

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
April 24, 2019  
MINUTES - DRAFT**

Chairperson Thompson called the meeting to order at 7:31 p.m.

**ROLL CALL:**

**Present:** Franzoi, Jahr, Boynton, Atchinson, Budd and Thompson.

**Excused:** Kelley.

**Staff:** Director Akers, Planning Intern Stamper and Secretary Harman.

**Planning Representatives:** McKenna Associate, Vidya Krishnan and Fishbeck Associate, David Potter.

**Audience:** Fourteen (14).

**APPROVAL OF AGENDA:**

**Motion Budd, Boynton second to approve the agenda of April 24, 2019 as amended, moving New Business Item #3 to #1, with the remaining items under New Business following in order. Motion Carried.**

**APPROVAL OF MINUTES:**

**Motion Boynton, Franzoi second to approve the regular meeting minutes of April 10, 2019 as presented. Motion Carried.**

**PUBLIC HEARING:**

**ITEM # 1                    17-030 – ASHLEY CAPITAL CROSSROADS NORTH DISTRIBUTION CENTER – SPECIAL LAND USE REQUEST.**

**TITLE:                    THE APPLICANT, ASHLEY CAPITAL, IS REQUESTING A SPECIAL USE PERMIT TO CONSTRUCT A DISTRIBUTION CENTER. THE DISTRIBUTION CENTER IS PROPOSED TO CONSIST OF THREE (3) BUILDINGS TOTALING 1,579,325 SQUARE FEET OF SPACE.**

**LOCATION:                THE PROPOSED DEVELOPMENT IS LOCATED NEAR THE NORTHWESTERN INTERSECTION OF ECORSE ROAD AND HAGGERTY ROAD. PARCEL ID NUMBERS V-125-83-008-99-0002-703 & V-125-83-005-99-0009-701 (APPROXIMATELY 158.5 ACRES).**

**Motion Boynton, Franzoi second to open the public hearing. Motion Carried.**

Allen Dresclous of VP Construction and Joe Webb of Webb Engineering gave the presentation. The applicant is requesting a special land use permit to construct a distribution center. The request meets the setback requirements of the Zoning Ordinance, the traffic study has been approved by Wayne County and the applicant is working with neighboring property owners. The proposed buildings are similar to the existing Ashley Capital Buildings 1, 2 and 3, the exterior is precast concrete with added detail lines, there are six (6) entrances for tenant use and the site has a large set back with a berm and landscaping buffer. The applicant displayed color renderings of the building to show the view from Ecorse Road with the berm and landscaping in place.

Resident discussed a letter received from the applicant about purchasing her property and home; she was displeased with the amount and options offered.

**Motion Franzoi, Jahr second to close the public hearing. Motion Carried.**

**ITEM # 2                    19-014 - REZONING**

**TITLE:                    THE APPLICANT, CARL G. SPEAKS, IS REQUESTING TO REZONE THE PROPERTY LOCATED AT 1123 SAVAGE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL.**

**LOCATION:                SUBJECT PROPERTY IS LOCATED AT 1123 SAVAGE ROAD. (PARCEL ID # 83-105-99-0011-000).**

**Motion Jahr, Atchinson second to open the public hearing. Motion Carried.**

Loretta Speaks gave the presentation on behalf of her brother-in-law Carl G. Speaks. The applicant is requesting to rezone 1123 Savage Road in order to sell the property.

No comments from the Commission or the audience.

**Motion Atchinson, Jahr second to close the public hearing. Motion Carried.**

**NEW BUSINESS:**

**ITEM # 1                    19-014 - REZONING**

**TITLE:                    THE APPLICANT, CARL G. SPEAKS, IS REQUESTING TO REZONE THE PROPERTY LOCATED AT 1123 SAVAGE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL.**

**LOCATION:                SUBJECT PROPERTY IS LOCATED AT 1123 SAVAGE ROAD. (PARCEL ID # 83-105-99-0011-000).**

No further comments from the applicant.

Intern Stamper presented her review letter dated 4-10-19 recommending the Planning Commission approve the request to rezone parcel # 83-105-99-0011-000, 1123 Savage Road, from M-1 (light industrial) to R1-B (single family residential) based upon the following reasons:

1. The requested rezoning is consistent with the Master Plan due to its consistency with the future land use map (2018).
2. The requested rezoning is consistent with the standards in 12-504 of the Zoning Ordinance.
3. The street system has shown that it is capable to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.

4. The Township's utilities and services have all been and will continue to be sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the Township.
5. The requested rezoning does not change the Zoning Ordinance but brings the Township further into compliance with the future land use map (2018).
6. The requested rezoning is not expected to result in exclusionary zoning.
7. The sites physical, geological, hydrological and other environmental factors are compatible with the permitted zoning district.
8. There is compatibility of all the potential uses allowed in the proposed zoning district with surrounding areas and zoning regarding land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
9. The boundaries of the requested rezoning district would be reasonable in relationship to surrounding districts and construction on the site will be able to meet the dimensional regulations of the requested zoning district.
10. The requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.
11. Rezoning the land is more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
12. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.

No Comments from the Commission or the audience.

**Motion Atchinson, Budd second to recommend the Township Board grant the applicant, Carl G. Speaks request to rezone the property located at 1123 Savage Road, parcel ID # 83-105-99-0011-000, from M-1, light industrial to R1-B, single family residential, based upon the reasons stated above and in the staff review letter dated 4-10-19.**

**Roll Call:**

**Yeas: Jahr, Boynton, Atchinson, Budd, Franzoi and Thompson.**

**Nays: None.**

**Absent: Kelley.**

**Motion Carried. (Letter attached)**

**ITEM # 2                      17-030 – ASHLEY CAPITAL CROSSROADS NORTH DISTRIBUTION CENTER – SPECIAL LAND USE REQUEST**

**TITLE:                      THE APPLICANT, ASHLEY CAPITAL, IS REQUESTING A SPECIAL USE PERMIT TO CONSTRUCT A DISTRIBUTION CENTER. THE DISTRIBUTION CENTER IS PROPOSED TO CONSIST OF THREE (3) BUILDINGS TOTALING 1,579,325 SQUARE FEET OF SPACE.**

**LOCATION:                      THE PROPOSED DEVELOPMENT IS LCOATED NEAR THE NORTHWESTERN INTERSECTION OF ECORSE ROAD AND HAGGERTY ROAD. PARCEL ID NUMBERS V-125-83-008-99-0002-703 & V-125-83-005-99-0009-701 (APPROXIMATELY 158.5 ACRES).**

Joe Webb of Webb Engineering gave a brief presentation. The traffic impact study is approved by Wayne County and has been submitted to the Township engineer.

Vidya Krishnan of McKenna Associates presented her review letter dated 4-18-18 finding the proposed distribution center use of buildings 5 and 6 meet the criteria for special land use approval. Therefore, recommending the Planning Commission recommend special approval to the Township Board, subject to the following conditions:

1. Implementation of the traffic study recommendations, as required by the Township and Wayne County.
2. Notation that the stone pad area for Building 6 shall be maintained in a clean and feed-free manner, in the event Phase 2 is delayed or does not materialize.
3. That all of the conditions of preliminary site plan approval are met.
4. Final site plan approval.

