



CHARTER TOWNSHIP OF COMMERCE PLANNING COMMISSION MEETING AGENDA

Commerce Township Hall
2009 Township Drive
Commerce Township MI 48390

Monday, September 14, 2026 at 7:00pm

A.	Call to Order
B.	Approval of the Meeting Agenda for September 14, 2026
C.	Approval of Regular Meeting Minutes from August 10, 2026
D.	Update of Activities in Commerce Township
E.	Public Discussion on matters for which there is no Public Hearing scheduled
F.	Tabled Items – NONE
G.	Old Business – NONE
H.	Scheduled Public Hearings – (1)
H1.	PZ26-01 – COMMERCE TOWNSHIP – TEXT AMENDMENT – PUBLIC HEARING An amendment to the Commerce Township Zoning Ordinance No. 3.000, to amend: • Article 2 – Definitions • Article 5 - Land Use Table • Article 22 - TLM, Technology & Light Manufacturing District • Article 23 - I, Industrial District • Article 26 – Use Standards **NO DATA CENTER IS CURRENTLY PROPOSED; THE PROPOSED AMENDMENTS TO THE ZONING ORDINANCE ARE INTENDED TO CREATE STANDARDS AND PROCEDURES FOR IF AND WHEN A DATA CENTER IS PROPOSED.
I.	New Business – (2)
I1.	THE LEARNING EXPERIENCE – CONCEPTUAL REVIEW Conceptual review of a proposed 10,000 sq ft daycare center/preschool on the south side of Richardson Rd. just west of Haggerty Rd. PIN# 17-13-426-013
I2.	COMMERCE BUSINESS CENTER – CONCEPTUAL REVIEW Conceptual review of for-sale light industrial condominium suites upon approx. 16 vacant acres comprised of five undeveloped properties on the south side of Maple Road, east of Beck Road. PIN# 17-33-176-001, 002, 003, 004 & 17-33-251-001

J.	Other Matters to Come Before the Planning Commission
K.	Planning Director's Report
L.	Adjournment

Next Regular Meeting Date: October 5, 2026

CALL TO ORDER

APPROVAL OF AGENDA

APPROVAL OF MEETING MINUTES

DRAFT
CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING
Monday, August 10, 2026
2009 Township Drive
Commerce Township, Michigan 48390

A. CALL TO ORDER: Chairperson Parel called the meeting to order at 6:59pm.

ROLL CALL: Present: Brian Parel, Chairperson
Joe Loskill, Secretary
George Weber
Brady Phillips
Caitlin Bearer
Mickey McCanham
Absent: Brian Winkler, Vice Chairperson (excused)
Also Present: Dave Campbell, Township Planning Director
Paula Lankford, Senior Planner
Bethany Miller, Associate Planner
Andy Miller, Assistant Building Official

B. APPROVAL OF AGENDA

MOTION by Loskill, supported by Phillips, to approve the Planning Commission Regular Meeting Agenda of August 10, 2026, as written.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MINUTES

MOTION by Weber, supported by Loskill, to approve the Planning Commission Regular Meeting Minutes of July 6, 2026, and the Special Meeting Minutes of July 13, 2026, as written.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

Caitlin Bearer – Zoning Board of Appeals

- We had one petitioner asking for a variance for a fence at Commerce Lake.
- They are next to a boat ramp, and they originally wanted to have a 6-foot fence. We approved a 4-foot privacy fence.

Debbie Watson – Downtown Development Authority

- The only highlight from our July DDA meeting was that we appointed Katelyn Massey as the new DDA Treasurer.
- As most of you know, Molly Philips retired as of June 30th, and we will miss her dearly. Katelyn has stepped in to take over that position, and we look forward to working with her.

George Weber – Township Board of Trustees

- The last Trustee meeting was July 14th.
- We had a number of items on the agenda.
- Of note, the Township Board denied a permit for a massage parlor. I think a number of people know there was a massage parlor at Richardson Road that was accused of some illegal activities. It has been closed, and a new operator wanted to come in. That application was denied due to inaccurate and incomplete information.

- The Board approved the site condominium and plat for the Northern Pointe site condominium next to Walled Lake Northern.
- We approved a resolution for the Detroit Institute of Art Partnership in Public Art.
- We approved moving forward with the new authority for CLEMIS, which is the activity that handles all the dispatch for 911, so police and fire for most of Oakland County.
- The Board approved the Conditional Rezoning for Wingate Preserve at Commerce and Carey Roads.
- The Township Board also approved extending the temporary moratorium on data centers within Commerce Township, basically through the end of the year. So, that gives us another 4 months to revise the Ordinance to make sure that we're better protected if something were to come. Of note so that everybody is clear on this, nobody has come to Commerce Township asking for or even investigating putting a data center here. We're trying to get ahead of the curve.
- We approved removing a dangerous building on E. Commerce Road.
- We approved the acquisition of a piece of land, which will wind up being a donation. It's along Union Lake Road. A resident is working with the Township to give us the parcel so that it can remain greenspace. It will cut down on development on what is already a busy thoroughfare
- Finally, we were surprised by the State and the County on the costs of the roundabouts that are going in just up the road here at Richardson and Union Lake Road. What was originally thought to be \$700,000 to \$900,000 will now be closer to \$2 million for the Township's participation. That is the best case for our participation, and because it came from the County, I don't think anybody should be surprised that the original estimate was off by 60%.

Chairperson Parel – Do you have any update from the Building Department?

Dave Campbell – Typically our Building Official, Jay James, would provide an update from the Building Department side of things. Instead, he sent his new Deputy Building Official, Andy Miller. So, Andy, I don't know if there is anything notable from the Building Department's report as far as the number of permit activities or anything that the Planning Commission should be aware of.

Andy Miller –

- We're in the process of dealing with the Kroger project.
- We're working a lot with fiber optic installations.
- We're trying to get a handle on the dangerous buildings.
- We're also dealing with the sewer and water, which as you may know is challenging.

Chairperson Parel – Thanks, Andy. I appreciate it.

E. PUBLIC DISCUSSION ON MATTERS FOR WHICH THERE IS NO PUBLIC HEARING SCHEDULED

Chairperson Parel opened to Public Discussion on matters for which there is no public hearing scheduled.

Chairperson Parel – We have 3 scheduled public hearings later on. If there are folks in the audience that would like to speak on those matters, I would just ask that you wait until the proper time. You will have an opportunity. Those items are in regard to a Conditional Rezoning for Commerce Lake Market, Luai's Automotive Special Land Use, and Squeals Landscaping for a Special Land Use tied to a site plan. So, if you're here to speak on one of those 3 items, please hold your comments until then.

Dave Campbell – Correct. But what we're not having a public hearing on is the discussion on the data centers. That public hearing might occur at our September meeting. So, if anyone has any comments relative to data centers, the general public comments that you're about to open would be the opportunity to speak to that. The other 3 items have a public hearing scheduled. So, anyone who has comments on those items should hold their comments until the actual public hearing for those.

Chairperson Parel – Thank you for clarifying. To that point, data center comments, or any other comments anyone might have regarding anything outside of those other 3 items, we would welcome you up. We have just a couple ground rules, please. First and foremost, please be respectful, not only to us, but also to employees of the Township and to fellow Commerce Township residents. We're going to try to keep comments to 2 minutes each. We have a timer up here. No need to repeat comments. We hear you. We may not be able to respond to every comment. There are a lot of folks here. When you come up, there's a microphone and please provide your name and address.

Dave Campbell – With any public comments, and when we get to the public hearing, it's not intended to be a back and forth. It's meant to be, the public speaks and we and the Planning Commission listen. It's not meant to be a dialogue or back and forth. That's where things can get out of hand. So, it's meant to be one person talking and everyone else listening. That's one of the ground rules. The other thing we like to say is, we're all grownups, this isn't meant to be a pep rally, so we're not going to cheer, boo or catcall. One person talks, everybody else listens.

Chairperson Parel – With that, would anyone like to speak?

Marsha Loree Craig, 2529 Marchar, Wolverine Lake – I think a fuel center at that location would be ideal. There's a lot of boaters and a lot of people low on gas running around. We're near the interstates and I think it's an ideal location.

Chairperson Parel – We appreciate it. Just as a reminder, we will have a public hearing on that matter coming up.

Bonnie MacMillan, 2893 Benstein Road, Commerce Township – I am against the proposal for the Commerce Lake Market. Just with the traffic and congestion, not being able to get out of my driveway or anything, and making the left turn onto Glengary is horrendous.

Dave Campbell – So, just as a reminder, we will be having a public hearing here in a moment specifically on the topic of the Commerce Lake Market. So, if you prefer to hold your comments until we actually get to that public hearing, that would be the best time to share those comments.

Chairperson Parel closed Public Discussion on matters for which there is no public hearing scheduled.

F. TABLED ITEMS

None.

G. OLD BUSINESS

None.

H. SCHEDULED PUBLIC HEARINGS

ITEM H.1. PCZ26-01 – COMMERCE LAKE MARKET – CONDITIONAL REZONING

Commerce Lake Market (Steve Bakko, owner/operator) is requesting a Conditional Rezoning of two parcels of land from B-2 (Community Business) and R-1D (One Family Residential) to B-3 (General Business) located on the north side of Glengary Road east side of Benstein Road. The owner intends to rebuild and expand his existing building (1740 Glengary), demolish the existing residential home (2750 Benstein) and add a 4-pump (8 nozzles) fueling center. PIN#'s: 17-21-276-064 & 17-21-276-063

Chairperson Parel – We will have Dave Campbell give everybody some background on the proposal, then we will see if there are any questions from the Commissioners. Then we will give the petitioner an opportunity to speak, and then we will open the public hearing to hear those comments.

Dave Campbell – The owner of the existing Commerce Lake Market is Mr. Bakko. The existing market is at 1740 Glengary Rd. It's this building here on the north side of Glengary. Over here is the intersection of Glengary and Benstein roads. Mr. Bakko proposes to demolish the existing building and combine the property of the existing building with the adjacent property of the existing residential home, at 2750 Benstein Road, for the purpose of building a new, larger convenience store and also to add gas pumps or a fuel center to the to the existing operation. I'll pull up the proposed conceptual site plan here in a moment.

This proposal has come before the Planning Commission several times as it has evolved. Most recently, Mr. Bakko came to the Planning Commission at our meeting in July for what we call the optional preliminary hearing for a Conditional Rezoning. For this project to come to fruition, both properties, the existing store and the existing home, would need to be rezoned. The existing store is currently zoned B-2 Community Business. The existing home is currently zoned R-1B, Single Family Residential. In order to add the fuel center component to the proposal, both properties would need to be rezoned to B-3 General Business because gas stations/fuel centers are only allowed in the B-3 zoning district, and only then as a Special Land Use. Mr. Bakko has opted to pursue what we call a Conditional Rezoning, which is what is often called contract zoning. That means if the Township agrees to amend the zoning designation for these two properties to B-3, it would do so conditional on Mr. Bakko entering into a contract with the Township that effectively says, if you give me the zoning I need, I promise to build this and only this. So, Mr. Bakko would be conditionally and contractually obligated to construct a gas station and a convenience store consistent with the Conditional Rezoning plan that we'll look at here in a moment.

The Conditional Rezoning plan, which would be an exhibit to the Conditional Rezoning agreement, or the contract with the Township, shows the new store to the north of the

existing store. You can see the existing store underneath this store will be demolished. This area would be repurposed with additional parking. The new store of about 6,000 square feet would be to the north of that. There would be one point of access off the north side of Glengary Rd. Currently there are two driveways on the north side of Glengary; one would be eliminated and there would be one bidirectional driveway on the north side of Glengary. The second point of access would be a driveway on the east side of Benstein Road, right about here. It probably goes without saying the existing home would be demolished to make way for the new point of access and the new fuel canopy that would have 4 double-loaded fuel pumps, for a total of 8 fueling nozzles, along with some additional parking along the west side of the proposed store. The existing Geary Masonry building and facility would remain. So, the new Commerce Lake Market would kind of wrap around the Geary Masonry operation right at the hard corner of Glengary and Benstein.

Within the Conditional Rezoning agreement are a number of conditions that Mr. Bakko is volunteering. Those conditions have to do with the hours of operation for the existing store. They have to do with the look and the aesthetic of the existing store, so we'll get to that as I scroll through here. This is the proposed floor plan for the proposed new store. These are the conceptual building elevations and the conceptual renderings for the new store. This would be looking northward at the new building and the new canopy. What's being proposed are two options for the Township to consider with the canopy; one with the roof that would kind of match the proposed peak roof of the proposed building, and the other would just be a flat canopy. This is something that the Planning Commission would probably want to discuss tonight because one of the things that has been a discussion with Mr. Bakko in some of our previous meetings is doing everything possible to limit the height of the proposed fuel canopy to keep it in scale with the surrounding neighborhood and not let it be too tall or too large, and to be on scale with its surroundings. The canopy does have to be a minimum height in order to meet clearance standards, both for building code and fire code, so it would have to at least be able to meet those clearances, but the intent is that it not be any taller than necessary.

The building as proposed; these are not meant to be final building elevations, but they are meant to be a commitment by Mr. Bakko within the Conditional Rezoning agreement to a building made up primarily of brick and stone materials with windows and some aesthetic and architectural enhancements to present a quality building. So, within the Conditional Rezoning agreement would be a commitment to that level of architecture and building materials. There's also commitment to the traffic improvements that are recommended within the traffic impact study that was conducted as part of this project. Specifically, the existing center left turn lane along Glengary Road and the existing center left turn lane along Benstein Road would both have to be extended, northward along Benstein, and eastward along Glengary, in order to provide adequate stacking space within the existing center left turn lane so that inbound traffic can make the left turn into the existing driveway along Glengary, and the new driveway along Benstein. Mr. Bakko is also volunteering to enhance landscaping features, putting limits on the interactive screens that would go within the gas pump. I think we've all seen and heard the screens that want to blare advertising. These screens would be primarily silent other than being able to communicate with the station attendant inside the store. They will be doing that to avoid some of the noise objections you often see with the gas pumps.

From a procedural standpoint, the Conditional Rezoning would have to come to the Planning Commission for a public hearing, which is part of what we're here for this evening. The Planning Commission would hear any public comments and would then base any action in part on those comments that they received. If the Planning Commission is prepared to do so, they would be making a formal recommendation to the Township Board and then the Township Board would have final decision over the Conditional Rezoning. The earliest the Township Board could potentially act on the rezoning would be the Board's September meeting. That assumes, one, that the Planning Commission is ready to make their formal recommendation this evening. And two, because this is a property that is a municipal border, what I mean by that is Glengary Road is the municipal border between Commerce Township and the Village of Wolverine Lake. So, anytime you have a rezoning proposed along a municipal border, State law says that the County, in our case Oakland County, has to review the rezoning. Their role is to ensure that one community is not considering or approving a rezoning that's completely disparate from the zoning and the land use in the town next door. So, if the Planning Commission is prepared to make a formal recommendation on the Conditional Rezoning this evening, this project would then proceed to the Oakland County Conditional Zoning Committee, and they would make their recommendation on the border zoning case. If they do that at their meeting later in the month of August, then this could proceed to our Township Board for a final decision on the Conditional Rezoning at the Board's September meeting.

If all of that happens and the Board approves the Conditional Rezoning, then Mr. Bakko would still have to come back to this Planning Commission to seek approval of two things. One, the Special Land Use of a gas station in what is now B-3 zoning, and two, the site plan that would go along with that Special Land Use. When we talk about the site plan, we would be talking about a more detailed version of this Conditional Rezoning plan that is currently an exhibit to the Conditional Rezoning agreement. So, this plan would be more fleshed out with more detail with respect to landscaping, lighting, engineering, building and architectural detail, et cetera. Those would be all the additional levels of detail that would come back to this Planning Commission, potentially in October, if the plans are ready for the Planning Commission's consideration of the Special Land Use and the site plan that goes along with it.

As I mentioned, there was a traffic impact study done by the Township's Traffic Engineer as part of this project. What they do is evaluate the additional traffic that would be generated by the bigger store and by the addition of the gas pumps. As I mentioned, the recommendations of that study are the extension of the two left turn lanes along Glengary and Benstein. The petitioner also invested in a market analysis of the site, because if this project proceeds to the point where the Planning Commission is considering Special Land Use approval, one of the criteria of Special Land Use approval is there has to be demonstration of a documented and immediate need for the use. It's the developer's obligation to show this Planning Commission that there is a need for this for this use, specifically for a fuel center at this location. So, the petitioner invested in a market research analyst company to look at the site. We can talk about it later in the meeting and you have a copy of their study and the executive summary that went along with it. Their conclusion was that there is a need for fuel sales at this location based upon the other competitors in the vicinity, or maybe the lack of competitors in the vicinity. I think they determined that the closest competitor is 1.8 miles away. They estimate how many gallons of fuel this center would sell in an average month, and they estimate how much revenue the convenience store would do in an average month, and

both of them are considered healthy numbers for a store of this size, which they would contend is demonstration of a documented and immediate need.

The other thing that happened prior to this project coming before the Planning Commission for its Conditional Rezoning is Mr. Bakko and his team first approached the State of Michigan, because the State of Michigan has regulatory authority of the underground storage tanks for the fuel center. The State of Michigan has standards for underground storage tanks when they are in proximity to domestic residential drinking wells. Typically, they want to see a certain isolation distance between underground storage tanks and drinking wells, and when that minimum isolation distance can't be met, then the State requires additional fail safes for the underground tanks, and all the pipes that connect to them, to ensure that there is little to no threat of any contamination of the residential drinking wells.

In a letter from January of this year, the State of Michigan, and specifically the Department of Licensing Regulatory Affairs, approved a variance for the Commerce Lake Market to have underground storage tanks for the fuel center, subject to a number of conditions. Those conditions have to do with all of the tanks being double-walled, and all of the connections to them being double-walled, and for there to be alarm systems, constant monitoring, inspections, recording and so forth. And so long as all those conditions can be met, then the underground tanks can be approved in their proposed locations per the standards of the State of Michigan.

That is my best attempt to summarize where we are with this project. I know Mr. Bakko and his son Cameron are here, along with their Architect, Mr. Abdelnour, and they're welcome to approach the Planning Commission and give an overview on their own behalf. Otherwise, unless there's any questions for me, you have the option to open up the public hearing and receive any public comments.

Mr. Bakko, owner of Commerce Lake Market, was present along with Cameron Bakko and Mr. Ghassan Abdelnour, Architect, GAV & Assoc, 24001 Orchard Lake Rd, Farmington, MI 48336.

Mr. Abdelnour – Thank you for having us here tonight. We're hoping to come up with a nice project for the Township. Thank you to the Planning Department for the extra help through the whole process. Mr. Campbell summarized the process. We have been here several times. We always hear what you're telling us, and we always go back and try to figure out what you want us to do. We worked with the site. We had issues with the entrances. We took out one of them, and we kept the other one. We had issues with the traffic study, so we went through it and worked with the Township and the Village of Wolverine Lake. Also, we worked on the buildings. We talked about the materials and the height. We are providing a nice-looking building and we're pushing it to the back. We're putting brick with metal siding and some finished block at the bottom with some details of limestone. We're trying to come up with a building that is not high, and not low, but just works with the neighborhood. We went also with a design that's more of a residential look, with the canopy with a hip roof in the front, trying to make it more attractive for the neighborhood.

The other two items that we wanted you to see are the canopy and the pumps. You asked us last time to come up with a different design, one to match the entrance, and one to make it without the hip roof to see for the height reason. For us, it works both ways. I think the hip roof makes it a little bit cozier with the building itself, but visually, it works both ways. We have to meet the requirement of clearance at the bottom for

trucks and vans, and everybody else. I think Mr. Weber asked us to do a rendering facing the corner from the neighborhood to show what they would see.

Mr. Abdelnour showed the Commissioners printed photos of the rendering, while Dave Campbell worked to locate it and bring it up on the overhead.

Mr. Abdelnour – This was just to make sure that it would not be an eyesore in the corner. The building at the front is really high enough to cover part of the gas station, so it's not creating issues with the neighbors and the houses around it. As we discussed, we had to do the traffic study and the market study. We feel very comfortable with doing this project. I think the market is creating good things for the neighbors. The store is going to be nice inside and provide a lot of good things for the neighborhood. That's all I have now, but I can answer any questions. And Cameron is here.

Dave Campbell – Mr. Abdelnour, is this the rendering that you were referencing with the Geary Masonry building in the front?

Mr. Abdelnour – Yes.

Dave Campbell – That's meant to provide some sense of scale, if you were standing in the middle of the intersection, with what the canopy and store would look like with the existing building in the foreground.

Mr. Abdelnour – The idea is to see the scale. Scale is very important on both streets so it's not an eyesore. The building itself is pushed to the back, so it creates parking in front. We made it a very walkable area around the building. We created sidewalks close to the building from each side. So actually, we are very comfortable with the design, but we're here to hear from you. If there's anything we need to change, we'd love to do it.

Weber – One question on this rendering. The State minimum for the canopy is 13'8". There was discussion on 16'. Is this representation at the minimum of 13'8"?

Mr. Abdelnour – I think we did this one at 16'.

Weber – So it's actually going to be lower?

Mr. Abdelnour – Yes.

Chairperson Parel – Just on that topic, that's a great point. Are you proposing the shorter height canopy?

Mr. Abdelnour – Most of the gas stations we do at 16' just to be comfortable and no issues with the canopy when people drive under it, but really 13'8" to 14' is doable because they use the same concept in bridges. We usually do 16' just to be on the safe side. But the design here was done at 16'. So, like Mr. Weber said, we can lower to 13'8".

Chairperson Parel – Okay. I think I understand your concerns, but the height of that canopy was critical for us. My thought is the shorter the better.

Weber – You mean the 13'8"?

Chairperson Parel – Yes.

Weber – Yes, I agree.

Mr. Abdelnour – And we kept it lower than the building so it would feel better on the street side for people walking.

Chairperson Parel – The point is, with this rendering, that's the higher version at 16'. And it would actually be lower than that, right?

Mr. Abdelnour – Yes, like 2.5'.

Chairperson Parel – Yes, great.

Dave Campbell – Once the public hearing is open and closed, I'm guessing the petitioner's team would like to have an opportunity to answer any questions or address any concerns that get brought up.

Chairperson Parel opened the public hearing.

John Sammut, 2815 Woodbury St, Commerce Township – I have lots of questions. First is the entrance/exit from Glengary and Benstein; what's going to prevent people from bypassing the light all together to head north from Glengary? The other I've got is property values go down when there's a gas station in the area. It's not just more traffic, but more drastic traffic with left turns, right turns, going into the gas station and coming out, traffic jams.

I'm worried about pollution of the groundwater of course. And the noise, more noise, more traffic. And the lights; what kind of lights is he going to have to advertise that it is a service station, how big, how bright? Will they dim at night, or not? I live within 300 feet. That's why I got the letter.

We've got a lot of empty businesses around the area. I'm afraid if another one fails, we're going to have more. We have the dentist building across the street that's vacant, and a couple more just on the other side of Wolverine Lake on Benstein, quite a few there. The church, that used to be a sports bar, and a church again, now it's vacant again, next to the Eagle's club.

And the tanks; I'm concerned about not only leaks from tanks, but also from surface leaks from the gasoline for so much traffic, leaking oil into the storm drains. Is there going to be anything to collect that to prevent polluting the groundwater? And, does this affect home insurance rates, being close to a gas station? Does anyone know about that? I guess that's about all I've got for now.

Mike Knish, 1171 Mallow St, Wolverine Lake – I've got a bit of a cold. I would like to see Steve build this building. One thing I don't like, when you try to pull out of his place of business right now, it's a suicide attempt. Trying to get out is horrible. The fact that he's going to move his building back and you can pull in and out a lot easier, that's what I appreciate. I would talk a little bit more, but my voice is terrible. I do appreciate Steve putting the money into our neighborhoods.

Greg Morris, 2874 Benstein Road, Commerce Township – First, my family really likes Commerce Lake Market. We shop there regularly and we're glad it's part of the neighborhood. I want to thank the owner for all of the extensive work in this proposal. My concern remains specifically with adding a gas station. I'm asking for denial of that rezoning to allow it. My biggest concern is groundwater. Our home, like many nearby homes, relies on a private well. My understanding is that the proposed underground fuel storage could not meet the normal separation requirement from nearby residential wells and requires a State variance. I recognize that additional safeguards come with that variance, but those safeguards address how the tanks can be installed. They don't answer whether underground gasoline storage is the right use for this location in the first place.

Traffic is also a concern. Glengary and Benstein is already a busy intersection. The traffic study recommended extending the turn lanes, which reinforces to me that the existing traffic conditions and the additional demands created by this project are significant considerations. My family has experienced this intersection firsthand. My wife was actually involved in an accident there just while stopped at the traffic light. Now one accident doesn't prove that the project is unsafe, but it makes the traffic concerns very real that come with it.

I support reinvestment in Commerce Lake Market. I appreciate the work the owner has put in to try to make this project work. I simply just don't believe that a gas station is the right use for this location, this close to homes and private wells. If the Planning Commission ultimately reaches a different conclusion, I'll respect the decision and hope the project is successful, but my position tonight is no. I'm asking the Planning Commission to recommend denial of the rezoning.

Kelly Burt, 3129 Linda Marie Way, Commerce Township – I shop at Commerce Lake Market all the time. I support modernizing that area and making it look better than it does today. As far as a gas station goes, as long as everything is done right, I would support it.

Brad Wheatley, 2713 Woodbury St., Commerce Township – I just bought my house. I'm about 3 months into it and I'm pretty oblivious about this going on until my family brought it to my eyes. I invested in my first property, and my biggest fear right now is with the gas station coming in. Statistics show that anything within the first 300 feet of a gas station loses about 10 to 15% of its house value. So, I'm potentially losing about \$30,000 to \$40,000 on my first investment of my life. I am a third generation of a business with family. I support growth and redeveloping to improve, but there's a point where you've got to look at the people around you and your residents and you can't hurt everyone. Thank you for your time.

Tom Hanson, 1510 Trimont St, Wolverine Lake – I've been a resident for about 30 years now, so even prior to Steve arriving there, we've always used that location for its convenience. My opinion is that the gas station center should be approved because there is a big demand. There's a convenience to it. There are no gas stations around. If I head north, I've got to get up to Waterford or whatever. There are no gas stations, there's none. We might get one on Oakley Park, but that's off the beat off Benstein. I've spoken with my neighbors. We talk all the time. The reception of it was outstanding. People are tired of driving into Walled Lake or up to Commerce just to get gas for the lawn mower. A convenience store and a gas station together, it's my understanding that

they're going to put a kitchen in there, so you're going to get quick carryout convenience there. We don't have a whole lot there. We've got the Glengary Inn and the Benstein Bar & Grill. You could get quick carryouts, the convenience store looks like it's going to be bigger. You guys have to decide on the height of it. I don't care about the height. I think it puts a shiny penny on the corner that has been awfully needed for quite a long time. Some of the other speakers talked about their situation, and that's unfortunate, but sometimes things have got to be done for the greater good. And the fact that he's willing to invest in that area, it's going to help it, it's going to look better and it's going to work. It's just a good thing.

Mike Blackwell, 1460 Carpenter Court, Commerce Township – I've shopped at this market for over 30 years. I've lived in Commerce for 32 years. I've shopped with multiple owners of this market. I think Steve is great guy. Everything I've seen here; I think it absolutely looks great. I do understand the concern with the gas station and the tanks. That's anywhere you go. The State is the one who drives how that happens. I think this is a good idea. I think this is going to be great looking on the corner. Hopefully it will cause some of the other businesses in the area to upgrade also. I know Steve has tried multiple times to improve the look of the market, and he was denied on different things, such as putting up a new sign. But he has tried to do what he could do. Let's not forget, this is going to generate a lot of money for the Township too.

Cary Cole, 1900 Loon Lake Road, Wixom – I live just south of this location. I've been in the area 10 years. Moved to Commerce Township 10 years ago. My daughters played softball at Maple Glen Park. I feel like I've watched them grow up going through the doors at the Commerce Market. I really have grown to know the family a bit. I feel like they treat my daughters as family. I really think this is beautiful. I hadn't seen the renderings before. I think it's a great addition to the area and it would help modernize and bring up that area, which would be great. I trust the owners and the family there to execute on the plan whatever requirements you come up with. I think they will follow through and it will be a great addition.

Tom Toma, 4332 Darlene Dr, Commerce Township – I've known the family for a lot of years now, just from being at the corner there and helping serve the community for so many years for us. I have a question. What was at that Geary corner years ago? What was that?

Numerous replies – It was a gas station.

Tom Toma – It was a gas station. Yes, so everything is there, I mean it has been there. It was a gas station before. So, I don't know that there's a ton of change, right. And for what the Bakko family wants to invest in our community, especially in that specific corner where I know that there was a lot of negativity about the way that it looked and so many different things that are going on. I think, for somebody to come in and want to spend that much money in our community and make it look like that, I think he needs applause for what he's doing and for all the effort that he has put behind it. Thank you.

Ty Geary, 409 Rosario, White Lake, and Geary Masonry, 2718 Benstein, Commerce Township – I'm his neighbor. Just like he's trying to do, I did get a chance several years ago to make my place look better and I don't see how he could not have the same opportunity, especially when I saw that. I mean I think it would look amazing. For the last 5 years, I've had nothing but compliments about how we were able to make something older look nicer. His store could use an upgrade to me, and the gas part, and the good food part – I'm for it.

John Anolick, 1550 Carpenter Court, Commerce Township – We've been at our house for about 30 years now. We're just a few blocks away from the market. Steve and his family are great. We've come there many times. This is the first time I've seen the renderings. I think it looks great. The gas station is definitely something we could use in that area. Thank you.

Kyle Kilby, 2065 Glengary Road, Commerce Township – I've been in this area since 1990. My family and I have grown up here. I've talked to Steve and we've known them and their family for a long time. A lot of effort and a lot of work has gone into this proposal for him and I know that he is very dedicated to putting forth a better facility there. I mean Commerce Market right now, it's about the same since when we moved out here in 1990. I know that he's putting forth the effort to make it look really good.

Dennis Tendall – I've been in business for probably 45 years. I'm a chemist by trade and I retired when I was 71 years old. I've been living in Commerce for over 30 years, and I've dealt with all kinds of things, including buried containers, and I've dealt with the State. I'm very familiar with what they're talking about with regards to double lined containers. The State has come up with so many strong protections to make sure that there aren't leakers, that it's almost impossible to have leakers nowadays. Back 30 years ago, 40 years ago, I mean it was just one tank in the ground, and when it leaked, it leaked. But now they've double lined them and it's almost impossible to have any kind of leakers at all. So, it's not a problem anymore. From my standpoint, as a retired business owner, not a problem. I love to see new businesses. When I see the Benstein Grille and what that place used to be versus what it is today, and come in the community, and how everything is, I just want to see the community grow. I'm all for it.

Jennifer [Leeks], Woodlawn, Wolverine Lake – I just want to say I fully support this. I think this is a great idea. I know a lot of people are saying about the gas, but it's like who drives to the middle of nowhere to fill up their tank? This is what we're living in. I think this is a beautiful plan. I live on Woodlawn. I'm in the community and I fully support this. I just wanted to give my opinion. Thank you.

Suzanne Sadler, 2860 Tall Pines Way, Commerce Township – I'm here to speak on the character of Steve. You can't meet a nicer man and his family. They are just the best. I stop in there just about every day. It reminds me of when I was a kid and we would run to the party store down the road on our bikes so we could go and get candy, and they all knew our names when we went in there on our bikes. The proposal that Steve is making is beautiful. I think it would be fantastic for the community and Steve is just the best, his whole family. They know you by name when you walk into the store. I'm happy to see this beautiful construction made. Thank you very much.

Patrick Sivyver, 2864 Woodbury, Commerce Township – I'm right around the corner from the store. There are just a couple things I want to mention. One is the perception of people I know who come into my neighborhood to visit me, the perception they have when they come into the neighborhood. When you see some of the rundown buildings, and Steve's store is getting older looking now, it has been there 50 years or whatever. It has served its purpose and now a facelift would be welcomed. I don't know if the appearance improvement, as you're entering into that little neighborhood there, outweighs the loss that people would have for having a gas station in the neighborhood. It seems to me like, aesthetically, this is going to make a significant improvement in the area.

I also feel bad because we all have a concern for the groundwater. I had to put a very expensive well in because we are in a contamination zone. It was 4 to 5 times more than what my neighbors put in just a couple years prior to that, but at the same token, the State is going to be in charge of this. They're going to be making sure that all the fail safes are put into place. They do it everywhere else, and it gets passed, and people have no issues with it. I've worked with Steve a little bit. He works with people in the community trying to help out. We support families during the holidays. He has big plans for doing a lot more of that in the new facility. I just think it would be a good improvement.

Ed Pitt, 1632 Nottingham Ct., Commerce Township – I've been a resident here for 20 years. I thank the board for listening to me. I've been going to Steve's party store for many years and I've found him to be a good friend. Also, it just seemed like he was always there when there was a brown out or when we didn't have power. He was there in the morning starting up that generator, getting that store ready. I appreciate that, I really do. He's a good man. He's a good listener. I think the store will be a real asset to all those things that we need. I like the building. I'm an artist. I talked to Steve about the landscaping and all that kind of stuff. It's really good for the community. I really see it that way. Thank you.

Rob Keller, 2882 Benstein Road, Commerce Township – I'm here to support Steve and his proposal for the gas station. I started a new business this year. I'm an operator of a food truck here in Commerce. Steve and his family have been extremely supportive and have helped me get the name out, and let me set up in the parking lot to serve food. I feel like if he's allowed to invest in the community, he would continue to do good things and continue to support everybody.

