

Packet
May 23, 2023,
Township Board Special Meeting

Consent



Peninsula
COMMUNITY LIBRARY

MAY 2023 DIRECTOR'S REPORT - VICTORIA SHURLY

In case you didn't catch it, Peninsula Community Library is listed in the credits of the television show, *In With the Old*, in the segment that highlights the restoration of the Carter and Amy Oosterhouse barn. Our local history librarian Mary Morgan and I assisted with the historical research!

The Friends of Peninsula Library have donated new playground certified climbing boulders for the Children's Garden, an Epson scanner for historical documents that is capable of scanning old negatives and a mobile cart to store items from our Library of Things. We are so very grateful to this hardworking group for their never-ending support of PCL!

We have contracted with Top Line Electric in Traverse City to replace the defective smart lighting system. The new system is wireless and can be controlled by staff from each panel. The system to be installed has been used successfully by TCAPS for eight years with no issues.

The summer concert series has been scheduled with music variations from contemporary to sixties music to jazz and bluegrass to songs we all know and love. We invite families to bring a picnic and enjoy. The full schedule will be on our website soon.

We are once again collaborating with U of M's Michigan Medicine on a lecture series with world renowned physicians. This year's programs will include presentations on cardio health, diabetes and skin cancer. Programs will happen in July, August and October. This is a big deal for a small library. U of M is redoing the fabulous promotional video they produced last year, highlighting a "small library and a global institution!" The programs will be recorded for people who are not able to attend. Following each program, we will offer fireside chats so that attendees can ask one on one questions of the physicians.

A walking path will be mowed around our five and a half acres this summer. It was a part of our special use permit and our hope is to develop this further in coming years.

PCL Fun Fact: *The retention pond on our property has formed its own "ecosystem" which is attracting birds, dragonflies and lilies. An Eagle Scout project resulted in nesting boxes to attract indigenous birds.*

Circulation April 2023: 1988 + 61 manual checkouts, April 2022: 2339

April Volunteers: 12 people (1 teens), 34 hours of time to PCL.

Curbside pickups: 1. Home delivery: 2. New library cards: 15

Hold Transit Counts April: 591 to other libraries from PCL, 316 from other libraries to PCL

Programs April: 23 Programs Participation April: 380 Reference Questions: 423

Website Hits: 1158, Twilight Baby Bags: 0, 1000 Books Before Kindergarten: 2

State of Michigan COVID Kit Distribution: 2100, COVID card protectors: 800

PENINSULA COMMUNITY LIBRARY 2893 ISLAND VIEW ROAD, TRAVERSE CITY, MI 49686231-223-7700

www.peninsulacommunitylibrary.org

Becky Chown

To: MIKE SKURSKI
Subject: RE: OMP Lighthouse Litter Collection

From: MIKE SKURSKI <parksmike49686@gmail.com>
Sent: Sunday, May 7, 2023 8:58 AM
To: William Stott <wstott3193@gmail.com>
Cc: Mickie Novorolsky <mjnovo@charter.net>; Pete Dahl <peterleedahl@gmail.com>; Lighthouse Program Manager <missionpointlight@gmail.com>; Bill Ryan <billrtc@yahoo.com>; Isaiah Wunsch <supervisor@peninsulatownship.com>; Becky Chown <clerk@peninsulatownship.com>; bob Wilkinson <twilkinson@centurytel.net>; Michele Zebell <mzebell.parks@gmail.com>
Subject: Re: OMP Lighthouse Litter Collection

Bill.

This sounds like a new problem- not littering but dumping in the park.
Obviously against an ordinance and finable if we can pin down the culprits.

I will get Bob on it - I'll have him contact you on the specific location. I also copy the relevant township individuals.

Bill - in a separate mail or txt, send me your contact phone number in order to get Bob direct contact.

As always - thanks for all the work you and your volunteers do each and every year.

MIKE SKURSKI
Chair
Peninsula Township Park Committee
parksmike49686@gmail.com

Business

Business

Seven Hills Development SUP #35, Amendment #2

PENINSULA TOWNSHIP

MEMO

To: Township Board
From: Jenn Cram, AICP, Director of Planning and Zoning
Date: May 17, 2023
Re: Seven Hills Development - SUP #35, Amendment #2

As discussed at the May 9 meeting, legal counsel and staff have worked together to draft the attached Resolution and Findings of Fact and Conditions regarding the second amendment to Special Use Permit (SUP) #35.

Legal counsel and staff will be available during the special meeting on May 23 to answer any questions.

If the board is comfortable with the proposed Resolution and Findings of Fact and Conditions, they may take action on the requested second amendment to SUP #35.

Resolution
Amendment #2 to Special Use Permit #35

Peninsula Township, Grand Traverse County, Michigan
Resolution No. 2023-05-23

Amendment #2 to Special Use Permit #35

At a meeting of the Peninsula Township Board, Grand Traverse County, Michigan, held at the Peninsula Township Hall on the ____ day of May, 2023, at ____ p.m.

Present: _____

Absent: _____

Adoption of the following Resolution was moved by _____ and seconded by _____.

WHEREAS, the development of 13795 Seven Hills Road, a property within the jurisdiction of Peninsula Township and subject to the Township's zoning ordinance, was first addressed by the Township Board in February 1993, when the Township allowed the uses of Warehouse, Storage and Office Space, by and through approval of Special Use Permit #35 (SUP #35).

WHEREAS, the development was then reintroduced to the Planning Commission on November 16, 2020, as a proposed Community Center that would provide varied amenities that included but were not exclusive to a coffee shop, dining, distillery/tasting room, boutique, motel, art studio/gallery, mixed retail, a market, and outdoor activities.

WHEREAS, the Planning Commission further considered the development on February 22, 2021, and approved the site for a subset of the initially proposed uses. Inside uses included a restaurant/coffee bar, a tasting room/bar/tavern, and art studio/office, recreational equipment rental and contractor storage. Outside uses included a farmer's market and open-air serving space for the coffee bar/tavern. Outside storage was not permitted and conditions had to be met for lighting and landscape.

WHEREAS, on May 11, 2021, the Township Board considered the development, as recommended by the Planning Commission, and approved the development on a more limited set of uses. The Township Board approved the indoor uses of restaurant/tavern, retail/office, and storage with specific square footage, and specifically eliminated outdoor uses. At that time the Board clarified that the approval was for the first amendment to SUP #35.

WHEREAS, on January 6, 2022, the Township Board considered a Michigan Liquor Control Commission (MLCC) application filed by the owners of the Seven Hills Development. The application was for a Manufacturer License and Permit Application that had an accompanying Local Government Approval for On-Premises Tasting Room Permit. The Board unanimously recommended approval of the Permit/License by the MLCC.

WHEREAS, on November 21, 2022, the Applicant introduced a second amendment to SUP #35 to the Planning Commission. The amendment sought expansion of the facilities capacity from 32 patrons to 70 patrons and the addition of outdoor uses. The Planning Commission moved the matter to a hearing on December 19, 2022, and finding insufficient information, moved it again to the next Planning Commission meeting.

WHEREAS, on March 6, 2023, the Planning Commission considered Applicant's updated information regarding the second amendment and unanimously approved it for recommendation to the Township Board on the matters of additional capacity and outdoor uses. The Planning Commission, however, recommended conditions as part of its favorable recommendation, including limitations on Applicant's proposed hours of operation.

WHEREAS, on April 11, 2023, the Township Board considered Applicant's proposed second amendment. At that meeting, the Township expressed concern about the impact of the MLCC license on the proposed use of the property and its consistency with the C-1 Commercial District. Importantly, the Applicant acknowledged and stated that distilled spirits would not be manufactured on-premises, and that all distilling and related manufacturing would take place off-site in a bonded facility operated by another licensee in which Applicant has contracted to perform such work for Applicant. The Applicant added that although the MLCC requires certain equipment to be on site, including a still, it is not a requirement to distill spirits on site. Instead, the Applicant would mix custom blends of spirits obtained from a contracted off-site bonded facility, bottle those blends, label, and sell them for service and/or retail. The Board tabled the consideration of the proposed second amendment to May 9, 2023, to further consider the impact of the license on the proposed use, and to ensure consistency with allowed uses in the C-1 zoning district. The Board did express support for the Planning Commission's recommended conditions.

WHEREAS, on April 25, 2023, the Applicant sent a letter to the Township Board that said the facility is unable to and not planning to distill spirits or make wine in the traditional, large, automated production manner. See **Exhibit A**. Instead, the extent of "manufacturing", as defined under the MLCC, that would be applied to the operation would be limited to blending of product obtained from an off-site bonded facility.

WHEREAS, the Township Board met again on May 9, 2023, to further discuss the issues concerning Applicant's proposed second amendment to SUP #35. A summary of activities to address the Township Board's concerns was provided and the matter was tabled to May 23, 2023, to allow the Township to review the Applicant's information and prepare a Resolution with Findings and Conditions consistent with the Township Board's direction and the Peninsula Township Zoning Ordinance.

WHEREAS, the matter of the second amendment to SUP #35 now comes back before the Township Board for consideration on this 23rd day of May, 2023, at a fully noticed public meeting. The Board, having considered the newly proposed Findings and Conditions attached hereto, finds the second amendment to SUP #35 should be approved under the attached Findings and Conditions. See **Exhibit B**.

WHEREAS, the Board's approval is specifically premised on the Applicant's statements and description as to the Applicant's limited processing and blending of spirits at the facility. The Board relies upon the Applicant's statements and descriptions in determining that the general conditions for the SUP amendment are satisfied and remain consistent with the Township's applicable land use district.

NOW, THEREFORE BE IT RESOLVED, that the Peninsula Township Board hereby approves Amendment #2 to Special Use Permit #35.

Yeas: _____

Nays: _____

Motion Carried.

I, Becky Chown, Clerk of Peninsula Township, Grand Traverse County, certify that the forgoing is true and complete copy of the Resolution adopted by the Peninsula Township Board at its Special Meeting held Tuesday, May 23, 2023.

Becky Chown,
Township Clerk

Exhibit A

OMP Seven Hills
13795 Seven Hills Road
Traverse City, MI 49686

04/25/2023

Peninsula Township Board
Attn. Isaiah Wunsch
13235 Center Road
Traverse City, MI 49686

Dear Mr. Wunsch,

Per your request, we are writing to inform you, and the Peninsula Township Board of the ways in which we will be using our conditionally approved Small Distillers Permit and On-Site Tasting Room Permit issued by the State of Michigan.

Given the limited size and development plan for our commercially zoned (C-1) property at 13795 Seven Hills Road we are unable to, and not planning to distill spirits or make wine in a traditional, large, automated production manner. We have limited septic and drainage on our property that does not allow us to engage in this sort of activity.

The township board seemed concerned about some wording in our license regarding the term "manufacturing". Our "manufacturing" will be no different from other C-1 zoned businesses on the peninsula. Grocery stores and markets are zoned C-1 like Seven Hills. All businesses are mixing ingredients to create a composed or product to package and sell. We see no difference from breaking down poultry or meat to package and sell, or combining food ingredients to package and sell and mixing or blending spirits to package and sell. Both operations are manual and similar, if not exact.

To add, the Michigan Liquor Control Commission (MLCC) defines manufacturing:

436.1109 Definitions; M to O.
([Michigan Legislature - Section 436.1109](#))

Sec. 109.

(1) "Manufacture" means to distill, rectify, ferment, brew, make, produce, filter, mix, concoct, process, or blend an alcoholic liquor or to complete a portion of 1 or more of these activities. Manufacture does not include bottling or the mixing or other preparation of drinks for serving by those persons authorized under this act to serve alcoholic liquor for consumption on the licensed premises. In addition, manufacture does not include attaching a label to a shiner. All containers or packages of alcoholic liquor must state clearly the name, city, and state of the bottler.

The extent of our “manufacturing” on-site, as defined by the MLCC will be to “mix” and “blend”.

We have contracted another local, licensed distillery and wine maker to create our own proprietary products for us, off-site at their licensed and bonded facility. Our products will be brought from their legally licensed and bonded facilities and delivered to our licensed, bonded facility. Our products will be stored legally in the bonded area until it’s time to sell them for on-site consumption or retail purchases (sealed bottles) as allowed by State and Federal Law.

There will be no “heavy” or “industrial” manufacturing as other definitions of manufacturing may imply, on our property at 13795 Seven Hills Road.

With that said, the history of our property is rich. Multiple heavy, as well as light manufacturing operations have taken place on our property over the years. Most notably, Arnold White’s Manufacturing company. Mr. White’s factory at Seven Hills manufactured industrial cherry pickers, and industrial sprayers. Given the past industrial and manufacturing history of our property there should be no issues to move forward with our Special Use Permit #35 Amendment #2.

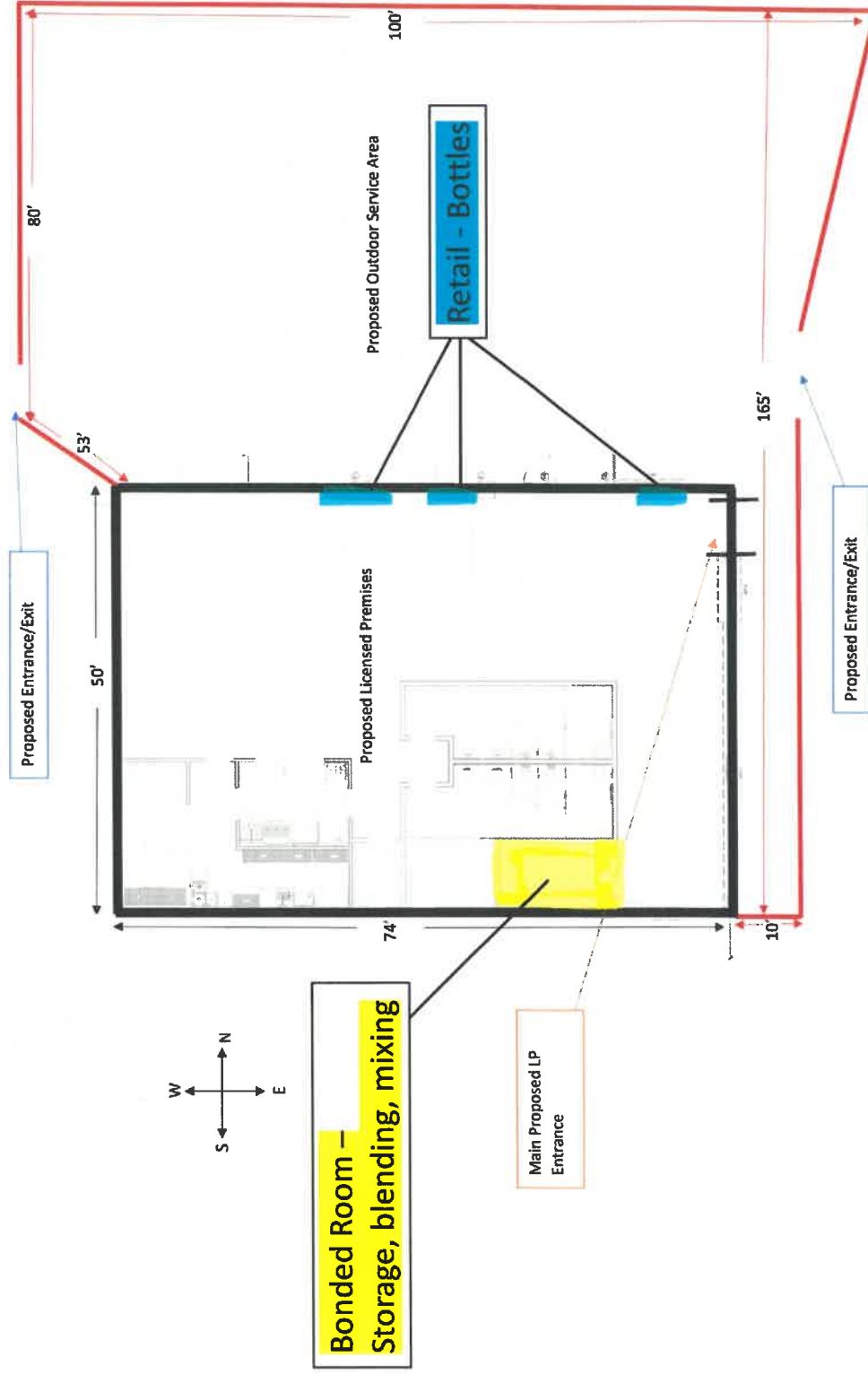
It is our opinion that we have appeased every request by the Peninsula Township over the past two plus, years. We have provided more than the necessary information needed to move forward with our business endeavors.

Thank you for your prompt attention to this matter and for helping ensure the proper Township Board approval of our SUP #35, amendment #2.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Milliken", with a stylized, cursive script.

Jay Milliken
OMP Seven Hills
Managing Member



Findings of Fact and Conditions

Amendment #2 to Special Use Permit #35

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

SPECIAL USE PERMIT (SUP)
FINDINGS OF FACT AND CONDITIONS
SUP #35, Amendment #2 - 7 Hills Redevelopment
May 23, 2023

PENINSULA TOWNSHIP BOARD

Applicant: OMP Seven Hills Development, LLC – (Troy Daily, Jay Milliken and Jordan Valdmanis)
13795 Seven Hills Road
Traverse City, Michigan 49684

Hearing Date(s): November 21, 2022 – Introduction to Planning Commission
December 19, 2022 – Public Hearing with Planning Commission
March 6, 2023 – Draft Findings of Fact and Conditions at Planning Commission
April 11, 2023 – Public Hearing with Township Board
May 9, 2023 – Public Meeting with Township Board
May 23, 2023 - Public Meeting with Township Board

PROPERTY DESCRIPTION

Parcel ID#: 28-11-128-002-00
Property Address: 13795 Seven Hills Rd
Zoning: C-1 Commercial District

GENERAL INTRODUCTION AND BACKGROUND

Special Use Permit (SUP) #35 was approved on February 9, 1993. The original approval included four buildings for various professional offices and related storage.

The first amendment to SUP #35 was approved on May 11, 2021. The approval of amendment #1 was for a redevelopment of the property that reduced the total number of buildings to two. The uses approved within the two buildings included a restaurant/tavern in the front or eastern building and retail, offices, and storage in the back or western building, along with associated parking, drainage facilities, lighting and landscaping.

The applicants have requested a second amendment to expand the capacity of the restaurant/tavern from 32 to 70 and to allow outdoor uses in a defined area that includes seating, consumption of food and beverages,

DRAFT _ TOWNSHIP BOARD – May 23, 2023

yard games such as corn hole, fitness classes and gatherings. Proposed outdoor uses may utilize amplified sound.

The subject property is zoned C-1 and is 2.05 acres. The property has an existing improved access from Seven Hills Road.

All previously approved and proposed uses are allowed within the C-1 zone district with the approval of a Special Use Permit.

The submitted application (as revised) is included in [EXHIBIT 1](#).