Commissioners inquired if the applicant has been working with neighboring residents and asked Ashley Capital to provide updated contact information for the neighboring residents and those watching the meeting on VBTv12. Mike Balow of Ashley Capital provided an update, over the past few months Ashley Capital has reached out to several neighboring property owners to purchase. They have not done a blanket email or letter. The value for Ashley Capital is in the land, they are not interested in homes. Those purchased have ranged from \$50,000 – \$65,000 per acre. Ashley Capital will continue to reach out to those involved, have offered the option for residents to stay up to two (2) years rent-free with the buyout. Mike Balow of Ashley Capital can be reached at (734) 394-1900 or by email at [mbalow@ashleycapital.com](mailto:mbalow@ashleycapital.com).

Resident discussed buyout pricing, provided examples and discussed why she feels the offers she has received are not at the correct pricing. Audience member who lived on Haggerty for forty (40) years inquired how many properties are open for purchase. There is not a list of properties for purchase.

Commissioners discussed the stone pad for building 6 and inquired what the time frame is for building 6 to be erected, whether the pad will be used for storage or will it be isolated and when will the parking lot and utilities be developed for building 6. The pads for buildings 4, 5 and 6 will all be ready and in place this year, building 6 is estimated to be built in 2020 or 2021 each building takes at least a year to build and the pad will remain isolated. All storm sewer and sanitary sewer will be developed with the pad. The parking lot will not be developed and/or utilized until building 6 is erect.

No comments from the audience.

**Motion Boynton, Jahr second to recommend the Township Board grant special land use approval to the applicant, Ashley Capital, to construct a distribution center, the proposed distribution center to consist of three (3) buildings totaling 1,579,325 square feet of space, located near the northwestern intersection of Ecorse Road and Haggerty Road, parcel ID numbers V-125-83-008-99-0002-703 and V-125-83-005-99-0009-701, approximately 158.5 acres, subject to the recommendations in the McKenna Associates review letter dated 4-18-19.**

**Roll Call:**

**Yeas:** Boynton, Atchinson, Budd, Jahr, Franzoi and Thompson.

**Nays:** None.

**Absent:** Kelley.

**Motion Carried.** (Letter attached)

**ITEM # 3                    17-030 – ASHLEY CAPITAL CROSSROADS NORTH DISTRIBUTION CENTER – PRELIMINARY SITE PLAN APPROVAL**

**TITLE:**                    **THE APPLICANT, ASHLEY CAPITAL, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL TO CONSTRUCT A DISTRIBUTION CENTER. THE DISTRIBUTION CENTER IS PROPOSED TO CONSIST OF THREE (3) BUILDINGS TOTALING 1,579,325 SQUARE FEET OF SPACE.**

**LOCATION:**                **THE PROPOSED DEVELOPMENT IS LCOATED NEAR THE NORTHWESTERN INTERSECTION OF ECORSE ROAD AND HAGGERTY ROAD. PARCEL ID NUMBERS V-125-83-008-99-0002-703 & V-125-83-005-99-0009-701 (APPROXIMATELY 158.5 ACRES).**

Joe Webb of Webb Engineering gave the presentation. Mr. Webb gave an overview of the nine (9) items addressed in the planning review by McKenna Associates. The applicant will make a correction to the docks calculation on sheet C2, revise the phasing plan to the stone pad for building 6, address mechanical equipment heights, have the trees surveyed and documented for the additional greenbelt area, include details for the monument sign and add a notation that the rooftop equipment will be placed in a manner to be out of view to the right-of-way areas.

Vidya Krishnan of McKenna Associates presented her preliminary site plan review letter dated 4-18-19 recommending preliminary site plan approval subject to the following conditions:

1. Correction to the maximum docks allowed calculation on Sheet C2 and addition of a note restricting the maximum order number of docks on Buildings 5 and 6 to 108, as shown.
2. Revision of the phasing plan notation to ensure weed free maintenance of stone pad for Building 6 at all times (not just growing season), in the event Phase 2 is delayed or does not materialize.
3. Addition of details of the mechanical equipment height to determine adequacy of the 3' tall screening proposed.
4. Addition of greenbelt plantings on the west side of the detention pond area, along the west property line, with the exception of those areas with existing landmark trees, which must be shown on the tree survey.
5. Inclusion of greenbelt trees along the north property line as part of Phase 1 planting plan.
6. Notation of details of monument sign base on the final site plan.
7. The fixture height of the light poles can be approved at 35 feet.
8. Notation that rooftop equipment will be placed in a manner to conceal its view from any right-of-way areas.
9. Planning Commission and Township Board of Trustees approval of the proposed special land use.

David Potter of Fishbeck Associates presented his preliminary site plan review letter dated 4-5-19 recommending preliminary site plan approval. A more in depth review of the plans will be completed after preliminary plan approval by the Planning Commission and after initial approval from Wayne County has been granted. Final engineering review will look for conformance to the information noted in the review comments in accordance with the Engineering Standards Manual.

Director Akers presented the Fire Department review letter dated 4-9-19 recommending approval.

Commissioners inquired if the landscape trees listed on the site plan as Elm should change and discussed limiting the time frame for Building 6 to be constructed to 18 months. McKenna Associates will check on the tree type and the applicant would like 12 months to construct building 6, beginning at the completion of building 5. Commissioners also inquired how traffic will be managed with three (3) drives, the center drive will be posted "no trucks allowed".

Resident inquired about Wayne County fixing Haggerty Road between Tyler and Ecorse Roads and informed the Commission of speeding traffic and vehicles receiving damage from the road condition. Director Akers informed that Wayne County will be doing a mill and overlay project on Haggerty Road, the County was unable to complete the project last year due to a strike. The project is on the scheduled for this year. Director Akers will notify Public Safety of the traffic concerns.

**Motion Boynton, Franzoi second to grant Ashley Capital preliminary site plan approval to construct a distribution center located in the northwestern intersection of Ecorse Road and Haggerty Road, parcel numbers V-125-83-008-99-0002-703 and V-125-83-005-99-0009-701, approximately 158.5 acres, subject to the recommendations in the Fire Department review letter dated 4-9-19, Fishbeck Associates review letter dated 4-5-19 and McKenna Associates review letter dated 4-18-19 including approval of the 35 foot light poles, an 18 month time frame for phase II of the project and the tree species noted on the site plan to be changed if unsuitable. Motion Carried. (Letters attached)**

**ITEM # 4                      19-015 – UPLAND HOMES – SITE PLAN AMENDMENT**

**TITLE:                      THE APPLICANT, UPLAND HOMES, IS REQUESTING AN AMENDMENT TO THE APPROVED COUNTRY WALK SITE PLAN FOR REVISED SINGLE-FAMILY ARCHITECTURAL ELEVATIONS.**

**LOCATION:                THE UNFINISHED COUNTRY WALK SUBDIVISION IS THE SUBJECT OF THE REQUEST. THE DEVELOPMENT IS LOCATED ON THE EAST SIDE OF MARTINSVILLE ROAD, NORTH OF SAVAGE ROAD.**

Philip Kuntzman of Upland Homes, Inc. gave the presentation. The applicant is seeking approval of three (3) home elevations for the Country Walk subdivision.

