

PENINSULA TOWNSHIP

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PENINSULA TOWNSHIP PLANNING COMMISSION AGENDA

January 23, 2023

7:00 p.m.

1. **Call to Order**
2. **Pledge**
3. **Roll Call**
4. **Approve Agenda**
5. **Brief Citizen Comments (For Non-Agenda Items Only)**
6. **Conflict of Interest**
7. **Consent Agenda**
 - a. Approval of Meeting Minutes: Planning Commission Regular Meeting December 19, 2022
8. **Reports and Updates**
 - a. None
9. **Business**
 - a. OMP Seven Hills Development LLC SUP #35, Amendment #2 – review of new information and continued discussion with potential PC action to occur (13795 Seven Hills Road, Traverse City, MI 49686)
10. **Public Comments**
11. **Other Matters or Comments by Planning Commission Members**
12. **Adjournment**

Peninsula Township has several portable hearing devices available for audience members. If you would like to use one, please ask the clerk.

Minutes

PENINSULA TOWNSHIP
13235 Center Road, Traverse City MI 49686
Ph: 231.223.7322
Planning Commission Regular Meeting
December 19, 2022, 7:00 p.m.

1. **Call to Order**: 7:00 p.m. by Shipman
2. **Pledge**
3. **Roll Call**: Dloski, Couture, Hornberger, Shipman, Alexander, Hall, Shanafelt; Also present: Jenn Cram, Planner, and Beth Chan, Recording Secretary
4. **Approve Agenda**:
Moved by Hornberger to approve agenda as presented, seconded by Shanafelt
approved by consensus
5. **Brief Citizen Comments (For Non-Agenda Items Only)**: None
Planning commission discussion of brief citizen comments for agenda and non-agenda items and placement in the agenda
6. **Conflict of Interest**: None
7. **Consent Agenda**:
 - a. **Approval of Meeting Minutes: Planning Commission Regular Meeting November 21, 2022**
Moved by Dloski to approve the consent agenda as presented, seconded by Alexander
approved by consensus
8. **Reports and Updates**:
 - a. **Existing Zoning Ordinance with Approved Amendments (Cram)**
Cram: Summarized the chronology of the zoning ordinance. Before December 13, 2022, there were 200 amendments approved. Completed a comparison of the 2009 version, which contained most of the revisions through amendment 185. Amendments 185 through 200 were listed separately and not incorporated into that document. A page-by-page comparison was made with the 2018 version, it was noted that amendments 192, 196, 197, 199, and 200 were missing. A final document will be prepared that will incorporate all of the amendments through amendment 201. A new updated version of the zoning ordinance will be provided; the bylaws will be available in the January meeting.
Hall: will it be available on the website?

Cram: yes. Also, the rewrite will be vetted by the township legal counsel and will conform to the Michigan Zoning Enabling Act.

b. Zoning Ordinance Amendments for Farm Processing (Cram)

Cram: the township board unanimously adopted amendment 201 and it was published in the Record Eagle on Friday. Hopefully, the moratorium will be lifted so the township can accept applications for the A-1 zone.

9. Business:

a. OMP Seven Hills Development LLC SUP #35, Amendment #2 – Public Hearing (13795 Seven Hills Road, Traverse City, MI 49686)

Cram: refers to key points from the memo included in the meeting packet. Amendment number one was approved in 2021 and they did a minor modification and reduced the footprint of the building to accommodate a larger septic system in anticipation of increasing their capacity. They would like to increase the capacity of the whiskey and coffee bar from the approved thirty-two (32) to seventy (70). Seating would be in an outdoor area and outdoor activities are proposed. The back building has remained the same. The packet includes a fire department review with approval and the Grand Traverse County Building Department, and the Grand Traverse County Health Department has approved the occupancy increase. The parking is four spaces short but could go to three. Spoke with Jennifer Graham, the township engineer, and she understands that the applicants will look at options to create parking spaces.

Hall: for reference concerning parking, Hoplot in Leelanau County is an example of a business that does not have enough parking, creating a safety issue on M-22.

Cram: has asked them to look at hours of operation to accommodate neighbor concerns. Dave Sanger suggested looking at the Boathouse because they came in with a similar request. The boundary for a liquor license will be identified which will lead to identifying where outdoor activities will be held. Showed the building plans and parking diagram to the planning commission members and explained parking calculations to bring the total to fifty-four (54) spaces needed; currently they are at fifty (50). Bus parking needs to be considered; options were reviewed.

Dloski: for the parking calculation on the use of the property, if there is a change in use, will the applicant be required to come in for a certificate of zoning compliance?

Cram: yes, it based on this plan and if that changes, they will need to come in for an amendment.

Dloski: certain uses may be limited due to the lack of parking.

Shanafelt: how many parking spaces does a bus parking space count for?

Cram: there are two (2) bus spaces, that takes up four (4) regular spaces.

Shanafelt: the buses hold eight (8) to fourteen (14) people; consideration should be made for a credit for parking spaces.

Cram: the capacity remains at seventy (70), will speak to legal counsel on this issue.

Hall: the use may change to a more intense use for parking requirements; if an easement is used on adjacent property, what happens when the easement is abandoned? Then the site is underparked?

Cram: if used, an easement should be in perpetuity and would run with the land.

Discussion of parking options

Alexander: will the ADA spaces be increased?

Cram: no

Shipman: for the bus parking, we have required parking for other projects, this is a tight space; there is a need to look at this applying to the future.

Shanafelt: for bus use, less asphalt will be used; this is tied to use and occupancy.

Cram: occupancy is based on fire and building codes as well as the onsite septic system. Parking is based on uses and square footage.

Shanafelt: need to consult legal counsel.

Cram: there is a need to revisit township parking standards in the future based on the uses and buses and cars.

Discussion

Hornberger: for the bus parking, how long would they stay?

Troy Daly (applicant): approximately thirty (30) to forty-five (45) minutes.

Moved by Dloski to close the regular meeting and open the public hearing, seconded by Couture **approved by consensus**

Nancy Heller, 3091 Blue Water Road: this is a high-intensity use; very concerned with the other traffic in the area. Has a winery neighbor and the brew bus goes by every fifteen (15) minutes. There could be a backup of buses. People park in the most convenient area. Suggested taking time to consider requested uses and how it would affect the health safety and welfare; there are so many activities being considered. Suggested caution, it is not safe due to the increase in traffic. Also, there is a winery in the area in operation.

Jordon Valdmanis 16330 Peninsula Drive (applicant): have been working for two years, and reviewing the uses. The uses have been reviewed with the township for two years. Three of the four owners with young families live within a mile and want parking and traffic to work for the site. The existing and proposed tenants are Old Mission residents and part of the community.

Shipman: it states the uses of on-site hiking and ice-skating as part of the original approval.

Jay Milliken (applicant): that was two years ago and part of the original approval.

Cram: these uses and the two office spaces raise additional issues.

Milliken: discussed the originally proposed potential for the outdoor approvals, the outdoor corn-hole could become ice-skating. The intention is to have the maximum number of options.

Valdmanis: originally asked for a distillery, the township verbiage does not line up with the county and the MLCC where a containment area is required.

Shipman: when looking at parking and the future, if it is accurate for now; wanted to make sure the requirements are met. Referred to the uses.

Cram: the site plan will rule over this description, the parking and capacity are based on that. It is necessary to look at uses.

Milliken: pointed out that yoga and fitness is an outdoor use in the summer.

Cram: the list of outdoor activities should be clarified along with confirmation as to where the activities are happening.

Hornberger: questioned bike rentals, the cars could take up space for a longer period.

Milliken: the office space could be used for bike rentals.

Hornberger: the renters would potentially leave their cars in the parking lot, which could be a problem.

Milliken: does not want to limit activities.

Cram: the applicant should update the description.

Valdmanis: do not want to reapply for uses for the site.

Cram: will work with the applicant on an updated plan and parking.

Alexander: confirmed that it is a tasting room. Traffic on the road could pose difficulties, specifically people coming off Center Road and turning into the property. Can the road commission get a bump out on the other side?

Valdmanis: Jennifer Graham, the township engineer, and the GTC Road Commission asked for a wider shoulder; everything that was required has been installed. Showed site plan depicting the installed road improvement.

Shanafelt: suggested looking into what signage would be useful off-site.

Valdmanis: supports any off-site improvements

Cram: if off-site is required, it needs to be in the SUP; can reach out to the road commission once the entrance has signage. Anticipates a sign permit from the applicant at a later date.

Valdmanis: the approved sign is on the approved site plan, will be updating the sign language.

Dloski: traffic at Center Road and Seven Hills Drive may be a problem.

Valdmanis: have hired engineers, as required by the township, to make this work.

Cram: would blue signs be employed to mark the business?

Valdmanis: will contact Jeremy West at MDOT

Heller: those signs are paid for on yearly basis.

Discussion

Hall: Section 7.6.4 of the zoning ordinance mandates parking space width requirements, eight (8) and a half (½) foot, is this requirement met?

Cram: yes

Cram reads a letter from Kathy and Fred Doleker (included in the minutes)

Jay Milliken, 7580 East Shore Road (applicant): brought up the letters of support from two years ago for the initial SUP and that they were not included. Asked that the letter from the Dolekers not be included.

Cram: explained the new packet policies were adopted in October 2022, found in the planning section of the township website.

Shanafelt: were these letters ever included?

Milliken: no

Shipman: recently?

Milliken: two years ago

Cram: clarified the packet policy

Alexander: commented on hours of operation; were you talking 12:00 a.m.? the MLCC closing time is 2:00 a.m. There is a light and noise ordinance to deal with.

Moved by Dloski to close the public hearing and open the regular meeting, seconded by Shanafelt
approved by consensus

Cram: to recap, will work with the applicant on defining the outdoor space and the uses that will be allowed that meet the parking requirements and hours of operation for the outdoor spaces only (keeping in mind the 11:00 p.m. closing for the Boathouse Restaurant). If the outdoor uses go past dark: it will require lighting that meets the standards of the lighting ordinance and it will have to meet the noise ordinance.

Shanafelt: given approval and if the business is highly successful; if parking occurs along the road, thoughts on how to deal with it.

Valdmanis: ticket and tow

Shanafelt: ticket and tow is not practical for the township.

Discussion of decision for OMP Seven Hills Development LLC SUP #35, Amendment #2 SUP when the applicants come back with the required information

Moved by Dloski to schedule a decision for the OMP Seven Hills Development LLC SUP #35, Amendment #2 SUP for the February planning commission meeting, seconded by Couture.
approved by consensus

10. Public Comments:

Nancy Heller: In going over the SUP, this business, a whiskey bar, there should be consistency with the verbiage; MLCC has additional listed permitted uses that should be considered when titling the business.

11. Other Matters or Comments by Planning Commission Members:

Shipman and Alexander will be absent from the January planning commission meeting.

12. Adjournment:

Moved by Dloski to adjourn, seconded by Hall.

approved by consensus

Adjournment at 8:21 p.m.

DRAFT

12-19-2022

Peninsula Township Planner

Thank you Jenn for sending the packet information regarding the planning meeting that will be held this evening. I will not be able to attend tonight. I see the Seven Hills Development is on the agenda for discussion. It looks like parking allotment is being discussed again. The request is for more than double than originally planned for patrons. My first thought is okay but the size of the property has not changed. How large will the outdoor seating accommodate? How much seating is being allowed inside for the tasting room, coffee shop and restaurant. What happens if it is full? Will people be waiting outside taking up space? Where will the employees park? One business is open now. How much parking is granted to Tinker Studio? What businesses will be occupying the other building spaces? That is where it is puzzling to me how additional parking can be granted when there is still information that needs to be provided.

I know how busy it gets out here in the spring, summer and fall. Parking can be very difficult at Mapleton Market, Peninsula Grill and oh my Bad Dog Deli. What happens if folks try parking on the side of the road? There are a lot of bikers on the peninsula in the summer. I hope their safety is being discussed also. There are no good shoulders of the road to ride on Seven Hills Road.

So, now I have some questions about the possibilities that could be planned. First of all, do you have a plan on the hours of operation including outdoor seating. If you plan to stay open until 2 a.m. what does that look like. Will the outdoor seating be enclosed or open space? Will you have outdoor music? What will lighting look like? How will noise be monitored?

Looks like you want gaming activities how late will that go on in the summer if they are held outdoors? We do have a lovely park just around the corner. How will the noise be monitored? What about lighting? That will require people to use parking spaces for a longer period of time. How would that work of limited parking already?

What does mixed retail mean? Where will it be sold? Inside/outside or both?

The topic of events concern me. Is this going to be an area where people come to party. I am unclear if permits need to be issued because of this being on commercial property. What would an event look like? How late will they go? I am sure you will want some outdoors. Everyone knows the peninsula has beautiful evenings in the summer. Existing residents already know this will be a new destination for people to come and enjoy including an existing overload of wine/ bus tours. out on the peninsula. Again, so what about parking? Locals also know this will have an impact on already heavy traffic. Remember there are only two main roads out here Center and Peninsula Dr. Traffic and noise are two important factors that we as residents have valid concerns about. Don't forget our law enforcement and fire and medical responders. They do an excellent job keeping us safe. Any business will have an affect on everyone one way or another. This development is in a neighborhood where people want to enjoy their property as much as the business. I believe there is a house just on the other side of the property parking lot same side of the road. How does any of this affect the residents living there?