SECTION 8.1.3 BASIS FOR DETERMINATIONS

FINDINGS - SECTION 8.1.3 (1) GENERAL STANDARDS

General Standards. *The Peninsula Township Board of Trustees shall review each application for the purpose of determining that each proposed use meets the following standards, and, in addition, shall find adequate evidence that each use on the proposed location will:*

- a) Be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

The character of the area surrounding the subject property is generally agricultural and rural residential in nature. The land directly adjacent to the subject property is mostly wooded, and Bowers Harbor Vineyard is located to the north and west.

This site has been commercially zoned since the Township adopted its zoning district map and has been utilized with allowed commercial uses.

The buildings meet required setbacks for the C-1 zone district. The proposed architecture, parking areas and landscaping are attractive. The previously approved and proposed indoor uses should not negatively impact adjacent properties. The proposed outdoor uses have the potential to negatively impact neighbors with regard to light and noise. Negative lighting impacts can be minimized with an approved lighting plan under Section 7.14 of the Zoning Ordinance, and negative noise impacts can be minimized by following Noise Ordinance #40, as amended, along with the establishment of reasonable hours of operation.

The applicants have noted that they intend to abide by all requirements of the Peninsula Township Noise Ordinance as amended. In addition, they have proposed that outdoor uses will be conducted during winter hours Sunday – Thursday until 9 p.m. and Friday-Saturday until 10 p.m. Summer hours for outdoor uses are proposed to be Sunday – Thursday until 10 p.m. and Friday-Saturday until 11 p.m.

Staff have investigated the hours of operation for other commercial restaurant/taverns with outdoor seating and/or uses on the peninsula and found that most close by 9 pm both winter and summer. Staff understands that the property is zoned C-1 and commercial uses are permitted, but because this property is surrounded by rural residential uses there is a concern that later hours for outdoor uses have the potential for noise to be disturbing to neighbors and not be harmonious with the surrounding area. Please see the attached aerial with the distance of surrounding residential uses for reference, attached as [EXHIBIT 2](#).

The Planning Commission discussed the proposed hours of operation for outdoor uses at a special meeting on March 6, 2023. Minutes from that meeting are attached for reference, attached as [EXHIBIT 3](#). The Planning Commission unanimously approved a motion to recommend approval of the requested amendment with a condition that the hours of operation for outdoor uses cease at 10 p.m. seven days a week and that the applicants abide by the Noise Ordinance as amended.

- b) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

As noted above the proposed project will be attractive. There is no concern with the approved uses conducted indoors. The hours of operation for outdoor uses have been addressed with a recommended condition of approval.

- 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. The proposed uses do not place any additional burden on adjacent roadways, public emergency services, public utilities, or schools, as proposed by the Applicant and with additional mitigation measures noted below.

A detailed analysis on traffic generation was performed by Fleis & Vandenbrink during the review process of the first amendment in 2021. A condition of approval was included and will carry forward that notes that the OMP Seven Hills Development, LLC understands, agrees and acknowledges that as part of the board's approval of the requested amendments that at any time it is determined by Peninsula Township that the impact and/or intensity of the use of the roads to and from the subject site has increased in a meaningful way that they will pay for an additional traffic study and work with the township to reasonably mitigate and/or relieve the impact of the increased intensity to the roads to and from the subject site.

The Fire Department has conducted a site inspection and noted that they do not have concerns with the proposed increase in capacity and outdoor uses, provided that all of the requirements noted in their letter from the first amendment approval, dated February 10, 2021, have or will be met. ([EXHIBIT 4](#)). Compliance with Fire Department requirements is included as a proposed condition of approval.

The Grand Traverse County Health Department has reviewed the proposed increase in capacity and outdoor uses and has noted that the maximum number of patrons for the restaurant/tavern both indoors and outdoors is appropriate for the capacity of the on-site septic system as currently designed ([EXHIBIT 5](#)). The applicants hold a Michigan Liquor Control Commission (MLCC) manufacturer license, but they have asserted in testimony before the Township Board and a letter to the Township Board that actual manufacturing will not occur on site, due in some part to the septic system being inadequate for such a use. Continued compliance with current Health Department requirements is dependent on the absence of any manufacturing use related to the MLCC license and is included as a proposed condition of approval.

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

The revised site plan dated February 15, 2023, provides the required number of parking spaces (55) for all uses on the property. However, the Planning Commission noted concerns with parking overflow onto Seven Hills Road. Staff reached out to the Grand Traverse County Road Commission to see if no parking signs could be placed on Seven Hills Road at the owners' expense to discourage this. Unfortunately, the Road Commission noted that this can only be accomplished if there is documented proof that there is an ongoing issue with cars parking on the roadway ([EXHIBIT 6](#)). Staff discussed placing signage near the exit of the property to encourage their patrons to come back another time if parking is full, as no parking on the road is allowed and people will be ticketed and towed. The applicants are agreeable to this action and a proposed condition of approval has been included.

With proposed signage in place, the Applicants are doing their best to minimize the potential impact on the local road system and need for enforcement. Thus, the proposed uses do not increase the need for public facilities or 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.

As stated above, the applicants hold a MLCC manufacturer license, which could create the potential for harmful fumes or odors if manufacturing took place at the facility under a MLCC license. The applicants, however, have agreed to refrain from MLCC license-based manufacturing on site, which is fundamental to ensuring the absence of offensive fumes and/or odors. Based upon applicants' agreement, the proposed uses do not include 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.

Storage accessory to the uses on the property is proposed. A condition of approval is that all storage of materials on-site comply with all applicable local ordinances, County ordinances, OSHA regulations, EPA regulations, the International Fire Code, and state of Michigan regulations including but not limited to EGLE and MLCC regulations.

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 Assessor's records show that the applicants are the owners of the subject property and may apply for an amendment to the SUP.
- (b) That all required information has been provided.
All required information is provided as part of this application. (EXHIBIT 1).
- (c) That the proposed development conforms to all regulations of the zoning district in which it is located.
The proposed development conforms to regulations of the C-1 zoning district, subject to the conditions of approval noted on pages 7 and 8.
- (d) That the plan meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services.
Gourdie Fraser Engineers has reviewed the submitted plans for compliance with storm water control regulations and parking layout. They noted that one additional ADA compliant parking space is required for the proposed number of parking spaces (EXHIBIT 7). A condition of approval has been proposed to address this.

The Grand Traverse County Health Department has also provided comments (EXHIBIT 5). They have no concerns with the proposed increase in capacity provided that the restaurant/tavern is limited to 70 total patrons both indoors and outdoors. The County Health Department, however, has not evaluated the facility for septic capacity related to manufacturing under a MLCC license, and Applicants have agreed to not manufacture on-site under a MLCC license. Additionally, the County Health Department has not evaluated the facility for septic capacity related to the processing proposed by the Applicant. Outdoor uses should also allow for evaporation over the drain field and not be compacted by heavy weight. Proposed conditions of approval have been included on both issues. A proposed condition of approval has also been included on the issue of updating the Health Department review.

The fire chief is comfortable with the plan, provided that proposed pervious pavers meet the specifications noted in his email dated February 16, 2023, and conditions of approval from the first amendment continue to be met (EXHIBIT 4). A proposed condition of approval has been included on this issue.

- (e) That the plan meets the standards of other governmental agencies, where applicable, and that the approval of these agencies has been obtained or is assured.
The proposed uses, along with plans and relevant information, have been supplied to the necessary governmental agencies for review and approval. In addition to the agencies noted above, the Grand Traverse County Building Department/Construction Code noted that they have no concerns with the increased capacity as long as they are provided with a copy of the approved SUP amendment and/or Land Use Permit (EXHIBIT 8).

- (f) That natural resources will be preserved to a maximum feasible extent and that areas to be left undisturbed during construction shall be so located on the site plan and at the site per se.
The subject property is largely developed and will remain as such. There will be less building mass on the site after the project is complete since the number of buildings was reduced as part of the approval of the first amendment. The footprint of the restaurant/tavern was also reduced after approval of the first amendment. The use of pervious pavers in some areas also helps to reduce impervious surfaces.
- (g) That the proposed development property respects floodways and floodplains on or in the vicinity of the subject property.
There are no floodways or floodplains in the vicinity of this site.
- (h) That the soil conditions are suitable for excavation and site preparation and that organic, wet, or other soils that are not suitable for development will either be undisturbed or modified in an acceptable manner.
The soils are suitable for construction activities. Soil types are identified on page 2.0 of the drawings submitted (EXHIBIT 1).
- (i) That the proposed development will not cause soil erosion or sedimentation problems.
Gourdie Fraser Engineers have reviewed the plans for soil erosion control and have no concerns. (EXHIBIT 7).
- (j) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of water courses in the area.
The proposed uses will not cause any increase in off-site storm water runoff. The site plan illustrates a stormwater detention basin. See letter from Gourdie Fraser Engineers (EXHIBIT 7).
- (k) That grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring properties.
Proposed grading is limited to the north of the site and is associated with drainage and septic system activities. The general character 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 utility systems is required or 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 was approved with the first amendment that shows new trees and shrubs throughout the site. Implementation of this plan is a condition of approval.

- (p) That parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent streets.

The required number of parking spaces has been provided for all proposed uses at 55 total spaces. The parking lot layout is like the layout approved with the first amendment except for the conversion of two bus parking spaces to four regular parking spaces and the addition of three new spaces on the north side of the eastern parking area. Those three spaces include the use of pervious pavers. Drive aisles have also been increased to a minimum of 20 feet as required by the Fire Department.

- (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. Grand Traverse County Road Commission requirements noted as part of the approval of the first amendment have been completed (EXHIBIT 9).

- (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 sound planning.

The proposed development, under the conditions set forth on pages 7 and 8 of this Special Use Permit, meets the objectives of the ordinance and the principles of sound planning by improving the existing character of the subject parcel and providing opportunities for new commercial uses.

COMPLIANCE WITH GOVERNMENTAL REGULATIONS:

The petitioner shall comply with all state, county, township, and other governmental regulations relative to the establishment of the special use for a parcel zoned C-1, which includes meeting the requirements of the Michigan Department of Transportation (MDOT), Michigan Liquor Control Commission (MLCC), the Grand Traverse County Drain Commissioner (GTCDC), the Grand Traverse County Road Commission (GTCRC), and the Grand Traverse County Health Department (GTCHD). Zoning compliance is based on the governing special land use document, approved site plan, and Articles 6 and 8 of the Peninsula Township Zoning Ordinance.

APPROVAL CONDITIONS AND SAFEGUARDS:

Pursuant to Section 8.1.3 (2), the board may require such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of the ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted. Specific conditions and requirements for a land use permit include:

- 1) Uses approved as part of this SUP amendment only include the following:
 - a. Restaurant/Coffee Shop with a Market/Retail
 - b. Tasting Room/Bar/Tavern
 - c. Professional Offices
 - d. Single Chair Salon
 - e. Artist Studio/Retail
 - f. The following outdoor uses: Seating/Consumption, Games, Fitness Classes, and Gathering, all with the potential for amplified sound that is compliant with Noise Ordinance #40, as may be amended from time to time.
 - g. Indoor storage of materials accessory to on-site uses
- 2) The approved uses above do not include the manufacturing of products under an MLCC license. The approved uses above may include processing under an MLCC license on site, only if the processing is limited to blending, bottling, and labeling of product brought in from an off-site bonded facility. The proposed use shall not produce any offensive fumes or odors that are detectable beyond the property lines of the property.
- 3) The maximum number of patrons for the Restaurant/Coffee Shop with a Market/Retail space and Tasting Room/Bar/Tavern within the eastern building and outdoor use areas, as depicted on the application site plan, at any time both indoors and outdoors is seventy (70).
- 4) Outdoor uses shall cease at 10 p.m. seven days a week.
- 5) All use of the property shall comply with the Peninsula Township Noise Ordinance #40, and as may be amended in the future. OMP Seven Hills, LLC acknowledges that as part of the Board's prior approval of Amendment #1 to SUP #35, that the noise level at the property line was to be no greater than normal conversation as perceived by a reasonable person. OMP Seven Hills, LLC agrees that the noise condition of Amendment #1 carries through to the approval of this amendment, to the extent that noise levels at the edge of the property will not exceed normal conversation noise, as perceived by a reasonable person.
- 6) One additional ADA compliant parking space will be striped and signed for a total of three ADA parking spaces on site. The site plan shall be amended to show the additional ADA Parking space and submitted to the Director of Planning and Zoning for review and approval prior to issuance of a Land Use Permit.
- 7) Continued compliance with permitting necessary with the Grand Traverse County Health Department and Construction Code is required, to include the absence of any manufacturing under an MLCC license. Additionally, Applicant must confirm with the Department of Health that the proposed "processing" on site under the MLCC license does not negatively impact the current septic capacity of the facility. If Applicant seeks to add any additional licenses or uses or expand any uses in a manner that might impact the current septic approval, Applicant is required to get an updated septic evaluation from the Health Department that shows septic capacity for those changes.
- 8) No outside storage of contractor equipment or construction materials is permitted.
- 9) All existing and proposed lighting shall be compliant with Section 7.14 of the Township Zoning

Ordinance. Final exterior lighting details will be reviewed at Land Use Permit.

- 10) Existing signage near Seven Hills Road is reduced to one sign no taller than 5 feet and no larger than 30 square feet.
- 11) The applicant shall install signage at their cost near the exit that notes that no parking is permitted on Peninsula Township roads.
- 12) Full implementation of the landscape plan (Sheet 5.0) as approved with the first amendment is required.
- 13) The outdoor use areas shall be clearly designated on site, to meet the requirements of the Michigan Liquor Control Commission (MLCC). The approved landscape plan shall be amended to be consistent with MLCC requirements and submitted to the Director of Planning and Zoning for review and approval prior to issuance of a Land Use Permit.
- 14) All storage space shown on the plans shall comply with all applicable OSHA regulations, EPA regulations, state of Michigan (EGLE) regulations, the International Fire Code and MLCC regulations.
- 15) Full compliance with all Fire Department review requirements stipulated in the letter dated February 10, 2021, and email dated February 16, 2023, are required, see **(EXHIBIT 4)**.
- 16) Compliance with the review requirements stipulated in the letter from Gourdie Fraser Engineers is required, see **(EXHIBIT 7)**.
- 17) Continuing to provide and accommodate access to the property to the south from the drive/parking area is required. Access to the property to the south was 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.
- 18) OMP Seven Hills, LLC understands, agrees, and acknowledges that as part of the board's approval of the requested amendment to SUP #35 that at any time it is determined by Peninsula Township that the impact and/or intensity of the use of the roads to and from 13795 Seven Hills Road has increased in a meaningful way as a result of the approved uses on the property, OMP Seven Hills, LLC or the subsequent owner of the property shall pay for an updated traffic study. OMP Seven Hills, LLC, or subsequent owner also understands, agrees and acknowledges that if the updated traffic study demonstrates that the intensity of the use of roads has increased from what was represented in the Fleis & Vandenbrink traffic study, reviewed and acknowledged as part of the approval of the first amendment of this SUP, that OMP Seven Hills, LLC or subsequent owner shall work with the township to reasonably mitigate and/or relieve the impact and/or increase in intensity to the roads to and from the subject property.
- 19) This SUP amendment shall expire one year after the final date of approval unless a Land Use Permit is applied for and issued for the increased occupancy and change of uses on the property.

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. By resolution, the Township Board approved this Special Use Permit 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.

Rebecca Chown, Peninsula Township Clerk

Approved by the Peninsula Township Board by and through a resolution on _____

Isaiah Wunsch, Peninsula Township Supervisor

THIS PERMIT SHALL BE ATTACHED TO THE SITE PLAN AND BECOME A PART THEREOF.

I hereby acknowledge that I have received a true and correct copy of this second amendment of Special Land Use Permit #35, and I have been informed of said requirements of this amended permit and of the requirements of the Peninsula Township Zoning Ordinance.

OMP Seven Hills, LLC – (Jordan Valdmanis, Brian Peace, Troy Daily and Jay Milliken) 16330 Peninsula Drive

Exhibit 1

SEVEN HILLS

a community center on old mission peninsula

SUP #35 Amendment 2

The purpose of this amendment is to adjust the capacity of the Seven Hills Community Center from 32 to 70 people and to allow for outdoor use. Capacity is dictated by many things which we have addressed with the county and township and have the ability to increase based on our parking spaces, septic and drain field capacity.

Our proposed outdoor use to include games and gathering in the grassy area south of building and on our covered patio. Low volume music from two 12-inch speakers will add ambiance to guests on the patio at Seven Hills without disrupting neighboring properties.

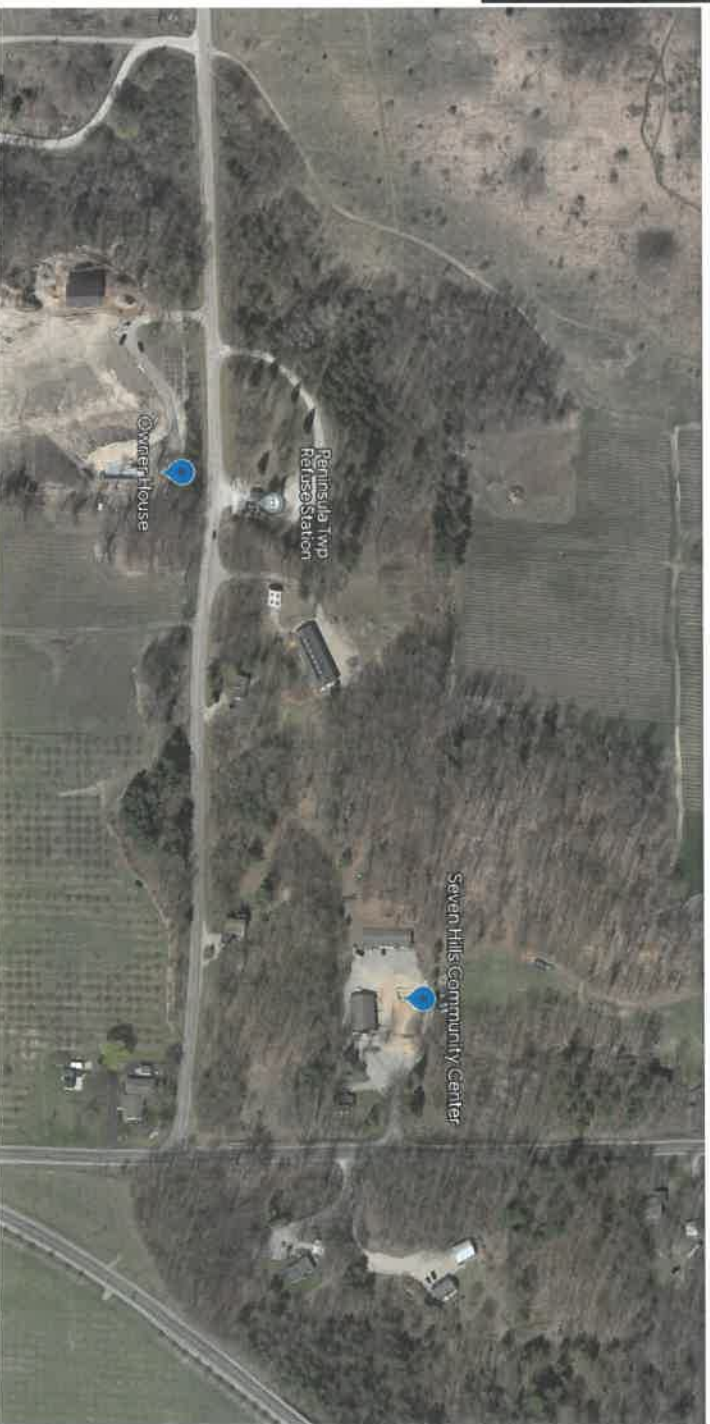
After meeting the requirements of the planning commission, we are here before the township board asking for the ability to use our outdoor space in a harmonious way without disturbing surrounding properties. Our proposed closing time for the outdoor space is:

Sunday – Thursday 10PM

Friday – Saturday 11PM

We, the owners of Seven Hills Community Center are all Old Mission residents and have the best interests of the community. We wish to only be a positive addition to Old Mission. We feel the proposed hours of operation, in conjunction with our business model, topography, foliage and technology are very reasonable. Operations will NOT negatively affect the neighbors. All operations are being designed for minimal impact.