Leburn Patterson, 2320 Benstein Road, Wolverine Lake – I've known Steve since they bought the store. I think it looks great. They're nice people. They try to help the community. If somebody doesn't have the money, they come in there, he gives them credit. What more could you ask of a neighbor? Thank you.

Marsha Loree Craig, 2529 Marchar, Wolverine Lake – I've already been up here. I have one more thing to say. There's a difference between a money grab and a responsible business owner. This here that you're looking at is a responsible business owner. He's going to do what it takes to keep the environment safe and keep us protected.

Cynthia Knobelsdorf, 2796 Benstein Road, Commerce Township – I'm here speaking on behalf of myself and my husband, Kenneth. He has been in that house 40 years. I've been there 21 years. I don't begrudge the market in any way. I love the design and everything. I never go in there. I've been in it once in the whole time I've lived here. I have a couple concerns about the traffic study. I read that and I don't know if they usually use old Google Photos, but there's like a three quarter of a million-dollar house that's missing on here. Also, my other main concern is in this traffic study at this corner of Benstein and Glengary, there's nothing, not one word about the ingress and egress from the Little Caesars/Vape shop onto Benstein Road, or the shuttered dental office that's now up for sale or rent, lease. Eventually something will be there. That entrance is going to be right across from this proposed driveway on Benstein. In all these diagrams, nobody took that into consideration, so it's kind of a red flag for me. How is that going to mix into all this?

Commerce, like the whole United States, has a housing shortage. So, one of my main things is, why tear down a perfectly good house? But I don't own it, so not up to me. The other thing, gasoline sales are way down in the U.S. for a lot of different reasons.

People are working from home, electric cars, hybrids. We really don't need all the gas that we think we need, and the data is there if you take a look at that.

Declining property values is a big one. I talked to an appraiser that said my little probably \$250,000 house would lose \$25,000 to \$50,000 if I went to sell it if it's so near, about 200 feet away, from a gas station. It's very concerning. Also, as far as that goes in an appraisal, it also could come up that we may not be able to sell a house with that underground storage tank so close, so it's kind of a concern.

With the underground storage tank, there was a gas station that operated at what is now Geary's Masonry from 1950 until 2001; either a gas station or automotive service. In 1999, they found one 2,000-gallon tank and 2-1,000-gallon tanks that were leaking there. Within 1,500 feet of that property at 2718, there's 136 wells. The population is about 405 within 1,500 feet of that. So that's very concerning. Accidents do happen.

Chairperson Parel – I don't mean to interrupt you, but we're going on 3 minutes.

Cynthia Knobelsdorf – Two minutes, okay, yep. According to the US Environmental Protection Agency, EPA, over 4,000 new releases, leaks, spills, over fills from underground storage tanks are happening. So, it's not like it never happens. Every year in the United States – that's a lot, 4,000 every year. And benzene – I'm going to be so close to benzene. It causes cancer, leukemia, all that. My husband has already been through Vietnam. His government did him dirty already. I hope Commerce Township doesn't as well.

Frieda Bechtelheimer Warrick – Many people recognize the name because Bechtelheimer has been here over 60 years. I've grown up in my house, which is right next door to the proposed gas station. I am dead set against a gas station. The last gas station leaked gas into our wells. Our well had to go down and it's stuck at 75 feet. It's contaminated again from the former gas station that has been turned into Geary's Masonry. The store is wonderful. I think the idea of a store in the neighborhood would be wonderful, but no gas stations. It's only a mile and a half to get to the nearest gas station. Also, we're getting rid of gas cars. The car manufacturers are now presenting us with electric cars. I think an electric station would be better. I don't know if it will make any difference, but I'm still dead set against a stupid gas station.

John McDonald, 1155 Glengary, Wolverine Lake – Been here 30 years. I go to Steve's place all the time. Great place. He's very concerned with the neighborhood and its people. I understand the concerns with these leaks, but everything is being taken care of. They continuously improve on these things. So, as far as gas leaks, I really don't see it, and if it is, I'm sure they're on top of it pretty quickly. Like they said, they're double-walled. Steve does many things for the community, and to brighten up that area right there would be a great deal. And like they say, he's a great guy, and like I said, I've been here 30 years. Improvement is not a bad thing.

Michael Derum, 3724 Cheryl Drive, Commerce Township – Steve's place is a little over a mile from mine. We have the ballparks and the fields on one end, and the ball fields and the park on the other end of Glengary. There are no gas stations on Glengary or on Benstein. And yes, that gas station on the corner lot did leak. Those tanks were put in over 70 years ago. I used to go there when I had to get emissions checks for my car back in the day. Things change. I worked construction around here for 40+ years, all in concrete. I've worked on many gas stations. You would not believe the technology that goes into them these days. I used to feel guilty about building all these homes, look at the extra traffic. My place used to be so nice. I used to walk as a kid from Hawk Lake down to Proud Lake, Glengary was a dirt road. We got gas stations around every lake in Oakland County basically in Michigan. We're putting another gas line underneath the Straits of Mackinaw. So, the technology is there and tested. Steve and his family, they care about the community. He does community work. He volunteers. He helps people who need help. He has Santa Claus for the kids at Christmastime. He has customer appreciation days, and Cameron cooks hot dogs and burgers for the customers. All I can say is, I love this man. He's good for the community. I love that building. Thank you.

Jessie Stuart, 2750 Benstein Road, Commerce Township – I live right there. What I see there, that gas station would be very good for everybody. I ride my bike everywhere through there. I've lived there for 50 years. I know Steve. He actually saved my life. Thank you.

Kris Prekaj, 2593 Benstein Road, Commerce Township – My dad, Pete, is two doors down from Steve. Steve is a very good guy and we respect him, but me and my dad spent a lot of money building brand new houses there two years ago. So, we're both concerned about the whole project. I have four kids. A lot of people miss, you know, the Dairy Twist across the street. With all the traffic that place has already, from both sides, all the way from the Benstein Grille to Oakley Park, it becomes busy, every morning and every evening. We're against it. We respect Steve, but my dad put in a well three years ago, and that ground is still contaminated. Paula probably knows because we paid like \$40,000 to put a well in there. So, we're against it. Picture your kids or grandkids there, in that area, everyone is speeding with the two exits, it's not a good idea. Thank you.

Pete Prekaj, 2780 Benstein Road, Commerce Township – You need to ask 10 or 15 houses around, not two miles down. If somebody is a mile from a gas station, it's nothing else. I'm next door. If somebody told me he was going to build a gas station; I would not have spent a lot of money to build a house. Oakland County, he told me to spend a lot of money for water, triple to build because of the oil in the corner. I have respect for him. The building he is going to build is okay, but the gas station – I don't like it.

Craig Ostrowe, 2400 Woodlawn St, Wolverine Lake – I've lived here for 50 years in the Village, since I was three years old. Steve actually helped me with my wedding. I got a lot of my stuff from him. I do appreciate him and I support what he's doing.

Greg Rohl – I'm just a lawyer from West Bloomfield. More importantly, I represent the owners of the Marathon on Commerce, Marah and Farah. They're very excited about this development. They want to wish Steve the best of luck, but they want to make sure that the record is clear because if you look historically at what this board has done, the last three attempts to expand operations at a gas station, one of which was my client's, were declined and rejected out of hand. And, if you look at the memo that Dave prepared on May 4, 2026, he essentially outlines the significant departures and the rejections. Then if you pull up all of those particular rejections as to why it was rejected, the major reason is that it was noncompliant with the Master Plan. I'm not sure what the Master Plan is here or how it would impact the Master Plan, but my clients just wanted to say, what's good for the goose is good for the gander. And if this is going to go through, and they hope it does, then it opens the door for others similarly situated to avail themselves of the same opportunities.

Tammy Cook, 5668 Carroll Lake Road, Commerce Township – I live closer to Marathon gas station. My questions are, and it may be coming down in the future, I don't know how this whole scene goes, but a car charger station; is it going to have one of those? Are they not going to have one? There's outside storage. It states on the plan, outside storage, but it doesn't give any dimensions. So, is that all the way across the front of the store, because currently, like at Marathon, they're supposed to have no outside storage. The ice machine is on the side, and it's all across the front of the store. That traffic study, did it include for future food service, or was it just a party store and a gas station? The delivery, it's usually behind the building, but you can't go behind the building and go back out and deliver. So, is delivery right in front of the store? And the height of the gas station canopy looks like it's lower than the roof, so the pitched roof looks great compared to the flat. Those are just my concerns and thank you very much for your time.

Chairperson Parel – Would anyone else like to speak on the matter? Speak now or forever hold your peace.

Dave Campbell – Mr. Parel, we did get just today a total of 13 emails, written correspondence from folks who couldn't make it to the meeting. Of the 13, 12 are in support, and 1 is in opposition. The reasons for opposition are things we've heard tonight; traffic, environmental concerns, et cetera. And the support echoes a lot of what we've heard tonight with respect to the current owner, the way they do business, the way they operate and in support of their efforts to expand and reinvest. I will provide these to our recording secretary so they can be included in the record.

Email correspondence received was as follows (several lacked addresses):

1. Joseph Genereux, 2875 Benstein Road, Commerce Township – Opposed to the proposal, citing environmental concerns, traffic issues, home values
2. Laura Conner – In favor of the proposal
3. Jeff Snelling – In favor of the proposal, frequents the existing store

4. Tiffany Pupava – In favor of the proposal
5. Alex Deyonker – In favor of the proposal
6. Brett Billin, 1775 Medler Rd, Commerce Township – In favor of the proposal for community enhancement
7. Brett Wagner, 835 Laguna, Wolverine Lake – In favor of the proposal; need a gas station nearby for convenience, a positive addition
8. Brianna Collar – In favor of the proposal; has been a faithful customer for years, has respect for the owner
9. Dennis Kayfes – In favor of the proposal; it will be a valuable addition to the community, adds convenience, positive commercial growth, and he has confidence in the design and safety measures
10. D.J. Summers – In favor of the proposal
11. Jennifer Waites – In favor of the proposal; need a gas station in the area, Steve and his family are nice and friendly
12. Lesley Merlino – In favor of the proposal; strongly support, excited about possibility of a gas station in community, Steve and his family are amazing business owners and truly invested in the community
13. Robin Benzinger – In favor of the proposal; great addition to the community and nice to have a gas station closer

Chairperson Parel closed the public hearing.

Dave Campbell – With respect to alcohol sales, this is something that would maybe be prevalent if and when this project proceeds to the Special Land Use step of the process. Off-premises alcohol sales outlets, which the Commerce Lake Market is one, are currently considered a Special Land Use within our Zoning Ordinance, and there are criteria or limits for off-premises alcohol sales outlets. Most relevant of those criteria oftentimes are the spacing standards. The Zoning Ordinance had spacing standards for alcohol sales outlets relative to one another, relative to residential zoning districts, relative to places of worship, relative to daycares, and parks and so forth. This particular location would likely not be able to meet those Special Land Use limits. But it is an existing location, so what has occurred in prior instances with other operators at other locations, including the aforementioned Marathon station, is as long as they are not expanding the alcohol sales, then they're allowed to remain and allowed to continue operating. So, when we talk about an expansion, what we did with Marathon, and what would likely happen with this one, is we would set a baseline of the existing alcohol sales that they currently operate with, whether that's based on the square footage dedicated to alcohol sales, or whether that's based on volume, or whether that's based on revenue. Then, as a condition of Special Land Use approval, if we get to that point, the Planning Commission would say, Special Land Use approval is granted, so long as there is no expansion to the alcohol sales beyond whatever that baseline is. Again, the same approach that was taken with the Marathon station when they did a knock down and rebuild of their store a couple years ago.

Chairperson Parel – I appreciate that. I thought that might be relevant. I know if I lived in the area, that would be my concern.

Dave Campbell – I will let Mr. Bakko and Cameron Bakko and the team speak for themselves, but my understanding is that they're agreeable to that. Their intent with this knock down and rebuild is to expand the store, but expand it in an effort to have it operate more as a market. That would include, as they described it, more fresh options, more grocery options, more hot food options. Based on the conversations I've had, they're agreeable to keeping their alcohol sales at the baseline they're at now, which would not trigger the Special Land Use limits, and then therefore trigger the spacing standards.

Chairperson Parel – I do appreciate it.

Commission Comments:

McCanham – We've heard a lot in the last couple meetings. The only thing that was new to me was the liquor license deal, but you've answered the question. I'm waiting to hear what everybody else thinks.

Weber – Originally, I was opposed to the gas station. I think that was 8 months ago when we first started looking at this. I think a couple of things have swayed me. The most important things we think about are traffic, density and safety. I think the traffic study, while it maybe has some imperfections in it, I think what it does demonstrate is that there's not a lot of new traffic that is going to be generated from this, meaning that it's going to be pass-through traffic for the most part, people that are already on Glengary or already on Benstein. Somebody is not going to drive from Wixom to come to Steve and Cameron, unfortunately. I don't think the traffic impact is going to be significant.

I have concerns with the Dairy Twist being across the street. I do want to understand more once we get to site plan, assuming we get that far, that the increased center turn lanes will address that. The documentation that we got from the State offered a little bit about the technology and the double-walled tanks. I think what's more important is the mandate of the inspections and automatic full-time leak detection technology being installed. So, it's not that a leak might occur and can only be found with an inspection, because actually there is going to be leak detection technology that's built into the system.

For those reasons, I think it has overcome my objections. I live a half mile from this location. The environment and the traffic are a concern to me, but I think the improvement of that site overcomes that.

Loskill – We've discussed this a number of times at several meetings. I have no further issues.

Phillips – I really appreciate the public hearings and getting feedback from people. It was mixed tonight, but mostly very positive I think. I also think I heard concerns about the environmental risks, but after reading the State of Michigan regulations and compliance commitment, I don't think that's a huge risk. I also don't think the traffic impact is going to be significant, and there are improvements proposed. I really like seeing the investment in the community. We have talked about this proposal many times and I'm in favor.

Bearer – Thank you, everyone, for all of your comments. Mr. Bakko, I don't know you personally, but it sounds like you've made a tremendous impact on the surrounding community. Just one thing I wanted to point out that put my mind at ease a little bit from the State when the variance was requested. Along with the sensors that were pointed out, there's also mandatory monthly inspections of those sensors, which I think is important to note as well. Not only are sensors required, but they have to be inspected to actually be working. I think that's an important thing for this audience to hear.

Chairperson Parel – I don't want to repeat anything, and I think a lot of my comments are more relevant for site plan approval, if it makes it there. There are some things I'm thinking of. Dave, please tell me if these are items to be addressed later on in site plan approval. Hours of operation of the gas pumps? My question is that we have gone back and forth several times talking about that.

Dave Campbell – Monday through Saturday until 11:00pm, and 10:00pm on Sundays.

Chairperson Parel – Have we established that?

Dave Campbell – We can certainly have that discussion, and it would be for tonight because it's something they would be committing to within the Conditional Rezoning agreement.

Chairperson Parel – The proposal on the table is, the gas station and market would be open until 11:00pm weekdays and Saturdays?

Dave Campbell – 6:00am to 11:00pm Monday through Friday, 7:00am to 11:00pm on Saturday, 8:00am to 10:00pm on Sunday.

Chairperson Parel – Any concerns from the Commissioners regarding those hours?

Weber – I think those are the existing hours. Those are your present hours, correct? We're not changing the hours of operation. It's keeping it consistent with what it is today.

Chairperson Parel – Okay. Dave, signage?

Dave Campbell – That's something that would be looked at in more detail if and when it gets to site plan approval. I'm supposed to put everyone on notice. Given the constraints of the site, it might be challenging to find a conforming site for a freestanding sign. That's something that can be looked at, if and when we get to consideration of the site plan.

Chairperson Parel – Okay. If there were to be a motion made, it sounds like we've made a decision on the height of the canopy. And unless I'm incorrect, also the style of the canopy. The style might be more of a site plan matter.

Dave Campbell – I would contend the style of the canopy would be something to look at more closely if and when it gets to site plan. The height though, if Mr. Bakko and his team are willing to commit to it, that might be worthy of being committed to within the Conditional Rezoning agreement, but they would have to volunteer that.

Chairperson Parel – I believe they have. Are we good with the height of the canopy?

Mr. Abdelnour – Yes.

Dave Campbell – Just so we're all on the same page, we're talking 13'6"? It's my understanding that both the fire code and building code say a minimum clearance of 13'6", so that's as low as you can go.

Mr. Abdelnour – I don't want to have any issues. I would say 14' and make everybody happy.

Chairperson Parel – We understand, and we appreciate that. Thank you. Then just a couple quick things. Fuel pump screens; are we talking about advertisements on the screens, or would it simply be screens that show the pricing and your credit card information? Do you know that yet?

Dave Campbell – Correct me if this is a misunderstanding on my part. What they're committing to within the agreement is that there wouldn't be any audio emanating from the screens. As to what the screens are actually displaying, I'll let them speak to.

Cameron Bakko – Have you seen the new big screens that the dispensers have? It would have those, but there's a setting that you toggle on them that will eliminate the sound. It will advertise visually, so you can see things. I think for safety reasons, if the mic has to come on from somebody inside, it will work, but that's only if need be. But, the sound will turn off. It won't have any annoying advertisements or music.

Chairperson Parel – What happens at 10:00 on Sunday, or 11:00 on a weekday or Saturday? Do those shut off?

Cameron Bakko – Yes, they can shut off, if I'm not mistaken.

Chairperson Parel – Wonderful.

Dave Campbell – Cameron, when you talk about advertising on the screen, it's promotional like 2-for-1 Snickers Bars inside? Stuff like that, or is it off-site advertising for a car dealership down the road?

Cameron Bakko – No, it's in-store advertisements that don't require any noise. If you happen to be looking at it, then great. But as far as commercials like you see on TV, no, nothing like that.

Chairperson Parel – Thank you for clarifying. My last comment is just general. Like George, I was on the fence. I'm not sure I was opposed, but definitely on the fence. You folks have put together what I would say is a beautiful building. I think you've taken all of the proper precautions with the State regulations, and I also do think that in this area of Commerce, there is a need for it. I think it's a great project. I support it. The big thing that tied it all together for me is that I look at that corner, I know how busy it gets, and I know there's traffic concerns, but I look at the feeling of community that you get at this corner with all the baseball fields, with the locally owned ice cream shop, and with folks and families like you with a family-run business, and I see you expanding. I see you putting in tables for folks to sit outside, including your food offerings. I think that's good for the community. Thank you, and I thank the community for coming out. We really do appreciate all of the comments.

Mr. Abdelnour – I just want to make sure. Which canopy are we deciding on? The covered canopy or the flat?

Dave Campbell – I think we are deferring until we get to site plan consideration.

Chairperson Parel – Do we have to? I'm happy.

Dave Campbell – If this Planning Commission is approaching the point of making a motion, a recommendation to the Township Board, the Planning Department did provide recommended motion language. It does sound like there might be one addition relative to the height of the fueling canopy, or more specifically, the clearance underneath the fueling canopy at 14'.

Weber – I think there's two. The height of no taller than 14', and the other would be clarifying what Mr. Bakko said about the advertisements on the pumps. Those would have no audio and the advertisements would be limited to in-store promotions.

Dave Campbell – I believe the no audio part is already in there, but limiting it to only include on-premises advertising would be in addition to that.

McCanham – Is the 14' clearance, or the top of the roof?

Dave Campbell – That's 14' to the bottom, so it's clearance.

Chairperson Parel – Noting those two additions, would somebody care to make a motion?

MOTION by Loskill, supported by Phillips. Move to recommend the Township Board approve PCZ#26-01, a conditional rezoning petition by Saad Bakko for the redevelopment & expansion of Commerce Lake Market at 1740 Glengary Road for a convenience store with fuel pumps upon a site consisting of two parcels at 1740 Glengary Road and 2750 Benstein Road. The subject properties would be conditionally rezoned from B-2 (Community Business) and R-1D (One Family Residential) to B-3 (General Business). The Planning Commission's recommendation is based on a finding that the conditional rezoning petition meets the applicable criteria within Articles 3 and 36 of the Township's Zoning Ordinance, is consistent with the intent of the Commerce Township

Master Plan, and is an opportunity to realize significant improvements to the site and to the vicinity. The Planning Commission offers their recommendation with the expectation that the project – if its conditional rezoning is approved by the Township Board - would return to the Planning Commission for consideration of approval of a site plan and Special Land Use that demonstrates compliance with all applicable standards of the Zoning Ordinance and with the approved conditional rezoning plan. The Planning Commission offers their recommendation on the conditional rezoning with a reasonable expectation that the project can satisfy the applicable requirements for Special Land Use approval, including the requirement that the project will demonstrate a documented and immediate need for fuel sales.

The Planning Commission's recommendation of approval is conditional upon the following:

1. The applicant enter into a conditional rezoning agreement with conditions volunteered by the applicant and acceptable to the Planning Commission and Township Board, and the executed conditional rezoning agreement be recorded with the Oakland County Register of Deeds prior to any formal consideration by the Planning Commission of the site plan and Special Land Use;
2. The petitioner to consider volunteering to revise the conditional rezoning agreement prior to consideration by the Township Board to limit to the area of alcohol sales to that which currently exists within the existing store;
3. The petitioner to apply for approval by the Planning Commission of a site plan and Special Land Use consistent with the terms of the conditional rezoning agreement subsequent to approval and recording of the agreement;
4. Any public road improvements committed to within the conditional rezoning agreement, shown on the conditional rezoning plan, and/or recommended by the Township's Traffic Engineer within the traffic impact study to be reviewed and approved by the Road Commission for Oakland County (RCOC) and the Village of Wolverine Lake;
5. The canopy height clearance is limited to 14-foot and 0-inches;
6. The gas pump screens will only have ads for their in-store promotions, and they will have no audio.

MOTION CARRIED UNANIMOUSLY

ITEM H.2. PSU26-03 – LUAI'S AUTOMOTIVE – SPECIAL LAND USE

Luai's Automotive is requesting Special Land Use approval for an automotive repair shop within an existing building in the TLM (Technology & Light Manufacturing) zoning district located at 4224 Martin Rd. PIN#: 17-13-326-003

Dave Campbell – What's proposed is for the new user within the existing building at the northwest corner of Martin Road and Pioneer Drive, at 4224 Martin. The petitioner is Luai's Automotive. The subject property is zoned TLM, Technology and Light Manufacturing, and automotive repair is a Special Land Use in the TLM zoning district, subject to certain conditions. Perhaps the most notable of those conditions is that all activities are done within a fully enclosed building. In other words, no outdoor storage, no storage of damaged or wrecked vehicles, no storage of vehicle parts, no vehicles on display for sale or for lease. Everything has to take place within the existing building. Because it's a Special Land Use, it requires a public hearing, so that has been properly noticed in the Oakland Press and every property owner within 300 feet received their Special Land Use letter. They also put up their signs that a Special Land Use is proposed.

Mr. Luai Poota has provided a narrative describing the use and describing the nature of their business, and committing to complying with the Special Land Use standards of there being no outdoor activity outside of the building. They did ask for one potential deviation from that being that customers could drop off their vehicles after hours, or “store” their vehicles overnight until they can be pulled in. So, that would be a deviation that the Planning Commission would want to consider.

The other consideration is, typically when we’re looking at new users and new uses within an existing site and an existing building, we look to whether we can bring the existing site into reasonable compliance with the current standards of the Zoning Ordinance. A lot of times what we talk about when we talk about reasonable compliance is whether we would want to see a sidewalk along the property’s frontage. This particular stretch of Martin Road doesn’t have sidewalks on either side. There are sidewalks along both sides of Martin Road, moving southward as far as Oakley Park, but then the sidewalks cease once you get to the roundabout at Oakley Park. So, one of the things the Planning Commission has considered in instances where it maybe doesn’t make sense to put in a sidewalk today, because it would be a sidewalk that wouldn’t connect to anything, is whether a better option would be to have the petitioner put into a fund what it would cost to build that sidewalk so the Township can use those funds to do a sidewalk improvement somewhere in the vicinity where maybe it makes more sense. That’s one of the things we’re hoping the Planning Commission can consider.

Whether or not they’re going to need a dumpster is still to be determined, so we make a recommendation that if the Planning Commission is ready to take action on the Special Land Use, they do so conditional upon the Planning Department having administrative review and approval authority if they decide to put in a dumpster, and if so, they would have to put it within an enclosure that would match the building.

No vehicle sales, rental, lease or display. And then maybe the last recommendation again, in the spirit of bringing the site into reasonable compliance, is taking the existing freestanding sign along Martin Road, which I will go to this view to see if you can tell.

The existing sign, which I assume they’re going to want to retain and repurpose, is currently on a pair of 4x4s. A lot of times what we do in these instances is have them put a skin around the base to have at least the appearance of more of a monument sign, which is something we would require if the sign were to go in today.

So that might give you another example that the Planning Commission could condition any approval on upgrading that sign with a base that gives it the appearance of a monument sign. Otherwise, they’re not proposing to make really any major alterations to the existing building or to the existing site, so there isn’t really a site plan that goes along with the Special Land Use. It’s really just the Planning Commission’s consideration of Special Land Use approval for the automotive repair facility to occupy or reoccupy an existing building. I’ll see if there are any questions for me, otherwise, the petitioner is welcome to come up and answer any questions on their behalf.

Chairperson Parel – Dave, you mentioned a deviation regarding dropping cars off in the PM. Is that already referenced in the motion language?

Dave Campbell – It is; *vehicles shall not be stored beyond temporary overnight parking of vehicles dropped off after business hours.* In addition to that; *absolutely positively no outdoor storage including but not limited to outdoor storage of partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts.*

Chairperson Parel – Are you saying we need to modify it?

Loskill – No.

Dave Campbell – No, I'm saying the motion language takes into account overnight drop off of vehicles, but beyond that, no outdoor storage of vehicles awaiting repair, or of vehicles in any state of disrepair. Everything is meant to be contained within the existing building. That is a criterion for Special Land Use in the TLM zoning district.

Chairperson Parel – Got it. Thank you, Dave. We welcome the petitioners up if you gentlemen would like to come up and have a conversation.

Dave Campbell – Once they've had an opportunity to introduce themselves, keep in mind, we do still need to open and close the public hearing.

Luai Poota and Jacob Ellis were present to address the request.

Jacob Ellis – We are proposing a Special Land Use. Hopefully you guys can take into consideration the building is already existing. We will be making no changes to any construction. We're only adding and installing equipment. You mentioned the dumpster. There is already an enclosure there, and a dumpster is currently on the property, which will be removed and replaced with ours. That's pretty much it. We do respect everything you guys have told us you wanted us to do.

Chairperson Parel – Dave, can you pull up the street view?

Dave Campbell – I can. It will take a second.

Chairperson Parel opened the public hearing.

No comments.

Chairperson Parel closed the public hearing.

Commission Comments:

Bearer – I have no questions.

Phillips – I'm just curious, what's going on with the roof on that building?

Jacob Ellis – Are you talking about the dark spots?

Phillips – Yes.

Jacob Ellis – There's gutters that go inside the cinder blocks and they take the water off the building.

Phillips – Okay, so it's intentional. It has purpose.

Luai Poota – The gutters are on this side.

Dave Campbell – So you're happy with the roof? The roof is in good shape.

Jacob Ellis – Yes, no leaks.

Dave Campbell – If I may, help me understand what you guys are planning with the dumpster. You've got the existing enclosure.

Jacob Ellis – Yes.

Dave Campbell – And then this picture is before you guys, this is May of '24, and this is what we're trying to avoid is having a dumpster sitting out in the open like that.

Jacob Ellis – We don't need any of that. We just need one dumpster and it's going to be inside the enclosure.

Loskill – When I drove by today, there were three dumpsters. There was one in the enclosure, one next to it, and then there was a large 20 or 40-yard dumpster.

Jacob Ellis – Yes, they are cleaning things out.

Dave Campbell – So that's temporary while everything gets cleaned out.

Luai Poota – Yes, they already took it. They finished everything inside, so it should be taken care of soon.

Dave Campbell – Does that dumpster enclosure have gates on it? I can't tell. Typically, we require gates on the enclosure.

Jacob Ellis – It does not have gates.

Dave Campbell – Okay. So that might be something the Planning Commission could consider is upgrading that dumpster enclosure to add gates which is something we would normally require on any new site plan.

Jacob Ellis – We're not sure. It might, but if it doesn't, we would respect that.

Dave Campbell – Okay.

McCanham – It's got the posts there for gates.

Dave Campbell – I don't see gates on it.

Loskill – I've got nothing. It's an existing building and good luck.

Weber – In the write-up, it said you won't be doing any oil changes. How do you ...

Luai Poota – Unless if I have to do them, I can use an oil pan. You know we have to put oil inside the car.

Weber – Exactly.

Luai Poota – We don't have any oil change pits or anything.

Weber – So it's not going to be like a fast lube.

Luai Poota – That would require a basement for us to do that many oil changes. We don't have that and we're not going to be doing that.

Weber – I would look to Andy on whatever is required, whether it's a grease pit or whatever. Basically, if we move forward, you're just going to have to meet whatever the Building Code is.

Andy Miller – Correct.

Weber – How many bays are you going to have?

Luai Poota – There's two big garage doors in the back and we're going to put the lifts inside the building.

Weber – But how many repair bays?

Jacob Ellis – It's going to be about ... Right now, we're not sure. We haven't really taken over the building yet, but it should be between 8 to 10.

Weber – And out of curiosity, how many techs are you going to have?

Jacob Ellis – 5 to 6 in the beginning.

Weber – Okay. So, I'm just trying to wrap my around it. If you have a vehicle down and you have to wait for parts or something, you're not going to be dragging them out into the lot while you're waiting for parts.

Jacob Ellis – There will be no damaged cars out there, no eyesores, nothing like that. Everything will be inside the building.

Dave Campbell – Is this facility in addition to the operation on Haggerty Road, or is this replacing that operation?

Jacob Ellis – This will be separate actually.

Dave Campbell – So, Haggerty remains and then you're adding this.

Jacob Ellis – Yes.

Weber – No other questions. Thank you.

McCanham – I got nothing.

Chairperson Parel – That makes two of us. Any other questions? Dave, anything else from you? Would someone care to make a motion?

Dave Campbell – Just a reminder, you're right up the street from Township Hall, so a lot of people are going to be watching that there's no outdoor storage.

Luai Poota – No problem.

MOTION by Loskill, supported by Phillips. Move to approve PSU #26-03, a Special Land Use for Luai's Automotive, to allow a vehicle repair establishment within the TLM – Technology & Light Manufacturing zoning district at 4224 Martin Road.

Special land use approval is based on the following findings:

1. The applicant has demonstrated to the satisfaction of the Planning Commission that the proposed use complies with the general standards for Special Land Use approval within Sec. 34.08 of the Zoning Ordinance;
2. The applicant has demonstrated to the satisfaction of the Planning Commission that the proposed vehicle repair establishment satisfies the intent of the Use Standards of Sec. 26.303 of the Zoning Ordinance so long as the conditions of approval listed below are satisfied.
3. A traffic impact study for the proposed use shall not be required because the traffic anticipated for a vehicle repair facility is consistent with other land uses that could be permitted within the existing building and within the TLM zoning district.

Special land use approval for a vehicle repair establishment is subject to the following conditions:

1. Perpetual compliance with the requirements of Sec. 26.303 of the Zoning Ordinance, including but not limited to:
 - a. All repair work to be conducted within an enclosed building;
 - b. Vehicles shall not be stored beyond temporary overnight parking of vehicles dropped off after business hours;
 - c. Absolutely positively no outdoor storage including but not limited to outdoor storage of partially dismantled vehicles, damaged vehicles, new and used parts, and discarded parts;
 - d. No vehicle sales, rental/lease, and/or display.
2. Any installation of a dumpster/enclosure to be administratively approved by the Planning Department;
3. A base to be installed under the existing freestanding sign to give it the appearance of a monument sign;
4. A contribution to the Township's sidewalks & pathways fund in an amount proportionate to the installation of an 8ft concrete sidewalk along the site's Martin Road frontage;
5. Signs to be reviewed and approved under a separate Sign Permit by the Building Department subject to the requirements of Article 30 of the Zoning Ordinance;
6. Any exterior lighting – including security lighting – to be administratively approved by the Planning Department and consistent with the height & cutoff standards of Article 31 of the Zoning Ordinance;
7. If they install a dumpster, they would need to provide gates on the front of the enclosure to screen that from roadway.

MOTION CARRIED UNANIMOUSLY

>>Items H.3. and Item I.1. would be heard together, with separate motions to be made for each item.

ITEM H.3. PSU26-04 – SQUEALS LANDSCAPING – SPECIAL LAND USE

Squeals Landscaping is requesting Special Land Use approval for outdoor storage (topsoil, mulch, sand, rock, etc.) on vacant Lot 30 in the Homestead Industrial Park located adjacent to their existing building at 4184 Pioneer Dr in the TLM (Technology & Light Manufacturing) zoning district.

PIN#: 17-13-326-021

I. NEW BUSINESS

ITEM I.1. PSP26-06 – SQUEALS LANDSCAPING – SITE PLAN

Squeals Landscaping is requesting Site Plan approval for outdoor storage (topsoil, mulch, sand, rock, etc.) on vacant Lot 30 in the Homestead Industrial Park located adjacent to their existing building at 4184 Pioneer Dr in the TLM (Technology & Light Manufacturing) zoning district. PIN#: 17-13-326-021

Dave Campbell – This is a Special Land Use and the site plan that goes along with it. Squeals Landscaping currently exists at 4184 Pioneer, which is also Unit 32 of the Homestead Industrial Park.

