Public Hearing at 7:05 p.m.: PC-2020-26, WOW Gas Station, Special Land Use request to modify an existing gas station to add a driveway off of Hidden Timber Dr., located at 3865 S. Baldwin Rd. (parcel #09-29-326-016).

Public Hearing Immediately Following the PC-2020-26 Public Hearing at 7:05 p.m.: PC-2020-38, Edgar Development Rezone Request, requesting to rezone a portion of 09-26-451-005 (approximately 4.21 acres), located on the norther portion of 3805 S. Lapeer Rd. from Restricted Business (RB) to General Business (GB).

NOTE: Due to ongoing health concerns arising out of COVID-19 and the possible need to comply with COVID related Orders or regulations, the Township may need to hold the public meeting via a video conference. Please monitor the Township website for any updates.

1. OPEN MEETING
2. ROLL CALL
3. MINUTES
   A. 12-02-20, Planning Commission Regular Meeting Minutes
4. AGENDA REVIEW AND APPROVAL
5. BRIEF PUBLIC COMMENT - NON AGENDA ITEMS ONLY
6. CONSENT AGENDA
7. NEW BUSINESS
   A. PC-2020-26, WOW Gas Station, SLU & Site Plan Amendment, located at 3865 S. Baldwin Rd. (parcel #09-29-326-016).
   B. PC-2020-38, Edgar Development Rezone Application, located at a northern portion of 3805 S. Lapeer Rd. (parcel 09-26-451-005), requesting to rezone approximately 4.21 acres from Restricted Business (RB) to General Business (GB).
   C. PC-2020-40, Lifted Investments, LLC, Ord. 154 application (Class "C" Grow Facility), located at vacant lot 4 in Liberty Tech Center, west of 4601 Libery Drive S. (parcel #09-34-300-018).
   D. PC-2020-39, Lifted Industrial Partners, LLC, Site Plan, located at vacant lot 4 in Liberty Tech Center, west of 4601 Libery Drive S. (parcel #09-34-300-018)
8. UNFINISHED BUSINESS
9. PUBLIC COMMENTS
10. COMMITTEE REPORTS
11. PLANNERS REPORT/EDUCATION
12. COMMITTEE REPORTS
13. FUTURE PUBLIC HEARINGS
14. CHAIRMAN'S COMMENTS
15. COMMISSIONERS' COMMENTS
16. ADJOURNMENT

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact Penny S. Shults, Clerk, at (248) 391-0304, ext. 4001, at least seventy-two hours in advance of the meeting to request accommodations.
The Charter Township of Orion Planning Commission meeting will be held by video conference only via the GoToMeeting application, access code 599669285. You may also phone into the video conference by dialing 1-(571) 317-3122 and entering the access Code 599669285 (the meeting is being conducted via video/telephone conference due to the health concern of COVID-19 and related orders or regulations)

Public Hearing At 7:05 p.m.:
PC-2020-26, WOW Gas Station, Special Land Use request to modify an existing gas station to add a driveway off of Hidden Timber Dr., located at 3865 S. Baldwin Rd. (parcel #09-29-326-016).

Public Hearing Immediately Following the PC-2020-26 Public Hearing at 7:05 P.M.:
PC-2020-38, Edgar Development Rezone Request, requesting to rezone a portion of 09-26-451-005 (approximately 4.21 acres), located on the northern portion of 3805 S. Lapeer Rd. from Restricted Business (RB) to General Business (GB).

1. OPEN MEETING
2. ROLL CALL
3. MINUTES
   A. 12-02-20, Planning Commission Regular Meeting Minutes
4. AGENDA REVIEW AND APPROVAL
5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY
6. CONSENT AGENDA
7. NEW BUSINESS
   A. PC-2020-26, WOW Gas Station, Special Land Use & Site Plan Amendment, located at 3865 S. Baldwin Rd. (parcel #09-29-326-016).
   B. PC-2020-38, Edgar Development Rezone Application, located at a northern portion of 3805 S. Lapeer Rd. (parcel 09-26-451-005), requesting to rezone approximately 4.21 acres from Restricted Business (RB) to General Business (GB).
   C. PC-2020-40, Lifted Investments, LLC, Ord. 154 application (Class “C” Grow Facility), located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018).
   D. PC-2020-39, Lifted Industrial Partners, LLC, Site Plan, located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018).
8. UNFINISHED BUSINESS
9. PUBLIC COMMENTS
10. COMMUNICATIONS
11. PLANNERS REPORT/EDUCATION
12. COMMITTEE REPORTS
13. FUTURE PUBLIC HEARINGS
14. CHAIRMAN’S COMMENTS
15. COMMISSIONERS’ COMMENTS
16. ADJOURNMENT

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Township at least seventy-two hours in advance of the meeting when requesting accommodations.
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, December 2, 2020, at 7:00 pm VIA VIDEO CONFERENCE - GoToMeeting Access code 599-669-285 or VIA TELEPHONE 1-(571) 317-3122 Access Code 599-669-285 (Meeting being conducted via video/telephone conference due to the health concern of COVID-19 and the Michigan Department of Health and Human Services)

PLANNING COMMISSION MEMBERS PRESENT:
Don Walker, PC Rep to ZBA
Don Gross, Commissioner
Joe St. Henry, Secretary

PLANNING COMMISSION MEMBERS ABSENT:
None (one vacancy)

1. OPEN MEETING
Chairman Dunaskiss, opened the meeting at 7:00 pm

2. ROLL CALL
As noted

CONSULTANTS PRESENT:
Rodney Arroyo, (Township Planner) of Giffels Webster
Eric Fazzini, (Township Planner) of Giffels Webster
Eric Pietsch, (Township Planner) of Giffels Webster
Mark Landis, (Township Engineer) of OHM Advisors
Jeff Williams, Township Fire Marshal
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Dan Spatafora
Tom Kalas
Joe Skore
Paul Schyck
Dominic Geric
Don Hickmont
William Anderson

3. MINUTES
A. 11-18-2020, Planning Commission Regular Meeting Minutes
Moved by Vice-Chairman Reynolds, seconded by Commissioner Walker, to approve the minutes as presented.

B. 11-12-2020, Board of Trustees, Planning Commission, Zoning Board of Appeals, and Corridor Improvement Authority, Joint Meeting Minutes
Moved by Vice-Chairman Reynolds, seconded by Commissioner Walker, to approve the minute as presented.

4. AGENDA REVIEW AND APPROVAL
Moved by Secretary St. Henry, seconded by Commissioner Urbanowski, to approve the agenda as presented.

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY
None
6. CONSENT AGENDA
None

7. NEW BUSINESS
A. PC-2019-48, Hills of Woodbridge Planned Unit Development (PUD) Final Plan, located at vacant land north of 3805 S. Lapeer (Sidwell #09-26-451-004), vacant lot (Sidwell #09-26-402-020), and vacant lot (Sidwell #09-26-402-021).

Mr. Tom Kalas, 31350 Telegraph Rd., Suite 2011, Bingham Farms, MI presented via GoToMeeting on behalf of the applicant and the developer.

Mr. Kalas noted that also present via GoToMeeting was Dominic Geric, the developer and owner of the property, as well as Dan Spatafora, and their engineers.

Mr. Kalas said that they were there to get a final preliminary plan recommendation review from the Planning Commission so that they can get the green light and proceed to the Township Board. He said that one of the issues that had to be determined by the Planning Commission and was raised in Planner Arroyo’s review was whether or not the loss of acreage, approximately 4-acres, that have been deleted from the prior preliminarily approved (PUD) plan, and sold to the Wally Edgar’s Chevrolet Dealership, just to the south of them, whether or not the loss of the acreage, which reduces the size of the project, from approximately 32.8-acres to 28.6-acres, constitutes a minor modification under the (PUD) Ordinance section 30.03 section J1, or whether it constitutes a major modification, under that same section 30.03 of the PUD Ordinance.

Mr. Kalas added that he did submit an e-mail to the Planning & Zoning Director Girling asking if she would include it in the Planning Commissioners’ packets for tonight’s meeting. The email was a summary of their position on the fact that they do not consider the reduction of the project’s acreage to be a major modification, in that it is consistent with a minor modification and the criteria that are found in section 30.03. He said they also submitted two plans showing the initial plan that was preliminary approved, versus the current plan that was the revised plan that was submitted for review and consideration. He said that they show an overlay of the 14 units which consist of 7 duplex condominium buildings that are being deleted from the project, along with one of the proposed commercial retail buildings along Lapeer Road. He said as far as the actual modification that was made, and thought it was important to keep in mind that they have been going at this, since 2018, it was in February of last year that they did receive the conceptual preliminary plan approval from the Planning Commission. He said that nothing has really changed from that plan, other than the acreage has been reduced by approximately 4.2-acres. They have reduced the 128 proposed units that they had on the plan before to 114 units. They had 4 proposed commercial retail buildings before, along Lapeer Rd., they now have 3. Those 3 buildings will be subject to separate Site Plan approval, that when a user comes in and wishes to proceed with developing a commercial use along Lapeer Rd. in one of those buildings. He said as far as the residential they are deleting 14 units. The numbers have not changed that much, and have changed towards the improvement of the project. The open space has actually been increased from 22.8% to 23% of the site. The density for the residential condominium units is slightly less than the initial 4.48 units per acre, it is now 4.43 units per acre. The residential units have been reduced from 128 total units. These are duplex condominium buildings of high quality, the floor plans haven’t changed, the building materials haven’t changed, the elevations haven’t changed, everything is pretty much consistent with what it was previously presented, and approved. He said it is not exactly the same. The number of units has been reduced from 128 to 114, and the proposed commercial buildings has been reduced from 4 to 3. The entrances off of Lapegr Road has been reduced from 3 to 2. The residential acres have gone from 28.5-acres to approximately 25.7-acres. The commercial
acreage on the site has been reduced from 4.23-acres to 2.86-acres. That is a summary of the changes that have been made and were on the plans that were submitted as part of the revised submittal package, and also in the overlay plans, that they submitted to give them a visual of the comparison between what was presented before and what was being presented now. He thought that the first determination that they are asking is that the Planning Commission, consider the modification that was made to the site plan, to be a minor modification for the reasons, stated in his email, and also for the criteria that are found in section 30.03. He said that the scope of the project, the intensity has been decreased with fewer units, with less ingress and egress traffic, one less commercial building, the actual condominium unit buildings themselves haven’t changed, the floor plans are the same, the elevations are the same, and they are high-quality materials.

Mr. Kalas felt that there was a demand in that area. He said that the market dictates that they will probably be absorbed relatively quickly once they are in the ground constructing, building, and selling them. He added that the project itself, the uses, the concept has not changed. The intent behind the PUD initially remains the same, they are taking property that is currently zoned for office, residential, and restricted business, and providing a much less intense use on their condominium/duplexes and obviously a smaller portion of the commercial, then what they would be allowed if the property, where to be developed as currently zoned. They felt any modifications made with the reductions of the acreage are minor in nature, and asked that the Planning Commission approve these changes as minor modifications so that they could proceed with the PUD project to proceed to the Township Board for final approval. He hoped by the time the pandemic has passed, they have all the engineering approved, all permits ready, jurisdictional approvals and they will be ready to commence building this project. He thought it was property situated where it was at and felt at least with respect to the residential units, they would be in much demand immediately.

Vice-Chairman Reynolds suggested that they focus on the first part of the discussion and review whether they feel that the final presentation is in the same parallel as what was presented at concept, and then focus on final provisions if they deem as a commission if it still withholds the same.

Chairman Dunaskiss concurred. He stated that they received a memo from their Planning & Zoning Director as well as some other documents on the matter.

Planning & Zoning Director Girling said that in the email that Mr. Kalas was referencing, it was added to Boardbook. She thought that Mr. Kalas went over all the changes in the numbers that were in the email. She added that if they were not able to find that document that was added to Boardbook, Mr. Kalas could give them the numbers again to note.

Planner Fazzini provided a brief summary of the modification request. He stated that the Zoning Ordinance doesn’t address modification to approved concept PUD plans, which the site has but it doesn’t have final approval. The ordinance addresses modifying a final approved PUD plan. He added that this was a unique situation that they don’t have criteria or specific standards for reviewing concept of PUD modifications. He stated that the criteria were included in the review letter on page 2, but were just for guidance. Those don’t strictly apply since final approval hasn’t been granted but thought they would be helpful to include. He added that really it is how it relates to the concept PUD approval. He said they also understand that the Township Attorney is requesting that they determine if a public hearing is required or not and could be determined tonight.

Planning & Zoning Director Girling stated to keep in mind that concept has been approved if it is determined that this plan, the final plan, is still in the spirit of what was approved at concept,
they proceed on with the final plan that was in front of them. If they were to make a
determination that the plan deviated from how they approved the concept, then it is all the way
back to square one with a Joint Public Hearing with the Township Board and reapproval of a
new concept plan.

Chairman Dunaskiss stated that they need to talk about if they believe these proposed changes
are minor and within their preview, or if they have to go through the whole process again.

Commissioner Gross asked regarding the exterior parcel which is referred to as the Wally Edgar
parcel, is that parcel of the PUD now, or is it reverted back to its previous zoning? Planning &
Zoning Director Girling replied that the piece has not made it all the way through PUD approval
yet. That piece has been removed, so it is as it was zoned, and has nothing to do with this
project anymore.

Commissioner Gross stated that in terms of the basic plan that was resubmitted, he thought that
it was still in compliance, or conformance with the original plan. He did have some questions
relative to the plan, but in terms of the overall layout, the reduction in the size of the project, in
terms of the number of units, and the amount of retail, he didn't think it was necessary to start
the process over and have another Public Hearing and thought they could proceed with it as an
amendment to an originally submitted plan.

Vice-Chairman Reynolds said his only reservation is the component of the Joint Public Hearing
in regards to the concept approval that they have with the Township Board. He thought it wasn't
a significant departure from the concept that was presented. He added that there were some
changes to units and square footages but overall, he thought that the density was similar, and it
does reduce some of the retail square footage proposed along M-24. He also thought some of
the comments were geared towards the final site plan comments more so than the change in
the number of units, and if it’s based on the concept or not. He said he was ok with proceeding
with final.

Chairman Dunaskiss stated that it essentially took a small percentage of the project away, in his
opinion it conceptually hasn’t changed, just got a little smaller, in a sense, that they lost control
of one of the parcels. He added in his opinion, they came in, and statistically, reduced the
numbers. He thought that they could proceed with the final because it is minor in nature.

Secretary St. Henry concurred.

Moved by Commissioner Urbanowski, seconded by Vice-Chairman Reynolds, that the Planning
Commission has made a determination that the final PUD plan, which contains a different
boundary and decrease in the proposed uses than the approved Concept plan, is consistent
with the intent of the approved concept plan, based on the following finding of fact: it is just a
reduction of the amount of the number of units that they have and also the residential units and
the commercial units nothing else has changed.

**Roll call vote was as follows:** St. Henry, yes; Gross, yes; Walker, yes; Reynolds, yes;
Urbanowski, yes; Dunaskiss, yes. **Motion carried 6-0. (one vacancy)**

Chairman Dunaskiss asked if the applicant if there was anything they wanted to add? Mr. Kalas
replied he thought he was good on his end.

Planning & Zoning Director Girling asked that during the deliberation and the reviews, did he
want the applicant or herself to get the plans so that they are displayed? Chairman Dunaskiss
replied yes, he would appreciate that.
Mr. Dan Spatafora said he was with the applicant assisting Mr. Kalas and Mr. Geric. He asked if Planning & Zoning Director Girling could share the screen, and then they could answer any questions.

Mr. Spatafora shared his screen showing and described what was on page one of the site plan.

Planner Fazzini read through his review date stamped November 25, 2020.

Engineer Landis read through his review date stamped November 20, 2020.

Fire Marshal Williams read through his review date stamped November 19, 2020.

Vice-Chairman Reynolds stated that he felt like there was a very extensive list that has not been addressed. He felt that there were some items that they talked about at concept that are not even addressed. He appreciated some of the improvements, but he thought the removal of a parcel and reduction of the number of units just because a parcel was sold or not incorporated in the development doesn’t give them a means to still proceed with the final PUD approval. He was struggling to understand, concept sure, but a final PUD recommendation; he asked what was the community benefit? Why this development over something else? There were a lot of those fundamental questions that they ask for a PUD that has not been addressed yet. He knew specifically himself that at the concept approval they would be discussing building elevations, as a concept approved it and they said they would see elevations, later on, they still don’t see those. He said he had some big concerns about even recommending initial approval. He thought some of the grading and just how some of the footprints are proposed it didn’t look like garage setbacks were addressed. He said he was not looking very favorably at this recommendation.

Chairman Dunaskiss said they have been given the laundry list, what they see in front of them where it is at. He asked if there were any more comments, directions, or questions for the applicant?

Secretary St. Henry said he thought that the overall direction of the project is acceptable. He added that from a community benefit standpoint, he would much rather see residential development like this than a half a mile of asphalt and more storefront along M24. He did agree that there is a list of issues that need to be addressed, per what Vice-Chairman Reynolds mentioned before he feels comfortable signing off on this site plan.

Commissioner Gross said he agreed that there were some things that needed to be addressed relative to the plan. He had some specific issues relative to the fact that this is a PUD and they have seen this in a couple of other instances where the PUD ordinance requires that at least 50% of the units are to be side entrance garages. He added that without seeing the building elevations, it doesn’t appear that this will be a development with any side entry garages. He didn’t know if this was a market-driven issue but if it is not something that they are not going to be serious about, then they probably need to change the ordinance, because it is continually coming before them relative to whether or not a 5-ft. setback of a garage satisfies the intent of the ordinance of having a diversification of housing types. He thought the plan should reflect that the building envelop should be large enough to support future decks on projects. He said it appears that these types of units end up with some form of patio or deck on the back of the units. To ensure that the homeowners don’t have to come back to get approval the building envelop should incorporate that as a consideration. He agreed with the Fire Marshal’s request for an extension of Brookstone Dr. to Morgan Hills is essential for phase one. Otherwise, it is a long dead-end unit for fire suppression. The submission of elevations of the materials, he
believed there were some that were submitted a couple of years ago, but he thought that it needed to be resubmitted before them before they could proceed further with any other formal action. He was concerned about the approval of side entry garages and it is an ordinance requirement that is being ignored.

Commissioner Walker said that he was hesitant on granting the approval of going ahead because he looked at all of the issues that the Fire Marshal, OHM, and that the Planner has brought up and he felt that a lot of them have been there for a long time. They were brought up, and it seemed like the applicant hasn’t done a lot in getting those things resolved. He didn’t even want to consider passing this on some if come promise. He would need to see more results performed before he could be convinced.

Commissioner Urbanowski said that a PUD final plan should be completely polished and have very few questions at all. She wasn’t part of the original meetings, but going back and looking at it there still are questions that still haven’t been answered from back then. Removing that piece might seem minor, but like the tree survey, if they are taking stuff out, then the survey that they did is a mute-point and they should redo it if it was required. She thought it should be more polished.

Chairman Dunaskiss said it sounds like a consensus that the Planning Commission does not want to move forward with the recommendation. He asked if the applicant had any questions for the Planning Commission or with the consultant’s reviews? He wanted to make sure they have direction.

Mr. Dominic Geric the developer for Hills of Woodbridge, said they were more than happy to address these issues. He said it was a short process, they get two weeks for everybody to review. He added that the comments came back last week before they were all prepping for a meeting. He felt it was hard to turn it around and change all these plans all over again and get them resubmitted. He did have plans and elevations and thought that they were submitted a full set of plans and elevations. He didn’t know if they made it in time for the packets but they are in the packet and in the submittal. They haven’t changed much from the previous plans, the elevations are full brick, a lot of upscale materials. He said he would be happy to sit down with the planners, the Fire Department, and OHM as well and address all these issues because they want to get them resolved one time and then move forward. He did want to address one of the comments about phasing. He said that phase one is 70 some units which is a rather large phase between developing and the build-out is probably a 4-year phase. He added that if they are asking to put the entire project in, he would be concerned, putting 114 units in all at once. What they do in other communities at the end, when they stub the street, they will put a big court temporary turnaround until they come back with the next phase. That was his only comment on the phasing. They would have to put everything in all the way through it, that is 114 units in all at once, that was his concern. He was happy to sit down with all of the consultants and address it and come back for final.

