site plan review under Article 65: Special Exemption Use, to establish an indoor recreational facility within an existing 10,804 square foot tenant space within a multi-tenant commercial center located at 5130 W. Main Street Kalamazoo, MI 49009, parcel no. 3905-13-280-022, within the C: Local Business District.

SPECIAL USE AND CONCEPTUAL PLAN REVIEW

Hunter Properties requested consideration of a special use and conceptual plan review under Article 43: Open Space Community; Article 65: Special Uses; and Article 290: Subdivision/Site condominium Ordinance to develop 63 acres for a 49-unit Open Space Community. The subject property is located at 7214 West N Avenue, Kalamazoo MI 49009, parcel nos. 05-34-480-010; 05-34-330-014 and 05-34-455-001, within the RR: Rural Resident District.

CONDITIONAL REZONING, THE PRAIRIES

AVB, on behalf of Trade Center H, LLC and Trade Center G, LLC and The Hinman Co. requested to conditionally rezone the approximately 116-acre property located at 5303 W. Main Street from R-2: Residence District R-4 Residence District C: local Business District. Parcel No. 05-13-405-032

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, April 28, 2022, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

ALL MEMBERS WERE PRESENT: Bruce VanderWeele, Chair
 Micki Maxwell, Vice Chair
 Kizzy Bradford
 Deb Everett
 Alistair Smith
 Anna Versalle
 Chetan Vyas

Also present were Iris Lubbert, Planning Director, James Porter, Township Attorney, Colten Hutson, Zoning Administrator, Kyle Mucha and Paul Lippens,

Chairperson VanderWeele moved to the next agenda item.

PUBLIC HEARING: SPECIAL USE AND CONCEPTUAL PLAN REVIEW

Hunter Properties was requesting consideration of a special use and conceptual plan review under Article 43: Open Space Community; Article 65: Special Uses; and Article 290: Subdivision/Site condominium Ordinance to develop 63 acres for a 49-unit Open Space Community. The subject property is located at 7214 West N Avenue, Kalamazoo MI 49009, parcel nos. 05-34-480-010; 05-34-330-014 and 05-34-455-001, within the RR: Rural Resident District.

Mr. Kyle Mucha, Senior Planner at McKenna, provided a report including comments and findings for the proposed Open Space Community Concept Plan (Tournesol) for a 49-unit residential development submitted for consideration by the Board by Hunter Properties, LLC, dated April 4, 2022 and continued dialogue between the Tournesol Development Team and Oshtemo Township staff.

Based on their evaluation McKenna's recommendation on the conceptual plan was that it generally meets requirements and could be approved by the Planning Commission with the following conditions and observations:

1. Planning commission finds the request to modify site frontage measurement requirements consistent with the purpose of the open space development option and past practices as it pertains to cul-de-sac lots only.
2. Designated open space and green strips be included with the By-Laws/Master Deed of the Condominium Association as common land.
3. By-Laws/Master Deed be submitted to the Township for review.
4. Installation of sidewalks along both sides of the road network.
5. Unit #1 (existing residential dwelling) driveway to be shown to connect to Verdon Trail.
6. Site plans to show the proposed streets extended to the boundary line of the project to make provisions for the future expansion of streets onto adjoining properties.
7. The proposed clustered segments of the development have a minimum naturalized buffer one hundred twenty (120) feet between each cluster. By increasing the buffer from fifty (50) feet to one hundred twenty (120) feet, the proposed development will be more in accordance with ordinance requirements and standards.
8. Units #9 and #10 be considered a "cluster".
9. Any other conditions as noted by other review Agencies, outlined in the staff report.

Chairperson VanderWeele thanked Mr. Mucha for his comments and asked if board members had questions for him.

Ms. Maxwell asked about the distance between clusters.

Mr. Mucha indicated the applicant specified 50 feet between clusters, but McKenna was recommending 120 feet, the minimum lot width required within this zoning district, to help create the clusters by providing more open space for separation.

Ms. Lubbert clarified that the ordinance does not outline a minimum footage separation between clusters but that the proposed 50 feet between clusters does not meet the ordinance intent for clusters in an open space community. Clusters should be strategically placed so to preserve the natural features on the property and be designed in a way to avoid a suburban subdivision appearance.

Ms. Everett asked if only one access road meets ordinance requirements.

Mr. Mucha said the Road Commission is working with the applicant; there is a requirement for streets to be stubbed for further future development. The cut off for one access road is 49 units. 50 units or above requires two access roads. Although McKenna has some concern, the applicant feels one road is adequate.