David Biel, who owns and operates Squeals Landscaping, has purchased the lot next door, which is Lot 30, which is currently undeveloped. What Mr. Biel proposes to do is combine these two properties into one new condominium unit within the Homestead Industrial condominium, and expand his existing outdoor storage operation to the southerly half of the undeveloped Lot 30. So, because it's outdoor storage in the TLM zoning district, it would require Special Land Use approval. I'm trying to get to the site plan developed by Mr. Biel's engineer.

In addition to the expansion of outdoor storage, he would also provide additional parking for the existing Squeals Landscaping operation, with a new driveway on the south side of Pioneer. As you can see, a new outdoor storage yard to the south, parking to the north, with the existing building to remain, and the existing outdoor storage yard to remain. The outdoor storage yard is proposed to be screened along its north side with a simulated stone vinyl fence that this Planning Commission has seen on a number of other applications; a 6-foot simulated stone vinyl fence. That would include upgrading the existing privacy fence along the north side of the existing storage yard right where I'm moving my cursor. That's currently a wooden privacy fence, so that would be upgraded with the simulated vinyl to match the new simulated vinyl along the north side of the proposed storage yard.

Along the west, east and south side of the combined storage yard would be a proposed 6-foot wooden privacy fence. That would be new along the new portion of the storage yard, and he would be keeping the existing along the south and east sides of the existing storage yard. The proposed parking lot would be paved, curb and gutter, consistent with Township standards. It would have to meet all standards relative to maintenance of stormwater. The Homestead Industrial Park has a shared detention pond. I'll go to the aerial so you can see where that is. Everything within Homestead ultimately drains into this pond here, including any storm that would come off the existing or the proposed Squeals Landscaping.

What's relevant with the outdoor storage for TLM is what's typically required is a stone masonry fence surrounding the perimeter of any outdoor storage yard. The Planning

Commission can deviate, and in some instances has deviated from that standard and allowed the aforementioned simulated stone vinyl fence. It would be the Planning Commission's discretion whether to allow for, in lieu of a masonry wall, the new and continuation of the existing 6-foot wooden privacy fence along the south, west and east sides of the storage yard. That would be something the Planning Commission would want to specifically note within their motion language if you are to approve the Special Land Use.

Another consideration of the Planning Commission and potential deviation is typically in the TLM zoning district outdoor storage is not allowed in the required rear yard. So, the required rear yard in this district is 35 feet from the property line, and in this case that would be the south property line. The Planning Commission has the discretion to deviate from that. What Mr. Biel's team is proposing is to allow the outdoor storage to continue all the way to the south property line on the existing yard, and also continue all the way to the south property line on the proposed new storage yard, rather than have there be a 35-foot gap through here where they would not be allowed to have outdoor storage. This is something the Planning Commission could consider.

It's probably relevant that the property to the south is also zoned TLM and has light manufacturing land uses. This is American Rubber through here. So, the Planning Commission might consider the neighboring uses and what impact they might have, with or without that 35-foot rear yard separation for any outdoor storage. Obviously 84 Lumber who went in next door to the west, they took over an existing site that already had outdoor storage right to the property line. On their new portion, they did maintain the 35-foot buffer. So, it would be up to the Planning Commission whether you want to see a 35-foot buffer here or not.

As I mentioned, because this is a commercial industrial park condominium, the master deed and the exhibit B documents for the condominium would have to be amended so that units 30 and 32 are combined into one new condominium unit. That's comparable to what had to happen with 84 Lumber. I think they took over a total of 3 condominium units and combined them into one. That same type of condominium amendment would be necessary to combine units 30 and 32. So I think that's covered most of what I want to cover. I can see if there's any questions for me. Otherwise, I know I see Mr. Biel over there and Mr. Orman, if you want them to make a presentation or answer any questions on their own behalf.

Chairperson Parel – Thanks. Would you gentlemen care to come up and speak, or has Dave already passed on the message?

David Biel – Good evening. I'm David Biel from Squeals Landscaping. Basically, I think Dave's got it pretty well summarized. I've been there since 1994. I own the building and I also operate my business out of there. I am the longest tenant in there. Every other building has changed hands. I've seen it for a long time and we try and take care of the place. I'm in the landscape business and unfortunately, that could have a reputation of things getting dirty in the backyard, but there's not one vehicle there that we don't use. There's not one piece of equipment that's not used on a regular basis. We try and keep everything clean. We blow the yard. I'm just looking to expand. Throughout the years, we've grown a little bit and I just had an opportunity to buy the land next door. I'm just looking to expand and make it a little bit easier to operate and meet my needs. I will answer any questions.

Chairperson Parel opened the public hearing.

No comments.

Chairperson Parel closed the public hearing.

Dave Campbell – I will mention too that Mr. Biel did get an email from the condo association with their support of this project. I think, for their bylaws, they're meant to approve any new use, including an outdoor storage use. I believe we have an email from Mr. Kunzman in his role as the association president stating support for the project.

Chairperson Parel – Great.

Commission Comments:

McCanham – No comments.

Weber – I don't have any issues with anything being proposed, including the 35-foot setback. Just one question; the fence that is going to be facing Pioneer Drive, what would your thoughts be on having an 8-foot rather than a 6-foot fence? It seems to me, I'm not sure a 6-foot is going to screen what you're trying to do. So, similar to what Lakeside Marine did, which I think was an 8-foot.

Dave Campbell – They did do an 8-foot and then we also had them commit to any boats over a certain height would be kept toward the back side of the lot so they hopefully weren't sticking up above the 8-foot fence.

David Biel – Right now, we have an existing 6-foot fence. My only concern with 8-foot is that we would need two gates and they get really heavy. But, if we have to make it 8-foot, we will.

Weber – If a 6-foot will screen what's going to be behind it, your equipment and the materials for your storage, then I'm okay. If 6-foot doesn't do it, then I would recommend an 8-foot. I don't know what you're going to be storing or how tall it's going to be.

Dave Campbell – It might be how you arrange it too. The taller stuff maybe keep further south so that it's not peeking out over the top.

Alex Orman – I'm the engineer for the project. I'd like to add to that point. Most equipment and materials are going to be stored on the back of the property of the storage area, and it's a downhill actually. So, with the position of that view, you basically cannot see anything.

Weber – Then I'm good. And, maybe I'll give a public service announcement. You just finished up work at my neighbor's on Laguna and the work was outstanding. It looks great. I know they're very happy with it and the clean-up, and everything off the road. Whatever crew you had doing that did a great job.

David Biel – Thank you.

Loskill – Nothing for me. I'm good.

Phillips – I'm curious, for the request on the variance from the 35-foot setback. Is that necessary? Why is that needed?

David Biel – Well, because it's a lot of real estate. We can only do storage behind the building, so that basically chops the value of the lot in half, and that last 35-feet, there's really nothing behind me. There's another parking lot for Boulder Lane where they have their development. And right now, currently on my current building, we go all the way to the back. We just store pallets of brick and some boulders. In my line of business, there's just so many different products available and we come back with a half of pallet of something. You might need it tomorrow, or you might not need it for 3 years. So, that space is very valuable for us to be able to store materials.

Dave Campbell – Mr. Biel is correct that his storage yard, per the TLM standards, can only be in the rear yard. The rear yard is defined by the back of the existing building. So basically, he can't have any storage beyond this line where I'm moving my cursor because that's where the rear yard starts. For storage purposes, he can't use the front half of his lot. So, I can understand the argument that losing another 35-feet to the back would cost him some real estate.

Phillips – What's the screening of the property line, between you and your neighbors?

David Biel – It's 6-foot wood fence all the way around all the sides, and the front would be the fancy fence.

Dave Campbell – The fancy fence, minus the rust; I'm not sure who has the rusty sprinklers hitting this section of the fence, but that is what would be along the Pioneer side, and then the wooden privacy fence around the east, west and south side.

Phillips – Okay, thank you.

Bearer – No questions.

Dave Campbell – On this one, because there are site improvements and there is a site plan, there are potentially two motions. The first one is consideration of the Special Land Use, and then subsequent to that, the site plan that goes along with it.

MOTION by Phillips, supported by Weber. Move to approve PSU#26-04, a Special Land Use for Squeals Landscaping, to allow outdoor storage within the TLM – Technology & Light Manufacturing zoning district located at 4184 Pioneer Drive.

Special Land Use approval is based upon the following findings:

1. The applicant has demonstrated to the satisfaction of the Planning Commission that the proposed use complies with the Special Land Use criteria of Sections 34.08 and 22.02.K of the Zoning Ordinance, particularly as it applies to adequate screening of outdoor storage of a landscaping storage yard in the Technology & Light Manufacturing zoning district;
2. The existing and proposed outdoor storage may extend to the southerly property line, including into the 35ft required rear yard;

3. The combination of existing and proposed fencing is an acceptable alternative to a decorative masonry wall.

Special land use approval is based on the following condition(s):

1. Approval of a corresponding site plan by the Planning Commission;

MOTION CARRIED UNANIMOUSLY

MOTION by Phillips, supported by Loskill. Move to approve Site Plan #PSP26-06, a continued use of an existing 5,600 sq ft building for landscaping sales and office with accessory outdoor storage of landscaping material and equipment upon 2.4 acres at 4184 Pioneer Drive, a property zoned TLM – Technology & Light Manufacturing. Approval is based on a finding that the site plan proposes improvements in reasonable proportion to the scale of the existing building and the impact of the expansion of the outdoor storage yard, consistent with the goals of Sec. 39.05 of the Zoning Ordinance relative to nonconforming sites, so long as certain conditions of the Planning Commission noted below can be included on a revised plan.

Site plan approval is subject to the following conditions:

1. Review and approval of engineered construction plans by the Township Engineer, Fire Marshal, and Building Department;
2. An executed agreement for stormwater management;
3. Administrative approval of a revised site plan to include the following:
 - a. The details of a dumpster enclosure if a dumpster is proposed;
 - b. Any planned exterior lighting to ensure consistency with the standards of Article 31, particularly relative to fixture height and design;
 - c. Inclusion of a barrier-free/van-accessible parking space.
4. Any new signs to be reviewed and approved under a separate Sign Permit by the Building Department subject to the requirements of Article 30 of the Zoning Ordinance;
5. Final stamping sets to be reviewed and approved by all reviewing agencies;
6. The two subject properties to be combined, including a recorded copy of the latest amended Master Deed & Exhibits.

MOTION CARRIED UNANIMOUSLY

ITEM I.2. PROSPECTIVE ZONING ORDINANCE AMENDMENTS RELATIVE TO DATA CENTERS

Potential series of Zoning Ordinance amendments relative to data centers within the I-Industrial and TLM-Technology & Light Manufacturing zoning districts.

****NO DATA CENTER IS CURRENTLY PROPOSED;** this will be a discussion on prospective amendments to the Zoning Ordinance to create standards for a data center if & when a data center is proposed******

Dave Campbell – So, when this was brought to the Planning Commission back in May, we did have a full house of folks who had questions and concerns. Some were maybe under the impression that there was actually a data center proposed in Commerce Township, which there is not. The conversation in May was something of a kickoff of what the Planning Department was considering with respect to amending our Zoning Ordinance and creating standards within our Zoning Ordinance for data centers, and particularly the large, what are often called hyperscale data centers, so that if one were proposed in Commerce Township, we would not find ourselves in the position that some of our peer communities have found themselves in, which is they don't have any

standards in place, so when a data center comes along, they don't have standards to hold that data center to. In other words, we wanted to be proactive and have standards within our Zoning Ordinance relative to data centers for if and when the day comes that one is proposed.

The other thing that's relevant from a scheduling standpoint is when we had that conversation with the Planning Commission, we were at about the midpoint of a moratorium on the acceptance of any applications for a data center. So, in February, our Township Board imposed a six-month moratorium on the acceptance of any applications for a data center to give this Planning Commission, this Planning Department, and the Township Board the opportunity to draft these Zoning Ordinance amendments that we're going to discuss this evening. The Township Board, at their meeting back in July, as Mr. Weber has mentioned, extended that moratorium to another four months to give the Planning Commission and Township Board more time to consider the proposed amendments. The moratorium would be over in December, so effectively the Planning Commission and the Township Board have the next four months to hopefully adopt standards within our Zoning Ordinance. From a scheduling standpoint, what the Planning Department is hoping is we can have a preliminary discussion on the preliminary amendments that are in your packet this evening, and the Planning Commission can make a determination if we are at a point where we can schedule a public hearing for the Zoning Ordinance amendments for the Planning Commission's meeting in September. That's what I hope the outcome of this discussion can be.

What you have is a series of redline amendments to, I think, four sections of the Zoning Ordinance. Article 2 is one of those articles to be amended to provide a new definition for data centers, and as you'll see, and it is key to the discussion, the definition divides the data centers into two tiers. Tier 1 would be any data center of less than 20,000 square feet. Tier 2 would be anything greater than 20,000 square feet. What we're saying is Tier 1 data centers would be considered a principal permitted use, both in the TLM zoning district and in the industrial zoning district. But the Tier 2 data centers, which are the large-scale data centers that are often called the hyperscale centers, those would only be allowed in the industrial zoning district and only then as a Special Land Use. So, that's what the amendment to Article 5, the land use table, is meant to represent.

The changes to Article 22, which are the uses permitted in the TLM zoning district, we have stricken the existing permitted use of data processing and computer centers, including service and maintenance of electronic data processing equipment. So that's the older land use description that predates anyone's inkling that there would ever be such a thing as a data center. We would be striking that as a principal permitted use and replacing it with Tier 1 data centers of less than 20,000 square feet. That would be the amendment to Article 22.

Then the big change would be an amendment to Article 23, which is the uses that are allowed in our industrial zoning district, which would say that a data center less than 20,000 square feet, a Tier 1 data center, would be a principal permitted use in industrial, but anything greater than 20,000 square feet would be a Special Land Use subject to the requirements of Article 26. And then all those use standards for a large-scale data center are then encompassed within a new set of use standards within Section 26.403 of Article 26, which is our use standards. So, this is really the meat of what's being proposed. These are all the Special Land Use standards for a Tier 2 data center within the industrial zoning district.

Included are dimensional standards for the height and the setback of the building, standards for parking, standards relative to connections to public utilities, specifically water and sewer, standards requiring that any temperature and humidity control system would have to be a closed loop/sealed system, standards for stormwater management, stating that all stormwater has to be contained on the site and that it cannot outlet to any adjacent properties. They would have to submit a noise and vibration abatement plan, which I know Mr. Parel and I discussed a little bit earlier today. Relative to that, they would have to submit an emissions abatement plan to deal with any emissions that might be generated by a data center.

And then maybe the last big one that we're proposing is that they have to submit a decommissioning and environmental remediation plan, which would include a performance guarantee. So effectively, they would have to put up a performance guarantee in an amount sufficient to guarantee that, if and when a data center becomes functionally obsolete, that Commerce Township is not left with a massive building that no one else can repurpose. They would have to put the site back to its pre-development condition, whatever that was. And they would have to put up a financial guarantee, likely in the form of a bond, in an amount to ensure that the site would be returned to its pre-development condition.

So, that is a brief summary of the changes that we are proposing, mostly within Article 26 and for Special Land Use consideration for a data center in the industrial zoning district, and only the industrial zoning district. And as I say, the next steps in the process would be to have a public hearing with this Planning Commission with these same standards, potentially with some revisions based on any discussion tonight. I also want to go through these with the Township Attorney. You may have heard that the City of Wixom, I just saw the headline today, is being sued by a data center developer. I don't know all the details, I just saw the headline, it just came out this afternoon. There was a data center proposed along Wixom Road at what used to be the Ford assembly plant on one of those industrial sites, and the city council has either rescinded whatever preliminary approvals they may have had, or changed rules. I'm not sure what, but now there is a lawsuit. So, we certainly want the Township Attorney to vet any new standards to hopefully keep Commerce Township away from any potential lawsuits, like some of our neighbors, not just Wixom, but all the commotion that we're hearing in Lyon Township, Saline Township and so forth. We're going to do our best to avoid any of that.

Chairperson Parel – I was under the impression that this language came from our Township Attorney.

Dave Campbell – We borrowed language from a lot of different sources with this. Again, given what's happening with Wixom just today, I want the Township Attorney to have another whack at this. We did also have the Township Engineer look at it, specific to the standards relative to municipal water and municipal sewer, and they are comfortable with what we are proposing there.

Chairperson Parel – Yes. I'm obviously no lawyer, but to me, it's critical that our Township Attorney utilize all of his resources and experience to put this together for us.

Dave Campbell – Be careful, you don't have to look at his bills.

Weber – Dave is following the 12-step process that says, we get way down the path, we make sure it's what it is before we start paying hourly.

Chairperson Parel – I understand. They're there to protect us.

Dave Campbell – And so are these standards. These are meant to be in place.

Chairperson Parel – If he hasn't seen these yet, I just wonder ... Maybe the purpose of bringing them tonight is just to get some feedback at this point. Understanding that, he is going to look at it and probably work on this.

Dave Campbell – That's exactly right. I wanted an opportunity to have this discussion with the Planning Commission before the Township Attorney dives into this. And maybe the Township Attorney doesn't have to do too deep of a dive. Maybe this is in pretty good shape, in his opinion, but I wanted to have this conversation this evening before we took it to the Attorney, and before we have a public hearing potentially at the Planning Commission's meeting in September.

Chairperson Parel – I think that makes sense.

Commission Comments:

Bearer – I know at the previous meeting, we had talked about the two tiers. I'm curious if there is any room for addition about not having it based purely on the square footage, in some way. I don't know how this would be, but the infrastructure impact as well. My concern is, what if technology advances to the point where the infrastructure impact is still as great, but the 20,000 square foot size shrinks, and that then becomes a Tier 1, but the impact to the infrastructure is still the same as a 30,000 square foot, but the technology has advanced to the point where that could then be permissible.

Dave Campbell – So, if we're talking about impacts, are we just talking about water and/or sewer? Are we talking about electricity demand?

Bearer – Yes, any utility.

Dave Campbell – We can certainly look at going that route. I guess in my mind, square footage is maybe the simplest criteria. When you're talking about electricity and water usage, you're effectively entrusting the developer to tell you what their electricity usage is and what their water usage is. So, you're having to entrust the ones who are trying to build the data center, whereas square footage is more challenging to give funny numbers on the math perhaps. But, if there's a consensus there, we can look at enhancing or redefining these tiers, to go beyond square footage and also include ...

Bearer – I would still want the square footage to be there, just in addition. I don't know, this is not my area. But, if there was any possibility to somewhere add, in addition to the square footage, the impact.

Dave Campbell – If we need to know how much electricity it's going to generate, you'd go to the developer and ask how much electricity they're going to demand. They would say, I don't know, what number do you want to hear. That's the balance we have to find.

Chairperson Parel – Dave, in that instance wouldn't the developer have to work with DTE and get approval?

Dave Campbell – That's a fair point, yes. So yes, we could try to come up with some language to enhance the tiers to not just be based on square footage, but also on demand on utilities; water, sewer and electricity.

Chairperson Parel – What if these smaller facilities are causing the same challenges?

Bearer – The same drainage, and what if in a year, this becomes moot because everything changes. Again, not my area of expertise. I have no idea how far off that is, but I would hate to see us get through all of this work and then have it be a moot point in two years.

Paula Lankford – Dave, have you looked at other communities and how they handle this? I'm sure you researched.

Dave Campbell – Yes, I have, and again, this is an evolving thing for every community. This is something that a year or two ago was not much of a discussion. So yes, there are different criteria for how you define these data centers. I'm sure there are examples that are consistent with what you're describing. We can take a look at that and bring something back that addresses not only square footage, but I would think electricity usage is probably another good gauge of their impact.

Chairperson Parel – Thank you.

Phillips – It seems like there is a lot of discussion about whoever is putting in the data center, that they are required to provide their own power source and be self-sufficient.

Dave Campbell – And any upgrades too; if they have to put in some sort of utility substation, that is 100% a cost they have to bear.

Phillips – But are they required to provide the source of the electricity?

Dave Campbell – I don't understand the question.

Phillips – Are they buying the electricity from DTE, or do they have to have their own power plant? We've talked about back-up generators.

Dave Campbell – They're all going to want to have back-up generators because they have to be able to operate 24/7. I guess we didn't consider whether they would want to have their own private power source. If there are thoughts on that, we could try to say, you must connect to a public utility and not have your own power.

Phillips – It's a concern of the drain on the public utility.

Andy Miller – From what I understand, they're allowed to do both. They're allowed to either tie into the electric grid, or they are allowed to create their own power.

Dave Campbell – Do we have any examples of anyone actually creating their own power?

Andy Miller – Not that I know of here in the State yet. Saline is the biggest one that is going in right now. We could definitely look into it.

Dave Campbell – That's something we will look into as well.

Phillips – And I don't know if they want to put in a bunch of solar panels or giant windmills that I hate.

Dave Campbell – My understanding is, even if they wanted to, they would not come close to being able to generate the kind of power that these places need. They could supplement with solar panels and wind.

Phillips – My other question was the 20,000 square feet. I don't know what relevance that has to a data center.

Dave Campbell – Think of a typical Walgreen's or CVS. That's 15,000 to 20,000 square feet, if that at least gives you some idea of what a 20,000 square foot building looks like. The intent there is ...

Phillips – I get the idea on the size, but I don't know what data center you would put in that is that size, versus some of the ones that I've heard of that are how many thousand acres.

Dave Campbell – Huron Valley Hospital, for example. They might get to a point where they just need a standalone building for all their cloud-based computing and whatever AI they might wind up using over the next 5-10 years. So, they are one example of a corporate enterprise that might need a standalone data center, but those are not the hyperscale, the massive ones that I think are getting a lot of the attention, the ones that are thousands of square feet. So, that's where we wanted to create a tier to consider a lot of the existing uses that need data centers. I mean Commerce Township is one of them. We've got a server room and you could call that a data center. If they get to a point where they need a standalone building, up to 20,000 square feet, we can allow those in industrial and in TLM. Once you get beyond 20,000 square feet, now you're getting toward the more hyperscale level, and that's where we're saying, only in the industrial zoning district.

Weber – So Dave, is the 20,000 square feet ... I'm trying to figure out how to phrase this question. So, we have Homedics or we have Huron Valley, which are over 20,000 square feet right now. But, is the 20,000 square foot just the dimension of the server room or is it the building? So, Huron Valley Hospital and its server room, it's over 20,000 square feet today.

Dave Campbell – The intent is for it to just be the square footage of the data center itself, the server room, whatever you want to call it.

Weber – Okay, so that was confusing to me in reading this. I didn't catch that when I was reading through the definitions, that the square footage wasn't the building. It was actually the server room, and maybe I just missed it.

Dave Campbell – *A data center facility or campus of less than 20,000 combined square feet.*

Weber – So, data center facility or campus ...

Dave Campbell – *Typical examples include corporate or enterprise data centers.*

Weber – Part of our discussion on the tiering was that we did not want to impact existing businesses, or any normal business, Williams International, Homedics, Huron Valley, whatever it is. So that's where it just wasn't clear to me how that's defined. So, when you say campus, somebody might say it's part of Huron Valley's campus, so therefore, they're a hyper center.

Dave Campbell – I understand the question and I could define that better. The intent is, the 20,000 square foot threshold, that's only meant for the actual building/housing of the data center, and not for the entirety of a place like Huron Valley Hospital.

Weber – Okay.

Dave Campbell – My understanding is there is another business model out there, which is businesses that need a standalone data center, but they maybe don't need a whole building to themselves, so then there would be buildings that are leased, portioned out, to where all these different users have a different portion of the building for their own small data center, which would be acceptable so long as it's no more than 20,000 square feet. If it gets over 20,000 square feet, then it has to go in the industrial zoning district.

Chairperson Parel – Brady, are you all set?

Phillips – Not at all. I don't have other questions, it's just a big issue.

Loskill – In studying these data centers and listening to reports of different neighborhoods with these hyperscale data centers, the one issue that seems to be an overriding concern is the continuous noise levels that are generated. I think we need to be cognizant of the fact that, as currently designed, these are projecting what I would consider to be objectionable sound levels and vibration levels, outside of their property lines. I think we should have some sort of clarification about what kind of levels we permit. I know we have a certain current threshold that is a maximum, but I don't think that takes into consideration these things operating with this noise output, 24 hours a day, 7 days a week. If there are loud hums and vibrations that are emanating quite a distance away from these buildings, I think we should look at what we think should be an acceptable noise level at the property line. I think it should be something less than what we currently permit for, just general noise levels.

Dave Campbell – It's that last part where we have to be careful. That's the one thing I did pick up from the Wixom story. One of the arguments that's being made against the City of Wixom in this lawsuit is you're applying different standards to us as a data center than you're applying to every other permitted use in the industrial zoning district. That's arbitrary. You can't tell us that we can only make this much noise, but anybody else makes that much noise. So again, that's an example of something I want to be careful with and have the Township Attorney weigh in because he might agree with that logic, that you can't tell the data center that they have to play by an entirely different rulebook in terms of noise and vibration than the stamping plant next door.

Weber – Joe's comment is one of my questions as well. Maybe we make that broad for any business within the industrial district. When we did our noise ordinance, it was basically to protect people from nuisance noises, whether it's a party that's going on too long, or somebody running a machine shop in their garage, whatever. It didn't contemplate the 24/7 constant noise. And it is really noise, vibration and harshness that can be an issue, so maybe we make that broad enough so that anything within the industrial that is 24/7 gets different consideration. So, it's not just data centers. If there is any manufacturing that would create noise above a certain level, 24 hours a day, that it needs to hit a threshold. I don't know what that is, but somebody someplace has probably figured out, at what point in time does that constant noise, hum, vibration cause an issue.

Dave Campbell – That all makes sense. That would mean what we would come back to you with, potentially in September, is another amendment to our general performance standards, which includes noise. That would have some new language, some new standards relative to continuous noise.

Chairperson Parel – We just have to make sure that's not going to affect any existing businesses, or any businesses that you want to attract to the community.

Weber – Exactly.

Loskill – That was my main concern.

Weber – Dave, you've got under the public utility connection standards, *shall connect to the Commerce Township public water system*. Is that for bathrooms, lunchroom, etc., in the building? Further down, you talk about that it has to be a closed loop system which is generally going to contemplate coolant or something like that. When you're talking about connection to the water system, we're saying we don't want a well

Dave Campbell – Agreed. That's what this is meant to say, yes.

Weber – We don't want a well, but is the connectivity to our water system for cooling, or is it just for general purpose water in a building?

Dave Campbell – The intent would be, that would include the cooling system as well. My understanding is that these cooling systems are very particular and finicky, so the water, even as great as Commerce Township's water is, would probably have to be

treated or filtered, before it goes into these closed loop cooling systems. As opposed to bringing in their own water ...

Weber – No. My understanding is that the closed systems, it's not water that's running through it. It's a coolant of some kind.

Dave Campbell – I thought it was a combination of glycol mixed with water or something.

Weber – It could be, but it's a chemical system.

Dave Campbell – Do you want to strike the requirement that they connect to municipal water?

Weber – I think having it for bathrooms, kitchens and whatever makes a lot of sense. Really, what we're trying to say is we don't want that building tapping into our aquifer for anything.

Loskill – You could write that as domestic water use versus coolant water use.

Weber – Yes.

Dave Campbell – So we're all on the same page, we're not suggesting they could use a well for their cooling system. That's the whole concern.

Weber – Correct.

Dave Campbell – Okay.

Weber – If it is a closed loop system, those have to be purged within a periodic basis. I don't know what that is, but when that gets purged, and I think you cover it here, it basically has to go into our wastewater treatment plant.

Dave Campbell – I think we're double covered. Between the requirements of the State, and then what we will require at a local level.

Weber – There are some things I've read about that say the water that comes out of the closed loop system has a substantially higher rate of nitrates in it than standard water coming out, and that most wastewater treatment plants cannot filter out the enhanced level of nitrates. I think that's something we should understand, but I also think maybe you've covered that later on.

Dave Campbell – That's what we try to do with requiring that they submit a pollution incident prevention plan, a PIPP. It shall be submitted and reviewed by the Township Engineer and the agency designated to operate Commerce Township's sanitary sewer system and wastewater treatment plant. In this case, Oakland County used to operate our sewer system. Now we use F&V Operations. Maybe 5 years from now, it's somebody else. The intent there is that they would have to submit their PIPP that would be reviewed by our engineer and by the agency running our sewer system to ensure

that they're not out-letting what you're describing. It would be their obligation to filter nitrates and whatever else before it gets to our treatment plant.

Weber – Okay, and that's the key. They've got to sanitize it before it gets to our plant.

Dave Campbell – Yes.

Weber – Okay. Following onto Caitlin's comments, maybe two questions. Where did 20,000 come from? How did you select 20,000 square feet?

Dave Campbell – I think we saw it in a few other examples of model ordinances and mimicked what we saw other communities using.

Weber – I think it's valuable to at least investigate out there some level of intensity on top of it. To Caitlin's point, with technology growing way faster than we can think, and so if there is something on intensity of resources, whether that's electric, water, whatever it might be. If somebody else has already looked at that, we can borrow some good language and I think that would be valuable to look for.

Dave Campbell – Okay.

McCanham – My question was like yours. The square footage doesn't really equate. It seems like its apples and oranges. Square footage is square footage. Over time, how much data production and cooling they need in that square footage, we don't know what that is. So, I'm just wondering how other places are dealing with it, whether they measure it on square footage, or production levels. The other thing was, I was also thinking about the coolant and the infrastructure of the domestic water and domestic electricity, separate from production. I'm wondering if there is some way to measure that. The other thing is, on the County level at emergency management, in the Planning Committee, we still don't know the issues. There is a plethora of hazardous materials and explosive issues to deal with, and locally, do you have that infrastructure? Does a little Township have what you need for a major explosive incident? Are they following the EPA's reporting to the local county on how much hazardous glycol and those different things. Are we addressing those kinds of things at all? Our fire departments need to know what they're responding to, and residents in the area need to know what's happening and what kind of level. So, I'm just wondering.

Dave Campbell – So requiring some sort of an emergency preparedness plan? Something like that?

McCanham – Sure. I think Oakland County has started on some of that with emergency management. We talk about it in our meetings.

Dave Campbell – To that point, that's part of the challenge here. This is new to everyone.

McCanham – There so much.

Dave Campbell – We're all kind of making it up as we go because this is a new thing. On the other side of that argument, the operators who are building these data centers, these are biggest of the big companies. This is Meta, Oracle, ChatGPT and these organizations that have seemingly unlimited resources. They are very proprietary with how they want to build and operate these places, because they want to compete and have a better data center than the next guy. So, getting disclosures from them of how they're going to operate and how much electricity they're going to use, and what kind of systems they're going to have in place – they don't like disclosing that because it's a competition. That's what makes this ...

McCanham – In the case of hazmat, that's absolutely required federal reporting. It's 302 Permit for the EPA. Every county has a system. When you think of some of the operations, like every hospital in Oakland County has a reporting system because of all the different things they have. They are checked for their nuclear stuff, and all that kind of stuff. It's required and it's non-proprietary. Those aren't proprietary things. If you look at some very big businesses, they have their own public safety department in their businesses, auto plants and all those kinds of things. Those are all things which have not gelled into acceptable standards yet.

Chairperson Parel – Thanks, Mickey. Dave, for me, I understand the purpose, Section 26.403 regarding the Tier 2 data centers, and a paragraph in there regarding the purpose. One of those purposes is to avoid the overburden of public and private utilities and infrastructure. We do talk in #2 about public utility connection standards, but is there a point in which we discuss more of a private utility connection as it relates to DTE or whoever is supplying electricity to the building? Is that mentioned here?

Dave Campbell – Well, for example, we talk about dimensional standards, building setbacks, and also setbacks for any utility structure or substation, whatever it is, and that those have to meet the same setback standards as the building itself. Are you looking for language more specific to how they connect, where they connect?

Chairperson Parel – Usage is a big one too. I know there are a lot of concerns from the community with regard to usage, and I don't know how you lawyer around it, but how increased usage at a property like this could potentially increase costs for homeowners. It could also affect other businesses and residents. There's detail here about municipal water connections and usage.

Dave Campbell – I agree, there could be some additional language standards for impact and demand on private utilities, specifically electricity. Some sort of a utility demand summary that they would have to submit that would, one, maybe help us define the tiers to Caitlin's point, and then two, provide some sort of assurance that they're not going to overburden the grid and cause everyone else to have a brown out situation.

Chairperson Parel – I agree with Caitlin's point that technology is moving faster than government works. We need to be cautious of that.

Dave Campbell – I'm going to Frankenmuth on the 18th. The Michigan Township's Association is doing sessions on a few different things, but I think the main session is going to be on data centers. Hopefully there will be some good information from MTA on data centers to help all of us answer a lot of these questions. We're not the only community trying to answer these questions.

Chairperson Parel – It's smart to get ahead of it. I think we've had a good conversation tonight. I think the lawyers need to take another stab at it. My guess is that it's probably going to come back to us in a different format after that.

Dave Campbell – And another thought is, wherever we land with all of this, assuming our Township Board adopts standards in November-ish, even if those standards are only at 85% of where we need to be, better 85% than 0%. Right now, we're at 0%. As we learn and get more educated, and as more data comes out, and we see what's happening in other communities, we can always come back and amend this 6 months later and enhance what we already did.

Chairperson Parel – A point was made before, I do think we potentially have to adjust existing ordinances as it relates to existing businesses, and future businesses.