It looks like a possibility of a business starting on this property that involves an outdoor sports equipment rental. If this is the case, where will the equipment be stored? Will there be a shuttle bus available to provide transportation and help folks with as an example paddle boards, canoes, kayaks or any other equipment. Where will the customers park while they are renting the equipment? If there will be transportation where will that be parked?

As you can see the list can grow and grow. I am trusting that these types of questions will be brought to the table for open discussion. I feel our planner and township board are trying very hard to work on both sides of the aisle. I truly hope the decisions that are going to be made will benefit all parties, including the residents who live in our neighborhoods and have rights also. The peninsula is changing that is a fact. Let's all be respectful to one another as we move forward to make our peninsula a kind and caring place to live.

Thank you for your time. I also appreciate that we as residents can have the right to express our concerns knowing that it is okay. That we will be treated with respect and not be afraid to ask questions.

Respectfully submitted,

Kathy and Fred Doelker

Business

Seven Hills Development SUP #35, Amd. #2

PENINSULA TOWNSHIP

MEMO

To: Planning Commission
From: Jenn Cram, AICP, Director of Planning
Date: January 18, 2023
Re: Seven Hills Development - SUP #35, Amendment #2

Following the December 19, 2022 public hearing with the Planning Commission, staff provided the applicant with a summary of additional information needed to address the comments received. Staff also followed up with the Grand Traverse County Health Department, Grand Traverse County Road Commission and the Township Engineer. In addition, staff reviewed the history of the property and details of the May 11, 2021 approval. Email correspondence is attached as [Exhibit G](#). Staff is currently working with the applicants to ensure that all conditions of approval for Amendment #1 have or will be met. This will inform the draft conditions of approval for Amendment #2. A copy of the Findings of Fact and Conditions approved by the Township Board on May 11, 2021 is attached in [Exhibit F](#) for reference.

The applicants provided additional information as requested on January 10, 2023. After review, additional revisions were requested and received on January 18, 2023. Below is a summary of what has been received to date along with comments from staff.

Revised Project Description with details on Proposed Outdoor Uses and Hours of Operation:

The project description dated January 8, 2023 and received on January 10, 2023 provides the requested details on the proposed outdoor uses. These uses are consistent with what the Grand Traverse County Health Department noted were acceptable over the drain field including; games (i.e., cornhole, horseshoes, etc.) yoga and fitness classes, gathering and consumption (eating and drinking). Amplified music may also be played and will comply with the noise ordinance. Comments from Environmental Health are included as [Exhibit E](#). Staff has no concerns with the proposed outdoor uses.

The proposed closing time for the whiskey bar indoors is 2 am. The proposed closing time for outdoor uses was originally 11 pm Sunday – Thursday and 12 am Friday-Saturday. Staff noted concern with the proposed hours of operation based on the close proximity to existing residences and the topography of the area. An addendum was received on January 18, 2023 with the proposed closing time for outdoor uses being reduced to 10 pm Sunday –

Thursday and 11 pm Friday – Saturday. Staff believes that these closing hours are more reasonable with regard to being harmonious with surrounding residential uses, especially with the understanding that amplified music may be played. However, after researching the hours of operation for other restaurants that have outdoor seating on the peninsula it was discovered that the other restaurants do not stay open after 9 pm. We looked at both winter and summer hours. We would like to discuss the proposed hours of operation with the Planning Commission further. The revised project description and addendum are included as [Exhibit A](#).

Revised Site Plan:

The revised site plan received on January 10, 2023 showed three additional parallel parking spaces utilizing pervious pavers. The two bus parking spaces were also converted to four regular car parking spaces for a total of 55 parking spaces. The three parallel parking spaces were shown over the property line. The revised site plan received on January 18, 2023 moved the three spaces to the southeast so that they are entirely on the subject property. However, it is now clear that a retaining wall is needed in the southeast corner. In addition, staff is concerned that the three spaces are not functional and may need additional paved area for circulation to allow cars to realistically get in and out of the spaces. Both site plans were referred to the Township Engineer for review and comment. Staff also asked if the additional pervious parking spaces require an update to the drainage and stormwater plan. As of the date of this memo, staff has understandably not received comments from Engineering. The latest site plan is included as [Exhibit B](#).

During the public hearing with the Planning Commission on December 19 concerns were raised about the potential for overflow parking to park on Seven Hills Road. This was also a concern during the review of Amendment #1. Staff reached out to the Grand Traverse County Road Commission to see if no parking signs could be installed. The answer received was that signs will only be considered if the Michigan State Police has documented proof that there is problem. The cost to install signs will be paid by the applicant. The email from Grand Traverse County Road Commission is included in [Exhibit E](#). On January 17, 2023 staff discussed this with the applicants and asked if they would be willing to install signage on the property to educate their patrons that if parking is full to please stop back another time, as no parking on Seven Hills Road is permitted and cars will be ticketed and towed. The applicants noted that they would be willing to consider this in the future. If the Planning Commission agrees with the suggestion this could be handled with a condition of approval.

Revised Use Floorplan:

The revised use floorplan received on January 18, 2023 is very helpful. As shown, all space has been accounted for. The required number of parking spaces for the proposed uses has been provided on site with the proposed 55 spaces. If it can be demonstrated that the three additional parallel parking spaces are functional, then the required parking for each use will be met per Section 7.6.3. We will walk through the parking calculations with the Planning Commission during the meeting on January 23. The use floorplan is included as [Exhibit C](#).

Lighting Plan:

Since outdoor uses are proposed after dark a lighting plan is required for the safety of patrons. It was also discovered that the approval of Amendment #1 did not include a lighting plan for the parking areas. Section 7.14 requires that parking areas for commercial uses provide a lighting plan with photometric data. Additional details

were provided on January 18, 2023, but do not meet the requirements of Section 7.14. The lighting plan needs to show the location of all proposed fixtures, proposed height if freestanding, cut sheets for light fixtures and the area of light cast by fixtures with foot candle measurements. Staff has shared an example of a lighting plan from another SUP approval. The applicants are currently working to provide a lighting plan that meets the requirements of Section 7.14. Lighting information is included as [Exhibit D](#).

Summary and Recommendation:

There are still several items that need to be addressed before staff can confirm that all requirements of the zoning ordinance have been met. The applicants have requested that the application move forward to the Township Board with draft conditions of approval. Staff believes that it is necessary for the Planning Commission to see the final site plan and lighting plan prior to recommending approval. In addition, the hours of operation need to be discussed and agreed to. And lastly, the applicants need to demonstrate that all conditions of approval from Amendment #1 have or will be fulfilled. Staff recommends that the Planning Commission Table any action on the application to the February 27, 2023 meeting provided that all items can be addressed in a timely manner.

Exhibit A

SUP #35

Amendment #2

January 8, 2023

RECEIVED
1/10/23
JL

The purpose of this second amendment is to give OMP Seven Hills LLC the ability to operate successfully, for a long period of time within the confines of the Peninsula Township Ordinance. There is some slight adjustment to the square footage per use as well as an increase of seats within the tasting room and market. Additional seating falls within the allotments based on fire department, health department, environmental agencies (septic and drainage), parking requirements and traffic surveys.

In addition to increasing our seat count, we are also seeking approval for outdoor uses on the property. Commercially zoned (C-1) property is the only zoned property that should truly be allowed to conduct commercial outdoor uses. Outdoor use to include games (ie. cornhole, horseshoes, etc), outdoor yoga/fitness classes, gathering, consumption (eating and drinking).

Given the commercial zoning of our property and state liquor laws we are allowed to serve patrons alcohol until 2am. With that, we will be limiting our outdoor hours of operation for the property, closing 11pm Sunday - Thursday and closing 12am Friday - Saturday. Amplified music may be played during these hours of operation and will remain in compliance with the noise ordinance.

As the ordinance sits now, it is very misleading to state all uses must be conducted in an enclosed building. This is not possible with commercial uses including things like Marinas that are inherently outdoors. All outdoor uses will comply with current noise and lighting ordinances.

Purpose of Amendment:

Increase seating capacity from 32 to 70 seats

Allow for outdoor uses on property

All other uses and restrictions outlined in the original approved SUP #35 will remain.

JL

1/10/2023



SUP #35

Amendment #2

Addendum #1

Outdoor Space:

Given the zoning of our property and the obvious need to operate within the noise and lighting ordinances of Peninsula Township please find our "outdoor space" closure hours:

Sunday – Thursday 10PM Closure

Friday – Saturday 11PM Closure

MLCC:

Final MLCC approval will coincide with the certificate of occupancy from Grand Traverse County and a final inspection by the MLCC. Final issuance contingent on final inspection. Attached is our conditional approval from the MLCC.

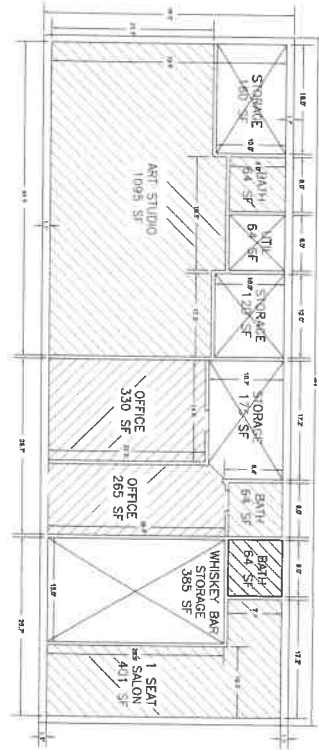
Outdoor Space Lighting:

See attached for fixture specifications and photometric data.

While adhering to the Peninsula Township Ordinance and doing what is safe and responsible for the property and our operations, we are requesting conditional approval for our new outdoor space lighting. Our site plan was approved as is with our current and original exterior lighting plan (outlined on site plan and in attached docs) compliant with the Peninsula Township Lighting Ordinance Section 7.14. Per the ordinance, light will NOT bleed into surrounding properties and will provide adequate coverage for parking and outdoor space. As it sits, there are currently no requirements or specifications on minimum or maximum lighting for commercial properties. With that, we will be lighting the outdoor areas with adequate, dark sky approved, shielded fixtures per the Peninsula Township Ordinance.

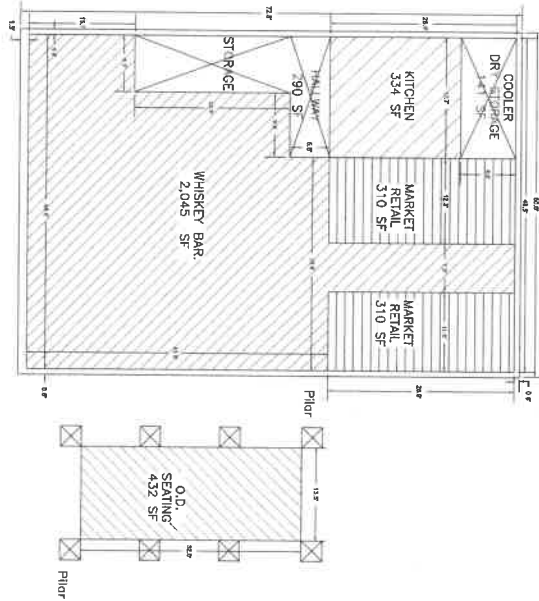
Exhibit B

Exhibit C



BACK BUILDING

SHADE AREA INDICATES USABLE SPACE LIMITED TO CALCULATE PARKING SPACES. MECHANICAL ROOMS, ENTRANCES AND STORAGE AREAS NOTED FROM THE BUILDING MODEL.



FRONT BUILDING AND OUTDOOR SEATING SPACE

PARKING CALCULATIONS

PARKING REQUIREMENTS

ASSUMPTION: PARKING BASED ON USABLE AREAS IN THE BUILDING. MECHANICAL ROOMS HAVE BEEN EXCLUDED FROM TOTAL AREA.

NOTED AREAS IN BUILDINGS INDICATE USABLE SPACE

MAIN BUILDING:

WHISKEY BAR: 1 SPACE PER 75 SQ FT OF USABLE FLOOR AREA

MARKET/RETAIL: 1 SPACE PER 150 SQ FT OF USABLE FLOOR AREA

OLD SPRING: 1 SPACE PER 150 SQ FT OF USABLE FLOOR AREA

REAR BUILDING:

SCALON: 2 PER CHAIR (OWN) = 2 SPACES

OFFICE: 1 SPACE PER 150 SQ FT OF USABLE FLOOR AREA

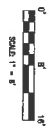
RETAIL: 1 SPACE PER 150 SQ FT OF USABLE FLOOR AREA

TOTAL SPACES REQUIRED = 54.6 SPACES

AVAILABLE SPACES = 54.6 SPACES TOTAL (NOTE: 5 DEVELOPED ONLY)

ADA ACCESSIBLE SPACES = 2 TOTAL

NET TOTAL SPACES = 56.6 SPACES



RECEIVED
11/19/25

Exhibit D

- than the flood elevation line.
 - (b) No fence shall be placed within a road right-of-way.
 - (c) No fence shall be placed closer than twenty (20) feet from the driving lane of a road, street or alley.
 - (d) No fence shall be placed closer than three (3) feet to an adjacent property line without both owners providing approval in writing to the Zoning Administrator and such approval shall include a statement that the fence shall be maintained in good condition and such maintenance shall be the responsibility of each property owner.
- (6) Construction: Fences shall be designed so as not to impede the natural or established water drainage along lot lines.