Ms. Lubbert confirmed one access road meets ordinance in this case.

Hearing no further questions, the Chair asked if the applicant wished to speak.

Mr. Andre Timmermans of Hunter Properties, LLC, said he was moving here and has a vested interest in the community. He spoke to the group about the project, named Tournesol, which he said is "sunflower" translated from French, chosen because it has three defining characteristics which are pillars for the development: 1) natural habitat, 2) joyfully bright and 3) beautiful in appearance yet functional by design. He described how they plan to achieve them by:

- 1) Utilizing the majority of meadow areas as home site locations and preserving greater than 40% of the existing wooded area. They are also creating natural cluster separations by working with the existing trees as well as proposing storm water disposal areas in the lower lying elevations. Also they are weaving a natural hiking/biking trail throughout so residents can fully appreciate the naturally existing elements.
- 2) Developing a bright and colorful place where 49 families can live in clusters of 4-8 units separated by open space and utilizing the natural terrain for more trails, natural features, open space conservation and park amenities. The trail will connect to Beatrice Drive providing intermodal access to the 9th Street business district.
- 3) The community is planned to be in full accordance with Township ordinance for a rural residential district and makes use of the open space community provision. Each lot has a minimum of 120' of frontage with the exception of a few pie-shaped cul-de-sac lots which have a minimum 120' width at the typical setback.

He indicated a sidewalk was proposed only on the side where units are served for sustainable maintenance and to minimize impact on surrounding natural features. Roadways are kept hidden from existing dwellings as much as possible and a single-loaded entry road helps enhance the feel of the larger community and avoid a suburban subdivision appearance. One continuous sidewalk would tie into the hiking/biking path.

Chairperson VanderWeele asked if board members had questions for the applicant.

Mr. Vyas and Ms. Maxwell said for the safety of pedestrians, especially children, they would prefer to have sidewalks on both sides of the entire road.

Ms. Everett confirmed the sidewalk would tie into the hiking/biking path.

Hearing nothing further from board members, the Chair moved to Public Hearing.

Public Comments:

Lanny Schafer, 7396 W. N Ave., was concerned about what will happen to the wildlife living there now and about increased traffic on N Ave. as well as the impact on the value of the lives of residents with the addition of 49 homes/families.

Themis Corakis, 7018 W. N Ave., felt the plan was very nice but would like to see sidewalks on both sides of the complete loop around the development.

Gayle Miller, 4310 S. 7th St., said the property to be developed was a part of her husband's family farm. She has been working with the applicant for a year to get a positive outcome, and is embracing the proposed development. She sees it as a positive for the community, including revenue. It is already not private with the AT&T bisection of the farm. She did not want the land to become public, but now that it is, she embraces the project. If the public can walk the AT&T line, she would like the extra homes close by for safety. She felt the young men who have developed their dream into this plan want to add to the community and said she is behind them 100%.

Pat Flannigan, Monument Engineering said they have been working on the plan for 9 months and that sidewalks are shown on all sides except the entry road on the east side and the entry road on the south side heading west. Rather than having to disturb a 10 foot strip of land that abuts the neighbors' properties to install sidewalks there, he would rather minimize disturbing those areas by eliminating those sidewalks.

Paula Rumsey, 139 Mandalay Drive, wondered if the one road entrance will become another connection to other communities. She was also concerned about there being enough room for fire trucks to safely turn around as well as the wildlife being disturbed.

Greg Keebler, 7280 W. N Ave., expressed concern about increased traffic at W. F Ave. and Beatrice. There are currently many speeders and with two cars per house

there will be approximately 100 more cars per day travelling there. Front lawn area will be lost but taxes will still need to be paid on land they will not own in the future. Privacy will be lost. He enjoys his 10 acres, but feels peace and a security buffer will be lost. He noted a proposed trail by the Township for the Consumers easement which will add to safety and security being destroyed. There are already trespassers, quad runners, homeless and shots heard at night. This will increase the workload for officers.

After attendees spoke, Ms. Lubbert read the one letter received from a resident unable to attend the meeting. The letter is attached to these minutes.

There being no further speakers, Chairperson VanderWeele closed the Public Hearing and moved to Board Deliberations.

Ms. Lubbert explained that what was being considered is a concept plan, not a site plan. If the board moves forward with the concept plan, a site plan with more specifics will be developed for later consideration.