Dave Campbell – I'm just scared to go back and look at noise standards again, because then we're going to have the same conversations about barking dogs.

Chairperson Parel – I understand, but could they be tied to these zoning areas, the industrial and the TLM, as opposed to residential?

Dave Campbell – It's a fair question, but I'll repeat myself, I want the Township Attorney's input because the answer might be, you can't require something in one zoning district that's different than another zoning district.

Chairperson Parel – My concern, I align with Joe, isn't that they're going to turn on a generator and test it for five minutes a week. My concern is that there is going to be some kind of low hum that is going to be constant, 24 hours a day, and it's going to drive residents insane. They'll want to move and their home values are going to go down.

Dave Campbell – It's a different kind of noise.

Chairperson Parel – How do you monitor that; how do you track that? I don't know.

Weber – It has to be addressed someplace else.

Chairperson Parel – Well, think about it, if there is a dog barking or somebody having a house party, ordinance folks can go out there with a meter, right?

Discussion continued regarding enforcement of the noise ordinance.

Chairperson Parel – So, we're good with this and we're going to send it off to the lawyers.

McCanham – I was reading yesterday, the super centers that they're building, Elon Musk started everybody off on a trend of jet turbine engines, natural gas fed, to create power. Think of the enormous sound of those. He had those mounted on trucks, and now some of the other companies have started to play with that kind of generation of electricity – jet engines. Now, you think of all the noise we hear on the internet and everything around here, when Williams does one of their tests in the early morning. Even a mile away, you're hearing that. So, jet engines and turbines, natural gas fed. It's a lot of noise.

Chairperson Parel – Yes, okay. Dave, do you need anything else from us tonight on this matter?

Dave Campbell – Assuming we can get this all shaped up with the Attorney, and all the comments that we're hearing tonight, are you comfortable with the prospect of having a public hearing on this in September? Keeping in mind, we are on something of a shot clock with this 4-month moratorium.

Chairperson Parel – I understand. Is the next time we're going to see it the Thursday before that meeting? Can we maybe have a look at it prior to that?

Dave Campbell – I will try, but you're right, we're all at the mercy of the Attorney's schedule. We will do our best to get it to you prior to that.

Chairperson Parel – Yes, it would be nice to see this earlier.

Dave Campbell – You have to promise to read it then if I send it out early.

Chairperson Parel – No comment.

ITEM I.3. OAKLEY PARK BUSINESS CAMPUS – USE DETERMINATION

Jon Stewart of SPS Investment is requesting a use determination for "warehouse or wholesale establishment within a wholly enclosed building" as a Special Land Use within the TLM (Technology & Light Manufacturing) district.
PIN#'s 17-24-201-009 & -008

Dave Campbell – So, last month you saw a concept plan for a two-space development on the south side of Oakley Park, between Martin and Haggerty, on two undeveloped properties. What Mr. Stewart and Mr. Williams are proposing with those two phases is the easterly phase would be what they're calling warehouse suites and the westerly phase would be flex spaces. What we're talking about tonight is more specific to the warehouse suites.

Mr. Stewart and Mr. Williams can describe this better than I can, but these would be storage spaces for commercial users; contractors, people in e-business who need a place to store their equipment, store their materials, store their inventory. The properties are currently zoned TLM. Currently warehouse and wholesale establishments are a Special Land Use in the TLM zoning district. What's not usually allowed in the TLM zoning district is your more traditional self-storage facilities, the Public Storage places of the world.

What these gentlemen are proposing is maybe somewhere in between your traditional warehouse, what we all think of as a warehouse, a big standalone building at one end of the spectrum, and at the other end of spectrum is the self-storage facilities. This is somewhere in between. What they would contend is these are closer to being a warehouse use because they're only projected to be leased to commercial users. They have a large overhead door that's more conducive to commercial vehicles, trucks, forklifts, and so forth. So, these are not mini-storage uses that a guy like me would need if I'm between houses for a couple of months and I need a place to store my furniture. These are more geared toward the commercial users. Therefore, they are more of a warehouse use, and therefore they are consistent with the TLM zoning district, such that they could be considered at a later date as a Special Land Use in TLM without the need to rezone the property.

So, that is what they're looking for with a use determination and that's what hopefully the Planning Commission is ready to consider this evening. If you are and if you get to a point where you're wanting to make a motion, we did provide motion language in your agenda packet, but after a conversation with Mr. Stewart, the Planning Department added a sentence at the end, kind of meant to reaffirm that these are meant to be commercial in use, so the extra sentence that is in the e-mail that I hope you all have in front of you; *the Planning Commission's determination is based on an understanding that the warehouse suites would be leased exclusively to commercial users rather than for personal storage, as is more typical for mini-warehouse and self-storage.* So again, that's meant to reiterate that these are commercial spaces, not personal storage spaces, and if the Planning Commission agrees with that logic and agrees with that use determination, then these gentlemen would likely be back in front of you within the next month or two seeking Special Land Use approval for these warehouse suites in the TLM zoning district.

Commission Comments:

Weber – Dave, does it make sense since we're kind of creating a new definition here, right? And what Mr. Stewart is proposing are units that range from between 800 to 1000 square feet, since this is precedent setting, to ensure that we're protected, should we put in there somewhere that there is a minimum size? So that a warehouse suite is no smaller than 800 square feet?

Dave Campbell – That logic makes sense to me, and these gentlemen seem to be nodding their heads.

Weber – It fits with what you've proposed. We're just using your proposal to set a standard.

Mr. Stewart – Yes, our smallest size unit on the conceptual site plan was 800 square feet and that's what we intend to move forward with.

Dave Campbell – That seemingly would avoid someone coming forth with a self-storage facility with units of 200 square feet and proposing as a mini-warehouse. I see the logic. So, if you are inclined to, you could work in the 800 square foot minimum into the motion language.

Chairperson Parel – Gentlemen, would you like to make a comment?

Weber – Put it this way, do you have anything further to add?

Dave Campbell – They sat here all night. They should have to say something.

Weber - #1, don't sell past the close.

Mr. Stewart – Just want to say, thank you guys for your time and we appreciate it. Mr. Chair, Planning Commissioners, I know it's getting late. We certainly appreciate your time and hearing us out. There were a couple things from last month that I wanted to bring back up and reassure you about which path we're going with on this development. As Dave said, with the commercial business users, that's a commitment we want to make to the Township. So, there's certainly a demand in that category for commercial business users, and we're confident in being able to fill it up with that type of user. The project itself lends itself to that user. It's more of a modern type of user. Small businesses are growing exponentially every day, especially in Oakland County, and e-commerce is a huge category that's growing. We expect that to be about 20% of our users, e-commerce retailers who need that inventory storage. They're in their basement at home, or their garage or whatever, and their spouse is saying get this stuff out. There are some modern businesses like that which are great users for the site. As far as personal storage, like the concerns we talked about last time, just the sheer cost of a unit, we're in the \$800 to \$1100 range per unit, and that's going to keep them from being attracted to this type of property. This is more business warehouse suites attracting businesses that need that extra inventory supply, equipment storage, and space to try to keep their spouse happy.

Loskill – Are you going to do anything about signage? Are you going to allow signage on the building or the doors? What is going to be permitted?

Mr. Stewart – We plan to have just a sign for our development with the name of the building. As far as tenants go, there will be no signage, not even a sticker on the door.

Loskill – Will there at least be an address or a unit number or something?

Mr. Stewart – Yes, there will be unit numbers.

There were no other comments from the Commissioners.

MOTION by Weber, supported by Loskill. Move to determine that “warehouse suites” as proposed for the Oakley Park Business Campus is a use consistent with Sec. 22.02.1 “warehouse or wholesale establishment within a wholly enclosed building” within Article 22 – Technology & Light Manufacturing of the Zoning Ordinance, and is distinct from “mini-warehouse / self-storage” as permitted in other zoning districts, and can be reviewed by the Planning Commission at a future date as an application for approval of a Special Land Use in the TLM zoning district per the standards & procedures of Article 34 – Special Land Uses of the Zoning Ordinance.

The Planning Commission's determination is based in part on an understanding that "warehouse suites" would be leased exclusively to commercial users, rather than for personal storage as is typical for "mini-warehouse / self-storage, and will be a minimum of 800 square feet.

MOTION CARRIED UNANIMOUSLY

Dave Campbell – Are you guys thinking you're going to be right back here in September?

Mr. Stewart – We've got a couple questions.

Loskill – They've already got ads up on Facebook.

Mr. Stewart – We will know more this week.

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

None.

K: PLANNING DIRECTOR'S REPORT

NEXT REGULAR MEETING DATE: MONDAY, SEPTEMBER 14, 2026, AT 7:00PM.

Dave Campbell discussed the following items that may be seen at the September meeting:

- Perhaps this project for the Oakley Park Business Campus
- Hopefully ordinance amendments for data centers
- A couple concept plans
- A meeting or two ago, you saw a concept for a daycare/preschool facility called The Learning Experience. At the time, they were looking at the southwest corner of Wise and Carroll Lake. We just heard from them the other day and now they're looking at a site just up the road here; the east side of Martin, just south of Richardson. There is a medical office building at the southeast corner of Richardson and Martin, there's vacant land just south of there. At one point, somebody got site plan approval for a medical office facility there, but they never built it. Now these guys are looking at doing a daycare there. They hope to have their concept plan in front of you.

Weber – That location though, we did a lot of heavy lifting on access behind it. There's a giant retaining wall that was needed because of the way it slopes down from the drive-in. I think whatever we did on that site plan, which was probably 3 years ago, I think a lot of that can be brought back up.

Dave Campbell – I would agree. The site has been engineered so hopefully they can repurpose a lot of the work that has already been done.

- The other concept is another one that is familiar. Comparable to the flex spaces that Mr. Stewart is looking to do, if you'll remember, Dennis Park was looking to do flex spaces over toward Walled Lake Western High School on that oddly configured long narrow triangle. The concern there was fire code, access and whether or not these units would be fire suppressed. I did not talk to Dennis, but he talked to Paula the other day. He wants to come back with a concept plan for very comparable units, but with the fire suppression. His trade-off is going to be that they won't be as pretty as they would have been because we're making him put in fire suppression.

Chairperson Parel – Is the difference between this project and that project the size of the units?

Weber – It's the number of units and he had to have two access points that were far enough apart, where this unit has two access points. Dennis could get two access points, but they were too close.

Dave Campbell – I would say these are comparable to the flex spaces. I'm not sure how they compare size wise, but it's the same idea, where you have office space in the front of your unit and open space in the back for workspace, warehouse, inventory, or whatever you need. The properties Dennis Parks wants to do are zoned industrial.

Paula Lankford – And he's having them as for-sale units.

Dave Campbell – Yes, they're for-sale, essentially condominium units, whereas Mr. Stewart is looking to lease. I think that's it for September. I don't know if you guys are here waiting to hear on Wingate Preserve. I think they're shooting for October to come back to the Planning Commission for approval of their condominium site.

Resident – Thank you.

L: ADJOURNMENT

MOTION by Loskill, supported by Weber, to adjourn the meeting at 9:58pm.

MOTION CARRIED UNANIMOUSLY

Joe Loskill, Secretary

UPDATE OF ACTIVITIES IN COMMERCE

DISCUSSION ITEMS

TABLED ITEMS

OLD BUSINESS

PUBLIC HEARINGS

To: Commerce Township Planning Commission

From: Commerce Township Planning Department
David Campbell, AICP – Planning Director
Paula Lankford – Senior Planner
Bethany Miller – Associate Planner



Date: September 9, 2026

RE: Zoning Ordinance text amendment to create standards &
procedures for data centers
Includes amendments to Zoning Ordinance Articles 2, 5, 22,
23, and 26
Planning Commission public hearing on September 14, 2026

Attached please find a series of proposed amendments to the Commerce Township Zoning Ordinance to create standards and procedures for the development of data centers, presented in both redline and clean formats. The intent of creating and adopting the proposed series of amendments is to have standards and procedures in place for if and when the day ever comes that a data center – and particularly a large “hyperscale” data center - is proposed in Commerce Township. **As of the date of this report, no data center is proposed in Commerce Township and the Planning Department has heard of no interest from anyone in developing a data center.** As the Planning Commission is aware, Commerce Township Board of Trustees adopted a six-month moratorium on the acceptance of any proposals for a data center in February 2026, and extended the moratorium for another four months in July 2026, such that the moratorium is in effect through December 10, 2026. The Planning Department and the Township Board intend to have Zoning Ordinance standards relative to data centers adopted and effective in advance of the lapse of the moratorium.

Consistent with the standards of the Michigan Zoning Enabling Act and Section 3.03 of the Township’s Zoning Ordinance, an amendment to the Zoning Ordinance requires a public hearing before the Planning Commission. That public hearing has been scheduled for the Planning Commission’s regular meeting on September 14, with a notice published in The Oakland Press on August 28. Subsequent to the public hearing, the Planning Commission has the option to take action on the proposed amendments in the form of a formal recommendation to the Commerce Township Board of Trustees. **If the Planning Commission opts to make that formal recommendation during the Sept. 14 meeting, then the proposed amendments could advance to the Township Board for a final decision to adopt the amendments at the Board’s meeting on October 13.** If the Planning Commission and/or the Township Board need additional time on the proposed amendments before taking action, the four-month extension to the moratorium provides a two-month cushion such that the Board could adopt the amendments as late as their meeting on December 8. That said, the Township should not tempt fate by cutting it that close and should prioritize adopting the proposed amendments in advance of the December 10 lapse of the moratorium.

The proposed amendments are to Zoning Ordinance Articles 2 (Definitions), 5 (Land Use Table), 22 (TLM, Technology & Light Manufacturing), 23 (I, Industrial), and 26 (Use Standards). The proposed standards were developed by the Planning Department with significant input from the Planning Commission, Township Board, Township Attorney, and Township Engineer, along with good ideas borrowed from several sources not the least of which was a model ordinance recently developed by the Michigan Townships Association (MTA). The proposed amendments to Commerce Township's Zoning Ordinance create and define two tiers of data centers; Tier 1 data centers would be designated a principal permitted use in the TLM (Technology & Light Manufacturing) and I (Industrial) zoning districts, and Tier 2 data centers (often referred to as "hyperscale" data centers) would be allowed as a special land use in I (Industrial) subject to a host of Use Standards to be added within Article 26. Consistent with the Planning Commission's discussion on August 10, the definition of the two tiers has been refined to include a distinction based on size (20,000 square feet) and on energy consumption (17.5 million kilowatt hours per year). For context, 20,000 square feet is a fairly typical size for a light industrial building within the office/industrial parks of the Township's TLM zoning district

Key to the proposed text amendment is the series of Use Standards proposed to be added to Article 26 specific to Tier 2 data centers in the Industrial zoning district. Those proposed new Use Standards are relative to dimensional standards, public utilities (water and sanitary sewer), energy consumption, climate control systems, noise and vibration, emissions, emergency response, and decommissioning.

As has been discussed with the Planning Commission, hyperscale data centers are a relatively new and evolving land use, and many of the legitimate questions and concerns from the public about their impacts will continue to be studied. As such, it is very likely that Commerce Township (along with many of our peer communities) will need to revise/enhance our standards & procedures for data centers as new information emerges and lessons are learned from other communities. What should be a priority is getting these initial standards adopted within the window provided by the moratorium.

The Planning Department looks forward to the public hearing during the Planning Commission's meeting on September 14, 2026.



**CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
REQUESTED AMENDMENTS TO THE ZONING ORDINANCE**

Notice is hereby given that the Commerce Township Planning Commission will conduct a public hearing in the Oak Conference Room of the Commerce Township Hall, located at 2009 Township Drive, Commerce Township Michigan, for the purpose of hearing the following Zoning Ordinance amendment, on **Monday, September 14, 2026 at 7:00 p.m.**

PZ26-01

An amendment to the Commerce Township Zoning Ordinance No. 3.000, to amend:

- Article 2 – Definitions, Section 2.02 to define Data Center including Tier 1 and Tier 2 Data Centers.
- Article 5 - Land Use Table, Section 5.02 Table of Uses Permitted by District to amend Permissible and Special Land Use for Tier 1 and Tier 2 Data Centers.
- Article 22 - TLM, Technology & Light Manufacturing District, Section 22.01 Principal Uses Permitted, replace language to add Tier 1 Data Centers as a Principal Permitted Use.
- Article 23 - I, Industrial District, Section 23.01 Table of Permitted Uses, to include Tier 1 Data Centers as a Principal Permitted Use and Tier 2 Data Centers as a Special Land Use.
- Article 26 – Use Standards, Section 26.400 – Industrial, Research, and Laboratory Uses, to add new Use Standards for Tier 2 Data Centers.

NO DATA CENTERS ARE CURRENTLY PROPOSED IN COMMERCE TOWNSHIP. THE PROPOSED AMENDMENTS TO THE ZONING ORDINANCE ARE INTENDED TO CREATE STANDARDS AND PROCEDURES FOR IF AND WHEN A DATA CENTER IS PROPOSED. The proposed amendments, the Commerce Township Zoning Ordinance, and Zoning Map are available for public inspection in the Planning Department during regular office hours. You may also visit the Township's website at **commercetwp.com** to find the Commerce Township Zoning Ordinance and Zoning Map. Public comment will be taken during the designated portion of the public hearing; for those unable to attend the public hearing, public comment will be taken in writing by the Planning Department until 5:00 p.m. on the date of the hearing. For further information, please contact the Commerce Township Planning Department at (248) 960-7050, and/or visit the Township's website at **commercetwp.com**

David Campbell, AICP
Commerce Township Planning Director

CHARTER TOWNSHIP OF COMMERCE

AN ORDINANCE TO AMEND ARTICLES 2, 5, 22, 23, AND 26, OF ZONING ORDINANCE 3.000, CHARTER TOWNSHIP OF COMMERCE, OAKLAND COUNTY, MICHIGAN TO BE KNOWN AS ZONING AMENDMENT ORDINANCE NO. 3.071.

The Charter Township of Commerce ordains:

SECTION 1 – PURPOSE

The purpose of this Ordinance is to amend Articles 2, 5, 22, 23, and 26, of the Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan, to site Data Centers; to provide regulations and standards for Data Centers; to repeal all ordinances or parts of ordinances in conflict herewith, and to provide an effective date.

SECTION 2 – AMENDMENT

Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan, is hereby amended as follows:

Article 2, Section 2.02 – Definitions of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan, is hereby amended as follows:

Data Center: A building, facility, operation, and/or campus whose primary purpose is the centralized storage, processing, management, or dissemination of digital data, information, or applications, which typically includes supporting infrastructure such as backup generators, cooling systems, and uninterruptible power supplies. Server rooms and/or facilities accessory and incidental to a principal permitted use are not considered Data Centers.

1. Tier 1 Data Center: A Data Center of up to 20,000 combined square feet or up to 17.5 million kWh/year in combined energy consumption. Typical examples include corporate or enterprise Data Centers dedicated to a single organization (financial institution, health system, corporation, etc.), colocation or multi-tenant Data Centers, and telecom Data Centers. Includes data processing and computer centers, including service and maintenance of electronic and data processing equipment. Where one or more Tier 1 Data Centers are on immediately adjacent properties their combined square footage and combined energy consumption shall be considered in determining whether they meet the standards for a Tier 1 Data Center.
2. Tier 2 Data Center: A Data Center greater than 20,000 combined square feet or greater than 17.5 million kWh/year in combined energy consumption, often developed in multiple phases. Sometimes referred to as a “hyperscale” Data Center.

Article 5, Section 5.02, “Table of Permitted Uses by District”, Industrial, Research and Laboratory Uses, of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan, is hereby amended as follows:

Section 5.02 Table of Permitted Uses by District.

USES	SYMBOL	KEY																									
	P	Principal Use																									
	S	Special Land Use																									
	A	Accessory Use																									
		Prohibited Use	R-1A	R-1B	R-1C	R-1D	R-2	RM	PRD	SPD	MHP	CV	TC	HRC	O	B-1	B-2	B-3	ULR	I	TL	M	HF	HOS	Supplemental Performance Standards		
INDUSTRIAL, RESEARCH AND LABORATORY USES																											
Self-storage/mini warehouses														S							P						
Aircraft operation facilities																					S						
Building material storage and sales, provided that such uses located within the boundaries of the																					P						
Laboratories for applied research, testing, etc. office																					P	P					
Laboratories-experimental, film, or testing																					P	P					
Lumber and planing mills																					S						
Research, development, engineering, and design of high-technology equipment													P									P					
Research: photonics, robotics, and electrical equipment																						P					
Data processing and computer centers																						P					
Dry cleaning plants																					P						
Light manufacturing, research and development																					P	P					
High technology service uses																						P					
Engine product research																						P					
Heating and electric power generating plants																					S						
Mineral and soil removal																					S					Section 26.503	
Utility warehouse, storage, transfer, electric and gas service buildings and yards; water supply and																					P	S					
Wireless towers																					S	S				Section 26.518	
Warehousing and wholesale																					P	S					
Outdoor storage																					P						
Manufacture, compounding, processing, packaging or treatment of such products as, but not limited																					P	S					
Manufacture, compounding, assembling, or treatment of articles or merchandise from previously														P							P						
Manufacture of pottery and figurines or other similar ceramic products using only previously																					P						
Manufacture of musical instruments, toys, novelties, and metal or rubber stamps, or other small																					P						
Manufacture or assembly of electrical appliances, electronic instruments and devices, radio and																					P						
Manufacture and repair of electric or neon signs, light sheet metal products, including heating and																					P						
Metal plating, buffing and polishing																					S						
Railroad transfer and storage tracks																					S						
Freight yards and terminals																											
Truck and tractor facilities, storage and repair																					P						
Medical Marijuana cultivation building																					S					Section 26.402	
Outdoor uses: testing facilities for prototype products and facilities used for training employees.																						S					
Tier 1 Data Center																					P	P					
Tier 2 Data Center																					S					Section 26.403	

Note: This table is intended to be a summary of uses permitted in each district. The reader is advised to consult the lists of principal, special, and accessory land uses for each District in Articles 7 – 24A for more detailed information. In the event of a conflict between this table and Articles 7 – 24A, Articles 7-24A shall govern.

Article 22, Section 22.01 – Principal Uses Permitted of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan is amended as follows:

Section 22.01. Principal Uses Permitted

In the TLM, Technology & Light Manufacturing District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance.

- A. Laboratories, offices and other facilities for basic and applied research, experimentation, testing, product design, technology development, consulting and business development.
- B. Business schools and training facilities.
- C. Office buildings, including, but not limited to any of the following businesses: executive; administrative; professional; accounting; engineering; planning; architecture; drafting; writing; clerical; stenographic; and sales provided that no display shall be visible from the exterior of the building, and that such sales shall be clearly incidental to the principal office use in the determination of the Planning Commission.
- D. Medical offices, clinics research, and medical supply facilities, including auxiliary or accessory laboratories. Such uses may include sports medicine, medical wellness, physical therapy, physical medicine, and similar facilities. Substance abuse (drugs and alcohol) treatment facilities, and facilities principally for emergency services or that provide 24 hour services shall not be permitted.
- E. Tier 1 Data Center (up to 20,000 combined square feet or 17.5 million kWh/year in combined energy usage).~~Data processing and computer centers, including service and maintenance of electronic data processing equipment.~~
- F. Any use charged with the principal function of research in the area of photonics/optics, robotics, and electronic equipment.
- G. A high technology service use, which has as its principal function the providing of services including computer information transfer, communication, distribution, management, processing, administrative, laboratory, experimental, developmental, technical, or testing services.
- H. A high technology manufacturing use, which has as its principal function prototype development in limited quantities. Such uses may include but are not limited to agricultural technology; biological or pharmaceutical research; software technology; telecommunications; biomedical technology; machine flow control, fluid transfer and fluid handling technology; plastic molding; defense and aerospace technologies; or other technology oriented or emerging industrial or business activity. Permitted high technology manufacturing uses shall not include heavy industrial, heavy stamping operations, or any manufacturing from raw unprocessed materials.
- I. Engine product research, fluid transfer and handling product research, development, engineering, design, testing, and related office, sales and administrative uses.

- J. Research, development, engineering, and design, of high-technology equipment, including equipment involved in any high technology manufacturing activity as permitted in Section 22.01.A, instrumentation or associated computer software.
- K. Publicly owned and operated buildings and facilities, such as fire stations.
- L. Accessory buildings, structures and uses customarily incidental to the above permitted uses, subject to the following:
1. Accessory storage of products and materials necessary to the permitted operation may be provided within the building. Outdoor storage shall be prohibited without special land use approval, as specified in Section 22.02 below.
 2. Child care centers, recreation and fitness facilities, cafeterias, health care services, financial services and similar uses may be permitted as accessory uses, if such uses are located wholly within the principal building (except for outdoor recreation and fitness facilities), conducted for the convenience of the employees of the principal use and have no exterior advertising or displays.
- M. Uses determined to be similar to the above principal permitted uses in accordance with the criteria set forth in Article 26 and which are not listed below as special land uses.

Article 23, Section 23.01, “Table of Permitted Uses” of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan is amended as follows:

Section 23.01 Table of Permitted Uses			
Use	P=Principal Permitted Use SP=Special Land Use		Conditions
The manufacturing, compounding, assembling, packaging, or treatment of articles or merchandise from previously prepared materials.	P		
Food and kindred products processing.	P		
Breweries, distilleries, wineries, and soft drink bottling.	P		
Textile mills and apparel production.	P		
Wood products manufacturing, including furniture manufacturing.	P		
Printing and publishing.	P		
Rubber and plastic product manufacturing.	P		
Leather and leather product manufacturing.	P		

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Glass, clay and stone product manufacturing.	<i>P</i>		
Fabricated metal product manufacturing, including tool and die shops.	<i>P</i>		
Industrial machinery and equipment manufacturing.	<i>P</i>		
Electronic equipment manufacturing.	<i>P</i>		
Vehicles and transportation equipment manufacturing.	<i>P</i>		
Laboratories and research, testing, design, technical training, and experimental product development facilities.	<i>P</i>		
Water supply and sewage disposal plants.	<i>P</i>		
Building material storage and sales, provided that such uses located within the boundaries of the Downtown Development Authority shall not have outdoor storage.	<i>P</i>		
Vehicle repair establishments, including engine repair, body repair and painting, exhaust system repair, tire replacement, glass repair and transmission repair, when operated in a completely enclosed building.	<i>P</i>		
Dry cleaning plants.	<i>P</i>		
Tennis houses, racquetball courts, ice arenas and other similar uses involving large structures of the type which can be easily converted to industrial use.	<i>P</i>		
Gas and electric service and storage buildings and yards.	<i>P</i>		
Warehousing and wholesale establishments within a wholly enclosed building.	<i>P</i>		

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Self-storage warehouse facilities.	<i>P</i>		1) The entire facility must be enclosed with a fence a minimum of eight (8) feet in height; 2) the portion of the fence fronting on any public or private street, road or access easement shall be constructed of decorative masonry block or brick extending across the entire frontage and returning no less than fifty (50) feet along the intersecting sides of said enclosure, and 3) a landscaped greenbelt consisting of closely-spaced evergreens in staggered rows shall be provided whenever such a use abuts a residentially-used property. Such uses shall not be permitted within the Downtown Development Authority.
Uses determined to be similar to the above principal permitted uses in accordance with the criteria in Article 26 and which are not listed below as special land uses.	<i>P</i>		
Furniture, appliance and household equipment repair shops, office, showroom and workshop of a plumber, electrician, decorator, upholsterer or similar trade or service business.	<i>P</i>		
<u>Tier 1 Data Center</u>	<u><i>P</i></u>		
A permanent efficiency-type on-site manager's apartment.		<i>SP</i>	Shall not exceed five hundred (500) square feet in total living area.

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Salvage yards.		<i>SP</i>	Subject to the following conditions: 1) the site shall be entirely enclosed within an eight (8) foot high obscuring wall, 2) no such use shall be permitted within the boundaries of the Downtown Development Authority, 3) there shall be no burning on site, and 4) all industrial processes, including the use of equipment for cutting, compressing, or packaging, shall be conducted within a completely enclosed building.
Mineral and soil extraction.		<i>SP</i>	Subject to the requirements of Article 26.
Lumber and planing mills.		<i>SP</i>	Must be completely enclosed and located in the interior of the district so that no property line shall form the exterior boundary of the I District.
Metal plating, buffing and polishing.		<i>SP</i>	Provided that: 1) appropriate measures are taken to prevent noxious off-site impacts, 2) the use is completely enclosed, and 3) the use shall be located on the interior of the district so that no property line shall form the exterior boundary of the I District.
Wireless communication facilities.		<i>SP</i>	Subject to the requirements in Article 26.
Commercial dog kennels.		<i>SP</i>	Subject to the requirements in Article 26.
Septic service establishments.		<i>SP</i>	
Electric power and heat generating plants and all accessory uses.		<i>SP</i>	

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Rental space for the storage of vehicles such as travel trailers, motor homes, recreational vehicles, campers, snowmobiles, boats and similar facilities.		<i>SP</i>	Subject to the following conditions: 1) the storage shall be enclosed within a building or be completely obscured by a wall or fence on those sides abutting a public thoroughfare, 2) the extent of the wall or fence shall be determined by the Planning Commission, based on the extent of the storage, 3) the wall of fence shall be subject to the requirements in Article 29, and 4) no such use shall be permitted within the boundaries of the Downtown Development Authority.
Freight yards and terminals,		<i>SP</i>	Subject to the following conditions: 1) All access to the facility shall be provided from a major thoroughfare, as defined in the Master Plan, having a right-of-way of at least one hundred twenty (120) feet; 2) All sides of the development not abutting a major thoroughfare shall be provided with a twenty (20) foot wide greenbelt, and fence or decorative wall, so as to obscure from view all activities within the development. Screening shall comply with Article 29
Tractor and trucking facilities, including storage and repair.		<i>SP</i>	
Chemicals and allied products manufacturing.		<i>SP</i>	
Lumber yards, landscape, building supply yards and similar uses that involve outdoor storage.		<i>SP</i>	
Primary metal industries.		<i>SP</i>	

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Recycling centers.		<i>SP</i>	A recycling center shall consist of the collection, separation, and storage of recoverable household materials prior to shipment to others who will use the materials to manufacture new products
Contractor yards and storage facilities for building materials, sand, gravel, stone, lumber, equipment and supplies.		<i>SP</i>	Such facilities shall be enclosed within a building or within an obscuring wall or fence. The extent of such wall or fence may be determined based on the nature of surrounding land use. Such fence or wall shall be eight (8) feet in height. No such use shall be permitted within the boundaries of the Downtown Development Authority.
Accessory buildings and uses customarily incidental to any of the above land uses.		<i>SP</i>	
Uses determined to be similar to the above land uses in accordance with the criteria in Article 26.		<i>SP</i>	
Places of Assembly		<i>SP</i>	
Medical marihuana cultivation building		<i>SP</i>	Subject to the requirements in Article 26
Auto, carting, and snowmobile tracks		<i>SP</i>	
Aircraft operation facilities		<i>SP</i>	
<u>Tier 2 Data Center</u>		<u><i>SP</i></u>	<u>Subject to the requirements in Article 26</u>

Article 26, Subsection 26.400 – Industrial, Research, and Laboratory Uses of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County Michigan, is hereby amended to add Section 26.403 as follows:

Section 26.403. Tier 2 Data Center

A. Purpose.

It is the intent of this section to protect the health, safety, and general welfare of persons, property, and public infrastructure by minimizing and/or mitigating the potential impacts

of Tier 2 Data Centers. This is a unique land use not addressed by more traditional zoning. Among those potential impacts are buildings of a size, height, location, and/or scale inconsistent with surrounding land uses, overburden of public and private utilities and infrastructure, noise, vibration, emissions, odor, traffic, exterior lighting (light pollution / light trespass), neglect, abandonment, and potential loss of property values of residential neighborhoods and businesses in close proximity to such uses. The regulations in this section are intended to provide reasonable restrictions so that the use does not compromise the health, safety, and general welfare of persons and property.

B. Tier 2 Data Centers may be permitted subject to the following:

1. Dimensional standards.

- a. Building(s): Except where adjacent to a residential zoning district or use, the applicable Dimensional Standards of this Zoning Ordinance shall apply.
- b. Freestanding mechanical equipment and/or freestanding utility equipment: Except where adjacent to a residential zoning district or use, the same Dimensional Standards of this Zoning Ordinance applicable to a building shall apply to all freestanding mechanical equipment and utility equipment.
- c. Minimum separation from residential zoning districts or uses: Where adjacent to a residential zoning district or use, Tier 2 Data Centers, including all buildings, structures, mechanical equipment, and/or utility equipment shall maintain a minimum setback of 100 feet from the property line.

2. Public utility connection standards.

a. Municipal water

- (i) Tier 2 Data Centers shall be connected to Commerce Township's public water system.
- (ii) The applicant shall submit a water usage and system capacity analysis to be reviewed by the Township Engineer and the agency designated to operate Commerce Township's municipal water system.
- (iii) Any upgrades to the public water system necessitated by the operations of the Tier 2 Data Center, including the cost of the upgrades, shall be the sole responsibility of the Data Center property owner.

b. Municipal sanitary sewer

- (i) Tier 2 Data Centers shall be connected to Commerce Township's public sanitary sewer system.

- (ii) No on-site wastewater treatment and/or storage shall be permitted, with the exception of any pretreatment deemed required by the State of Michigan's Industrial Pretreatment Program (IPP) or its successor.
- (iii) Applicant shall maintain compliance with the Engineering Design Standards of the Township.
- (iv) A pollution incident prevention plan (PIPP) shall be submitted and reviewed by the Township Engineer and the agency designated to operate Commerce Township's sanitary sewer system and wastewater treatment plant (WWTP)
- (v) Any upgrades to the public sanitary system necessitated by the operations of the Tier 2 Data Center, including the cost of the upgrades, shall be the sole responsibility of the Data Center property owner.