- Owners live within 1,000 feet of Seven Hills Community Center
- Two other owners live 2 miles from Seven Hills Community Center



Topography and Foliage

Entrance off Seven Hills Road facing West



Facing East from
Seven Hills Entrance

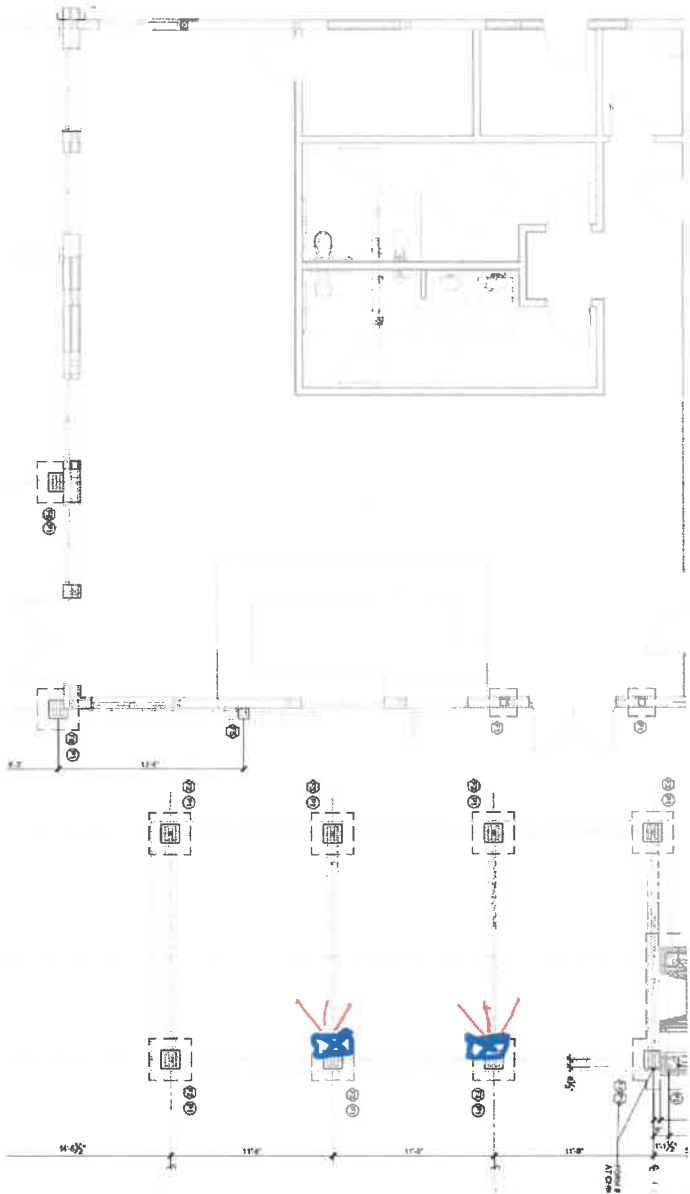
Topography and Foliage



- Seven Hills Community Center is situated in a natural “bowl” with 270 degrees of hills surrounding the property helping to mitigate sound from surrounding properties
- Dense foliage surrounds the property in full 360 degree coverage mitigating sound from surrounding properties

Sound and Speaker Placement

- Two small outdoor speakers specifically designed and placed to only cast music to patio.
- Speaker placement angled down and toward the building to dampen sound
- All speakers/zone volume will be controlled separately allowing for lower volume outdoors vs indoors.



Mariner 66

Height: 12.14" (308mm)
Width: 7.51" (191 mm)
Depth: 6.86" (174mm)

Specifications	
SKU	WHITE - 93154 BLACK - 93155
UOM	Pair
Tweeter	1" (25mm) powder-coated aluminum dome, Ferrofluid cooled, in acoustic back chamber
Woofer	6.5" (165mm) Kevlar/Alonox laminated cone with a Santoprene surround
Frequency Response	50Hz - 20kHz ±3dB
Impedance	8 ohms nominal; 6 ohms minimum
Power Handling	5 watts minimum; 100 watts maximum
Sensitivity	90dB SPL (2.83V/1 meter)
Environmental	Conforms to MIL Spec 810 for humidity, salt spray, temperature and UV, IP-66 waterproof rating
Environment Temp	-13° - 149°F (-25°C - 65°C)
Dimensions (W x H x D)	7.51" x 12.14" x 6.86" (191mm x 308mm x 174mm)
Grille	P perforated aluminum
Shipping Weight	17 lbs. (7.7kg) pair



Landscape and Mitigation

In addition to the natural topography, foliage and technology we have implemented to protect the surrounding properties we will also be leveraging the experience and expertise of our partner Jordan Valdmanis. Jordan is the owner of Old Mission Associates, a large landscape company based on Old Mission Peninsula. Jordan has over 20 years of landscape design, privacy screening and sound mitigation experience. Utilizing all these resources will create a positive experience at Seven Hills and for the community of Old Mission for many years.

Conclusion

We (the owners) are all residents and good neighbors of Old Mission Peninsula. We all have families and businesses here in this community. Our goals and intentions for Old Mission are the same as most residents. We are committed to preserving and protecting this beautiful landscape and community for generations to come. By upholding the intent of the zoning ordinance and only developing commercial enterprise on commercially zoned properties we can protect this gorgeous peninsula.

Given the zoning of our property, the steps to mitigate and address concerns of the community and our positive track record, we ask that the Peninsula Township Board take action to approve our proposed increased capacity, outdoor uses and hours of operation.

To address any further concerns related to hours of operation, we would also be amendable to a probationary period of one year, for our proposed 11PM outdoor use closure on Friday and Saturday evenings.

Thank you for your time.

Jordan Valdmanis

Brian Peace

Troy Daily

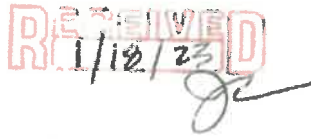
Jay Milliken

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.

SUP #35

Amendment #2

January 8, 2023

RECEIVED
1/10/23
JC

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.

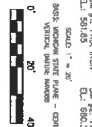
Purpose of Amendment:

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.

WJC



GTEC
GRAND TRAVERSE ENGINEERING & CONSTRUCTION
A Subsidiary Of Grand Traverse Economic Development

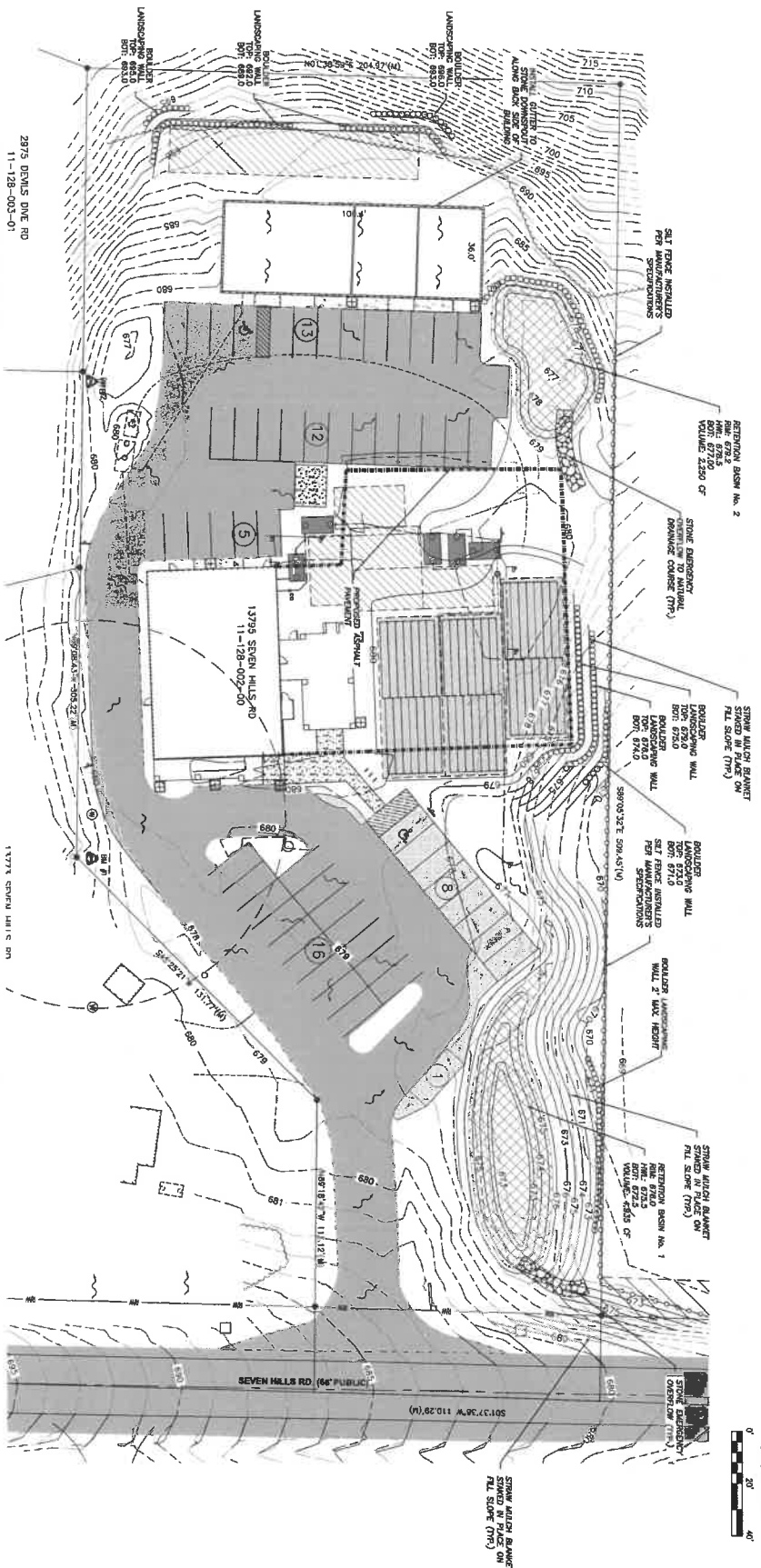


SUP No. 35 AMENDMENT No. 2

BENCHMARK DATA

BY: J.E. FROST, JR. BY: J.E. FROST, JR.
 DATE: 05/18/2013 DATE: 05/18/2013
 DRAWING NO.: 11-128-002-00 DRAWING NO.: 11-128-002-00
 SHEET NO.: 1 OF 1 SHEET NO.: 1 OF 1

SCALE: 1" = 40'
 NORTH ARROW
 0' 20' 40'



GRADING AND PAVING NOTES

2875 DENNIS DUNE RD
 11-128-003-01

SOIL EROSION PREVENTION NOTES

13795 SEVEN HILLS RD
 11-128-002-00

RETENTION BASIN CALCULATIONS

13775 SEVEN HILLS RD

RETENTION BASIN VOLUME COMPARISON

EX. CONDITIONS	BRN. NO.	EX. VOLUME	PROP. VOLUME	INCREASED VOLUME
EX. CONDITIONS	BRN. NO. 1	1,455 CF	2,250 CF	3,270 CF
PROP. CONDITIONS	BRN. NO. 2	1,455 CF	2,250 CF	305 CF



Know what's below.
 Call before you dig.



4.0

Sheet Title: **SESC AND STORMWATER CONTROL PLAN**
 Project: **SEVEN HILLS DEVELOPMENT GROUP**
 13775 SEVEN HILLS RD, GRAND TRAVERS COUNTY, MI

Client: **GMP DEVELOPMENT GROUP**
 TRAVERS CITY, MI 49069

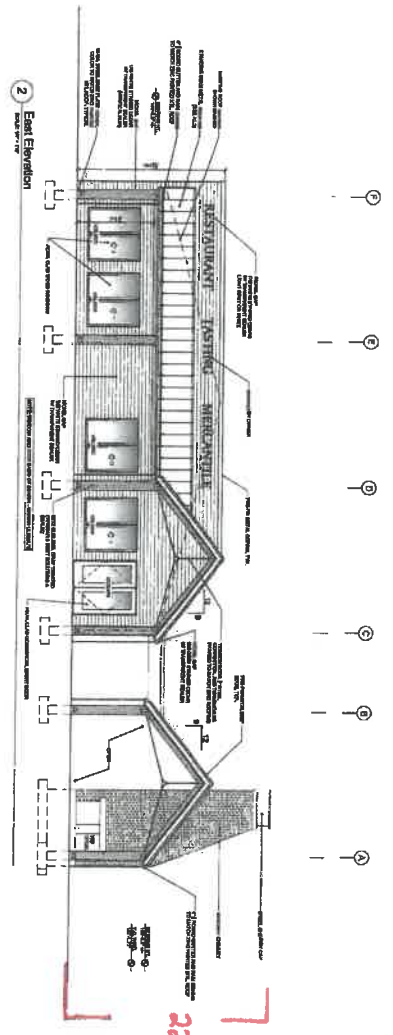
Date: 2-15-2023
 Scale: VARIES
 Drawn By: RAC
 Checked By:

Revision: **PARKING CALCULATIONS 1-6-2023**
 REVISION: **PARKING CHANGES 2-14-2023**
 REVISION: **REVISION**
 REVISION: **REVISION**

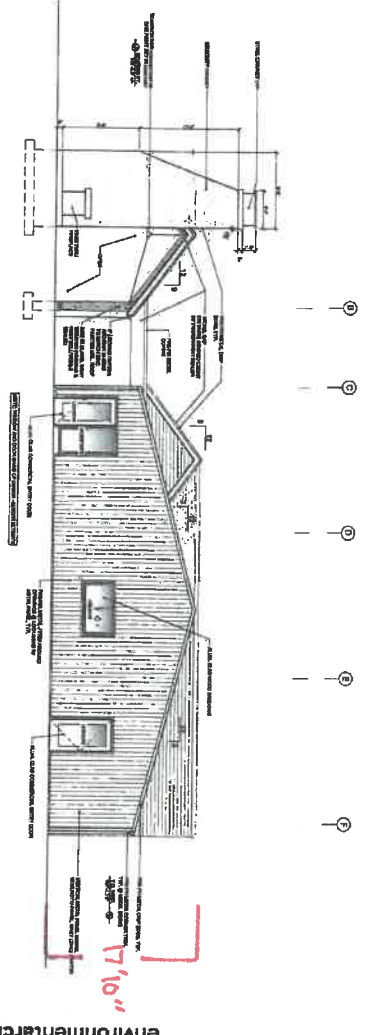


- **ILLEGAL TYPE** TYPE OF CONTRACT IS ILLEGAL CONTRACT, OR IS AGAINST PUBLIC POLICY, OR IS AGAINST MORALS AND GOOD CONDUCT. IT IS VOID AND VOID AB INITIO.
- **ILLEGAL CONTRACT** CONTRACT THAT IS AGAINST PUBLIC POLICY, OR IS AGAINST MORALS AND GOOD CONDUCT. IT IS VOID AND VOID AB INITIO.
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[illegible][illegible]