Chairman Dunaskiss thought that everyone was fine with them phasing in the overall development, but thought that maybe they work with the Fire Chief, and maybe the turnout works but the thought was having the initial main boulevard road developed. He added that he would leave that for offline and they can debate and see what is safe but thought everyone was fine with the phasing, they just have to make sure there is clear line delineation that someone isn’t left like the Fire Marshal or someone with the concerned as the phasing approach but was confident it would be worked out.

Planner Fazzini said that the motion would be to postpone and they request a date certain.
Moved by Commissioner Gross, seconded by Vice-Chairman Reynolds, that the Planning Commission **postpone** action on PC-2018-49, Hills of Woodbridge Planned Unit Development (PUD) Final Plan request to rezone the property from Restricted Business (RB), Office Professional (OP), and single Family Residential (R-1) to Planned Unit Development (PUD), located at the vacant land north of 3805 S. Lapeer (Sidwell #09-26-451-004), vacant lot (Sidwell #09-26-402-020), and vacant lot (Sidwell #09-26-402-021) for the plans they received and are date stamped received November 12, 2020, for the following reasons: that the detailed plans should be submitted, indicating building elevations, tree survey, the extension of any utilities in phase one, if there are proposed any, or an alternative there too; and that the commercial development is not a part of this approval or of this postponement, that would be at a subsequent review period; and any other comments that were brought up this evening.

**Discussion on the motion:**

Commissioner Urbanowski said that it didn’t mention phasing and questioned if that should be added? She wondered if they were just saying whatever was addressed in here? Commissioner Gross replied yes, the phasing of the project in terms of phase one, phase two, and the extension of the utilities, if any, are being proposed.

Planning & Zoning Director Girling asked for clarification on the motion. Commissioner Gross mentioned that this postponement does not involve the commercial piece. She added to keep in mind that if they were forwarding this one with a recommendation to approve and the Township Board approved it, ultimately, it’s the entire boundary of the PUD would be rezoned to PUD. They would have to come back with the major amendment to get approval on what would go in the commercial piece, but the commercial is part of the project. She added that she didn’t want the misconception with that wording of it, that piece not being postponed because it is part of the (PUD).

Vice-Chairman Reynolds understood that there are going to be comments on a project, that they have to work through. As a Commission, they tend to be fairly workable with items that are able to be administratively addressed to move the project forward. His concern was more about the lack of items that weren’t addressed right out of the gate, even prior to their consultant’s review, that was discussed at the concept. He said that this is a final PUD review, so therefore it should re-iterate, address, and make sure it checks all the boxes on the PUD application. This is not a straight re-zone this is not something that is simply straightforward. It opens up the bar for all of them to look at everything, and they want to make sure that things are crystal clear. So, as a Planning Commission, to be clear to their applicants they are looking for these to be a slam dunk, they don’t have to address every item, but there are items that he didn’t find to be an acceptable amount to have in a final (PUD) that they are recommending or denying approval to the board.

Commissioner Walker said that Commissioner Gross mentioned some of the things that the consultant’s put in their reports. He wanted to make sure all of the things that are contained in the consultant’s reports are in this motion. Commissioner Gross replied so intended.

Commissioner Gross amended the motion, Vice-Chairman Reynolds re-supported to include the entire boundary of the (PUD) would be rezoned to (PUD). Any specific development of the commercial piece would have to come back to the Planning Commission.

**Roll call vote was as follows:** Walker, yes; St. Henry, yes; Reynolds, yes; Urbanowski, yes; Gross, yes; Dunaskiss, yes. **Motion carried 6-0. (one vacancy)**
8. UNFINISHED BUSINESS
A. PC-2019-48, Cottages at Gregory Meadows Final PUD, located at 3537 and 3595 Gregory Rd. (Sidwell #09-31-200-006 and 09-31-200-008).

Mr. Bill Anderson with Atwell 311 N. Main, Ann Arbor, MI presented.

Mr. Anderson said he also had with him Joe Skore, Vice-President of Pulte Homes, and Paul Schyck with Pulte Homes.

Mr. Anderson stated that they recently got concept approval from this body in January. They did a bunch of work and got through the final (PUD). They visited them in October, live, and were tabled to get more detail in regards to their plan set. He added that what they have done since their October meeting and the plans in front of them, they have added a significant number of architectural details, some pump station details from OHM; refined their Fire Department connection; better defined the preservation details, added some cross-sections, and then did a full response to all the consultant’s questions. They were happy and wanted to go through where they were at.

Mr. Anderson said this is Cottages at Gregory Meadows, looking for final PUD review and approval from the Planning Commission. He added that the site is located off of Gregory Rd. just west of Baldwin Rd., a nice commercial corridor with close proximity to I-75. It is surrounded by similar zoning designation, actually, there is a village center adjacent, and they have the availability of municipal utilities, public water, and sewer for the property. The existing conditions of the property, it is an oddly shaped parcel it is a long rectangular parcel being 32.7 acres, with a significant amount of topography, a very challenging piece of property. They have about 70-ft. of relief from the center of the property to the south, and then 50-ft. towards Gregory. So, there is a lot of undulation heavily wooded property. They have about 3-acres on the north end, that is Gregory, it is sparse, and then the southern 23-acres of the 32-acres is very densely populated tree sites. They focus on preservation itself, and they have over 5,300 regulated trees on the property. There are two existing homes on the property and the soil is very sandy.

Mr. Anderson added that the big changes from concept to where they are today. They have gone from a 20-page plan set to an 80-page plan set. The primary changes were, they modified the Peppermill Lane connection to be a cul-de-sac and emergency access only. They also provided a roadway easement to the east to the Village Center, a property that will get developed someday, again, it is a Village Center of Baldwin, so that will ultimately be another connection point for the property. They added the safety path contribution on Gregory Rd., they heard that loud and clear at the public hearing and the developer is committed to installing or contributing to the public safety path, on Gregory Rd. He noted that those were some of the big changes that they have worked on between concept and where they are today. The overall project, again, 32.7-acres, really steep slopes, a lot of topography, a lot of trees, they are proposing 72 single-story ranch units. So, a real low profile, single-story ranch, for sale, maintenance-free living. This housing product has become very much in demand in all communities across Michigan with a slightly aging demographic. They have a density of about 2.6 units per acre, with about 4-acres of wooden preservation at the southern end of the site. They have about 12-acres of open space, including their ponds, two big retention ponds. They have a lot of open space, over a third. They have nature trails proposed and sidewalks on both sides, so a lot of walking opportunities for their residents.

Mr. Anderson briefly went through their PUD eligibility. They have to define recognizable benefits, confirm density impacts, need to look at a Master Plan and economic impact, need to
confirm open space and unified control. The recognizable benefits are preserving almost 4-acres of tree preservation in a nice forested area in the southern third of the property, and over 12-acres of open space overall on the project. They have multiple connection points their primary entrance is a nice boulevard and entrance off of Gregory Rd., and comes down into a cul-de-sac and terminates into a nice forested area. They have another future access point to the east, and the emergency access to the south side, so they have nice access points both now and in the future proposed.

Mr. Anderson said that they will have unique landscaping as part of this, again, this is going to be a lock and leave type community. The whole community, both the home landscaping and the greater landscaping on the site, will use native plantings and will be professionally maintained by the HOA. These are not 72 people with 72 lawnmowers, this will be all professionally maintained. With their cluster home option, they think they will have a really nice balance between preservation and open space, with the environment.

Mr. Anderson stated that the architectural design, is a single-story, ranch design product to meet the growing local demographic in Orion and other surrounding communities. They have multiple housing options to choose from. He felt they have an attractive architectural design and are life tested by Pulte. Pulte Homes is originally a Michigan builder, and all their home products are analyzed by senior leaders, walkthrough, and surveyed with the customer base, so they are constantly updating their floor plans. They have provided a significant amount of great housing products to choose from, and those details have been added to the plan. He felt that it was a great benefit, a different housing product.

Mr. Anderson said that the contribution to the safety path, they have designed it, those plans have been sent out to the consultants, and they are proposing to construct the public safety path along Gregory Rd. that are subject to Township easements. That was from local community feedback, it was something they wanted to see. They have approximately 2,000-ft. of pathway proposed, that is a substantial community benefit, given that it is just 72 units.

Mr. Anderson noted that as far as density goes, this project is in close proximity to a Village Center, Baldwin Rd., I-75, so the Master Plan with what the Township envisioned here, those single-family, medium to high density 3-5 units per acre. That was kind of the Master Plan for this project. When they first looked at it, on that zoning class, it falls under the R-1, R-2, & R-3 design. They did a plan under the R-3 design to see what that looked like, they yielded 93 units under that scenario. They looked at an R-2 design plan, and that plan had 77 units, where they ended up settling in was more of a clustered unit and the single-story ranch came in with 72 units. He stated that they were significantly under not only the Master Plan designation, at 3-5 units an acre, but some of the practical implied housing options, they are just proposing 72 units. Their density is well within what the Township had envisioned for this property. More on the Township Master Plan, it is a medium to high-density site was what was projected against next adjacent to the Village Center so they conform with the Township Master Plan.

Mr. Anderson said that the economic impact with new housing provides a tax base and utility connections. About 20% of discretionary income from homes, as proven, is spent locally on food, services, and goods. Putting homes next to retail services will feed that local retail, so there will be a good economic local impact on the development. There is a similar study that talks about 1.1 sustain jobs are added for each new home. Not just the construction folks, long-term sustained projects. That is through the study of the National Home Builders Association.

Mr. Anderson said that the guaranteed open spaces when they look at the site, almost a third of the site is going to be open space. So, they will have nice wooded open space and viewsheds.
They have a nice balance between the built and the natural environment. They have the open space well exceeding the PUD requirements.

Mr. Anderson noted as far as unified control, Pulte Homes has secured the property. Pulte Homes is also going to be the developer and the home builder, which is unique and he thought that it was a very good thing for the Township. Pulte Homes would be first on site, building the roads, putting in the utilities, and they will be the last guys on site, building the last home, and making sure everything was as built. He felt it was a good benefit to have the same guy, so Pulte has control of the site.

Mr. Anderson stated that the building elevation compliance, there was a lot of talk about that in October and they added quite a bit of architectural detail. He said he just wanted to be clear that Pulte plans to comply with the PUD requirements for 50% recess garages, and 6 of the 17 elevations include the recessed garages. They are prepared to meet that requirement. The PUD agreement will require compliance as well as the Master Deed and Bylaws.

Mr. Anderson said regarding woodland preservation they have very significant topography on the site. What they did was a cluster home community, which is a planning tool, you centralize the infrastructure, the homes, roads, drainage, and minimize your natural feature impacts, and provides meaningful open space. That is the design planning technique they used. They maximize the design parameters to minimize impacts as well, from an engineering perspective but they have to consider the roads and sidewalks and they maximized the slopes of the roadways and the sidewalks. Obviously, they have to consider roadway slopes. Sidewalks have to be designed to meet ADA. They considered side slopes, they maximized their side slopes, which are 3:1 side slope. When they are doing the homes, they have to have proper drainage around the homes and in the rear yards. When they put all those engineering constraints in there and they have clustered they are confident that they minimize their tree clearing and maximize their preservation. They have preserved 58.5% of the non-exempt trees, not that 80%, so they are requesting a minor waiver for that preservation requirement. He added that their landscape plan is providing 100% of the on-site replacement requirements on the property, in the project site, which is about 520 trees.

Mr. Anderson stated that the Lot Coverage or rear yard projections and what they are talking about really is how do they do deck projections. They are comfortable with the Township Planners’ recommendation that they have a maximum depth projection of 20-ft. off the rear of the building. He thought that was the default ordinance, and they were comfortable with that recommendation that they made. He added that this was unique, it is a condominium that doesn’t have the traditional lots, it is a building, it is a homeownership unit. They thought that the component, language would settle the deck projection matter and supported their thoughts on that.

Planner Fazzini read through his review date stamped November 30, 2020.

Engineer Landis read through his review date stamped November 19, 2020.

Fire Marshal Williams read through his review date stamped November 19, 2020.

Chairman Dunaskiss asked for the Commissioners thoughts on eligibility.

Vice-Chairman Reynolds stated that he thought it was still eligible as a PUD. He thanked the applicant and their team for a comprehensive overview and not assuming that it was staying the same as they have seen previously. To walk through the recognizable community benefits in
the project, and the housing types. Some of the stuff they thought was there, but just couldn’t see. He thanked them for being clear and concise. He felt that it was eligible.

Secretary St. Henry stated that thinking back on the meeting from a few weeks ago, he had a number of concerns and questions and felt that the applicant had addressed them.

Commissioner Walker asked the Fire Marshal if they resolved the issue about if there will be a gate or not a gate? Fire Marshal Williams replied that there had been multiple discussions that had taken place throughout, he thought 3 or 4 different reviews that they completed on the project. He added that there were some other proposals that the applicant came forward with, flexible bollards, things like that. He said that the Fire Department really had no interest in approving those whatsoever. Those are more of a hindrance to them than an emergency gate. He said if the gate is installed, it just needs to be understood that there is a lot of maintenance responsibilities, that come with those, in regards to keeping them up and in operation, snow removal, and things of that nature. They just wanted to make sure that all of those are accounted for if the gate is installed, then that is what they are dealt with.

Commissioner Gross said this was the same plan that they saw back in December a year ago, the same plan they saw in September. Basically, it is going to be a clear cut of the site, 88% of the site is going to be totally clear-cut. 4-acres are going to be left as a natural area. In their plans submitted, they took a tree survey, and there were over 5,200 trees on the site, they will all be gone with this development. Clear cutting is going to take care of most of the trees, and there were, identified 486 protected trees on the site and they are probably going to be gone too. The ordinance requires that 50% of the units are to have side entry garages, he knew that there was a provision that if they have a 5-ft. setback on the garage, that qualifies as being an offset, but it did not enhance, in his opinion, the esthetic appearance and minimize the visual impact that they try to accomplish in Planning Unit Develops (PUDs). If they as a Planning Commission and as the Board of Trustees are not concerned about the side entry garages and the visual impact, then let’s quit playing games and let’s change the ordinance and be done with it.

Commission Gross questioned if the access shown to the east if there was any contact made with that property owner as to whether or not there would be an agreement to make that connection for emergency access?

Commissioner St. Henry stated that in response to Commissioners Gross’s comments about the site entry garages and the 5-ft. recesses, he noted that they did cover this, he said he concurred that in October they did discuss this at length. He thought it was incumbent upon them to look at the ordinance real closely and decide how much of a stickler they are going to be moving forward. He couldn’t fault the applicant for looking at the ordinance and technically adhering to it, he can’t argue with them there. That was the same conversation they had in October. He thought they should look at the ordinance going forward for what is left in Orion Township, it could be developed into a residential housing unit.

Vice-Chairman Reynolds said from the Planners review, he knew that they came up with some language for decks, and didn’t disagree with the language that is being proposed. He wanted to confirm with the applicant that they are ok with that and incorporating that into the deed? He noted that they were getting the visual shake of the heads, yes. Vice-Chairman Reynolds questioned, and thought that it was in the language, that the extends does include not just the deck, but also stairs and thought that it was in the definition and wanted that clarified? He added that maybe moving forward using that language, that it does incorporate there are some grade changes with these so the stair or the extents of the deck is included in that and thought that the language read that way but was one of his concerns that he had. He asked if the
applicant was fine with just the administrative review, to address kind of the items A-J are addressed in the final submission of the documents or the final approval. He tends to agree with some of the Commissioners', that obviously the language, as the ordinance exists right now does give some opportunity to interpret the rules for the 5-ft. setback, and it still is a displaced frontage or façade. He agreed with Secretary St. Henry that is obviously an item of language that they need to review as a commission and make sure that the intent of the ordinance is still being met with the language that is being regularly interpreted that way. He added that as it stands right now, he foresees that this applicant does conform to the bylaws, as long as presented tonight, the presentation that the deed restrictions limit that, at least 50% of those plans are proposed with a setback garage.

Moved by Vice-Chairman Reynolds, seconded by Commissioner Walker, that the Planning Commission forwards a recommendation to the Township Board to approve PC-2019-48 Cottages at Gregory Meadows Planned Unit Development (PUD) Final Plan/request to rezone the property from Suburban Farms (SF) to Planner Unit Development (PUD), located at 3537 and 3595 Gregory Rd. (Sidwell #09-31-200-006 and 09-31-200-008) for plans date stamped received November 6, 2020. This recommendation to approve is based on the following findings of facts: that the PUD concept and the final presentation is in substantial compliance with their PUD requirements; that the proposed zoning and its density is in parallel to the Master Plan; there are no detrimental effects to trafficking the surrounding area; it is compatible with the existing adjacent uses of residential; this following recommendation for approval is based on the following conditions: that the plan reviewer address, the presentation, and the final plan submitted, and future submission to address the concerns A-J in the planners report presented tonight along with the two minor comments presented by OHM; comments from our Fire Marshal be addressed with a siren activated gate and any other safety concerns comply with the fire code and other Township ordinances.

Discussion on the motion:

Planning & Zoning Director Girling said that she had a question on the motion, related to addressing the comments administratively from the reviews. She said that one of the comments was the willingness to have it as a deviation from the ordinance for the tree count. If the Planner is reviewing it, if the Planning Commission hasn’t specifically said that, that is one of the deviations, then that could leave an open question. She asked if, indeed this motion is saying that the Planning Commission is accepting the trees as they are showing.

Vice-Chairman Reynolds stated that his intent of the motion was that the trees as presented in the plans submitted were ok. He wanted to clarify his motion and incorporate two additional conditional approvals, would be the review and approval of the PUD Agreement by the Township Attorney, and then also a separate review and approval of the condominium documents by the Planner, Engineer, and the Township Attorney.

Commissioner Walker asked if the applicant was going to do something more than they have already decided to do with regards to the trees. Mr. Anderson said that he tried to demonstrate the complexity of the site. He added that it is a very difficult site it comes up 50-ft., back down, 70-ft. With the planning design and the engineering constraints, they have maximized the preservation given all the rules, he guessed, from a design perspective. He said that Pulte asked if there was anything else, they could do. He said that their grading plan was 100% done. They have maximized the preservation of what they could do. He said there was nothing more that they could do for the non-exempt trees. What they have done since the last part, though, is they have ensured that they
will replace all the replacement tree requirements on the project site. He said he thought they had 12-acres of open space, and 4-acres of great preservation and thought it was a good cluster of trees, and they were adding a substantial amount of replanting on the property. All their replacement trees will be one on the property, and that is very expensive. Street trees are easy to do, they are supplementing them across the project, and so that was their proposal, and that is their best effort forward. Commissioner Walker said so the answer to his question was no. Mr. Anderson wished he could say, yes. They were confident with their submittal.

Vice-Chairman Reynolds said that he wanted to clarify the intent of his motion. He thought that they needed to clarify some of these items that are not being governed by the ordinance such as decks. He thought that it would probably be a deed restriction or condo doc item that will pop up and make sure that it is in there because it does not conform to our standard ordinance. He asked the Planner if that was correct? Planner Fazzini replied yes; the HOA would typically regulate open space, general common open space improvements in those areas with this being a condo development. What they are expecting to see, the issue of decks or sheds or things like that addressed as far as what is permitted for future residents. This is in case this is just this kind of a standard zoning item that should be included for the township permitting purposes in the future. Vice-Chairman Reynolds asked if it would be the same for the maintenance for the Fire Marshals concerns with the gate and everything like that, that would be the best place for that? Planner Fazzini replied that he can’t speak to that but it would be in the PUD agreement. He was not sure if that would need to be in the condo documents.

Vice-Chairman Reynolds said he thought that his intent would be is that that is kind of written into the bylaws of the property and that was part of the maintenance agreement as other standard items will be, just to clarify intent.

Mr. Don Hickmont commented regarding the safety path. He said that the safety path now ends at the edge of Gregory Meadows and doesn’t extend down to the Gregory Meadows driveway. He said if that safety path is ever going to be extended, he thought that they would have to get that on Pulte’s agenda now. There is an example of a problem with them never finishing one of those, and it is over on Maybee Rd., just a half of a mile north, where the safety path is, and thought that was a problem too, it has never been completed and that was 30-years ago. He added that if they ever are going to get the safety pass down to Gregory Meadows, he noted that there were 103 homes going in, 25 have been sold already, now is the time to do it because if you think that Pulte is going to step up and do it voluntarily, he didn’t think that would happen, and felt that they needed to make a commitment to do that. He noted that he lived next door and didn’t plan to use the safety path, but for the sake of the 103 people next door, it seemed like the right thing to happen.