Director Akers presented the staff review letter dated 4-2-19 recommending the Planning Commission approve the site plan amendment to the Country Walk development for the addition of the proposed elevations, plans # 1676, #2122 and #2320, to be built by Upland Homes base on the following conditions:

1. When building plans #2122 or #2320, staff will verify that the lot is wide enough to meet all setback requirements.
2. Township planning staff shall review each applicant for a new single-family home in the Country Walk development in order to determine that the new home meets the required setbacks and that the elevation meets the Township's "substantially different" architectural design standards set forth in the PRD agreement.

No comments from the Commission or the audience.

**Motion Jahr, Franzoi second to grant the request from Upland Homes for an amendment to the approved Country Walk site plan for revised single-family architectural elevations, subject to the recommendations in the staff review letter dated 4-2-19:**

1. When building plans #2122 or #2320, staff will verify that the lot is wide enough to meet all setback requirements.
2. Township planning staff shall review each applicant for a new single-family home in the Country Walk development in order to determine that the new home meets the required setbacks and that the elevation meets the Township's "substantially different" architectural design standards set forth in the PRD agreement.

**Motion Carried. (Letter attached)**

**GENERAL DISCUSSION:** None.

**ADJOURNMENT:**

**Motion Budd, Atchinson second to adjourn at 9:03 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary

# PLANNING & ZONING APPLICATION

Case number 18-0360

Date Submitted 11-6-18

## APPLICANT INFORMATION

Applicant U.S. SIGNAL PROPERTIES, LLC Phone (616) 988-7496  
Address 201 IOMA S.W. Fax (616) 988-0418  
City, State GRAND RAPIDS, MI Zip 49503  
E-mail DWISZ@USSIGNAL.COM Cell Phone Number (616) 366-8053  
Property Owner U.S. SIGNAL PROPERTIES, LLC Phone (616) 988-7496  
(if different than applicant)  
Address 201 IOMA S.W. Fax (616) 988-0418  
City, State GRAND RAPIDS, MI Zip 49503  
Billing Contact DAVE WISZ Phone (616) 988-7496  
Address 201 IOMA S.W. Fax (616) 988-0418  
City, State GRAND RAPIDS, MI Zip 49503

## SITE/PROJECT INFORMATION

Name of Project U.S. SIGNAL DATA CENTER  
Parcel Id No. V125-83-047-98-0007-701 Project Address 9275 HAGGERTY ROAD  
Attach Legal Description of Property N.E. CORNER HAGGERTY ROAD  
Property Location: On the EAST Side of HAGGERTY Road, TYLER Road, TYLER Road.  
Size of Lot Width 559.87 Depth 644.73  
Acreage of Site 7.91 Total Acres of Site to Review 7.91 Current Zoning of Site OT  
Project Description: \_\_\_\_\_

Is a re-zoning of this parcel being requested? NO

YES (if yes complete next line) (NO)

Current Zoning of Site OT

Requested Zoning \_\_\_\_\_

## SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval?

YES (if yes complete next line) (NO)

Section of Zoning Ordinance for which you are applying \_\_\_\_\_

Is there an official Woodland within parcel? NO

Woodland acreage 0

List total number of regulated trees outside the Woodland area? 271 Total number of trees 271

Detailed description for cutting trees CUT, CHIP, STUMP AND GRUB ALL TREES WITHIN LIMITS OF DISTURBANCE (SEE PLANS)

If applicable application MUST be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

## OWNER'S AFFIDAVIT

U.S. Signal properties LLC

Print Property Owners Name

Signature of Property Owner

10/31/18  
Date

STATE OF MICHIGAN  
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct

Subscribed and sworn before me this 31<sup>st</sup> day of October, 2018

Paige Dewitte

Notary Public,

Ottawa

County, Michigan

My Commission Expires

November 9, 2022

Rev. 1/12/06

NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OTTAWA

My Commission Expires November 9, 2022  
Acting in the County of Kent





May 5, 2019

Planning Commission  
Charter Township  
of Van Buren  
46425 Tyler Road  
Belleville, Michigan 48111

**Subject: VBT-18-036; U.S Signals Data Center; 9275 Haggerty Road; Final Site Plan Review #4;  
Revised Site Plans Dated April 30, 2019.**

Dear Commissioners:

The applicant, U.S. Signal Properties LLC, proposes to construct a data processing center on a 7.91 acre vacant parcel located at the northeast corner of Haggerty Road and Tyler Road intersection. The applicant received preliminary site plan approval from the Planning Commission on January 23<sup>rd</sup>, 2019, subject to several conditions:

We have reviewed the revised site plan for compliance with the conditions of preliminary site plan approval and offer the following comments (any items that require changes or additional information are underlined):

## **COMMENTS**

1. **Provision of additional information regarding potential timeline for construction of the phases pursuant to the Zoning Ordinance.** This condition can be met. The applicant proposes to construct a 25,000 square foot data processing building as Phase 1 with 3 additional phases of 25,000 square feet each for a total of 100,000 square feet of building area. The applicant proposes to construct only Phase 1 immediately. Per the applicant *"the timing of phases 2-4 expansions will be determined by customer demand but the expectation would dictate a phase addition every 24 months"*. This would result in a full build-out in 6-8 years. Under the provisions of Section 12.211 and 12.212 of the Zoning Ordinance, the Planning Commission may require performance guarantees and/or a Development Agreement to ensure completion of project. Since the proposal involves a significantly extended timeline, we recommend the execution of a Development Agreement setting forth the provisions for phasing and expirations, prior to issuance of a Certificate of Occupancy for the building.
2. **Correction to the use notation labels on the architectural drawings.** This condition has been met. The architectural drawings have been revised to correctly identify the building as a "data center" rather than a storage building.
3. **Notation of correct OT District setbacks on the site plan sheet 3.** This condition can be met. Sheet 3 has 2 different notes on building setbacks. While both notes correctly state the required setback along Haggerty Road as 75', one of the notes continues to incorrectly state that parking is permitted to occupy a portion of this setback area. This provision only applies to the commercial districts and not the OT district. This appears to be a repeated typographical error, which has still not

been corrected. Irrespective of the error in notation, this final approval is granted with a clear understanding that no such parking shall be allowed in the future.