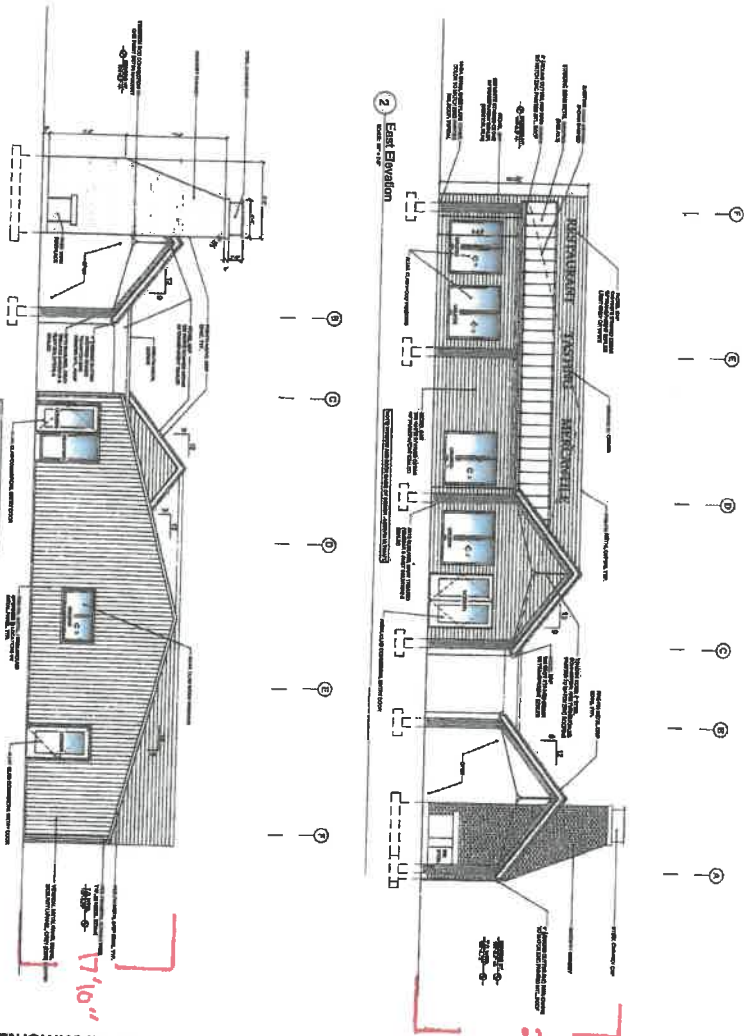


PRELIMINARY
NOT FOR CONSTRUCTION



environmental architects
21.85
AS.1

02/20/2020 All Details Pending



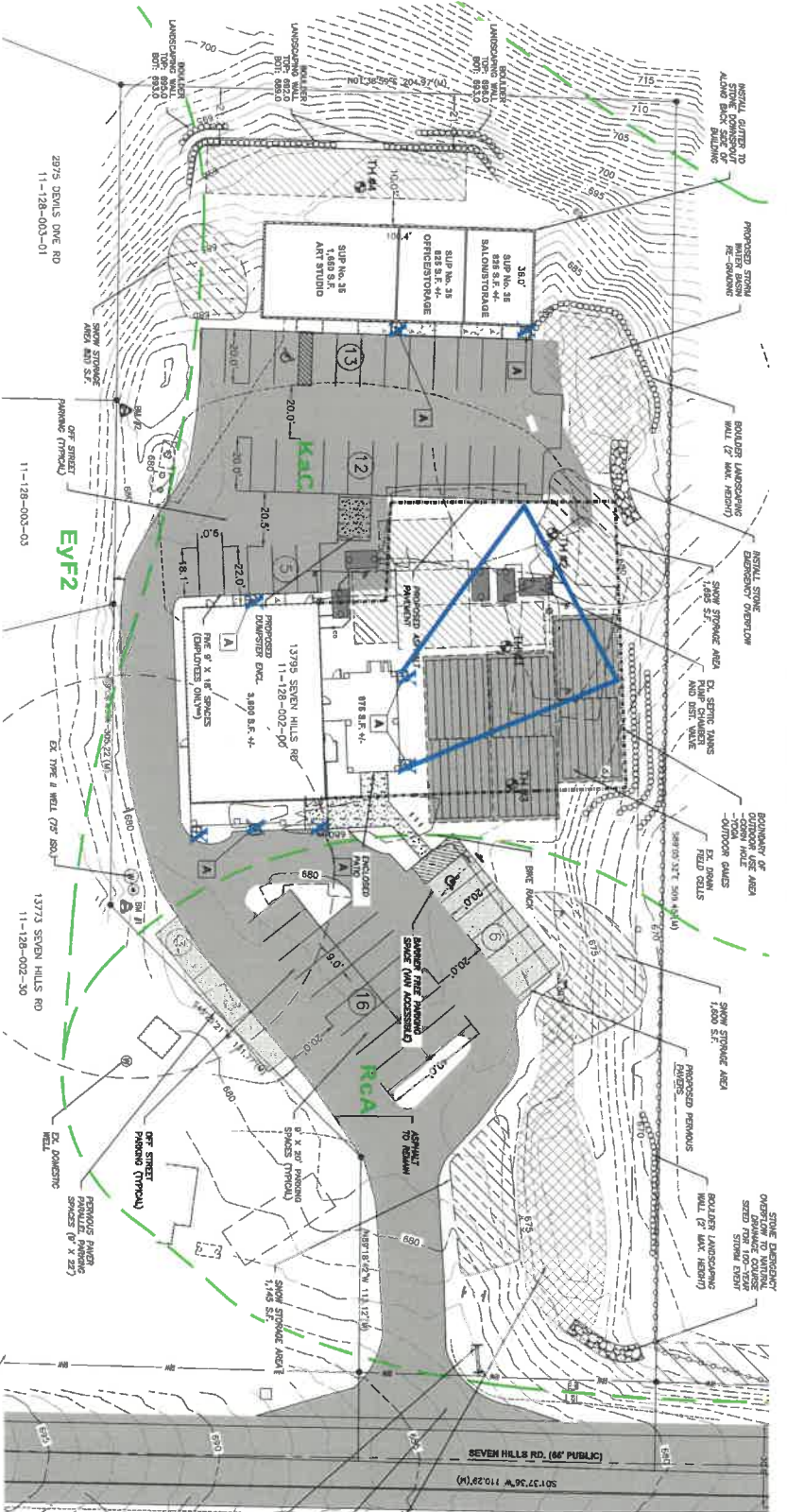
environmental architects

21-38

AS.1

PRELIMINARY
NOT FOR CONSTRUCTION
Apr. 16, 20

PUD AMMENDMENT



SITE INFORMATION

SITE ADDRESS

13795 SEVEN HILLS ROAD
TRAVERSE CITY, MI 49609
PROJECT NO. 20-11-128-003-00

DEVELOPER: OMP SEVEN HILLS
CONTACT: JOHANN VALDEMAR, 231-560-8804

ZONING: C-1 COMMERCIAL
PLANNED AREA: 80,359 S.F. +/- = 2.09 ACRES (INCL. ROW)
PROPOSED SITE TO INCLUDE THE FOLLOWING USES:

- ART STUDIO
- OFFICE/STORAGE
- SALE/RENTAL CONTRACTOR STORAGE/1 SET SALON
- BLACK BUILDING
- MARKET WITH CAFE/UNITED FOOD SERVICE/GRILL AND CO.

SETBACK REQUIREMENTS
FRONT: 36 FEET, SIDE: 10 FEET, REAR: 30 FEET (SETBACKS MET)

PERCENT LOT COVERAGE: 30%

PARKING REQUIREMENTS

SEE CALCULATIONS ON SUPPLEMENTAL SHEET P.1
TOTAL SPACES REQUIRED = 84 SPACES TOTAL
TOTAL SPACES PROVIDED = 84 SPACES TOTAL
BULK HEAD SPACES = 8 SPACES

LAND USE TABLE

SITE CONDITIONS	ASPHALT	CONCRETE	GRAVEL	BLD. ROOF	PERVIOUS PAVES	PERCENT LOT COVERAGE	% IMPERVIOUS BLD. SHADE
EX. CONDITIONS	20,250 SF	5,425 SF	0.00 SF	13,500 SF	NONE	44,200 SF = 50.07%	12,228 SF = 13.7%
PROJ. CONDITIONS	20,250 SF	4,113 SF	0.00 SF	13,500 SF	2,500 SF = 2.86%	30,773 SF = 42.43 %	6,745 SF = 7.38%
PERCENT CHANGE	0.0%	6.8%	0.0%	0.0%	100% INCREASE	15.1% DECREASE	44.7% DECREASE

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

SNOW STORAGE CALCULATIONS

PARKING AREAS ARE PROVIDED IN TWO SECTIONS

SNOW STORAGE PROVIDED = 2,500 S.F.

SNOW STORAGE PROVIDED = 1,000 S.F. + 1,445 S.F. = 2,445 S.F.

SNOW STORAGE PROVIDED = 1,231 S.F.

SNOW STORAGE PROVIDED = 1,000 S.F. + 850 S.F. = 1,850 S.F.

SITE REQUIREMENTS

1. PARKING LOT LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH ORDINANCE SECTION 74.4 (C).
2. ALL PROPOSED SITE LIGHTING SHALL BE IN ACCORDANCE WITH ZONING ADMINISTRATION 7.14 AND SHALL BE APPROVED BY THE ZONING ADMINISTRATION.
3. ANY NEW SIGNAGE SHALL BE IN ACCORDANCE WITH ORDINANCE SECTION 7.11 AND SHALL BE APPROVED BY THE ZONING ADMINISTRATION.

USDA NRCS SOIL SURVEY DATA

SOIL TYPE

Red - Regular Loam, 0 to 2 percent slopes, overwash

Red - 0 to 30 inches, very fine sandy loam

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Red - 0 to 30 inches, very fine sandy loam

String Lights = X

OUTDOOR FORGE LIGHT FIXTURE

LIGHT FIXTURE TO BE WALL MOUNTED ABOVE DOORWAY ENTRANCES
17.5" WIDE X 15" HIGH
MODEL NO. 120748

Lighting to be wall mounted above doorway entrances

Lighting to be wall mounted above doorway entrances

Lighting to be wall mounted above doorway entrances

Lighting to be wall mounted above doorway entrances

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Lighting to be wall mounted above doorway entrances

Project: 3.0

Sheet Title: SITE PLAN
Project: OMP SEVEN HILLS
Sec. 28, T20W, R10W, P10S, TRAVERSE COUNTY, MI

Client: OMP DEVELOPMENT GROUP
TRAVERSE CITY, MI 49609

Date: 1-6-2023
Revised: VARIES
Drawn by: RAC
Checked by:

Revision: PARKING CALCULATIONS 1-6-2023
REVISION
REVISION
REVISION
REVISION

BENCHMARK DATA
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13795 SEVEN HILLS RD
11-128-002-00

11-128-003-03

2975 DEVILS DIVE RD
11-128--003-01

**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



A-Shape LED

16A19/PER/927-22/P/E26/WG 6/1FB T20

Philips A-Shape Dimmable LED Lamps are the smart LED Alternative to standard incandescent. The unique lamp design provides omni-directional light with excellent dimming performance.

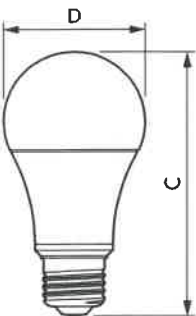
Product data

General Information		Warm Up Time to 60% Light (Nom)	
Base	E26 [Single Contact Medium Screw]	Power Factor (Nom)	0.7
EU RoHS compliant	Yes	Voltage (Nom)	120 V
Nominal Lifetime (Nom)	15000 h	Temperature	
Switching Cycle	50000X	T-Case Maximum (Nom)	90 °C
Technical Type	16-100W	Controls and Dimming	
Light Technical		Dimmable	Yes
Color Code	922-927 [CCT of 2200K-2700K]	Mechanical and Housing	
Beam Angle (Nom)	250 °	Bulb Finish	Frosted
Initial lumen (Nom)	1600 lm	Bulb Shape	A19 (A19)
Color Designation	Warm Glow(WG)	Approval and Application	
Correlated Color Temperature (Nom)	2200 2700 K	Energy Efficiency Label (EEL)	Not applicable
Luminous Efficacy (rated) (Nom)	100.00 lm/W	Energy Consumption kWh/1000 h	- kWh
Color Consistency	<4	Product Data	
Color Rendering Index (Nom)	90	Order product name	16A19/PER/927-22/P/E26/WG 6/1FB T20
LLMF At End Of Nominal Lifetime (Nom)	70 %	EAN/UPC - Product	046677561024
Operating and Electrical		Order code	561027
Input Frequency	60 Hz	Numerator - Quantity Per Pack	1
Power (Rated) (Nom)	16 W	Numerator - Packs per outer box	6
Lamp Current (Nom)	135 mA		
Wattage Equivalent	100 W		
Starting Time (Nom)	0.5 s		

A-Shape LED

Material Nr. (12NC)	929002285504
Net Weight (Piece)	0.060 kg

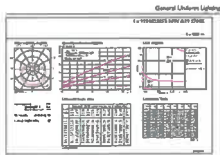
Dimensional drawing



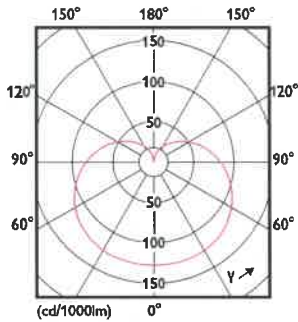
A19 120V 16-100W 1600lm 2700K E26 D

Product	D	C
16A19/PER/927-22/P/E26/WG 6/1FB T20	60 mm	112 mm

Photometric data

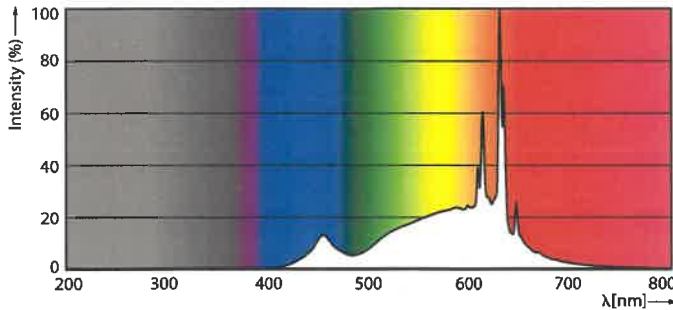


General Lighting



LEDbulb 16W A19 E26 922 927 FR

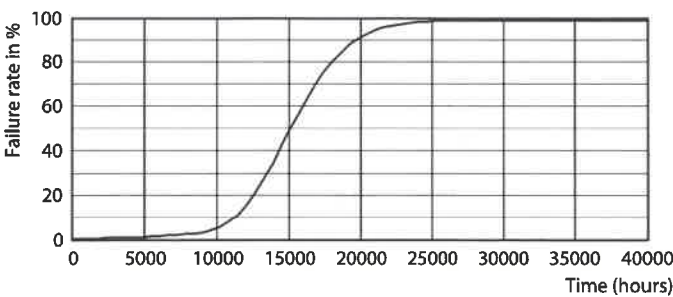
LEDbulb A19 16W E26 1600lm 950 FR



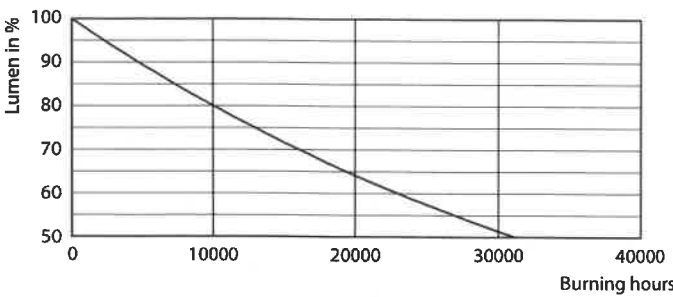
LEDbulb 16W A19 E26 922 927 FR

A-Shape LED

Lifetime



15K LED



15K LMP



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



Bowery 3-Tier LED Chandelier

By Fredrick Ramond



Call Us (877) 445-4486

Bowery 3-Tier LED Chandelier
By Fredrick Ramond

Product Options

Shade Color: Black

Details

Includes 120" lead wire
Round ceiling canopy
Material: Steel
Number of Tiers: 3
Dimmable when used with a Electronic low voltage (ELV)
Dimmer (Not Included)
Title 24 compliant
Sloped ceiling adaptable (0-45)
Comes with One 6.00 in., Two 12.00 in. stem/downrod
UL Listed
Warranty: Limited 5 Year
Made In China



Dimensions

Canopy: Diameter 5.5"

Fixture: Height 11", Diameter 50", Weight 8.5Lbs

Maximum Hanging: Length Adjustable To 41.75"

Notes:

Lighting

Lamp Type	LED Built-in
Total Lumens	2100
Total Watts	36.00
Volts	120
Color Temp	2700 (Warm)
Average Lifespan (Hours)	40,000
CRI	96
Equivalent Halogen, CFL or LED Bulb Can Be Used	No

Prepared
by:

Prepared for:
Project:
Room:
Placement:
Approval:

Additional Details

Product URL:

<https://www.lumens.com/bowery-3-tier-led-chandelier-by-fredrick-ramond-FDR1757440.html>

Rating: UL Listed

ITEM#: FDR1757440

Project		Catalog #		Type	
Prepared by		Notes		Date	



HALO

SMD12 Series

12" Round & Square
Surface Mount Downlight
SMD12R & SMD12S

Typical Applications
Residential

Interactive Menu

- Order Information [page 2](#)
- Product Specifications [page 2](#)
- Energy Data [page 3](#)
- Photometric Data [page 4](#)
- Product Warranty
- Dimming Guide

Product Certification



Refer to ENERGY STAR® Certified Products List.
Can be used to comply with California Title 24 High Efficacy requirements.
Certified to California Appliance Efficiency Database under JAB.

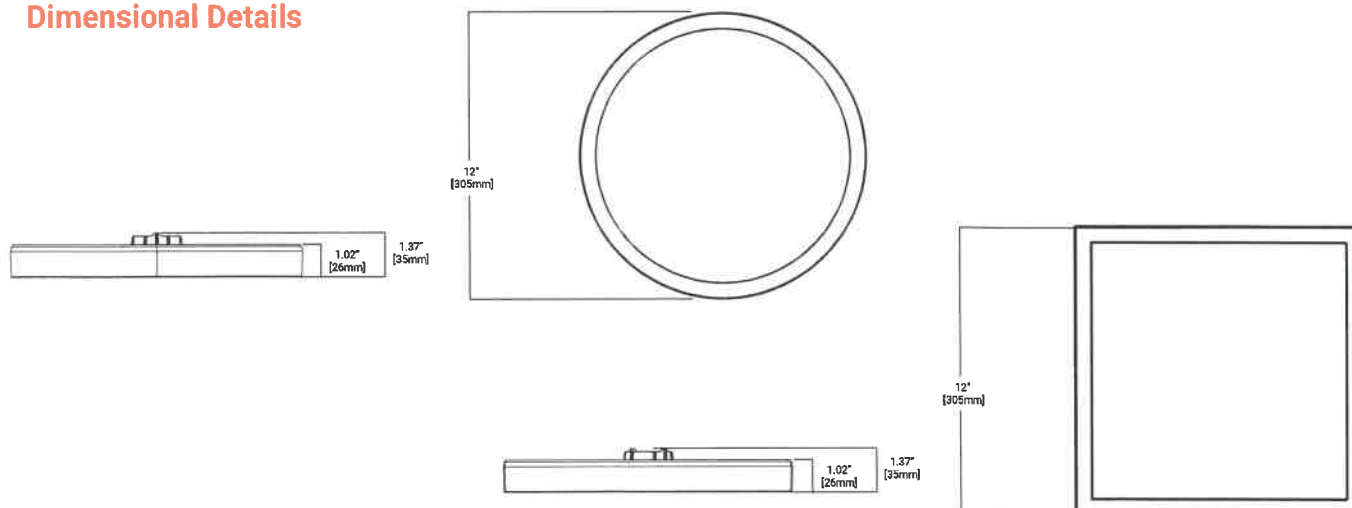
Product Features



Top Product Features

- Ultra-low profile surface luminaire with wide distribution
- Ceiling or wall mounting in compatible junction boxes
- 2000 lumen; Field Selectable 2700K, 3000K, 3500K, 4000K, or 5000K CCT ; 90CRI
- Universal Voltage 120V – 277V options
- Dimmable with 0-10V DC low voltage dimmers only

Dimensional Details



Ordering Information

SAMPLE NUMBER: **SMD12R209SWHE** = 12" Round Surface Mount Downlight, 90CRI, 3000K

Junction Box Installation: Order junction box separately, as supplied by others, to complete installation.