Roll call vote was as follows: Reynolds, yes; Gross, yes; Urbanowski, yes; St. Henry, yes; Walker, yes; Dunaskiss, yes. Motion carried 6-0. (one vacancy)

9. PUBLIC COMMENTS
None

10. COMMUNICATIONS
A. RCOC Chairman’s Report

11. PLANNERS REPORTS
A. Giffels Webster – Our Groove

Planner Arroyo stated that they are working on their standard planning newsletter and it’s almost done and they will have it for the next meeting. He noted that this was just a shorter communication highlighting a couple of the things that they were working on. He wanted to bring out one thing that’s planning related in terms of what is in there, particularly the Brighton streetscape work that they did for the city of Brighton. They have been working with them on their comprehensive plan update, and they talked in the downtown plan about the need to create their streetscape design plan, that they have been working with them. One of the things that they did there was they were able to conduct a 3D laser scan of the entire Main St. downtown which gives them an accurate ability to create to-scale drawings of the facades. When they were working on their downtown zoning ordinance, which is actually a form-based code, which had a lot more details like, for example, minimum window percentage of glazing on the lower and upper levels, they were actually able to use the 3D scanning to calibrate that into the zoning ordinance. He thought it was fascinating how changes in technology are enabling them to do elements of planning that they never thought they would be able to do.

Planner Arroyo said they are also kicking off the Master Plan update. They were actually working this month on beginning the work that needs to be done in terms of the existing conditions analysis. He added that pretty much all of 2021, they will be coming to them on a regular basis, and they have been talking about maybe meeting the hour before the regular Planning Commission meeting to give them updates. So potentially meeting at 6:00 p.m. before the regular meeting. They will go over where they are with the Master Plan, and provide them updates and get feedback on a regular basis as they go through that process. That way they are not creating a new meeting and they are also not giving it to them after a long agenda when everybody’s tired. It may not be every single month, but most months will likely come to them with information related to the Master Plan update. Starting in January 2021, they will have information to talk to them about.

**12. COMMITTEE REPORTS**

None.

**13. FUTURE PUBLIC HEARINGS**

A. 12-16-20 at 7:05 p.m. PC-2020-26, WOW Gas Station, Special Land Use request to modify an existing gas station to add a driveway off of Hidden Timber Dr.

B. 12-16-20 Immediately following the PC-2020-26 Public Hearing at 7:05 p.m.: PC-2020-38, Edgar Development Rezone Request, requesting to rezone a portion of 09-26-451-005 (approximately 4.21 acres), located on the northern portion of 3805 S. Lapeer Rd. from Restricted Business (RB) to General Business (GB).

Public Hearings will be virtual-only.

**14. CHAIRMAN’S COMMENTS**

Chairman Dunaskiss is looking forward to getting into the Master Plan.

**15. COMMISSIONERS’ COMMENTS**

Commissioner Urbanowski hoped everyone had a nice Thanksgiving.

Vice-Chairman Reynolds wanted to talk more about language. He felt that they needed to have an ongoing list of something like garage recesses that they bring up on a regular basis. He thought that they needed to set aside some time as an agenda item to tackle some of these items. One of his peeves is the siren activated gate, that he brought it up at the joint meeting. He thought that some of those items need to be a subcommittee of the Planning Commission
and also the Township Board and some of the Code Enforcement Officers to figure out how they best address those items. He thought it was useful to have those open dialogs on a continuous basis versus, only when they are stuck over a barrel, and are interpreting the ruling that they have in the code, and they are not, not-conforming, but they don’t the intent of the language is necessarily met. He wasn’t sure if that should be agenda items or what? He recommended to the Planner that they have bullet points to have that conclusion at the end of their reviews. Planner Fazzini replied yes.

Planning & Zoning Director Girling said that she makes notes and sticks them in a folder and then when they have a bit of a reprieve, then she tries to throw it out on an agenda to have a discussion. They stopped doing it sooner than they normally do because of the elections because the Clerk’s office is involved when they do text amendments. She proposing to taking the folder and make a running list and maybe just hand it out as an informational item at the next meeting. If anybody else has anything else that maybe she missed they can add it to the list, and then at a slower meeting maybe come up with a priority of it. Some of them might involve Township Board approval because it might involve the Planner and his expertise in the language. Something more minor like correcting something in their opinion of it as they have done in the past, they can do that on a slower meeting without the need to worry about the Township Board approval. She will come up with a list and that will be there kicking off in the new year.

Commissioner Walker told Planning & Zoning Director Girling to put in the folder a piece of paper with the word fences on it. Because not only is that an issue especially at the Zoning Board level. If they are going to be doing the Master Plan, but he has come across the answer to all of their problems when it comes to that. He noted that he would share the copy of the article with Planning & Zoning Director Girling and make sure that they all get copies.

Secretary St. Henry said his neighborhood was built by a builder 30-years ago. None of them like clear-cutting and didn’t know if there was a good answer when it comes to builders and developer’s clear-cutting property. When they can drop in 200 homes with minimal grief, those were scooped up 30-years ago. Everything they are looking at now is historical pieces of wooded property. Given the history of how they wrestle with PUD’s and what builders typically force the Township’s hand, when they don’t agree with the density or what they wanted to do with the clear-cutting and tree survey, replanting, they all know what happens. Until this Township basically decides to stick up for themselves every once in a while, when it comes to these developments with clear-cutting, and density, that all the builders try to pull, they are going to have this issue. The only saving grace is that he didn’t think there was a whole lot of developable property left in this Township for development. He thought that was something that they should fit into the discussion of the Master Plan over the next year. They are always running into these issues with the developer and Consent Judgements.

16. ADJOURNMENT
Moved by Vice-Chairman Reynolds, seconded by Commissioner Gross to adjourn the meeting at 9:07 pm. Motion carried.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: December 8, 2020
RE: PC-2020-26, WOW Gas Station Special Land Use and Site Plan

As requested, I am providing suggested motions for the abovementioned project. Please feel free to modify the language. The verbiage below could substantially change based upon the Planning Commissions' findings of facts for the project. Any additional findings of facts should be added to the motion below.

**Special Land Use (Ord. No. 78, Section 30.02)**

**Motion 1:** I move that the Planning Commission **approve/deny** 2020-26, WOW Gas Station, located at 3865 S. Baldwin Rd. (parcel #09-29-326-016), a request to modify the existing Special Land Use of a gas station to add a driveway off of Hidden Timber, for plans date stamped received November 6, 2020. This **approval/denial** is based on the following finding of facts:

a. Compatibility with Adjacent Uses (Insert any findings of facts),
b. Compatibility with Master Plan (Insert findings of facts),
c. Adequate Public Services (Insert findings of facts),
d. Impact on Traffic (Insert findings of fact),
e. Detrimental Effects (Insert findings of facts),
f. Enhancement of Surrounding Environment (Insert findings of facts),
g. Isolation of Existing Land Use (Insert findings of facts).

**If Approved:**
This approval is subject to the following conditions (insert any additional conditions).

**Site Plan (Ord. No. 78, Section 30.01)**

**Motion 2:** I move that the Planning Commission grants site plan amendment **approval** for 2020-26, WOW Gas Station, located at 3865 S. Baldwin Rd. (parcel #09-29-326-016) for plans date stamped received November 6, 2020 based on the following findings of fact (motion maker to insert findings). This **approval** is based on the following conditions:

a. (Motion maker to list any unresolved issues).
Or

I move that the Planning Commission **denies** site plan amendment approval for 2020-26, WOW Gas Station, located at 3865 S. Baldwin Rd. (parcel #09-29-326-016) for plans date stamped received November 6, 2020. This **denial** is based on the following reasons (insert findings of fact).

Or

I move that the Planning Commission **postpones** site plan amendment approval for 2020-26, WOW Gas Station, located at 3865 S. Baldwin Rd. (parcel #09-29-326-016) for plans date stamped received November 6, 2020 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner’s and Engineer’s review letter(s)).
The applicant is requesting Special Land Use (SLU) and Site Plan Approval to permit an additional driveway to an existing gas station and C-store. The site received Special Land Use approval in 2013 and is currently developed. The applicant states that recent roadway improvements and reconfigurations along Baldwin Road have resulted in difficulty accessing the site from Hidden Timber Drive. If a driveway along Hidden Timber Drive is approved, the second driveway along Baldwin Road, closest to the intersection, will be removed. No other changes are proposed for the existing facility.
Wow! Gas Station and Convenience Store

Application
The subject site is an existing gas station and C-store, approved and developed as a Special Land Use (SLU) within a General Business (GB) zone in 2013. The current proposed scope of work is to construct a new curb cut and driveway for ingress and egress from Hidden Timber Drive, along the north side of the property. During the public hearing for the SLU in 2013, residents of the single-family neighborhood, east of the site, voiced opposition to the development providing vehicular access from Hidden Timber Drive.

Section 14.00 — Preamble:
The General Business (GB) District is intended to provide locations for individual businesses or a collection of businesses that provide a commodity or service on a regional basis. The zoning district is characterized by higher traffic generation and greater degrees of sight visibility and requires a site design which will not impede the flow of traffic or traffic safety. The GB District is intended to have the necessary restrictions to limit businesses’ impact upon the community. This includes safe and efficient traffic flow, adequate parking and attractive landscaping. The GB District is further intended to have direct access onto an existing or proposed thoroughfare, but only where optimum egress and re-gress can be provided.

The special use of the property as a gas station and C-store is not being considered with this application. The key issue is whether the addition of a new driveway to Hidden Timber Drive, which was not a part of the previous approval, is consistent with the standards pertaining to approving special land uses as noted below.

Section 30.02 — Special Land Use Procedures and Standards

13. Standards for Granting Special Land Use Approval. The Planning Commission shall approve special land uses upon determination that the proposed use will comply with all applicable requirements of the Ordinance, applicable standards for specific uses, and the following general standards (amended 10.01.07):

a. Compatibility with Adjacent Uses. The proposed special land use shall be designed, constructed, operated and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:

1) The location and screening of vehicular circulation and parking areas in relation to surrounding development.

2) The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment, in relation to surrounding development.

3) The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.

4) The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses.
Planner Comments: The existing gas station and C-store were approved as a Special Land Use in 2013 and has primary frontage and access from Baldwin Road. Surrounding the facility and acting as a buffer to nearby single-family residential neighborhoods, are Restricted Business (RB) zones. The proposed change to add a commercial curb cut and driveway to Hidden Timber Drive reintroduces the need for analysis of the above criteria in order to determine that the continued operation of the Special Land Use will not negatively impact the surrounding area.

The applicant states that the request for the new driveway is a direct response to the recent right-of-way improvements and reconfiguration of traffic circulation on Baldwin Road and Hidden Timber Drive. Without a way to access the site from Hidden Timber Drive, traffic circulation is forced to enter Baldwin Road and make a series of U-turns within the busy thoroughfare. See diagram provided by the applicant. It is unclear if the residents of the adjacent neighborhood share this concern, so notification and public hearing procedures may inform the commission if resident opinion has changed since the hearing and approval in 2013. The Road Commission for Oakland County (RCOC) has issued a permit for the proposed scope of work which includes the elimination of the second (northern) driveway access from Baldwin Road. We defer to the Township Engineer to provide additional comments on this issue.

b. Compatibility with Master Plan. The proposed special land use shall be compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and shall promote the intent and purpose of this Ordinance.

Planner Comments: The 2015 Future Land Use Plan designates the site and surrounding area as Village Center. The Future Land Use Plan explains the Village Center is planned for the Gingelville sub area exclusively. This portion of Baldwin Road between Maybee and Judah Roads is one of the oldest commercial/residential centers in the Township and has a rich history. The intended mix of uses includes those in the Neighborhood Commercial, General Office, Multiple Family Residential and Single-Family Residential land use categories. The classification intends for the integration of commercial and residential uses in an attractive and well-designed environment. The classification is also intended to encourage the development of a pedestrian friendly atmosphere, an attractively landscaped boulevard and sidewalks, rear and side parking lots, unified architectural theme and streetscape, and aims to continue the vitality and quality of life in nearby residential neighborhoods through the creation of public spaces and amenities. The correlating zoning district is the Gingelville Village Center Overlay District. We believe eliminating the driveway closest to the intersection along Baldwin Road would result in an improvement to public safety and welfare, however, we encourage comments from the appropriate agencies pertaining to the recent right-of-way improvements and reconfiguration of traffic circulation.

c. Public Services. The proposed special land use shall be located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools.

Planner Comments: Page 3 of the application form states that the recent roadway improvements to Baldwin Road have adversely impacted access and circulation to the existing site. The applicant notes that the recent roadway improvements have created a situation by which the adjacent residential uses cannot feasibly utilize the site. We defer to the Township Engineer and other agency review letters, particularly the RCOC, for any impacts regarding public facilities and services that could result specifically from the proposed changes to the site.

d. Impact of Traffic. The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use on surrounding uses. In determining whether this requirement has been met, consideration shall be given to:
1) Proximity and access to major thoroughfares.
2) Estimated traffic generated by the proposed use.
3) Proximity and relation to intersections.
4) Adequacy of sight distances.
5) Location of and access to off-street parking.
6) Required vehicular turning movements.
7) Provision for pedestrian traffic.

Planner Comments: We defer to the Township Engineer on any anticipated impacts to traffic.

**e. Detrimental Effects.** The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

Planner Comments: No changes are being made to the functionality of the existing special land use as a gas station, except for a proposed additional, commercial driveway access point to the Hidden Timber Drive right-of-way and the elimination of the northernmost driveway along Baldwin Road. The applicant could address any negative impacts resulting from the completed roadway improvements. Additionally, the public hearing platform of the application will inform the Planning Commission of concerns and experiences of citizens affected by the functionality of this site since it was initially approved as a Special Land Use in 2013.

**f. Enhancement of Surrounding Environment.** The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. In determining whether this requirement has been met, consideration shall be given to:

1) The provision of landscaping and other site amenities. Provision of additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a special land use.

2) The bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.

Planner Comments: The application to alter the ingress and egress to the existing corner gas station and convenience store is intended to improve and enhance documented problems created by public improvements to the adjacent rights-of-way. Improvements to the rights-of-way are in line with the language of the Master Plan and any anticipated traffic circulation improvements or problems should be identified in the review by the Township Engineer and RCOC.

Per the Master Plan, Village Center includes an “integration of residential and commercial uses in an attractive and well-designed environment. The classification is also intended to encourage the development of a pedestrian friendly atmosphere, an attractively landscaped boulevard and sidewalks, rear and side parking lots, unified architectural theme and streetscape, and aims to continue the vitality and quality of life in nearby residential neighborhoods...” The originally approved plans included a landscape plan with trees and shrubs along the right-of-way lines. To be in keeping with the spirit of the Master Plan, the proposed site plan should not result in a reduction of the number of trees and shrubs along the rights-of-way. Relocating or planting new landscaping along Baldwin Road, which includes a
designated 8' wide Safety Path, is in keeping with the intent of Safety Paths and the Village Center, as further described in the Master Plan.

Based on supplemental information provided by the Applicant after the initial application, it appears the Applicant is proposing to remove one of the Baldwin Road driveways if the new driveway on Hidden Timber Drive is approved. Any approval of this application by the Planning Commission should be conditioned upon approval of a revised landscape plan that reflects closing one driveway on Baldwin Road, acknowledgment of the Master Plan landscaping policies, and conformance with the Township's landscape standards.

g. Isolation of Existing Land Use. The location of the proposed special land use shall not result in a small residential area being substantially surrounded by non-residential development; and further, the location of the proposed special land use shall not result in a small non-residential area being substantially surrounded by incompatible uses.

Planner Comments: This standard is not applicable as no land use is changing as part of this application.

PC Determination – Section 30.02 – Special Land Use Procedures and Standards

8. Planning Commission Determination. The Planning Commission shall make the final determination on the application for special land use approval. Such determination shall be based on the requirements and standards of this Ordinance. In making the final determination, the Planning Commission shall consider the reports and recommendations from the Enforcement Officer, Water and Sewer Department, Township Planner, Township Engineer, Township Fire Chief, the Road Commission for Oakland County, the Oakland County Health Department, the Oakland County Drain Commission, appropriate utility companies, and the Michigan Department of Transportation, where applicable. The Planning Commission is authorized to approve, approve with conditions, or deny a request for a special land use, as follows:

a. Approval. Upon determination of the Planning Commission that a special land use approval request is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, approval shall be granted, and a site plan application may be considered in accordance with Section 30.01. (amended 10.01.07)

b. Approval with Conditions. The Planning Commission may impose reasonable conditions with the approval of a special land use. The conditions may include provisions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:

1) Be designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

2) Be related to the valid exercise of the police power, and purpose which are affected by the proposed use or activity.
3) Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to the standards established in the Ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.

The conditions imposed shall be recorded in the record of approved action and shall remain unchanged except upon mutual consent of the Planning Commission and the landowner. The conditions imposed shall be noted on an accompanying site plan. (amended 10.01.07)

c. Denial. Upon determination of the Planning Commission that a special land use request does not comply with standards and regulations set forth in this Ordinance, or otherwise will be injurious to the public health, safety, welfare and orderly development of the Township, a special land use request shall be denied. In this case, "Denied" shall be written on the special land use plan and the reasons for denial shall be indicated, and one copy shall be provided to the applicant.

d. The decision of the Planning Commission on a special land use application shall be incorporated into a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.

Respectfully,

Giffels Webster

Eric Fazzini, AICP, CNU-A
Senior Planner

Eric Pietsch
Senior Planner
December 2, 2020

Justin Dunaskiss, Planning Commission Chairperson
CHARTER TOWNSHIP OF ORION
2525 Joslyn Road
Lake Orion, MI 48360

RE: WOW Gas Station Driveway, PC-2020-26
Site Plan Review #1

Received: November 13, 2020 by Orion Township

Dear Mr. Dunaskiss:

We have completed our review of WOW Gas Station Driveway plan set. The plans were prepared by Kieft Engineering and were reviewed with respect to the Township’s Zoning Ordinance, No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance, No. 139, and the Township’s Engineering Standards.

EXISTING SITE CONDITIONS:
The site is located on the southeast corner of Baldwin Rd. and Hidden Timber Dr. within the southwest corner of section 29 of the Charter Township of Orion. The site is zoned General Business (GB) and bound by parcels to the north and east of the property zoned Restricted Business (RB), and parcels to the south by Special Circumstances (SC), and west of the property zoned Single Family Residential (R-2) and General Business (GB).

The existing site is an 8 pump gas station with a small store building. Currently the site has two approaches onto Baldwin Rd. Due to the recent improvements on Baldwin Rd., patrons coming from Hidden Timber Dr. are forced to travel south down Baldwin Rd to the turnaround, head north to the roundabout and drive back south to get to the gas station. The applicant is proposing to remove one approach from Baldwin Rd and place a new approach on Hidden Timber Dr to provide a more direct route to the gas station that does not require multiple turnarounds. It is our understanding that the applicant intends to remove the northern driveway on Baldwin Rd., however the plans need to reflect this removal and the addition of curb and gutter on Baldwin Rd. as well as the western side of the parking lot.

It appears that the existing information for the site has not been updated to be consistent with the recent improvements to Baldwin Rd. The plan shall incorporate these changes, including the pathway that is now located along the west side of the site.

UTILITIES:
There are no proposed changes to the water main and sanitary sewer for this site, however there is a light pole that is proposed to be relocated. The light pole shall be shown relocated in its anticipated location to ensure that it is not within the influence of the public utilities.
STORMWATER MANAGEMENT:
The additional impervious area added by the new approach on Hidden Timber Dr. will generally be offset by the amount of impervious area removed at the Baldwin Rd. approach. Therefore, the increase in impervious area will be negligible, and no additional detention will be necessary for the site. The proposed approach will drain to Hidden Timber Dr, which is consistent with the existing drainage pattern on the site.

PAVING & GRADING:
Existing site access is comprised of two approaches on Baldwin Rd. There is one approach south of the pump canopy, and one north of the canopy. The applicant is proposing to remove the northern approach and replace secondary access with an approach on Hidden Timber Dr. This will allow traffic from Hidden Timber Dr. to enter the site directly from Hidden Timber, as opposed to doing multiple turnarounds on Baldwin Rd. The internal site circulation will remain generally the same, with the exception that cars leaving the site will now be able to exit the site directly onto Hidden Timber Dr. Pavement removal and curb placement should be shown in the plans for the approach on Baldwin Rd.