3. Energy consumption.

- a. Electricity capacity and verification: Applicant must demonstrate that it will supply the Data Center's energy needs independently of the current energy available within the Township and that it complies with all state and federal requirements for the provision of energy to supply its needs. Applicant shall provide a written electricity capacity verification from the electricity provider identifying any required system upgrades. Any energy system upgrades necessitated by the operations of the Tier 2 Data Center, including the cost of the upgrades, shall be the sole responsibility of the Data Center property owner.
- b. Electrical demand statement: Applicant shall provide an estimate of average and peak electrical demand measured in kilowatt hours per year (kWh/year), including a description of redundancy and resiliency systems.
- c. MSPC rate impact statement: Applicant shall submit a written statement from the Michigan Public Service Commission (MPSC) estimating the 5-year impact of the Tier 2 Data Center's energy consumption and system upgrades on surrounding utility customers.
- d. Electrical Rate Study: Applicant shall provide a written study by a recognized authority establishing that the electricity needed for the Tier 2 Data Center will not result in any increase to the electrical rates and charges of other businesses and residents within the Township. Applicant shall pay for review of the study by a professional selected by the Township.
- e. Tier 2 Data Centers shall be designed to maintain a Power Usage Effectiveness of no more than one and two-tenths (1.2), defined as the ratio of total facility energy consumption divided by the total IT equipment energy consumption

(servers, switches, storage devices, etc.). Total facility energy includes all power entering the building, such as cooling systems, lighting, power delivery components, and IT equipment. IT equipment energy includes only the power used by computers, servers, storage, and networking devices.

4. Temperature control system: Tier 2 Data Centers shall utilize a closed-loop (sealed) system for temperature (cooling) and humidity control. To protect the Township's numerous lakes, under no circumstances shall coolant of any sort, including water, leave a Tier 2 Data Center except by an authorized transport carrier and disposed of pursuant to federal, state, and local law. Temperature control equipment shall comply with the noise & vibration standards of this section.
5. Landscaping/screening standards: Tier 2 Data Centers shall comply with all applicable landscaping/screening/buffering/buffer yard standards of Articles 23 and 29 of this Zoning Ordinance.
6. Exterior lighting standards: Tier 2 Data Centers shall comply with all applicable exterior lighting standards of Article 31 of this Zoning Ordinance.
7. Stormwater management standards: Tier 2 Data Centers shall store and manage their stormwater entirely onsite per the applicable standards of the County, and/or State and in compliance with Township ordinances. The outlet of stormwater to adjacent properties and/or public facilities shall be prohibited unless consistent with an approved site plan.
8. Building form, architecture, and materials standards: All buildings associated with a Tier 2 Data Center shall be designed per the applicable standards of Article 27 of this Zoning Ordinance.
9. Parking standards: Tier 2 Data Centers shall be required to provide one parking space per employee on peak shift, plus three visitor spaces, plus required barrier-free and van-accessible spaces.
10. Noise & vibration.
 - a. Applicant shall submit a noise & vibration abatement plan prepared by a NCAC (National Council of Acoustical Consultants) member firm or by an INCE-USA (Institute of Noise Control Engineering of the USA) certified acoustic consultant confirming compliance with the General Performance Standards of this Zoning Ordinance. The noise & vibration abatement plan shall be independently reviewed and verified by a professional selected by the Township at the expense of the applicant.
 - b. No Tier 2 Data Center shall be operated, maintained, or tested in a manner that generates a ground-borne vibration level exceeding a Peak Particle Velocity

(PPV) of 0.01 inches per second (in/s) at any point along the Tier 2 Data Center's property line. This limit applies across all vibration frequencies between 1.0 Hz and 100 Hz. The 0.01 in/s PPV threshold applies to measurements taken in any of the three mutually perpendicular axes (vertical, longitudinal, or transverse). If any single axis exceeds 0.01 in/s, the Tier 2 Data Center shall be in violation.

- c. All mechanical equipment, including temperature control systems (chillers, fans, compressors, etc.), shall be surrounded by full height sound attenuation screening designed to blend with the architectural style, materials, and color of the building.
 - d. Generators shall be located within full acoustic enclosures designed to blend with the architectural style, materials, and color of the building.
 - e. Roof mounted generators are prohibited.
 - f. Generators shall be equipped with vibration isolation and mitigation systems.
 - g. Testing and exercising activities of generators shall be limited to 9am to 5pm weekdays and are prohibited on any State holiday. No more than two (2) generators shall be tested simultaneously. The use of other backup power sources which serve to reduce or eliminate generator noise and emissions shall be utilized to the maximum extent practicable. All generators shall be U.S. EPA Tier 4 compliant.
11. Emissions: Applicant shall submit an emissions abatement plan confirming compliance with the General Performance Standards of this Zoning Ordinance. Air Quality permits shall be required from the State of Michigan's Department of Energy, Great Lakes, and the Environment (EGLE) Air Quality Division or its successor agency per the State's Natural Resources and Environmental Protection Act (PA 451 of 1994).
12. Public safety and emergency response.
- a. Tier 2 Data Centers shall be designed in conformance with this Zoning Ordinance and to the satisfaction of the Township's emergency responders to ensure adequate access and circulation, including, but not limited to, standards for driveway location and spacing, access to secured/gated areas, fire lanes, fire department connections (FDC's), hydrant location and spacing, etc.
 - b. Tier 2 Data Centers shall submit and comply with an Emergency Response Plan and Fire Response Plan that shall provide reasonable protection of the public health, welfare and safety during all phases of construction and operation. A

fire response plan and an emergency response plan shall, at a minimum, contain all of the following:

- (i) A description of all chemicals or hazardous materials that will be used during the construction or operation of the Data Center and describe their purpose and location within the facility.
 - (ii) A detailed evaluation of any risk of intentional or inadvertent chemical or hazardous material discharge, the likelihood of such events, risk mitigation measures to prevent such events, and emergency notification and response plans in the case of such events.
 - (iii) A description of the current emergency and fire response capacity and equipment available within the Township and the surrounding area, and whether such capacity and equipment are sufficient to address the risks described in the Plans. If the capacity or equipment is insufficient, the Plan must include a detailed description of such deficiencies and how the facility will attain sufficient emergency response capacity, whether by improvements to local emergency and fire authorities, private emergency management measures, or other means.
 - (iv) A description of emergency shutdown procedures, how such procedures are triggered, and any effects that an emergency shutdown may have on the operation, utilities, or emergency response plans.
 - (v) A description of if and how the Township and the public shall be notified of emergencies at the Data Center to the extent that such emergencies have the potential to result in impacts to the Township or the public.
 - (vi) A description of all on-site equipment and systems to be provided to prevent or handle fire emergencies.
 - (vii) A commitment to review and update the plan with fire departments, first responders, and county emergency managers at least once every three (3) years.
 - (viii) Identification of any specific equipment or training deficiencies in local emergency response capacity and recommendations for measures to mitigate deficiencies.
13. Decommissioning and environmental remediation plan, and performance guarantee: Applicant shall submit a decommissioning and environmental remediation plan and commensurate financial guarantee in the form of a bond to ensure to the satisfaction of the Township that the Tier 2 Data Center will be

returned to its pre-development state should the Tier 2 Data Center cease operations for a period of 12 or more months as determined by the Township pursuant to the standards provided in this ordinance used to determine when a nonconforming use has ceased. Decommissioning shall begin within 6 months of cessation of operations or other trigger and shall be completed within 18 months.

a. The decommissioning plan shall include at least all of the following:

(i) State the anticipated life of the project;

(ii) Describe estimated decommissioning costs in current dollars and provide that this figure will be updated every third (3rd) year after commencement of operation of the system;

(iii) Describe the timeframe for completion of decommissioning activities;

(iv) Describe any agreement with the landowner regarding decommissioning; and

(v) State the party responsible for decommissioning.

b. The financial guarantee shall be 125% of the total estimated decommissioning cost as determined by the Township Engineer and Building Official, and continuously maintained for the life of the Tier 2 Data Center. It must be posted prior to issuance of a certificate of occupancy. Salvage value shall not be included in the estimated cost of decommissioning. The financial guarantee shall be in addition to all financial guarantees otherwise required by this Ordinance and/or the Commerce Charter Township Code.

C. Transfer of Ownership. No transfer in ownership of the Data Center shall occur prior to providing sixty (60) days' written notice to the Township and upon Township approval verifying that the new owner has the ability and means to carry out the terms of the special land use and site plan approval and agrees in writing to carry out such terms. Approval shall not be unreasonably withheld by the Township.

SECTION 3 – SEVERABILITY

Should any provision or part of this ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this ordinance, which shall remain in full force and effect.

SECTION 4 – REPEALER

All other provisions of the Zoning Ordinance, or ordinances or parts of ordinances, in conflict with this ordinance are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5 – SAVINGS CLAUSE

Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under the Zoning Ordinance, or any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 6 – EFFECTIVE DATE

This ordinance shall take effect following publication in the manner prescribed by law. This ordinance shall be published in the manner provided by law.

SECTION 7 – ADOPTION

This ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Commerce at a meeting duly called and held on the _____ day of _____, 2026, and ordered to be given publication in the manner prescribed by law.

Melissa Creech, Clerk

Larry E. Gray, Supervisor

Introduction (Planning Commission): September 14, 2026
Adopted:
Adoption Publication:
Effective:

CHARTER TOWNSHIP OF COMMERCE

AN ORDINANCE TO AMEND ARTICLES 2, 5, 22, 23, AND 26, OF ZONING ORDINANCE 3.000, CHARTER TOWNSHIP OF COMMERCE, OAKLAND COUNTY, MICHIGAN TO BE KNOWN AS ZONING AMENDMENT ORDINANCE NO. 3.071.

The Charter Township of Commerce ordains:

SECTION 1 – PURPOSE

The purpose of this Ordinance is to amend Articles 2, 5, 22, 23, and 26, of the Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan, to site Data Centers; to provide regulations and standards for Data Centers; to repeal all ordinances or parts of ordinances in conflict herewith, and to provide an effective date.

SECTION 2 – AMENDMENT

Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan, is hereby amended as follows:

Article 2, Section 2.02 – Definitions of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan, is hereby amended as follows:

Data Center: A building, facility, operation, and/or campus whose primary purpose is the centralized storage, processing, management, or dissemination of digital data, information, or applications, which typically includes supporting infrastructure such as backup generators, cooling systems, and uninterruptible power supplies. Server rooms and/or facilities accessory and incidental to a principal permitted use are not considered Data Centers.

1. Tier 1 Data Center: A Data Center of up to 20,000 combined square feet or up to 17.5 million kWh/year in combined energy consumption. Typical examples include corporate or enterprise Data Centers dedicated to a single organization (financial institution, health system, corporation, etc.), colocation or multi-tenant Data Centers, and telecom Data Centers. Includes data processing and computer centers, including service and maintenance of electronic and data processing equipment. Where one or more Tier 1 Data Centers are on immediately adjacent properties their combined square footage and combined energy consumption shall be considered in determining whether they meet the standards for a Tier 1 Data Center.
2. Tier 2 Data Center: A Data Center greater than 20,000 combined square feet or greater than 17.5 million kWh/year in combined energy consumption, often developed in multiple phases. Sometimes referred to as a “hyperscale” Data Center.

Article 5, Section 5.02, “Table of Permitted Uses by District”, Industrial, Research and Laboratory Uses, of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan, is hereby amended as follows:

Section 5.02 Table of Permitted Uses by District.

USES	SYMBOL	KEY																					Supplemental Performance Standards			
	P	Principal Use																								
	S	Special Land Use																								
	A	Accessory Use																								
		Prohibited Use	R-1A	R-1B	R-1C	R-1D	R-2	RM	PRD	SPD	MHP	CV	TC	HRC	O	B-1	B-2	B-3	ULR	I	TLM	HF	HOS			
INDUSTRIAL, RESEARCH AND LABORATORY USES																										
Self-storage/mini warehouses														S						P						
Aircraft operation facilities																				S						
Building material storage and sales, provided that such uses located within the boundaries of the																				P						
Laboratories for applied research, testing, etc. office																				P	P					
Laboratories-experimental, film, or testing																				P	P					
Lumber and planing mills																				S						
Research, development, engineering, and design of high-technology equipment													P								P					
Research: photonics, robotics, and electrical equipment																					P					
Dry cleaning plants																				P						
Light manufacturing, research and development																				P	P					
High technology service uses																					P					
Engine product research																					P					
Heating and electric power generating plants																				S						
Mineral and soil removal																				S				Section 26.503		
Utility warehouse, storage, transfer, electric and gas service buildings and yards; water supply and																				P	S					
Wireless towers																				S	S			Section 26.518		
Warehousing and wholesale																				P	S					
Outdoor storage																				P						
Manufacture, compounding, processing, packaging or treatment of such products as, but not limited																				P	S					
Manufacture, compounding, assembling, or treatment of articles or merchandise from previously														P						P						
Manufacture of pottery and figurines or other similar ceramic products using only previously																				P						
Manufacture of musical instruments, toys, novelties, and metal or rubber stamps, or other small																				P						
Manufacture or assembly of electrical appliances, electronic instruments and devices, radio and																				P						
Manufacture and repair of electric or neon signs, light sheet metal products, including heating and																				P						
Metal plating, buffing and polishing																				S						
Railroad transfer and storage tracks																				S						
Freight yards and terminals																										
Truck and tractor facilities, storage and repair																				P						
Medical Marijuana cultivation building																				S				Section 26.402		
Outdoor uses: testing facilities for prototype products and facilities used for training employees.																					S					
Tier 1 Data Center																				P	P					
Tier 2 Data Center																				S				Section 26.403		

Note: This table is intended to be a summary of uses permitted in each district. The reader is advised to consult the lists of principal, special, and accessory land uses for each District in Articles 7 – 24A for more detailed information. In the event of a conflict between this table and Articles 7 – 24A, Articles 7-24A shall govern.

Article 22, Section 22.01 – Principal Uses Permitted of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan is amended as follows:

Section 22.01. Principal Uses Permitted

In the TLM, Technology & Light Manufacturing District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance.

- A. Laboratories, offices and other facilities for basic and applied research, experimentation, testing, product design, technology development, consulting and business development.
- B. Business schools and training facilities.
- C. Office buildings, including, but not limited to any of the following businesses: executive; administrative; professional; accounting; engineering; planning; architecture; drafting; writing; clerical; stenographic; and sales provided that no display shall be visible from the exterior of the building, and that such sales shall be clearly incidental to the principal office use in the determination of the Planning Commission.
- D. Medical offices, clinics research, and medical supply facilities, including auxiliary or accessory laboratories. Such uses may include sports medicine, medical wellness, physical therapy, physical medicine, and similar facilities. Substance abuse (drugs and alcohol) treatment facilities, and facilities principally for emergency services or that provide 24 hour services shall not be permitted.
- E. Tier 1 Data Center (up to 20,000 combined square feet or 17.5 million kWh/year in combined energy usage).
- F. Any use charged with the principal function of research in the area of photonics/optics, robotics, and electronic equipment.
- G. A high technology service use, which has as its principal function the providing of services including computer information transfer, communication, distribution, management, processing, administrative, laboratory, experimental, developmental, technical, or testing services.
- H. A high technology manufacturing use, which has as its principal function prototype development in limited quantities. Such uses may include but are not limited to agricultural technology; biological or pharmaceutical research; software technology; telecommunications; biomedical technology; machine flow control, fluid transfer and fluid handling technology; plastic molding; defense and aerospace technologies; or other technology oriented or emerging industrial or business activity. Permitted high technology manufacturing uses shall not include heavy industrial, heavy stamping operations, or any manufacturing from raw unprocessed materials.
- I. Engine product research, fluid transfer and handling product research, development, engineering, design, testing, and related office, sales and administrative uses.

- J. Research, development, engineering, and design, of high-technology equipment, including equipment involved in any high technology manufacturing activity as permitted in Section 22.01.A, instrumentation or associated computer software.
- K. Publicly owned and operated buildings and facilities, such as fire stations.
- L. Accessory buildings, structures and uses customarily incidental to the above permitted uses, subject to the following:
1. Accessory storage of products and materials necessary to the permitted operation may be provided within the building. Outdoor storage shall be prohibited without special land use approval, as specified in Section 22.02 below.
 2. Child care centers, recreation and fitness facilities, cafeterias, health care services, financial services and similar uses may be permitted as accessory uses, if such uses are located wholly within the principal building (except for outdoor recreation and fitness facilities), conducted for the convenience of the employees of the principal use and have no exterior advertising or displays.
- M. Uses determined to be similar to the above principal permitted uses in accordance with the criteria set forth in Article 26 and which are not listed below as special land uses.

Article 23, Section 23.01, “Table of Permitted Uses” of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan is amended as follows:

Section 23.01 Table of Permitted Uses			
Use	P=Principal Permitted Use SP=Special Land Use		Conditions
The manufacturing, compounding, assembling, packaging, or treatment of articles or merchandise from previously prepared materials.	P		
Food and kindred products processing.	P		
Breweries, distilleries, wineries, and soft drink bottling.	P		
Textile mills and apparel production.	P		
Wood products manufacturing, including furniture manufacturing.	P		
Printing and publishing.	P		
Rubber and plastic product manufacturing.	P		
Leather and leather product manufacturing.	P		

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Glass, clay and stone product manufacturing.	<i>P</i>		
Fabricated metal product manufacturing, including tool and die shops.	<i>P</i>		
Industrial machinery and equipment manufacturing.	<i>P</i>		
Electronic equipment manufacturing.	<i>P</i>		
Vehicles and transportation equipment manufacturing.	<i>P</i>		
Laboratories and research, testing, design, technical training, and experimental product development facilities.	<i>P</i>		
Water supply and sewage disposal plants.	<i>P</i>		
Building material storage and sales, provided that such uses located within the boundaries of the Downtown Development Authority shall not have outdoor storage.	<i>P</i>		
Vehicle repair establishments, including engine repair, body repair and painting, exhaust system repair, tire replacement, glass repair and transmission repair, when operated in a completely enclosed building.	<i>P</i>		
Dry cleaning plants.	<i>P</i>		
Tennis houses, racquetball courts, ice arenas and other similar uses involving large structures of the type which can be easily converted to industrial use.	<i>P</i>		
Gas and electric service and storage buildings and yards.	<i>P</i>		
Warehousing and wholesale establishments within a wholly enclosed building.	<i>P</i>		

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Self-storage warehouse facilities.	<i>P</i>		1) The entire facility must be enclosed with a fence a minimum of eight (8) feet in height; 2) the portion of the fence fronting on any public or private street, road or access easement shall be constructed of decorative masonry block or brick extending across the entire frontage and returning no less than fifty (50) feet along the intersecting sides of said enclosure, and 3) a landscaped greenbelt consisting of closely-spaced evergreens in staggered rows shall be provided whenever such a use abuts a residentially-used property. Such uses shall not be permitted within the Downtown Development Authority.
Uses determined to be similar to the above principal permitted uses in accordance with the criteria in Article 26 and which are not listed below as special land uses.	<i>P</i>		
Furniture, appliance and household equipment repair shops, office, showroom and workshop of a plumber, electrician, decorator, upholsterer or similar trade or service business.	<i>P</i>		
Tier I Data Center	<i>P</i>		
A permanent efficiency-type on-site manager's apartment.		<i>SP</i>	Shall not exceed five hundred (500) square feet in total living area.

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Salvage yards.		SP	Subject to the following conditions: 1) the site shall be entirely enclosed within an eight (8) foot high obscuring wall, 2) no such use shall be permitted within the boundaries of the Downtown Development Authority, 3) there shall be no burning on site, and 4) all industrial processes, including the use of equipment for cutting, compressing, or packaging, shall be conducted within a completely enclosed building.
Mineral and soil extraction.		SP	Subject to the requirements of Article 26.
Lumber and planing mills.		SP	Must be completely enclosed and located in the interior of the district so that no property line shall form the exterior boundary of the I District.
Metal plating, buffing and polishing.		SP	Provided that: 1) appropriate measures are taken to prevent noxious off-site impacts, 2) the use is completely enclosed, and 3) the use shall be located on the interior of the district so that no property line shall form the exterior boundary of the I District.
Wireless communication facilities.		SP	Subject to the requirements in Article 26.
Commercial dog kennels.		SP	Subject to the requirements in Article 26.
Septic service establishments.		SP	
Electric power and heat generating plants and all accessory uses.		SP	

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Rental space for the storage of vehicles such as travel trailers, motor homes, recreational vehicles, campers, snowmobiles, boats and similar facilities.		<i>SP</i>	Subject to the following conditions: 1) the storage shall be enclosed within a building or be completely obscured by a wall or fence on those sides abutting a public thoroughfare, 2) the extent of the wall or fence shall be determined by the Planning Commission, based on the extent of the storage, 3) the wall of fence shall be subject to the requirements in Article 29, and 4) no such use shall be permitted within the boundaries of the Downtown Development Authority.
Freight yards and terminals,		<i>SP</i>	Subject to the following conditions: 1) All access to the facility shall be provided from a major thoroughfare, as defined in the Master Plan, having a right-of-way of at least one hundred twenty (120) feet; 2) All sides of the development not abutting a major thoroughfare shall be provided with a twenty (20) foot wide greenbelt, and fence or decorative wall, so as to obscure from view all activities within the development. Screening shall comply with Article 29
Tractor and trucking facilities, including storage and repair.		<i>SP</i>	
Chemicals and allied products manufacturing.		<i>SP</i>	
Lumber yards, landscape, building supply yards and similar uses that involve outdoor storage.		<i>SP</i>	
Primary metal industries.		<i>SP</i>	

Section 23.01 Table of Permitted Uses			
Use	<i>P</i> =Principal Permitted Use <i>SP</i> =Special Land Use		Conditions
Recycling centers.		<i>SP</i>	A recycling center shall consist of the collection, separation, and storage of recoverable household materials prior to shipment to others who will use the materials to manufacture new products
Contractor yards and storage facilities for building materials, sand, gravel, stone, lumber, equipment and supplies.		<i>SP</i>	Such facilities shall be enclosed within a building or within an obscuring wall or fence. The extent of such wall or fence may be determined based on the nature of surrounding land use. Such fence or wall shall be eight (8) feet in height. No such use shall be permitted within the boundaries of the Downtown Development Authority.
Accessory buildings and uses customarily incidental to any of the above land uses.		<i>SP</i>	
Uses determined to be similar to the above land uses in accordance with the criteria in Article 26.		<i>SP</i>	
Places of Assembly		<i>SP</i>	
Medical marihuana cultivation building		<i>SP</i>	Subject to the requirements in Article 26
Auto, carting, and snowmobile tracks		<i>SP</i>	
Aircraft operation facilities		<i>SP</i>	
Tier 2 Data Center		<i>SP</i>	Subject to the requirements in Article 26

Article 26, Subsection 26.400 – Industrial, Research, and Laboratory Uses of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County Michigan, is hereby amended to add Section 26.403 as follows:

Section 26.403. Tier 2 Data Center

A. Purpose.

It is the intent of this section to protect the health, safety, and general welfare of persons, property, and public infrastructure by minimizing and/or mitigating the potential impacts

of Tier 2 Data Centers. This is a unique land use not addressed by more traditional zoning. Among those potential impacts are buildings of a size, height, location, and/or scale inconsistent with surrounding land uses, overburden of public and private utilities and infrastructure, noise, vibration, emissions, odor, traffic, exterior lighting (light pollution / light trespass), neglect, abandonment, and potential loss of property values of residential neighborhoods and businesses in close proximity to such uses. The regulations in this section are intended to provide reasonable restrictions so that the use does not compromise the health, safety, and general welfare of persons and property.

B. Tier 2 Data Centers may be permitted subject to the following:

1. Dimensional standards.

- a. Building(s): Except where adjacent to a residential zoning district or use, the applicable Dimensional Standards of this Zoning Ordinance shall apply.
- b. Freestanding mechanical equipment and/or freestanding utility equipment: Except where adjacent to a residential zoning district or use, the same Dimensional Standards of this Zoning Ordinance applicable to a building shall apply to all freestanding mechanical equipment and utility equipment.
- c. Minimum separation from residential zoning districts or uses: Where adjacent to a residential zoning district or use, Tier 2 Data Centers, including all buildings, structures, mechanical equipment, and/or utility equipment shall maintain a minimum setback of 100 feet from the property line.

2. Public utility connection standards.

a. Municipal water

- (i) Tier 2 Data Centers shall be connected to Commerce Township's public water system.
- (ii) The applicant shall submit a water usage and system capacity analysis to be reviewed by the Township Engineer and the agency designated to operate Commerce Township's municipal water system.
- (iii) Any upgrades to the public water system necessitated by the operations of the Tier 2 Data Center, including the cost of the upgrades, shall be the sole responsibility of the Data Center property owner.

b. Municipal sanitary sewer

- (i) Tier 2 Data Centers shall be connected to Commerce Township's public sanitary sewer system.

- (ii) No on-site wastewater treatment and/or storage shall be permitted, with the exception of any pretreatment deemed required by the State of Michigan's Industrial Pretreatment Program (IPP) or its successor.
 - (iii) Applicant shall maintain compliance with the Engineering Design Standards of the Township.
 - (iv) A pollution incident prevention plan (PIPP) shall be submitted and reviewed by the Township Engineer and the agency designated to operate Commerce Township's sanitary sewer system and wastewater treatment plant (WWTP)
 - (v) Any upgrades to the public sanitary system necessitated by the operations of the Tier 2 Data Center, including the cost of the upgrades, shall be the sole responsibility of the Data Center property owner.
- 3. Energy consumption.
 - a. Electricity capacity and verification: Applicant must demonstrate that it will supply the Data Center's energy needs independently of the current energy available within the Township and that it complies with all state and federal requirements for the provision of energy to supply its needs. Applicant shall provide a written electricity capacity verification from the electricity provider identifying any required system upgrades. Any energy system upgrades necessitated by the operations of the Tier 2 Data Center, including the cost of the upgrades, shall be the sole responsibility of the Data Center property owner.
 - b. Electrical demand statement: Applicant shall provide an estimate of average and peak electrical demand measured in kilowatt hours per year (kWh/year), including a description of redundancy and resiliency systems.
 - c. MSPC rate impact statement: Applicant shall submit a written statement from the Michigan Public Service Commission (MPSC) estimating the 5-year impact of the Tier 2 Data Center's energy consumption and system upgrades on surrounding utility customers.
 - d. Electrical Rate Study: Applicant shall provide a written study by a recognized authority establishing that the electricity needed for the Tier 2 Data Center will not result in any increase to the electrical rates and charges of other businesses and residents within the Township. Applicant shall pay for review of the study by a professional selected by the Township.
 - e. Tier 2 Data Centers shall be designed to maintain a Power Usage Effectiveness of no more than one and two-tenths (1.2), defined as the ratio of total facility energy consumption divided by the total IT equipment energy consumption

(servers, switches, storage devices, etc.). Total facility energy includes all power entering the building, such as cooling systems, lighting, power delivery components, and IT equipment. IT equipment energy includes only the power used by computers, servers, storage, and networking devices.

4. Temperature control system: Tier 2 Data Centers shall utilize a closed-loop (sealed) system for temperature (cooling) and humidity control. To protect the Township's numerous lakes, under no circumstances shall coolant of any sort, including water, leave a Tier 2 Data Center except by an authorized transport carrier and disposed of pursuant to federal, state, and local law. Temperature control equipment shall comply with the noise & vibration standards of this section.
5. Landscaping/screening standards: Tier 2 Data Centers shall comply with all applicable landscaping/screening/buffering/buffer yard standards of Articles 23 and 29 of this Zoning Ordinance.
6. Exterior lighting standards: Tier 2 Data Centers shall comply with all applicable exterior lighting standards of Article 31 of this Zoning Ordinance.
7. Stormwater management standards: Tier 2 Data Centers shall store and manage their stormwater entirely onsite per the applicable standards of the County, and/or State and in compliance with Township ordinances. The outlet of stormwater to adjacent properties and/or public facilities shall be prohibited unless consistent with an approved site plan.
8. Building form, architecture, and materials standards: All buildings associated with a Tier 2 Data Center shall be designed per the applicable standards of Article 27 of this Zoning Ordinance.
9. Parking standards: Tier 2 Data Centers shall be required to provide one parking space per employee on peak shift, plus three visitor spaces, plus required barrier-free and van-accessible spaces.
10. Noise & vibration.
 - a. Applicant shall submit a noise & vibration abatement plan prepared by a NCAC (National Council of Acoustical Consultants) member firm or by an INCE-USA (Institute of Noise Control Engineering of the USA) certified acoustic consultant confirming compliance with the General Performance Standards of this Zoning Ordinance. The noise & vibration abatement plan shall be independently reviewed and verified by a professional selected by the Township at the expense of the applicant.
 - b. No Tier 2 Data Center shall be operated, maintained, or tested in a manner that generates a ground-borne vibration level exceeding a Peak Particle Velocity

(PPV) of 0.01 inches per second (in/s) at any point along the Tier 2 Data Center's property line. This limit applies across all vibration frequencies between 1.0 Hz and 100 Hz. The 0.01 in/s PPV threshold applies to measurements taken in any of the three mutually perpendicular axes (vertical, longitudinal, or transverse). If any single axis exceeds 0.01 in/s, the Tier 2 Data Center shall be in violation.

- c. All mechanical equipment, including temperature control systems (chillers, fans, compressors, etc.), shall be surrounded by full height sound attenuation screening designed to blend with the architectural style, materials, and color of the building.
 - d. Generators shall be located within full acoustic enclosures designed to blend with the architectural style, materials, and color of the building.
 - e. Roof mounted generators are prohibited.
 - f. Generators shall be equipped with vibration isolation and mitigation systems.
 - g. Testing and exercising activities of generators shall be limited to 9am to 5pm weekdays and are prohibited on any State holiday. No more than two (2) generators shall be tested simultaneously. The use of other backup power sources which serve to reduce or eliminate generator noise and emissions shall be utilized to the maximum extent practicable. All generators shall be U.S. EPA Tier 4 compliant.
11. Emissions: Applicant shall submit an emissions abatement plan confirming compliance with the General Performance Standards of this Zoning Ordinance. Air Quality permits shall be required from the State of Michigan's Department of Energy, Great Lakes, and the Environment (EGLE) Air Quality Division or its successor agency per the State's Natural Resources and Environmental Protection Act (PA 451 of 1994).
12. Public safety and emergency response.
- a. Tier 2 Data Centers shall be designed in conformance with this Zoning Ordinance and to the satisfaction of the Township's emergency responders to ensure adequate access and circulation, including, but not limited to, standards for driveway location and spacing, access to secured/gated areas, fire lanes, fire department connections (FDC's), hydrant location and spacing, etc.
 - b. Tier 2 Data Centers shall submit and comply with an Emergency Response Plan and Fire Response Plan that shall provide reasonable protection of the public health, welfare and safety during all phases of construction and operation. A

fire response plan and an emergency response plan shall, at a minimum, contain all of the following:

- (i) A description of all chemicals or hazardous materials that will be used during the construction or operation of the Data Center and describe their purpose and location within the facility.
 - (ii) A detailed evaluation of any risk of intentional or inadvertent chemical or hazardous material discharge, the likelihood of such events, risk mitigation measures to prevent such events, and emergency notification and response plans in the case of such events.
 - (iii) A description of the current emergency and fire response capacity and equipment available within the Township and the surrounding area, and whether such capacity and equipment are sufficient to address the risks described in the Plans. If the capacity or equipment is insufficient, the Plan must include a detailed description of such deficiencies and how the facility will attain sufficient emergency response capacity, whether by improvements to local emergency and fire authorities, private emergency management measures, or other means.
 - (iv) A description of emergency shutdown procedures, how such procedures are triggered, and any effects that an emergency shutdown may have on the operation, utilities, or emergency response plans.
 - (v) A description of if and how the Township and the public shall be notified of emergencies at the Data Center to the extent that such emergencies have the potential to result in impacts to the Township or the public.
 - (vi) A description of all on-site equipment and systems to be provided to prevent or handle fire emergencies.
 - (vii) A commitment to review and update the plan with fire departments, first responders, and county emergency managers at least once every three (3) years.
 - (viii) Identification of any specific equipment or training deficiencies in local emergency response capacity and recommendations for measures to mitigate deficiencies.
13. Decommissioning and environmental remediation plan, and performance guarantee: Applicant shall submit a decommissioning and environmental remediation plan and commensurate financial guarantee in the form of a bond to ensure to the satisfaction of the Township that the Tier 2 Data Center will be

returned to its pre-development state should the Tier 2 Data Center cease operations for a period of 12 or more months as determined by the Township pursuant to the standards provided in this ordinance used to determine when a nonconforming use has ceased. Decommissioning shall begin within 6 months of cessation of operations or other trigger and shall be completed within 18 months.

a. The decommissioning plan shall include at least all of the following:

- (i) State the anticipated life of the project;
- (ii) Describe estimated decommissioning costs in current dollars and provide that this figure will be updated every third (3rd) year after commencement of operation of the system;
- (iii) Describe the timeframe for completion of decommissioning activities;
- (iv) Describe any agreement with the landowner regarding decommissioning; and
- (v) State the party responsible for decommissioning.

b. The financial guarantee shall be 125% of the total estimated decommissioning cost as determined by the Township Engineer and Building Official, and continuously maintained for the life of the Tier 2 Data Center. It must be posted prior to issuance of a certificate of occupancy. Salvage value shall not be included in the estimated cost of decommissioning. The financial guarantee shall be in addition to all financial guarantees otherwise required by this Ordinance and/or the Commerce Charter Township Code.