Models	Lumens	CRI/CCT	Finish	Voltage
Models	Lumens	CRI/CCT	Finish	Voltage
SMD12R = 12" Round Surface Mount Downlight SMD12S = 12" Square Surface Mount Downlight	20 = 2000 lumen series	9S = 90 CRI, field selectable 2700K, 3000K, 3500K, 4000K or 5000K CCT	WH = Matte White	E = UNV Universal 120-277V

Accessories

Accessories
SMD12RTRMSN = 12" Round SMD Satin Nickel SMD12RTRMTBZ = 12" Round SMD Tuscan Bronze SMD12RTRMWH = 12" Round SMD White (paintable) SMD12STRMSN = 12" Square SMD Satin Nickel SMD12STRMTBZ = 12" Square SMD Tuscan Bronze SMD12STRMWH = 12" Square SMD White (paintable)



SMD12RTRMWH
round, white (paintable)



SMD12RTRMSN
round, satin nickel



SMD12RTRMTBZ
round, tuscan bronze



SMD12STRMWH
round, white (paintable)



SMD12STRMSN
round, satin nickel



SMD12STRMTBZ
round, tuscan bronze

Product Specifications

Housing

- Non-electrically conductive polycarbonate frame.
- High impact diffuse polystyrene lens provides shielding to the light guide with no pixilation
- Stamped aluminum housing provides thermal cooling achieving L70 at 50,000 hours in IC and non-IC applications

Gaskets

- Closed cell gasket achieves restrictive airflow and wet location requirements without additional caulking

Optics

- Precision acrylic light guide organizes source flux into wide distribution with 1.2 – 1.4 spacing criteria useful for general area illumination

LED

- Mid power LED array provide a uniform source with high efficiency and long life.
- Available in 90 CRI minimum, R9 greater than 50 and color accuracy within 3 SDCM provide color accuracy and uniformity

Driver

- Integrated 120-277V 60Hz constant current driver provides noise free operation.
- SMD 12" is universal Voltage (120-277V) configurations are recommended for use with compatible 0-10V DC low voltage dimmers only.

Mounting/Retention

- Adjustable spider plate allows for quick installation into junction boxes.

Electrical Junction Box Mounting

- The SMD may be used in compatible electrical junction boxes in direct contact with insulation including spray foam insulation.
- Suitable for installation in many 3-1/2" and 4" square, octagon, and round electrical junction boxes.
- **Note:** SMD12 is only compatible with junction boxes that provide minimum depth of 2-1/8".
- Installer must ensure compatibility of fit, wiring and proper mounting in the electrical junction box. This includes all applicable national and local electrical and building coded

Designer Skins (sold separately)

- SMD skins are accessory rings in both round and square. These skins attach to the SMD for a permanent finish. Refer to the SMD accessories specification sheet for details.
 - Matte White (Paintable)
 - Satin Nickel
 - Tuscan Bronze

Compliance

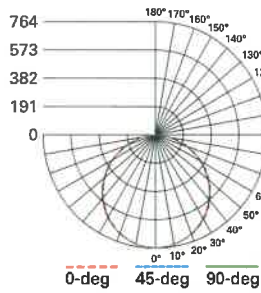
- cULus Certified in US and Canada.
- Wet and Damp Location listed, airtight per ASTM-E283
- Suitable for use in closets, compliant with NFPA® 70, NEC® Section 410.16 (A)(3) and 410.16 (C)(5)
- EMI/RFI emissions per FCC 47CFR Part 15B
- Contains no mercury or lead and RoHS compliant.
- Photometric testing in accordance with IES LM-79-08
- Lumen maintenance projections in accordance with IES LM-80-08 and TM-21-11.
- Can be used for State of California Title 24 high efficacy luminaire compliance, reference the California Energy Commission Title 20 Appliance Efficiency Database for current listings.
- Can be used for International Energy Conservation Code (IECC) and high efficiency luminaire compliance
- ENERGY STAR® listed, reference database for current listings

Warranty

- Five-year limited warranty

Photometric Data

[View IES files](#)



SMD12R09SWHE - 3000K
 Spacing criterion: (0-180) 1.27
 (90-270) 1.27
 (Diagonal) 1.39
 Beam Angle: 114°
 Lumens: 2242
 Input Watts: 26.2 W
 Efficacy: 85.6 LPW
 UGR: 20
 Test Report:
 SMD12R09SWHE 3000K.IES

Zonal Lumen	Lumens	% Lumens
0-30	595	26.5
0-40	978	43.6
0-60	1743	77.7
0-90	2236	99.8

TM-30-15	Rf = 92
	Rg = 99
CRI/CIE	Ra = 95
	R9 = 68

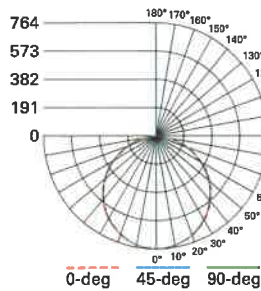
CCT - Range of 2700K- 5000K



SMD12R09SWHE*					
Nominal Lumens	CCT	Watts	lumens	LPW	CRI
2000LM	2700K	26.5	2179	82.2	92
	3000K	26.5	2232	84.2	94
	3500K	26.5	2286	86.3	95
	4000K	26.6	2329	87.6	95
	5000K	26.6	2395	90.0	93

SMD12R09SWHE - 3000K

PRODUCT SPECIFICATIONS	
Lumens	2232
Watts	26.5
Lumens Per Watt (Efficacy)	84.2
Color Accuracy (CRI)	93
Light Color (CCT)	3000K
Correlated Color Temperature (CCT)	
warm white soft white bright white	
2700K 3000K 4000K 5000K	



SMD12S09SWHE - 3000K
 Spacing criterion: (0-180) 1.27
 (90-270) 1.27
 (Diagonal) 1.39
 Beam Angle: 114°
 Lumens: 2242
 Input Watts: 26.2 W
 Efficacy: 85.6 LPW
 UGR: 20
 Test Report:
 SMD12S09SWHE 3000K.IES

Zonal Lumen	Lumens	% Lumens
0-30	595	26.5
0-40	978	43.6
0-60	1743	77.7
0-90	2236	99.8

TM-30-15	Rf = 92
	Rg = 99
CRI/CIE	Ra = 95
	R9 = 68

CCT - Range of 2700K- 5000K



SMD12S09SWHE*					
Nominal Lumens	CCT	Watts	lumens	LPW	CRI
2000LM	2700K	26.5	2132	80.5	93
	3000K	26.5	2166	81.7	94
	3500K	26.5	2206	83.2	95
	4000K	26.5	2237	84.4	95
	5000K	26.6	2277	85.6	93

SMD12S09SWHE - 3000K

PRODUCT SPECIFICATIONS	
Lumens	2166
Watts	26.5
Lumens Per Watt (Efficacy)	81.7
Color Accuracy (CRI)	94
Light Color (CCT)	3000K
Correlated Color Temperature (CCT)	
warm white soft white bright white	
2700K 3000K 4000K 5000K	

Project		Catalog #		Type	
Prepared by		Notes		Date	



Lumark

Prevail LED

Area / Site Luminaire

Product Features



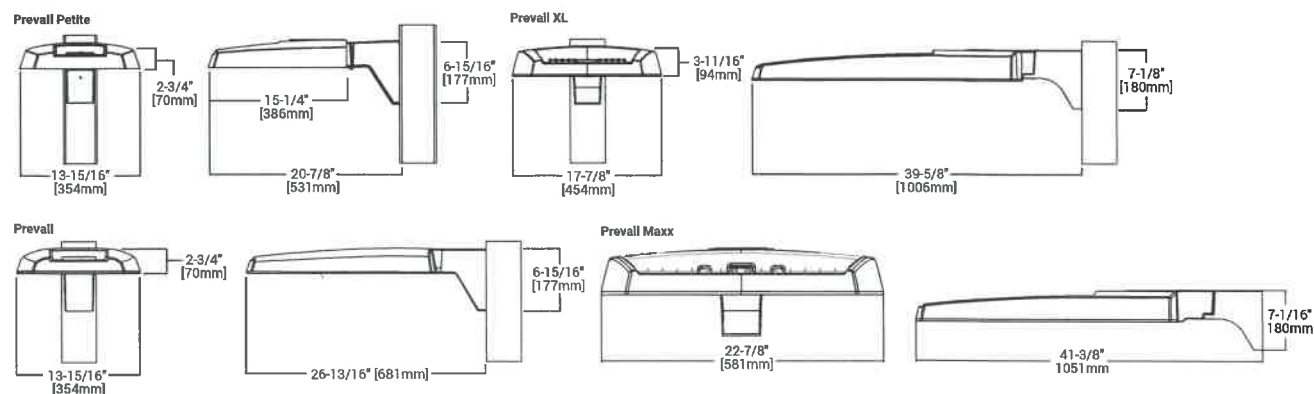
Interactive Menu

- Ordering Information page 2
- Mounting Details page 3, 4
- Optical Configurations page 5
- Product Specifications page 5
- Energy and Performance Data page 6, 7
- Control Options page 8

Quick Facts

- Lumen packages range from 4,800 - 84,000 lumens (35W - 588W)
- Replaces 70W up to 1,000W HID equivalents
- Efficacies up to 160 lumens per watt
- Energy and maintenance savings up to 85% versus HID solutions
- Standard universal quick mount arm with universal drill pattern

Dimensional Details



NOTES:

1. Visit <https://www.designlights.org/search/> to confirm qualification. Not all product variations are DLC qualified.
2. IDA Certified for 3000K CCT and warmer only.

Product Certifications





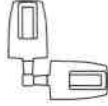
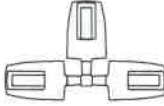
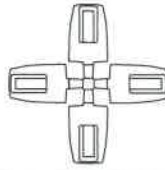
Connected Systems

- WaveLinx

Mounting Details

Mounting Configurations and EPAs

NOTE: For 2 PRV's mounted at 90°, requires minimum 3" square or 4" round pole for fixture clearance. For 2 PRV-XL's mounted at 90°, requires minimum 4" square or round pole for fixture clearance. Customer is responsible for engineering analysis to confirm pole and fixture compatibility for applications.

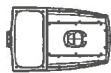
						
Housing Size	Tilt Angle (Degrees)	Arm Mount Single	Arm Mount 2 @ 180°	Arm Mount 2 @ 90°	Arm Mount 3 @ 90°	Arm Mount 4 @ 90°
Prevail Petite	0°	0.54	1.08	0.84	1.38	1.38
	60°	1.68	1.85	2.42	3.15	3.30
Prevail	0°	0.92	1.35	1.42	1.63	1.63
	60°	2.20	2.40	3.05	3.88	4.07
	60° + Full Drop Visor	2.20	2.40	3.25	4.28	4.47
Prevail XL	0°	1.12	2.25	2.13	2.52	2.52
	60°	3.99	4.30	5.26	6.51	6.79
	60° + Full Drop Visor	3.99	4.30	5.59	7.17	7.49
Prevail Maxx	0°	1.28	2.56	1.7	2.69	2.69
	60°	5.09	5.52	6.34	7.49	7.81

Optical Configurations

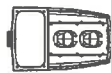
PRV-P-C10/C15/C20/C25
(4,900/6,900/9,800/11,800
Nominal Lumens)



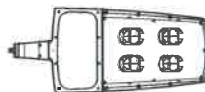
PRV-C15
(7,100 Nominal Lumens)



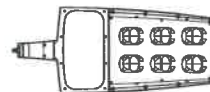
PRV-C25/C40/C60
(13,100/17,100/20,000
Nominal Lumens)



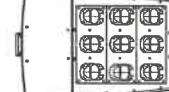
PRV-XL-C75/C100/C125
(26,100/31,000/36,300 Nominal Lumens)



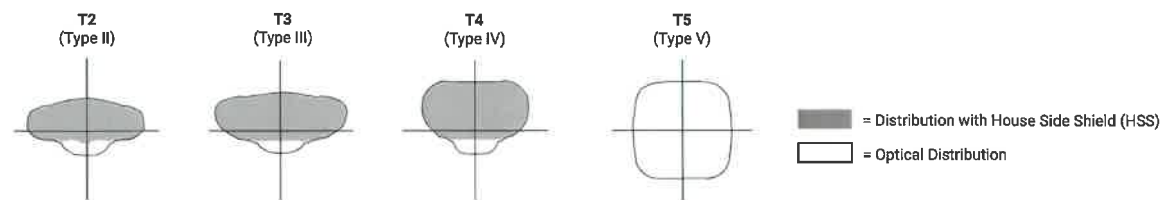
PRV-XL-C150/C175
(41,100/48,600 Nominal Lumens)



PRV-M-PA6X
(50,000/60,000/70,000/80,000 Nominal Lumens)



Optical Distributions



Product Specifications

Construction

- Single-piece die-cast aluminum housing
- Tethered die-cast aluminum door

Optics

- Dark Sky Approved (3000K CCT and warmer only)
- Precision molded polycarbonate optics

Electrical

- -40°C minimum operating temperature
- 40°C maximum operating temperature
- >.9 power factor
- <20% total harmonic distortion
- Class 1 electronic drivers have expected life of 100,000 hours with <1% failure rate
- 0-10V dimming driver is standard with leads external to the fixture
- Standard MOV surge protective device designed to withstand 10kV of transient line surge

Mounting

- Versatile, patented, standard mount arm accommodates multiple drill patterns ranging from 1-1/2" to 4-7/8" (Type M drilling recommended for new installations)
- A knock-out on the standard mounting arm enables round pole mounting
- Adjustable pole and wall mount arms adjust in 5° increments from 0° to 60°; Downward facing orientation only (Type N drilling required for ADJA mount)
- Adjustable slipfitter arm adjusts in 5° increments from -5° to 85°; Downward facing orientation only
- Adjustable Arms: 1.5G vibration rated
- Prevail and Prevail Petite: 3G vibration rated
- Prevail XL Mast Arm: 3G vibration rated
- Prevail XL Standard Arm: 1.5G vibration rated

Typical Applications

- Parking lots, Walkways, Roadways and Building Areas

Finish

- Five-stage super TGIC polyester powder coat paint, 2.5 mil nominal thickness
- Finish is compliant to 3,000 hour salt spray standard (per ASTM B117)

Shipping Data

- Prevail Petite: 18 lbs. (7.94 kgs.)
- Prevail: 20 lbs. (9.09 kgs.)
- Prevail XL: 45 lbs. (20.41 kgs.)
- Prevail Maxx: 49 lbs. (22.23 kgs.)

Warranty

- Five year limited warranty, consult website for details. www.cooperlighting.com/legal

Energy and Performance Data

Power and Lumens


[View PRV-P IES files](#)

[View PRV IES files](#)

[View PRV-XL IES files](#)

Product Family		Prevail Petite				Prevail				Prevail XL				Prevail Maxx				
Light Engine		C10	C15	C20	C25	C15	C25	C40	C60	C75	C100	C125	C150	C175	C200	C225	C250	C275
Power (Watts)		35	49	73	94	52	96	131	153	176	217	264	285	346	346	418	487	588
Input Current @ 120V (A)		0.29	0.41	0.61	0.79	0.43	0.80	1.09	1.32	1.50	1.84	2.21	2.38	2.92	2.89	3.49	4.06	4.90
Input Current @ 277V (A)		0.13	0.18	0.27	0.35	0.19	0.35	0.48	0.57	0.66	0.82	0.97	1.04	1.25	1.26	1.51	1.72	2.06
Input Current @ 347V (A)		0.11	0.16	0.23	0.29	0.17	0.30	0.41	0.48	0.54	0.66	0.79	0.84	1.02	1.00	1.21	1.40	1.70
Input Current @ 480V (A)		0.08	0.12	0.17	0.22	0.12	0.22	0.30	0.35	0.40	0.48	0.57	0.62	0.74	0.73	0.88	1.00	1.21
Distribution ¹																		
Type II	4000K Lumens	4,775	6,717	9,542	11,521	7,123	13,205	17,172	20,083	26,263	31,231	36,503	41,349	48,876	50,349	59,444	68,447	79,322
	BUG Rating	B1-U0-G1	B1-U0-G1	B2-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2	B3-U0-G3	B3-U0-G3	B3-U0-G3	B3-U0-G4	B4-U0-G4	B4-U0-G4	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B5-U0-G5
	Lumens per Watt	138	137	131	122	137	138	131	131	149	144	138	145	141	146	142	141	135
	3000K Lumens ¹	4,869	6,595	9,369	11,312	6,994	12,965	16,860	19,718	25,786	30,664	35,840	40,598	47,989	49,437	58,368	67,208	77,886
Type III	4000K Lumens	4,782	6,727	9,556	11,538	7,111	13,183	17,144	20,050	26,120	31,061	36,304	41,124	48,610	50,162	59,223	68,193	79,027
	BUG Rating	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B1-U0-G2	B2-U0-G3	B3-U0-G4	B3-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B5-U0-G5	B5-U0-G5
	Lumens per Watt	138	137	131	123	137	137	131	131	148	143	138	144	140	146	142	140	135
	3000K Lumens ¹	4,695	6,605	9,383	11,329	6,982	12,944	16,832	19,686	25,646	30,497	35,645	40,377	47,727	49,254	58,151	66,958	77,596
Type IV	4000K Lumens	4,880	6,865	9,752	11,774	7,088	13,140	17,087	19,984	26,098	31,035	36,274	41,089	48,569	50,575	59,711	68,754	79,678
	BUG Rating	B1-U0-G2	B1-U0-G2	B2-U0-G3	B2-U0-G3	B1-U0-G3	B2-U0-G4	B2-U0-G4	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B3-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B4-U0-G5	B5-U0-G5
	Lumens per Watt	141	140	134	125	136	137	130	131	148	143	137	144	140	146	143	141	136
	3000K Lumens ¹	4,792	6,740	9,575	11,561	6,959	12,901	16,777	19,621	25,624	30,471	35,615	40,343	47,687	49,659	58,630	67,510	78,235
Type V	4000K Lumens	5,067	7,128	10,126	12,226	7,576	14,045	18,264	21,360	28,129	33,450	39,097	44,287	52,349	53,531	63,201	72,773	84,335
	BUG Rating	B3-U0-G2	B3-U0-G2	B4-U0-G3	B4-U0-G3	B3-U0-G3	B4-U0-G3	B4-U0-G4	B5-U0-G4	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5	B5-U0-G5
	Lumens per Watt	146	145	139	130	146	146	139	140	160	154	148	155	151	155	151	150	144
	3000K Lumens ¹	4,975	6,999	9,942	12,004	7,438	13,790	17,932	20,972	27,618	32,843	38,387	43,483	51,398	52,562	62,057	71,455	82,808
NOTES: 1. For 3000K, 5000K or HSS data, refer to published IES files.																		