Pavement slopes for the new approach are called out as 5.2%, which is acceptable for the approach. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas. While a 5.2% slope is acceptable for the approach, the pathway through the center of the approach needs be kept under the maximum allowable cross-slope of 2%. At engineering, please add corner spot grades pathway ramps at the approach so they can be assessed for ADA compliance.

No pavement section was included in the plans. The applicant should coordinate with the RCOC to obtain the necessary pavement section for an approach within RCOC right-of-way. The pavement section must be included at site plan.

CONCLUSION:
In our opinion, the site plan as submitted is in substantial compliance with the Township’s ordinances and engineering standards. We ask that site plan approval acknowledge the following:

1. The pavement removal and curb replacement associated with the north driveway off Baldwin Rd. must be shown on the plans.
2. Show the light pole that is proposed to be relocated in its anticipated location.
3. The cross-slope of the sidewalk must be kept under the maximum allowable cross-slope of 2%.
4. The pavement-section for the approach must be added to the plans.
5. The existing information needs to be updated to include the pathway along Baldwin Rd. as well as any other improvements made to the Baldwin Rd. streetscape.
6. The engineering plan, designed in accordance with Zoning Ordinance No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance No. 139, and the Township’s Engineering Standards shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer.

The applicant should note the Township may require performance bonds, fees, and/or escrows for a preconstruction meeting and necessary inspections. Please feel free to contact us with any questions at (248) 751-3100 or rmark.landis@olin-advisors.com.
Sincerely,

**OHM Advisors**

Joe Lehman  
Project Engineer

Mark Landis, P.E.  
Project Manager

cc: Chris Barnett, Township Supervisor  
David Goodloe, Building Official  
Jeff Stout, Director of Public Services  
Tammy Gurlang, Director of Planning and Zoning  
Lynn Harrison, Planning and Zoning Coordinator  
Jeff Williams, Township Fire Marshal  
Bill Basigkow, Water and Sewer Superintendent  
Iven Sharrak, 670 N. Pontiac Tr. Walled Lake, MI 48390  
Ilen Kalabat, Kalabat Engineering / JSK Design Group  
File
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2020-26, Wow Gas Station Driveway to Hidden Timber  
Date: 11/17/2020

The Orion Township Fire Department has completed its review of Application PC-2020-26 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

Based upon the application and documentation provided, the Fire Department has the following recommendation:

X Approved  
   Approved with Requirements (See below)  
   Not approved

Comments: NONE

This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information at time of building permit application that includes data or documents, confirming full compliance with all applicable building codes, fire codes and Township Ordinances.

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2004.

Sincerely,

Jeffrey Williams  
Jeff Williams, Fire Marshal  
Orion Township Fire Department
Dear Tammy,

After review, Public Services has no further concerns or issues with this project.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout
Director
Department of Public Services
November 10, 2020

The Charter Township of Orion
Attn: Tammy Girling
2525 Joslyn Road
Lake Orion, MI 48360

RE: R.C.O.C. PERMIT REVIEW LETTER 20-1289
LOCATION: 3865 BALDWIN RD, ORION TOWNSHIP
PROJECT NAME: WOW GAS STATION

Dear Ms. Girling:

At your request, the Road Commission for Oakland County (RCOC) received a permit application on October 2, 2020 for the above referenced project. Enclosed you will find a copy of the approved permit application along with the permit description.

Respectfully,

Scott Szafranski, P.E.
Permit Engineer
Department of Customer Services

SS/mac
Enclosure
BOARD OF COUNTY ROAD COMMISSIONERS, OAKLAND COUNTY, MICHIGAN

PERMIT APPLICATION
MAKE CHECK PAYABLE TO ROAD COMMISSION FOR OAKLAND COUNTY.

APPLICANT: Clark Orion Township Inc
hereby makes APPLICATION for a permit to CONSTRUCT, OPERATE, USE and/or MAINTAIN or to TEMPORARILY CLOSE a COUNTY ROAD within the part of the right-of-way of road(s) Hidden Timber Dr. & S. Baldwin Rd under the jurisdiction of the Board: a detailed description of the desired facility and/or activity is required in the space provided below: (include size, length, type of facility; - if underground, indicate depth below surface; if parallel to road, indicate distance from inside edge of facility to edge of pavement, if crossing under roadbed, describe method). THE FOLLOWING MUST BE ATTACHED TO THE APPLICATION WHEN APPLICABLE 1. Plans, specifications and location of facility. 2. Traffic plan and detour route in cases of street closures.

PLEASE CHECK THE APPROPRIATE BOX(ES) THAT APPLY TO THE TYPE OF WORK YOU WISH TO OBTAIN A PERMIT FOR:

- Annual
- Approach/Private Road Access
- Cable TV
- Community Event
- Landscaping/Grading
- Pathway/Sidewalk
- Public Utility (i.e. electric, gas, telephone)
- Sign/Subdivision Sewer
- Soil Boring/Monitoring Well
- Watermain
- Other

Remove existing drive on Baldwin. Install new drive on Hidden Timber Dr. Replace curb along Baldwin.

City or Township: Orion Township
Section No.: 29

The above activities will be carried out in accordance with plans, specifications, maps and statements filed with the R.C.O.C. as part of this application, and if said application is approved, the above named applicant agrees to abide by the CONDITIONS contained on the reverse side. Since a permit will have to be secured from the Board prior to the start of any construction or maintenance operations proposed by this application, it is intended that the SUPPLEMENTAL SPECIFICATIONS, on the reverse side, are to be incorporated as part of the plans or specifications required for this proposed work.

FOR R.C.O.C. USE ONLY

Design: __________________ Right-of-Way: __________________
Traffic: ________________ Maintenance: __________________
Planning: ________________ Construction: __________________
Subdivision: ________________ Permits: ________________

FOR R.C.O.C. USE ONLY

Application Fee: $200.00 Permit Fee: $100.00
Deposit: $200.00 Estimated Inspection Fee $1,300.00
Bonds (R.C.O.C. Form 76) $5,000.00 Paint Fee: $_________________

TOTAL FEES DUE AT TIME OF PERMIT ISSUANCE: $2,050.00

This application is approved subject to CONDITIONS and SUPPLEMENTAL SPECIFICATIONS contained on the reverse side of this application.

Approval of this application does not relieve applicant from meeting any applicable requirements or duties of law or other public bodies or agencies including but not limited to the Michigan Department of Natural Resources.

APPROVAL OF THIS APPLICATION EXPIRES IN ONE YEAR IF A PERMIT HAS NOT BEEN ISSUED. SUBMITTAL OF CURRENT PLANS, PERMIT APPLICATION REVIEW FEES AND PERMIT APPLICATION IS REQUIRED IF APPROVAL OF THIS APPLICATION HAS EXPIRED.

REFER ALL INQUIRIES TO (248) 858-4835
DEPARTMENT OF CUSTOMER SERVICES / PERMITS
2420 PONTIAC LAKE ROAD
WATERFORD, MI 48328

APPLICATION APPROVED: ___________________ Date: 11/10/2020

By: ___________________ Date: 11/10/2020

APPLICANT (PRINT OR TYPE):

Clark Orion Township Inc

SIGNATURE DATE: 9/30/20

ILVEN SHARRAK
Owner

670 N. Pontiac Trl 734-516-4280
Waterford Lake, MI 48349

Fax or Email Address: jilova@itsholdings.com
PERMIT DESCRIPTION

The following is a permit description ONLY. It shall not be construed to be a permit and shall become valid only after the permit is acquired.

This is a permit to:

***APPROVED AS NOTED ON THE PLANS***
REMOVE EXISTING DRIVE APPROACH (THE NORTHERLY ONE) AND REPLACE WITH CURB ON THE EAST SIDE OF BALDWIN RD SOUTH OF MAYBE RD, JUST SOUTH OF HIDDEN TIMBER DR FOR #3865 ADDRESS. ALSO, CONSTRUCT NEW CONCRETE DETAIL "M" DRIVE APPROACH ON THE SOUTH SIDE OF HIDDEN TIMBER DR TO SERVE THE SAME ADDRESS. PERFORM RELATED SIDEWALK IMPROVEMENTS FOR ADA COMPLIANCE. RESTORE ALL DISTURBED AREAS WITHIN THE ROAD RIGHT-OF-WAY.

FIXED OBJECTS SHALL BE NO NEARER THAN 6 FEET FROM BACK OF FINISHED CURB. REMOVE OR RELOCATE EXISTING FIXED OBJECTS PRIOR TO CONSTRUCTION.

PAVEMENT SHALL CONSIST OF A MINIMUM 2 INCHES OF MDOT 4C OR 5E HMA, OVER 3 INCHES OF 3C OR 4E, OVER 4 INCHES OF 2C OR 3E, OR 9 INCHES OF MDOT 35-P CONCRETE, WITH EPOXY COATED REBAR LANE AND CURB TIES IF APPROPRIATE, OVER A SUITABLE BASE, AS DETERMINED BY RCOC. PEDESTRIAN FACILITIES SHALL BE CONSTRUCTED IN COMPLIANCE WITH A.D.A. DESIGN CRITERIA.

PROPER SIGNING IS REQUIRED BEFORE BEGINNING WORK WITHIN THE RIGHT-OF-WAY. MAINTAIN TWO-WAY TRAFFIC AT ALL TIMES. LANE CLOSURES SHALL BE RESTRICTED TO THE HOURS OF 9 AM TO 3 PM MONDAY THROUGH FRIDAY, OR DURING DAYLIGHT HOURS ON WEEKENDS.

NOTIFY INSPECTOR OR PERMIT SUPERVISOR 48 HOURS PRIOR TO BEGINNING WORK.

All construction shall be in accordance with the attached approved plan and application on file for CLARK ORION TOWNSHIP INC.

as prepared by CLARK ORION TOWNSHIP INC

and with the RCOC Supplementary Permit Specifications as follows:

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE ATTACHED APPROVED PLAN AND APPLICATION ON FILE WITH THE ROAD COMMISSION FOR OAKLAND COUNTY PERMIT RULES, SPECIFICATIONS, AND GUIDELINES DATED MARCH 14, 2013.
To whom it may concern,

On December 8th 2020 at approximately 5:30pm, the Orion Township Planning Commission - Site Walk Committee Completed a site walk for PC-2020-26, WOW! Gas Station Driveway to Hidden Timber.

The existing gas station and convenience store is located at 3865 S. Baldwin Rd. at the corner of Baldwin Rd and Hidden Timber Dr.

Two existing curb-cuts exist along the newly renovated Baldwin Corridor, no curb-cut currently exists on Hidden Timber Dr.

Baldwin Rd is now a boulevard with no turn-arounds except for the traffic circles, which are located north and south of the project parcel.

The committee briefly discussed concerns of traffic parallel to Baldwin Rd. within the parking lots located to the north. Traffic flow in and out of the residential development to the east was also discussed.

Scott Reynolds, Planning Commissioner
Charter Township of Orion
sreynolds@oriontownship.org
Charter Township of Orion Planning Commission

Site Plan Approval Application

30.01, A. Intent: The site plan review procedures and standards are intended to provide an opportunity for consultation and cooperation between the applicant and the Planning Commission so as to achieve maximum utilization of land with minimum adverse effects on adjoining property. Furthermore, it is the intent of these procedures and standards to allow for review of site plans by the Planning Commission, to provide a consistent and uniform method of review, and to ensure full compliance with the standards contained within Zoning Ordinance 76, and other applicable local ordinances and State and Federal laws.

Project Name: WOW! Gas Station Driveway to Hidden Timber

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<tr>
<th>Name of Development if applicable:</th>
<th>N/A</th>
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<tr>
<th>Applicant</th>
<th>Iven Sharrak</th>
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<tbody>
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<td>Iven Sharrak</td>
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<th>Clark Orion Township Inc.</th>
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<tr>
<th>Plan Preparer Firm/Person</th>
<th>Kalabat Engineering</th>
</tr>
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<tbody>
<tr>
<td>Name:</td>
<td>Kalabat Engineering</td>
</tr>
<tr>
<td>Address:</td>
<td>31333 Southfield Rd. Ste. 250</td>
</tr>
<tr>
<td>Phone:</td>
<td>248-600-8707, 248-798-6077, 248-594-5919</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:itkalabat@gmail.com">itkalabat@gmail.com</a></td>
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<th>same as applicant</th>
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<tr>
<th>Project Contact Person</th>
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<tr>
<td>Name:</td>
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<td>Address:</td>
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<td>Phone:</td>
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Sidewell Number(s): 09-29-326-016

Location or Address of Property: 3865 S. Baldwin Rd

Side of Street: East Nearest Intersection: Hidden Timber Drive

Acreage: 0.92 Acres Current Use of Property: Gas Station with C-Store

Is the complete legal description printed on the site plan? ☑ Yes ☐ No (if no please attach to the application)

Subject Property Zoning: GB Adjacent Zoning: N. RB-2 S. GB E. GB W. GB

List any known variances needed (subject to change based on Township consultant’s review) NONE

Give a detailed description of the proposed development, including the number and size of the buildings or units being proposed. An existing gas station with C-Store requesting an additional driveway approach from Hidden Timber Drive to improve the access of the gas station from the adjacent residential neighborhood. Recent improvements to Baldwin Rd have adversely impacted access.

Pursuant to Zoning Ordinance 78, Section 30.01 C. a copy of this application and two copies of the site plan must be submitted to the each of the following agencies. Please provide the Township with a copy of each transmittal and proof of delivery.

- AT&T
54 Mill St.
Pontiac, MI 48342

- Consumers Power Company
530 W. Willow St.
Holly, MI 48442

- DTE Energy
37849 Interchange Dr.
Farmington Hills, MI 48335

- Michigan Department of Transportation (if applicable)
800 Vanguard Dr.
Pontiac, MI 48341

- Oakland County Water Resources Commission
wrpermitting@oakgov.com
(electronic submittal only)

- Oakland County Health Department
Building 34 East
1200 N. Telegraph Rd.
Pontiac, MI 48341

- Road Commission of Oakland County (if applicable)
2420 Pontiac Lake Rd.
Waterford, MI 48328

I, the undersigned, do hereby submit this application for Site Plan Approval, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.01 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant: ☐ Iven Sharrak
Print Name: Iven Sharrak
Date: 11/6/2020

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner: ☐ Iven Sharrak
Print Name: Iven Sharrak
Date: 11/6/2020

Version 10/19/18
Charter Township of Orion
Planning & Zoning Department
2525 Josync Rd., Lake Orion MI 48360
P: (248) 391-0304 ext. 5000; Fax (248) 391-1454

Checklist for Special Land Use Application

Applications must be submitted by noon on Wednesday, four weeks prior to a scheduled meeting. Meetings are held on the first and third Wednesday of each month, unless otherwise specified.

Pursuant to Zoning Ordinance 78, Section 30.02, B, 7 the applicant or a designated representative must be at all scheduled review meetings. Refer to 30.02, B, 13 for the criteria the Planning Commission will use to evaluate a special land use.

The following must accompany your completed application; incomplete submittals will not be accepted.

- Complete application including original ink signatures of property owner and the applicant.
- The Special Land Use Review fees calculated using Ordinance No. 41.
- Proof of ownership. Acceptable forms of documentation include: Warranty Deed, Quit Claim Deed, Land Contract, or Option to Purchase with a Copy of the Warranty Deed.
- 5 copies of the current site plan if no change is proposed to the site plan.
  - Please note, if changes are proposed to the site plan, per Zoning Ordinance 78, Section 30.02, B, 12, an application for site plan approval may also be necessary. Please see separate Site Plan application for requirements.
- 5 sets of all supporting documents, reports, studies etc.
- PDF format copy of all information submitted (may be emailed or provided on a USB/flash drive).

The Township reserves the right to request additional copies of printed materials as necessary.

If you have any questions, please call the Planning & Zoning Department (248) 391-0304 ext. 5000

RECEIVED

NOV 06 2020

Orion Township
Planning & Zoning

Version 10-19-2018

37
Charter Township of Orion Planning Commission
Special Land Use Approval Application

30.02, A. Intent: Special land use procedures and standards are instituted to provide consistent and uniform guidelines for the Planning Commission to follow in arriving at any special land use decision over which it has jurisdiction. Special land uses are uses that may be permitted in a district, but only if certain specified conditions are met, and only after review and approval by the Planning Commission. The review procedures which are conditions for approval are intended to provide protection for adjacent uses and ensure full compliance with the standards contained within Zoning Ordinance 78 and other applicable local ordinances and State and Federal laws.

Project Name: WOW! Gas Station Driveway to Hidden Timber

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<tr>
<td>Address:</td>
<td>3865 S Baldwin Rd, Lake Orion, MI 48359</td>
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<tr>
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<td>31333 Southfield Rd., Ste. 250, Beverly Hills, MI 48025</td>
</tr>
<tr>
<td>Phone:</td>
<td>248-600-8707, 248-798-607, 248-594-5919</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:itkalabat@gmail.com">itkalabat@gmail.com</a></td>
</tr>
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### Project Contact Person

<table>
<thead>
<tr>
<th>Name:</th>
<th>Same as Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td></td>
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<tr>
<td>Phone:</td>
<td></td>
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<tr>
<td>Email:</td>
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</tr>
</tbody>
</table>

Version 10-19-2018

Page 1 of 6
Sidwell Number(s): 09-29-326-016

Location or Address of Property: 3865 S Baldwin Rd

Side of Street: East Nearest Intersection: Hidden Timber Drive

Acreage: 0.92 Acres Current Use of Property: Gas Station with C-Store

Is the complete legal description printed on the site plan? ✓ Yes ☐ No (if no please attach to the application)

Subject Property Zoning: GB Adjacent Zoning: N. RB-2 S. GB E. GB W. GB

Give a detailed description of the proposed use, if applicable please indicate the number and size of the buildings or units being proposed. The Special Land Use is an Existing Gas Station w/ C-Store requesting an additional drive from Hidden Timber Drive to improve access to the site as a result of recent improvements to Baldwin Rd which have drastically and adversely impacted access to the site. The intent of the Driveway is to provide a practical means of ingress and egress to the site for the adjacent residential neighborhood. The current conditions render the station unaccessible to the adjacent neighborhood exiting hidden Timber Drive

Pursuant to Zoning Ordinance 78, Section 30.01 C. a copy of this application and two copies of the site plan must be submitted to the each of the following agencies: Please provide the Township with a copy of each transmittal and proof of delivery.

| AT&T | Oakland County Water Resources Commission |
| 54 Mill St. | wrpcspermitting@oakgov.com |
| Pontiac, MI 48342 | (electronic submittal only) |

| Consumers Power Company | Oakland County Health Department |
| 530 W. Willow Rd. | 1200 N. Telegraph Rd. |
| Lansing, MI 48906 | Pontiac, MI 48341 |

| DTE Energy | Road Commission of Oakland County (If applicable) |
| 37849 Interchange Dr. | 2420 Pontiac Lake Rd. |
| Farmington Hills, MI 48335 | Waterford, MI 48328 |

| Michigan Department of Transportation (If applicable) | |
| 800 Vanguard Dr. | |
| Pontiac, MI 48341 | |
The proposed special land use shall be designed, constructed, operated, and maintained so as to be compatible with uses of adjacent land. The site design of the proposed special land use shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met please describe the consideration given to the following:

Location and screening of vehicular circulation and parking areas in relation to surrounding development.

The Proposed development scope is limited to a new driveway. All other site features are existing conditions.

Location and screening of outdoor storage, outdoor activity or work areas and mechanical equipment, in relation to surrounding development:

All outdoor storage & equipment are screened with existing Masonry screens.

The hours of operation of the proposed use are 6 am - 11 pm.

The bulk, placement and materials of construction of the proposed use in relation to surrounding uses:

The Construction is primarily on the North side of the site to open a new driveway from Hidden Timber Drive and does not have major impacts on the surrounding areas.

Describe how the proposed special land use is compatible with and in accordance with the general principles and objectives of the Orion Township Master Plan and how it promotes the intent and purpose of Zoning Ordinance 78.

The proposed use is consistent with the Master Plan.

Describe how the proposed special land use is located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools.

The proposed special land use is intended to modify the existing site to be better served by the recent roadway improvements to Baldwin Road which have adversely impacted access & circulation to the existing site. The recent roadway improvements have created a situation by which the adjacent residential uses cannot feasibly utilize the site.
The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use on surrounding uses. Describe the consideration given to the following:

**Proximity and access to major thoroughfares**

Proposed Driveway is from Hidden Timber Drive, approx. 40' east of the intersection of Baldwin Rd. & Hidden Timber Drive.