Section 7.14 Exterior Lighting Regulations: (ADDED BY AMENDMENT 175A)

- (1) All new outdoor light fixtures and specified lighting practices shall conform with this section.
- (2) Outdoor lighting fixtures existing as of the effective date of this amendment may continue to be used except as otherwise provided.
- (3) Voluntary compliance with the intent of this section for exempt uses or structures and existing outdoor fixtures is encouraged.

Section 7.14.1 Intent: The Peninsula Township Board finds that this Section of the Ordinance complies with the Master Plan and that the dark night sky is considered a valuable natural and aesthetic resource which should be protected. The dark night sky contributes significantly to our quality of life by contributing to the public peace and to the health, safety, and welfare of the residents of and visitors to Peninsula Township. The essential public purposes that warrant Township regulation of the use of outdoor light fixtures include, but are not necessarily limited to:

- (1) Safety of individuals using outdoor areas for legitimate and necessary purposes after dark.
- (2) Minimization of light pollution, which has a detrimental effect on the environment, astronomical research, amateur astronomy, and general enjoyment of the night sky.
- (3) Elimination of unnecessary and/or unwanted illumination of adjacent and distant properties.
- (4) Conservation of electrical energy-generating resources.
- (5) Protection of vehicular and pedestrian traffic from dangerous glare.

Section 7.14.2 Lighting-Related Definitions:

- (1) Automatic Timing Device: A device which automatically turns outdoor light fixtures and/or circuits on and off.
- (2) Floodlight: A very strong artificial light so directed or diffused as to give a comparatively uniform illumination over a rather large area and often used to light

fully shielded.

(4) Prohibited lighting types and/or practices:

- (1) Searchlights, lasers, or other high-intensity lights designed or used primarily to light the sky for advertising or entertainment purposes;
- (2) Broad-spectrum lighting, such as quartz, metal halide and mercury vapor lighting because of the diffusive and reflective characteristics of such light;
- (3) Foliage/tree "up lighting".

(5) Illuminated Signs

- (1) Illuminated signs must be turned off no more than one (1) hour after the close of business and may be turned on no earlier than one (1) hour before the opening of business except by special permission granted as a condition of site plan approval.
- (2) External illumination of signs, billboards, advertising kiosks, and information boards shall be mounted at the top of the sign or sign structure and be fully shielded;
- (3) Internally illuminated signs, billboards, advertising kiosks, and information boards shall have a dark background with lighter-colored translucent (not transparent) lettering, logos, and/or designs.

- (6) Parking Lots for commercial uses, planned unit developments, condominium subdivisions, subdivisions, public and institutional buildings, schools; churches, parks, processing facilities, retail sales uses and other vehicular use areas;
- (1) Parking lots shall be illuminated no earlier than one (1) hour before regular hours of operation, and no more than one (1) hour after regular hours of operation except by special permission granted as a condition of site plan approval.
 - (2) Pole height shall not exceed 15 feet except a pole height of up to 25 feet may be allowed for loading areas where necessary for agricultural purposes.
 - (3) A greater number of low mounted lights are favored over elevated lights.

Section 7.14.4 Application/Review Procedures for Special Use Permits and Platted Subdivisions.

The application for all Special Use Permits and subdivisions after the effective date of this amendment shall include the following information:

- (1) Description of all illuminating devices, fixtures, lamps, supports, and reflectors, shall include catalog cuts, manufacturer's illustration and the like.
- (2) Photometric data shall be superimposed on the site plan. For smaller projects, the applicant may provide photometric data supplied by the manufacturer which is separate from the site plan.

- (3) Such other information about the site or adjoining sites as may be essential for the Township Board to determine if the requirements of this section are being met.

Section 7.14.5 Exemptions: The following uses and activities shall be exempt from the Exterior Lighting Regulations:

- (1) Emergency equipment while in use.
- (2) Holiday decorations, provided that decorative exterior lighting shall not include searchlights or stroboscopic lights.
- (3) Fixtures such as decorative or porch lights or walkway lighting.
- (4) All outdoor light fixtures producing light directly from solar or the combustion of fossil fuels such as kerosene lanterns or gas lamps provided the intensity of light does not create glare or distractions that pose a potential danger to vehicular or pedestrian traffic or unnecessary and unwanted glare in the night sky.
- (5) Lighting fixtures to illuminate the American flag may have light shining vertically provided the light source is shielded and the light is focused on the flag.

Section 7.14.6 Relief from Exterior Lighting Regulations:

Applications for relief from the regulations of this Section may be made to the Peninsula Township Zoning Board of Appeals pursuant to Section 5.7 provisions and standards for variances. Any ruling granting relief shall contain all conditions upon which said permit has been granted, including but not limited to the effective dates, times, locations and specifications of the lighting fixtures and plans permitted.

Building Light Fixture

**COASTAL
ELEMENTS™**
collection



FORGE

12074BK

MEDIUM WALL MOUNT LANTERN

Inspired by a lighting industry staple barn light, Forge features a practical outdoor lighting solution to withstand the elements. Whether it is enduring harsh sunrays, extreme cold or continuous salt air, Forge is built to last with an industrial chic flair. The Black finish is resistant to rust and corrosion with a 5-year warranty.

DETAILS	
FINISH:	Black
MATERIAL:	Composite

DIMENSIONS	
WIDTH:	16"
HEIGHT:	17.5"
WEIGHT:	4.5lb
BACK PLATE:	6" Dia.
EXTENSION:	32.5"
TOP TO OUTLET:	8.5"

LIGHT SOURCE	
LIGHT SOURCE:	LED Lamp
WATTAGE:	1-14w Med. LED, 100w Equiv.
VOLTAGE:	120v

SHIPPING	
CARTON LENGTH:	23.8
CARTON WIDTH:	11
CARTON HEIGHT:	16.5
CARTON WEIGHT:	7.5

PRODUCT DETAILS:

- Suitable for use in wet (outdoor direct rain or sprinkler) locations as defined by NEC and CEC. Meets United States UL Underwriters Laboratories & CSA Canadian Standards Association Product Safety Standards
- Fixture is Dark Sky compliant and engineered to minimize light glare upward into the night sky
- 5 year finish warranty
- The Coastal Elements Collection offers versatile designs, constructed of composite materials and coated with anti-fading finishes, for maximum durability in harsh climates.
- Angular lines, a bold finish and robust details create an industrial edge to add flair to any type of façade
- Striking black finish enhances design

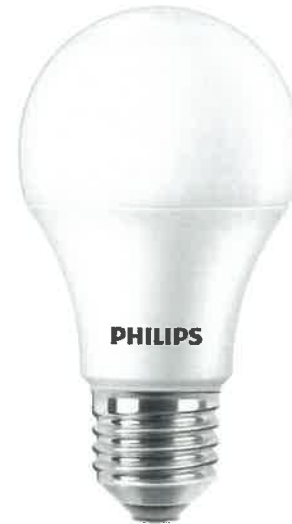
HINKLEY

HINKLEY
33000 Pin Oak Parkway
Avon Lake, OH 44012

PHONE: (440) 653-5500
Toll Free: 1 (800) 446-5539

hinkley.com

Building Light Fixture



Standard LED bulbs

Standard 14A19/LED/865/FR/P/ND 2PF/6 NL

Standard LED bulbs are compatible with existing fixtures with a E27 holder and are designed for retrofit replacement of incandescent, halogen and energy saving bulbs. They deliver huge energy savings and minimize maintenance costs. The Standard LED bulb is the perfect bulb for your basic lighting needs. It provides the beautiful light and performance you expect from the LED technology at an affordable price.

Product data

General information

Cap-Base	E27 [E27]
EU RoHS compliant	Yes
Nominal Lifetime (Nom)	15000 h
Switching Cycle	50000

Light technical

Color Code	865 [CCT of 6500K]
Beam Angle (Nom)	150 °
Luminous Flux (Nom)	1310 lm
Color Designation	Cool Daylight
Correlated Color Temperature (Nom)	6500 K
Luminous Efficacy (rated) (Nom)	93.00 lm/W
Color Consistency	<6
Color Rendering Index (Nom)	80
LLMF At End Of Nominal Lifetime (Nom)	70 %

Operating and electrical

Input Frequency	50 to 60 Hz
Power (Nom)	14 W
Lamp Current (Nom)	220 mA
Wattage Equivalent	100 W

Starting Time (Nom)	0.5 s
Warm Up Time to 60% Light (Nom)	0.5 s
Power Factor (Nom)	0.5
Voltage (Nom)	100-130 V

Temperature

T-Case Maximum (Nom)	95 °C
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Controls and dimming

Dimmable	No
----------	----

Mechanical and housing

Bulb Finish	Frosted
Bulb Shape	A19 [A 19mm]

Approval and application

Energy Consumption kWh/1000 h	- kWh
-------------------------------	-------

Product data

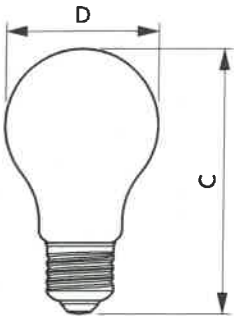
Full product code	871869970297700
Order product name	Standard 14A19/LED/865/FR/P/ND 2PF/6 NL
EAN/UPC - Product	8718699702984

Standard LED bulbs

Order code	929002312824
Numerator - Quantity Per Pack	1
Numerator - Packs per outer box	6
Material Nr. (12NC)	929002312824

Net Weight (Piece)	0.030 kg
--------------------	----------

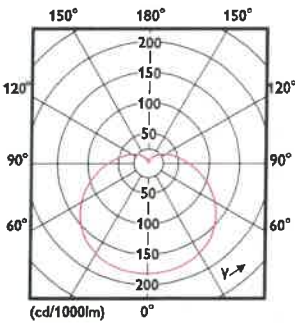
Dimensional drawing



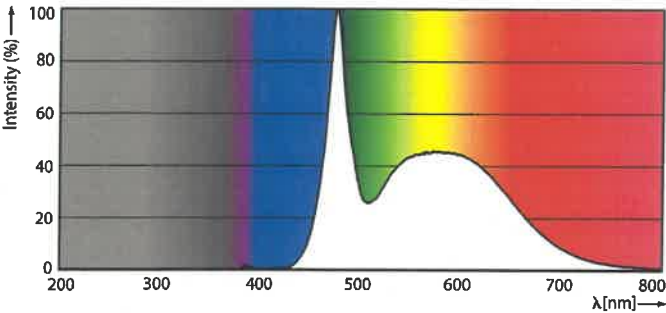
Standard 14A19/LED/865/FR/P/ND 2PF/6 NL

Product	D	C
Standard 14A19/LED/865/FR/P/ND 2PF/6 NL	60 mm	108 mm

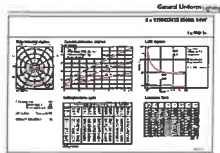
Photometric data



Light Distribution Diagram



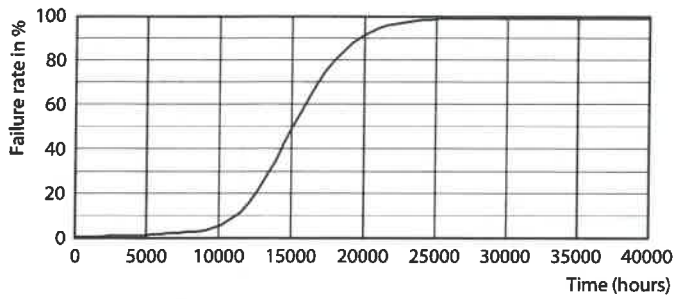
Spectral Power Distribution Colour



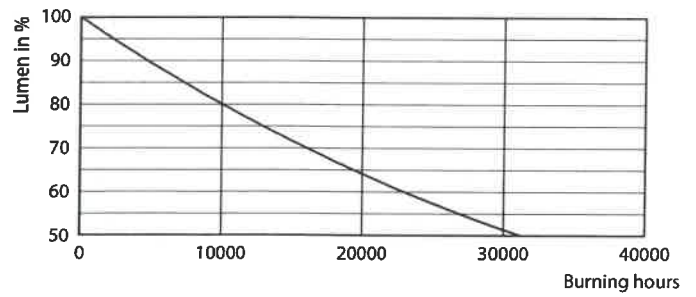
General uniform lighting

Standard LED bulbs

Lifetime



Life Expectancy Diagram



Lumen Maintenance Diagram



Outdoor space lighting

E26 String Light Bulb LED outdoor with downward shield



Honeywell LED Indoor/Outdoor String Light

The indoor / outdoor LED lighting strand is heavy duty and weatherproof to protect your outdoor lights from damage caused by extreme temperatures and weather conditions.