C. Transfer of Ownership. No transfer in ownership of the Data Center shall occur prior to providing sixty (60) days' written notice to the Township and upon Township approval verifying that the new owner has the ability and means to carry out the terms of the special land use and site plan approval and agrees in writing to carry out such terms. Approval shall not be unreasonably withheld by the Township.

SECTION 3 – SEVERABILITY

Should any provision or part of this ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this ordinance, which shall remain in full force and effect.

SECTION 4 – REPEALER

All other provisions of the Zoning Ordinance, or ordinances or parts of ordinances, in conflict with this ordinance are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5 – SAVINGS CLAUSE

Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under the Zoning Ordinance, or any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 6 – EFFECTIVE DATE

This ordinance shall take effect following publication in the manner prescribed by law. This ordinance shall be published in the manner provided by law.

SECTION 7 – ADOPTION

This ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Commerce at a meeting duly called and held on the _____ day of _____, 2026, and ordered to be given publication in the manner prescribed by law.

Melissa Creech, Clerk

Larry E. Gray, Supervisor

Introduction (Planning Commission): September 14, 2026
Adopted:
Adoption Publication:
Effective:

NEW BUSINESS

TO: Commerce Township Planning Commission

FROM: Commerce Township Planning Department
David Campbell, AICP - Planning Director
Paula Lankford – Senior Planner
Bethany Miller – Associate Planner

DATE: September 9, 2026

RE: Conceptual Review – The Learning Experience
Parcel # 17-13-426-013
10,000 sq ft daycare center on the south side of
Richardson Rd. just west of Haggerty Rd.



Section 35.04.A.1 of the Zoning Ordinance provides an option for a prospective applicant to appear before the Planning Commission to hear their comments on a conceptual plan. Joey Jonna of Jonna Construction has requested that option for his concept for The Learning Experience on an undeveloped 1.7-acre property on the south side of Richardson Rd. just west of Haggerty Rd. The proposed school/childcare center would have an enrollment of up to 150 students ranging from six weeks to five years old, with weekday drop-off between 6:30 – 9:30am and pickup from 3:30 - 6:30pm. The Planning Commission will recall Mr. Jonna presented a concept plan for The Learning Experience at the southwest corner of Wise and Carroll Lake Roads during the Planning Commission's meeting on July 6. Based in part on some of the questions/concerns raised about that location during that discussion, Mr. Jonna is now exploring the subject property along the south side of Richardson.

The proposed use would operate primarily during weekday business hours. The conceptual site plan includes a single-story 10,000 sq ft building designed in a residential architectural style with natural materials and a peaked roof, and would include a 5,000 sq ft outdoor learning area along the south side of the building. Access would be provided via one new driveway on the south side of Richardson Road. Richardson Road is a public road under the jurisdiction of the Road Commission for Oakland County (RCOC) who was provided the site plan for preliminary review comments. The RCOC forwarded the plans to their design office for their review and comments in case it conflicts with the proposed future roundabout project. The RCOC anticipates the existing center left turn lane along Richardson would need to be extended westward to provide storage for westbound vehicles turning left into the proposed driveway. The RCOC further anticipates the proposed driveway would be required to include a dedicated inbound right turn lane and outbound acceleration taper. If The Learning Experience proceeds to site plan review, a traffic impact study could be required by the Planning Commission (per Sec. 28.12 of the Zoning Ordinance) to determine if additional improvements to Richardson Road are warranted based on the projected peak-hour traffic volumes the use would generate. In considering traffic impacts of The Learning Experience, the Planning Commission might take into account the other land uses permitted either as principal permitted uses or as special land uses under B-3 zoning.

Parcel #17-13-426-013 is currently zoned B-3 (General Business) and is also part of the HRC (Haggerty Road Corridor Overlay). The property is designated Neighborhood Commercial on the Future Land Use Map within the Township's Master Plan for Land Use. A childcare center of greater than 12 children is a principle permitted use in the B-3 zoning district, so no zoning change would be required. Childcare centers in the B-3 zoning district are subject to the Use Standards of Section 26.202, including a minimum of 1,500 feet of separation from any other State-licensed residential facility. While the Planning Department has not done a thorough search of the State's database, it is not believed any other facilities are within 1,500 feet of the subject property.

Township Engineer Giffels Webster provided their comments on the concept plan via email (public water & sewer, stormwater management, RCOC permitting, etc.), and those comments are attached. It is worth noting that there is an existing drainage easement and storm water retention area across the southern 40' of the site that is used by Bay Pointe Plaza (7-11, etc.) and possibly other adjacent parcels. Fire Marshal Mark Gall provided what are his mostly standard comments and does not see any fire access issues.

The Planning Commission's discussion on this conceptual plan is intended to be informal and non-binding, and for the benefit of the party requesting the Planning Commission's input. Before Mr. Jonna and the Planning Department begin the formal process of a site plan submission, the prospective petitioner wanted to receive the Planning Commission's feedback on whether this proposal appears viable.

The Planning Department will be happy to answer any questions or provide any insight at the September 14, 2026 Planning Commission meeting.



Commerce
Township
E-Mail

Bethany Miller <bmillier@commercetwp.com>

The Learning Experience Concept - Richardson & Haggerty Rd

Nancy McClain <nmcclain@giffelswebster.com>

Tue, Aug 18, 2026 at 4:03 PM

To: Bethany Miller <bmillier@commercetwp.com>

Cc: Dave Campbell <dcampbell@commercetwp.com>, Mark Gall <mgall@commercetwp.com>, Paula Lankford <plankford@commercetwp.com>, Jason Mayer <jmayer@giffelswebster.com>, Brooke McDonald <bmcDonald@giffelswebster.com>

Good Afternoon Bethany,

We have looked at the concept plans for the revised location of the Learning Experience and have the following comments. Also attached are some documents that may be of use to them in preparing plans.

- Public water and sanitary sewer are available along the Richardson Road frontage to serve the facility. A public water main extension with hydrant may be required by the Fire Marshal to provide adequate fire protection. The attached *2026-08-18 GIS Print.pdf* shows the locations of the water main, hydrants, and sanitary sewer.
- The plan did not include information on the storm water management concept for the site. This should be provided for comment prior to submission to the Planning Commission in September. Per the attached *SPR83-13-14 SITE PLAN.pdf*, there is an existing drainage easement and storm water retention area across the southern 40' of the site that is used by Bay Pointe Plaza and possibly other adjacent parcels. The site plan and engineering drawings will need to address the current and future drainage from this and the adjacent parcels.
- The fire truck turning route sheets use a truck shorter than the Commerce Ladder truck. The attached *Commerce Fire Truck.pdf* has the proper dimensions. The path needs to be re-run and provided for comment.

Please let us know if there are any questions regarding these comments.

Regards,

Nancy

Nancy McClain, PE
Project Manager



Giffels Webster
1025 E. Maple, Suite 100
Birmingham, MI, 48009
p: 248.852.3100
m: 313.590.5690
d: 248.598.5125
f: 313.962.5068

Crain's Best Places to Work in Southeast Michigan 2025



Commerce
Township
E-Mail

Paula Lankford <plankford@commercetwp.com>

Re: The Learning Experience Concept - Richardson & Haggerty Rd

1 message

Mark Gall <mgall@commercetwp.com>

Mon, Aug 17, 2026 at 3:11 PM

To: Bethany Miller <bmillier@commercetwp.com>

Cc: Jason Mayer <jmayer@giffelswebster.com>, David Campbell <dcampbell@commercetwp.com>, Paula Lankford <plankford@commercetwp.com>

From the **30,000-foot view**, it looks okay. I'm not seeing anything that immediately jumps out as a major problem.

On Mon, Aug 17, 2026 at 11:57 AM Bethany Miller <bmillier@commercetwp.com> wrote:

Good Morning Jason and Mark -

The Learning Experience is giving it another try, they are looking at the vacant lot on Richardson Road west of Haggerty Road.

Can you please provide concept reviews? Email will suffice. They are going to attend the September 14 PC meeting. Please let me know if you need any additional information, thank you.

Sincerely,

--

Bethany Miller

Associate Planner.

Charter Township of Commerce

2009 Township Drive

Commerce Township, MI 48390

Phone: (248) 960-7050

bmillier@commercetwp.com

Mon-Thu 7:15 a.m. - 5:30 p.m.



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--

Mark Gall - Fire Marshal
Commerce Township Fire Department

2401 Glengary Road

Commerce Township, MI 48382

Office: 248-624-5326

Fax: 248-560-0053

Cell: 248-318-1093

mgall@commercetwp.com

<http://www.commercetwp.com/>

www.knoxbox.com/7298



September 8, 2026

Commerce Township
Attn: Bethany Miller
Phone: (248) 960-7050

This preliminary review and the comments below are provided as a courtesy by the Road Commission for Oakland County (RCOC), to identify obvious or potential concerns at the conceptual stage of a project. Preliminary Review comments are based on a general, high-level review of the proposed land use and related trip generation, with consideration to the existing roadway condition, background traffic and crash patterns, and RCOC ROW needs AT THE TIME OF THE REVIEW. Any changes that occur to any of these factors between the time of the preliminary review and the time of permit application may alter or invalidate the comments herein. Any comments or communications are considered provisional until a detailed review of the final plans is completed during the permit application process. Any development decisions are made at the Applicant's sole risk.

**RE: R.C.O.C. PRELIMINARY PLAN REVIEW 26P0021
LOCATION: 8997 RICHARDSON RD, COMMERCE TWP
PROJECT NAME: PROP CHILD CARE CENTER**

Dear Ms. Miller:

At your request, the Road Commission for Oakland County (RCOC) has completed a preliminary review for the above referenced project. Enclosed you will find one set of plans with our comments in green, and below a listing of the comments generated by the RCOC review:

- A) Extend existing Center Left Turn Lane to the West to service the proposed drive approach to allow Westbound traffic lefts to the site.
- B) Proposed drive approach must include a Right Turn Lane (RTL) and accel/decel taper. Also, include a detail M curb line to provide controlled drainage across the driveway.
- C) Driveway must have sufficient corner sight distance.
- D) Remove or relocate all fixed objects prior to excavation. Fixed objects shall be no nearer than 6 feet from back of curb, or 12 feet from lane line.
- E) Site drainage shall not drain directly into road right of way.
- F) Right of way shall be graded to provide positive roadside drainage across the property frontage.
- G) Pavement cross section shall consist of a minimum 2 inches of MDOT 5E HMA, over 2 inches of 4E, over 3 inches of 3E over 10 inches of 21AA base, or 9 inches of MDOT 35-P concrete, with epoxy coated rebar lane and curb ties over 8 inches of 21AA base, as determined in the field by RCOC.

Board of Road Commissioners

James Esshaki
Commissioner

Tylene L. Henry
Commissioner

Eric D. McPherson
Commissioner

Dennis G. Kolar, P.E.
Managing Director

Gary Piotrowicz, P.E., P.T.O.E.
Deputy Managing Director
County Highway Engineer

**Department of
Customer Services
Permits**

**2420 Pontiac Lake Road
Waterford, MI 48328**

248-858-4835

**FAX
248-858-4773**

**TDD
248-858-8005**

www.rcocweb.org



Bethany Miller
September 8, 2026
Page 2

Once the comments above are addressed, plans should be submitted via email to permits@rcoc.org with completed RCOC permit application(s) Form 64a, signed by the owner (or his agent), and the appropriate application fee(s).

All future correspondence related to the above referenced project will be sent to the address provided by the applicant. Separate applications will be required for:

- a) Drive approach and Road Improvements
- b) Utility connections

Upon receipt of the appropriate application packet, RCOC will provide a more detailed review. Please contact this office at (248) 858-4835 if you have any questions, or if we may be of further assistance.

Respectfully,

A handwritten signature in blue ink that reads "Simon Yousif".

Simon Yousif, P.E.
Permit Engineer
Department of Customer Services

The following is information regarding The Learning Experience® and our operations. If you have any questions, please contact us directly.

The Learning Experience has 470+ operating child development centers throughout the United States with an additional 300+ in various stages of development. Our secure centers offer premier childcare to children ages six weeks to five years: infants, toddlers, twaddlers, preppers, preschoolers, pre-K, kindergarten and after school care for children up to eight years of age at some of our centers.

The Learning Experience is an industry leader, not only in childcare, but also in early education. Our proprietary L.E.A.P. Curriculum (Learning Experience Academic Program), created by our team of accomplished educators, encourages children to learn in their favorite way: by exploring and doing and focuses on the six ages and stages of early childhood development.

At TLE, each child develops intellectually, socially and cognitively at their own pace. This forms a foundation for kids to learn, play and grow under the care of our nurturing teachers and staff.

The curriculum also includes enrichment programs, like music, engineering, and physical fitness, where our “little learners” have fun while learning through hands-on activities. This child-focused approach to education is offered at TLE at no additional charge.

Every lesson and teaching moment at TLE also comes with help from our beloved Bubbles and Friends. Our full cast of characters are partners, educators, and friends throughout every child's journey at The Learning Experience.

Information regarding our Operations:

Hours of Operation

- 6:30am-6:30pm (12 hours per day)
- Occasional activities on nights & weekends (Open Houses, parties, etc.) The occur very seldomly

Size of the building

- 10,000 square ft. building

Size of playground

- 5,000 sq ft (typical size)
- 7,500 sq ft in Arizona
- 12,500 sq ft in California
- Playground size will vary in hyper-urban markets

Overall average enrollment

- 80% Occupancy (approximately 140 children)

Capacity of the center

- 145 – 190 children (varies per county and state licensing)

Children Diapered/Potty Trained

- Average center: 36 children diapered, 35 children potty training, 112 children non-diapered

Part time children attendance

- Typical center has 25% part-time students

Part time schedules

- Schedules vary (am students to pm students)

Families with siblings

- Approximately 20% have one or more siblings attending

Absenteeism rate

- Approximately 8% - 12%, per day

Number of employees

- Approximately 18 to 25 staff at any one time (25 is usually the max)
- 30% Are part time

Number of parking spots

- 35 parking spots minimum with 40 as the norm

Traffic

- Each parent parks their vehicle in The Learning Experience parking area and brings their child into the center. Their child is checked in at the reception counter. Subsequently, the parent then brings their child to their designated classroom. The reverse of this occurs at pick up.
- During drop off (average 5 minutes) generally between 6:30 am to 9:30 am
- During pick up (average 8 minutes) generally between 4:00 pm to 6:30 pm

Average Traffic during drop off (average 5 minutes):

- 6:30am-7:00am (13 children)
- 7:00am-7:30am (32 children)
- 7:30am-8:00am (43 children)
- 8:00am-8:30am (45 children)
- 8:30am-9:00am (32 children)
- 9:00am-9:30am (18 children)

Calculations based on a center with a capacity of 183

Average Traffic during pick up (average 8 minutes):

- 3:30pm-4:00pm (13 children)
- 4:00pm-4:30pm (32 children)
- 4:30pm-5:00pm (43 children)
- 5:00pm-5:30pm (45 children)
- 5:30pm-6:00pm (32 children)
- 6:00pm-6:30pm (18 children)

Calculations based on a center with a capacity of 183

Drop-off and pick-up policies:

From the moment your child arrives until he or she is picked up at the end of the day, your child's safety is our foremost concern. No child shall ever be left unsupervised.

Our center is equipped with an intercom/telephone in each classroom for emergency use.

Procedures for arrivals and departures are designed to ensure the safety and well-being of everyone at the center.

- Parents are to use only the front door for entering and exiting.
- Each authorized individual receives a key fob that he/she must use to obtain entry into the building.
- Children must be walked into the building by a parent or authorized guardian and placed with their assigned center *staff member*.
- Parents must complete the electronic sign-in and sign-out process as well as the manual sign-in sheet on a daily basis and any applicable forms requested by the center (e.g., medication, Communication Form).
- When parents pick up a child they are required to sign out.

Safety and Security

The Learning Experience has instituted security systems as an effective means of protecting our children. This may include:

- Gates and fences surrounding the property with alarms on gates.
- Special locks at entrance with limited access.
- Cameras throughout the center for the purpose of monitoring a secure environment and for observation by both administration and parents.
- Windows on the doors allow parents the opportunity to view the child's activities without disturbing the integrity of the classroom environment.

Release of Children

Security fobs are issued to each authorized person who will be routinely dropping off and picking up your child. It is imperative for security purposes that the center is aware of each person coming or going.

On any occasion when a person without a security fob or pass must pick up a child, the person's name must be in child's file. He or she will be asked for a photo identification, which will be photocopied and placed in your child's file for future reference. A child will not be permitted to leave with any person other than those designated in writing by the parent.

Playground

Children of all ages are encouraged to participate daily in at least two occasions of age-appropriate outdoor time, weather permitting for a minimum of 30 minutes per increment. The children are always supervised during outdoor play.

If you have any additional questions or concerns, please feel free to contact me.

Michael Sanchirico

Assoc. AIA, LEED AP

VP, Pre-Construction | Center Development

The Learning Experience
210 Hillsboro Technology Drive
Deerfield Beach, FL 33441

O/M 561-288-9655

E. msanchirico@tlecorp.com

REAL ESTATE DEVELOPMENT 2026



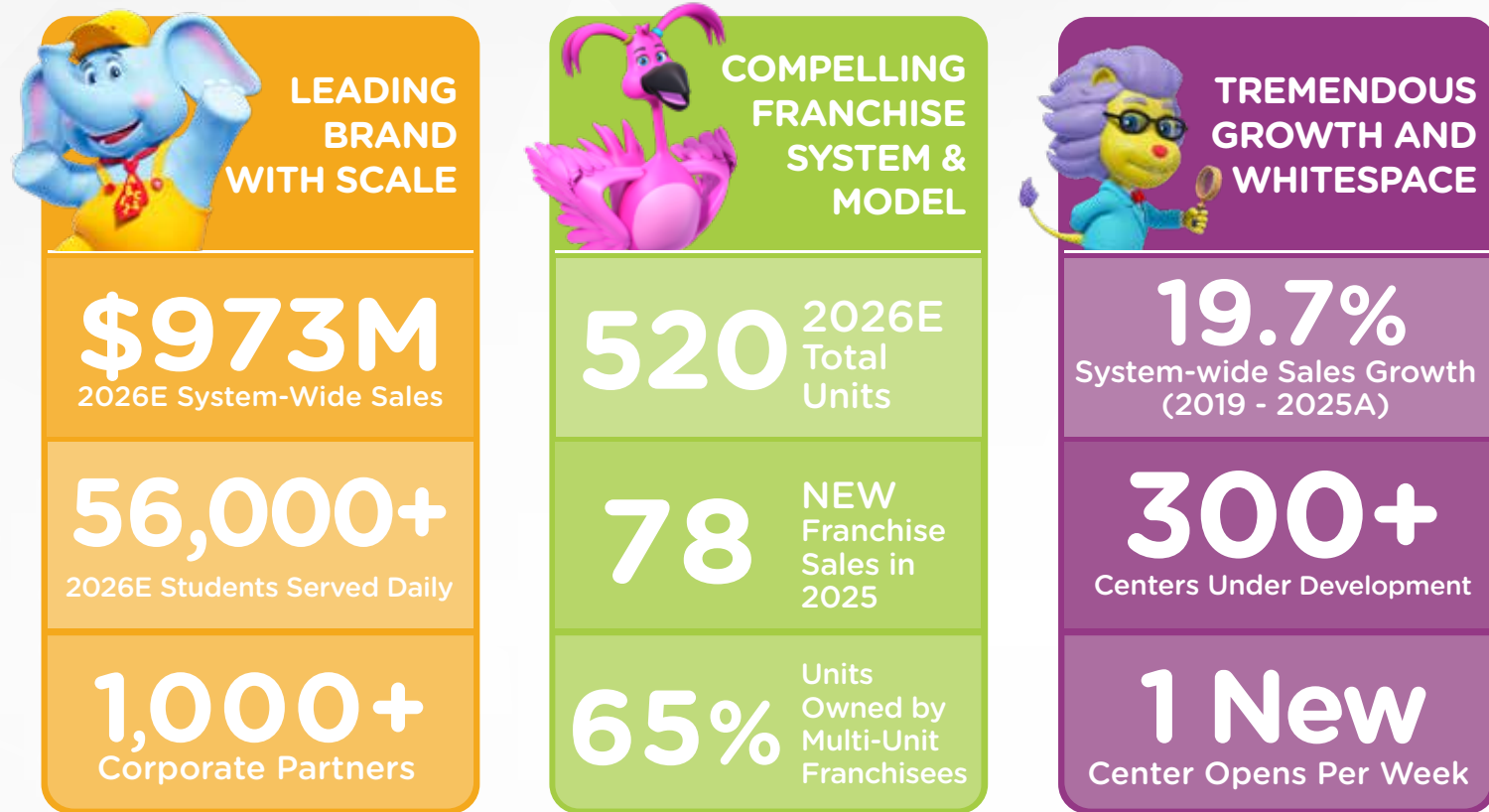
THE LEARNING EXPERIENCE

Academy of Early Education



TLE Overview

The Learning Experience® is one of the fastest growing early childhood education franchisors in the U.S. and the leading brand-focused player in the industry.



*All \$ amounts do not include centers in the UK.

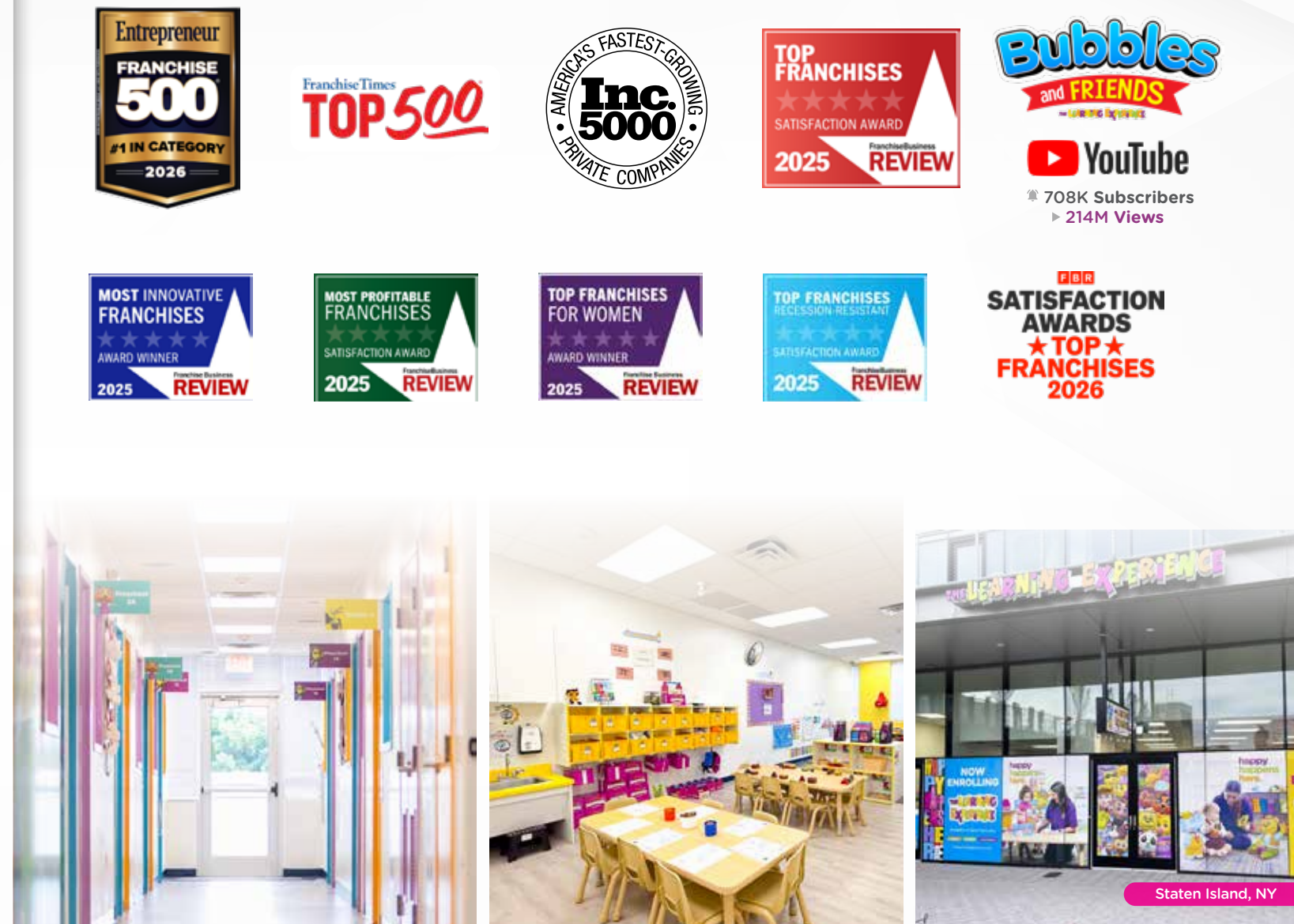
HARVEST PARTNERS OVERVIEW



Harvest Partners is a New York-based private equity investment firm with more than 40 years of experience investing in middle-market companies.

- The firm manages \$20B+ in assets as of March 31, 2025, and brings a value-driven, long-term partnership approach to its portfolio companies.
- Its private equity strategy focuses on growth-oriented investments in business & industrial services, healthcare, industrials, software, and consumer sectors—especially those with strong brand loyalty and recurring revenue models.
- Harvest is known for working collaboratively with management teams through strategic planning, operational enhancements, and add-on acquisitions.
- Representative investments in consumer and multi-unit businesses include Hand & Stone Massage and Facial Spa, Driven Brands, Neighborly, and others.

Recognitions and Awards



Center Growth and Timeline

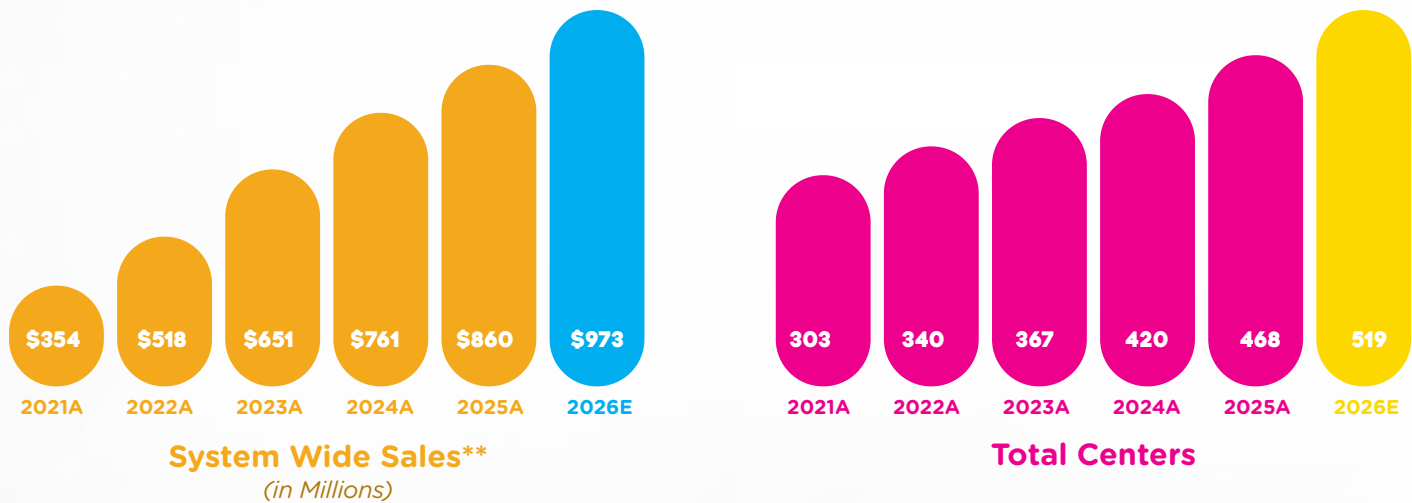
The Learning Experience® will continue to grow by increasing the number of worldwide centers.

When searching for a new center location, the Real Estate Department at The Learning Experience® focuses its demographic review on the following information:

- The Cost of Real Estate
- Competitive Tuition Cost Analysis in the Area
- Population Density and growth of Children and Adults
- The Working Population

Once site selection is complete, the TLE® Executive team uses its extensive experience to coordinate site development, architectural and construction efforts, marketing efforts, and multiple other vital details.

Historical & Future Growth



United Kingdom Expansion

In 2026, The Learning Experience expanded its international presence through the acquisition of Banana Moon Day Nursery, an established UK-based childcare franchise with more than 50 operating centers nationwide. With an additional 10 locations projected to open during the 2026 calendar year, this partnership significantly strengthens TLE’s footprint across the United Kingdom and reinforces its long-term growth strategy. By combining Banana Moon’s local market presence with TLE’s proven operating model and brand expertise, the organization is positioned to accelerate expansion opportunities throughout the UK.

*All forward-looking statements are management’s present expectations and are subject to a number of factors that could cause actual results to differ materially from those described in the forward-looking statements.
**All numbers are based on current active center count. Does not include UK centers.

2002

The Learning Experience® forms to open and operate childcare centers throughout the **New York** and **New Jersey** metro area



2010

The Learning Experience® ends the year with **83 centers in 14 states**



2012

The Learning Experience® impressively ranks **#193 on Entrepreneur’s Franchise 500 list** and continues to rank year over year



NORWEST VENTURE PARTNERS

The Learning Experience® partners with **Norwest Venture Partners**



2016

Classroom & Parent **Safe ‘N Secure®** apps roll out nationwide



2017

The Learning Experience® moves into their **new world headquarters in Deerfield Beach, FL**



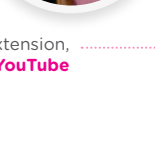
2019

The Learning Experience® ends the year with over **230 locations** and over **200 under development**



2020

CORE operating system launched





Launched brand extension, **Bubbles & Friends**, on **YouTube**

The Learning Experience® expanded into **4 new states; Georgia, Oklahoma, Wisconsin, and New Mexico**

2023

Entrepreneur ranks TLE **#1 childcare franchise** and **Franchise Business Review #1 Education** franchise





Bubbles & Friends eclipses **193 Million** views on **YouTube**

Funds managed by **Harvest Partners, LP** complete a majority acquisition of The Learning Experience®

2005

The **Work & Family®** program begins with **14 corporate partners**



The Learning Experience® ranks on **Entrepreneur’s Franchise 500**



2013

The Learning Experience® is named **Company of the Year** by **Make-A-Wish®** South Florida



2015

Forbes recognizes The Learning Experience® as one of the **best franchises to buy in 2015**



The Learning Experience® ranks **#26 on Franchise Times’ Fast & Serious** list of smartest growing brands



2018

The Learning Experience® partners with **Golden Gate Capital** to accelerate new center development through a newly established real estate development fund



The Learning Experience® ranks **#62 on Entrepreneur’s Annual Franchise 500 List**



Opened **first UK location** in East Finchley



2021

Opened **45 new locations**, the most in the companies history, to end the year with **303 opened**



2022

Bubbles & Friends App is launched



2025

The Learning Experience® continues to grow with **50,000+ students enrolled, 425 open locations** and another **250 under development**



Richard Weissman Honored as **IFA Entrepreneur of the Year!**



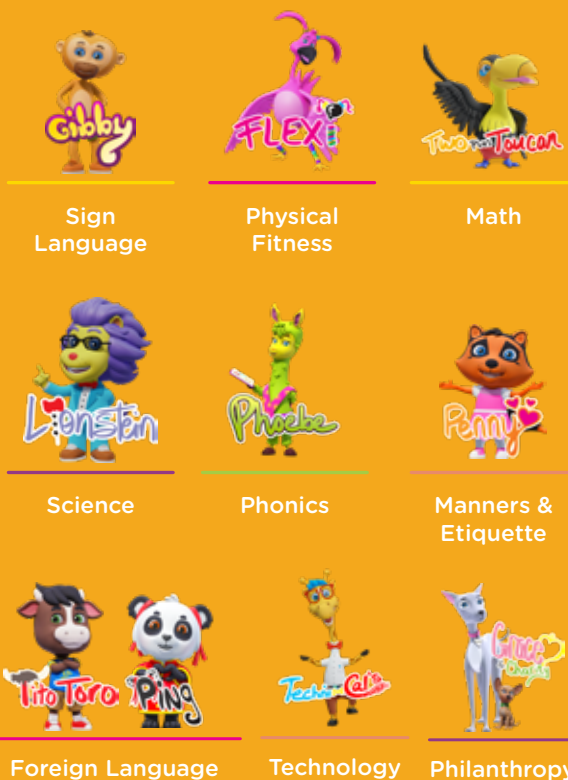
Acquired **Banana Moon (UK)**





Characters that Bring learning to life

Children love learning from characters—and studies show that it's highly effective especially in preschool and early education. TLE® has a cast of unique, beloved characters, each one teaching children a new value or activity.



Brand Overview

CURRICULUM THAT Develops the Whole Child

Our L.E.A.P.® (Learning Experience Academic Program) Curriculum uses fun, hands-on activities throughout early education to help children develop intellectually, socially and cognitively, or as we say...

learn play grow

According to an MIT Study, TLE children entering Kindergarten (age 5) outperform their peers at other preschools by almost 20 points higher than the national average.



CENTERS WHERE Imaginations Run Free

From the vibrant colors to the furniture and floor plan, TLE® Centers foster an early childhood care environment where children feel comfortable and where their curiosity and creativity are rewarded.