**Estimated traffic generated by the proposed use**

Since the use is existing and is a collector, there will be no new traffic generated & the proposed driveway will simply capture and release the existing traffic.

**Proximity and relation to intersections**

Approx. 40' East of the intersection of Baldwin Rd. & Hidden Timber Drive.

**Adequacy of sight distances**

Proposed special use meets all sight distance requirements.

**Location of and access to off-street parking**

All off-street parking is located along the south side of the property with 2 existing drive approaches from Baldwin Rd. and 1 proposed drive approach from Hidden Timber drive.

**Required vehicular turning movements**

Site supports required fire, refuse, & delivery truck turning movements

**Provision for pedestrian traffic**

Existing site has adequate sidewalks for proper pedestrian access and circulation

The proposed special land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be so located or designed, as to be detrimental to public health, safety, and welfare. Describe the consideration given to the production of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

All site lighting is directed downward & proposed driveway approach is intended to improve access and circulation to the adjacent residential neighborhood by providing direct access to the site from Hidden Timber Drive.

The proposed special land use shall provide the maximum feasible enhancement of the surrounding environment and shall not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value. Describe how consideration was given to:

**Landscaping & other amenities**

Landscaping at the rear of the property provides a buffer & screening for the adjacent properties.

The bulk placement and materials of construction of proposed structures in relation to surrounding uses. The existing building & pumps are consistent with adjacent uses along Baldwin. The proposed driveway approach will improve cohesion with the surrounding residential uses.
Explain how the location of the proposed special land use does not result in a small residential area being substantially surrounded by non-residential development, and further, the location of the proposed special land use does not result in a small non-residential area being substantially surrounded by incompatible uses; The Special Land Use is consistent with adjacent commercial uses along Baldwin Rd. with a large residential zone behind the line of commercial zoning along the main road.

Pursuant to Zoning Ordinance 78, Section 30.02 D a sign indicating the requested special land use shall be installed on the parcel(s) no less than 15 days prior to the scheduled public meeting. Please check one:

☐ I have reviewed Section 30.02 D and will install the sign(s) as required.

☐ I would like to lease signage from the Township and for it to be installed as required (please complete attached Sign Request Form).

I/We, the undersigned, do hereby submit this application for Special Land Use, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.02 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant: [Signature]
Print Name: Iven Sharrak
Date: 11/6/2020

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner: [Signature]
Print Name: Iven Sharrak
Date: 11/6/2020

Version 3/2/17
From: HEATH, JEFFREY R <jh1786@att.com>
Sent: Tuesday, December 8, 2020 2:01 PM
To: iden@kalabat.com
Cc: Tammy Girling <tgirling@oriontownship.org>
Subject: WOW Gas Station Driveway

Hello Iden,

I am just responding to the letter and plans you sent to AT&T on 11/20/20 regarding the proposed entrance to the WOW gas station at Hidden Timber and Baldwin. I am attaching a page of the plans that AT&T did submit as part of the large relocation project done on Baldwin Rd recently to show that AT&T has a pedestal near the existing walk that is not shown on your plans. It doesn’t appear that it will be in conflict but wanted to send this out so you would have the information. Please note that if the pedestal is in conflict with the proposed property improvements and needs relocated, AT&T will be required to be reimbursed for the relocation. Please let me know as soon as possible if you see this being a potential conflict with your proposed improvements. Please note the locations are approximate.

Thanks,

Jeff Heath
Design Engineer
ACE, East Construction and Engineering

AT&T
54 N Mill St Box 32, Pontiac, MI 48342
o 313-263-9939 | jh1786@att.com

MOBILIZING YOUR WORLD
Know what's below. Call before you dig.

www.metroes.net
PHONE: 734.483.1427  FAX: 734.483.3431
LIVONIA, MI 48150
33900 SCHOOLCRAFT RD

Pedestal placed in approx. this location for the Baldwin Rd reconstruction project.
New Drive/Approach on Hidden Timber Drive

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We enjoy being a part of your community and would like your approval before we decide to do anything!

If you would like to show your support in favor of this new drive-in approach, please feel free to fill out this form!

Thank you for your continued support!

WOW! Corporate Office

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<th>Printed Name</th>
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<tbody>
<tr>
<td>Drew Naylor</td>
<td></td>
<td>3767 Rolling Hills Rd.</td>
<td>12/9</td>
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<tbody>
<tr>
<td>Kari Tarkko</td>
<td>K. Tarkko</td>
<td>2841 YOSEMITE Dr.</td>
<td>12/3/2020</td>
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<tr>
<td></td>
<td></td>
<td>48360 L0, MI</td>
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<tr>
<td>Adam Williams</td>
<td>[Signature]</td>
<td>2841 Yosemite Dr, CO, ME 48360</td>
<td>12/8/2020</td>
</tr>
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<tr>
<td></td>
<td></td>
<td>4600 Deer Lane</td>
<td>12/8/20</td>
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<td></td>
<td>Lake Orion MI</td>
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<th>Printed Name</th>
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<tbody>
<tr>
<td>Shawn Kraft</td>
<td>Sam</td>
<td>3751 Baldwin Rd</td>
<td>12/8/20</td>
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<th>Printed Name</th>
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<tbody>
<tr>
<td>Dr. Tony Nelson</td>
<td>Jerry Nelson</td>
<td>275 Credilton St</td>
<td>12-3</td>
</tr>
</tbody>
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<tr>
<td>[Signature]</td>
<td>[Signature]</td>
<td>4253 Baldwin Rd</td>
<td>12-3-2020</td>
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</table>
Dear Residents of Lake Orion,

We are proud and blessed to be an active member in the Lake Orion community and to have served you for the past 13 years. We were extremely excited to remodel this location three years ago, and we hope it has been catering to your convenience and needs accordingly. We would like to add on that convenience by creating a new drive-in approach directly on Hidden Timber Dr. This approach will make it easier for all residents to enter and exit the store while at the same time not impeding traffic.

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Edward Naylor
WOWI Corporate Clerk

Printed Name: Edward N. Naylor
Street Address: 32455 South Blvd.
City: Lyon
State: MI
Zip: 48040
Date: 12/14/20
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<tbody>
<tr>
<td>Tony Davis</td>
<td></td>
<td>154 W Lake Angelus Rd</td>
<td>11/21/2020</td>
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<tr>
<td></td>
<td></td>
<td>Auburn Hills, MI 48326</td>
<td></td>
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</table>
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<tbody>
<tr>
<td>Leo Blom</td>
<td></td>
<td>2861 Regency Dr</td>
<td>11/27/2020</td>
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</tbody>
</table>
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<tbody>
<tr>
<td>Richard Lagrow</td>
<td>Richard Lagrow</td>
<td>2540 Mueller Rd</td>
<td>11/17/20</td>
</tr>
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</table>
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<th>Printed Name</th>
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<tbody>
<tr>
<td>Joe Annino</td>
<td>Ballot</td>
<td></td>
<td>11-25-2019</td>
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</table>
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<tbody>
<tr>
<td>Zac Anderson</td>
<td></td>
<td>1301 Valleyview Dr.</td>
<td>11-25-20</td>
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<tr>
<td>Lindsey</td>
<td></td>
<td>1366 Baldwin Rd.</td>
<td>11/22</td>
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<tbody>
<tr>
<td>Sabrina Pecdue</td>
<td>Pecdue</td>
<td>3836 Minton Rd.</td>
<td>11-25-20</td>
</tr>
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<tr>
<td>3333 Towne Park Dr</td>
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<td>3333 Towne Park Dr</td>
<td>2/22/20</td>
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<tr>
<td>SCOTT SUITEI</td>
<td>[Signature]</td>
<td>31087 GAVARNON ORION</td>
<td>11/21/20</td>
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Thank you for your continued support!

- WOW! Corporate Office

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<td>Amanda Gulas</td>
<td>[Signature]</td>
<td>2369 Brabant</td>
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<td>Gregory</td>
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<td>2883 Riverside Dr.</td>
<td>11-27-2020</td>
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<td>10, MI 48355</td>
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<td>Hidden Timber</td>
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<tr>
<td>Andrew Walker</td>
<td>Andrew Walker</td>
<td>2565 Mueller Rd.</td>
<td>11/30/20</td>
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<tr>
<td>Katie Zacharevic</td>
<td>Zachary</td>
<td>3435 Green Meadow</td>
<td>11/19/2020</td>
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<tr>
<td>[Redacted]</td>
<td>[Redacted]</td>
<td>5251 Roby Rd</td>
<td>Nov-13-20</td>
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<tr>
<td>Kenneth Crabbe</td>
<td>[Signature]</td>
<td>3823 Long Meadow Ln, Orion</td>
<td>11/16/23</td>
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<tr>
<td>Ken Schmauer</td>
<td>Dr.</td>
<td>2905 River Rd.</td>
<td>11/20/20</td>
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<td>Orion Park</td>
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<tr>
<td>Nicole Ramsey</td>
<td>Madeleine</td>
<td>3055 Hidden Timber Dr.</td>
<td>10-24-20</td>
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<td>Jason Ramsey</td>
<td>JRM</td>
<td>3055 Hidden Timber Dr</td>
<td>10/27</td>
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<tr>
<td>Austin Porter</td>
<td>[Signature]</td>
<td>105 E. Jackson</td>
<td>10-22-20</td>
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To the Orion Township Planning Commission,

I am a resident of the Lake Forest subdivision and specifically live on Hidden Timber. The upcoming meeting regarding their application for a special land use will have a direct impact on the traffic and safety of our neighborhood.

When the owners of the old Clark gas station on Baldwin applied for a special land use permit to demolish it and build WOW, it was opposed by many households from our subdivision as well as the Lake Forest Homeowners Assoc. (LFHA) board at that time (Sept. 2013.) At the time of application, WOW intended to build a driveway direct to Hidden Timber, which was the primary of 3-4 points of opposition from homeowners within the subdivision.

In the follow up meeting on Nov 20, 2013, minutes from the meeting note that Kevin Brandon (Preview architecture and Planning) commented “that the applicant took care of some issues from the last meeting regarding the special land use. The main one was eliminating the ingress/egress from hidden Timber Drive to the north and keeping the same egresses that are existing there currently with no modifications.”

The special land use permit was ultimately passed (4-2) with a few express conditions. One condition stated, “that the applicant shall provide additional screening as they agreed to with Dense evergreens on the east side of the property to screen the building and also to preserve as much of the existing vegetation and plantings.” Clearly this condition has not been met over the last 7 years and could be viewed as an indication that the owners are not concerned about the appearance or wellbeing of our subdivision and neighborhood. (Please review the landscape plan which called for 72 plantings of which about half took place and called for nine 14 foot white pines across the rear of the building on the eastern side and two 14 foot white pines on the northeastern corner of the property that never took place.)

After agreeing to forfeit a direct drive to Hidden Timber to move their 2013 application forward, they now wish to go back and build that same driveway to our subdivision. In my opinion, this will necessarily and significantly increase vehicle traffic within our subdivision. As we are a small, family subdivision where an overwhelming majority of homes have children, increased traffic could have an impact on both safety of our families and home values. The following are a few of the most obvious traffic flow issues:

1) Forest Spring becoming the go-to route for WOW from Maybee

Currently, there is no benefit to cutting through our subdivision from Maybee to Forest Spring to Hidden Timber to WOW. If you do, you have to go back north on Baldwin, circle back at Great Lakes athletic Club, then go south and circle back north at Gregory. By opening a drive directly to Hidden Timber, you incentivize (as a time saver) Maybee Traffic both eastbound and westbound near Baldwin, to simply drive south through our subdivision on Forest Spring to Hidden Timber and into WOW.

This is significant and potentially the reason WOW is applying for this permit at this time. Now that Baldwin is a Boulevard and southbound traffic can not turn into the station, this could be seen as a work-around for WOW to utilize our sub as a ¼ mile ingress/egress.

2) Exiting WOW and driving through our sub in place of waiting to get on Baldwin.
If the northern drive from WOW to Baldwin is closed and replaced with a drive to Hidden Timber, all traffic exiting our sub and virtually all traffic from WOW will be funneled through a space big enough to hold 2 or 3 vehicles (between Baldwin and the WOW Driveway.) When a north heading vehicle leaves WOW and there are a couple cars already waiting to enter Baldwin, the driver can either sit and back up in WOW or just turn right, head down Hidden Timber to Forest Spring and Forest Spring to Maybee. If they need to exit directly to Baldwin from the station (currently), there is far less incentive to take a shortcut when they are already traveling on Baldwin.

3) Congestion for our homeowners trying to exit Hidden Timber to Baldwin and return home from Baldwin.

Under scenario number 2, there is a likelihood that our neighborhood will see increased back-ups trying to enter and exit our sub onto Baldwin. All cars exiting the station must go north on Baldwin. All Lake Forest residents exiting the sub would now meet up with the WOW vehicles exiting and at the same time our residents returning on northbound Baldwin will need to navigate WOW traffic trying to turn on to the small piece of Hidden Timber before Baldwin.

When Baldwin incurred closures to construct the roundabouts, residents on Hidden Timber and Forest Spring realized noticeable increases in traffic flow and speeds due to drivers choosing to use our subdivision as a convenience. I communicated with both the Township and the Sheriff’s office at the time and they attempted to provide some help in curbing the amount and speed of new traffic.

I have no scientific or engineering evidence to document or demonstrate that the proposed change will increase traffic by 50%, 4% 23% or any other numerical factor. However, there is absolutely no question that the proposed change will increase the amount of vehicle traffic through our subdivision. Forest Spring has a neighborhood park where small children play daily, mere feet from the street. Balls and bikes shoot into the neighborhood streets year-round. The increased traffic might benefit WOW but there is no scenario where increased traffic within our small family subdivision is a positive.

The Owners of WOW agreed to forfeit a Drive to Hidden Timber when granted the Special Use permit to rebuild their station in 2013. They have neglected to fulfil their expressly written conditions for receiving their permit 7 year ago. The safety and home value of Orion residents should be the top priority of the Township and its representative boards. Based on the above, I feel the Planning Commission must reject this Special Use request by WOW gas station (Clark Orion Township Inc).

Sincere Regards,

Bruce Parker
3154 Hidden Timber
Lake Orion MI 48359
bparkside@gmail.com
Debra Walton

From: John Santeramo, Attorney At Law <attorneyjms@aol.com>
Sent: Tuesday, December 8, 2020 9:19 PM
To: Debra Walton
Subject: My objection to WOW gas station request

I am a resident of the Lake Forest subdivision, and am writing in opposition to the request by the WOW gas station at the corner of Baldwin and Hidden Timber for permission to eliminate their northernmost drive to Baldwin road and open a driveway to Hidden Timber in its place.

Before the current facility was built, many residents of my subdivision, including me, attended meetings to protest the expansion. In order for them to move forward with their plan, they agreed to forego adding a driveway on Hidden Timber. The protestors raised serious concerns about the impact on traffic patterns that would adversely affect our sub.

With the changes made to Baldwin Rd it is foreseeable that, if the proposed entrance were approved, the traffic through our sub would be even worse than feared at the time of the original construction. Because of the median and roundabouts anyone travelling South on Baldwin or from either direction on Maybee, will be cutting through our subdivision to get to the station.

All of the arguments presented at the time they sought the original permit remain valid, and are enhanced by the changes made to Baldwin Rd. Also, they got their building permit in no small part because they agreed to forego the plan for a Hidden Timber driveway, and that must be taken into consideration and weighed against granting their request.

I regret I will be unable to attend the December 16 meeting to protest in person, but I do want to make known, by this message, my strong opposition to the proposed driveway.

Thank you.

John M. Santeramo

RECEIVED
DEC 08 2020
Orion Township Planning & Zoning
Debra Walton

From: Dana Tousley <danoid@ameritech.net>
Sent: Tuesday, December 8, 2020 8:31 PM
To: Bparkside@gmail.com; Debra Walton
Subject: PC-2020-26 Wow Gas Station Driveway to Hidden Timber
Attachments: PC-2020-26 Wow Gas Station Driveway to Hidden Timber.pptx

Gentlemen,

On viewing this proposal, I'm forced to ask, "Why?" I'm sure the owner has a reason, but to me it runs counter to common sense to divert traffic onto a side road in exclusion of the main entrance.

Also, being a truck driver and an engineer, I rather immediately noticed a potential safety issue with restricting traffic to a single entrance on the side road. There is insufficient room in the parking lot for many delivery truck sizes, forcing a portion of, or all, delivery trucks to be backing up, either in a parking lot with pedestrians, or on Hidden Timber itself.

A picture is always worth a thousand words, so I've documented my concerns with a crude PowerPoint.

Thanks,

Dana Tousley
3773 Forest Spring Dr.

From: LFHA Board <lakeforestboard@gmail.com>
Date: December 8, 2020 at 1:17:38 PM EST
To: LFHA Board <lakeforestboard@gmail.com>
Subject: Lake Forest Important News & Notes - Important Attachments

Hello Lake Forest Neighbors,

Two important attachments with this email. Please read both carefully.

Our 2021 Dues Letters have been mailed out via the US Post Office. You should have received one over the weekend. We have also attached a digital copy of the LFHA 2021 Dues Letter to this email for your convenience. Please note that the amount of the LFHA dues have remained the same as last year ($400 per year) and payment to LFHA should be received on or before Jan 31, 2021 to avoid late fees. You may send in payment via check or mail or use PayPal. If using PayPal please indicate your name, address, and lot # as a comment. We do not support other electronic payment methods at this time such as Venmo. PayPal or check are the two viable options.

Interest rates are low and there has been a large amount of refinancing and property sale activity within Lake Forest. If you require a Status Letter from the Board to support a refinance or sales transaction, we are very happy to provide you with one at no cost. Please recognize that all LFHA Board members work full time, so this may take a day or two and most likely will happen in the evening. Please plan accordingly! For example, the evening before Thanksgiving or the day before Christmas Eve may not be the best time for the quickest turn around. Often these
lenders use their own unique form, different from others, and it takes a bit of time to answer appropriately. The good news is we see a steady increase in transaction prices of our homes. We are excited to invite many new neighbors to the Lake Forest community.

The street sign was run over at the intersection of Forest Spring and Hidden Timber. There are tire tracks up on the lawn of Riverside and Hidden Timber. These events happened during the snow event of last week when the roads were slick. People are driving too fast for the road conditions. If vehicles are leaving the road, that is extremely careless. If you see this happen (or one of your cameras), please contact the Sheriff and take note of the license plate, etc. Unfortunately, our snow provider did not salt during this seasonal first event. We talked to them. They were out on the weekend placing plow stakes. Our policy is to salt these intersections as a tool to prevent this. We focus on the intersections because the cost to salt all the road surfaces would blow our budget out of the water. As winter approaches, please slow down! The Board has contacted the Road Commission for repair and the Oakland County Sheriff for awareness. The sign which is tipped over and a bit "sheared: could have sharp metal edges, so it would be a good idea to keep your children away from the sign on the ground and discourage touching.

We also suffered vandalism of the sign spotlights off a Maybee a couple of months ago. Both lights were deliberately stepped on and broken off. We used the opportunity to lower the lights which we thought were too high to be aesthetically pleasing. If your cameras noticed anything or can point us in the direction of who was involved, please share. Vandalism results in spending additional monies not planned and wastes our time in terms of getting them fixed. We would rather spend our time on different things.

Please see the attached letter from resident Bruce Parker. This is related to the Wow Gas station on the corner of Hidden Timber and Baldwin. There is a request under review by the Orion Planning Commission to allow an entrance to be added off of Hidden Timber. A public meeting will be held on Wed Dec 16, 2020 at 7:05 PM. If you have questions or concerns on this issue as stated in the letter from Bruce, please feel free to reach out to Bruce Parker directly at Bparkside@gmail.com or call him (248) 842-6022. If you have strong opinions (for or against), we would encourage you to voice your thoughts to the Orion Planning Commission. You may also reach the Orion Planning Commission via email at dwalton@oriontownship.org or send a letter to the planning commission via US mail to Orion Township Hall 2525 Joslyn Road: Attention Planning Commission: PC-2020-26 Wow Gas Station, if you do not attend the public forum. There are multiple avenues for you to funnel your thoughts on this topic to the Orion Planning Commission.

Last but not least, we would like to thank Zoe and Matt Darrin for the Holiday Christmas Lights again this year. Every year they are on top of this. They look great.
As the year draws to a close, we hope everyone enjoys the Holidays and please be safe.

