

Memorandum



Date: September 14, 2026

To: Buchanan City Commission

From: Kristen Gundersen, Planning and Community Development Director

Subject: **Consideration of a Map Amendment (rezoning) from N Natural to I Industrial district for property at northeast corner of E Third Street and Skyline Drive – 805 E Third Street – First Reading of Ordinance**

Background

The City of Buchanan is requesting a map amendment (rezoning) from the N Natural to I Industrial district for the irregularly shaped 4.82-acre parcel located near the northeast corner of East Third Street and Skyline Drive. The property is owned by Ingersoll Rand Company – Trane Technologies Company LLC

A portion of the property is improved with a 10' wide trail for McCoy Creek along with a surface parking lot. The remaining portion of the property has vegetation and is enclosed with a fence. The previous zoning map had the property designated as I-2 Heavy Industrial and the property owner has stated they were not aware of the Unified Development Code or any proposed changes to the zoning map that took place in late 2025.

This property was previously owned by Clark Equipment and has an ongoing due care plan under the Michigan Natural Resources Environmental Protection Act (NREPA). The due care plan is based on the property being in an industrial zoning district. There is a Declaration of Restrictive Covenant from 2007 which restricts the use of the property. An easement was granted in 2001 to allow the construction of the 10' wide pedestrian path.

Table 71-H Industrial Standards require a minimum lot width of 60' and no minimum lot area. The existing parking lot would be considered nonconforming as Table 71-H requires parking to be located 20' behind the minimum 10' building setback or 30'. Table 71-J Use Matrix allows governmental uses in the I Industrial district. The table only references cultural (library, museum, gallery) as a special use in the I Industrial district.

Planning Commission Recommendation

The Planning Commission conducted a public hearing on the request during their September 8th meeting. No audience members spoke and the Planning Commission unanimously recommended approval of the request.

Standards for Review

Section 71-36.B.2 Standards provides five factors that must be considered when reviewing proposed amendments to the Unified Development Code. Please review and discuss each factor before a motion and action is taken.

- a. Consistent with master plan and vision plan. Whether and the extent to which the proposed amendment is consistent with the master plan and the vision plan.
- b. Changed conditions. Whether and the extent to which there are changed conditions that require an amendment.
- c. Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.
- d. Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this chapter will maintain or impose compatibility among uses and will ensure efficient development within the City.
- e. Development patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

Action/Recommendation

The public hearing was conducted earlier in the meeting. Please deliberate the request, review the factors stated above from Section 71-36.B.2 before making a motion. If the Commission concurs with the Planning Commission's recommendation a motion could be stated as "move to approve the first reading of an ordinance to allow a map amendment (rezoning) from N Natural to I Industrial District for the 4.82-acre parcel located near the northeast corner of East Third Street and Skyline Drive now known as 805 East Third Street as the request meets the factors as found in Section 71.36.B.2 of the Unified Development Code for map amendments/rezoning and schedule the second public hearing for the October 26th City Commission meeting."

DRAFT PROPOSED ORDINANCE

09/28/26

**CITY OF BUCHANAN
ZONING MAP AMENDMENT
ORDINANCE NO. 2006.10/456**

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE ZONING MAP OF THE
CITY OF BUCHANAN FOR THE PROPERTY KNOWN AS 805 EAST THIRD STREET**

IT IS HEREBY ORDAINED BY THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN:

Article III, Section 71-14.A Official zoning map and Figure 71-A Buchanan Zoning Map of the City of Buchanan Unified Development Code is hereby amended as follows:

Figure 71-A “Buchanan Zoning Map” is hereby amended in accordance with Article III, Section 71-14.A, to rezone from N Natural District to I Industrial District the property having the common address of 805 East Third Street, Buchanan, MI, Tax ID Number 11.58.0700.0006.02.0

All other parts of the Unified Development Code not in conflict with this ordinance shall remain in full force and effect.

Sec. 14-317 Effective Date

This Ordinance shall become effective fifteen (15) days after its adoption and publication as required by Section 7.4 of the City Charter.

MADE, PASSED, AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN ON THE __ DAY OF OCTOBER 2026 AND IT WAS PUBLISHED IN THE BERRIEN COUNTY RECORD NEWSPAPER ON DAY __ OF NOVEMBER 2026 BY

MARK WEEDON, MAYOR _____

KALLA LANGSTON, CITY CLERK _____

CERTIFICATION, I hereby certify that the above is a true and complete copy of an ordinance adopted by the City Commission of the City of Buchanan, County of Berrien, State of Michigan, at a regular meeting held on the __ day of October 2026, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 as required by said act.

Kalla Langston, City Clerk



302 Redbud Trail North
Buchanan, MI 49107
Tel: (269) 695-3844
Fax: (269) 695-4330

Map Amendment (Rezoning) Application

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. If additional space is needed, please use additional sheets of paper.