You can get creative to make your own indoor space warm and cozy with these beautiful string lights.

Perfect for Backyards, Gazebos, Gardens, Pergolas, Decks, City Rooftops, Weddings, BBQ, Dinner Parties, Birthday Parties, Gatherings, etc.

Specification:

- Total Length: 24 feet
- Bulb Spacing: 2.92 feet
- Bulb Quantity: 8 E26 LED plastic bulbs
- Lumens: 30 lumens per bulb, 240 lumens total per string
- Power Consumption: 0.5 watts per bulb, 4 watts per string
- Input Voltage: 120V
- LED: 1 pc filament warm white LED, 2700K
- Connectable: Connect up to 70 strands



Exhibit E

Peninsula Township Planning

From: Caryn Chachulski <cchachulski@gtcountymi.gov>
Sent: Wednesday, December 21, 2022 4:55 PM
To: Peninsula Township Planning
Cc: 'Troy Daily'
Subject: Re: [EXTERNAL SENDER] RE: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Jenn,

The septic system was designed for 70 seats total.

Corn hole, yoga with mats that are brought in and taken away with each session would be fine for that area. That area needs to be allowed evaporation, so it should not be covered over with things like paving stones, artificial turf, cement, definitely not an ice rink. A fire pit is not a good idea. No weight restriction, per say, but it shouldn't be driven over, it should be kept to foot traffic.

If you have any other questions, please reach out. Hope you enjoy your holiday. Stay safe!

Caryn Chachulski

Sanitarian - Peninsula Twp
Grand Traverse County Health Department
Environmental Health Division
Phone: 231.995.6058

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Wednesday, December 21, 2022 3:45 PM
To: Caryn Chachulski <cchachulski@gtcountymi.gov>
Cc: 'Troy Daily' <Troy@dailymedias.com>
Subject: [EXTERNAL SENDER] RE: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Caryn, the OMP Seven Hills Development is proposing to conduct outdoor activities over the area designated as the drain field. I understand that outdoor uses being considered include gathering space (tables & chairs), corn hole, yoga, an ice skating rink in winter and other similar passive recreational uses. Does the proposed design allow for such activities? Are there weight restrictions or any other restrictions to consider?

Also, will additional capacity beyond the 70 patrons indoors impact the wastewater and septic system basis of design?

I appreciate your input and hope you enjoy the Holidays.

Jenn Cram
Peninsula Township Director of Planning
13235 Center Road
Traverse City MI 49686
phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Caryn Chachulski <cchachulski@gtcountymi.gov>
Sent: Friday, December 2, 2022 9:37 AM
To: Peninsula Township Planning <planner@peninsulatownship.com>
Cc: zoning@peninsulatownship.com
Subject: Re: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Jenn,

I mis-read the salon calculations at first glance, that looks ok. The OMP Basis of Design that we based our calculations on is the same they sent to you (attached), and I've also included the letter they sent to us about the uses of the property with employee count and seats. Yes, the septic system is designed for 70 seats at the Whiskey Bar. If you have any other questions as you keep moving along, please feel free to reach out. Hope you have a great weekend.

Thank you,

Caryn Chachulski

Sanitarian - Peninsula Twp
Grand Traverse County Health Department
Environmental Health Division
Phone: 231.995.6058

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Thursday, December 1, 2022 2:50 PM
To: Caryn Chachulski <cchachulski@gtcountymi.gov>
Cc: zoning@peninsulatownship.com <zoning@peninsulatownship.com>
Subject: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Caryn, hello, I am the new Director of Planning for Peninsula Township. Christina Deeren forwarded your email to me from October 3, copied below. I am processing an amendment to the Special Use Permit for the Seven Hills project to increase their capacity from 32 to 70. I received updated floor plans and wanted to confirm that the septic system design is still adequate.

The pdf titled 11.21.22 Safety Plan and Use Plan is two pages. The first page is the whiskey and coffee bar and the second page includes that building plus the back building.

I hope to have the opportunity to meet you in person sometime in the near future. Please let me know if you have any questions or need additional information.

Jenn Cram

*Peninsula Township Director of Planning
13235 Center Road*

Traverse City MI 49686

phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Caryn Chachulski <cchachulski@gtcountymi.gov>

Sent: Monday, October 3, 2022 11:19 AM

To: Christina Deeren <zoning@peninsulatownship.com>

Cc: Ryan Cox <Ryan.cox@gtcusa.com>

Subject: 13795 Seven Hills Rd project

Christina,

The septic system for the 7 Hills Development at 13795 Seven Hills Rd has the proper gallons per day, tank space required, and required square footage of drain field for the submitted uses that are outlined in the attachment. If the proposed uses change, the septic system size will need to be reevaluated by our department.

If you have any questions, please reach out,

Caryn Chachulski

Sanitarian - Peninsula Twp
Grand Traverse County Health Department
Environmental Health Division
Phone: 231.995.6058

Peninsula Township Planning

From: Steve Barry <sbarry@gtcrc.org>
Sent: Wednesday, January 11, 2023 12:56 PM
To: Peninsula Township Planning
Subject: RE: Signage Question

Jenn,

The only way that can be done is through MSP with documented proof that this has been a problem. Then we would put them in at the cost of the township or property owner.

Thank you,

Steve Barry
GTCRC Permit and Violations Agent
231-922-4849 EXT 205

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Monday, January 9, 2023 1:57 PM
To: Steve Barry <sbarry@gtcrc.org>
Subject: Signage Question

Steve, hello, I am the new Director of Planning for Peninsula Township.

We currently have an application under review at the Planning Commission level for the Seven Hills Development located at 13795 Seven Hills Road, Traverse City, MI 49686. They would like to expand their seating capacity for a whiskey/coffee bar and include outdoor uses. The neighbors and Planning Commission are concerned that if the business is really successful that if and when the required parking is full that people will start parking along Seven Hills Road. The question was asked if the developer could install no parking signs within the right-of-way along Seven Hills Road to help to educate people that there should be no parking along the road.

Would the Grand Traverse County Road Commission consider installing no parking signs along Seven Hills Road if they were paid for by the developer?

I appreciate your time and input.

Jenn Cram
Peninsula Township Director of Planning
13235 Center Road
Traverse City MI 49686
phone - 231-223-7314
fax - 231-223-7117
[*planner@peninsulatownship.com*](mailto:planner@peninsulatownship.com)

Exhibit F

Peninsula Township Planning

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Wednesday, January 18, 2023 12:31 PM
To: 'Troy Daily'
Cc: 'Jay Milliken'; 'jordan oldmissionlandscapes.com'
Subject: RE: Follow up from PC Meeting

Received.

Thank you for moving the 3 new parallel parking spaces to be entirely on the subject property. It is clear from the overlay on the grading plan that a retaining wall will be needed in the southeast corner. As proposed the three spaces do not look functional. I believe additional paving is needed so that cars can pull in and out of the parallel spaces. I have shared my thoughts with our Engineer. I have also asked if the additional pervious paving requires an update to the drainage and stormwater plan. As noted, I have forwarded all revisions to her. She will review them at her earliest convenience. I will not have her comments to include in the packet at this time. One minor revision – your request is not an amendment to a PUD (Planned Unit Development), but an SUP (Special Use Permit). Please revise the title on the top of the site plan so there is no confusion. I will white it out for now.

The scaled use plan looks good, thank you.

Please print one 24x36 copy of the updated site plan and use plan for now to use for the discussion with the PC on Monday.

Is the Phillips light bulb cut sheet you provided for the proposed bistro lighting and/or the building lighting? Please provide clarification.

I welcome additional input from business owners. Please have them email me, or I will try and follow up with them in the coming days if you have contact information to share.

Jenn Cram

Peninsula Township Director of Planning

13235 Center Road

Traverse City MI 49686

phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Troy Daily <Troy@dailymedias.com>
Sent: Wednesday, January 18, 2023 11:10 AM
To: Peninsula Township Planning <planner@peninsulatownship.com>
Cc: Jay Milliken <jay@jmilli.com>; jordan oldmissionlandscapes.com <jordan@oldmissionlandscapes.com>
Subject: Re: Follow up from PC Meeting

Peninsula Township Planning

From: Troy Daily <Troy@dailymedias.com>
Sent: Wednesday, January 18, 2023 11:10 AM
To: Peninsula Township Planning
Cc: Jay Milliken; jordan oldmissionlandscapes.com
Subject: Re: Follow up from PC Meeting

Thanks Jenn, see my notes below here in bold

On Wed, Jan 18, 2023 at 10:43 AM Peninsula Township Planning <planner@peninsulatownship.com> wrote:

Good morning. I was in a meeting yesterday till after 5 pm and then again this morning. I just listened to your voice message from yesterday and am now catching up on email.

In my meeting this morning I was able to speak to Board members Becky Chown and Marge Achorn to get their input on the lighting plan. In reviewing the final Findings of Fact and Conditions that were approved by the Board on May 11, 2021 there is a condition of approval that notes that no additional illumination of buildings is allowed (See #4, attached). I asked them if they remembered why that condition was added and they noted it was because there were no outdoor uses allowed with that approval. They did not recall why a lighting plan for the parking area was not included as part of the review. They both agreed that lighting is required for both the parking area and the outdoor space based on your proposed hours of operation and that it will need to meet the requirements of Section 7.14, attached. The example lighting plan that I showed you yesterday is a good example of what a lighting plan should look like. The lighting plan needs to show the proposed location of light fixtures, cut sheets for proposed light fixtures (including height, etc.) and the area where light is cast from each fixture with foot candle measurements. Based on past experience, I believe the minimum lighting output level is 1/10 of a footcandle up to a maximum of 10 footcandles for parking areas is appropriate. Driving home last night at 6 pm I did notice the light fixtures in the parking area for Bonobo and believe these are a good example. They provide sufficient light for safety, but are not super bright.

We can provide this based on a conditional approval and have this done by next week most likely. We do not want to hold up our approval.

"Based on past experience, I believe the minimum lighting output level is 1/10 of a footcandle up to a maximum of 10 footcandles for parking areas is appropriate. Driving home last night at 6 pm I did notice the light fixtures in the parking area for Bonobo and believe these are a good example. They provide sufficient light for safety, but are not super bright."

I understand this is opinion based but it is not written this way in the ordinance. We will for sure create a plan that follows the ordinance and something that is safe for our development. Thank you for providing a reference to review.

This is a significant additional cost that we just found out about yesterday. I hope you and the PC can understand this and can still provide conditional approval.

I plan to discuss this with the Planning Commission and will note your request to address this with a condition of approval. I know that the board will want to see the required lighting plan and know that it meets zoning ordinance

requirements prior to approval so please keep working on this. I understand that you want to keep things flexible, but you will need to make some decisions to move forward.

Yes thank you. We will hopefully have this complete next week and before the Township meeting

I want to make sure that all original conditions of approval have been met. I have attached a copy for your review. Thank you for submitting the additional information from the road commission. I hope that this addresses condition #11. Have you completed a traffic study? Jordan mentioned something about this at the December 19, 2022 PC meeting. Please also look at conditions #8 and #9. Have these been addressed?

I am not sure on the traffic study, I can surely ask. I do not think we got who you would like to use but I can ask the team about this. All other conditions to my knowledge have been met

I also had our administrative assistant to the Clerk's office call bad Dog Deli, Peninsula Grill, Old Mission Tavern, The Boathouse and Jolly Pumpkin. According to staff working their summer hours only go as late as 9 pm. Hours of operation will need to be discussed with the PC and addressed with a condition of approval.

Might have to escalate this to the owners because I know this is not correct. We can see how this goes though on condition of approval.

I know that you are working very hard to move this forward. I assure you that I am working hard to review information as submitted so that your requested amendments meet the prior conditions of approval and zoning ordinance requirements so that it can move through the process as quickly as possible. I will review what you have submitted and also forward the documents to our Engineer. I have been keeping her informed of your progress and subsequent submittals. Please note that she may need more time than a day or two to review and provide comments.

How many copies and of what items do you need? I will plan to drop these off today still. Thanks

Troy

I will follow up soon with additional comments or questions.

*Jenn Cram
Peninsula Township Director of Planning
13235 Center Road
Traverse City MI 49686
phone - 231-223-7314*

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Troy Daily <Troy@daily medias.com>

Sent: Tuesday, January 17, 2023 10:03 PM

To: Jay Milliken <jay@jmilli.com>

Cc: Peninsula Township Planning <planner@peninsulatownship.com>; jordan oldmissionlandscapes.com <jordan@oldmissionlandscapes.com>

Subject: Re: Follow up from PC Meeting

Jenn,

Thank you for your time today. Attached you will find all of the additional information you requested. We tried to call you again around 445PM but could not reach you. Note that the Site Plan has changed to move the permeable paver parking and also add a scale on the Uses Diagram. Please confirm these will work for you.

We spent majority of our day going between Engineers and Architects getting to the bottom of this outdoor lighting. We have attached more specifics regarding the previously approved exterior fixtures, their dark sky compliance and their specifications. We have also included the LED shielded bistro light specifications as well as a site plan showing the proposed locations to string these lights. In speaking with the architect and the engineer, they have assured us that there is nothing more we can provide at this time without the lighting being installed due to trees, overhangs and other existing obstructions. If the township would like, at a later date, before using our outdoor space, we could provide a 'foot candle' diagram using a lux light meter to record with the SUP. We would request that we still receive conditional approval based on this information.