Hopefully we will be able to hold an in person annual meeting next May at the Library.

Regards,
LFHA BOD
Pardon the crudity of my drawing, but the ‘official’ drawing has the text, “THIS DRAWING IS THE PROPERTY OF KEIFT ENGINEERING, INC. AND MAY NOT BE USED” blah blah blah. I’m pretty sure they wouldn’t give me permission to call them what I am going to. Hopefully you get the idea.

It appears the underground fuel fill is at the green circles / squares.

The existing double entrance gives a delivery driver an entrance and an exit. Changing this to a single entrance give the delivery driver (fuel, beverages, chips, whatever) less than half the options. It gives them zero options that don’t involve backing up.
Let's assume the fuel delivery people have some sanity.
That leaves, at least for fuel, something like a 4400 gallon delivery truck (not perfectly to scale but...)

The driver can easily drive in, but then what?
Or, my preference as a driver, do the difficult maneuver *first.*
In either case you will have trucks backing up in, or out into Hidden Timber. It's practically unavoidable.

It's also virtually assured that all drivers of little grey cars will be completely patient with trucks backing up and not try to sneak behind...
And all bets are off if the chips dude is already there...

This proposal has no benefits, only potential problems.

“No one should be allowed to draw a parking lot without first obtaining their CDL.” – Dana Tousley Jr.
Debra Walton

From: James Owings <jowings@us.ibm.com>
Sent: Thursday, December 10, 2020 10:17 AM
To: Debra Walton

Dear Ms. Walton,

I am writing as both a resident of the Lake Forest subdivision at Maybee and Baldwin roads and an attorney. The special land use permit requested by WoW gas station at the corner of Baldwin Road and Hidden Timber Drive should be denied. This land use was initially proposed by the owners of the WoW property in September of 2013 and was highly contested, resulting in the owner’s withdrawal of such land use permit in order to obtain the planning commission’s approval of their proposed building. The planning commission cannot allow them to now seek that which was denied seven years ago.

If anything, the objections to such special land use, and the basis for its denial in 2013, have increased significantly. The WoW owners are attempting to create an ingress/egress onto Hidden Timber Dr. which will effectively turn our subdivision into a thruway. During much of the Baldwin Road construction the last few years, the traffic through our subdivision has dramatically increased making it a major thoroughfare rather than a safe local road (see Charter Township of Orion Ordinance No. 27, Subdivision Regulations defining roads). The Township should look to other local municipalities such as Rochester, Birmingham and Troy, who seek to protect the residents of their neighborhoods that abut major thoroughfares by posting, and enforcing, "No Thru Traffic" signs at the ingress/egress to such subdivisions. There are one hundred sixteen (116) homes in Lake Forest, mostly of families with children of various ages. Turning Lake Forest into a thruway or thoroughfare, so patrons may more readily buy their liquor from the WoW party store is an affront to each and every one of those 116 home owners who chose a quiet, safe subdivision within which to raise their families and whose combined property taxes paid to the Township far exceed that of this one commercial business.

The Planning Commission should also note that any correspondence from an officer of our homeowner’s association is solely the opinion/position of that person and does not represent the homeowners as a whole. For the above reasons, I respectfully request that the Planning Commission deny the subject special land use permit, PC-2020-26, requested by WoW.

James E. Owings
Counsel
IBM WATSON HEALTH

100 Phoenix Drive
Ann Arbor, MI 48108
Ph: 734-913-3217
jowings@us.ibm.com
Opposition in regards to WOW Gas Station proposed driveway to Hidden Timber Dr. PC-2020-26

Many of us (I recall at least a dozen homeowners and a HOA board member back in 2013) within the Lake Forest subdivision were opposed, myself included, to the initially planned vehicle access, site plan & overall re-construction back in ~ 2013. Now the proprietor is attempting to make their access point / driveway a reality that was previously denied. I believe their new plan will lead to increased traffic along the western part of Hidden Timber & all of Forrest Spring relative drivers not wanting to deal with roundabouts and looking to use our subdivision streets as a quicker route to access the gas station / convenience store, possibly with a complete disregard to the families and more importantly neighborhood children that use sidewalks, play park area and front yards in general. I partially base my theory upon the closure of Maybee Rd. this past summer, 2019 relative drivers looking to save a minute or two of drive-time. Many times within the past few years, I have viewed numerous vehicles driving quickly westbound along Hidden Timber, turn northbound on Forrest Spring and accelerate again! I’m wondering if that might be the cause of the street sign being knocked down and a few trees that have been struck at the intersection the past few years. When we first moved to Lake Forrest in October 2010, our youngest was an infant and we didn’t really notice the traffic volume the first year or two residing here. Now that our children are 7 and 12, actively using our front yard, playing with other children, using the play park area, using the sidewalks to get to other homes within our subdivision, we really notice the increase in traffic volume and the speed of vehicles using our subdivision as a pass through. I have no clue what all of the residents drive relative make and model but at times, it is quite obvious those who are residents (or other subdivision homeowners) respect safe driving conditions versus those that do not reside within Lake Forest and couldn’t care less they are traveling through a residential subdivision. I have reached out in the past to local sheriff sub- station officers relative potential traffic violations and careless driving actions, they try their best with increased patrols.

Additionally, I would like to mention the landscaping plans from 2013 for the gas station / convenience store. They were supposed to create “green” visual coverage of the building structure that was never adhered to, especially the rear / Eastern exposure! It is bad enough the proprietor can’t even keep the litter controlled, trash cans emptied or even the weeds in their grass maintained, more importantly plant the ~ eleven 14 foot white pine evergreen trees across the backside that they agreed to ~7 years ago per the landscaping plan on file with the township!

Sincerely,
Chris Wilding & Mary Krezel
3159 Hidden Timber Dr.
Hello,

We would like to strongly voice our opposition to the newly proposed Wow passage way to Hidden Timber Drive. There are many, many children that play in that area and we do not need speeding cars and general traffic on this street and on the adjoining Forest Spring Drive that leads to Maybee Road. The safety of our children and other pedestrians should come first. PERIOD.

Also, please let it be known that we concur with 100% of the points in Bruce Parker’s letter and will sign his petition that will be presented to the Trustees.

Regards,

Tony and Stacy Parillo (20 year residents)
3701 Forest Spring Drive
Orion, MI 48359
Hello,

I am writing to you to express my concerns and opposition to the proposed addition of a driveway entrance to the Wow gas station off of Hidden Timber Dr.

My main opposition to this is due to the increased traffic this will generate through our subdivision. Our subdivision is filled with kids and pets and the extra traffic this will generate is a danger to them. As the application states, Mr. Sharrak is requesting this to improve access to the store from our subdivision due to the Baldwin road changes. I do not want this improved access. I am perfectly willing to follow the two round-about route to get to the store if I need to. The proposed entrance on Hidden Timber Dr. will mainly lead to people outside of our subdivision taking Forest Spring or Riverside to Hidden Timber as a short cut to get to the Wow without going onto Baldwin Rd. This is clearly not what our subdivision streets are intended for. We will have vehicles use the shortcuts above to gain access from Maybe, Flintridge, Joslyn, Judah Lake subdivision and more. This is not necessary and increases the risk from traffic to our families and property.

We already have several incidents each year involving poor driving and property damage. Recent incidents include a car sliding through the intersection and knocking down the road sign post.

Also, last year we had a car hit a tree on the easement in front of our house and come up onto our yard.

My final argument is that Mr. Sharrak and the Wow station have not been great neighbors. They did not meet the approved plans for the original site and they often have unsightly trash around the building. In regards to the original approved plans, there are several planned trees which were not planted to help cover the rear of the building. Coming out of the sub, you just see a giant wall of a building.

This is what the rear of the building was supposed to look like:
They were supposed to include (9) Large White Pine trees to cover the rear of the building:

This is what the actual rear of the building looks like:
There is often trash on the side and back of the building and the trees they were supposed to plant would have helped to break up this brick wall and hide the utility boxes. This is not the type of view we want for our subdivision.

Please help keep our subdivision safe and deny the Wow request for an added driveway.

Thank you,
Mike Mollan & Family
3124 Hidden Timber Dr.
Mobile: +1 (248) 379-5662
michael.mollan@us.abb.com
Hi,----

I strongly disagree with this proposal, it will increase traffic into the subdivision & cause accidents. That's why I strongly disagree with it.

Kuldip & Rajpal Sandhu
3032 Hidden Timber Drive,
Orion, Mi 48358
December 12, 2020

VIA EMAIL AT dwalton@oriontownship.org

Debra Walton,
Planning & Zoning Clerk
Orion Township Planning Commission
2525 Joslyn Road
Orion Township, MI 48359

RE: PC-2020-26 WOW Gas Station Proposed Special Land Use Permit to Move Northernmost Driveway from Baldwin Road to Hidden Timber Drive ("Proposed Permit")

Dear Ms. Walton:

We have been residents of Hidden Timber Drive in Orion Township for approximately 20 years when we constructed our family home. At that time, the Gingellville community had a charming, small town character with rolling hills along Baldwin Road with many large, mature trees. We used the small Clark gas station at the corner of Baldwin Road as wayfinding to our home.

Over time, this community has grown with continued development. Baldwin went from a 2-lane road with rolling hills to a 4-lane boulevard with medians and multiple roundabouts. The once small Clark gas station expanded greatly to the current WOW gas station. Back in 2013, we objected to the original WOW expansion. Since the original WOW expansion, traffic on Baldwin and through our once hidden neighborhood has exponentially increased.

We now find ourselves renewing our objection to another WOW request. WOW’s Proposed Permit for the following reasons:

1. With the increased lanes constructed on Baldwin resulting in many roundabouts, we have seen increased traffic through Hidden Timber Drive and adjoining streets within the Lake Forest and Estates of Lake Forest Subdivision ("Subdivision"). It is our perception that our Subdivision has now become a short-cut to avoid the one-way nature of Baldwin Road and/or the multiple round-abouts.

2. Similar to many Orion Township neighborhoods, we are a Subdivision with many children residing, including disabled children like our daughter. Given the pandemic, you often could see children playing outside especially during warmer weather. We have seen and been concerned about the increased traffic from the Baldwin Road construction through our Subdivision. By approving the Proposed Permit, you only would be increasing traffic flow in our Subdivision for the sake of WOW’s business
convenience, which alone is not a compelling justification notwithstanding WOW’s prior non-compliance with Planning Commission conditions.

3. With its original November 20, 2013 approval of the WOW expansion, the Orion Township found that “the proposed site plan is not in compliance with the zoning ordinance.” To mitigate this finding, the Planning Commission approved the original 2013 expansion with several requirements of WOW. Along the eastern property line along Hidden Timber Drive (and not Baldwin Road), WOW was to include vegetation to appropriately shield its residential neighbors from the increased business. Please, come see for yourselves WOW’s compliance. This requirement was neither achieved by WOW nor enforced by the Orion Township Planning Commission. Given this past non-compliance for seven (7) years, any requirements you may impose on the approval of the Proposed Permit likely would be disregarded again by WOW.

4. While the Township may see increased tax benefit for commercial expansion, this benefit is at the expense of your residential homeowners. Hidden Timber Drive and adjoining streets within the Subdivision are not well maintained by the County but instead paid for by the Subdivision residents. Due to this lack of County maintenance, each Subdivision homeowner pays for its pro rata share for road repairs and maintenance including but not limited to sealing road cracks, plowing and salting. In exchange for increased business to the WOW gas station, you are burdening each Subdivision homeowner with increased traffic, decreased safety and increased costs paid by us for further street deterioration without compensation for WOW’s benefit. Residential homeowners should not bear the costs generated by a commercial business.

For these and other reasons cited, the Proposed Permit should be denied by the Orion Township Planning Commission. Not only has WOW failed to comply with the original requirements of its 2013 expansion approval, we and the other Subdivision homeowners never contemplated that we would subsidize a commercial business at the end of our privately maintained streets. For WOW to make such unreasonable additional requests given its prior and deliberate non-compliance is a complete lack of respect and disregard for not only the safety but the additional financial burden imposed on its residential neighbors for its business gain without compensation.

We respectfully request that the Orion Township Planning Commission not only deny the Proposed Permit but also seek enforcement against WOW for its deliberate failure to comply with the original conditions imposed for its 2013 expansion.

Best regards,

Valerie S. Rup                                         Christopher J. Kawa

cc: Bruce Parker, via email Bparkside@gmail.com
     Chris Wilding, via email cawilding@sbcglobal.net
From: Matraca Montavon <matracamontavon@gmail.com>
Sent: Sunday, December 13, 2020 10:57 AM
To: Debra Walton
Cc: Mike Kolb
Subject: WoW Gas Station Special Land Use Permit

Hello,

My name is Matraca Kolb and I speak on behalf of the Kolb Family, located at Lot #64, 2925 Riverside Drive, Lake Orion MI 48359.

I would like to electronically attach my signature in support of Mr. Owings' email below.

My household does not support the special land use permit requested by WoW gas station.

Thank you,

Matraca and Michael Kolb

-----Forwarded by James Owings/Detroit/IBM on 12/10/2020 10:20AM-----

To: dwalton@oriontownship.org <dwalton@oriontownship.org>
From: James Owings/Detroit/IBM
Date: 12/10/2020 10:16AM
Subject: (Untitled)

Dear Ms. Walton,

I am writing as both a resident of the Lake Forest subdivision at Maybee and Baldwin roads and an attorney. The special land use permit requested by WoW gas station at the corner of Baldwin Road and Hidden Timber Drive should be denied. This land use was initially proposed by the owners of the WoW property in September of 2013 and was highly contested, resulting in the owner's withdrawal of such land
use permit in order to obtain the planning commission's approval of their proposed building. The planning commission cannot allow them to now seek that which was denied seven years ago.

If anything, the objections to such special land use, and the basis for its denial in 2013, have increased significantly. The WoW owners are attempting to create an ingress/egress onto Hidden Timber Dr. which will effectively turn our subdivision into a thruway. During much of the Baldwin Road construction the last few years, the traffic through our subdivision has dramatically increased making it a major thoroughfare rather than a safe local road (see Charter Township of Orion Ordinance No. 27, Subdivision Regulations defining roads). The Township should look to other local municipalities such as Rochester, Birmingham and Troy, who seek to protect the residents of their neighborhoods that abut major thoroughfares by posting, and enforcing, "No Thru Traffic" signs at the ingress/egress to such subdivisions. There are one hundred sixteen (116) homes in Lake Forest, mostly of families with children of various ages. Turning Lake Forest into a thruway or thoroughfare, so patrons may more readily buy [please note edited by LFHA to: "products" from another term which may offend some] from the WoW party store is an affront to each and every one of those 116 home owners who chose a quiet, safe subdivision within which to raise their families and whose combined property taxes paid to the Township far exceed that of this one commercial business.

The Planning Commission should also note that any correspondence from an officer of our homeowner's association is solely the opinion/position of that person and does not represent the homeowners as a whole. For the above reasons, I respectfully request that the Planning Commission deny the subject special land use permit, PC-2020-26, requested by WoW.

James E. Owings
Counsel
IBM WATSON HEALTH

100 Phoenix Drive
Ann Arbor, MI 48108
Ph: 734-913-3217
jowings@us.ibm.com
Ms. Walton,

We are residents of the Lake Forest subdivision. Please accept this as our "e signature" in support of the request to deny the special land use permit submitted by WoW gas station at the corner of Baldwin Road and Hidden Timber, for an ingress/egress onto Hidden Timber Drive.

John and Heidi Jancek
2911 Riverside Dr, Lake Orion, MI 48359

---------- Forwarded message ----------
From: Heidi Jancek <hwild728@gmail.com>
Date: Sun, Dec 13, 2020 at 11:51 AM
Subject: Wow Special Land Use Permit, PC-2020-26
To: Lfha Board <lakeforestboard@gmail.com>, <lowings@us.ibm.com>
Cc: Jack Jancek <jackjancek820@gmail.com>

LFHA Board and James Owings,
We live at 2911 Riverside Dr, Lake Orion, MI 48359, and support James Owings' in his objection to the WoW gas station request for a special land use permit. We do not feel that allowing an ingress/egress onto Hidden Timber Drive, which would allow more traffic through our subdivision, is safe for the families and residents. We are in support of the LFHA Board to advocate on behalf of our homeowners should you get the 51% majority in agreement.

John and Heidi Jancek
2911 Riverside Dr, Lake Orion, MI 48359
Dear Ms. Walton,

I am writing as a resident of the Lake Forest subdivision at Maybee and Baldwin roads. The special land use permit requested by WoW gas station at the corner of Baldwin Road and Hidden Timber Drive should be denied. This land use was initially proposed by the owners of the WoW property in September of 2013 and was highly contested, resulting in the owner's withdrawal of such land use permit in order to obtain the planning commission's approval of their proposed building. The planning commission cannot allow them to now seek that which was denied seven years ago.

If anything, the objections to such special land use, and the basis for its denial in 2013, have increased significantly. The WoW owners are attempting to create an ingress/egress onto Hidden Timber Dr. which will effectively turn our subdivision into a thruway. During much of the Baldwin Road construction the last few years, the traffic through our subdivision has dramatically increased making it a major thoroughfare rather than a safe local road (see Charter Township of Orion Ordinance No. 27, Subdivision Regulations defining roads). The Township should look to other local municipalities such as Rochester, Birmingham and Troy, who seek to protect the residents of their neighborhoods that abut major thoroughfares by posting, and enforcing, "No Thru Traffic" signs at the ingress/egress to such subdivisions. There are one hundred sixteen (116) homes in Lake Forest, mostly of families with children of various ages. Turning Lake Forest into a thruway or thoroughfare, so patrons may more readily buy alcohol from the WoW party store is an affront to each and every one of those 116 home owners who chose a quiet, safe subdivision within which to raise their families and whose combined property taxes paid to the Township far exceed that of this one commercial business.

I respectfully request that the Planning Commission deny the subject special land use permit, PC-2020-26, requested by WoW.

Sincerely,
Calum & Heather Maclean
3130 Hidden Timber Drive
Lake Orion, MI 48359
248-977-1840
To: The Charter Township of Orion Planning Commission  
From: Andrew & Licia Beemer  
Date: December 13, 2020  
RE: PC-2020-26, WoW Gas Station Special Land Use & Site Plan

We are vehemently opposed to the application to modify the existing Special Land Use submitted under PC-2020-26. As residents of the Lake Forest subdivision that is adjacent to the WoW Gas Station property, we believe the proposed addition of a driveway from the property to Hidden Timber Dr. will negatively effect all residents. The addition of a driveway is not compatible with the adjacent use of the property in that Hidden Timber is the main roadway of a residential subdivision and does not service any other users; the addition of a driveway will have an adverse impact on traffic on this residential-only street; and the addition of a driveway will have detrimental effects to the residential property and residents of the neighborhood it services.

In 2013, this Commission denied the applicant’s original Special Land Use and Site Plan application to add this same driveway to Hidden Timber Drive. The applicant now claims the recent Baldwin Road reconfiguration has resulted in difficulty accessing the site from Hidden Timber. Applicant specifically states in his application that the intent of the driveway is to provide access for the adjacent residential neighborhood. I’m sure the reconfiguration of Baldwin Road has created difficulties for any number of businesses along the corridor, and I’m sure they would all like to have easier access, but the WoW gas station does not derive the majority of its business from the residents of Lake Forest. No one I’ve spoken to in this subdivision is concerned about accessing the property.

This business resides in a General Business zone. This zoning requires a design which will not impact the flow of traffic or traffic safety. In addition, the zoning requires restrictions to minimize a business’ impact upon the community. The Planning Commission considered this in 2013 and denied the applicants request for the driveway, which applicant agreed to; nothing has changed.

Hidden Timber Drive was originally built, and still serves, to only provide access to a residential neighborhood of 116 homes. Applicant is attempting to re-designate it as a bypass to Baldwin Road for traffic outside of the one neighborhood it is designed to serve. Adding this new driveway will provide incentive for motorists coming from and going to Maybee and Mueller roads to use the residential subdivision as a cut-through, resulting in additional traffic on Hidden Timber and Forest Spring drives. This is a neighborhood of families with children. Forest Spring is bordered by a playground. An increase in traffic will result in a negative impact on the safety of the neighborhood. These streets are not designed as, nor intended to be, a primary thoroughfare.