4. **Relocation of building footprint and 9 parking spaces facing Haggerty Road frontage, to the east to comply with the required 75' front yard setback or apply for a variance from the same.** This condition has been met. The building and parking have been shifted to the east to meet the 75' setback requirement.
5. **Notation of peak ingress period from Haggerty Road.** This condition has been met. The site plan includes detailed notation on peak time traffic and stacking capacity at the main entrance to the site of Haggerty. The plan notes peak hours as 8-9 am, at which time the driveway will allow for stacking of 5 vehicles and possible 2 additional vehicles in the deceleration lane. This should allow for continuous movement of vehicles on Haggerty without any delay. The plan also notes that in the unlikely event any stacking issues arise on Haggerty, traffic would be directed to the entrance off Ricardo Drive and changes made to the parking plan to address it. Any such change to pavement area would require prior Township approval.
6. **Clarify intent regarding placement of large boulders to identify transition from paved area to gravel drive for Fire Department access on south side of building.** This condition has been met. Since receiving preliminary approval, the access drive appears to have been changed to extend the pavement along the south side of the building to the generator pad area. It then transitions to a crushed stone pad drive that connects to the access drive on the north side of the building. The final design of the circulation drive for access is subject to Fire Department and Township Engineer review and approval.
7. **Notation that in future phases the crushed stone/gravel drive will be upgraded to asphalt or concrete.** This condition has been met. The site plan notes that the fire access lane that goes around the perimeter of the site will be paved (we assume with asphalt or concrete as required) as future phases are completed.
8. **Provision of a sidewalk easement for any public sidewalk located on the applicant's property.** This condition has been met. All of the public sidewalks along Haggerty Road, Tyler Road and Ricardo Drive appear to be placed entirely within the public rights-of-way.
9. **Provision of a crosswalk on north side of Tyler Road to connect to the sidewalk on the south side on Haggerty Road.** This condition can be met. At the time of preliminary site plan review and approval, our letter included a recommendation (not suggestion) that a crosswalk be shown as noted above. The Planning Commission approved the plan with that recommendation, and we are not aware that it was removed specifically prior to approval. The plan at the time also included a crosswalk from the east side of Haggerty Road to the north side of Tyler. The revised plan at this time shows both crosswalks with a notation "crosswalk by others to be completed when opposite corner is developed". The corner to the west is already developed and the crosswalks were shown on an approved preliminary plan. We believe it was a condition of approval and must be implemented.



10. **Correction to parking calculations to include the 3 spaces shown on the north side of the building.** This condition has been met. The 3 spaces have been counted in the total of 28 spaces on the site.
11. **Information regarding projected future levels of traffic for employees, customers and site users, pursuant to Section 9.101(J) and Section 9.101(H) of the Zoning Ordinance.** This condition has been met. The revised plan includes detailed notation of hours of operation and anticipated traffic. Based upon the use of the site, the applicant does not anticipate any conflicts with regard to traffic, stacking or parking on the site in the future. Further, each of the future phases of development will require Planning Commission approval and any shortages in parking or traffic concerns can be addressed at such time.
12. **Clarification regarding areas that are to be irrigated, in compliance with Ordinance requirements.** This condition has been met. The landscape plan includes a colored plot plan identifying areas of temporary and permanent irrigation. Per the plan, all areas of the site, with the exception of the areas occupied by the bioswales and footprint of the future 3 phases, will be provided with permanent (automatic) irrigation.
13. **Installation of upright evergreen around the mechanical equipment, instead of Viburnum shrubs, to meet screening requirement.** This condition has been met. The landscape plan proposes 8' tall Emerald Green Arborvitae for screening around the mechanical units. The generator on the north side of the site is well screened; however the generator on the south side has no screening on its south side visible from Tyler Road. It appears no trees are proposed because of the internal access drive and a bioswale. The proposed trees along the south property line should provide for some additional screening. The landscape plan and plant list have been corrected to note the exact number of screening trees proposed.
14. **Clarification on landscape plans regarding proposed plantings for compliance to various ordinance requirements (e.g., frontage landscaping, parking lot landscaping, loading area landscaping, greenbelt landscaping, OT landscaping, etc.).** This condition has been met. The plant list on sheet L2 identifies the various plantings, quantity and the ordinance standard they are required to meet.
15. **Submission of a photometric plan in compliance with Section 8.105 of the Zoning Ordinance.** This condition has been met. While the photometric plan does not include data on actual illumination intensities, the plan indicates that the illumination will be restricted to the entrance and the building, with no spillage outside the property lines. The plan also notes proposed fixture location and manufacturer's details. A previously submitted photometric plan prior to preliminary approval, indicated compliance with maximum illumination levels established in Section 8.105, and will be considered as part of the final site approval package.
16. **Submission of architectural drawings to meet the requirements of Section 3.114 of the Zoning Ordinance.** This condition has been met. The revised set includes architectural drawings of the proposed building and a colored rendering of the front façade. The proposed building is to be constructed in 4 shades of precast concrete panels and metal paneling. The metal paneling is



intended to accent the office area of the data center and wraps around to the north side of the building. The office area is also provided with windows and metal framing. The precast concrete panel proposed for the main body of the building is a textured panel with a distinct pattern. The overall architecture is intended to reflect the office-technology use of the building.

17. **Replacement of “wing wall” with evergreen screening, or revisions to comply with Section 7.205 of the Zoning Ordinance (e.g., 8 feet maximum height and composed of brick or other decorative material).** This condition has been met. Since architectural plans have not been submitted, it is unclear if the “wing wall” has been removed from the plan; however, the landscape plan does indicate 8' tall evergreen to create a visual screen for the generator and dock area.
18. **Provision of dumpster enclosure details including materials and required bollards.** This condition has been met. Sheet 15 includes details of the dumpster to be constructed of material to match the building, which we assume would be precast concrete panels and provided with steel reinforced wooden gates. The detail has been revised to include bollards outside the enclosure to protect the gates.
19. **Planning Commission approval of proposed 8' fence upon determination that it meets the standards of Section 7.205(B)(4).** This condition has been met. The Township recently adopted a zoning text amendment allowing for specific types of security fencing in various zoning districts. The proposed 8' fence is permissible at this time.
20. **Approval of amendment to Section 7.205 of the Zoning Ordinance to allow fences in the front yard in the OT district or approval of a variance for the same.** This condition has been met. The Zoning Ordinance was amended to allow for the proposed fencing in the front yard.

## RECOMMENDATION

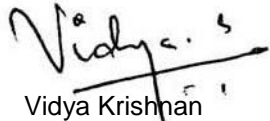
Most of the conditions of preliminary plan approval have been met at this time. Therefore, we recommend that the Planning Commission grant final site plan approval to the U.S. Signals project to be located at 9275 Haggerty Road, subject to the conditions below being addressed and submitted for Administrative review and approval:

1. Execution of a Development Agreement in a format deemed acceptable by the Township, setting forth the provisions for phasing and expirations, prior to issuance of a Certificate of Occupancy for the building.
2. Incorporation of crosswalks on the southwest corner of the property to connect to the west side of Haggerty and south side of Tyler Road.
3. Acknowledgement by the applicant that parking is not permitted within the 75' front yard setback area, now or in the future.