GTRC permit is also included. The work has been completed to specifications outlined in the permit. FYI... Elmer's has indicated no further approvals are needed but have asked that one be provided per your request. I have also included the email that was sent to us from GTRC that included the permit that is attached.

This should address everything in detail from our meeting today. Please confirm at your earliest convenience Wednesday that this is sufficient for our PC meeting, and if so, what you want hard copies of and what sizes. Thanks!

Troy (& Jay)

On Tue, Jan 17, 2023 at 8:31 AM Troy Daily <Troy@dailymedias.com> wrote:

See you at 10, thanks

On Tue, Jan 17, 2023 at 8:30 AM Jay Milliken <jay@jmilli.com> wrote:

Thanks. There was no time mentioned previously. We'll be in at 10am.

Jay Milliken || JMILLI

310.367.0276

jay@jmilli.com

From: Peninsula Township Planning <planner@peninsulatownship.com>

Sent: Tuesday, January 17, 2023 8:28:47 AM

To: Jay@jmilli.com <Jay@jmilli.com>

Cc: 'Jordan [oldmissionlandscapes.com](mailto:jordan@oldmissionlandscapes.com)' <jordan@oldmissionlandscapes.com>; 'Troy Daily' <Troy@dailymedias.com>

Subject: RE: Follow up from PC Meeting

Jay, as noted in my email, I am free today as early as 10 am till noon. I am interested in lighting for both the parking area and the outdoor game area.

I will take a look at what you submitted on Saturday.

Jenn Cram

Peninsula Township Director of Planning

13235 Center Road

Traverse City MI 49686

phone - 231-223-7314
fax - 231-223-7117
planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Jay Milliken <jay@jmilli.com>
Sent: Saturday, January 14, 2023 5:38 PM
To: [Jay@jmilli.com](mailto:jay@jmilli.com); Peninsula Township Planning <planner@peninsulatownship.com>
Cc: jordan [oldmissionlandscapes.com](mailto:jordan@oldmissionlandscapes.com) <jordan@oldmissionlandscapes.com>; Troy Daily <Troy@dailymedias.com>
Subject: RE: Follow up from PC Meeting

Hello Jenn,

Hope you are having a great weekend. Since we haven't heard back on our clarification email below and in the interest of time we decided to put together what we think is needed. We are planning to meet with you first thing Tuesday morning, still. Please let us know ASAP what time works?

Attached you will find an addendum to the SUP #35 amendment #2. Per the ordinance it seems we can add the lighting specs on a separate sheet from the plans. Attachments include lighting specs and MLCC conditional approval.

We look forward to meeting Tuesday, pushing through the Jan 23rd meeting with planning and on to the town board meeting.

Thanks for all your continued help and support.

Jay Milliken || JMILLI

+1.310.367.0276

jay@jmilli.com

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From: Jay Milliken <jay@jmilli.com>

Sent: Thursday, January 12, 2023 3:35 PM

To: 'Peninsula Township Planning' <planner@peninsulatownship.com>

Cc: 'jordan [oldmissionlandscapes.com](mailto:jordan@oldmissionlandscapes.com)' <jordan@oldmissionlandscapes.com>; 'Troy Daily' <Troy@dailymedias.com>

Subject: RE: Follow up from PC Meeting

Hi Jenn,

On the lighting... are you asking specifically about the outdoor area outside of the patio? The northern areas over the septic and drain areas? We know there are strict lighting restrictions in the ordinance that we must adhere to. Through the past 2 years of planning and constructing, finishing touches and fixtures are always dependent on many things. Our aesthetics are constantly being contemplated as we work toward delivering the community the best looking, most efficient space possible. One light fixture may work now but might not be the right choice in the future. Is there a way to appease you without limiting ourselves to different lighting down the road? Obviously, there is a code from the county and an ordinance from the township that we have to work within whenever we are installing or making adjustments. Do you need us to submit something as a formality?

The outer walls of the building have lighting listed on the plans provided. These are to code.

We are happy to discuss the hours of operation with you. Specifically, you are only referring to the hours of the outdoor space over the septic and drain fields, correct? To note, we are protected by landscape, topography and a noise ordinance that protects residents. No house will be negatively impacted by our operations.

We hope to meet with you as soon as possible. We need to keep this moving forward and can't afford to not move to the town board in February. We will take the first available slot on Monday or Tuesday. Please let us know.

Thanks.

Jay Milliken || JMILLI

+1.310.367.0276

jay@jmilli.com

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From: Peninsula Township Planning <planner@peninsulatownship.com>

Sent: Thursday, January 12, 2023 2:57 PM

To: 'Jay Milliken' <jay@jmilli.com>; 'Jordan oldmissionlandscapes.com' <jordan@oldmissionlandscapes.com>; 'Troy Daily' <Troy@daily medias.com>

Subject: RE: Follow up from PC Meeting

Jay, Jordan and Troy, the updated information is very helpful. Unfortunately, I do need some additional information now that you have provided the specifics of what you are proposing.

Based on proposed hours of operation for outdoor uses, lighting will be needed. As such, the requirement to have a lighting plan that meets the requirements of Section 7.14 of the zoning ordinance is required (location of fixtures, photometric data, cut sheets for fixtures, etc.). Please provide a lighting plan at your earliest convenience. I do not believe that the PC will be comfortable recommending approval of your request with just a condition of approval. I will be publishing the packet for the January 23 meeting on Wednesday, January 18.

I am not finding a liquor license for the whiskey bar on the MLCC website, please forward a copy of your liquor license.

I am concerned about the proposed hours of operation for outdoor uses. It is true that the property is zoned C-1, but it is surrounded by residential uses.

I believe that the PC will also be concerned. I have looked into the hours of operation for other commercial uses as a comparison including Bad Dog Deli, The Peninsula Grill, The Boathouse, Old Mission Tavern and the Jolly Pumpkin. The latest that any of these restaurant/taverns is currently open is 9 pm. I would like to share some recommendations with all of you as soon as possible so that we are all prepared for the meeting on January 23.

I have time on Tuesday, January 17 mid-morning and afternoon if that can work for all of you. I can also make time Wednesday morning. I look forward to talking with you all soon.

Jenn Cram

Peninsula Township Director of Planning

13235 Center Road

Traverse City MI 49686

phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Jay Milliken <jay@jmilli.com>

Sent: Wednesday, January 11, 2023 5:37 PM

To: Peninsula Township Planning <planner@peninsulatownship.com>

Cc: 'Jordan oldmissionlandscapes.com' <jordan@oldmissionlandscapes.com>; 'Troy Daily' <Troy@daily medias.com>

Subject: Re: Follow up from PC Meeting

Great! Thank you!

Standing by!

Jay Milliken || JMILLI

310.367.0276

jay@jmilli.com

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Wednesday, January 11, 2023 5:25:45 PM
To: 'Jay Milliken' <jay@jmilli.com>
Cc: 'Jordan' <[oldmissionlandscapes.com](mailto:jordan@oldmissionlandscapes.com)> <jordan@oldmissionlandscapes.com>; 'Troy Daily' <Troy@dailymedias.com>
Subject: RE: Follow up from PC Meeting

Jay, sorry I have been in meetings. I received the documents that you dropped off yesterday, thank you.

Jenn Cram

Peninsula Township Director of Planning

[13235 Center Road](#)

[Traverse City MI 49686](#)

phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Jay Milliken <jay@jmilli.com>
Sent: Wednesday, January 11, 2023 2:27 PM
To: Peninsula Township Planning <planner@peninsulatownship.com>
Cc: 'Jordan' <[oldmissionlandscapes.com](mailto:jordan@oldmissionlandscapes.com)> <jordan@oldmissionlandscapes.com>; 'Troy Daily' <Troy@dailymedias.com>
Subject: Re: Follow up from PC Meeting

Hey Jenn!

Please let me know you received the docs!

Thank you!

Jay Milliken | | JMILLI

310.367.0276

jay@jmilli.com

From: Jay Milliken <jay@jmilli.com>
Sent: Tuesday, January 10, 2023 3:40:39 PM
To: Peninsula Township Planning <planner@peninsulatownship.com>
Cc: 'Jordan oldmissionlandscapes.com' <jordan@oldmissionlandscapes.com>; 'Troy Daily' <Troy@dailymedias.com>
Subject: Re: Follow up from PC Meeting

Hey Jenn!

Just dropped updated plans and dated/signed initials SUP #2 amendment.

You were in a meeting but Christina received from me. Please let us know when you have eyes on everything and let us know it's all there as discussed.

Thanks so much.

Jay Milliken | | JMILLI

310.367.0276

jay@jmilli.com

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Tuesday, January 10, 2023 9:30:05 AM

To: 'Troy Daily' <Troy@daily medias.com>

Cc: 'Jay Milliken' <jay@jaymilliken.com>; 'Jordan oldmissionlandscapes.com' <jordan@oldmissionlandscapes.com>

Subject: RE: Follow up from PC Meeting

The site plan and floorplan look great. Can I get 3 hard copies at 24x36? I will begin reviewing for parking at my earliest convenience.

The project description is clear. Please put a date on it and initial 3 copies.

I greatly appreciate you getting these to me in a timely manner.

Jenn Cram

Peninsula Township Director of Planning

13235 Center Road

Traverse City MI 49686

phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

From: Troy Daily <Troy@daily medias.com>

Sent: Monday, January 9, 2023 2:14 PM

To: Peninsula Township Planning <planner@peninsulatownship.com>

Cc: Jay Milliken <jay@jaymilliken.com>; Jordan oldmissionlandscapes.com <jordan@oldmissionlandscapes.com>

Subject: Re: Follow up from PC Meeting

Hey Jenn,

Hope you had a great weekend!

I think we have a good plan and have updated the site plan to address the concerns and clarify everything. Can you please check this and make sure you are satisfied with the edits and let me know if you see anything we should change before final submission Thursday? Thank you again for all your help!

Troy

On Wed, Dec 21, 2022 at 3:35 PM Peninsula Township Planning <planner@peninsulatownship.com> wrote:

Troy and team, thank you for being part of a productive meeting on December 19.

The Planning Commission made a motion to bring the application back with the possibility of taking action on January 23. In order to review additional information and include it in the packet for January 23 I will need additional information by end of day January 12.

The following information is needed:

- Update the project description with proposed uses that are consistent with the site plan. The proposed uses will run with the land and are required to provide adequate parking for each use.
- Update the project description to note the proposed hours of operation for the outdoor use area. Will amplified sound or music be included?
- If uses are proposed after dark, please provide lighting details to meet the requirements of Section 7.14 (Downcast/Dark Sky Compliant).
- Update the dimensioned use floorplan to be consistent with the life safety plan. Additional detail is needed to determine the space dedicated to the retail/market and coffee/whiskey bar.
- Update the outdoor use plan to delineate the limits of the liquor license and outdoor use areas. We will also need Caryn with the GTCHD to okay outdoor uses over the on-site septic system. I plan to email her next.
- Please be prepared to address how you might handle parking overflow to deter parking on Seven Hills Road. I will also be reaching out to the GTC Road Commission to see about posting no parking signage per the request of Trustee Shanafelt.

I am happy to meet with you to answer any questions. Hope you all enjoy the Holidays. Looking forward to working with you in the new year.

Jenn Cram

Peninsula Township Director of Planning

13235 Center Road

Traverse City MI 49686

phone - 231-223-7314

fax - 231-223-7117

planner@peninsulatownship.com

Office Hours: Mondays 7:30 am to 6:30 pm, Tuesdays – Thursdays 7:30 am to 5 pm and closed Friday – Sunday and Holidays.

Exhibit G

Peninsula Township Planning Department
13235 Center Road
Traverse City, MI 49686

SPECIAL USE PERMIT (SUP)
FINDINGS OF FACT AND CONCLUSIONS
SUP #35 – Amendment #1
May 11, 2021

PENINSULA TOWNSHIP BOARD

Applicant: OMP Seven Hills, LLC – (Jordan Valdmanis, Brian Peace, Troy Daily, and Jay Milliken)
16330 Peninsula Drive
Traverse City, Michigan 49684

Hearing Date(s): December 21, 2020 - Planning Commission
March 23, 2021 – Township Board

PROPERTY DESCRIPTION

Parcel ID#: 28-11-128-002-00
Property Address: 13795 Seven Hills Rd
|

GENERAL INTRODUCTION AND BACKGROUND

The applicants propose to redevelop an existing commercial site that contains 2.05 acres (including the R.O.W). This site is zoned C-1, which is Peninsula Township's only commercial zoning district. The combined total of all C-1 zoned land in Peninsula Township is about 25 acres. All land uses listed in the C-1 zone are special uses that require compliance with Article VIII and site development requirements contained in Section 6.6. Interior and exterior modifications of the existing buildings are proposed as part of this project along with some demolition activity.