We saw this negative impact during the Baldwin Road construction project. Many motorists used the streets in the subdivision as a cut-through to avoid the construction. Many motorists, not from the neighborhood, sped through the neighborhood. The sheriff’s department increased patrols to help monitor this unsafe activity. We also see this negative impact in the street signs and trees that are struck every year by vehicles (that flee the scene) sliding off the streets due to their speed during poor weather conditions.
We also question the negative impact a driveway will have on the stacking of cars at the intersection of Baldwin Road. We estimate that only 2-3 cars can safely stack between the proposed driveway and Baldwin. This will inevitably lead to cars pulling out of the driveway and blocking Hidden Timber for incoming motorists, or creating a long line of cars attempting to exit our subdivision. That same goes for delivery trucks, especially the gas haulers. They will no doubt want to use the new driveway and pull onto Hidden Timber, a roadway not designed for that length and weight of vehicle, much less one trying to make a sharp turn.

Finally, we also want to mention the landscaping at the location. The 2013 SLU was approved with conditions that the applicant provide significant and specific plantings, evergreen trees, along the east side of the property to provide screening and aesthetic appeal with the neighborhood. The applicant never fulfilled his legal requirement. Instead, we see a handful of 5-foot deciduous trees. The current landscaping pales in comparison to what was submitted by the applicant in 2013 in his architectural plans. It is clear the applicant is not here to help his neighbors, as he alludes to in his application.

In 2013, this Commission researched and made a decision on the same request for a driveway. The Commission and the applicant agreed to remove it from the SLU and Site Plan. Nothing has changed. We request the Planning Commission deny the current application.

Regards,

Andrew & Licia Beemer
3071 Hidden Timber Dr.
Lake Orion, MI 48359
Debra Walton

From: STEVE SINGER <swsmas@comcast.net>
Sent: Monday, December 14, 2020 8:03 AM
To: Debra Walton
Subject: Attention Planning Commission: PC-2020-26 Wow Gas Station

Orion Planning Commission,

We strongly oppose the request from Wow gas station to add a drive to Hidden Timbers. This was rejected years ago when they rebuilt the gas station. The reasons now not to have access to the Lake Forest sub would be more of a concern due to the newer families in the subdivision with more children and the original small children grown up playing in the subdivision and riding their bikes in the streets. We live across the street of the community playground on Forest Spring and each year we see more kids playing there. We see families from other subs coming to play on the play ground as well. Unfortunately many people already cut through our sub, and this proposed drive would only increase the traffic. Many people that cut through think the 25 mph speed limit is a suggestion and drive much faster. We do not think that the request from Wow is more important than the safety of bike riders or a child chasing a ball from the play ground into the street.

The safety of all people should outweigh the small inconvenience of people staying on the main roads driving a car or truck to get gas... and not cut through the sub. We hope that the planning commission rejects this proposal.

Thank you in advance,

Steve - Marcy Singer
3556 Forest Spring (Lot #50)
Orion, MI 48359-1590
248-770-7323
Dear Ms. Walton,

I am writing this letter both as a resident of the Lake Forest Subdivision and a taxpayer of Orion Township. The special land use permit requested by WoW gas station at the corner of Baldwin Road and Hidden Timber Drive should be denied. This land use was initially proposed by the owners of the WoW property in September of 2013 and was highly contested, resulting in the owner's withdrawal of such land use permit in order to obtain the planning commission's approval of their proposed building. The planning commission cannot allow them to now seek that which was denied seven years ago.

If anything, the objections to such special land use, and the basis for its denial in 2013, have increased significantly. The traffic on Baldwin road (north, south) has been segregated and requires the use of round-abouts to change direction. The WoW owners are attempting to create an ingress/egress onto Hidden Timber Dr., which will effectively turn our subdivision into a thruway. All of the residents from the north of Maybee road to those that directly connect to it, would be able to effectively "short circuit" the need to travel through or to separate Baldwin road round-abouts to gain access to the Wow business. In addition, this likely will draw more traffic into the subdivision from other points of entry such as Mueller road in an attempt to circumvent the Baldwin road traffic features. Most drivers will consider less distance and less time in any specific route as a benefit and modify their behaviors accordingly.

During much of the Baldwin Road construction the last few years, the traffic through our subdivision has dramatically increased making it a major thoroughfare rather than a safe local road (see Charter Township of Orion Ordinance No. 27, Subdivision Regulations defining roads). The Township should look to other local municipalities such as Rochester, Birmingham and Troy, who seek to protect the residents of their neighborhoods that abut major thoroughfares by posting, and enforcing, "No Thru Traffic" signs at the ingress/egress to such subdivisions and above and beyond all other considerations do NOT allow for the design or layout of the road system to ENCOURAGE it! There are one hundred sixteen (116) homes in Lake Forest, mostly of families with children of various ages. Turning Lake Forest into a thruway or thoroughfare, so patrons may access the WOW Station more readily is an affront to each and every one of those 116 home owners who chose a quiet, safe subdivision within which to raise their families and whose combined property taxes paid to the Township far exceed that of this one commercial business.

I will also call to attention the frequency that our Lake Forest residential community has road signs and trees run down by automobiles at our intersections (Hidden Timber/ Forest Spring & Hidden Timber/Riverside) whenever the road conditions become less than perfect (slick). We do not see similar issues in areas of our Lake Forest subdivision where "No Outlet" conditions exist. I suppose we may gain some comfort that the damage thus far has been limited to property alone; but given the large number of pedestrians in the subdivision, walking at any given time of the day or night, the increased amount of risk imposed by Thru Traffic on Lake Forest residents is REAL and our concerns are quite justifiable. The Road Commission for Oakland county should be able to provide to you the history of our road sign replacement (last week being the most recent) as well as quantify what amount of traffic is cut-thru for easy access to Baldwin/Maybee/Mueller. If these studies have not been completed, I think it would responsible to do so. Approving any such changes without closely examining these sources of quantifiable data in fact would be quite irresponsible.

For the above reasons, I respectfully request that the Planning Commission deny the subject special land use permit, PC-2020-26, requested by WoW.
Regards,

Timothy P. Philippart

Timothy P. Philippart

2880 Riverside Drive
Orion, MI
48359
Hi Ms Walton,

We live in the Lake Forest subdivision at 3015 Hidden Timber Dr. After hearing about the above referenced permit we want to voice our strong opposition and ask this permit be denied.

Allowing this access will turn our quiet neighborhood into a thruway for people circumventing the roundabouts and getting to the gas station. They are many children in the neighborhood who play outside, ride bikes, etc and their safety would be in danger.

We also fear this will hurt our property values. No one wants to live in a sub with terrible traffic, increase in litter, and we know people cutting through will not be going 25mph.

We don't know what the objective of the planning and zoning commission is, but we assume safety of the residents and protecting property values are at the top of the list. Approving this permit would be a contradiction to those 2 items.

This may not seem like big deal, but it has become ever more important to not let access to the station from Hidden Timber with all the roundabouts. It’s the volume of cars from the station that will be a nightmare on the street we live on.

We would ask you to consider how you would feel if you lived on this street. I can assure you all of the sub division feels this way, but many are distracted with the pandemic and all the other craziness in the world.

Thanks for you time and please consider our request top deny this permit.

Jeff and Cori Hazen
3015 Hidden Timber Dr
Orion Township, MI 48359
248-961-0609
SITE PLAN

CLARK GAS STATION

PART OF THE SOUTHWEST 1/4 OF SECTION 29, T-4-N, R-10-E,
ORION TOWNSHIP, OAKLAND COUNTY, MICHIGAN

ENGINEER & SURVEYOR
KIEFT ENGINEERING, INC.
5852 SOUTH MAIN STREET
CLARKSTON, MICHIGAN 48346
PHONE (248) 625-5251
FAX # (248) 625-7110
ATTN: PATRICK C. McWILLIAMS
EMAIL: pmcwilliams@kiefteng.com

LEGAL DESCRIPTION
PARCEL: 29-29-326-0
THE SOUTH 300 FT OF THE WEST 327 FT OF LOT 1, EXCEPT THE WEST 27 FT TAKEN
FOR BALDWIN ROAD. SUPERVISOR'S PLAT NO. 27, AS RECORDED IN LIBER 53 OF
PLATS, PAGE 26, OAKLAND COUNTY RECORDS.

PROPRIETOR
CLARK-ORION INC.
3865 S. BALDWIN ROAD
ORION TOWNSHIP, MICHIGAN 48359
OWNER: IVAN SHARRAK
(586) 557-8843
PROJECT MANAGER/COORDINATOR
SALAM KALABAT
(248) 320-9001

LOCATION MAP

SHEET: 1 of 2

APPRAISALS

AGENCY
ORION TOWNSHIP
ORION TOWNSHIP
MICHIGAN DEPT. OF ENVIRONMENTAL QUALITY
ROAD COMMISSION FOR OAKLAND COUNTY

DESCRIPTION
ENGINEERING APPROVAL (O.A.M.)
SOIL EROSION PERMIT NO.
K.P.E.C.S. NOTICE OF COVER
APPROACH & SAFETY PATH PERMIT NO.

APPROVED
CLARK TOWNSHIP OF GRASS
Planning Commission
3-16-15

REVISION INDEX

I

1 104-29-08-0-0

SHEET INDEX

1) COVER SHEET
2) EXISTING CONDITIONS PLAN & BENCHMARKS
3) SITE PLAN
4) CALCULATIONS & DETAILS

PROJECT SCOPE

THE EXISTING GAS STATION SITE WILL BE UPGRADED TO THE FOLLOWING:
- THE BUILDING EXISTING AND CURING, ETC. WILL BE ADDED WITH THE
  EXCEPTION OF THE CONCRETE BASE, CONCRETE & GAS TANKS WHICH WILL
  BE MAINTAINED.
- A NEW SOIL EROSION WALL WILL BE CONSTRUCTED TO CONTROL THE GAS STATION
  ALONG WITH DRAINAGE.
- A NEW APPROACH PAVEMENT WILL BE CONSTRUCTED ALONG WITH CONCRETE CURB
  AND SLAB TO PROVIDE A DURABLE SURFACE.
- DEPLETION PERMIT 1/10 YEAR WILL BE PROVIDED INCLUDING AN OUTLET
  FLOWING OFF SITE TO AN I/A STORM SYSTEM WHICH DISCHARGES INTO
  DEPRESSION DRAINAGE DITCH OUTERLINE THE LITE PARKED COURTSIDE SITE.
- A NEW APPROACH PAVEMENT WILL BE CONSTRUCTED ALONG BALDWIN DRIVE.
- A NEW Approach & Safety Path Will be Constructed Along Balidan Road
  & A Paved Concrete Sidewalk Will be Constructed Along Hidden Tunnel Drive.

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4) CALCULATIONS & DETAILS

PROJECT SCOPE

THE EXISTING GAS STATION SITE WILL BE UPGRADED TO THE FOLLOWING:
- THE BUILDING EXISTING AND CURING, ETC. WILL BE ADDED WITH THE
  EXCEPTION OF THE CONCRETE BASE, CONCRETE & GAS TANKS WHICH WILL
  BE MAINTAINED.
- A NEW SOIL EROSION WALL WILL BE CONSTRUCTED TO CONTROL THE GAS STATION
  ALONG WITH DRAINAGE.
- A NEW APPROACH PAVEMENT WILL BE CONSTRUCTED ALONG WITH CONCRETE CURB
  AND SLAB TO PROVIDE A DURABLE SURFACE.
- DEPLETION PERMIT 1/10 YEAR WILL BE PROVIDED INCLUDING AN OUTLET
  FLOWING OFF SITE TO AN I/A STORM SYSTEM WHICH DISCHARGES INTO
  DEPRESSION DRAINAGE DITCH OUTERLINE THE LITE PARKED COURTSIDE SITE.
- A NEW APPROACH PAVEMENT WILL BE CONSTRUCTED ALONG BALDWIN DRIVE.
- A NEW Approach & Safety Path Will be Constructed Along Balidan Road
  & A Paved Concrete Sidewalk Will be Constructed Along Hidden Tunnel Drive.

REVISION INDEX

I

1 104-29-08-0-0

SHEET INDEX

1) COVER SHEET
2) EXISTING CONDITIONS PLAN & BENCHMARKS
3) SITE PLAN
4) CALCULATIONS & DETAILS

PROJECT SCOPE

THE EXISTING GAS STATION SITE WILL BE UPGRADED TO THE FOLLOWING:
- THE BUILDING EXISTING AND CURING, ETC. WILL BE ADDED WITH THE
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- A NEW Approach & Safety Path Will be Constructed Along Balidan Road
  & A Paved Concrete Sidewalk Will be Constructed Along Hidden Tunnel Drive.
BENCHMARKS:

1. Line of SRT Surveyed Located at the
   Northwest Corner of Precincts

2. Line of SRT Surveyed Located at the
   NW Corner of Approaching Waters

3. Line of SRT Surveyed Located on the North
   Line of 200+/- Traveled 100’ - East

GROSS = 100.00

LEGEND

SANITARY TURF
RAMP
SANITARY VALVE
MANHOLE WELL
SANITARY CATCH BASIN
SANITARY POCKET
SANITARY SPRING
DRAINAGE TRENCH
DRAINAGE TROUGH
Sewer Catchbasin
Chemical catchbasin
Sanitary catchbasin
Drip irrigation
Sump Pump
ELEVATION=
GROSS 100.00

EXISTING CONDITIONS PLAN

KIEFT ENGINEERING, INC.

38 "ORION LAKE FOREST" DOC# 01113

"ORION LAKE FOREST" DOC# 01113

S 1/4 CORNER
SECTION 19
T4S, R11E
HIDDEN TIMBER DRIVE 60' WD.

1/LP1.0 planting details

4/LP1.0 planting details

DESTRUCTIVE TREE PLANTING DETAIL

SHRUB PLANTING DETAIL

CONIFEROUS TREE PLANTING DETAIL

3/LP1.0 tree protection fencing detail

2/LP1.0 parking lot screening pillar and fence detail

plant material list

<table>
<thead>
<tr>
<th>key</th>
<th>quant</th>
<th>botanical name</th>
<th>common name</th>
<th>size</th>
<th>diversity %</th>
<th>ordinance requirement</th>
</tr>
</thead>
</table>
| C.A | 3     | Acer negundo | dinner plate 
| C.B | 1     | Celtis occidentalis | hackberry | 2" CAL | 50 | RO. |
| C.D | 1     | Sassafras albidum | sassafras | 2" CAL | 100 | RO. |
| C.E | 1     | Zelkova serrata | zelkova | 2" CAL | 100 | RO. |
| O.T | 5     | Ornamental trees | | 2" CAL | 100 | RO. |
| O.T | 5     | Ornamental trees | | 2" CAL | 100 | RO. |
| S.P | 1000  | *Porch w/ railings | | 14' X 14' | 175 | RO. |
| S.P | 3     | Currant x Tamarix hybrids | Tamarisk | 5 GAL | - | RO. |
| L.T | 1     | Lobelia x hybrid | lobelia | 5 GAL | - | RO. |
| L.T | 1     | Lobelia x hybrid | lobelia | 5 GAL | - | RO. |
| L.T | 1     | Lobelia x hybrid | lobelia | 5 GAL | - | RO. |
| L.T | 1     | Lobelia x hybrid | lobelia | 5 GAL | - | RO. |

landscaping requirements

1/LP1.0 landscape plan - proposed

See detail site plan for existing trees to be removed.
Close Ex drive approach, construct curb and gutter along Baldwin Rd to match Existing.

Maintain existing sidewalk across existing driveway approach.

Construct curb & Gutter across driveway opening to separate parking lot from existing Sidewalk.
The Charter Township of Orion Planning Commission held a public hearing on Wednesday, September 18, 2013 at 7:05 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Carol Thurber, Chairwoman  Justin Dunaskiss, Vice-Chairman
John Steimel, BOT Rep. to PC  Don Walker, PC Rep. to ZBA
Karyn Pennington, Commissioner  Joe St. Henry, Commissioner

PLANNING COMMISSION MEMBER ABSENT:
Dick Christie, Secretary

CONSULTANTS PRESENT:
R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc.
James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Zoning/Planning Administrator

OTHERS PRESENT:
Iven Sharrak  Jerry Lilly  Richard Bonjar
Tom Schippert  Kim Rutila  Jim Wilson
Chris Wilding  Jill Potter  Jody Henry
Harold Flood  Steve Dorris  Susan Dorris
Robert LaChance  Bruce Parker  Naomi Freeman
Tim Moses  Linda Moses  Lee Kasyouhanan
Kevin Brandon  Michelle Koehneke  Salam Kalabat
Phoebe Schutz

Chairwoman Thurber opened the PC-2013-17, Clark-Orion, Inc. Gas Station Special Land Use Public Hearing at 7:05 p.m.

Mr. Kevin Brandon, of Preview Architecture and Planning, 570 E. Snell Road, Oakland Township, Michigan 48306, introduced Mr. Iven Sharrak (owner) and noted that they are representing Clark-Orion, Inc. He noted that Mr. Sharrak is going to demolish the existing building on the site and build a 5,600-square foot convenience store. The existing canopy and gas pumps will remain in place. They will close off one drive off of Baldwin Road and add an extra drive that will access Hidden Timber Drive. He then showed a site plan of the proposed project.

Mr. R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc., noted that the site is zoned General Business-1 (GB-1) and as such, gas stations and convenience stores are permitted as a special land use.

Mr. Brandon noted that they have addressed some of the review comments by Planner Wortman and they redesigned the exterior façade to meet the Gingellville Overlay District design standards.

Chairwoman Thurber offered time for public comments.
Ms. Kim Rutila, of 3611 Forest Spring, commented that she is the President of the Lake Forest Homeowners’ Association. She and many residents in their neighborhood are opposed to this project. She believes that it will bring more traffic issues and also cause more traffic to go through their neighborhood. She does not believe they need another neighborhood mini-mart and inquired whether they would be getting a liquor license. She also noted that the owner has not maintained the site well. It has trash and weeds. It needs painting and that the canopy and gas pumps look bad as well. She feels this would not be an appropriate use since there are many children in their neighborhood. She also inquired what the hours of operation will be. She then submitted her emails from their neighborhood residents.

Mrs. Susan Dorris, of 3172 Hidden Timber, commented that they live four houses away from the proposed project. She believes that the notification process needs to be looked at. She is concerned that the store may be too large for the lot size. She, too, is concerned about traffic issues and that the owner has not been a good neighbor. There is a big problem with weeds and garbage on the site. There is a storage shed that is behind the site that has not been maintained and is falling apart and now there are raccoons that have moved in there.

Mr. Robert LaChance, of 3190 Hidden Timber, commented that he is opposed to the special land use. He agrees with the comments made by Ms. Rutila and Mrs. Dorris. He doesn't believe that the neighborhood needs another party store. He doesn't want to see the trees removed and is concerned about having screening between the store and the neighborhood. Traffic issues are also a big concern.

Mrs. Dorris noted her concern regarding the condition of the gas tanks and inquired whether MDEQ or anyone will be checking them for any leakage, etc.

Ms. Michelle Koehneke, of 3278 Foothills Court, commented that the proposed project would negatively affect their property values, which may bring the value of the community down as well.

Mr. Scott Gies, of 2972 Crestwood Court, commented that he is opposed to this project and lives toward the back of the subdivision and has two children. He believes it's not a good idea to have access to a business like this near a subdivision. He is also very concerned about the traffic.

Mr. Bruce Parker, of 3154 Hidden Timber, commented that he is opposed to this project and does not see a need for this convenience store. He is concerned about the traffic and the safety of his children.

Mr. Chris Wilding, of 3159 Hidden Timber, commented that he is opposed to this project and he is concerned about the traffic and the safety of his children as well as a negative effect on their property values.

Mr. Tim Moses, of 3160 Hidden Timber Drive, commented that he is opposed to this project and agrees with the concerns that others have already spoken tonight, especially the traffic concerns.
Ms. Jody Henry, of 3191 Hidden Timber Drive, commented that she is opposed to this project and agrees with the concerns that others have already spoken tonight, especially their children's safety. She is also concerned with the existing site being such a mess.

Ms. Jill Potter, of 3178 Hidden Timber Drive, commented that she is opposed to this project and agrees with the concerns that others have already spoken tonight, especially her children's safety.

Ms. Linda Moses, of 3160 Hidden Timber Drive, commented that she agrees with everyone's comments and also that the stoplights on Gregory Road and Baldwin Road as well as on Maybee Road and Baldwin Road need to be adjusted to make a better flow of traffic. She is also very concerned for the many children in their neighborhood for their safety.