Property Information

Property Address (es): Northeast corner of E Third and Skyline - 805 E Third Street

Property Code Number(s) (Tax Number): 11-58-0700-0006-02-0

Briefly Explain Request: Map amendment from N Natural to I Industrial -

to allow existing Due Care Plan based on I Industrial district to remain. Returns to previous zoning district prior to UDC adoption in December 2025.

Applicant Information

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: City of Buchanan

Relationship to Property Owner: _____

Mailing Address: 302 N Redbud Trail

City: Buchanan State: MI Zip Code: 49107

Telephone Number: 269.695.3844 Emergency Number: _____

E-mail Address: _____

Name of Property Owner: Ingersoll Rand Company

Mailing Address: 800 E Beaty St

City: Davidson State: NC Zip Code: 28036

Telephone: _____ E-mail Address: _____

Attorney: Grant Gilezan

Mailing Address: 777 Woodward Ave Ste 400

City: Detroit State: MI Zip Code: 48226

Telephone: _____ E-mail Address: ggilezan@dykema.com

Engineer or Architect: N/A

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail Address: _____

Site Information

General description or characteristics of the site: wooded with a ravine and trail running through property from west to east and surface parking lot

Master Plan Designation: Open Space

Existing Zoning and Land Use: N Natural - McCoy Creek Trail and parking

Proposed Zoning and Land Use: I Industrial - McCoy Creek Trail and parking

Existing square footage of property: 4.82-acres or 209,959 square feet

Proposed square footage of Property: 4.82-acres or 209,959 square feet

Existing square footage of all buildings on the property: no buildings

Proposed square footage of all buildings on the property: no buildings

Existing zoning and land uses of adjacent parcels:

North: I Industrial and N Natural, City Wastewater plant and vacant

South: I Industrial, industrial building

East: N Natural, McCoy Creek Trail system

West: I Industrial, McCoy Creek Trail system and industrial building

Is there floodplain or wetlands on the property? Yes: XX No: _____

Map Amendment Standards

If needed use additional sheets of paper to respond to Standards.

Section 71-36.B.2 Standards. The advisability of amending the text of this chapter or making an amendment to the zoning map is a matter committed to the legislative discretion of the City Commission. In determining whether to adopt or disapprove d the proposed amendment, the City Commission must consider the following factors:

- a. Consistent with master plan and vision plan. Whether and the extent to which the proposed amendment is consistent with the master plan and the vision plan.
The Master Plan designates the property as Recreational and Land Conservation. The property is improved with the McCoy Creek Trail and small surface parking lot. No changes are proposed to the existing use of the property.
- b. Changed conditions. Whether and the extent to which there are changed conditions that require an amendment.
Prior to the adopted of the Unified Development Code in Dec 2025, this property was located in the I Industrial District. There is an existing Due Care Plan based on the previous zoning of I-2 Heavy Industrial associated with Phase I Audit from 1993 along with recorded restrictive covenants which limits allowable uses.
- c. Community need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.
To remain compliant with the Due Care Plan, the property must remain in an Industrial zoning district. Representatives of the property owner have stated they were not aware the property was being rezoned as part of the new Unified Development Code and would have addressed the issue at that time.
- d. Compatible with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land, or the proposed amendment to the text of this chapter will maintain or improve compatibility among uses and will ensure efficient development within the City.
The property was previously located in the I-2 Heavy Industrial district along with other owned properties to the south and southwest which are now both located in the I Industrial District. The existing surface parking lot and trail, both associated with the McCoy Creek Trail will remain.
- e. Development Patterns. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.
The use of the property for a trail and surface parking lot will not change. The Due Care Plan based on underlying zoning of I Industrial and the restrictive covenants limits the uses on the property. The existing trail and surface parking are allowed.

MAP AMENDMENT (REZONING) APPLICATION CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten (10) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

On the 10th, day of August, 20 26, I/We have read the above certification, understand it, and agree to abide by its conditions.

[Signature] City of Buchanan Kristen Gundersen
Signature of Applicant or Authorized Agent Name of Applicant or Authorized Agent

SUBSCRIBED AND SWORN

To before me this 10 day of
Aug, 20 26

[Signature]
Notary Public

KALLA LANGSTON
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF BERRIEN
My Commission Expires June 09, 2032
Acting in the County of Berrien

MAP AMENDMENT (REZONING) APPLICATION OWNER'S CONSENT FORM

I/We, the Owner(s) of the property listed below, hereby grant permission for the Applicant,
City of Buchanan - Kristen Gundersen, Planning and Community Development Director
(Company name and contact person) to seek Map Amendment Request from N Natural to I Industrial
(state request that can be made) as required by the City of Buchanan, Michigan for the
property commonly known as irregularly shaped parcel at northeast corner of Third Street and Skyline Drive
(street address) and having the Property Code Number (Tax Number) of 11-58-0700-0006-02-0

On the 6th, day of August, 2026, I/We have read the above
certification, understand it, and agree to abide by its conditions.

