

Project Cannoli Data Center Question Responses from the December 16, 2025

Meeting:

There were a several questions asked at the Township Board meeting on December 16, 2025 which we wanted to provide answers to. Please see below:

Augusta Township was able to stop their data center project by a petition requiring a vote. Can Township Residents do that for this project?

A: According to news articles (<https://bridgemi.com/michigan-environment-watch/tiny-michigan-town-hopes-to-stop-data-center-with-ballot-initiative/>), the request before the Augusta Township Board of Trustees is to change the zoning of a specific property which would allow for a data center use. Changing the zoning district of a property is considered an amendment to the zoning ordinance and because they are considered zoning ordinance amendments they are subject to the rules of MCL 125.3402 (<https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-125-3402>) of the Michigan Zoning Enabling Act (PA 110 of 2006) which allow for a petition and vote on the ordinance by the electors of the Township if a certain number of signatures are granted. In Augusta Township, if the property is rezoned to allow for the data center development, the applicant would still need to submit a site plan application and obtain site plan approval for the development to move forward. The following is a summary of the process of filing a petition for a zoning ordinance amendment (https://www.canr.msu.edu/news/zoning_petitions_what_are_citizens_options).

The application for Project Cannoli is a request for site plan approval not a rezoning. Most of the property is zoned M-1, Light Industrial, with a portion of the property being zoned C-1, General Commercial. The M-1 zoning district allows “High Tech, Data Processing, and Computer Centers” as a “Permitted Use” in the district. The proposed data center buildings are located within portions of the property zoned M-1. There is a proposed area for an office building and a substation in the C-1 portion of the property. Both are allowable uses in the C-1 district. Due to the current zoning of the property, the applicant does not need to make any changes to the Zoning Ordinance in order for the Township to consider a site plan review for this data center use. Site plan submission and approval is addressed under MCL 125.3501 in the Michigan Zoning Enabling Act (<https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-125-3501>) Section five (5) states:

“(5) A site plan shall be approved if it contains the information required by the zoning ordinance and is in compliance with the conditions imposed under the zoning ordinance, other statutorily authorized and properly adopted local unit of government planning documents, other applicable ordinances, and state and federal statutes.”

The Michigan Zoning Enabling Act (PA 110 of 2006) does not have provisions which allow for a petition and an election on the implementation of an existing ordinance. The Project Cannoli site plan review request does not require any changes to the Township’s Zoning Ordinance and due to this, under the Michigan Zoning Enabling Act would not allow for the filing of a petition and requiring a vote of electors.

What law allowed Augusta Township to file a petition for referendum?

A: The law that allowed Augusta Township residents to petition for an election is the Michigan Zoning Enabling Act (PA 110 of 2006). This is the law which gives Township’s (Cities and Villages too) the ability

to adopt and enforce a zoning ordinance. A link to the text of the law is here:
<https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-act-110-of-2006>

Can the Township just make data centers illegal?

A: No, MCL 125.3207 (Michigan Zoning Enabling Act) prohibits a municipality from having the effect of totally prohibiting the establishment of a land use within a local unit of government unless the use is unlawful. The link to that text can be found here:
<https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-125-3207>

Can the Township enact a moratorium to stop or slow down this proposed data center development like other communities in the State have?

A: Not without significant potential for liability. Other communities have enacted moratoriums prior to a site plan being submitted for review. The majority of requests in other communities were applications to rezone property to a zoning district which would allow for the submittal of a site plan tied to a data center development. When a site plan is submitted the plan is locked into the standards that are in place at the time of submission.

To delay a proposed development and change the regulations that they submitted plans under, would open the Township up to liability and would likely limit our ability implement any of those changes that would have been enacted. Applicants generally have a protected interest in being considered under the existing regulations if the application is submitted prior to the moratorium being enacted. Township staff did consult with our legal counsel regarding this question.

Based on the public feedback received on the project it is likely the Township will evaluate our existing standards to see if they meet current best practices. Any changes to the Township zoning ordinance from this effort would have no impact on the current submittal for the proposed development, but may have impact on future site plan submittals.