Respectfully submitted,

**McKENNA**



Vidya Krishnan  
Principal Planner

c: Ron Akers, Van Buren Township Director of Planning & Economic Development  
Matt Best, Van Buren Township Director of Public Services  
David Potter, FTCH, Township Engineers  
David McNally, Van Buren Township Fire Marshal





File No: VBT 18-036-SPR#1, U.S. Signal Data Center/9275 Haggerty Road

Review: Site Plan Review #3 – McKenna

Plans Dated: April 30, 2019

Review Date: April 30, 2019

Comments:

1. **Provision of additional information regarding potential timeline for construction of the phases pursuant to the Zoning Ordinance.** This condition can be met. The applicant proposes to construct a 25,000 square foot data processing building as Phase 1 with 3 additional phases of 25,000 square feet each for a total of 100,000 square feet of building area. The applicant proposes to construct only Phase 1 immediately. Per the applicant *"the timing of phases 2-4 expansions will be determined by customer demand but the expectation would dictate a phase addition every 24 months"*. This would result in a full build-out in 6-8 years. Under the provisions of Section 12.211 and 12.212 of the Zoning Ordinance, the Planning Commission may require performance guarantees and/or a Development Agreement to ensure completion of project. Since the proposal involves a significantly extended timeline, we recommend that a Development Agreement be prepared that includes provisions for phasing and expirations. **Discussed during phone meeting 5-1-2019.**
2. **Correction to the use notation labels on the architectural drawings.** This condition can be met. The plan set submitted for final review does not include any of the architectural drawing sheets or floor plan, which must be included. **Revised in Architectural drawings.**
3. **Notation of correct OT District setbacks on the site plan sheet 3.** This condition can be met. Sheet 3 has 2 different notes on building setbacks. While both notes correctly state the required setback along Haggerty Road as 75', one of the notes continues to incorrectly state that parking is permitted to occupy a portion of this setback area. This provision only applies to the commercial districts and not the OT district. **Incorrect passage has been removed from paragraph on sheet 3.**
4. **Relocation of building footprint and 9 parking spaces facing Haggerty Road frontage, to the east to comply with the required 75' front yard setback or apply for a variance from the same.** This condition has been met. The building and parking have been shifted to the east to meet the 75' setback requirement.
5. **Notation of peak ingress period from Haggerty Road.** This condition has not been met. The plan references "normal business hours" however, the peak hours of ingress must be specifically noted to address concerns regarding vehicle back-up on Haggerty with a gated entry. **Added to the notes as Note #4 on Sheet 3.**
6. **Clarify intent regarding placement of large boulders to identify transition from paved area to gravel drive for Fire Department access on south side of building.** This condition has been met. Since receiving preliminary approval, the access drive appears to have been changed to extend the pavement along the south side of the building to the generator pad area. It then transitions to a crushed stone pad drive that connects to the access drive on the north side of the building. The final design of the circulation drive for access is subject to Fire Department and Township Engineer review and approval.
7. **Notation that in future phases the crushed stone/gravel drive will be upgraded to asphalt or concrete.** This condition has not been met. The site plan and grading plan



- include no references to the final surface material of the access drive that goes around the perimeter of the site. **Shown on Sheet 3, Note #4.**
8. **Provision of a sidewalk easement for any public sidewalk located on the applicant's property.** This condition has been met. All of the public sidewalks along Haggerty Road, Tyler Road and Ricardo Drive appear to be placed entirely within the public rights-of-way.
  9. **Provision of a crosswalk on north side of Tyler Road to connect to the sidewalk on the south side on Haggerty Road.** This condition has not been met. The plan sheet submitted does not indicate any crosswalk connections, including the previously shown crosswalk from the east side of Haggerty Road to the north side of Tyler. **This was a suggestion not a requirement from previous letter (McKenna 5C). An ADA ramp was added in both directions at the corner of Haggerty & Tyler in previous submittal. Notes have been added to this set on Sheet 3 stating that the crosswalks shall be constructed (by others) at time of completion of opposite sides of the intersections by adjoining property owners.**
  10. **Correction to parking calculations to include the 3 spaces shown on the north side of the building.** This condition has been met. The 3 spaces have been counted in the total of 28 spaces on the site.
  11. **Information regarding projected future levels of traffic for employees, customers and site users, pursuant to Section 9.101(J) and Section 9.101(H) of the Zoning Ordinance.** This condition has not been met. No information in this regard has been submitted. **Gate has been shifted East to provide more area for stacking. Also, see same notes that were provided for comment 5 of this letter on Sheet 3. (Note #4)**
  12. **Clarification regarding areas that are to be irrigated, in compliance with Ordinance requirements.** This condition has not been met. While the landscape plan includes several notes on irrigation, none specifically addresses the areas to be irrigated. The plan notes *"irrigate only those areas that are planted with shrubs and grass between building front and right of way"*. Clarify if this implies irrigation only for the Haggerty Road Greenbelt. At a minimum we would recommend the landscape greenbelt along Haggerty and Tyler Road frontages be irrigated. The landscape plan must clarify this through notation or shading. **A colored inset has been provided on the Landscape Plan -L1 which delineates areas to be irrigated.**
  13. **Installation of upright evergreen around the mechanical equipment, instead of Viburnum shrubs, to meet screening requirement.** This condition can be met. The landscape plan proposes 8' tall Emerald Green Arborvitae for screening around the mechanical units. The generator on the north side of the site is well screened; however the generator on the south side has no screening on its south side visible from Tyler Road. It appears no trees are proposed because of the internal access drive and a bioswale. The number of screening trees shown on the landscape plan is 24; however the plant list on sheet L2 notes a total of 21 or 22 trees. **The number of plants proposed must be corrected and consistent. Table has been revised. 24 is correct number for screening.**
  14. **Clarification on landscape plans regarding proposed plantings for compliance to various ordinance requirements (e.g., frontage landscaping, parking lot landscaping, loading area landscaping, greenbelt landscaping, OT landscaping, etc.).** This condition

has been met. The plant list on sheet L2 identifies the various plantings, quantity and the ordinance standard they are required to meet.

15. **Submission of a photometric plan in compliance with Section 8.105 of the Zoning Ordinance.** This condition can be met. The plan includes a sheet with proposed fixture location and manufacturer's details, but not the site illumination. A previously submitted photometric plan prior to preliminary approval, indicated compliance with maximum illumination levels established in Section 8.105, must be included. **Illuminations added to lighting on sheet 14.**
16. **Submission of architectural drawings to meet the requirements of Section 3.114 of the Zoning Ordinance.** This condition has not been met. The revised set does not include any architectural drawings, which must be included as part of final site plan approval. **Submitted with these plans.**
17. **Replacement of "wing wall" with evergreen screening, or revisions to comply with Section 7.205 of the Zoning Ordinance (e.g., 8 feet maximum height and composed of brick or other decorative material).** This condition has been met. Since architectural plans have not been submitted, it is unclear if the "wing wall" has been removed from the plan; however, the landscape plan does indicate 8' tall evergreen to create a visual screen for the generator and dock area.
18. **Provision of dumpster enclosure details including materials and required bollards.** This condition can be met. Sheet 15 includes details of the dumpster to be constructed of brick to match the building and provided with steel reinforced wooden gates; however, the building was to be constructed of precast concrete panels and not brick. Also, the detail has not been revised to include bollards outside the enclosure to protect the gates. **Bollards added to detail and note regarding material for enclosure walls has been updated.**
19. **Planning Commission approval of proposed 8' fence upon determination that it meets the standards of Section 7.205(B)(4).** This condition has been met. The Township recently adopted a zoning text amendment allowing for specific types of security fencing in various zoning districts. The proposed 8' fence is permissible at this time.
20. **Approval of amendment to Section 7.205 of the Zoning Ordinance to allow fences in the front yard in the OT district or approval of a variance for the same.** This condition has been met. The Zoning Ordinance was amended to allow for the proposed fencing in the front yard.

We hope the information provided is helpful in completing your review. Please let us know if there are any questions or if any additional information is needed.