Attorney Porter told the board they needed to consider the recommendation and the proposal to decide if they believe it to be a good concept plan and whether they want to see any changes to the proposal. If they move the plan forward, with changes, their wishes would be included within the confines of the ordinance when the applicant returns to the board for consideration of a site design plan.

He noted the Planning Commission can grant deviations except for sidewalk deviations which must go to the Township Board, but they can provide direction to the applicant. If the Commission's preference is for a deviation for the sidewalk, it will go to the Township Board. This is the Commission's opportunity to decide what they would like to see proposed for a site design plan.

Ms. Maxwell said it seems another exit onto N Ave. is possible.

Ms. Lubbert said there is property that could theoretically provide access there at some time in the future.

Commissioners agreed they would want to see sidewalks required on both sides of the road to provide safety and security. They also agreed they wanted to see 120 foot buffer zones between clusters rather than 50 feet.

Ms. VerSalle **made a motion** to approve the concept plan for the Tournesol Open Space Community Concept Plan for 7214 West N Avenue, subject to the nine recommendations from McKenna:

1. Planning commission finds the request to modify site frontage measurement requirements consistent with the purpose of the open space development option and past practices as it pertains to cul-de-sac lots only.
2. Designated open space and green strips be included with the By-Laws/Master Deed of the Condominium Association as common land.
3. By-Laws/Master Deed be submitted to the Township for review.
4. Installation of sidewalks along both sides of the road network.

5. Unit #1 (existing residential dwelling) driveway to be shown to connect to Verdon Trail.
6. Site plans to show the proposed streets extended to the boundary line of the project to make provisions for the future expansion of streets onto adjoining properties.
7. The proposed clustered segments of the development have a minimum naturalized buffer one hundred twenty (120) feet between each cluster. By increasing the buffer from fifty (50) feet to one hundred twenty (120) feet, the proposed development will be more in accordance with ordinance requirements and standards.
8. Recommendation to the Township Board that units #9 and #10 be considered a "cluster".
9. Any other conditions as noted by other review Agencies, outlined in the staff report.

Ms. Bradford **seconded the motion**. The **motion was approved** unanimously.

Chairperson VanderWeele moved to the next item on the agenda.

PUBLIC HEARING: CONDITIONAL REZONING, THE PRAIRIES

AVB, on behalf of Trade Center H, LLC and Trade Center G, LLC and The Hinman Co. requested to conditionally rezone the approximately 116-acre property located at 5303 W. Main Street from R-2: Residence District R-4 Residence District C: local Business District. Parcel No. 05-13-405-032

Ms. Lubbert reported the request from AVB and The Hinman Co. to conditionally rezone their approximately 116-acre property located at 5303 W Main Street from R-2 and R-4, Residence Districts to the C, Local Business District. Currently comprised of an existing golf course, these 116 acres are part of the Township's Maple Hill Drive South Sub-Area Plan which was adopted in 2017.

The Future Land Use Plan defines the vision for land development in Oshtemo Township based on sound planning principles and community input. It builds on historic development patterns, factoring in the objective to preserve unique environmental features and to protect the rural character of the community. At the same time, the Future Land Use Plan provides direction for anticipated development within the Township in appropriate places for growth.

She noted the Oshtemo 2011 Master Plan and Township's adopted Future Land Use Plan specifically calls out the Maple Hill Drive South area as a sub-area and recommends that a detailed sub-area plan be developed. As noted in the 2011 Master Plan, the Maple Hill Drive South area is currently comprised of an existing golf course and smaller adjacent properties; it has strong potential to accommodate new development due to its location near W Main Street and US-131. Although the existing golf course is a "man-made" green space area, it exists as the only significant green

May 25, 2022

Oshtemo Twp. Planning Commission,

This letter concerns the proposed development "Tournesol", project address 7212 West N Ave., or parcel 34-480-010 and associated parcels. I will be unable to attend the Planning Commission meeting on April 28, 2022, so if you would please enter my letter as comments into the meeting minutes.

It appears the development generally meets the Township ordinances for open space developments with a few noted exceptions from the McKenna report. While I am not affected by the actual development, I have concerns with the vehicle access point as well as the potential for sidewalks to terminate onto N Ave.

N Ave. is a very hilly "all season" highly travelled primary road. About 100 ft east of this proposed access, there is a rise in the terrain limiting visibility of where the proposed roadway would exit onto N Ave. There have already been rear end crashes in this area with vehicles turning into driveways due to short range visibility issues.

Speed limit is posted at 45 mph on this stretch of N Ave., but generally the speeds are much higher. Commercial semi-truck traffic volume is substantial (and again travelling at well over the posted speed limit) in the area from those vehicles short cutting Stadium Drive to get to I-94.