NOTES:

1. For 3000K, 5000K or HSS data, refer to published IES files.

Lumen Maintenance

Configuration	TM-21 Lumen Maintenance (50,000 Hours)	Theoretical L70 (Hours)
Prevail and Prevail Petite at 25°C	91.30%	> 194,000
Prevail and Prevail Petite at 40°C	87.59%	> 134,000
Prevail XL at 25°C	91.40%	> 204,000
Prevail XL at 40°C	89.41%	> 158,000
Prevail Maxx at 25°C	91.40%	> 204,000
Prevail Maxx at 40°C	89.41%	> 158,000

Sensor Color Reference Table (SPBx)

Housing Finish	Sensor Color
AP=Grey	Grey
BZ=Bronze	Bronze
BK=Black	Black
DP=Dark Platinum	Grey
GM=Graphite Metallic	Black
WH=White	White

Lumen Multiplier

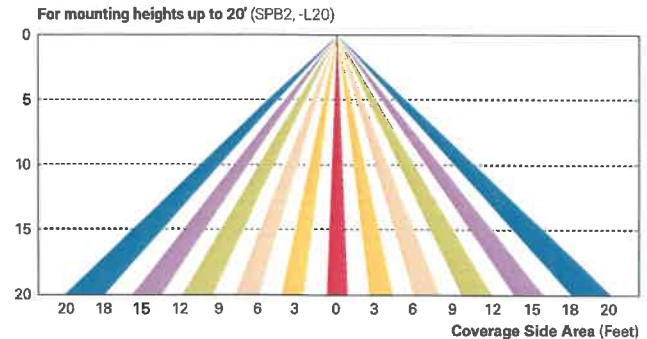
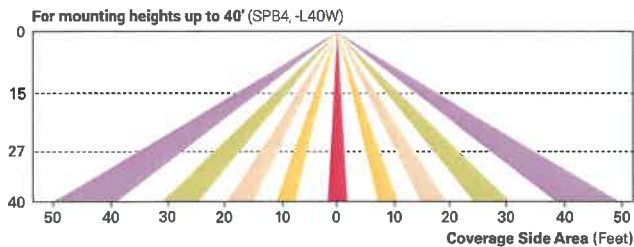
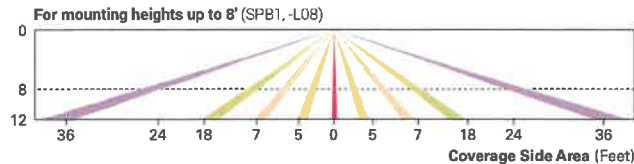
Ambient Temperature	Lumen Multiplier
10°C	1.02
15°C	1.01
25°C	1.00
40°C	0.99

Control Options

0-10V This fixture provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (PR and PER27) Photocontrol receptacles provide a flexible solution to enable "dusk-to-dawn" lighting by sensing light levels. Advanced control systems compatible with NEMA 7-PIN standards can be utilized with the PR and PER7 receptacles.

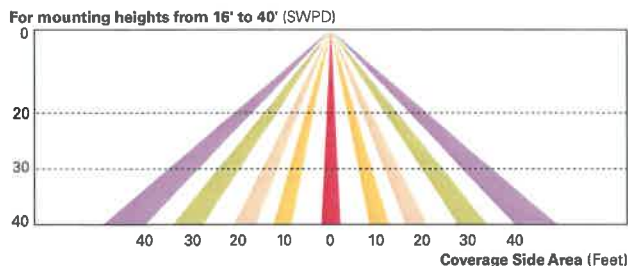
Dimming Occupancy Sensor (SPB, MS/DIM-LXX) These sensors are factory installed in the luminaire housing. When the SPB or MS/DIM sensor options are selected, the luminaire will dim down after five minutes of no activity detected. When activity is detected, the luminaire returns to full light output. These occupancy sensors include an integral photocell for "dusk-to-dawn" control or "daylight harvesting." Factory default is enabled for the MS sensors and disabled for the SPB. SPB motion sensors require the Sensor Configuration mobile application by Wattstopper to change factory default dimming level, time delay, sensitivity and other parameters. Available for iOS and Android devices. The SPB sensor is factory preset to dim down to approximately 10% power with a time delay of five minutes.



WaveLinx Wireless Control and Monitoring System Available in 7-PIN or 4-PIN configurations, the WaveLinx Outdoor control platform operates on a wireless mesh network based on IEEE 802.15.4 standards enabling wireless control of outdoor lighting. At least one Wireless Area Controller (WAC) is required for full functionality and remote communication (including adjustment of any factory pre-sets).

WaveLinx Outdoor Control Module (WOLC-7P-10A) A photocontrol that enables astronomic or time-based schedules to provide ON, OFF and dimming control of fixtures utilizing a 7-PIN receptacle. The out-of-box functionality is ON at dusk and OFF at dawn.

WaveLinx Wireless Sensor (SWPD4 and SWPD5) These outdoor sensors offer passive infrared (PIR) occupancy sensing and a photocell for closed-loop daylight sensing. These sensors can be factory installed or field-installed via simple, tool-less integration into luminaires equipped with the Zhaga Book 18 compliant 4-PIN receptacle (ZD or ZW). These sensors are factory preset to dim down to approximately 50 percent power after 15 minutes of no activity detected, and the photocell for "dusk-to-dawn" control is default enabled. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 7'-40'.



LumenSafe (LD) The LumenSafe integrated network camera is a streamlined, outdoor-ready camera that provides high definition video surveillance. This IP camera solution is optimally designed to integrate into virtually any video management system or security software platform of choice. No additional wiring is needed beyond providing line power to the luminaire. LumenSafe features factory-installed power and networking gear in a variety of networking options allowing security integrators to design the optimal solution for active surveillance.

planner@peninsulatownship.com

Subject: FW: 13795 Seven Hills Road - Old Mission Peninsula

From: Ryan Cox <Ryan.cox@gtecusa.com>

Sent: Wednesday, April 28, 2021 8:29 AM

To: Jennifer Hodges <jennifer@gfa.tc>; Jordan Valdmanis <jordan@oldmissionlandscapes.com>; Jay@jmilli.com; Troy Daily <troy@dailymedias.com>; Brian Peace <bp777@teamelmers.com>; Julie M. Kroll <jkroll@fveng.com>

Cc: planner@peninsulatownship.com

Subject: FW: 13795 Seven Hills Road - Old Mission Peninsula

Good morning all,

We have had Julie Kroll, PE with Fleis and Vandenbrink put together a trip generation summary for us for the Seven Hills Project. Below is the outcome of the traffic impacts that are anticipated with this development.

Please review and let us know if you have any questions or directives based on this information.

Ryan A. Cox, PE

Project Engineer

T: 231.941.8505 | M: 231.218.0590

ryan.cox@gtecusa.com

www.gtecusa.com



3147 Logan Valley Rd. - Traverse City, MI 49684

From: Julie M. Kroll <jkroll@fveng.com>

Sent: Tuesday, April 27, 2021 10:54 AM

To: Ryan Cox <Ryan.cox@gtecusa.com>

Subject: RE: 13795 Seven Hills Road - Old Mission Peninsula

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Ryan,

Below is the trip generation summary for the proposed site.

The land uses are a bit unique, but based the information you provided, the table below provides a good basis for determining the project traffic impact associated with this development.

Overall, the projected trip generation for this site is below the typical traffic study thresholds for further analysis.

Please let me know if you have any questions or need anything additional.

Land Use	ITE Code	Size	Unit	Weekday Average Daily Traffic (vpd)	AM Peak Hour (vph)			PM Peak Hour (vph)			SAT Peak Hour (vph)		
					In	Out	Total	In	Out	Total	In	Out	Total
High Turnover (Sit-down) Restaurant	932	2,600	SF	292	14	12	26	16	9	25	15	14	29
Small Office Building	712	3,840	SF	62	6	1	7	3	6	9	1	1	2
Mini Warehouse	151	3,600	SF	5	0	0	0	0	1	1	1	0	1
Total		6,440	SF	354	20	13	33	19	15	34	16	15	31

Thanks,

Julie M. Kroll, PE, PTOE

Traffic Engineering Services Manager | Associate

FLEIS & VANDENBRINK

C: 248.342.5786

www.fveng.com

Ryan A. Cox, PE

Project Engineer

T: 231.941.8505 | M: 231.218.0590

ryan.cox@gtecusa.com

www.gtecusa.com



3147 Logan Valley Rd. - Traverse City, MI 49684

Exhibit 2

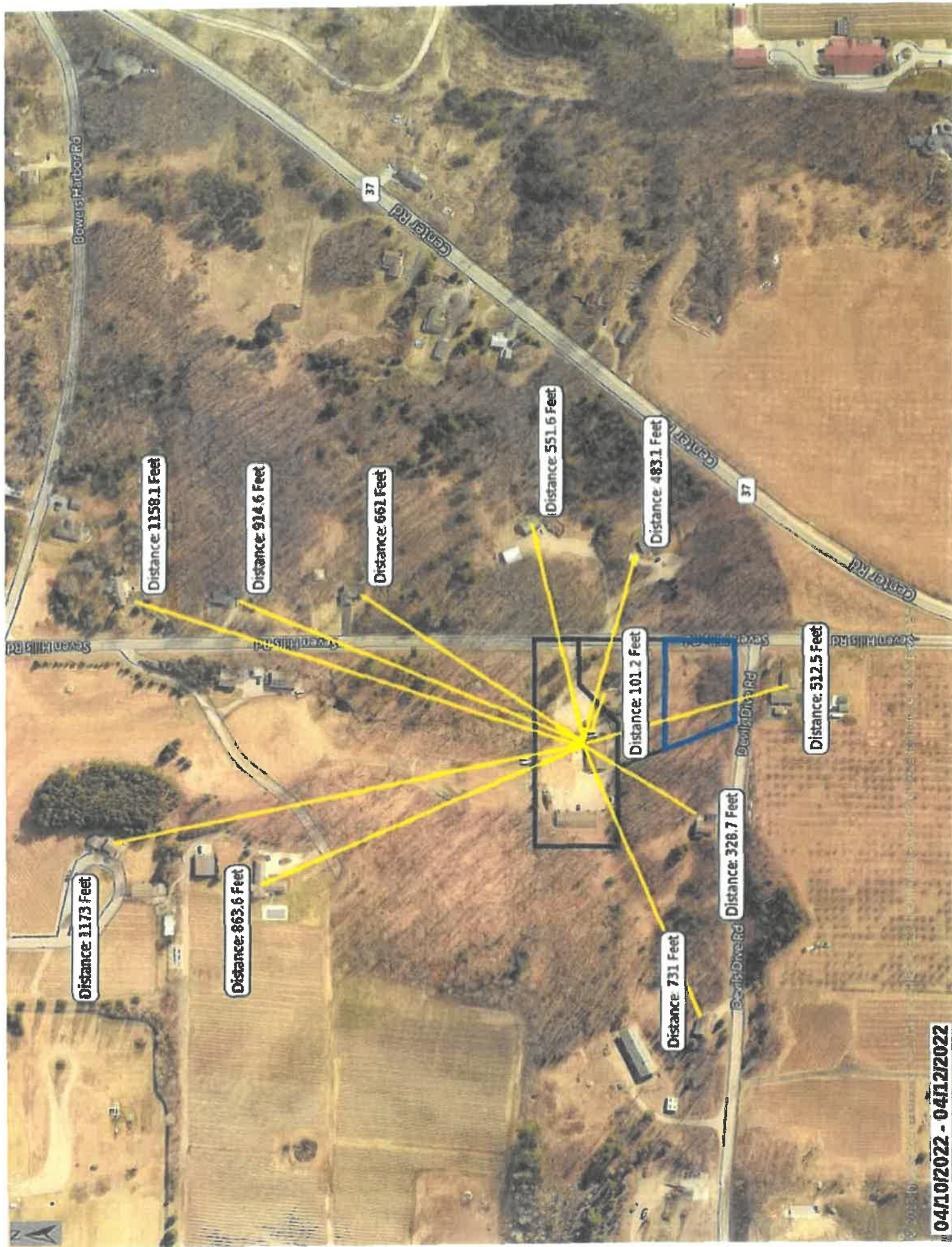


Exhibit 3

Planning Commission Regular Meeting
March 6, 2023
Beth Chan Recording Secretary

PENINSULA TOWNSHIP
13235 Center Road, Traverse City Michigan 49686
Ph: 231.223.7322
Planning Commission Special Meeting
March 6, 2023, 7:00 p.m.

1. **Call to Order:** 7:00 p.m. by Shipman
2. **Pledge**
3. **Roll Call:** Present: Shanafelt, Hall, Alexander, Shipman, Hornberger, Couture, Dloski; also present: Jenn Cram, director of planning and Beth Chan, recording secretary
4. **Approve Agenda:**
Moved by Hornberger to approve the agenda as presented, seconded by Alexander
approved by consensus
5. **Brief Citizen Comments (For Non-Agenda Items Only):** None
6. **Conflict of Interest:** None
7. **Consent Agenda:**
 - a. **Approval of Meeting Minutes: Planning Commission Regular Meeting, December 19, 2022, and January 23, 2023**
Moved by Dloski to approve the consent agenda, as presented, seconded by Shanafelt
approved by consensus
8. **Reports and Updates:**
 - a. **Bella Vue SUP/PUD withdrawn**
Cram: the applicant has withdrawn their application. Tree clearing has taken place on the lot. The proper permits were issued for this work from Grand Traverse County Soil Erosion and Sedimentation Control and Peninsula Township Stormwater. Summarized the steps moving forward.
 - b. **Zoning Ordinance Re-write Update**
Cram: gave a brief history and summary of the zoning ordinance rewrite. Explained that the study group and township staff decided, upon discussion, that the zoning ordinance should undergo a complete redo. This process will take one to two years. An RFP will go out in the near future to find a consultant to help with the process for a complete update.
Dloski: what will the RFP entail?

Cram: a consultant will be hired to assist with the process; it is a large undertaking and since planning practices have changed, a consultant is necessary.

Discussion of expectations for the zoning ordinance rewrite and updating process

9. Business:

a. Coastal Resiliency-Barry Hicks with LIAA

Hicks presented a PowerPoint presentation on coastal resiliency which is included in the packet.

Couture: concerning the rip rap issue, homeowners were constructing sea walls, sometimes without permits, when high water events happened unexpectedly.

Discussion

Alexander: it is important to look at how it affects the neighbor's property

Shipman: education is very important in this case

Hall: explained the shoreline control measures/situation due to erosion at Eagles Landing subdivision.

Cram: explained the importance of the vegetative buffer on the shoreline and the consequences of removal.

Couture: Haserot boat launch was lost due to high water; there is a need to look at future concerns for these lakefront areas.

Hicks: an example is shifting sand as an impact around rip rap; Google Earth will show the buildup of sand. A pier is an interrupter in which sand deposits and it is seen along the coastline.

Discussion of the government entities such as the Grand Traverse County Road Commission's involvement, funding, and responsibility

Hicks: the information presented this evening is an assessment of coastal resiliency and points out the issues that need to be addressed policy-wise and introduces what could happen. Collaboration among state and local government agencies is important.

Cram: will share the link to the assessment, and will review the recommendations for inclusion in the master plan.

b. Bowers Harbor Boat Works SUP #14, Amendment #1-Introduction (16961 Center Road, Traverse City, MI 49686)

Cram: reviews the memo contained in the packet for SUP #14, Amendment #1; the applicant needs to provide additional information. Stated what information is needed to move forward.

Shipman: requests the original SUP for review.

Cram: the original SUP, with findings of fact and conclusions, allowed for boat storage, boat maintenance, manufacturing of fishing poles, and fruit storage.

c. OMP Seven Hills Development LLC SUP #35, Amendment #2 – (13795 Seven Hills Road, Traverse City, MI 49686) Review of new information and continued discussion with potential PC action to occur.

Cram: reviews the draft findings of fact and conditions contained in the packet.

Received an updated site plan; briefly reviewed parking space requirements: the drive aisles have been widened to twenty feet wide and have received approval from the fire chief as a condition of approval. The buildings meet setbacks for the C-1 and meet the zoning requirements. The applicants are asking to increase the coffee and whiskey bar capacity indoors and outdoors to seventy (70) occupants. Grand Traverse County Health Department has approved the onsite septic system. The applicant has submitted a detailed lighting plan. Amplified sound has been proposed, so it is important to discuss the hours of operation which are proposed to be 9:00 a.m. to 10:00 p.m. Sunday through Thursday and 9:00 a.m. to 11:00 p.m. Friday and Saturday. The applicant plans on following the noise ordinance.

Dloski: was there a diagram with the houses?

Cram: there is an aerial view that shows the proximity of the residences. With the hours proposed in mind, other C-1 businesses were polled for hours of operation. These businesses close at 9:00 p.m. in summer and winter. The winter hours proposed by the applicant are Sunday through Thursday 9:00 a.m. to 9:00 p.m., Friday and Saturday 9:00 a.m. to 10:00 p.m. Winter hours are Sunday through Thursday 9:00 am to 10:00 pm, Friday and Saturday 9:00 a.m. to 11:00 p.m.

Hall: concerned with noise from patrons plus amplified music.

Cram: reads the township noise ordinance #40, Amendment #1.

Discussion of decibel measurement and the police power ordinance for enforcement

Alexander: nothing should go that late, outdoor activity should cease at 9:00 p.m. and move indoors.

Cram: the uses that are proposed in C-1, are consistent with allowed uses, this is where we want commercial uses to occur; they also need to be harmonious with adjoining properties. The hours proposed demonstrate that the applicants are trying to be reasonable.

Shanafelt: if the noise ordinance is violated, they should be held accountable.

Cram: legal counsel will review draft conditions of approval.

Discussion of possible complaints and enforcement mechanisms

Couture: has a concern about the hours of operation and music every single day; amplified music to be limited to weekends for a possible solution.

Dloski: the noise is not limited to amplified music.
limit, then after that, patrons must move inside.

Discussion of closing time

Cram: sound is not only music; all noise should be taken into consideration.

Alexander: proposed 9:00 p.m. for the week and 10:00 p.m. on the weekends.

Shanafelt: outdoor use should be capped at 10:00 p.m.

Shipman: when looking at other ordinances, everyone capped out at 10:00 p.m.; this is a big issue and a big problem and requires extended discussion.

Dloski: reiterated a closing time to be 9:00 p.m. for the outdoor Sunday through Thursday, and 10:00 p.m. on Friday and Saturday.

Discussion of hours, noise, and compliance with the noise ordinance

Cram: in the updated January packet, they noted they would play music; the outdoor space closure was 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday. We did hear from neighbors during the public hearing about concerns with noise. With valid complaints, the SUP could be revoked under a condition of approval.

Discussion

Dloski: proposed a motion to set hours at seven days with an outdoor closing time of 10:00 p.m. with no limit on the indoor and ongoing compliance with the noise ordinance.

Shanafelt: agree with the motion; are we concerned with the indoor hours?

Cram: staff did find that the applicant has met all of the general standards under 8.1.3(1) and specific requirements under section 8.1.3(3) with the conditions of approval and addressing the hours of operation. For future issues on Seven Hills Road, if parking complaints to the sheriff's department occur, then no parking signs will be placed on Seven Hills Road. Applicants are willing to install no parking signs that could be placed in the parking lot to alert patrons not to park on Seven Hills Road if the business parking lot is full.