SUP #35 was approved in 1993 for this property. Uses approved as part of the original SUP included offices for contractors along with related accessory storage of materials and equipment (see [EXHIBIT 5](#)). This property was recently sold to OMP Seven Hills, LLC (see [EXHIBIT 6](#)). Images of the existing site from recent air photos (Eagleview/Pictometry) are provided in [EXHIBIT 7](#).

The submitted application (as revised) is provided in [EXHIBIT 1](#). Major project elements include the following:

APPROVED _ TOWNSHIP BOARD MEETING – MAY 11, 2021

A conceptual rendering for façade improvements is provided (EXHIBIT 12). The western-most buildings will only be painted to match the new colors and will receive general clean-up. There are no proposed architectural changes to these western-most buildings.

- c) Be served adequately by essential facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.

The proposed uses will be served adequately by essential services as the proposed uses do not place any additional burden on adjacent roadways, public emergency services, public utilities, or schools. The fire department has been on site and has provided a preliminary review and defined specific requirements for final approval. Additionally, GFA has performed a more detailed analysis of specific fire truck turning movements (EXHIBIT 2).

The Grand Traverse County Health Department has reviewed the proposed plans and has articulated necessary steps before permits may be issued (EXHIBIT 4). Compliance with these requirements is included among approval conditions. Notably, the customer occupancy associated with the restaurant/tavern may not exceed 32 patrons at any one time in this space or otherwise waiting for a seat at the site.

- d) Not create excessive additional requirements at public cost for public facilities and services.

The proposed uses do not create excessive additional requirements at public cost for public facilities and services.

- e) Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare or odors.

The proposed uses do not include uses, activities, processes, and equipment or conditions of operation that will be detrimental to any persons, property, or the general welfare by fumes, glare, or odors. Buildings to the far west include three 1,200-square-foot buildings for contractor storage. As the specific types of storage materials and quantities are unknown, a condition of approval is that all storage of materials on-site comply with all applicable OSHA regulations, EPA regulations, state of Michigan (EGLE) regulations, and the International Fire Code.

FINDINGS - SECTION 8.1.3(3) SPECIFIC REQUIREMENTS:

Specific Requirements. In reviewing an impact assessment and site plan, the town board and the planning commission shall consider the following standards:

- (a) That the applicant may legally apply for site plan review. The applicant had a purchase contract with the existing owner and has since purchased the property (EXHIBIT 6).
- (b) That all required information has been provided. All required information is provided as part of this application. (EXHIBIT 1).

of the site remains essentially unchanged.

- (l) That structures, landscaping, landfills, or other land uses will not disrupt air drainage systems necessary for agricultural uses. **Proposed grading as part of this project will not change the general cold air drainage flow of the site.**
- (m) That phases of development are in a logical sequence so that any one phase will not depend upon a subsequent phase for adequate access, public utility service, drainage, or erosion control. **According to the application, this project will not be developed in phases.**
- (n) That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water/sewage facilities. **No expansion of public streets, drainage systems, or water/sewage facilities is proposed.**
- (o) That landscaping, fences, or walls may be required by the town board and planning commission in pursuance of the objectives of this ordinance. **A landscape plan is provided by the applicant that shows new trees and shrubs throughout the site. Implementation of this plan is a condition of approval, and documentation of compliance with zoning ordinance requirements is found in the letter from GFA (EXHIBIT 3).**
- (p) That parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent streets. **The parking lot layout is similar to the existing layout except for the addition of six new spaces in front of the proposed restaurant/tavern and some minor asphalt widening. The six new spaces include the use of pervious pavers.**
- (q) That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient. **Vehicular traffic will enter and exit the property on Seven Hills Road. According to a message contained in the application, this existing drive meets Grand Traverse County Road Commission standards and no improvements are necessary (EXHIBIT 1). Subsequently, a more detailed analysis of traffic generation was performed by a traffic engineer from Fieis & Vandenbrink. This analysis found that the peak hour traffic generation to be between 31 and 34 vehicles per hour (EXHIBIT 13). This was regarded as being below typical traffic study thresholds for further analysis.**

The parking areas will not be illuminated. New exterior site illumination will only be provided from new wall-mounted fixtures on exterior facades of buildings and will be compliant with Section 7.14. (EXHIBIT 8 AND EXHIBIT 1 – SHEET 3.0 IN SITE PLAN).
- (r) That outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties. **One single dumpster is located behind the proposed restaurant/tavern. The submitted plans show that this location includes a dumpster enclosure – sheet 3.0. (EXHIBIT 1).**
- (s) That the proposed site is in accord with the spirit and purpose of this ordinance and not inconsistent with, or contrary to, the objectives sought to be accomplished by this ordinance and the principles of

- 10) Continue to provide and accommodate access to the property to the south from the drive/parking area. Access to the property to the south was originally established from the drive/parking area pursuant to SUP #35 in order to eliminate the need for an additional access point on Seven Hills Road.
- 11) Construct a bypass lane (as may be required) in the north-bound lane per requirements from the Grand Traverse County Road Commission. Additionally, no on-street parking for patrons is permitted on Seven Hills Road.
- 12) OMP Seven Hills, LLC understands, agrees, and acknowledges that as part of the board's approval of the requested SUP, OMP Seven Hills, LLC agrees, understands, and acknowledges that at any time it is determined by Peninsula Township that the impact and/or intensity of use of the roads to and from OMP Seven Hills, LLC has increased in a meaningful way, OMP Seven Hills, LLC agrees, at the request of Peninsula Township, to pay for a traffic study to be conducted by a vendor chosen by Peninsula Township to determine the impact and/or increase in intensity of use of the roads to and out from Parcel 28-11-128-002-00 (13795 Seven Hills Road). The information acquired shall be shared with Peninsula Township and OMP Seven Hills, LLC. Provided that a meaningful impact and/or increase in intensity of use is determined, Peninsula Township and OMP Seven Hills, LLC shall work together to find alternatives to mitigate and/or relieve the impact and/or increase in intensity. The cost of all remedial measures agreed upon shall be paid for by OMP Seven Hills, LLC. To the extent that the parties are unable to agree upon an alternative to mitigate and/or relieve the impact and/or increase in intensity, the Peninsula Township board shall be the sole decision maker as to the remedial measures to be implemented. The terms "impact and/or intensity" and "meaningful way" shall mean that the traffic count using the roads to and from 13795 Seven Hills Road has increased beyond five additional vehicles in the peak hour of traffic generation for a period of three consecutive days.

COMMENCEMENT AND COMPLETION

The commencement and completion of special land uses are governed by Section 8.1.2(5) of the Peninsula Township Zoning Ordinance. Violations of the special land use permit and accompanying site plan are enforceable, and remedies are available under Section 3.2 of the zoning ordinance.

EFFECTIVE DATE OF SPECIAL LAND USE:

The special land use shall be effective when the application has been approved by the Peninsula Township Board of Trustees, subject to the above conditions. The board approves by a vote of:

AYES	_____
NAYS	_____
ABSTAINING	_____
ABSENT	_____

The undersigned hereby certifies that she is the clerk for the township of Peninsula, Grand Traverse County, Michigan, and that the foregoing special use permit was approved by the Peninsula Township Board of Trustees on _____.

The undersigned further certifies that a quorum was present at said meeting and that said meeting complied with all applicable laws and regulations.

APPROVED _ TOWNSHIP BOARD MEETING – MAY 11, 2021

From: Brian Peace <bp777@teamelmers.com> on behalf of Brian Peace
Sent: Tuesday, January 17, 2023 9:16 AM
To: Jay Milliken (jay@jaymilliken.com)
Subject: FW: [External] 13795 Seven hills drive Permit 2022-025
Attachments: 13795 Sevenhills Rd Comm Drive Permit2022-25.pdf

Flag Status: Flagged

Heres the permit

I did ask the county to close the permit out and will have a letter from them at some point.

Brian Peace
Asphalt Division Manager
Team Elmer's
3600 Rennie School Rd
Traverse City, Mi 49686
(231) 218-5725
bp777@teamelmers.com
www.teamelmers.com

From: Steve Barry [mailto:sbarry@gtcrc.org]
Sent: Tuesday, January 17, 2023 12:13 PM
To: Brian Peace
Subject: [External] 13795 Seven hills drive Permit 2022-025

Warning! External email. (info)

Brian,

Please see attached.

Thank you,

Steve Barry
GTCRC Permit and Violations Agent
231-922-4849 EXT 205

Grand Traverse County Road Commission

1881 LaFranier Road
 Traverse City, MI 49696-0000
 Phone: 231-922-4848
 Fax: 231-929-1836

Application No. 13956
 Permit No. 2022-000025
 Issue Date 01/26/2022

**APPLICATION AND PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN
 WITHIN THE RIGHT-OF-WAY OF; OR TO CLOSE, A COUNTY ROAD
 APPLICATION**

An applicant is defined as an owner of property adjacent to the right-of-way, the property owner's authorized representative; or an authorized representative of a private or public utility who applies for a permit to construct, operate, use, and/or maintain a facility within the right-of-way for the purpose outlined within the application. A contractor who makes application on behalf of a property owner or utility must provide documentation of authority to apply for a permit.

APPLICANT	OMP Sevenhills, LLC 1224 Milliken Ct Traverse City, MI 49686-0000	CONTRACTOR	Elmer's Crane & Dozer, Inc. 3600 Rennie School Rd attn: Brian Peace Traverse City, MI 49696-6150
	Phone(s): 231-218-5725 - - Email: BP777@TEAMELMERS.COM		Phone(s): 231-943-5524 - - Email: bp777@teamelmers.com
Applicant/Contractor request a permit for the following work within the right of way of a county road: Commercial - Commercial Drive LOCATION: County Road <u>13795</u> <u>Seven Hills</u> Between <u>Devils Dive</u> And <u>Bowers Harbor</u> Township <u>Peninsula</u> Section _____ Side of Road <u>West</u> Property ID <u>28-11004-012-00</u> DATE: Work to begin on <u>01/26/2022</u> Work to be completed by <u>01/26/2023</u> I certify and acknowledge that (1) the information contained in this application is true and correct, (2) the commencement of the work described in this application shall constitute acceptance of the permit as issued, including all terms and conditions thereof and, (3) if this permit is for commercial or residential driveway work, I am the legal owner of the property that this driveway will serve, or I am the authorized representative.			
Applicant's Signature: _____ Title: _____ Date: _____		Contractor's Signature: _____ Title: _____ Date: _____	

PERMIT

The term "Permit Holder" in the terms and conditions set forth on the reverse side hereof, refers to the applicant and the contractor, where applicable. By performing work under this permit, the Permit Holder acknowledges and agrees that this permit is subject to all the rules, regulations, terms and conditions set forth herein, including on the reverse side hereof. Failure to comply with any of said rules,

REQUIREMENTS	FEE TYPE	AMOUNT	RECEIPT NO	DATE					
	Commercial RC	150.00	19093		Letter of Credit	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Surety Bond	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Retainer Letter	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Approved Plans on File	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Certificate of Insurance	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		
					Attachments/Supplemental Specifications	<input type="checkbox"/> Y	<input checked="" type="checkbox"/> N		

OTHER REQUIREMENTS:

Permit to work within the road ROW located at 13795 Sevenhills Rd. Permit valid for the road and Commercial drive entrance construction as per submitted and attached plans.

Ditch restoration required. Erosion control to be established which may include top soil, grass seed, and mulch blanket. Adjacent drive (address 13786 Sevenhills Rd) re-work to require slope away from road for at least 4' from paved shoulder to prevent gravel wash onto roadway from drive. Work area to be returned to existing condition when complete.

No work allowed in County Road ROW during a snow/ice event. Work within the ROW from Nov.1 thru March 31, requires daily verbal permission from the Road Commission. GTCRC is to be notified 48hrs in advance of the start of work. Proper signage and traffic control to comply with MMUTCD standards.