Respectfully,

**DIFFIN-UMLOR & ASSOCIATES**



Matthew A. Diffin, P.E.  
Principal





May 3, 2019  
Fishbeck Project Number 181702  
VBT Project Number 18-036

Ms. Carol Thompson  
Planning Commission Chairperson  
Van Buren Township  
46425 Tyler Road  
Van Buren Township, MI 48311

Re: US Signal – Communications Data Center  
9275 Haggerty Road  
Engineering Plan & Final Site Plan Review

Dear Ms. Thompson:

At the request of Van Buren Township (VBT), Fishbeck, Thompson, Carr & Huber, Inc. (Fishbeck) has reviewed the Engineering Site Plan dated April 30, 2019, submitted to VBT for Engineering Plan and Final Site Plan review for the proposed US Signal Communications Data Center project, which is located at 9275 Haggerty Road. A previous Engineering Plan dated April 9, 2019 was submitted and superseded by the current Engineering Plan set. The Preliminary Plans dated December 20, 2018 were recommended for approval in the Fishbeck Letter dated January 18, 2019 and approved at the January 23, 2019 Planning Commission Meeting.

This proposed project entails: construction of a 25,000 square-foot building; construction of a 22-space bituminous pavement parking lot on the west side of the proposed building and a three-space pavement parking lot on the north side of the building; installation of one drive approach to Haggerty Road and one drive approach to Ricardo Drive; construction of storm sewer improvements including a storm sewer pipe network, three bioretention swales, and a storm water detention basin – which will connect to and discharge into the existing storm drain ditch along Haggerty Road; construction of underground utilities including sanitary sewer and a water main loop; and other various landscaping and site plan improvements.

The plans include four (4) construction phases. The first phase includes the work listed in the previous paragraph, which comprises the majority of final construction work. Phases two, three, and four indicate an additional 25,000 square foot building for each phase, totaling 100,000 square foot by the end of phase four. The developer anticipates the timing of phases two-four will be a phase addition every 24 months. Previously submitted engineering plans indicated portions of the water main being constructed in phases but due to VBT requirements for water main construction the applicant has revised the Engineering Plans to indicate the water main and all appurtenances to be constructed with the first phase.

We have attached a summary of our review comments below:

## General

The following items are general requirements established as part of the *Engineering Standards Manual, Charter Township of Van Buren (April 2014)*. The applicant must include the following items as part of the construction plans.

1. All utility crossings indicated in the profile view must include the elevations of the top of pipe crossing under and the bottom of pipe crossing over.
2. A note should be added indicating the proposed building will not have a basement (Sect. 2.C.14).

3. Plans must include the applicable Standard Detail Drawings (SDD) as found in Appendix A of the VBT Engineering Standards Manual (Sect. 2.C.4).
4. Sidewalks through commercial drives must be at least 8 inches in thickness (Sect. 7.A. Sidewalk.5) [Callout 1, sht 6].
5. Limits of all phase work must be indicated on the plans, including access road construction [Callout 9, sht 3]. Final Site Plan approval will include the overall layout and schedule of the phasing plan. At the time of each future phase application, these Final Site plans may be used as a basis for approval. Separate permits, such as the soil erosion and sedimentation control (SESC) permit, may be required with each future phase construction.

## Water Main Service

**Existing:** VBT's Geographic Information System (GIS) records indicate an existing 12-inch water main running north-south on the west side of Haggerty Road, another 12-inch water main running east-west on the south side of Ricardo Drive, and a 42-inch water main running north-south on the east side of Haggerty Road and east-west on the north side of Ricardo Drive. There is one existing hydrant along Ricardo Drive and one existing fire hydrant along the west side of Haggerty Road.

**Proposed:** The applicant's proposed plan indicates three proposed water main connections to the existing 12-inch water main running along Ricardo Drive, two closer to Haggerty Road and one further east. One of the western connections is a 2-inch private copper water service lead to the proposed property. The other two connections are part of a proposed public 8-inch ductile iron water main loop around the proposed building, which will service the building, seven proposed fire hydrants, and all future phased building construction. A 6-inch fire protection service line is proposed to come off the water main loop to service the building.

## Comments:

1. Final water main layout and gate valve locations must be approved by the VBT Water and Sewer Department.
2. The current water main and valve configuration needs to be adjusted for the new looped system, eliminating unnecessary bends and fittings, and meeting required valve spacing per VBT Engineering Standards Manual. The applicant has been made aware of the requested adjustments and has confirmed that they will work to reconfigure the water main with the new loop.
3. Verify tee connection spacing for construction of service water main connection next to the existing fire hydrant lead [Callout 4, sht 7].
4. Plans must indicate the finished grades of all valve rims (Sect. 2.C.11).
5. Pipe dimensions and bend locations must match on the plan and profile views [Callout 2, shts 7, 9, and 12].
6. All gate valves except those at hydrants and service leads must be installed in wells (Sect. 3.A.2.d) [Callout 3, sht 7].
7. Applicant must verify demand pressure requirements for building service and fire flow.
8. Applicant to submit and obtain Michigan Department of Environmental Quality (MDEQ) approval for the proposed public water main prior to scheduling the pre-construction meeting.
9. Provide six feet minimum cover below proposed ground surface at water main location (Sect. 3.A.1.j) [Callout 17, sht 9].
10. All public water mains must be located in an easement, including hydrants and extensions. Easement must extend 6 feet beyond hydrant (Sect. 3.A.1.v) [Callout 6, sht 7].
11. Gate valve spacing must be spaced so that in the event of a breakage no more than two hydrants will be out of service (Sect. 3.A.2.a.i.c).

## Sanitary Sewer

**Existing:** VBT's GIS records indicate there is an existing 16-inch sanitary sewer force main running north-south along the east side of Haggerty Road. Records also indicate an existing sanitary sewer manhole in the northwest quadrant of the intersection of Haggerty Road and Tyler Road. The manhole receives flow from a 10-inch Reinforced Concrete Pipe (RCP) gravity-fed sanitary sewer service from the northwest and outlets to an 18-inch RCP gravity-fed sanitary sewer running/flowing south along the west side of Haggerty Road, part of the South Huron Valley Utility Authority (SHVUA) Sanitary sewer system.

**Proposed:** The applicant is proposing a 15-inch sanitary sewer pipe connecting to a manhole stub out at the intersection of Haggerty Road and Tyler Road and connecting to a 4-foot diameter sanitary sewer manhole with a stub out for future expansion along Haggerty Road north. The plans indicate a 6-inch sanitary sewer lead from just south of the proposed manhole crossing Haggerty Road through 100-feet of jack and bored steel casing to the proposed building. The applicant indicates extending the existing 15-inch PVC sanitary sewer stub and adding a manhole upstream with another extension in order to limit impacts to the Haggerty Road intersection.

### Comments:

1. The plans call for jack and bore 12-inch steel casing pipe. Applicant must provide details for any flowable fill, spacers, or end seals used for the pipe.
2. The Sanitary Basis of Design should be based on VBT standards manual and should use the numbers/values indicated in the VBT Water and Sewer Department Schedule of rates (effective January 1, 2018) (Sect. 4.A.3) [Callout 14, sht 8]. The rate schedule is available here: <http://vanburen-mi.org/dpw/> under Public Works Information Links section.
3. The landscape plans must ensure no trees are planted within the water utility easement [Callout 10, sht L1].
4. Applicant must submit and obtain a permit from the MDEQ (EGLE) and SHVUA for the proposed public sanitary sewer prior to scheduling the pre-construction.
5. Wayne County Department of Public Services (DPS) must approve all work within their right-of-way (ROW) and must approve methodology of construction. Applicant must follow all requirements as set forth by Wayne County. Submit approval letter to VBT for their records.