Moved by Dloski that the planning commission recommend approval of OMP Seven Hills Development LLC, SUP #35, Amendment #2 to the township board, subject to the approval conditions and safeguards on pages six and seven of the staff report and to include #3 which includes outdoor operation that must cease at 10:00 p.m. seven days a week and compliance with the noise ordinance, as amended, seconded by Hall.

approved by consensus

Cram: this will go before the township board at the April 11, 2023 meeting.

d. Policy Discussion on Roadside Stands

Cram: the main goal of these amendments is to update the zoning ordinance so that the roadside stand regulations are consistent with farm market GAAMPs. The GAAMPs are included in the packet for reference. Summarized the proposed amendments included in the memo in the packet. Currently, our limit for a roadside stand is one-hundred and fifty (150) square feet. We could still have a square foot limit for farms not following GAAMPs. A roadside stand should not be limited in size as long as it is accessory to active production. There are definitions adopted in the farm processing facility that carry forward with the roadside stand. The retail space has been limited in a farm

processing facility to fifteen hundred (1500) square feet. Processing is not protected by the Right to Farm Act, that is left to local zoning. The size of the area where the farmer can have the transactions should go back to that fifty (50) percent based on their retail area or sales over a five-year period. Second, there is clarification on what may be sold and what processed products are. It is limited to what they grow and what they process. Thirdly, standards have been updated for where roadside stands may be located. Finally, information was included to help the applicant to understand what other permitting may be required as part of the use. Briefly reviewed building permit standards. In addition, parking was addressed in the updated version; it is consistent with the township parking standards. Also, recommending that we update the sign ordinance to allow for a larger sign for a roadside stand. Would like to discuss processing kitchens as a use by right in the near future.

Alexander: addresses the topic from the e-mail included in the packet: fifty (50) percent of the primary or namesake ingredient produced on and by the farm processing operation that controls the roadside stand. References lavender as an example. Fifty (50) percent in this case is not feasible.

Cram: will discuss this with legal counsel.

Discussion of Right to Farm/GAAMP language and policy for roadside stands for the zoning ordinance amendment

Hall: raises the issue of the location of a roadside stand for multiple farm operation parcels.

Cram: when going through the farm processing ordinance the goal was to make a zoning ordinance that was legally defensible with regard to the commerce clause. The minimum acreage must be sixty-five (65) percent in active production but could process products from another county. Took a similar thought process for roadside stands.

Discussion of location and product, farmstands and GAAMPS

Cram: proposes a joint meeting with the township board to pass this amendment

e. Process Discussion on Special Use Permits and Site Plan Review

Cram: proposes to update the process documents, they are outdated. For a SUP, suggests: a pre-application meeting and the requirement that a complete application be submitted six (6) weeks before the meeting that will include the introduction to the Planning Commission. That will allow for staff review and outside agency review. This allows for incomplete issues to be addressed before a public hearing.

Discussion

Cram: an administrative SUP would notify the neighbors and they could comment, if more than thirty (30) percent responded, a public hearing would occur at the township board level.

Dloski: the bylaws will need to be updated with this change

10. Public Comments:

Dave Edmondson, 12414 Center Road: commended planner Cram on the farmstand policy, it is very encouraging as a farmstand operator to see it moving in a positive direction. This supports real agriculture. The direction of the zoning ordinance rewrite is appropriate.

Nancy Heller, 3091 Blue Water Road: observed in these meetings the good intentions but there is not a good enforcement system in place for the township. Need to talk to law enforcement and see what Peninsula Township can expect in response to complaints. The time allotment for the township enforcement officer is limited.

11. Other Matters or Comments by Planning Commission Members: None

12. Adjournment: 9:50 p.m.

Moved by Dloski to adjourn, seconded by Hall

approved by consensus

Exhibit 4

Peninsula Township Planning

From: Fred <fire@peninsulatownship.com>
Sent: Thursday, February 16, 2023 10:43 AM
To: 'Peninsula Township Planning'
Subject: RE: Seven Hills Development Revised Site Plan

Jen,

I am fine with the pavers being used as long as they will support the weight of the fire trucks which is approx.. 50,000 lbs., are secured so not to push out when vehicle turning and are flush with existing asphalt. I do not have any other concerns with the occupancy increase. Any questions, let me know. Thanks.

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Thursday, February 16, 2023 9:34 AM
To: Fred Gilstorff <fire@peninsulatownship.com>
Cc: Jennifer Hodges <jennifer@gfa.tc>
Subject: Seven Hills Development Revised Site Plan

Fred, hope you are well. We received a revised site plan (Sheet 3.0) for the Seven Hills Development. They have dimensioned all drive aisles to demonstrate that they are meeting the minimum requirement of 20-feet. In order to meet the 20-feet in a few locations they have added pervious pavers.

Do the pervious pavers meet fire code requirements for weight, etc?

Do you need additional information to confirm this?

Do you have any other comments or concerns with the proposed amendment to expand capacity from 32 to 70 and allow outdoor uses?

I am working on the Findings of Fact and Conditions to move this forward with the Planning Commission.

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

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



Peninsula Township Fire Department
14247 Center Rd.
Traverse City, Michigan 49686
PH: 231-223-4443
firechief@peninsulatownship.com



PRELIMINARY SITE PLAN REVIEW

Permit Number: 2021-002

Date: February 10, 2021

Site: Seven Hills Renovation Project

Location: 13795 Seven Hills

Township: Peninsula

Use Group: Business

Construction Type: Ordinary

Applicable Codes: International Fire Code (2015)

Reviewer: Fred Gilstorff -Fire Chief

This preliminary review is based on preliminary plans submitted for review and does not reflect any changes made without submittal of update information. Final approval is based on submitted sealed plans. Compliance with all applicable codes and standards is the responsibility of the applicant, and items not listed within the review do not negate any requirements of the code or its referenced standards. Please notify the fire department within 48 hours in advance for request of inspections. This plan review is based on current Peninsula Township Fire Ordinance and the International Fire Code (2015).

SITE ACCESS:

Fire access roads shall be designed to support the imposed load of a fire apparatus weighing 75,000 lb. gross vehicle weight. (503.2.3)

Access roads shall have a minimum of 13 feet 6 Inches of vertical clearance and 20 feet unobstructed width. (503.2.1) Additional road width of (26 feet) may be required for buildings that require aerial apparatus access. Required access roads should not travel through parking stalls, stacking lanes, loading areas or other designated use areas.

Fire access roads shall be constructed of an all-weather driving surface such as asphalt, concrete, chip-seal (oil matting) or similar surface along an approved route around the exterior of all buildings. Grass pavers may be permitted for secondary access roads no longer than 200 feet in



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firechief@peninsulatownship.com



length with a low 6-inch concrete curb provided along the edges to outline and identify the driving area along with fire lane signage. (503.2.3)

All portions of the building's exterior walls shall be within 150 feet of the fire access road.

(503.1.1) Access roads may be extended to 200 feet for buildings equipped with an approved automatic sprinkler system installed. When fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, an approved alternative means of fire protection may be approved.

Turnarounds shall be provided for any dead-end road in excess of 150 feet in length. (503.2.5)

Dead-end roads in excess of 150 feet resulting from a phased project are required to be provided with temporary approved turnarounds.

Additional access road(s) may be required by the fire official based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climate condition or other factors that could limit access. (503.1.2) Commercial buildings may require additional access depending on design.

Fire apparatus access road(s) maximum grade shall not exceed 9 percent unless otherwise approved by township ordinance office. See township ordinance for direction.

The turning radius for the emergency apparatus road(s) shall be in accordance with Peninsula Township Fire Department Turning radius for all apparatus. Overlays of the template shall be shown on the plans with turning in both directions. (503.2.4) Final approval for all turning radii shall be field verified by the fire department prior to construction of street. Currently, the longest length Peninsula Twp. apparatus is approx. 33 feet with a turning radius of 78 feet.

The angles of approach and departure for fire apparatus access shall be within the limits established by the fire code official based on the fire department apparatus. (503.2.8)

A plan for fire access during construction shall be provided. (501.4)

Details for No Parking Fire Lane signage including road striping (cross-hatching) area shall be indicated on the plans. (503.3)

Building review

Sealed plans for all building renovations and construction will be submitted to the fire department for review prior to any construction or renovation. All applicable IFC codes for Use Group will be followed. Limited building planned renovation and demolition were presented in



Peninsula Township Fire Department
14247 Center Rd.
Traverse City, Michigan 49686
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firechief@peninsulatownship.com



initial drawings. Before construction is approved, sealed plans will need to be submitted to the fire department for review.

Building will be required to have a KNOX BOX placed on the building for fire department use that will have keys to every space in the building.

Building may have to be fire sprinklered, county code office to make determination.

Need more information on what will be stored in the storage areas as the area will have to meet all IFC codes as it pertains to material stored.

All business areas will need to have a calculated occupancy load and be posted.

Submitted sealed plans will show a fire safety plan that meets current IFC code.

A safety plan during construction and demolition will be provided according to IFC Chapter 33.

UTILITY EQUIPMENT & IDENTIFICATION:

1. Utility Identification

All gas shut offs, electric meters, service switches and other utility equipment shall be clearly marked to identify the unit or space that it serves. Identification shall be made in an approved manner, readily visible and shall be maintained. IFC 509.2 Protection for above ground gas meters must comply with IFC 603.9.

2. Upon completion of all construction the fire department will inspect the building for approval for a Certificate of Occupancy. At this time the occupant will be required to develop an emergency evacuation plan for the structure and post in visible areas.



Peninsula Township Fire Department
14247 Center Rd.
Traverse City, Michigan 49686
PH: 231-223-4443
firechief@peninsulatownship.com



NOTE: All codes reference in this document are preliminary and are subject to change once sealed plans are received by the Peninsula Township Fire Department and reviewed.

Yours in Life Safety,

Fire Chief Fred Gilstorff

Peninsula Township Fire Department

14247 Center Rd.

Traverse City, Michigan 49686

firechief@peninsulatownship.com

Ph. 231-223-4443

Cell- 231-463-0330

Fax- 231-223-4697

Exhibit 5

Jennifer Cram

From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Monday, January 9, 2023 12:15 PM
To: 'Caryn Chachulski'
Cc: 'Troy Daily'
Subject: RE: [EXTERNAL SENDER] RE: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Caryn, thank you for your response. This is very helpful. It was also helpful to talk with you today to clarify the seating capacity. I understand that any seating proposed outdoors will need to be included in the total 70 seats.

Hope you have a great day!

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: Wednesday, December 21, 2022 4:55 PM
To: Peninsula Township Planning <planner@peninsulatownship.com>
Cc: 'Troy Daily' <Troy@daily medias.com>
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

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@daily medias.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

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@gtecusa.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

OMP Seven Hills LLC
13795 Seven Hills Road
Traverse City, MI 49684

September 27th, 2022

Grand Traverse County Health Department
2600 LaFranier Road
Traverse City, MI 49686
231.995.6111

To Whom it May Concern:

We are the owners of the property at 13795 Seven Hills Road in Peninsula Township. Upon further conversations with our engineer, Ryan Cox of Grand Traverse Engineering and Construction, we understand the Grand Traverse County Health Department has asked us to compose a letter stating the final use of each space of our development. Uses, square footage and seating details found below.

The uses are as follows:

EASTERN EXISTING BUILDING

Tinker Art Gallery – 2 units 1600sqft – 2 employees

Office/Storage – 825 sqft – 0 – 1 employee

One Chair Salon – 825 sqft – 1-2 employees- **1 salon chair.**

WESTERN REMODELED BUILDING

Whiskey Bar – 70 seats- 2 employees

Market/Coffee - 2 employees

Thank you for all your time and attention to this project. We apologize for some of the back and forth and changes to our uses over the past couple months. We have been working diligently to create a viable business model while adhering to the limitations of the property.

Looking forward to finalizing everything. Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jay Milliken', with a stylized, cursive script.

Jay Milliken
OMP Seven Hills
310.367.0276
jay@jmilli.com



7 Hills Development

Wastewater Analysis and Septic System Basis of Design

Date: 9/29/2022

Designer: GTEC - Ryan A. Cox, PE

Proposed Uses:

Back Building: Art Studio (1 employee APPROX 1,650 S.F.), Hair Salon (1 seat, 1 employee APPROX 825 S.F.)

Back Building: Storage (APPROX 825 S.F., no full time employees)

Whiskey Bar with grab and go coffee in the mornings (indoor and outdoor seating)

Market/retail with grab and go food options and minimal clean food options created on site

Bio-degradable utensils, wraps, bowls, plates for any food options, No restaurant components, such as fryers or grease generators

Use	Design Criteria				Gallons per Day	Loading Rate (gal/d/sf)	Drainfield S.F.	Weighted Loading Rate	Drainfield S.F.	Tank retention time	Tankage required
	Number	Unit	Turnovers	Flow							
Whiskey Bar/Coffee with Retail/GG	6	Employee	2	13 gpd/emp.	156 gpd	0.50	312	0.50	312	48 hrs	312 gal
Salon - 1 seat	1	seat	1	170 gpd/seat	170 gpd	0.50	340	0.50	340	48 hrs	340 gal
Whiskey Bar/Coffee with Retail/GG	70	Seats/Customers	5	4.5 gpd/cust.	1,575 gpd	0.50	3150	0.50	3150	72 hrs	4,725 gal
Storage/Office/Art Studio/Salon	2,475	1/10 gal/sf	1	0.10 gpd/sf.	248 gpd	0.50	495	0.50	495	48 hrs	495 gal
Total					2,149 gpd		4,297 sf	0.50	4,297 sf		5,872 gal

Design Flows Based on USEPA and Michigan Criteria for Subsurface Sewage Disposal/Crites and Tchobanoglous Commercial Uses

Back Building has own 1,600 gallon septic tank with pump chamber (per records) that connects to system - Min. required for building uses = 835 gallons

Primary Building has 5,200 gallons of tank storage - Min required for building uses = 5,037 gallons

Exhibit 6

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

Exhibit 7



123 West Front Street
Traverse City, Michigan 49684
231 946.5874 
231 946 3703 

February 17, 2023

Jennifer Cram, Zoning Administrator
Director of Planning Peninsula Township
13235 Center Road, Traverse City MI, 49686
Phone - 231-223-7314
planner@peninsulatownship.com

RE: 13795 Seven Hills Road – SUP No. 35 Amendment No. 2
Storm Water Review and Supplemental Ordinance Plan Review
Peninsula Township, MI
Parcel ID: 28-11-128-002-00

Dear Ms. Cram,

We have reviewed the plans submitted plans for SUP No. 35 Amendment No. 2 related to the improvements to 13795 Seven Hills Road Development.

GFA conducted previous review efforts for this project. First, a preliminary review dated 2/17/2020, then a detailed review dated 5/6/2021 as the site uses and building arrangements have changed. The reviews resulted in recommendations for Township approval as noted in the Findings of Fact. That recommendation required the applicant submit finalized plans and calculations for a more in-depth review by GFA.

Since then, construction has commenced related to the demolition and renovations to site structures. This current submittal package is being reviewed to fulfill the in-depth review recommendation in the 5/6/21 letter. The reviewed material includes plans dated 02/16/2023 and storm water calculations provided on 2/16/23 by GTEC.

We have reviewed the materials for their accordance to Peninsulas Township's Storm Water Control Ordinance. This review will supplement the Township's planners review of the site. A summary of our review is as follows.



Existing Conditions:

The subject parcel is located about 400-ft north of the intersection of Seven Hills Rd and Devils Dive Road. The property consists of approximately 2.0 acres with frontage on Seven Hills Rd. Four (4) buildings of commercial use occupied the site. Paved parking in front and rear of the front buildings with access off Seven Hills with about 47 spaces. Storm water drainage from the buildings and paved parking is managed within existing retention basins located around perimeter of the parking areas. The existing terrain is rolling and drops away from Seven Hills Road then pick back up at the rear of the property. The site ultimately sheds to the north. There are no public utilities available to this property with service private with onsite septic / drainfield and well.

Proposed Improvements:

The plans state new commercial uses: Front building consisting of Whiskey Bar, Market with coffee/limited food services; Rear building consisting of Office, Retail, Storage, and 1-Seat Salon. The plans show demolition of the central storage building to allow space for new on-site septic facilities. The rear building will remain unchanged. Patrial demolition and major renovations are scheduled for the front building that reduce its footprint considerably. Minor changes are proposed within the parking lot to ensure adequate circulation width. There is a slight rework of frontage parking spaces by implementing pervious pavers to replace and expand the number of parking spaces to meet the requirements. Modifications of the existing storm water basins servicing the improved areas are indicated to meet the required management volumes.

Storm Water Review

Per the 5/6/21 letter regarding storm water:

- Stormwater Detention – *Reviewed in preliminary review letter. Found to be acceptable except for the following outstanding item.*
 - The applicant shall perform onsite testing compliant with the current standards to demonstrate the infiltration capacity and further data that the ponds will function well in addition to a final review of calculations to ensure compliance with the ordinance.
 - Applicants engineer noted witnessing the basin having adequate infiltration to drain over a few occasions in the past year with minimal ponding noted. This is an acceptable means to show the underlying soils and existing ponds functioning.
 - A full review of the plans and computations will be completed if the PUD/SUP application is approved and these items and others related can be addressed at that time. A condition of the Findings of Fact indicating the Township Engineer shall provide a complete Stormwater review of the application in adherence to the ordinance shall ensure this. Furthermore, a Land Use permit cannot be obtained until all regulatory permits including the Township Stormwater Permit has been approved.
 - The following sections detail the full review of the provided plans and calculations:



Storm water is managed on-site with infiltration/retention practices as provided with the existing site.

1. Basins 1 and 2 are located in the NE and NW corners of the site. These storm water basins are subject to this review.
2. There are two southerly basins that are not reviewed as no improvements were made in these areas.

Determination of Surface Runoff

1. A simplified method was used to determine the required basin volume based on 2" over the connected impervious area. This method is not currently accepted by the ordinance.
2. The applicant provided adequacy calculations based on currently accepted methods. We find these calculations acceptable. The following is noted:
 - 25-year volume criteria was selected. This is acceptable for this retro-fit site with established overflow routes.
 - The modified rational method was used to evaluate Basins 1 and 2 .
 - i. The rainfall intensities match the ordinance design criteria.
 - ii. The outlet rates were based on area soils performing at 4.5 in/hr design infiltration rate. This is reasonable for the soils in the area.
 - iii. The applicant provided drainage area boundaries for our review. We find these are accurate to the site.
 - It's noted that the new pavements are pervious pavers and evaluated at the same runoff off coefficient as open lawns. There is adequate storage in the open-graded base to ensure these areas function provided they are properly maintained. Maintenance activities should be included in a maintenance plan for the site.

Storm Water Facilities

1. The plans show expanding Basin 1 and Basin 2 to meet or exceed the required volumes per the record design criteria.
2. Site feasibility requirements for infiltration practices demonstrated the applicant's engineer's observations and no record of issues.
3. The Basins were demonstrated to meet and exceed the 25-year less 2-yr predevelopment volume per the applicant's adequacy calculations. This is acceptable.
4. GFA ran validation calculations and confirmed the presented design meets the intent of the ordinance criteria.
5. The basins drain within the ordinance requirements of 72-hrs.
6. Snow storage areas are shown on the plans and are not interfering with the basins and is acceptable.
7. The basins have adequate volume and access to meet the sedimentation requirements of the ordinance.
8. Overflow spillways are provided to meet the ordinance requirements.