CRA 100 (03/2005)

Grand Traverse County Road Commission

1881 LaFranier Road
Traverse City, MI 49696-0000
Phone: 231-922-4848
Fax: 231-929-1836

Application No. 13956
Permit No. 2022-000025
Issue Date 01/26/2022

Recommended for Issuance By:



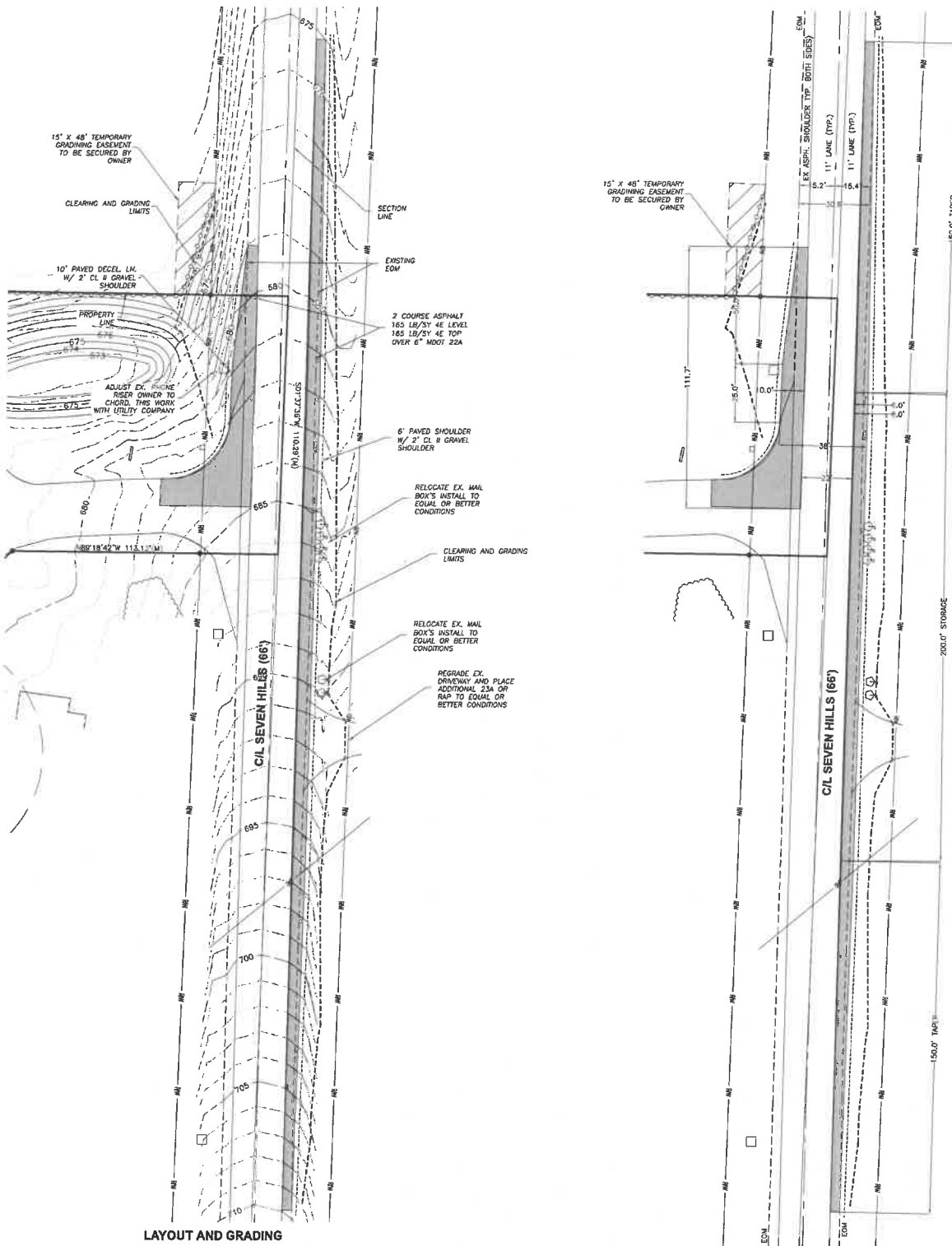
Title: Traffic Services Supervisor Date: 01/25/2022

Approved By:

Title: _____ Date: _____

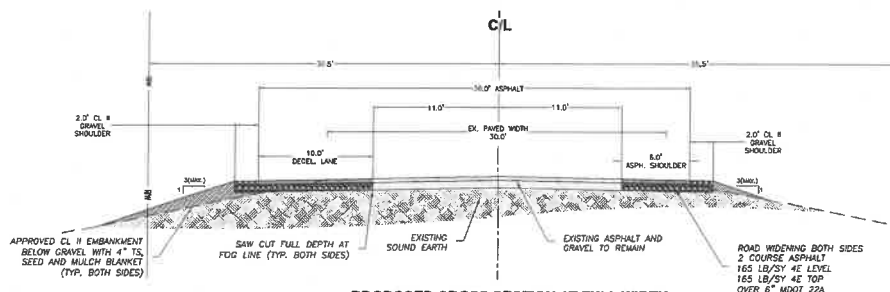
TERMS AND CONDITIONS

1. **Specifications.** All work performed under this permit must be done in accordance with the application, plans, specifications, maps and statements filed with the County Road Commission ("Road Commission") and must comply with the Road Commission's current procedures and regulations on file at its offices and the current MDOT Standard Specifications for Construction, if applicable.
2. **Fees and Costs.** The Permit Holder shall be responsible for all costs incurred by the Road Commission in connection with this permit and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall provide a cash deposit, irrevocable letter of credit or bond in a form and amount acceptable to the Road Commission at the time permit is issued.
4. **Insurance.** The Permit Holder shall furnish proof of general liability insurance in amounts not less than \$1,000,000 each occurrence and general aggregate, proof of automobile liability in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than \$500,000 for bodily injury per person. Such proof of insurance shall include a valid certificate of insurance demonstrating that the Road Commission is an additional insured party on the policy. Such insurance shall cover a period not less than the term of this permit and shall provide that it cannot be cancelled without 30 days advance written notice to the Road Commission, by certified mail, first-class, return receipt requested. This permit is invalid if insurance expires during the authorized period of work described herein.
5. **Indemnification.** In addition to any liability or obligation of the Permit Holder that may otherwise exist, Permit Holder shall, to the fullest extent permitted by law, indemnify, defend and hold harmless the Road Commission and its commissioners, officers, agents, and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the Road Commission may sustain by reason of claims for or allegations of the negligence or violation of the terms and conditions of this permit by the Permit Holder, its officers, agents, or employees, arising out of the work which is the subject of this permit, or arising out of work not authorized by this permit, or arising out of the continued existence of the operation or facility, which is the subject of this permit.
6. **Miss Dig.** The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 or www.missdig.org AT LEAST THREE (3) FULL WORKING DAYS, BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS, BEFORE YOU START WORK. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least 48 hours before starting work, when work is completed, and additionally as directed by the Road Commission.
8. **Time Restrictions.** All work shall be performed Mondays through Fridays between and unless written approval is obtained from the Road Commission, and work shall be performed only during the period set forth in this permit. Perform no work except emergency work, unless authorized by the Road Commission on Saturdays, Sundays, or from on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
9. **Safety.** Furnish, install and maintain all necessary traffic controls and protection during Permit Holder's operations in accordance with the Manual of Uniform Traffic Control Devices, Part 6 and any supplemental specifications set forth herein.
10. **Restoration and Repair of Road.** The construction, operation and maintenance of the activity covered by this permit shall be performed by the Permit Holder without cost to the Road Commission unless specified herein. The Permit Holder shall also be responsible for the cost of restoration and repair of the right-of-way determined by the Road Commission to be damaged as a result of the activity which is the subject of this permit. Restoration shall meet or exceed conditions when work is commenced and be in accordance with specifications. The Permit Holder shall be responsible for costs incurred by the Road Commission for emergency repairs performed by or on behalf of the Road Commission for the safety of the motoring public. Said repairs shall be performed with or without notice to the Permit Holder if immediate action is required. This determination shall be in the sole and reasonable opinion of the Road Commission.
11. **Limitation of Permit.** Issuance of this permit does not relieve Permit Holder from meeting any and all requirements of law, or of other public bodies or agencies. The Permit Holder shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, property owners, or individuals for the activities hereby permitted. Any work not described by the application, including the time and place thereof, is strictly prohibited in the absence of the application for and issuance of an additional permit or amendment to this permit.
12. **Revocation of Permit.** This permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at its expense at the request of the Road Commission. It is understood that the rights granted herein are revocable at the will of the Road Commission and that the Permit Holder acquires no rights in the right-of-way and expressly waives any right to claim damages or compensation in case this permit is revoked.
13. **Assignability.** This permit is not assignable and not transferable unless specifically agreed to by the Road Commission.
14. **Authority.** The statutory authority of the Road Commission to require compliance with permit requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL §247.321 et seq; MCL §224.19b; MCL §560.101 et seq; and MCL §247.171 et seq.



LAYOUT AND GRADING

ENTRANCE DIMENSIONS



PROPOSED CROSS SECTION AT FULL WIDTH

2.0

Sheet Title: **DRIVEWAY LAYOUT**
 Project: **OMP SEVEN HILLS**
 6410 CENTER ROAD
 Sec. 25, T20N, R10W, PENNSILVA TOWNSHIP, GRAND TRAVERSE COUNTY, MI

Client: **OMP SEVEN HILLS**
 6410 CENTER ROAD
 TRAVERSE CITY, MI 49686

Date: 1-10-22
 Scale: VARIES
 Drawn By: RAC
 Checked By:

Revisions:
 1. 1-10-22: TOWNSHIP COMMENTS 4-11-2021
 2. 1-10-22: TOWNSHIP COMMENTS 4-11-2021
 3. 1-10-22: TOWNSHIP COMMENTS 4-11-2021
 4. 1-10-22: TOWNSHIP COMMENTS 4-11-2021

DATE: 1-25-22

TO WHOM IT MAY CONCERN: PLEASE BE ADVISED THAT I,

Troy Daily AM THE OWNER OF THE
PROPERTY LOCATED AT: 13795 Seven Hills Road

COUNTY OF: Grand Traverse TOWNSHIP OF: Pemuncus Twp

PROPERTY TAX ID NUMBER: 11-128-002-00

I AM AUTHORIZING: Brian Peace

PHONE NUMBER OF AUTHORIZED AGENT: 231-218-5725

EMAIL ADDRESS OF AUTHORIZED AGENT: Bp777@trancelines.com

TO ACT AS MY DESIGNATED AGENT/CONTRACTOR ON MY BEHALF FOR ANY NECESSARY PERMIT APPLICATIONS AND APPROVALS REQUIRED FOR THE PROPOSED PROJECT ON THIS REFERENCED PROPERTY. MY DESIGNATED AGENT WILL FILE FOR NECESSARY PERMITS, PARTICIPATE IN NECESSARY SITE MEETINGS, AND CONDUCT AGENCY COMMUNICATIONS AS RELATED TO THE SCOPE OF WORK OUTLINED IN THIS APPLICATION.

AS THE LANDOWNER I UNDERSTAND THAT I AM ULTIMATELY RESPONSIBLE FOR THE WORK PERFORMED UNDER THIS PERMIT TO BE IN COMPLIANCE WITH APPLICABLE REGULATIONS AND WITHIN THE SCOPE OF THE CONDITIONS OF THIS PERMIT.

Troy Daily
SIGNATURE

Troy Daily
PRINTED NAME

ADDRESS OF PROPERTY OWNER/GRANTEE:

Troy Daily, Manager, OMP 7-Hills
15324 Smokey Hollow
Traverse City, MI, 49686

PHONE NUMBER OF PROPERTY OWNER/GRANTEE: 231-288-7676

- ☐ Gravel Residential / Agricultural \$25
☐ Asphalt / Concrete Residential \$75
☐ Private Roads / Utility \$150
☒ Commercial \$150

PLEASE MAKE CHECKS TO: G.T.C.R.C.

RECEIPT # 19093

DRIVEWAY PERMIT APPLICATION FORM

PERMIT APPLICATION # 13956

DATE: 1/24/2022

OWNER (Current owner of property- proof of ownership may be required)	CONTRACTOR/EXCAVATOR **AN ACCEPTABLE INSURANCE CERTIFICATE IS REQUIRED
NAME: OMP Sevenhills LLC	COMPANY: Elmer's Crane & Dozer inc.
ADDRESS: 1224 Milliken Ct	ADDRESS: 3600 Rennie School Rd
CITY, STATE, ZIP: TC MI 49686	CITY, STATE, ZIP: TC MI 49696
DAYTIME PHONE: 231 218 5725	DAYTIME PHONE: 231 218 5725
EMAIL ADDRESS: bp777@teamelmers.com	FAX NO. / EMAIL ADDRESS: bp777@teamelmers.com

SITE INFORMATION

****THIS INFORMATION MUST BE COMPLETE FOR FIELD INSPECTION OR PERMIT ISSUANCE MAY BE DELAYED****

ROAD NAME: Sevenhills rd TOWNSHIP: Peninsula
 LOT NO. AND/OR ADDRESS: 13795 Sevenhills Rd IN _____ SUBDIVISION
 PIN NO.: 28-11-004-012-00 (PROPERTY ID NO.) JOB# _____

PROVIDE DIRECTIONS FROM NEAREST INTERSECTION TO YOUR PROPERTY. MUST BE COMPLETE FOR THE PERMIT TO PROCESS.