## Storm Sewer

**Existing:** Site Plan topography indicates the proposed project area (mostly dirt and grass) surface flows onto adjacent properties into the existing storm drain ditches along the north, west, and south sides of the property frontage. The existing storm ditches along Haggerty Road drain southerly into the Smock and Spear Drain.

**Proposed:** The applicant is proposing to capture storm water runoff from the site via roof drain leads, storm drain inlets, and bioretention swales into a proposed onsite detention basin on the northwest corner of the property. The parking lot on the west side of the building is proposed to drain into a pre-treatment facility and into the proposed basin. The plans indicate an outlet control structure and overflow structure from the detention basin to the existing roadside drainage ditches running north-south along the east side of Haggerty Road. The remaining property discharges into on-site bioswales that eventually drain to the detention basin.

Ms. Carol Thompson, Chairperson  
 Mr. James Taylor, Director of Water and Sewer  
 Page 4  
 May 3, 2019

#### Comments:

1. Applicant must submit and obtain storm water and ROW approval from Wayne County prior to VBT granting final site plan approval. The storm water permit must include approval of the proposed storm drain pretreatment structure, detention pond(s), bioswales, etc.
2. For developments larger than 5 acres the storm water detention basin must be sized for a 100-year storm event (Sect. 6.A.1.a). The project site is 7.91 acres. From the discussions at the preliminary plan meeting, the applicant's engineer stated the county is requiring only a 10-year storm event due to the Bio-Swale implementation. Each of the three bio-swales is sized for an area less than five acres. An approval letter from Wayne County must be submitted approving this.
3. Profile views must be provided for all storm sewers (Sect. 2.C.9) including the driveway culverts. Plans shall include diameter, length, grade, manhole tie-ins, invert elevations, and material of driveway.
4. A drop of 0.10 foot shall be provided in the downstream sewer invert elevation for directional changes in excess of 30 degrees to compensate for the hydraulic head losses (Sect. 4.A.4.e).
5. Plans must include calculations for the 10-year storm detention basin elevation [Callout 13, sht 10].
6. The roof drain for the northern half of the building roof drains to Area No. 2 instead of the Storm Basin as indicated on the plans. Applicant to verify drainage areas (Callout 11, sht 11).

#### SESC

1. An SESC Plan shall be provided in accordance with the VBT *Engineering Standards Manual*, Chapter II, Plan Requirements, Paragraph D, SESC Plan Requirements, and in accordance with Wayne County SESC standards. A permit must be acquired from the Wayne County SESC County Enforcing Agency (CEA).  
<https://www.waynecounty.com/departments/environmental/landresources/soil-erosion.aspx>

#### Recommendation

We are recommending the Planning Commission grant US Signal Communications Data Center Engineering Plan and Final Site Plan approval, subject to the comments listed above. All comments must be addressed and resubmitted in an Issued for Construction set.

If you have any questions regarding this project, please contact me at 248.324.4791 or [dpotter@ftch.com](mailto:dpotter@ftch.com).

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.



David L. Potter, PE, CSI-CCCA



Paul J. Kammer, PE

ag2

By email

cc: Mr. Ron Akers – Director Planning and Economic Development  
 Mr. Matthew Best – Deputy Director Planning and Economic Development  
 Mr. James Taylor – Director of Public Works

Amy L. Brow  
Fire Chief  
O: 734-699-8916 C: 734-260-7411

Van Buren Fire Department  
46425 Tyler Rd  
Van Buren Twp., MI 48111



April 30, 2019

Department Building and Planning  
46425 Tyler  
Van Buren Twp. MI 48111

RE: US Signal Site Plan

To: Ron Akers

I have looked at the submitted site plan and the comments for the proposed project at Haggerty and Tyler road on the North East corner.

It appears all requirements set forth by Fire Marshal McInally have been met, minus the below listed item:

FDC will be within 50 feet of a hydrant and have a 4 inch Stortz connection and a 30 degree elbow. FDC sign will be red on white and have required psi.

The submitted site plan does not reflect this change.

If you have any questions, please let me know.

Ryan McCormick  
Battalion Chief  
Van Buren Fire Dept.

**Our Mission:** The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.



May 5, 2019

Planning Commission  
Charter Township  
of Van Buren  
46425 Tyler Road  
Belleville, Michigan 48111

**Subject: VBT-18-036; U.S Signals Data Center; 9275 Haggerty Road; Final Site Plan Review #4;  
Revised Site Plans Dated April 30, 2019.**

Dear Commissioners:

The applicant, U.S. Signal Properties LLC, proposes to construct a data processing center on a 7.91 acre vacant parcel located at the northeast corner of Haggerty Road and Tyler Road intersection. The applicant received preliminary site plan approval from the Planning Commission on January 23<sup>rd</sup>, 2019, subject to several conditions:

We have reviewed the revised site plan for compliance with the conditions of preliminary site plan approval and offer the following comments (any items that require changes or additional information are underlined):

## COMMENTS

1. **Provision of additional information regarding potential timeline for construction of the phases pursuant to the Zoning Ordinance.** This condition can be met. The applicant proposes to construct a 25,000 square foot data processing building as Phase 1 with 3 additional phases of 25,000 square feet each for a total of 100,000 square feet of building area. The applicant proposes to construct only Phase 1 immediately. Per the applicant *"the timing of phases 2-4 expansions will be determined by customer demand but the expectation would dictate a phase addition every 24 months"*. This would result in a full build-out in 6-8 years. Under the provisions of Section 12.211 and 12.212 of the Zoning Ordinance, the Planning Commission may require performance guarantees and/or a Development Agreement to ensure completion of project. Since the proposal involves a significantly extended timeline, we recommend the execution of a Development Agreement setting forth the provisions for phasing and expirations, prior to issuance of a Certificate of Occupancy for the building.
2. **Correction to the use notation labels on the architectural drawings.** This condition has been met. The architectural drawings have been revised to correctly identify the building as a "data center" rather than a storage building.
3. **Notation of correct OT District setbacks on the site plan sheet 3.** This condition can be met. Sheet 3 has 2 different notes on building setbacks. While both notes correctly state the required setback along Haggerty Road as 75', one of the notes continues to incorrectly state that parking is permitted to occupy a portion of this setback area. This provision only applies to the commercial districts and not the OT district. This appears to be a repeated typographical error, which has still not

## HEADQUARTERS

235 East Main Street  
Suite 105  
Northville, Michigan 48167

○ 248.596.0920  
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MCKA.COM

Communities for real life.

been corrected. Irrespective of the error in notation, this final approval is granted with a clear understanding that no such parking shall be allowed in the future.