Corporate Woods Drive is a commercial / industrial access roadway. Traffic at this intersection at shift change at PNC increases quite a bit. Additionally, commercial traffic uses this access for the properties in the development. There are no sidewalks along Corporate Woods Dr, and currently no connecting trailways. With no other route for pedestrians on N Ave. or on the Texas Township side, it seems counterintuitive to route pedestrians in a suggestive manner to N Ave. where no crosswalks or connections are indicated.

One additional traffic note. N Ave. traffic is increased when I-94 is backed up or closed due to vehicles exiting either Mattawan or 9th St. to bypass the closure. While the posted route is 9th St. and Stadium Drive, Google routes the traffic down N Ave. since it is the shortest route.

The McKenna review also notes that the existing structure on N Ave. (designated as "unit 1" of the development) will have the driveway relocated to the new road. If this structure remains as an N Ave. address, I can see conflicts with public safety response to this address with no access off the addressed street. Practically, I do not see this as an option anyway as this will place the driveway too close to the intersection.

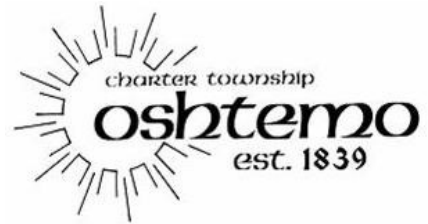
With the terrain, the vehicle traffic volume and the excessive speeds, and the driveway issue with "unit 1" my suggestion would be to move the access roadway west to the Parcel A area to more align with Shane St. This area is much flatter and would provide better visibility from both directions for an access road. Additionally, it would seem to make sense to connect this development to S. 7th St. to provide two access points into the development, or even use this as the single access point to avoid any conflicts with N Ave. access points. I would also support the elimination of sidewalks at the N Ave. Access point.

Thank you for considering my comments.

Regards,



Mike Corfman



Memorandum

Date: May 4, 2022
To: Township Board
From: Anna Horner, P.E., Deputy Director of Public Works
Subject: Consideration of Parkview Non-motorized Detailed Engineering (Bridge to Drake Road; Outside RCKC Project Limits)

OBJECTIVE

Discussion on status of the Parkview non-motorized and sewer project.
Consideration of authorization of partial Detailed Engineering consulting professional services work with HRC, in the amount of \$15,000.

BACKGROUND

On November 23rd, 2021 the Board approved a proposal from HRC engineering consultants to move forward with surveying and concept planning for sewer and non-motorized work to coincide with the RCKC Safety Grant Project on Parkview Ave from 11th Street and 12th Street, a RCKC project to install two roundabouts at these respective intersections. This work was largely accomplished and the total HRC contract was not utilized in 2021 (Approved: \$15,743.40 Spent: \$8,525.64).

On February 15, 2021, the Board approved a specific Sanitary Sewer Agreement and recognized the existing umbrella Non-motorized Agreement with RCKC, for the detailed engineering work ***within the RCKC project limits*** on Parkview, by HRC. The project is at 70% detailed design completion and work has begun to obtain grading and permanent easements for the non-motorized path.

For safety of users, the path needs to have a clear terminus or connection to existing non-motorized facilities constructed at the same time. Also needed is a proper transition and width over Parkview Ave Bridge (MDOT owned) to Drake Road on the east side of RCKC's project limits. Public Works requests authorization for additional detailed engineering work for this area. Scope items include adding a 10' curved pedestrian fence on the bridge structure, adjusting lane configurations with pavement markings and buffer area between vehicular and nonmotorized, grading, and permitting with MDOT & Federal Highway.

Presently HRC is providing support in ongoing conversations for feasibility. The remainder amount in the HRC concept planning contract will be utilized for some of this ongoing detailed work. Additional HRC contract scope expansion authorization is requested herein to keep the project on schedule. Simultaneously, Public Works will seek quotes for full detailed design and permitting work for the eastern non-motorized connection.

This Public Works due diligence to obtain other quotes for detailed engineering services will be done in coming weeks to assure the value of detailed engineering services. Public Works will bring a recommendation to the Board May 24th, for the full detailed engineering work. Estimates at this time for the total work are up to \$60,000. The request today is for up to \$15,000 to keep the project moving. As you recall, Oshtemo learned of the RCKC Safety roundabouts project in the Fall and continues to play 'catch up' in defining scope, design, and budgets to accomplish this coordination opportunity.