Are there going to be any vibrations from the proposed Data Center?

A: The following is a response from the developer regarding this question: “There are no residual or continuous sounds, vibrations, or any other auditory or physical impacts of having a data center nearby. Data centers operated by leading U.S. tech companies produce noise levels comparable to an office building or office park. These are different from typical crypto mining operations which can produce more noise.”

The following are the Township’s standards for vibration in the Zoning Ordinance:

- (O) Vibration.** All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of .003 inches as measured at any property line of its sources.

Does this data center match up to the current definition of a data center in the Zoning Ordinance?

A: In the Township’s Zoning Ordinance data centers are under the land use “High Tech, Data Processing, and Computing Centers.” This use is defined as follows:

“(109) HIGH TECH, DATA PROCESSING, AND COMPUTING CENTERS: Uses include, but are not limited to, alarm and security businesses, phone message centers, telemarketing businesses, data processing and computer centers (including service and maintenance of electronic equipment and other computer related services), and high technology service uses which have as their principal function the providing of services, including computer information transfer, communication, distribution, management, processing, administrative, laboratory, experimental, developmental, technical, or testing services. “High Tech, Data Processing, and Computing Centers” that are smaller scale and are primarily office uses may be classified by the Planning Director as an “Office, Professional” use.”

The current definition does not have any differentiation between “hyperscale” data centers and other smaller data centers. Due to this the proposed Project Cannoli can be considered under this definition and land use.

How Does Michigan House Bill 4667 and House Bill 4668 Impact this Project?

A: Michigan House Bill 4667 and 4668, are proposed laws which are related to the regulation and criminal use of artificial intelligence (AI). Specifically, they implement penalties for the criminal use of AI, and impose regulatory oversight and safety standards on large AI developers. These bills would certainly impose requirements on the end user, but would not have specific impacts that we are aware of on the construction or design of the project.

There is an Eagle’s Nest on the Property. What is Being Done to Protect the Eagle’s Nest?

A: The applicant has proposed at 200’ buffer around the location of the Eagles Nest to avoid disturbing them during construction. This will be on the updated site plan once it is submitted.

Will the Noise Survey Be Made Available to the Public?

A: Yes, when the noise survey is available the Township will place it on their website for public review.

What is the Zoning Standard for Exterior Lighting?

A: The Township’s Exterior Lighting standards are in Section 8.105 of the zoning ordinance. A link to the Township’s Zoning Ordinance can be found here:

[https://cms9files.revize.com/vanburentwp/Document_Center/Department/Municipal%20Services/ADOPTED%20ZONING%20ORDINANCE%20\(Effective%202017_06_02;%20Amended%202025_08_27\).pdf](https://cms9files.revize.com/vanburentwp/Document_Center/Department/Municipal%20Services/ADOPTED%20ZONING%20ORDINANCE%20(Effective%202017_06_02;%20Amended%202025_08_27).pdf)

The standards are too long to post in this document, but the zoning standards limit the amount of light and glare that extend beyond property lines and the standards require the light fixtures to direct their light toward the ground. The effect of these standards is limiting “light trespass” onto adjacent properties.

What Uses are Allowed in the M-1, Light Industrial District?

A: Please see below for the list of allowable uses in M-1:

Article 3: Zoning Districts and Permitted Uses

Section 3.115 M-1, Light Industrial District

(A) STATEMENT OF PURPOSE
In the M-1 District, it is intended that limitations placed upon the degree of noise, smoke, glare and other features of light industrial operations shall make such uses compatible with nearby commercial and residential uses. It is further intended that some light industrial uses shall act as a transition between heavy industrial uses and non-industrial uses and shall not require railroad access or major utility facilities. Certain commercial uses which are desirable to serve the employees and visitors of the industrial uses are also permitted in this district.