4. **Relocation of building footprint and 9 parking spaces facing Haggerty Road frontage, to the east to comply with the required 75' front yard setback or apply for a variance from the same.** This condition has been met. The building and parking have been shifted to the east to meet the 75' setback requirement.
5. **Notation of peak ingress period from Haggerty Road.** This condition has been met. The site plan includes detailed notation on peak time traffic and stacking capacity at the main entrance to the site of Haggerty. The plan notes peak hours as 8-9 am, at which time the driveway will allow for stacking of 5 vehicles and possible 2 additional vehicles in the deceleration lane. This should allow for continuous movement of vehicles on Haggerty without any delay. The plan also notes that in the unlikely event any stacking issues arise on Haggerty, traffic would be directed to the entrance off Ricardo Drive and changes made to the parking plan to address it. Any such change to pavement area would require prior Township approval.
6. **Clarify intent regarding placement of large boulders to identify transition from paved area to gravel drive for Fire Department access on south side of building.** This condition has been met. Since receiving preliminary approval, the access drive appears to have been changed to extend the pavement along the south side of the building to the generator pad area. It then transitions to a crushed stone pad drive that connects to the access drive on the north side of the building. The final design of the circulation drive for access is subject to Fire Department and Township Engineer review and approval.
7. **Notation that in future phases the crushed stone/gravel drive will be upgraded to asphalt or concrete.** This condition has been met. The site plan notes that the fire access lane that goes around the perimeter of the site will be paved (we assume with asphalt or concrete as required) as future phases are completed.
8. **Provision of a sidewalk easement for any public sidewalk located on the applicant's property.** This condition has been met. All of the public sidewalks along Haggerty Road, Tyler Road and Ricardo Drive appear to be placed entirely within the public rights-of-way.
9. **Provision of a crosswalk on north side of Tyler Road to connect to the sidewalk on the south side on Haggerty Road.** This condition can be met. At the time of preliminary site plan review and approval, our letter included a recommendation (not suggestion) that a crosswalk be shown as noted above. The Planning Commission approved the plan with that recommendation, and we are not aware that it was removed specifically prior to approval. The plan at the time also included a crosswalk from the east side of Haggerty Road to the north side of Tyler. The revised plan at this time shows both crosswalks with a notation "crosswalk by others to be completed when opposite corner is developed". The corner to the west is already developed and the crosswalks were shown on an approved preliminary plan. We believe it was a condition of approval and must be implemented.





10. **Correction to parking calculations to include the 3 spaces shown on the north side of the building.** This condition has been met. The 3 spaces have been counted in the total of 28 spaces on the site.
11. **Information regarding projected future levels of traffic for employees, customers and site users, pursuant to Section 9.101(J) and Section 9.101(H) of the Zoning Ordinance.** This condition has been met. The revised plan includes detailed notation of hours of operation and anticipated traffic. Based upon the use of the site, the applicant does not anticipate any conflicts with regard to traffic, stacking or parking on the site in the future. Further, each of the future phases of development will require Planning Commission approval and any shortages in parking or traffic concerns can be addressed at such time.
12. **Clarification regarding areas that are to be irrigated, in compliance with Ordinance requirements.** This condition has been met. The landscape plan includes a colored plot plan identifying areas of temporary and permanent irrigation. Per the plan, all areas of the site, with the exception of the areas occupied by the bioswales and footprint of the future 3 phases, will be provided with permanent (automatic) irrigation.
13. **Installation of upright evergreen around the mechanical equipment, instead of Viburnum shrubs, to meet screening requirement.** This condition has been met. The landscape plan proposes 8' tall Emerald Green Arborvitae for screening around the mechanical units. The generator on the north side of the site is well screened; however the generator on the south side has no screening on its south side visible from Tyler Road. It appears no trees are proposed because of the internal access drive and a bioswale. The proposed trees along the south property line should provide for some additional screening. The landscape plan and plant list have been corrected to note the exact number of screening trees proposed.
14. **Clarification on landscape plans regarding proposed plantings for compliance to various ordinance requirements (e.g., frontage landscaping, parking lot landscaping, loading area landscaping, greenbelt landscaping, OT landscaping, etc.).** This condition has been met. The plant list on sheet L2 identifies the various plantings, quantity and the ordinance standard they are required to meet.
15. **Submission of a photometric plan in compliance with Section 8.105 of the Zoning Ordinance.** This condition has been met. While the photometric plan does not include data on actual illumination intensities, the plan indicates that the illumination will be restricted to the entrance and the building, with no spillage outside the property lines. The plan also notes proposed fixture location and manufacturer's details. A previously submitted photometric plan prior to preliminary approval, indicated compliance with maximum illumination levels established in Section 8.105, and will be considered as part of the final site approval package.
16. **Submission of architectural drawings to meet the requirements of Section 3.114 of the Zoning Ordinance.** This condition has been met. The revised set includes architectural drawings of the proposed building and a colored rendering of the front façade. The proposed building is to be constructed in 4 shades of precast concrete panels and metal paneling. The metal paneling is





intended to accent the office area of the data center and wraps around to the north side of the building. The office area is also provided with windows and metal framing. The precast concrete panel proposed for the main body of the building is a textured panel with a distinct pattern. The overall architecture is intended to reflect the office-technology use of the building.

17. **Replacement of “wing wall” with evergreen screening, or revisions to comply with Section 7.205 of the Zoning Ordinance (e.g., 8 feet maximum height and composed of brick or other decorative material).** This condition has been met. Since architectural plans have not been submitted, it is unclear if the “wing wall” has been removed from the plan; however, the landscape plan does indicate 8' tall evergreen to create a visual screen for the generator and dock area.
18. **Provision of dumpster enclosure details including materials and required bollards.** This condition has been met. Sheet 15 includes details of the dumpster to be constructed of material to match the building, which we assume would be precast concrete panels and provided with steel reinforced wooden gates. The detail has been revised to include bollards outside the enclosure to protect the gates.
19. **Planning Commission approval of proposed 8' fence upon determination that it meets the standards of Section 7.205(B)(4).** This condition has been met. The Township recently adopted a zoning text amendment allowing for specific types of security fencing in various zoning districts. The proposed 8' fence is permissible at this time.
20. **Approval of amendment to Section 7.205 of the Zoning Ordinance to allow fences in the front yard in the OT district or approval of a variance for the same.** This condition has been met. The Zoning Ordinance was amended to allow for the proposed fencing in the front yard.

## RECOMMENDATION

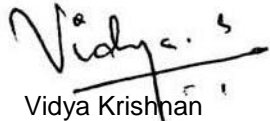
Most of the conditions of preliminary plan approval have been met at this time. Therefore, we recommend that the Planning Commission grant final site plan approval to the U.S. Signals project to be located at 9275 Haggerty Road, subject to the conditions below being addressed and submitted for Administrative review and approval:

1. Execution of a Development Agreement in a format deemed acceptable by the Township, setting forth the provisions for phasing and expirations, prior to issuance of a Certificate of Occupancy for the building.
2. Incorporation of crosswalks on the southwest corner of the property to connect to the west side of Haggerty and south side of Tyler Road.
3. Acknowledgement by the applicant that parking is not permitted within the 75' front yard setback area, now or in the future.



Respectfully submitted,

**McKENNA**



Vidya Krishnan  
Principal Planner

c: Ron Akers, Van Buren Township Director of Planning & Economic Development  
Matt Best, Van Buren Township Director of Public Services  
David Potter, FTCH, Township Engineers  
David McNally, Van Buren Township Fire Marshal