THE SITE IS LOCATED: 500 MILES/FEET N S E W FROM Devils Pile ROAD ON THE N S E W

Please select one of the following:

- 1) ☐ PAVE EXISTING DRIVE 2) ☒ REPAIR/EXTEND EXISTING DRIVE 3) ☐ NEW DRIVE

WIDTH 3' CIRCLE NUMBER OF DRIVES: 1 2 3

FINISHED SURFACE TYPE: ☐ GRAVEL ☒ ASPHALT ☐ CONCRETE

REMARKS: widen shoulder for slip lane DATE SITE WILL BE FLAGGED: 5/15/22

Authorized Signature: [Signature]

NOTICE: It is responsibility of the applicant to flag the proposed driveway location so the inspector will be able to determine the exact proposed location. Failure to flag by the specified date may result in a considerable delay. Please allow up to ten business days for processing the permit. Any construction performed before permit is issued may not meet Road Commission standards and is subject to revision or removal at the applicant's expense and could result in a fee being assessed. ****An acceptable Insurance Certificate is required for the contractor or homeowner performing work showing \$500,000.00 of Liability Coverage for the duration of project or permit will not be issued.**

ROAD COMMISSION USE ONLY

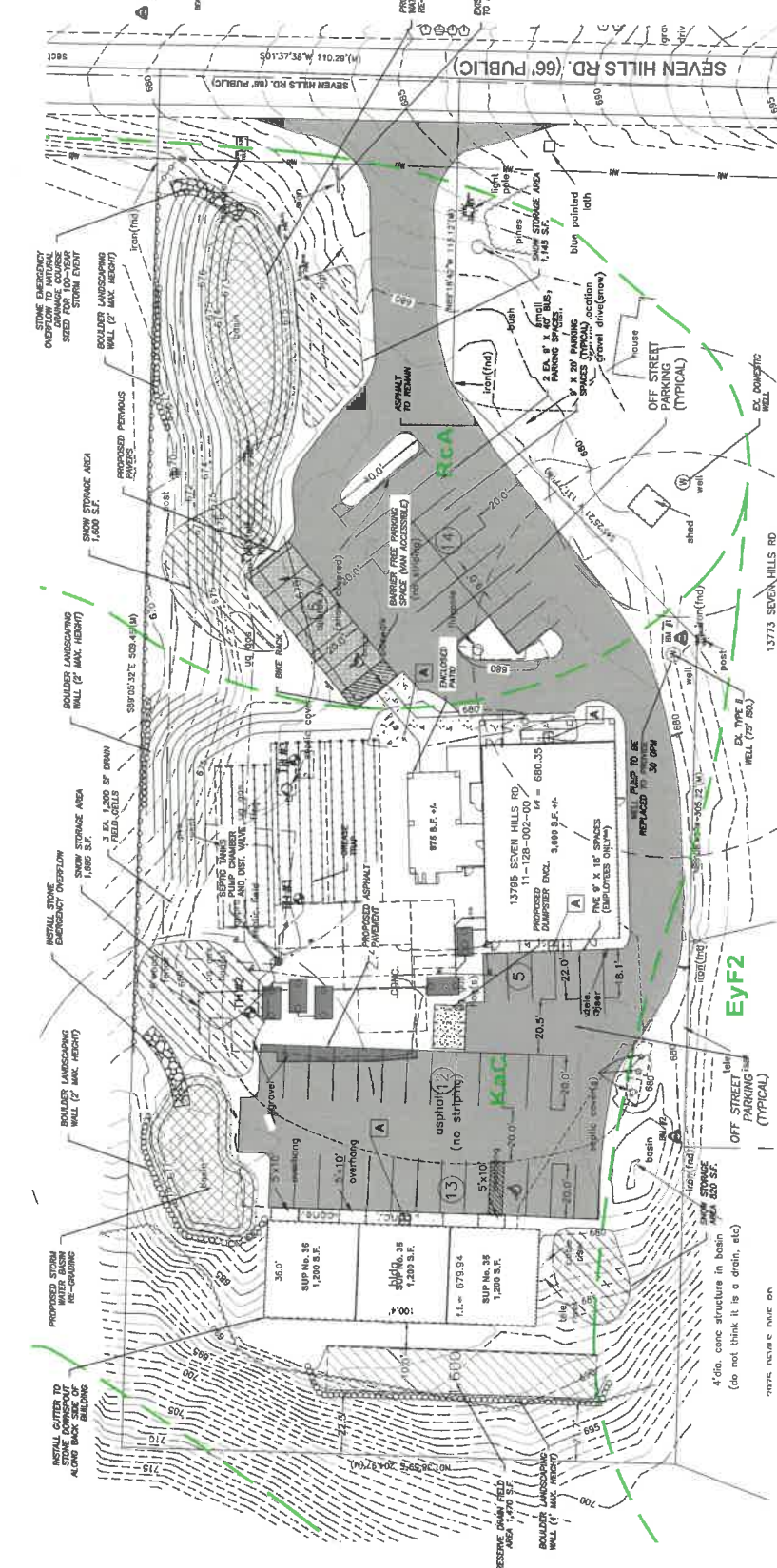
DATE REVIEWED: <u>1/24/2022</u>	BY: <u>Rn R.</u>
ROAD NAME: <u>Sevenhills rd</u>	TOWNSHIP: <u>Peninsula</u>
EXACT LOCATION: <u>- 13795 Sevenhills Rd</u>	
CURRENT SURFACE TYPE: <u>Existing</u>	WIDTH: <u>3'</u> NO. OF DRIVES: <u>1</u> CULVERT: <u>-</u> ' OF <u>"</u>
REMARKS:	

TERMS AND CONDITIONS

1. **Specifications.** All work performed under this permit must be done in accordance with the application, plans, specifications, maps and statements filed with the County Road Commission ("Road Commission") and must comply with the Road Commission's current procedures and regulations on file at its offices and the current MDOT Standard Specifications for Construction, if applicable.
2. **Fees and Costs.** The Permit Holder shall be responsible for all costs incurred by the Road Commission in connection with this permit and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall provide a cash deposit, irrevocable letter of credit or bond in a form and amount acceptable to the Road Commission at the time permit is issued.
4. **Insurance.** The Permit Holder shall furnish proof of general liability insurance in amounts not less than \$1,000,000 each occurrence and general aggregate, proof of automobile liability in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than \$500,000 for bodily injury per person. Such proof of insurance shall include a valid certificate of insurance demonstrating that the Road Commission is an additional insured party on the policy. Such insurance shall cover a period not less than the term of this permit and shall provide that it cannot be cancelled without 30 days advance written notice to the Road Commission, by certified mail, first-class, return receipt requested. This permit is invalid if insurance expires during the authorized period of work described herein.
5. **Indemnification.** In addition to any liability or obligation of the Permit Holder that may otherwise exist, Permit Holder shall, to the fullest extent permitted by law, indemnify, defend and hold harmless the Road Commission and its commissioners, officers, agents, and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the Road Commission may sustain by reason of claims for or allegations of the negligence or violation of the terms and conditions of this permit by the Permit Holder, its officers, agents, or employees, arising out of the work which is the subject of this permit, or arising out of work not authorized by this permit, or arising out of the continued existence of the operation or facility, which is the subject of this permit.
6. **Miss Dig.** The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 or www.missdig.org AT LEAST THREE (3) FULL WORKING DAYS, BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS, BEFORE YOU START WORK. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least 48 hours before starting work, when work is completed, and additionally as directed by the Road Commission.
8. **Time Restrictions.** All work shall be performed Mondays through Fridays between 8:00 a.m. and 5:00 p.m. unless written approval is obtained from the Road Commission, and work shall be performed only during the period set forth in this permit. Perform no work except emergency work, unless authorized by the Road Commission on Saturdays, Sundays, or from 3:00 p.m. on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
9. **Safety.** Furnish, install and maintain all necessary traffic controls and protection during Permit Holder's operations in accordance with the *Michigan Manual of Uniform Traffic Control Devices, Part 6* and any supplemental specifications set forth herein.
10. **Restoration and Repair of Road.** The construction, operation and maintenance of the activity covered by this permit shall be performed by the Permit Holder without cost to the Road Commission unless specified herein. The Permit Holder shall also be responsible for the cost of restoration and repair of the right-of-way determined by the Road Commission to be damaged as a result of the activity which is the subject of this permit. Restoration shall meet or exceed conditions when work is commenced and be in accordance with specifications. The Permit Holder shall be responsible for costs incurred by the Road Commission for emergency repairs performed by or on behalf of the Road Commission for the safety of the motoring public. Said repairs shall be performed with or without notice to the Permit Holder if immediate action is required. This determination shall be in the sole and reasonable opinion of the Road Commission.
11. **Limitation of Permit.** Issuance of this permit does not relieve Permit Holder from meeting any and all requirements of law, or of other public bodies or agencies. The Permit Holder shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, property owners, or individuals for the activities hereby permitted. Any work not described by the application, including the time and place thereof, is strictly prohibited in the absence of the application for and issuance of an additional permit or amendment to this permit.
12. **Revocation of Permit.** This permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at its expense at the request of the Road Commission. It is understood that the rights granted herein are revocable at the will of the Road Commission and that the Permit Holder acquires no rights in the right-of-way and expressly waives any right to claim damages or compensation in case this permit is revoked.
13. **Assignability.** This permit is not assignable and not transferable unless specifically agreed to by the Road Commission.
14. **Authority.** The statutory authority of the Road Commission to require compliance with permit requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL §247.321 et seq; MCL §224.19b; MCL §560.101 et seq; and MCL §247.171 et seq.



BENCHMARK DATA
 BM #1: PND. BDN BM #2: PND. BDN
 ELEV. 581.85 ELEV. 580.38
 SCALE: 1" = 20'
 BEARING: 345° 00' 00" (MAGNETIC) 345° 00' 00" (TRUE)
 0' 20' 40'



LAND USE TABLE

SITE CONDITIONS	ASPHALT	CONCRETE	GRAVEL	BID. AREA	PERMITS	PERCENT LOT COVERAGE	% BLD. LOT COVERAGE
EX. CONDITIONS	25,921 SF	5,432 SF	600 SF	12,228 SF	NONE	43,200 S.F. = 60.27%	12,228 SF = 13.7%
PROG. CONDITIONS	20,220 SF	4,103 SF	1,000 SF	9,870 SF	1,851 SF	38,153 S.F. = 43.80%	8,670 SF = 10.8%
PERCENT CHANGE	5,900 RED.	23.3% RED.	100% RED.	20.9% RED.	100% INCREASE	6.77% INCREASE	2.9%

*PERCENT LOT COVERAGE CALCULATED BASED ON HARD IMPERVIOUS SURFACES (ROOF, ASPHALT, CONCRETE AND GRAVEL).
 ASPHALT IN ROAD RIGHT OF WAY WAS NOT INCLUDED.

SNOW STORAGE CALCULATIONS

PARKING AREAS ARE BROKEN IN TO TWO DISTRICTS
 DISTRICT NO. 1 AREA = 18,498 S.F.
 SNOW STORAGE PROVIDED = 1,600 S.F. + 1,140 S.F. = 2,740 S.F.
 DISTRICT NO. 2 AREA = 12,331 S.F.
 SNOW STORAGE PROVIDED = 1,600 S.F. + 820 S.F. = 2,420 S.F.

SITE REQUIREMENTS

1. OFFICE/RETAIL: 1 SPACE PER 75 S.F. OF USABLE FLOOR AREA
 FLOOR AREA = 1,610 S.F. = 20 SPACES
 TOTAL SPACES PROVIDED = 20 SPACES
2. ALL PROPOSED SITE LAYOUTS SHALL BE IN ACCORDANCE WITH ORDINANCE SECTION 7.1.1 AND SHALL BE APPROVED BY THE ZONING ADMINISTRATOR.
3. ANY NEW STORAGE SHALL BE IN ACCORDANCE WITH ORDINANCE SECTION 7.1.1 AND SHALL BE APPROVED BY THE ZONING ADMINISTRATOR.

SITE INFORMATION

SITE ADDRESS
 13715 SEVEN HILLS ROAD
 TRAVELER, CITY, MI 48060
 PARCEL NO. 20-11-125-002-00
 DEVELOPER: OMP SEVEN HILLS
 CONTACT: JORDAN VALDMAN: 231-390-8904
 ZONING: C-1 COMMERCIAL
 PARCEL AREA 89,285 S.F. +/- = 2.05 ACRES (INCL. ROW)
 PROPOSED SITE TO INCLUDE THE FOLLOWING USES:
 - OFFICE/RETAIL
 - COFFEE SHOP/LIMITED FOOD SERVICE
 - OFFICE/STORAGE SPACE/OFFICE

SETBACK REQUIREMENTS

FRONT: 35 FEET; SIDE: 10 FEET; REAR: 30 FEET (SETBACKS MET)
 PERCENT LOT COVERAGE: 33%
 PARKING REQUIREMENTS

ASSUMPTION

PARKING BASED ON THE USABLE AREA IN THE BUILDING
 COFFEE SHOP AND RESTAURANT OCCUPY THE SAME SPACE
 RESTAURANT: 1 SPACE PER 75 S.F. OF USABLE FLOOR AREA
 FLOOR AREA = 1,610 S.F. = 20 SPACES
 OFFICE/RETAIL: 1 SPACE PER 75 S.F. OF USABLE FLOOR AREA
 FLOOR AREA = 1,610 S.F. = 20 SPACES
 TOTAL SPACES PROVIDED = 40 SPACES
 TOTAL SPACES REQUIRED = 40 SPACES
 TOTAL SPACES PROVIDED = 40 SPACES
 TOTAL SPACES REQUIRED = 40 SPACES
 TOTAL SPACES PROVIDED = 40 SPACES
 TOTAL SPACES REQUIRED = 40 SPACES



OUTDOOR FORGE LIGHT FIXTURE
 LIGHT FIXTURE TO BE WALL MOUNTED ABOVE DOORWAY ENTRANCES
 LIGHT FIXTURE SHALL BE 17.5" TALL X 15" WIDE
 MODEL NO. 10374K



Know what's below.
 Call before you dig.