(B) PERMITTED USES	(C) SPECIAL LAND USES
<ul style="list-style-type: none"> • Wholesale Sales • Warehousing (excluding Distribution Centers) • Manufacturing and Processing (Light) • Laboratories, Minor • Laboratories, Major • Retail Dry Cleaning Plants and Laundries • Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations and including storage yards, when necessary to serve the immediate vicinity. • High Tech, Data Processing, and Computer Centers • Accessory Outdoor Industrial Storage • Accessory structures and uses customarily incidental to the above permitted uses • Indoor Recreation • Small Off-site BESS 	<ul style="list-style-type: none"> • Automobile Wash Establishment, Automatic • Drive-In Theaters • Private Clubs • Recreational Vehicle Storage Yards • Regulated Uses (Tattoo establishments, pawnshops, pool and billiard halls, and massage parlors) • Outdoor Storage of Building or Contracting Equipment and Supplies • Instructional Services, Outdoor • Truck Repair and Maintenance Facility, Minor • Accessory Caretaker Dwelling • Medium and Large Off-Site BESS

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to [Section 3.104](#) (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in [Section 3.104](#) (including footnotes), then [Section 3.104](#) shall prevail. Refer to [Article 2](#) for definitions of uses and refer to [Article 5](#) for development standards for specific uses.

(D) PERMITTED RETAIL AND SERVICE ESTABLISHMENTS THAT ARE INTENDED TO SUPPORT AND PROVIDE SERVICES TO OTHER USES AND VISITORS TO THE DISTRICT
<ul style="list-style-type: none"> • Restaurants (Sit-Down or Take-Out), provided no single business shall occupy more than five thousand (5,000) sq. ft. and no structure housing more than one (1) business shall exceed ten thousand (10,000) sq. ft. • Service Establishments, Personal Service • Veterinary Clinics and Hospitals • Automobile Wash Establishment, Self-Serve • Retail (Food, Beverage, and Convenience Items) with no on-premise consumption. No single business shall occupy more than a three thousand (3,000) square foot gross floor area and no structure having more than one (1) retail business shall exceed ten thousand (10,000) square feet.

Who is the developer?

A: Panattoni is a private, family-led industrial real estate developer established in 1986. Since inception, the company's approach to all projects has been to focus on long-term quality, efficient site planning, and alignment with the priorities of each community they build in.

Who is the end user?

A: Per the Developer, Panattoni is developing this project for a Fortune 50-company with data center operations worldwide. The company has been consistently rated as one of the top companies to work for in America and would be an ideal long-term partner to the community.

What type of data center will this be?

A: This will not be a bitcoin or crypto mining operation. The proposed data center could be used for a number of applications, varying from cloud computing to machine learning.

Can the Township Buy the Property from Panattoni?

A: The property is currently owned by a company called Triple Creek Associates and the property is currently not for sale, but under agreement with Panattoni. The Township would be unable to purchase the property due to this.

Will the data center affect property values in the area?

A: The developer has stated that with all measures considered for this Project and extremely limited visibility of onsite operations, negative impacts to nearby or regional property values should be limited, if any. A recent empirical study by George Mason University (<https://schar.gmu.edu/news/2025-11/study-home-prices-are-higher-when-house-near-data-center>) indicated that there was no identifiable negative impact to home value based on the proximity to a data center.

Where Can I Find Additional Information on Data Centers?

A: There are several outside resources regarding data centers. A good resource which has a large amount of information is the following:

Preliminary Toolkit for Municipal Data Center Planning in Washtenaw County:

<https://content.civicplus.com/api/assets/ee280c75-b213-4c90-8d02-756fc3890329>

Enterprise Data Center Sales & Use Tax Exemption Information from the MEDC:

<https://www.michiganbusiness.org/services/data-center/>

Urban Land Institute Local Guidelines for Data Center Development:

<https://content.civicplus.com/api/assets/c5358078-484f-4dc2-837f-9ba0488ed485>

Who Do I Contact If I Have Additional Questions?

A: Please contact Ron Akers, Municipal Services Director via email at rakers@vbtmi.gov with any additional questions that you may have or if there were any missed questions from the meeting.