Technology and Innovation

Pioneering investments in technology, including interactive curriculum and classroom tools, parent mobile applications, and business intelligence tools, keep TLE at the forefront of innovation in the industry.

Student Technology

- TLE's proprietary L.E.A.P. Interactive programs are delivered through a touch screen digital whiteboard in each classroom promoting digital literacy and student engagement.
- Proprietary curriculum and characters are part of the entire digital learning platform.



Parent Technology

- TLE's proprietary Bubbles and Friends app allows parents to stay up-to-date throughout their child's day.
- Teachers upload pictures, provide updates on activities and meals, and send supply request throughout the day.
- Proprietary childcare management app serves as a comprehensive solution for tuition bill pay, streamlining the process for parents and TLE franchisees / school operators.



Organizational Technology

- Proprietary childcare technology tracks: school performance and capacity, scheduling payments, consumer communications.
- Childcare management app utilizes artificial intelligence to help staff better plan and predict making it easier to make decisions.
- Pioneer in paperless record keeping and business intelligence within the childcare industry.
- Constant school tracking and communications ensures safety and improves crisis management.



Bubbles and FRIENDS

THE LEARNING EXPERIENCE



Watch us on...



YouTube | YouTube Kids
KIDoodleTV | Roku

Hear our music on...

Listen on
Apple Music

Listen on
Spotify

Listen on
amazon music

“ As a working mom, I am always looking for supplemental resources for my kids' education. Recently I heard about Bubbles and Friends and thought I would give it a try. It covers a wide range of educational topics. My kids look forward to watching and working through each topic. I couldn't be happier with it!! ”
- Emily from TX

In-House Characters. Proprietary Curriculum.

A Brand-Differentiating Series That Sets TLE Apart.

Bubbles and Friends® is a strategic brand asset — not just entertainment. Created entirely in-house by The Learning Experience® using our proprietary curriculum and characters, the series is a **powerful tool driving national brand recognition and enrollment growth.**

200M+ views worldwide in multiple languages and growing — with **54,000 enrolled children** it creates brand awareness that **vastly exceeds our physical footprint.**

Curriculum-based content that reinforces key learning themes through music and storytelling

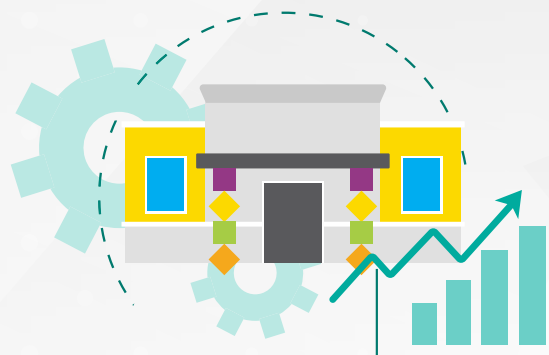
Builds trust with families before a center even opens in a market, driving enrollment to our centers nationwide

Competitive advantage: No other childcare brand is building household-level awareness at this scale

Bottom Line: Bubbles and Friends® gives The Learning Experience® a unique edge in driving demand and franchise value across every new market.

“ I'm very impressed with the Bubble and Friends YouTube Channel. It's different from other channels I've tried with my kids because it's not JUST songs. I also love the way the characters handle conflict and express emotions. The videos are fun and educational without feeling like they're educational. ”
- Katie from NY





TLE Real Estate Process:

Corporate-Controlled, Efficiently Executed, Built for Scale.

Unlike most franchises, The Learning Experience® drives site selection and execution **entirely at the corporate level**, allowing us to move with speed, consistency, and financial certainty. Our streamlined real estate process ensures **rapid site approvals, corporate guarantees, and high-quality development outcomes.**

1



Strategic Site Selection:

TLE controls all site selection based on data and long-term growth strategy.

2



Developer Engagement:

We work opportunistically with developers and provide prompt feedback upon every site submittal.

3



Letter of Intent (LOI) to Lease Execution:

Once a site is approved, we move quickly to execute a mutually agreed LOI.

- LOIs are reviewed weekly by our Real Estate Committee.
- Backed by our dedicated internal team and streamlined support processes, we are able to move swiftly to secure a lease once a site is approved.

4



Pre-Construction and Build-Out:

- Developers collaborate with TLE's in-house pre-construction team and architect for design and permitting
- Upon permit issuance, a dedicated TLE construction manager is assigned to oversee progress and coordinate with the GC and subs

5



Final Prep & Grand Opening:

Upon CO, our **New Center Opening** team manages **onboarding** and licensing to get the center open and operational.

Summary: TLE's vertically integrated real estate model creates a **low-friction, developer-friendly process** designed to reduce risk, accelerate timelines, and ensure long-term success at every site.



Site Selection

Turnkey 10,000+ Sq Ft Centers

- Safe, secure, and private access
- Separate classrooms specifically designed to meet the needs of children in our Six Stages of Early Development
- Security cameras in each classroom monitored in the administrative offices
- Rounded corners in hallways and classrooms
- Age-appropriate bathrooms
- Access to age-appropriate technology
- Spacious, fenced-in playgrounds with designated areas for infants, toddlers, and preschoolers

Build-to-Suit

Type	Freestanding, Out Parcels, Flexible in High Barrier of Entry Markets
Building Size	10,000 sqft
Parcel Size	1-2 acres (developed 3/4 acre)
Lease Terms	15 Years Plus Options
Additional Requirements	Playground 5,000± sq ft* Ease of Egress and Ingress 40 Parking Spaces

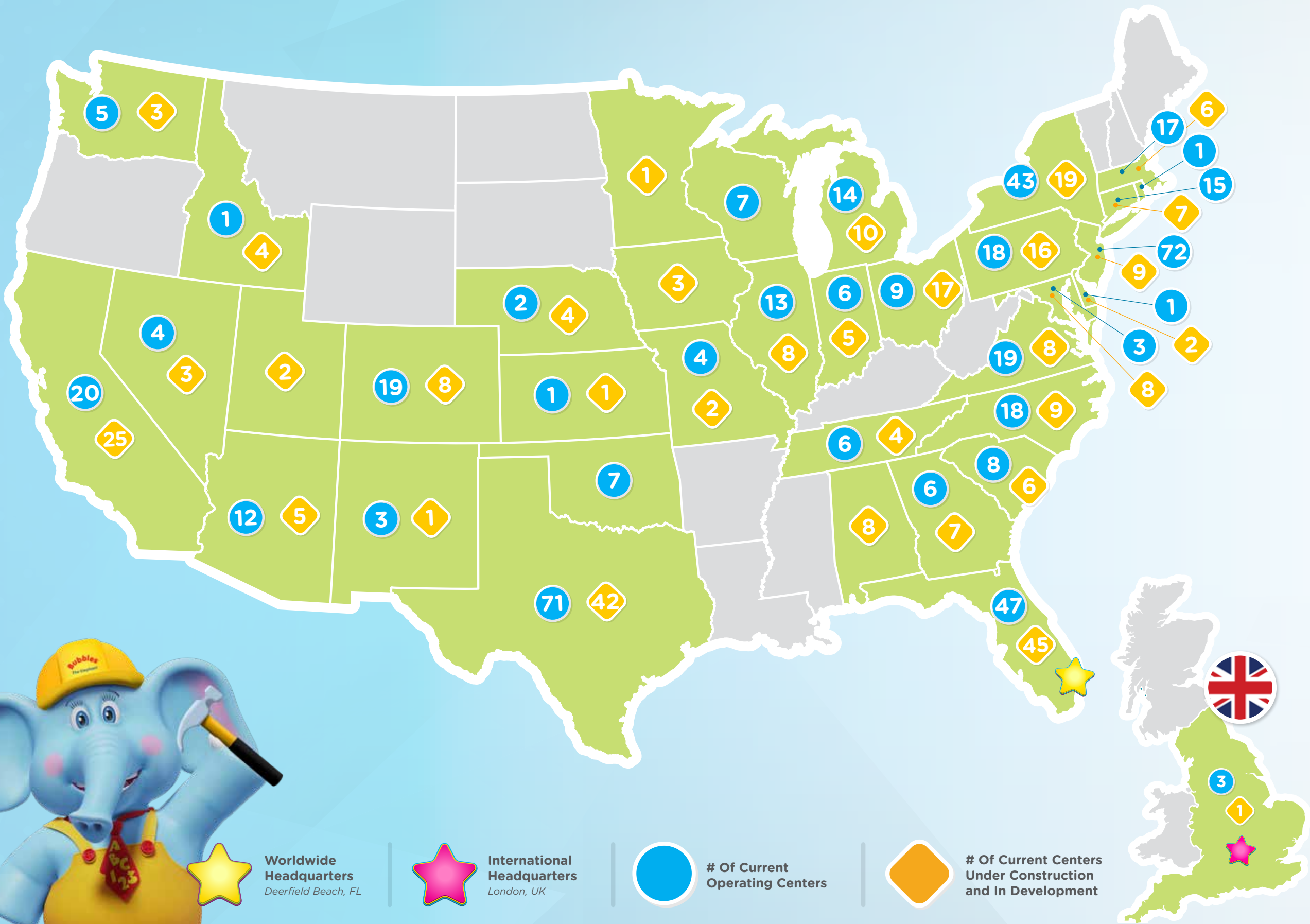
Demo Minimum

Population	25,000+ (3 mi radius) 50,000+ (5 mi radius)
Children Under 6 Years	2,000+ (3 mi radius) 3,500+ (5 mi radius)
Average Household Incomes	\$85,000+
Additional Requirements	High Signage Visibility Turnkey Build-to-Suit High Traffic Counts High Growth

*Typically size playground, other jurisdictions might vary.



Centers Operating or In Development by State



REAL ESTATE Developers

With more than 700 sites either open and under development, The Learning Experience® (TLE®) has become the nation's fastest growing child care franchise!

Through our growth and experience, TLE® has become adept in understanding the needs of developers, including market and financial calculations. TLE® is now seeking Build-to-Suit Developers that can offer our company multiple locations to meet our ever-growing expansion across the world.





Working with the Real Estate Community exclusively through

ComRealty Group, L.L.C.™

For more information on opportunities with The Learning Experience® contact:



NICK VANELLA

Executive VP - Real Estate

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Director - Franchise Engagement and Real Estate

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✉ jlefkowitz@tlecorp.com | ☎ (561) 725-1134



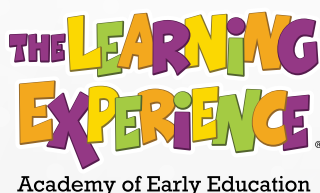
AARON ALLISON

Director - Franchise Development and Real Estate

Primary: Northern California, AZ, ID, IL, WA

✉ aallison@tlecorp.com | ☎ (561) 886-6359

* For FL and NJ, contact any representative.

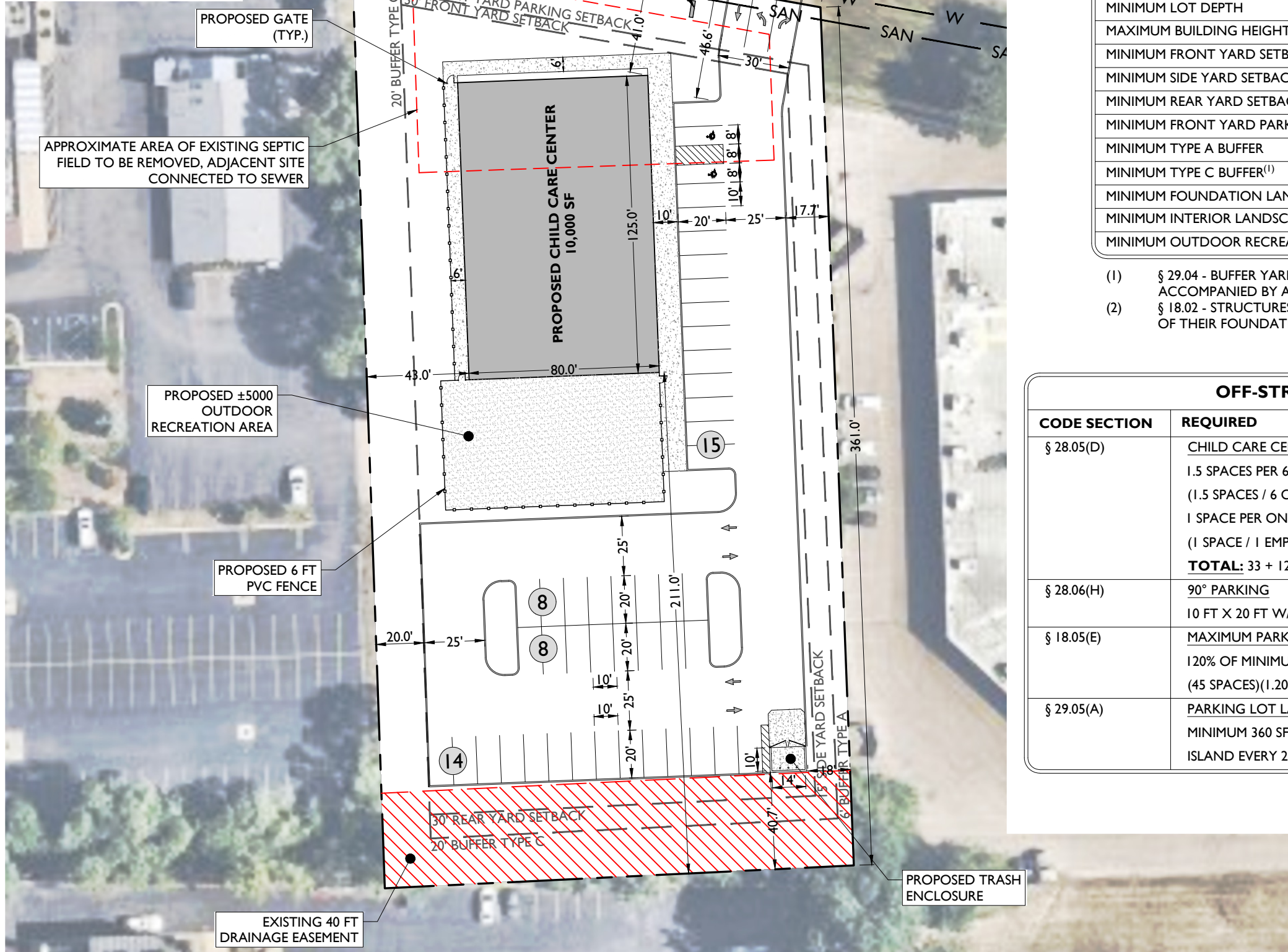


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here.®

WWW.THELEARNINGEXPERIENCE.COM



V:\DET\2026\DET-260467 Jonna Construction - 8097 Richardson Road, Commerce, MI\CAADD\Concepts\2024-08-28 (HIS)\Concept-C 8097 Richardson Road, Commerce, MI.dwg



LAND USE AND ZONING

PARCEL ID: 17-13-426-013

GENERAL BUSINESS DISTRICT (B-3) & HAGGERTY ROAD CORRIDOR OVERLAY DISTRICT (HRC)

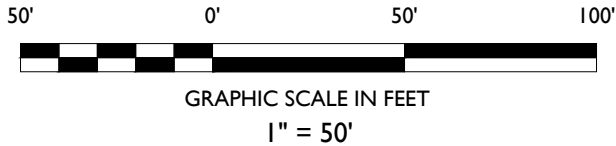
PROPOSED USE

CHILD CARE CENTER	PERMITTED USE	
ZONING REQUIREMENT	REQUIRED	PROPOSED
MINIMUM LOT AREA	12,000 SF	75,468 SF (1.73 AC.)
MINIMUM LOT WIDTH	100 FT	200.7 FT
MINIMUM LOT DEPTH	N/A	361.0 FT
MAXIMUM BUILDING HEIGHT	35 FT (2 STORIES)	<35 FT
MINIMUM FRONT YARD SETBACK	30 FT	41.0 FT
MINIMUM SIDE YARD SETBACK	15 FT	43.0 FT
MINIMUM REAR YARD SETBACK	30 FT	211.0 FT
MINIMUM FRONT YARD PARKING SETBACK	25 FT	46.6 FT
MINIMUM TYPE A BUFFER	6 FT	17.7 FT
MINIMUM TYPE C BUFFER ⁽¹⁾	20 FT	20.0 FT
MINIMUM FOUNDATION LANDSCAPING ⁽²⁾	3 FT	3 FT
MINIMUM INTERIOR LANDSCAPING	15% (11,320 SF)	35% (25,914 SF)
MINIMUM OUTDOOR RECREATION AREA	5,000 SF	5,000 SF

- (1) § 29.04 - BUFFER YARD TYPE C MAY BE REDUCED FROM 20 FT TO 10 FT WHEN ACCOMPANIED BY A 6FT BRICK OR STONE SCREENING WALL
- (2) § 18.02 - STRUCTURES SHALL BE PROVIDED WITH LANDSCAPING ALONG THE PORTION OF THEIR FOUNDATIONS THAT IS VISIBLE FROM A PUBLIC THOROUGHFARE

OFF-STREET PARKING REQUIREMENTS

CODE SECTION	REQUIRED	PROPOSED
§ 28.05(D)	<u>CHILD CARE CENTER</u> 1.5 SPACES PER 6 CHILDREN OF AUTHORIZED CAPACITY (1.5 SPACES / 6 CHILDREN)(130 CHILDREN) = 33 SPACES 1 SPACE PER ON-DUTY EMPLOYEE (1 SPACE / 1 EMP.)(12 EMP.) = 12 SPACES TOTAL: 33 + 12 = 45 SPACES	45 SPACES
§ 28.06(H)	<u>90° PARKING</u> 10 FT X 20 FT W/ 25 FT AISLES	10 FT X 20 FT 25 FT AISLES
§ 18.05(E)	<u>MAXIMUM PARKING</u> 120% OF MINIMUM REQUIRED (45 SPACES)(1.20) = 54 SPACES	45 SPACES
§ 29.05(A)	<u>PARKING LOT LANDSCAPING</u> MINIMUM 360 SF ISLANDS W/ 10 FT WIDTH ISLAND EVERY 20 SPACES	PROVIDED



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Phone 248.247.1115

CONCEPT PLAN
PROPOSED CHILD CARE CENTER

PID: 1713426013
8097 RICHARDSON ROAD
TOWNSHIP OF COMMERCE
OAKLAND COUNTY, MI

DRAFT

NOT APPROVED FOR
CONSTRUCTION

DRAWN BY: JB
CHECKED BY: KH
DATE: 08/28/2026
SCALE: (H) 1" = 50'

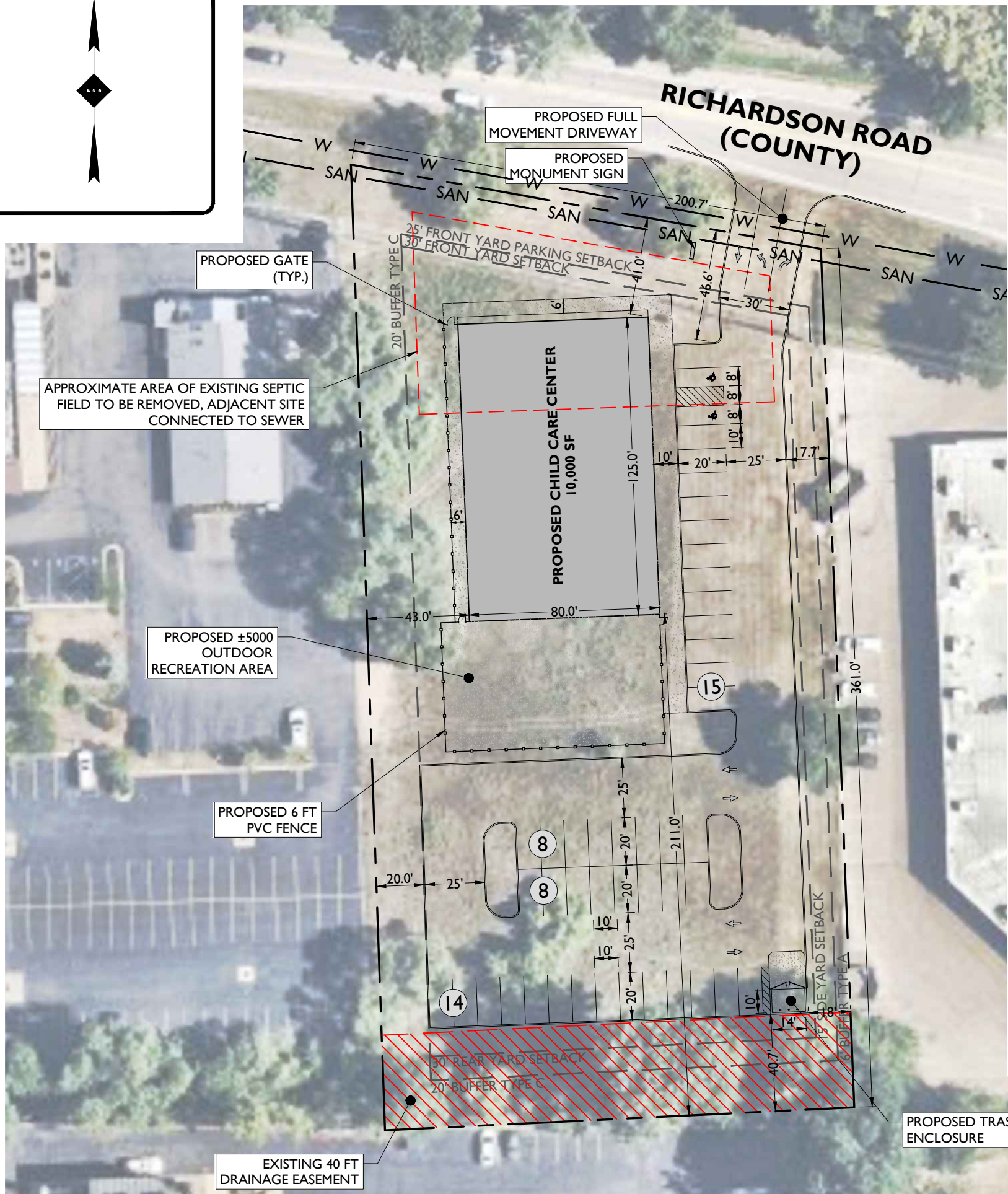
PROJECT ID: DET-260467
TITLE:

CONCEPT C

SHEET:

C-1

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LAND USE AND ZONING

PARCEL ID: 17-13-426-013

GENERAL BUSINESS DISTRICT (B-3) & HAGGERTY ROAD CORRIDOR OVERLAY DISTRICT (HRC)

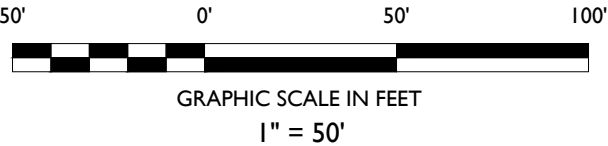
PROPOSED USE

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CONCEPT PLAN
PROPOSED CHILD CARE CENTER

PID: 1713426013
8097 RICHARDSON ROAD
TOWNSHIP OF COMMERCE
OAKLAND COUNTY, MI

DRAFT

NOT APPROVED FOR
CONSTRUCTION

DRAWN BY: JB
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DATE: 08/28/2026
SCALE: (H) 1" = 50'

PROJECT ID: DET-260467

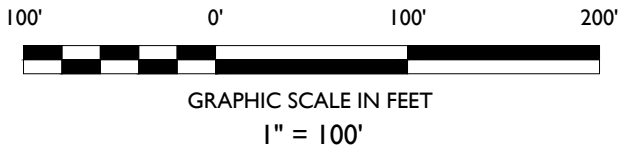
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CONCEPT C
(AERIAL)

SHEET:

C-2

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NOT APPROVED FOR
CONSTRUCTION

DRAWN BY: JB

CHECKED BY: KH

DATE: 08/28/2026

SCALE: (H) 1" = 100'

PROJECT ID: DET-260467

TITLE:

**CONCEPT C
(OVERALL)**

SHEET:

C-3

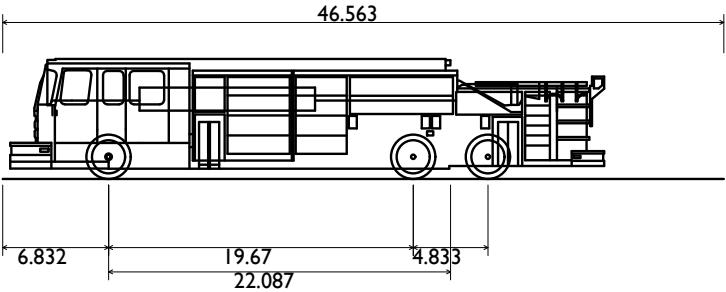
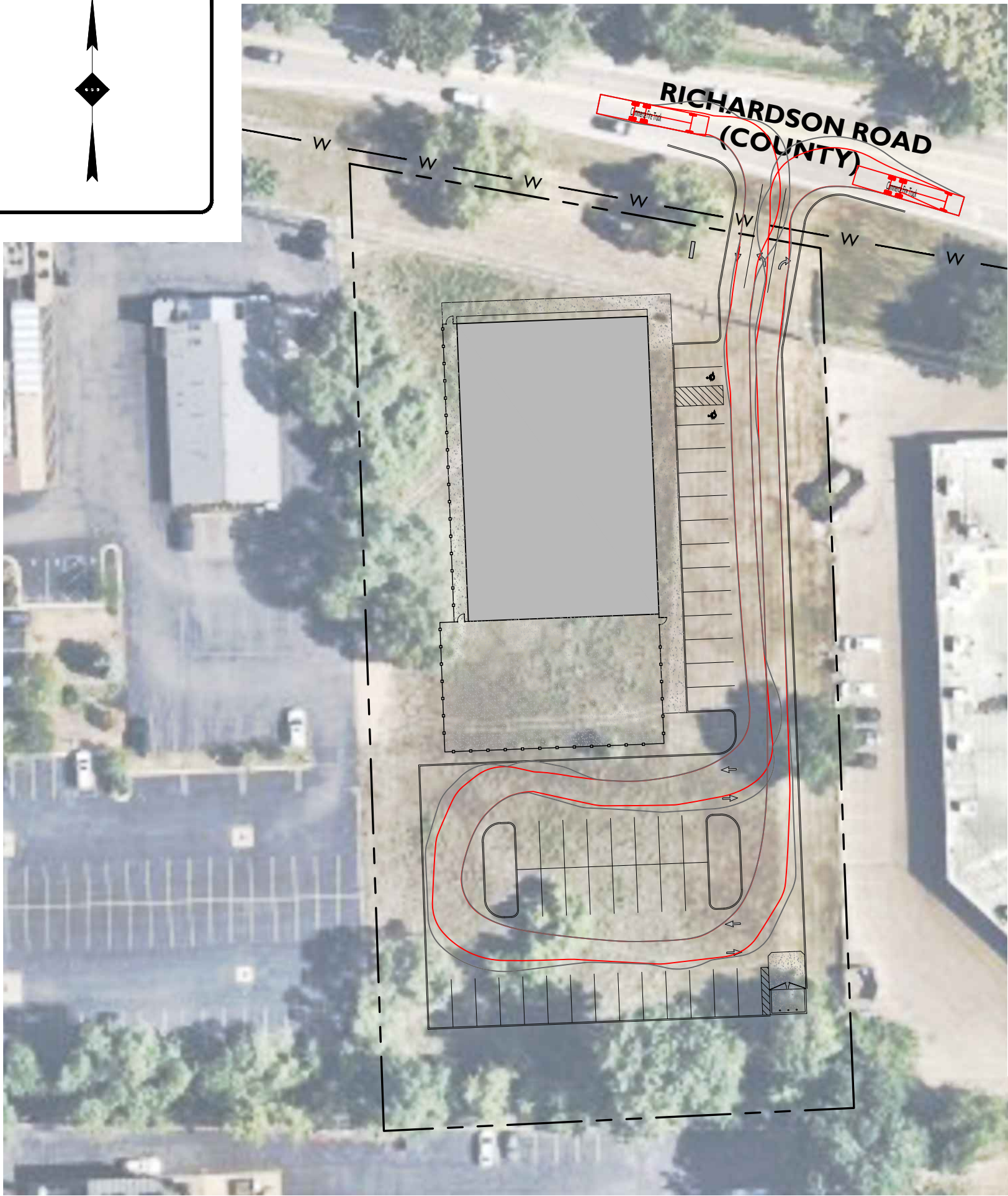
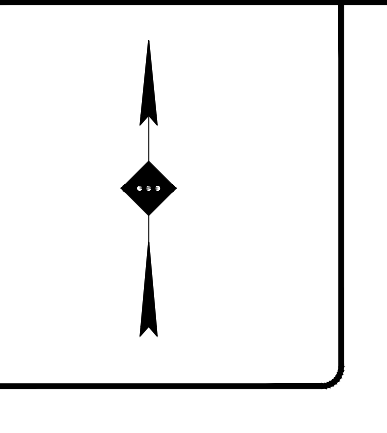
CONCEPT PLAN
PROPOSED CHILD CARE CENTER

PID: 1713426013
8097 RICHARDSON ROAD
TOWNSHIP OF COMMERCE
OAKLAND COUNTY, MI

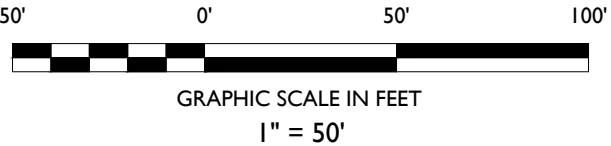
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Commerce Fire Truck	
Overall Length	46.563ft
Overall Width	8.167ft
Overall Body Height	7.745ft
Min Body Ground Clearance	0.656ft
Track Width	8.167ft
Lock-to-lock time	5.00s
Curb to Curb Turning Radius	34.330ft



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CONCEPT PLAN

PROPOSED CHILD CARE CENTER

PID: 1713426013
8097 RICHARDSON ROAD
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OAKLAND COUNTY, MI

DRAFT

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DRAWN BY: JB
CHECKED BY: KH
DATE: 08/28/2026
SCALE: (H) 1" = 50'
PROJECT ID: DET-260467

TITLE:
CONCEPT C
(TRUCK)

SHEET:

C-4

TO: Commerce Township Planning Commission

FROM: Commerce Township Planning Department
David Campbell, AICP – Planning Director
Paula Lankford – Senior Planner
Bethany Miller – Associate Planner

DATE: September 9, 2026

RE: Conceptual Review
Commerce Business Center – For-sale light industrial condominium suites
Approximately 16 vacant acres comprising five undeveloped properties
south side of Maple Road, east of Beck Road



Section 35.04.A.1 of the Zoning Ordinance provides an option for a potential applicant to appear before the Planning Commission to hear their informal and non-binding comments on a conceptual site plan. Dennis Park, President of Sierra Ventures Inc, has requested that option. The proposed use would be for-sale light industrial condominium suites to be branded as the Commerce Business Center. The subject site is comprised of five properties, four of which are zoned I (Industrial) and one zoned B-2 (Community Business). The uses envisioned to own/occupy the suites (shops for building trades, professional offices, incubator spaces, etc.) are typically permitted land use within the Industrial zoning district, while it appears no units and only the site's driveway would occupy the property zoned B-2. The proposed site is comprised of the following five properties:

- PIN# 17-33-176-001 - 0.07 acres (zoned Industrial)
- PIN# 17-33-176-002 - 6.3 acres (zoned Industrial)
- PIN# 17-33-176-003 - 5.5 acres (zoned Industrial)
- PIN# 17-33-176-004 - 1.8 acres (zoned Industrial)
- PIN# 17-33-251-001 - 3 acres (zoned B-2)

The Planning Commission may recall Mr. Park presented a similar concept to the Planning Commission during the meeting on October 7, 2024. At that time, there were ongoing deliberations with the Commerce Township Fire Department regarding site access (and particularly the distance between the two proposed points of access) and whether the individual units would have to be fire suppressed if two points of access that meet the International Fire Code could not be provided. The Planning Department's understanding is Mr. Park put a pause on his proposal while he investigated whether it would be viable to fire suppress his project.

Mr. Park's latest submittal includes a package of materials including a cover letter describing the development, conceptual elevations, and a highly-developed conceptual site plan from Livingston Engineering. Mr. Park is proposing a total of 91 attached units (80 attached units were proposed in 2024), including two 26-unit buildings, a 27-unit building, and a 9-unit building. The

approximate size of each unit will be 25' x 60' (1,500 sq ft). Each unit will have a primary covered front entrance (man door) and a rear overhead door with one loading/unloading space per unit along with parking for owners and visitors. Dumpsters/enclosures are located throughout the site and no outdoor storage will be permitted.

Mr. Park has provided some conceptual elevations, building materials are shown to be vertical metal siding. The buildings will be situated with their front entrance facades facing outward and the rear facades facing the center of the site to screen the loading and unloading areas and overhead doors. The standards of Article 27 (Building Form and Composition) which lists exterior building material requirements do not apply to properties zoned Industrial which four of the five parcels are zoned; however, the corner parcel is zoned B-2 which would have to adhere to Article 27 if a building were proposed on the B-2 zoned property (which does not appear to be the case).