Leri Hamill

Signature of Property Owner

Trans Technologies Co LLC Successor
in trust to Ingersol Rand Company

Name of Property Owner

Signature of Property Owner

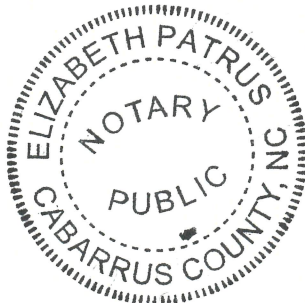
Name of Property Owner

State of North Carolina
County of Mecklenburg
SUBSCRIBED AND SWORN

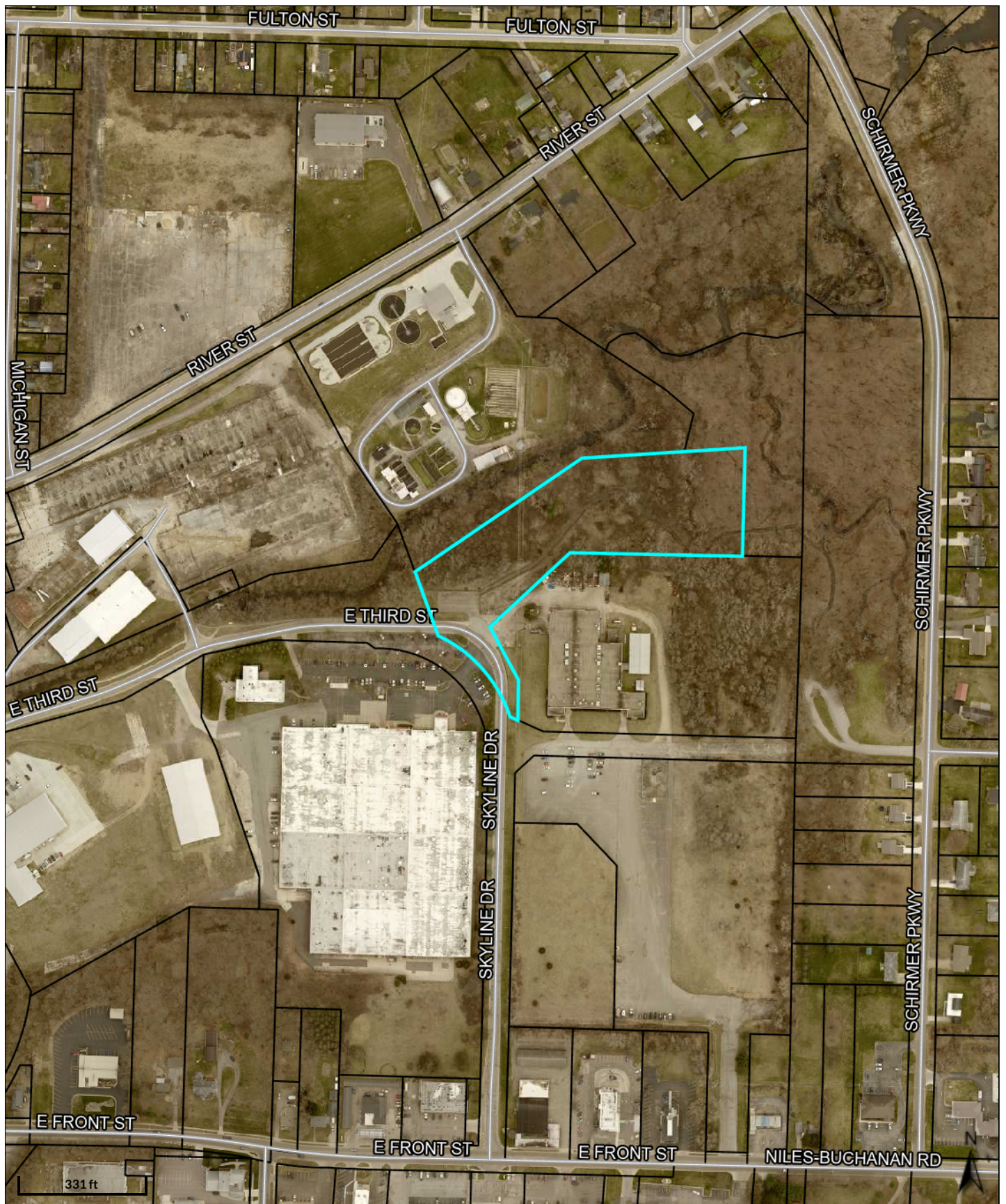
To before me this 6th day of
August, 2026

Elizabeth Patrus
Elizabeth Patrus
Notary Public

My Commission expires
5/12/2029



Location Map - Northeast corner of E. Third Street and Skyline Drive



Zoning Map – Northeast corner of East Third Street and Skyline Drive



Zoning Districts

-  Natural (N)
-  Neighborhood Edge (NE)
-  General Neighborhood (GN)
-  Neighborhood Center (NC)
-  Downtown (D)
-  Suburban Commercial (SC)
-  Industrial (I)
-  Planned Unit Development (PUD)



Photographs – Northeast corner of East Third Street and Skyline Drive



View looking northeast from East Third Street.



View looking northeast from East Third Street.