Erosion Control

1. Sufficient measures for erosion control are shown on the plans.

Geometry/Safety

1. The geometry of the basins depict 1:3 slopes are provided and are acceptable.
2. The planned depth and overall depth of the basin are less than 5' and not require any safety measures.

Maintenance:

1. A Site Maintenance Plan needs to be recorded regarding the storm water elements of the site with copies provided to the Township.

RECOMMENDATION

At this point it is requested the Applicant submit a final signed and sealed along with the necessary revisions and confirmations for the above comments. We recommend the Township approve the site for storm water control upon receipt of the final plans, agreements and permits.

We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Respectfully Submitted,

GFA

A handwritten signature in black ink, appearing to read 'Mark Maguire'.

Jennifer Hodges, P.E.

Mark Maguire, P.E.

Sr. Project Manager

Project Engineer

cc: Ryan Cox, GTEC

Jay Milliken, JMILLI



123 West Front Street
Traverse City, Michigan 49684
231.944.5674
231.944.5703

May 6, 2021

Randy A. Mielnik, AICP
Director of Planning
Peninsula Township
13235 Center Road
Traverse City MI, 49686
Phone - 231-223-7314
planner@peninsulatownship.com

RE: 13795 Seven Hills Road –Detailed Ordinance Plan Review for Special Use Permit Application
Peninsula Township, MI
Parcel ID: 28-11-128-002-00

Dear Randy,

We have reviewed the revised plans submitted plans for improvements to 13795 Seven Hills Road Development, dated 4/29/2021 as completed by GTEC. Also reviewed was the updated Special Use Statement that followed discussions between the applicant and Township on 4/8/2021. Our review which consisted of reviewing the Plans for their overall general compliance to the Township Ordinance as well as specific reviews related to private roads, stormwater, utilities, open space and parking. This letter is intended to supplement our initial preliminary review letter dated February 17, 2021.

Subject Site

The subject parcel is located about 400-ft north of the intersection of Seven Hills Rd and Devils Dive Road.

- Subject parcel: 11-128-002-00, frontage on Seven Hills Rd. @ 2.05 acres
- Zoning Classification – C-1 Commercial.
- The existing use is mixed commercial uses.
- There are currently four (4) buildings on the site comprised of commercial, office, and storage type uses. Three (3) are located in the middle of the property and one (1) located in the rear. There is paved parking located in the front and rear of the front buildings with access off of Seven Hills with approximately 47 spaces. Storm water drainage from the buildings and paved parking is managed within existing retention basins located around perimeter of the parking areas. The existing terrain is rolling and drops away from Seven Hills Road then pick back up at the rear of the property. The site ultimately sheds to the north. There are no public utilities available to this property with service provided by private onsite septic / drainfield and well.





Purpose of Application

The application from OMP Development Group proposes to redevelop parts of the existing commercial site and is seeking a Special Use Permit.

Procedure

SUP applications are reviewed consistent to the process outlined in Article 8 of the ordinance.

Zoning

The zoning for the subject property is C-1 Commercial classification.

- o The zoning allows for commercial use through Special Use Permit.
- o Surrounding zoning the south is C-1. Other neighboring properties are zoned A-1.

Review and Approval Criteria

Proposed Improvements:

- o The plans propose demolition of the pole building to allow space for new on-site septic facilities.
- o The rear building to the west appears unchanged.
- o Major renovations are scheduled for the front building that reduce its footprint of the north half of the building.
- o No discernable change is proposed within the parking lot.
- o The updated application states new commercial uses of restaurant / bar (with limited food services), office, studio, contractor storage space/office.

Below are the noted sections of the ordinance as part of our general review and includes GFA's corresponding comments noting any deficiencies lacking in the application that are needed to facilitate approval.

Detailed Ordinance Compliance Review:

Reviewed for general compliance with zoning ordinances.

-Section 6.6 C-1 District: Commercial

- o 6.6.2 Uses Permitted Under Special Use Permits
 - o Revised application updated the use descriptions to match to the ordinance 6.6.2.1. *"Uses will included mixed retail stores and shops, restaurant and tavern, service institutions, utilities, recreational unit sales, farm supply and implement dealers, professional offices, off-street parking lot, and self-service storage facilities."*
 - o Specific proposed uses on the plan sheet 2.0 include the following
 - Restaurant/Limited Food Service
 - Coffee Shop/ Limited food Service
 - Office/Studio
 - Contractor Storage Space/Office
 - o Above uses match the uses applied to the Health Departments on 2/16/21
 - 32 Seat coffee shop with limited menu / 32 Seat Tasting Room with limited menu (Noted to occupy the same space on the Sheet 2.0 Parking Requirements) *Note that these uses are now all within enclosed spaces.*



- Continuation of existing "Office Uses"
 - Office, Retail, Art Studio, Massage, Storage

-Section 6.8 Schedule of Regulations

- Building requirements meet sizing/height constraints.
- Setbacks are met in all cases.
- Lot coverage requirements are met.

-Section 7.2 Supplementary Use Regulations

- Stormwater Detention – *Reviewed in preliminary review letter. Found to be acceptable except for the following outstanding item.*
 - The applicant shall perform onsite testing compliant with the current standards to demonstrate the infiltration capacity and further data that the ponds will function well in addition to a final review of calculations to ensure compliance with the ordinance.
 - A full review of the plans and computations will be completed if the PUD/SUP application is approved and these items and others related can be addressed at that time. A condition of the Findings of Fact indicating the Township Engineer shall provide a complete Stormwater review of the application in adherence to the ordinance shall ensure this. Furthermore, a Land Use permit cannot be obtained until all regulatory permits including the Township Stormwater Permit has been approved.

-Section 7.6 Off-street parking

- Smaller than standard parking is noted on the plans for employees only (18x9' spots) This seems reasonable as there is some overhang available and spots are limited to employee use.
- 2 new bus spaces are shown in place of 4 existing regular spaces.
- Remaining regular spaces totaling 50 spaces.
 - A reduction in the area used for calculating the restaurant-use parking requirement is proposed. The assumption of 75% of usable space is indicated. This seems acceptable considering the proposed food service is stated as limited. = 20 spaces.
 - Spaces for existing uses seem to account for the following: Office Uses 3,840 sf + Landscaping Use 1,200sf + the Contractor Storage SF (600sf). = 28 spaces.
 - $20+28=48$ spaces required. 50 provided. Good

-Section 7.11 Signs –

- No information provided. Sheet 3 Site Requirements Note 3 states any new signage will comply with 7.11. Future plans shall include this information for compliance and final review.

-Section 7.14 Exterior Lighting

- Lighting details provided with revised plans 2.0 and applications show a building mounted fixture appears to be fully shielded. This complies with the ordinance.

-Section 8.1.3 Basis of Determination

- The application packet generally addressed each point.



OMP Development Group / Township Staff Project Discussion & Review:

The below provide a synopsis and status along with corresponding comments in relation to two (2) in person meetings with OMP Development Group Representative and Township Staff (meeting held on 4/8/2021 and 4/15/2021) Please note some may be duplications to the above review.

Reviewed for general compliance with zoning ordinances.

1. The proposed use is a continuation of a special uses for the underlying zoning of C1. These include restaurant, retail, office, and storage uses.
 - No outdoor uses are listed on the plans nor in the HD application (as all uses are within enclosed areas and appears to meet the definition as provided by the Township's legal council. The plans have been revised to reflect enclosed seating within the area previously denoted as outdoor pervious pavers.
2. There did appear to be some discrepancy in the cited use of the development as noted on the original application versus the plans, specifically related to the open market place.
 - The application and plans have been updated to be consistent and meet compliance with the ordinance.
3. Landscaping is shown. Additional plantings are indicated in the interior of the site. No changes are proposed along the property lines or at the drive entrance.
 - No change
4. Road Commission drive way permit however additional review was warranted to account for potential additional traffic volumes generated from the proposed development.
 - The application received an acceptance email from the Road Commission regarding the existing Driveway during preliminary review.
 - GFA provided a sight distance analysis of the existing drive that showed adequate distance exists.
 - Traffic count information has been provided by the applicant and submitted to GTCRC. No response has been received as of yet from them.
5. Warehouse usage needed to be further clarified on the plans.
 - Applicant confirmed storage rental units will not provide and is intended to be contractor storage. However, storage rentals labeled on plan sheet 2.0 for the south 1,200 sf unit appears to be a continuation of an existing use. Further clarification is needed.
6. The applicant has noted there will only be 1 sign for the development. Needs to be confirmed if existing sign meets the ordinance requirements, the Township will review this and advise back.
 - No new information provided.
7. There have been some comments from the Fire Chief noted in the prelim review related to fire Access. At the request of Township staff, GFA did conduct some turn radius scenarios with the following findings noted:
 - The parking configuration shown does not impose restrictions further than the 1990's era SUP
 - GFA performed a cursory examination of the layout compared to generic Pumper Truck Templates. Overall length of 33'



- All access roads should be 20' wide to accommodate and the turn radius evaluation did indicate that front corner of the building where the drive passes appear to be tight (15') and could be expanded another 5' to accommodate.
- Circulation front parking areas is possible but does impact
- Rear circulation is constricted with some overlap of parking spaces by up to 2'

At this point we recommend the Township use this letter as a "Final site plan approval" to allow for consideration of the special use permit. There is sufficient information on the current set of plans to indicate the intent and ability to comply with the Ordinances. Upon approval as noted in the Findings of Fact, the applicant would be required to submit finalized plans, calculations for a more in-depth review by GFA.

We appreciate the opportunity to assist the Township during the approval of this project. If you have any questions, please don't hesitate to contact me at (231) 946-5874.

Respectfully Submitted,
GOURDIE-FRASER

Jennifer Hodges, P.E.
Sr. Project Manager

cc: Ryan Cox, GTEC
Jay Milliken, JMILLI

Exhibit 8

Peninsula Township Planning

From: Greg Snyder <gsnyder@gtcountymi.gov>
Sent: Tuesday, December 6, 2022 8:31 AM
To: planner@peninsulatownship.com
Cc: Zoning; fire@peninsulatownship.com
Subject: 13795 Seven Hills Rd project, B22-2479
Attachments: SEVEN HILLS A3.1 Floor Plan_12-5-22 sealed.pdf; Seven Hills_LS1.1 Life Safety Plan sealed 12-5-22.pdf; land use 6430.pdf

Hi Jenn,

Basically, the Code office would need a copy of the Approved, Amended special use permit or Amended land use permit from Peninsula Township.

Please provide a copy to the code office, if you approve.

Email to: codes@gtcountymi.gov

The applicant already was made aware in a previous Plan Review of the need for signage required to be posted in an Assembly occupancy of max number of occupants. 2015 MBC 1004.3

The occupant load increasing from 51 to 70 would mean the max occupant load sign would go up. There was no fire suppression on the plans, and as long as they stay under threshold amount of 100 occupants, fire suppression would not be required. 2015 MBC 903.2.1.2

The plans already had over 50 occupants.

The doors should already be equipped with panic hardware or fire exit hardware that meets code requirements. 2015 MBC 1010.1.10

The applicant provided amended plan pages for review, attached.

The previous land use permit is attached.

Thanks,
Greg

Greg Snyder, P.E.
Commercial and Residential Building Plan Reviewer
Grand Traverse County Construction Codes
2650 LaFranier Rd., Traverse City, MI 49686
Phone 231-995-6014
gsnyder@gtcountymi.gov

<http://grandtraverse.org/879/Construction-Code>

From: Bruce Remai <bremai@gtcountymi.gov>
Sent: Thursday, December 1, 2022 3:07 PM
To: Greg Snyder <gsnyder@gtcountymi.gov>; Robert Sturdavant <rsturdavant@gtcountymi.gov>
Cc: Ashley Boardwine <aboardwine@gtcountymi.gov>
Subject: Fw: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Bruce A. Remai
Director/Building Official
Grand Traverse County Construction Code
bremai@gtcountymi.gov



From: Peninsula Township Planning <planner@peninsulatownship.com>
Sent: Thursday, December 1, 2022 3:00 PM
To: Bruce Remai <bremai@gtcountymi.gov>
Cc: fire@peninsulatownship.com <fire@peninsulatownship.com>
Subject: [EXTERNAL SENDER] 13795 Seven Hills Rd project

Bruce, I hope this email finds you well. I am working on an amendment to Special Use Permit #35 for the OMP Seven Hills Development LLC located at 13795 Seven Hills Road, Traverse City, 49686, parcel #28-11-128-002-00.

They would like to expand their capacity from 32 to 70. I am attaching a floor plan for the building where the whiskey and coffee bar are located as well as a use plan for that building and the building in the back of the property. I have spoken to Fred Gilstorff our Fire Chief and he is also reviewing the plans. I would greatly appreciate your input on maximum capacity from a Building Code perspective.

Please let me know if there is a formal review process that I need to follow to receive comments from your office, or if additional information is needed.

Thank you for your assistance,

Jenn Crum
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 9

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

CRA 100 (03/2005)

Grand Traverse County Road Commission

1881 LaFranier Road
Traverse City, MI 49686-0000
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. 3800 Rennie School Rd attn: Brian Peace Traverse City, MI 49686-6150
	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: <u>On File</u>		Contractor's Signature: <u>On file</u>	
Title: _____ Date: _____		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:



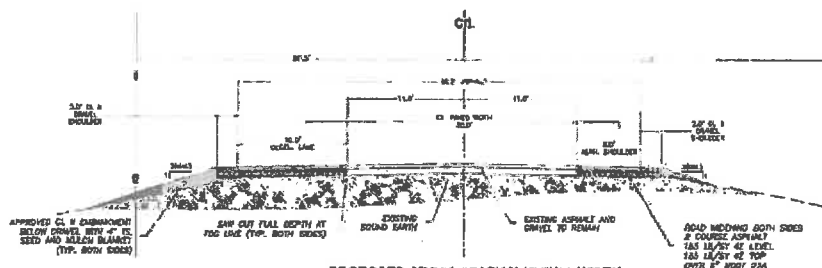
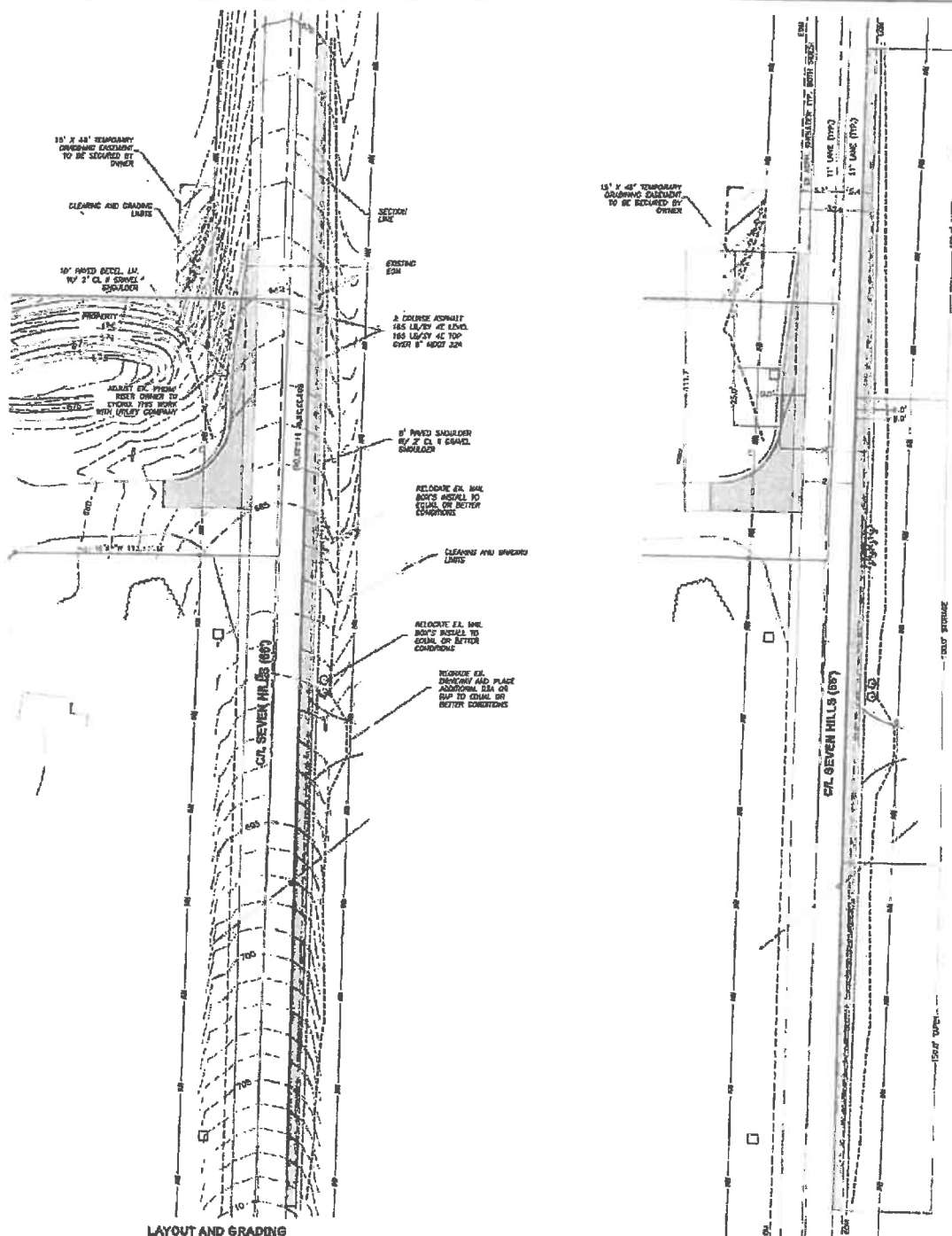
Title: Traffic Services Supervisor Date: 01/25/2022

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.



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: Pemineck Twp

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

I AM AUTHORIZING: Brian Pease

PHONE NUMBER OF AUTHORIZED AGENT: 231-218-5725

EMAIL ADDRESS OF AUTHORIZED AGENT: Bp777@teamclines.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, Mankin OMP 7-Hills

15324 Smokey Hollow

Traverse City, MI 49686

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

GRAND TRAVERSE COUNTY ROAD COMMISSION
 1881 LaFranier Road, Traverse City, MI 49696
 Phone: (231)922-4848 Fax: (231)929-1836
 www.gtrc.org

- ☐ 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 WEST N S E W FROM Devils Pine 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>[Signature]</u>
ROAD NAME: <u>Sevenhills rd</u>	TOWNSHIP: <u>Peninsula</u>
EXACT LOCATION: <u>13795 Sevenhills Rd</u>	
CURRENT SURFACE TYPE: <u>Asphalt</u>	WIDTH: <u>3'</u> NO. OF DRIVES: <u>1</u> CULVERT: <u>0</u> ' OF <u>0</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.