The site would have greenspace around the perimeter with deciduous shade trees within the proposed areas. The development is immediately adjacent to the Michigan Airline Trail to the north and is proposed to include a privacy fence and a row of shrub plantings along the trail to provide a screen. Mr. Park is seeking the Planning Commissioners comments regarding the buffer yard required by Article 29 along the south property line. The adjacent parcels to the south are zoned R-1B (One Family Residential) but are occupied by the campus of Walled Lake Western High School (baseball field, tennis courts, parking lot) and the bus garage for Walled Lake Consolidated Schools. Where an Industrial-zoned development is proposed to abut single-family zoned properties, Sec. 29.04 of the Zoning Ordinance requires Buffer Yard E. Buffer Yard E is either a high-density landscape screen at least 50 feet wide, or 25 feet wide with a brick/stone wall. **Mr. Park is interested whether the Planning Commission would be willing to deviate from the buffer yard requirement given that the abutting properties zoned R-1B are occupied not by single-family homes but by the seasonal athletic fields of the high school and by the district's bus garage.** Since the 50-foot buffer yard is a landscaping requirement and not a dimensional requirement, it would be within the authority of the Planning Commission to deviate (as opposed to a variance from a dimensional requirement from the Zoning Board of Appeals). A more formal review of the project's landscape plan would be completed by the Township's landscape architect if & when a formal site plan is submitted. Review of the landscape plan would include buffer yards to adjacent properties, required plantings around the perimeter of the detention basins, and plantings along W. West Maple Road. It is worth noting that there is an 85-foot ITC vegetation management easement along all five of the properties which includes requirements for the type/height of plantings permitted within the easement.

Site access is proposed via one new full-access driveway along the south side of Maple Road. Because only one point of access is being proposed, **all 91 of the proposed units would be individually fire-suppressed**. The RCOC was sent the conceptual plan for comments, who have also been working with Mr. Park and Livingston Engineering and have provided comments with regards to the access driveway location, center left turn lane/passing lane as well as typical design comments. If & when the development team proceeds with submittal of a formal site plan, a traffic impact study may be required which would include an analysis of the new traffic to be

generated from the 91 proposed units, and whether the proposed road improvements suggested are warranted and sufficient.

Giffels Webster provided their comments which were mostly regarding the water and sewer lines, and the impacts of/on the existing Taylor-Ladd Drain that traverses a portion of the site. Giffels raised no concerns with the capacity of the water and sewer systems to adequately service the project. It should be noted with the units being individually owned units will require separate water and sanitary sewer service leads.

Fire Marshal Mark Gall provided ample comments for his preliminary review which are included for your review. To highlight key areas Fire Marshal Gall included comments regarding fire lane/no parking areas to ensure continuous emergency access and properly identifying these areas with Commerce Township Fire Department (CTFD) approvals. Any proposed emergency access gate as well as building access shall be provided through an approved Knox key apparatus. All tenant uses will require CTFD approval for the overall individual unit development. Changes in tenant and storage may affect sprinkler design requirements for fire flow.

The Planning Department will be happy to answer any questions or provide any insight at the September 14, 2026 meeting of the Planning Commission.



Commerce
Township
E-Mail

Bethany Miller <bmillier@commercetwp.com>

Commerce Business Center Concept Plan - Maple Road

Nancy McClain <nmcclain@giffelswebster.com>

Fri, Aug 21, 2026 at 3:30 PM

To: Bethany Miller <bmillier@commercetwp.com>

Cc: Brooke McDonald <bmcDonald@giffelswebster.com>, Jason Mayer <jmayer@giffelswebster.com>, Mark Gall <mgall@commercetwp.com>, Dave Campbell <dcampbell@commercetwp.com>, Paula Lankford <plankford@commercetwp.com>

Hello Bethany,

We have reviewed the updated concept plan for the Commerce Business Center. It has a nearly identical layout to the previous concept from September of 2024. A marked-up copy of the concept plan is attached.

- A plan providing a conceptual utility layout was not submitted. The site can be serviced by public water and sanitary sewer. The developer and engineer should note that individually owned units will require separate water and sanitary sewer service leads.
- No details on a storm water management concept were provided. The Taylor-Ladd drain crossed the property and may be used as an outlet with the approval of the Oakland County Water Resources Commissioner's Office (OCWRC). The Township's storm water requirements have been revised since the prior concept submittal. The new requirements will be in effect for this development.
- The general layout of the development is acceptable. The developer will need to meet with the Fire Marshal to discuss the requirements for hydrants and fire truck access.

Please let us know if there are any questions on these comments.

Regards,

Nancy

Nancy McClain, PE
Project Manager

giffels
webster

Giffels Webster
1025 E. Maple, Suite 100
Birmingham, MI, 48009
p: 248.852.3100
m: 313.590.5690
d: 248.598.5125
f: 313.962.5068

Crain's Best Places to Work in Southeast Michigan 2025

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FIRE DEPARTMENT**

James Dundas
Fire Chief

Marcus Leece
D.C. Training

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Commerce Township, Michigan 48382
Phone: (248) 560-0126
Fax: (248) 560-0127
www.commercetwp.com

Mark Gall
Fire Marshal

Stacy Gross
D.C. EMS

8-24-26

FIRE MARSHAL SITE PLAN REVIEW

Project: Commerce Business Center

Address: 1961 W. West Maple Road, Commerce Township, Michigan 48390

Parcels: 17-33-176-001, 17-33-176-002, 17-33-251-001, 17-33-176-003, 17-33-176-004

Proposed Use: Multi-Tenant Industrial/Warehouse Development

Proposed Units: 91

Applicant/Developer: Sierra Ventures, Inc.

General Review

The Commerce Township Fire Department has reviewed the preliminary project information for the proposed Commerce Business Center. The development consists of multiple industrial/warehouse buildings containing approximately 91 individual tenant units.

Due to the size of the development, number of tenant spaces, anticipated industrial uses, and proposed fire suppression systems, adequate emergency vehicle access and an appropriately designed fire protection water supply will be required throughout the development.

Final Fire Department approval shall be subject to review of the detailed civil/site plans, utility plans, fire suppression plans, and applicable construction documents.

The following Fire Department requirements shall be incorporated into the final site design.

1. Fire Apparatus Access Roads

Approved fire apparatus access roads shall be provided throughout the development in accordance with the adopted International Fire Code (IFC), Section 503 and applicable provisions of Appendix D.

Fire apparatus access shall be designed so that Fire Department vehicles can reach all required portions of the buildings and facilities.

Fire apparatus access roads shall:

- Have an unobstructed width of not less than **20 feet**, exclusive of shoulders, unless a greater width is required due to building height, configuration, turning movements, parking arrangements, or other site conditions.
- Maintain an unobstructed vertical clearance of not less than **13 feet 6 inches**.

Assessing.....248-960-7030
Building.....248-960-7060
Clerk.....248-960-7020

Fire.....248-560-0051
Planning.....248-960-7050
Sheriff.....248-624-0715

Supervisor.....248-960-7070
Treasurer.....248-960-7040
Water/Sewer....248-960-7030

**THE CHARTER TOWNSHIP OF COMMERCE
FIRE DEPARTMENT**

James Dundas
Fire Chief

2401 Glengary Road
Commerce Township, Michigan 48382
Phone: (248) 560-0126
Fax: (248) 560-0127
www.commercetwp.com

Mark Gall
Fire Marshal

Marcus Leece
D.C. Training

Stacy Gross
D.C. EMS

- Be constructed and maintained to support the imposed loads of Commerce Township Fire Department apparatus.
- Provide approved turning radii, grades, and angles of approach and departure suitable for Fire Department apparatus.
- Provide approved turnarounds where required for dead-end fire apparatus access roads.
- Remain unobstructed at all times.

The final site plan shall demonstrate adequate apparatus circulation through the development. Turning templates for the Commerce Township Fire Department's largest anticipated apparatus shall be provided where requested by the Fire Department.

2. Fire Lane / No Parking Areas

Because of the configuration of this development and the need to maintain continuous emergency access to the buildings, designated portions of the internal roadway system shall be established as **FIRE LANE – NO PARKING** areas.

Where the required fire apparatus access road is between **20 and 26 feet in width, parking shall be prohibited on both sides** of the roadway.

Where the required fire apparatus access road is between **26 and 32 feet in width, parking shall be prohibited on one side** of the roadway.

Fire lanes shall be identified by approved signs, pavement markings, curb markings, or other means approved by the Commerce Township Fire Department.

Particular attention shall be given to areas adjacent to:

- Fire hydrants.
- Fire Department Connections (FDCs).
- Building entrances.
- Fire apparatus turning areas.
- Dead ends and turnarounds.
- Gates.
- Intersections.

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- Areas necessary for aerial or ground-ladder operations.

The final site plan shall clearly identify all designated fire lanes and **NO PARKING – FIRE LANE** areas.

Fire lanes shall be maintained free of parked vehicles, snow accumulation, dumpsters, trailers, loading activities, landscaping, storage, or any other obstruction.

3. Fire Hydrants – Number, Location and Spacing

An approved fire hydrant system shall be provided throughout the development in accordance with IFC Section 507 and the applicable provisions of IFC Appendix C.

The final number of required hydrants shall be determined from the required fire flow for the largest building/fire area and the final configuration of the development.

Hydrants shall be distributed throughout the site so that required hydrant spacing and maximum hose-lay distances are maintained.

As part of the final engineering review:

- The civil drawings shall identify **each proposed and existing fire hydrant by number** (H-1, H-2, H-3, etc.).
- A hydrant coverage plan shall be provided demonstrating compliance with the required maximum hydrant spacing and distance from the buildings.
- Distances shall be measured along an approved fire apparatus access route and shall not be measured through buildings, landscaped areas, retention areas, or other locations inaccessible to fire apparatus.
- Hydrants shall be located adjacent to approved fire apparatus access roads and positioned so they remain readily visible and accessible.
- Hydrant placement shall account for the possibility that parked vehicles could obstruct Fire Department access.
- A minimum **3-foot clear working area** shall be maintained around each hydrant.
- Hydrants shall not be located where landscaping, snow storage, signs, utility equipment, retaining walls, or other improvements could interfere with Fire Department operations.

Hydrant locations shall also be coordinated with building Fire Department Connections so that responding apparatus can supply the sprinkler system without unnecessarily obstructing the primary fire apparatus access route.

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The Fire Department reserves the right to require additional hydrants where the configuration of buildings, access roads, fire areas, or FDC locations warrants additional protection.

4. Fire Department Connections

Each sprinklered building shall be provided with an approved Fire Department Connection in accordance with the applicable fire code and NFPA 13 requirements.

FDC locations shall be approved by the Commerce Township Fire Department and shall:

- Be readily visible and accessible from an approved fire apparatus access road.
- Be located on the street/access-road side of the building unless otherwise approved.
- Be positioned in relation to an approved fire hydrant to facilitate Fire Department operations.
- Maintain a minimum **3-foot clear working area**.
- Not be obstructed by landscaping, parking, snow storage, loading areas, dumpsters, fences, or other site improvements.
- Be clearly identified with approved signage.

5. Gates and Controlled Access

Any gate, security barrier, or other device that could restrict Fire Department access into or through the development shall require Fire Department approval prior to installation.

Where gates are proposed:

- The clear opening shall be sufficient for Commerce Township Fire Department apparatus and shall comply with the adopted IFC and Appendix D requirements.
- Gates shall not reduce the required width of the fire apparatus access road.
- Gates shall be positioned far enough from the public roadway to allow Fire Department apparatus to safely clear the roadway while the gate is being opened.
- Electrically operated gates shall be provided with an approved means of emergency Fire Department operation.
- Emergency access shall be provided through an approved **Knox** key switch, Knox padlock, Knox gate key, or other system specifically approved by the Commerce Township Fire Department.
- Gates shall be maintained operational and accessible at all times.

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- No parking, snow storage, landscaping, dumpsters, trailers, or other obstructions shall be permitted in front of or immediately adjacent to emergency access gates.

Any secondary emergency-only access proposed for the development shall be constructed to the same loading and dimensional requirements necessary to support Fire Department apparatus.

6. Building Access / Knox Box

Because the proposed buildings will contain automatic fire suppression systems, approved **Knox Box emergency access systems** shall be provided at locations approved by the Commerce Township Fire Department.

Knox Boxes shall contain the necessary keys, access cards, gate controls, and other devices necessary to provide Fire Department access to the buildings and required fire protection equipment.

7. Tenant Uses and Future Occupancy

Approval of the overall development does not constitute Fire Department approval of every future tenant use.

Each tenant space shall be reviewed based upon its proposed occupancy and operations. Uses involving hazardous materials, flammable or combustible liquids, welding or cutting, vehicle repair, high-piled storage, woodworking, spray finishing, battery storage/charging, compressed gases, or similar higher-hazard operations may require additional permits and fire protection measures.

Changes in tenant use or storage arrangements may also affect sprinkler design requirements and required fire flow.

8. Addressing and Building Identification

Due to the number of buildings and individual tenant spaces proposed, a comprehensive addressing and building identification plan shall be submitted to and approved by the Township and Fire Department.

Building numbers and individual unit addresses shall be clearly visible from the fire apparatus access road.

Where buildings are accessed from multiple sides, address identification may be required on more than one building elevation.

A site directory/map may also be required at the primary entrance identifying building numbers, tenant/unit ranges, hydrants, FDC locations, and internal roadway identification to assist emergency responders.

9. Final Fire Department Review

Prior to final site-plan approval, the applicant shall provide plans showing:

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1. All fire apparatus access roads and their dimensions.
2. Roadway widths and vertical clearances.
3. Fire apparatus turning radii and turning templates where requested.
4. All proposed fire hydrants identified by number.
5. Existing hydrants intended to serve the development.
6. Hydrant-to-hydrant spacing.
7. Hydrant coverage distances to the buildings.
8. Required and available fire-flow information.
9. Fire Department Connection locations.
10. All proposed gates and emergency access points.
11. Knox Box and emergency gate-access provisions.
12. All designated **FIRE LANE – NO PARKING** areas.
13. Fire apparatus turnarounds and dead-end access roads.
14. Building and tenant addressing.
15. Proposed snow-storage locations demonstrating that hydrants, FDCs, gates, fire lanes, and apparatus turnarounds will remain unobstructed.

Fire Marshal Determination

Based upon the preliminary information provided, the Commerce Township Fire Department has **no objection to the project proceeding through the site-plan review process**, provided that the final plans demonstrate compliance with the adopted fire code and the Fire Department requirements outlined above.

Because this development proposes 91 industrial/warehouse tenant spaces, maintaining reliable Fire Department access and an adequate fire protection water supply throughout the entire development is essential. Final hydrant quantity and spacing, fire apparatus access, fire lanes, gate arrangements, and FDC locations shall be subject to approval by the Commerce Township Fire Department prior to construction.

Mark Gall

Fire Marshal

Commerce Township Fire Department

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Clerk.....248-960-7020

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Water/Sewer....248-960-7030



June 6, 2024

Livingston Engineering
Attn: Timothy J. Zimmer, P.E.
Phone: 810-225-7100

This preliminary review and the comments below are provided as a courtesy by the Road Commission for Oakland County (RCOC), to identify obvious or potential concerns at the conceptual stage of a project. Preliminary Review comments are based on a general, high-level review of the proposed land use and related trip generation, with consideration to the existing roadway condition, background traffic and crash patterns, and RCOC ROW needs AT THE TIME OF THE REVIEW. Any changes that occur to any of these factors between the time of the preliminary review and the time of permit application may alter or invalidate the comments herein. Any comments or communications are considered provisional until a detailed review of the final plans is completed during the permit application process. Any development decisions are made at the Applicant's sole risk.

Board of Road Commissioners

Eric D. McPherson
Commissioner

Andrea LaLonde
Commissioner

Nancy Quarles
Commissioner

Dennis G. Kolar, P.E.
Managing Director

Gary Piotrowicz, P.E., P.T.O.E.
Deputy Managing Director
County Highway Engineer

RE: R.C.O.C. PRELIMINARY PLAN REVIEW 24P0014-Rev1
LOCATION: W MAPLE RD, COMMERCE TWP
PROJECT NAME: MULTI-TENANT DEVELOPMENT

Dear Mr. Zimmer:

At your request, the Road Commission for Oakland County (RCOC) has completed a preliminary review for the above referenced project. Enclosed you will find one set of plans with our comments in green, and below a listing of the comments generated by the RCOC review:

- A) The RCOC Master ROW Plan indicates a 60-foot wide half width ROW for W Maple Rd. The existing ROW is shown to be 33-foot wide half width. Please contact Right-of-Way Department, at (248) 645- 2000 to discuss dedicating the ROW or establishing a dedicated highway easement.
- B) Provide a Center Left Turn Lane (CLTL) to accommodate the proposed drive approach. The existing pavement is marked as a dedicated Right Turn Lane (RTL). This dedicated lane can not be utilized as a passing lane.
- C) Remove or relocate all fixed objects prior to excavation. Fixed objects shall be no nearer than 6 feet from back of curb, or 12 feet from lane line.
- D) Site drainage shall not drain directly into road right of way.
- E) Right of way shall be graded to provide positive roadside drainage across the property frontage. perform proper storm water improvements.
- F) Pavement cross section shall consist of a minimum 2 inches of MDOT 5E HMA, over 3 inches of 4E, over 4 inches of 3E, or 9 inches of MDOT 35-P concrete, with epoxy coated rebar lane and curb ties over a suitable base, as determined in the field by RCOC.

**Department of
Customer Services
Permits**

**2420 Pontiac Lake Road
Waterford, MI 48328**

248-858-4835

**FAX
248-858-4773**

**TDD
248-858-8005**

www.rcocweb.org



Timothy J. Zimmer
June 6, 2024
Page 2

Once the comments above are addressed, plans should be submitted via email to permits@rcoc.org with completed RCOC permit application(s) Form 64a, signed by the owner (or his agent), and the appropriate application fee(s).

All future correspondence related to the above referenced project will be sent to the address provided by the applicant. Separate applications will be required for:

- a) Drive approach and Road Improvements
- b) Utility connections

Upon receipt of the appropriate application packet, RCOC will provide a more detailed review. Please contact this office at (248) 858-4835 if you have any questions, or if we may be of further assistance.

Respectfully,

A handwritten signature in blue ink that reads "Simon Yousif".

Simon Yousif, P.E.
Permit Review Engineer
Department of Customer Services

COMMERCE BUSINESS CENTER

**1961 W. West Maple Road
Commerce Township, Michigan 48390**

Parcel Numbers: 17-33-176-001, 17-33-176-002, 17-33-251-001, 17-33-176-003, 17-33-176-004

Project Overview

Commerce Business Center is a proposed warehouse development located on a triangular-shaped property consisting of five combined parcels.

The project is designed to provide **91 medium-sized industrial units**, each approximately **25 feet wide by 60 feet deep**, serving the needs of small businesses that have outgrown working from their homes and require additional space to continue growing.

The development is intended to create a professional business community where small companies can operate side by side, expand their operations, and create additional employment opportunities within Commerce Township.

Community and Workforce Opportunities

As local businesses grow, many will need to hire additional employees. Commerce Business Center is intended to support that growth by providing appropriately sized, professionally managed industrial space for these businesses.

Sierra Ventures would also like the development to become a resource for the local community by encouraging opportunities for **mentorship, workforce development, and work-study vocational training**, including potential relationships with the local high school.

The goal is to create more than simply warehouse space—a business center where growing companies can develop and where future employees can gain practical experience and skills.

Access and Infrastructure

Sierra Ventures, Inc. has met with the **Road Commission for Oakland County (RCOC)** regarding access to the property. RCOC will require the entrance on West Maple Road to be expanded to **five lanes**.

The proposed buildings will include **fire suppression systems**. No outdoor storage will be permitted as part of the development.

Development Experience

Sierra Ventures, Inc. has developed several properties in Commerce Township over the past **35 years**. Commerce Business Center represents the company's final vacant parcel in the Township.

The project is intended to build upon Sierra Ventures' long history in Commerce Township while creating an opportunity for additional small businesses to establish themselves and grow locally.

Ownership Vision

A key objective of the project is to have the center ultimately **owned by the tenants themselves**. This ownership structure is intended to give the businesses operating at Commerce Business Center a long-term investment in the property and in the success of the overall business community.

Sierra Ventures believes Commerce Business Center can become a place where **small businesses, mentorship, workforce development, and local ownership come together**, providing lasting economic benefits to Commerce Township.

27 UNIT MULTI-TENANT INDUSTRIAL BUILDING

UNIT SIZE: 25'-0" WIDE x 60'-0" DEEP | 18'-0" INTERIOR CLEAR HEIGHT | MEZZANINE READY | STEEL CONSTRUCTION

FLOOR AND CEILING STEP UP 8"
EVERY 75'-0" (EVERY 3 UNITS)



FRONT ELEVATION
(ENTRY SIDE)
SCALE: 1/16" = 1'-0"



REAR ELEVATION (OVERHEAD DOOR SIDE)
SCALE: 1/16" = 1'-0"

• ALL UNITS HAVE 12'x14' OVERHEAD DOOR ON REAR • NO ENTRIES ON REAR •



LEFT END ELEVATION (FANCY CORNER)
SCALE: 1/8" = 1'-0"



TYPICAL UNIT SECTION (LOOKING LEFT TO RIGHT)
SCALE: 1/8" = 1'-0"



RIGHT END ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING FEATURES (EACH UNIT)

- 25'-0" WIDE x 60'-0" DEEP
- 18'-0" INTERIOR CLEAR HEIGHT (MEZZANINE READY)
- FLOOR AND CEILING STEP UP 8" EVERY 75'-0" (EVERY 3 UNITS)
- STEEL CONSTRUCTION
- GLASS ENTRY DOOR WITH (1) SIDELITE EACH SIDE
- ENTRY OVERHANG WITH LIGHTING
- 12'x14' OVERHEAD DOOR ON REAR
- 100 AMP, 120/240V, 1-PHASE ELECTRICAL SERVICE
- OVERHEAD LED LIGHTS
- 3 PIECE BATHROOM (TOILET, LAV, SHOWER)
- INSULATED METAL WALL PANELS
- STOREFRONT ENTRY DOOR ON FRONT OF EACH UNIT
- INDIVIDUAL LIGHT FIXTURES PER UNIT

ELECTRICAL

- 100 AMP SERVICE PER UNIT
- 120/240V, 1-PHASE, 3-WIRE

LIGHTING

- OVERHEAD LED LIGHTS
- EXTERIOR WALL PACKS AT ENTRY & REAR

BATHROOM (EACH UNIT)

- 3 PIECE BATH
TOILET, LAVATORY, SHOWER

UNIT SUMMARY

TOTAL UNITS	27
UNIT SIZE	25'-0" x 60'-0"
BUILDING WIDTH	675'-0"
BUILDING DEPTH	60'-0"
INTERIOR CLEAR HEIGHT	18'-0"
MEZZANINE CLEAR HEIGHT	12'-0"

MATERIALS & COLORS

CHARCOAL BLACK
VERTICAL METAL SIDING
(ACCENT AREAS)

LIGHT GRAY
VERTICAL METAL SIDING
(MAIN WALLS)

CHARCOAL
OVERHEAD DOORS,
ENTRY OVERHANGS,
WALL PACKS, TRIM





OTHER MATTERS

PLANNING DIRECTOR'S REPORT

To: Commerce Township Board of Trustees

From: Commerce Township Planning Department
David Campbell, AICP – Planning Director
Paula Lankford – Senior Planner
Bethany Miller – Associate Planner

Date: September 2, 2026

RE: August 2026 Monthly Planning Department Report
(covering August 13, 2026 through September 2, 2026)



Development updates

- **Southwest corner of Union Lake and Wise Roads** – Consistent with Article 38 of the Township's Zoning Ordinance, the development team of U Wise LLC held a planned unit development (PUD) pre-application conference with the Commerce Township contingent (Twp Supervisor, Attorney, Parks & Rec Director, Planning Department, Deputy Building Official) on September 1, 2026 for the redevelopment of the 65 acres at the southwest corner of Union Lake and Wise Roads, including the former Union Lake Golf Course and Sally's Barn. The prospective developer proposes a collection of commercial buildings concentrated upon approx. 15 acres at the intersection's southwest corner including two multi-tenant / restaurant buildings (including a drive-through on each), an automated car wash, and a 75,000'ish sq ft grocery store w/ pharmacy. The remainder of the former golf course consisting of approximately 50 acres would be donated to Commerce Township as an extension of the Township's Victory Park. Given the complexities involved, not the least of which will include all the State/EGLE permits necessary for daylighting the Hayes Creek, filling a portion of regulated wetlands, and creating a new larger wetland near the center of the former golf course to mitigate that which was filled, the developer is likely to propose the project as a brownfield consistent with the State's Brownfield Redevelopment Act. Prior to the PUD pre-application conference on Sept. 1, the developer requested a special Planning Commission meeting that was held on July 13 where they received the Planning Commission's non-binding and informal comments as well as public feedback. The petitioner intends to hold a public hearing for the PUD during the Planning Commission's meeting on October 5, 2026, during which the Planning Commission would have the option of making a formal recommendation of approval to the Township Board. It is plausible the PUD could proceed to Township Board at the meeting on October 13 for the Board's consideration of approval of the PUD. Concurrent to PUD process, the developer would also be seeking approval of a brownfield plan from the Township Board and then from the Oakland County Brownfield Redevelopment Authority.
- **Commerce Lake Market** – The Planning Commission held a public hearing during their regular meeting on August 10, 2026 for the conditional rezoning of two properties for a proposed expansion of Commerce Lake Market at 1740 Glengary Road (northeast corner of Glengary and Benstein). The existing store and the existing home at 2750 Benstein

would be demolished, and replaced with a larger 6,800 sq ft store and a fuel center with four double-loaded pumps (8 nozzles, or 16 nozzles if each double-loaded pump also has a diesel nozzle) under a new fuel canopy on the east side of Benstein. Owner/operator Steve Bakko hopes that the new/bigger/better store would function more as a neighborhood market than as a party store, offering hot/prepared foods and more fresh/grocery options. The existing store is currently zoned B-2 (Community Business) and the existing home is currently zoned R-1D (One Family Neighborhood Residential). Since automotive fuel sales are only permitted as a special land use in the B-3 (General Business) zoning district, the petition is for both properties to be combined into one development site and conditionally rezoned to B-3. A traffic impact study was completed by the Township's Traffic Engineer, with a finding the center left-turn lanes along Benstein north of Glengary and along Glengary east of Benstein would both have to be extended to provide additional storage for left turns into the new Commerce Lake Market. The existing store currently has two driveways along the north side of Glengary Road, but the westerly driveway would be removed with the proposed new store in order to maximize separation from the intersection of Glengary & Benstein. Mr. Bakko also commissioned a market study intended to demonstrate the "documented and immediate need" for fuel sales at that location, since demonstrating a documented and immediate need is one of the criteria for any special land use. After a standing-room-only public hearing, the Planning Commission unanimously (6-0, 1 excused absence) approved a motion recommending the Township Board approve the conditional rezoning. Prior to a final decision on the conditional rezoning by the Township Board, the petition will proceed to Oakland County's Coordinating Zoning Committee (CZC) because the site is adjacent to the municipal border between Commerce and the Village of Wolverine Lake. Per State law, when a rezoning is proposed on a property that borders an adjacent municipality, the County is required to review the rezoning in an effort to ensure one community is not proposing a rezoning that would be disparate to the zoning and existing land use of the adjacent community. The CZC's meeting was held September 2, 2026 where the CZC unanimously (3-0) recommend approval of the rezoning to the Commerce Township Board. The conditional rezoning will be included on the Township Board's meeting agenda for September 8. If the conditional rezoning is approved by the Township Board, the project would return to the Planning Commission for consideration of special land use approval as well as site plan approval.

- **Wingate Preserve conditional rezoning (NE corner of Commerce & Carey)** – At the regular meeting on July 14, 2026 the Township Board voted by a 5-2 margin to approve the conditional rezoning petition from Commerce Carey LLC (Mark Kassab, Jim Galbraith, and friends) for Wingate Preserve to develop 142 new homes on the combined 75 acres at the northeast corner of Commerce & Carey Roads. The conditional rezoning plan presented to the Board proposed 148 units, but the developer volunteered to reduce the count to 142 on a revised conditional rezoning plan. In the course of revising the conditional rezoning plan, the developer opted to make some revisions to the project's proposed layout by eliminating three short cul-de-sac roads. The Planning Director and the Township Attorney agreed that the change likely makes for a better layout, but goes beyond a "minor modification" or an "immaterial change". As such, the amended

conditional rezoning plan is being submitted to the Township Board during the September 8 meeting for reconsideration and re-approval. If the Township Board approves the amendment to the conditional rezoning for Wingate Preserve, the conditional rezoning agreement must be executed by the Township and the developer and then recorded at Oakland County Register of Deeds. From there, the Wingate Preserve team would proceed toward consideration of approval of its condominium site plan and master deed by both the Planning Commission and Township Board. The development team is hoping the condominium site plan will be included on the agenda of the Planning Commission's regular meeting on October 5 for the PC's potential approval of the condominium site plan.

- **Oakley Park Business Campus** – Jon Stewart and Ben Williams with SPS Investments is proposing to develop two vacant parcels located along the south side of Oakley Park Road between Martin Road and Haggerty Road. The two lots are zoned TLM (Technology Light Manufacturing). The proposed development will include two phases; phase 1, Commerce Modern Warehouse, includes 70 attached for-lease warehouse units within three buildings that are targeted towards high-standard professionally managed business warehouse suites. Phase 2, Commerce Flex, has for-lease adaptable flex-spaces of 22 attached units within two buildings. Commerce Flex units include office space, showroom, light warehouse, and a private restroom. Both phases will include lease agreements to include provisions for permitted uses and establishing enforcement for violations. Site access is proposed via two new full-access driveways along the south side of Oakley Park Road and two new full-access driveways along the north side of Ridgeway Court. Mr. Stewart is also seeking a Use Determination from the Planning Commission to determine whether the “warehouse suites” within phase 1 can be considered a use consistent with “warehouse or wholesale establishment within a wholly enclosed building” a use listed as a special land use within the TLM (Technology Light Manufacturing) district. Stewart and Williams attended the Planning Commission's regular meeting on August 10, 2026 and received approval on the Use Determination for the project. Now they will proceed to the Planning Commission's regular meeting on October 5, 2026 to hold a public hearing on the special land use for a warehouse use in the TLM zoning District as well as seek corresponding site plan approval.
- **The Learning Experience** – Joey Jonna of Jonna Construction continues to seek a viable location for a 10,000 sq ft school/daycare center - The Learning Experience. Initially he explored the 4.4 acres of undeveloped property on the south side of W. Wise Rd. just west of Carroll Lake Rd, and brought a concept plan to the Planning Commission on July 6. Mr. Jonna is now exploring the undeveloped 1.7 acres on the south side of Richardson between Union Lake and Haggerty, which is zoned B-3 (General Business). Mr. Jonna will present a new concept plan for that site to the Planning Commission at the next regular Planning Commission meeting on September 14, 2026.
- **Commerce Business Center** – Dennis Park, President of Sierra Ventures Inc. is exploring a new concept plan for a for-sale light industrial condominium suites comprised of five properties, four of which are zoned I (Industrial) and one zoned B-2 (Community Business) located south side of Maple Road, east of Beck Road. The uses envisioned to own/occupy the suites (shops for building trades, professional offices, incubator spaces, etc.) are

typically permitted land use within both zoning districts. This new plan will have all buildings fire suppressed to comply with IFC requirements. Mr. Park will be included on the agenda for the Planning Commission's next regular meeting on September 14.

Zoning Map & Zoning Ordinance Amendments

- **Wingate Preserve conditional rezoning** – Please see above
- **Commerce Lake Market** – Please see above
- **Data centers** – The Planning Department had a preliminary discussion with both the Township Board (on April 28) and with the Planning Commission (May 4) about a prospective series of amendments to the Township Zoning Ordinance to address the appropriate zoning district(s) and development standards for if & when a large data center is proposed within the Township. Based on those discussions and the direction provided, the Planning Department drafted language for the Zoning Ordinance amendments for consideration and action by the PC and the TB in the near future. The Township Board at their July 14 regular meeting approved a four-month extension of the six-month moratorium on data centers that was originally adopted in February 2026 that will now expire in December 2026. With this extension, the Planning Department expects that the Planning Commission and Township Board will have adopted the new standards for data centers within the amended Zoning Ordinance. At the Planning Commission's last regular meeting on August 10, new updated language was proposed for the amended Zoning Ordinance. The Planning Commission provided feedback of additions and changes they would like to see in the ordinance. The Planning Department will make the requested changes along with the Township Attorney and have a public hearing at the next regular Planning Commission meeting on September 14, 2026. In the meantime, Commerce Township has received no proposals or inquiries for a new data center in Commerce Township. The intent is to have standards in place for if & when a data center is proposed.

Zoning Board of Appeals (ZBA)

The next regular ZBA meeting scheduled for September 24, 2026 has been cancelled due to lack of petitioners. Which means that Senior Planner Paula Lankford, who is retiring from Commerce Township after 38 years on November 5, attended her last ZBA meeting on July 23, 2026. The giant "Fare Thee Well, Paula!" cake Trustee Rick Sovel was going to bring to the Sept. 24 meeting should instead be provided to the Planning Department.

Planning Commission

The Planning Commission's regular meeting on September 14, 2026 could potentially include the following:

- A public hearing for prospective language for amendments to the Township Zoning Ordinance to address the appropriate zoning district(s) and development standards for if & when a large data center is proposed within the Township (as described above).
- A concept plan for The Learning Experience a child daycare facility located on the east side of Martin Road south of Richardson Road (see above).
- Crawfish boil.

- A concept plan for Commerce Business Center of a for-sale light industrial condominium suites located south side of Maple Road, east of Beck Road (see above).

ADJOURNMENT