Mr. Lee Kasyouhanan, of Lee's Wine and Deli (used to be called Orion Wine and Deli), 3775 Baldwin Road, commented that he agrees with everyone's comments about the traffic. He noted that he has been there since 1997 and loves the community. He then presented a several page petition that had been signed by residents that are opposed to this proposed project*.

Mr. John Santeramo, of 2867 Riverside Drive, commented that they have to use Hidden Timber Drive to get to Baldwin Road from their home. He is especially concerned about the traffic issues.

Planner Wortman noted that since the applicant is requesting this new convenience store, they are required to get a special land use. The criteria is within the zoning ordinance, Section 30.02, by which the Planning Commission will need to evaluate the special land use and to consider such things as: compatibility with adjacent uses; compatibility with the Master Plan; public services; impact on traffic; detrimental effects; enhancement of the surrounding environment; and, isolation of existing land use, so that will be part of the Planning Commission's evaluation. However, the criteria does not address whether or not we need this type of business. That is not part of the Planning Commission's authority to review or a factor to get into. Section 30.02 specifies the criteria and it's upon that criteria that the Planning Commission will evaluate this. The Planning Commission can go through this deliberation here after the public hearing.

Chairwoman Thurber requested that the applicant address the traffic issues and noted that the Road Commission for Oakland County (RCOC) requested that drive onto Hidden Timber Drive.

Mr. Brandon commented that he agrees that RCOC did request the closure of one of the drives off of Baldwin Road for fewer curb cuts and did tell them to make another access drive off of Hidden Timber Drive. He does not believe that this would be considered a new destination, because the people that drive by are going to be the customers stopping to get gas or something from the store. It won't be new traffic that's not going by there already.

Mr. Salam Kalabat, K4 General Contractor, of 2496 Silverside, Waterford, Michigan, noted that he spoke with the RCOC and the two drives onto Baldwin
don't work well with the traffic. It is more dangerous to have that exit close to Hidden Timber Drive, so they had to close that second entrance point.

Chairwoman Thurber noted that the hours of operation will be discussed during the special land use review. She asked the applicant to address being a good neighbor and keeping up the appearance of his site.

Mr. Iven Sharrak, owner of Clark-Orion, Inc., resides at 6346 Orchard Lake Road, West Bloomfield, Michigan, commented that the site is an eyesore, but that is why they are doing this project, because it's hard to maintain an old site. They want to improve the site by building a new building, cement pad, gas pumps, etc. The underground gas tanks are made of fiberglass and have a 100-year shelf life and they are only twenty years old. They could stay at the site for another 80 years with nothing happening to them. The piping is also fiberglass. If the setback were ever taken by the RCOC to widen the road, they will never have to move the tanks since they're farther away from the road where they will never impact any setbacks. The hours will stay the same from 5:00 a.m. to 11:00 p.m. seven days a week. Also, they will be applying for a liquor license. Also, the canopy will remain and will be re-faced. They will tear down the gas pumps and islands as well as the concrete and asphalt and will replace it with mostly concrete and with asphalt.

Mr. Harold Flood, of 3560 Rohr Road, commented that he is representing the Gingellville Community Church. Regarding the liquor license applications for the State of Michigan, he believes that their site would be too close to their church to be granted. He noted that their church is opposed to Clark having a liquor license.

Mr. Sharrak noted that the State of Michigan has standards that are used to determine whether or not they are granted a liquor license.

Ms. Koehneke commented that she believes that the applicant should have a clean site. She is also concerned that drivers will use their street for a cut-thru. She believes that a liquor license would create an unsafe environment for the families in their subdivision.

Since there were no further public comments, Chairwoman Thurber closed the PC-2013-17 public hearing at 8:02 p.m.

Respectfully submitted,

Phoebe Schutz
PC/ZBA Recording Secretary
Charter Township of Orion

* Attachment
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, September 18, 2013 at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Carol Thurber, Chairwoman
John Steimel, BOT Rep. to PC
Karyn Pennington, Commissioner

PLANNING COMMISSION MEMBER ABSENT:
Dick Christie, Secretary

CONSULTANTS PRESENT:
R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc.
James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Zoning/Planning Administrator

OTHERS PRESENT:
Iven Sharrak
Jerry Lilly
Richard Bonjar
Tom Schippert
Kim Rutila
Jim Wilson
Chris Wilding
Jill Potter
Jody Henry
Harold Flood
Steve Dorris
Susan Dorris
Robert LaChance
Bruce Parker
Naomi Freeman
Tim Moses
Linda Moses
Lee Kasyouhanan
Michelle Koehneke
Phoebe Schutz

1. OPEN MEETING
Chairwoman Thurber called the regular meeting to order at 7:00 p.m.

2. ROLL CALL
Secretary Christie was absent.

3. MINUTES
Moved by Vice-Chairman Dunaskiss, supported by Commissioner Pennington to approve the September 4, 2013 regular meeting minutes as presented. Motion carried unanimously.

4. AGENDA REVIEW AND APPROVAL
Moved by Vice-Chairman Dunaskiss, supported by Commissioner Pennington to approve the agenda as amended, which is to remove agenda item #8,A. PC-2013-03, Kroger Fuel Facility as requested by the petitioner. Motion carried unanimously.

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY
No comments were given.

6. CONSENT AGENDA
No items.
Chairwoman Thurber recessed the regular meeting at 7:04 p.m. and opened the PC-2013-17, Clark-Orion, Inc. Gas Station Special Land Use Public Hearing at 7:05 p.m.

Chairwoman Thurber closed the PC-2013-17 public hearing and reconvened the regular meeting at 8:02 p.m.

7. NEW BUSINESS

A. PC-2013-17, Clark-Orion, Inc. Gas Station Special Land Use & Site Plan, 3865 S. Baldwin Road, Sidwell #09-29-326-016

Mr. Kevin Brandon, of Preview Architecture and Planning, 570 E. Snell Road, Oakland Township, Michigan 48306, commented that he and Mr. Iven Sharrak (owner) are representing Clark-Orion, Inc. Mr. Sharrak is going to demolish the existing building on the site and build a 5,600-square foot convenience store. The existing canopy and gas pumps will remain in place. They will close off one drive off of Baldwin Road and add an extra drive that will access Hidden Timber Drive.

Mr. R. Donald Wortman (Township Planner), of Carlisle/Wortman Associates, Inc., overviewed their Special Land Use Review correspondence, dated September 3, 2013*. The Planning Commission will need to determine if the special land use conditions are fully met. The following condition of approval should be considered: 1) Applicant should specify hours of operation. The Planning Commission should also review the special land use criteria to determine if the proposed use meets the criteria as specified in Section 30.02 of Zoning Ordinance No. 78. He noted that in the GB-1 zoning district, a gas station is only allowed as a special land use. The size of the building going from 600 square feet to 5,600 square feet also triggers a special land use.

Commissioner Steimel noted that this site is an existing non-conformity. If they were denied the special land use, this site could stay as it currently is for many years.

Commissioner Pennington inquired about the proposed access drive from Hidden Timber Drive.

Mr. James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc. noted he would agree that the proposed project would increase traffic somewhat, but not to the extent that it would trigger a traffic study being done. Also, that the Road Commission for Oakland County (RCOC) does have the authority to control access.

Commissioner Steimel noted that they can add conditions to their motion if desired.

Mr. Tim Moses, of 3160 Hidden Timber Drive, spoke in opposition to this proposed project.
Ms. Susan Dorris, of 3172 Hidden Timber Drive, spoke in opposition to this proposed project and asked that members consider the storm water management when they review the site plan.

Engineer Stevens commented that they are required to have pre-treatment structures that separate out all the oil, gas, and debris from the parking lot prior to going into their basin, which then gets released at the agricultural rate. So, they will need to have the measures in place to protect against that. He also noted that he believes that in the future when the road is widened, the roundabouts will be used as the turnaround to head south, so that will help with the traffic congestion.

Chairwoman Thurber noted that the Master Plan indicates a 75-foot half-width right-of-way for Baldwin Road. It's currently 60 feet.

Ms. Linda Moses, 3160 Hidden Timber Drive, commented in opposition to this proposed project and is opposed to having the access drive to Hidden Timber Drive.

Ms. Kim Rutila, of 3611 Forest Spring, commented in opposition to this proposed project and is opposed to having the access drive to Hidden Timber Drive. She is also very concerned about the drainage run-off coming into their subdivision.

Mr. Sharrak noted that it will be engineered properly so that it won't run into their subdivision.

Engineer Stevens noted that the petitioner is responsible for controlling their storm water on their site and that they are doing what they're supposed to be doing.

Commissioner Steimel agreed that the petitioner is in compliance with the storm water requirements.

Members reviewed and discussed the criteria within the zoning ordinance, Section 30.02, by which they are evaluating the special land use and considering such things as: compatibility with adjacent uses; compatibility with the Master Plan; public services; impact on traffic; detrimental effects; enhancement of the environment; and, isolation of existing land use.

Planner Wortman noted that he could obtain more information regarding the impact on traffic, such as, number of trips, etc.

Commissioner Steimel noted that they cannot take action tonight on site plan approval since there are so many deficiencies, however, they can take action on the special land use.

Ms. Jody Henry, of 3191 Hidden Timber Drive, commented that she and her neighbors don't want the convenience store there and believe that it will negatively affect their property values.

Mr. Robert LaChance, of 3190 Hidden Timber Drive, commented in opposition to this proposed project.
Mr. Bruce Parker, of 3154 Hidden Timber Drive, commented that he believes this proposed project would be a detriment to the community.

Chairwoman Thurber noted that when members are considering detrimental effects, it refers to public health, safety, and welfare.

Ms. Michelle Koehneke, of 3278 Foothills Court, inquired whether that included the safety of their children.

Vice-Chairman Dunaskiss inquired whether the petitioner would be open to reducing the size of the store and/or reconfiguring the drives.

Mr. Sharrak noted that he would be open to suggestions from the Planning Commission.

Vice-Chairman Dunaskiss suggested reducing the size of the store and just having one large drive that meets the RCOC's standards as well as improve the circulation of the site so that it is all to Baldwin Road and to not have a drive to Hidden Timber Drive.

Mr. Sharrak replied that he doesn't know how one drive would work and that the traffic circulation wouldn't work with the gas pumps.

Planner Wortman agreed with Mr. Sharrak and noted that you would have to shift the gas pumps and/or the canopy and if you moved the canopy, that could trigger other nonconforming issues with setbacks, he doesn't believe that the applicant would want to go there.

Mr. Sharrak noted that the proposed convenience store is permitted in this zoning district and on this lot.

Commissioner St. Henry suggested that members visit other convenience stores as well as Mr. Sharrak's stores in other locations, to compare to the proposed store.

Moved by Commissioner Steimel, supported by Commissioner St. Henry regarding case PC-2013-17, Clark-Orion, Inc. Gas Station Special Land Use and Site Plan, regarding the special land use, located at 3865 S. Baldwin Road, Sidwell #09-29-326-016, to postpone action on the special land use to allow members more time to gather facts, regarding surrounding conditions, road commission issues with the driveways, and a few more items from our Township consultants. Also, to get the petitioner's input with regard to, if in fact, the road commission is merely suggesting that as a new driveway onto Hidden Timber Drive, that they would be willing to not pursue that and leave the two existing driveways. Roll call vote was as follows: Walker, yes; St. Henry, yes; Dunaskiss, yes; Steimel, yes; Pennington, yes; Thurber, yes. Motion carried 6-0 (Christie was absent).

Mr. Brandon commented that if the site plan is going to change, then the calculations will change, too.

Moved by Commissioner Steimel, supported by Commissioner Pennington regarding case PC-2013-17, Clark-Orion, Inc. Gas Station Special Land Use and Site Plan, regarding the special land use, located at 3865 S. Baldwin Road, Sidwell #09-29-326-016, to postpone action on the special land use to allow members more time to gather facts, regarding surrounding conditions, road commission issues with the driveways, and a few more items from our Township consultants. Also, to get the petitioner's input with regard to, if in fact, the road commission is merely suggesting that as a new driveway onto Hidden Timber Drive, that they would be willing to not pursue that and leave the two existing driveways. Roll call vote was as follows: Walker, yes; St. Henry, yes; Dunaskiss, yes; Steimel, yes; Pennington, yes; Thurber, yes. Motion carried 6-0 (Christie was absent).
Plan, regarding the site plan, located at 3865 S. Baldwin Road, Sidwell #09-29-326-016, to postpone action on the site plan due to the special land use action being postponed. Roll call vote was as follows: St. Henry, yes; Dunaskiss, yes; Steimel, yes; Pennington, yes; Walker, yes; Thurber, yes. Motion carried 6-0 (Christie was absent).

Chairwoman Thurber recessed the regular meeting for a break at 9:54 p.m. and reconvened the regular meeting at 10:05 p.m.

B. PC-2013-18, MPD Welding, Inc. Site Plan, 4200 S. Lapeer Road, Sidwell #09-35-100-010

Mr. Jim Wilson, of Wilson and Associates, PC (Architect), 23 N. Washington, Oxford, Michigan, 48371, commented that he is accompanied tonight with three gentlemen from MPD Welding, Inc. He then gave a brief overview of the project for the addition to their existing facility.

Mr. R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc., overviewed their Site Plan Review correspondence dated September 3, 2013*. The applicant is proposing to construct a 15,300-square foot addition to their existing facility, which will feature a drive-thru loading/unloading area inside the building and will also include new paving around to the western portion of the site to access the addition. The project does comply with all the setbacks within the LI-2 zoning district. The following items need to be addressed prior to site plan approval: 1) The applicant must clarify the distinction between the parking provided on site versus the site plan notes; 2) the Planning Commission should consider whether the banked parking should be installed now or in the future; 3) the applicant must show all current lights on the site; 4) the applicant must provide details of the proposed lighting to be installed; and, 5) the applicant should bring a color sample board to the Planning Commission meeting for discussion.

Mr. James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc., overviewed their Site Plan Review correspondence, dated September 3, 2013*. In their opinion, the site plan, as submitted, is not in substantial compliance with the Township's ordinances and engineering standards. They recommend that the following items be addressed: 1) A tree survey shall be provided for the site. This should be part of an existing conditions plan; 2) There should be details on the adjacent buildings and the run-off that arrives on-site from adjacent sites. Existing conditions within 100 feet of the site and detention basin shall be connected on the plans. Any off-site run-off from the south shall be accounted for in the storm calculations; 3) Note #17 references a proposed water main extension; however, one is not shown on the plans. A proposed water main extending through the site should be provided connecting to both the existing mains to the south and north for a looped system. The fire chief's comments should be addressed; 4) Proposed sanitary sewer shall be shown on the plans; 5) The detention pond calculations shall be clarified by the applicant to ensure adequate storage volume is provided for this site and all existing sites it serves; 6) Pre-treatment structures should be included for the site; 7) It appears that drive widths and other lot dimensions are provided from the back of the curb. Dimensions should be provided from the edge of the gutter to ensure all minimum widths.
per ordinance are met. The southern drive aisle shall be 18-foot width. It appears that, as currently proposed, there is 14 feet of pavement between the two 2'6" curb and gutters; 8) A cover sheet should be included with the project name, a sheet schedule for the plans, a location map, and a brief description of the site; and, 9) The engineering plan shall be submitted to the Township for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer.

Commissioner Steimel asked for clarification of the fire chief's comments.

Mr. Wilson noted that the fire chief was asking for a water main to connect around the building, because of the nature of the work there will not be suppression inside of the building, but they have a number of fire hydrants around the outside of the building that have already been included on the drawing. You're not seeing it here, but we have given Engineer Stevens a draft copy of it, just so he would know where we're going with this. We are working on it, but it's not complete. It goes from its current end at the south side of the building to the back of the property, north along the back of the property, and then back east on the property, but ties into a hydrant that's on the property to the north.

Commissioner Walker inquired why they can't suppress the inside of the building.

Mr. Wilson replied that it is due to the extremely high temperatures up to 800 degrees so they can weld on that steel. At 800 degrees the water sprinkler heads don't function.

Members agreed with Engineer Stevens to have the 18-foot wide drive aisle.

Mr. Wilson agreed. Regarding the parking spaces, the number of spaces that they are putting in, are the number that was identified as the need for the people that will be in the building. They don't need the additional parking. They have the space to put them in, but they don't need the parking right now.

Members noted that it would be all right if some of the parking spaces are banked.

Mr. Wilson inquired that since the trees are scrub-type trees, could the Planning Commission waive the tree survey requirement.

Commissioner Steimel replied that the only thing he's concerned about is replacing any trees that are removed within the actual area of the new construction and to make a note on the plans of what trees are there.

Mr. Wilson commented that the vast majority of the exterior materials are white metal and the blue painted blocks matching the existing building.

Moved by Vice-Chairman Dunaskiss, supported by Commissioner Steimel regarding case PC-2013-18, MPD Welding, Inc. Site Plan, 4200 S. Lapeer Road, Sidwell #09-35-100-010, to approve the site plan with the following conditions: 1) the
applicant must clarify the distinction between the parking provided on site versus the site plans noted; 2) notes on the plans regarding the Planning Commission's decision to approve the banked parking and make sure it's clearly noted on the plans and supplied for as banked parking for future development if need be; 3) the applicant shall show all current lights on the site plans; 4) the applicant must provide details on the proposed lighting to be installed; 5) the applicant must address all of the engineering review comments or deficiencies noted in Mr. Stevens' review letter, dated September 3, 2013; 6) to waive the tree survey for this site; and, 7) that the applicant shall address the Fire Chief's comments. Roll call vote was as follows: Dunaskiss, yes; Steimel, yes; Pennington, yes; Walker, yes; St. Henry, yes; Thurber, yes. Motion carried 6-0 (Christie was absent).

C. Consider Cancelling the October 2, 2013 Planning Commission Regular Meeting
Moved by Vice-Chairman Dunaskiss, supported by Commissioner Pennington to cancel the October 2, 2013 regular meeting due to the lack of agenda items. Roll call vote was as follows: Steimel, yes; Pennington, yes; Walker, yes; St. Henry, yes; Dunaskiss, yes; Thurber, yes. Motion carried 6-0 (Christie was absent).

8. UNFINISHED BUSINESS
A. PC-2013-03, Shops on Waldon Pond Planned Unit Development (PUD) Amendment to construct a Kroger Fuel Facility D-649, southeast corner of Baldwin and Waldon Roads.
This case was removed from the agenda at the petitioner's request.

9. PUBLIC COMMENTS
None further.

10. COMMUNICATIONS
None further.

11. COMMITTEE REPORTS
None due at this time.

12. UPCOMING PUBLIC HEARING
A. 10-16-13, 7:05 p.m., PC-2013-20, Indianwood-Fernhurst Township-Initiated Rezoning, request for vacant property to be rezoned from Multiple-Family Residential-1 (RM-1) to Single-Family Residential-3 (R-3). The subject site is located south of Indianwood Road and west of Fernhurst Drive.

13. CHAIRWOMAN’S COMMENTS
Chairwoman Thurber thanked members for their good work tonight.

14. COMMISSIONERS’ COMMENTS
Members commented that it is great to see local businesses investing more into their companies and bringing more jobs to the Township as well.
15. ADJOURNMENT
Moved by Vice-Chairman Dunaskiss, supported by Commissioner Pennington to adjourn at 10:44 p.m. *Motion carried 6-0* (Christie was absent).

Respectfully submitted,

Phoebe Schutz
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date

* Attachment
** Italics denote amendments made to the agenda.
The Charter Township of Orion Planning Commission held a regular meeting on Wednesday, November 20, 2013 at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Carol Thurber, Chairwoman
Dick Christie, Secretary
Don Walker, PC Rep. to ZBA

PLANNING COMMISSION MEMBER ABSENT:
John Steimel, BOT Rep. to PC

CONSULTANTS PRESENT:
R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc.
James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc.
Tammy Girling, Zoning/Planning Administrator

OTHERS PRESENT:
Cyndee Zenas
Jim Cooper
Mike Boggio
James Barnhart
Chris Wilding
John Houser
Stanley Roland
Kevin Brandon
Phoebe Schutz

1. OPEN MEETING
Chairwoman Thurber called the regular meeting to order at 7:00 p.m.

2. ROLL CALL
Commissioner Steimel was absent.

3. MINUTES
Moved by Secretary Christie, supported by Vice-Chairman Dunaskiss to accept:
1) the November 6, 2013, regular meeting minutes; 2) the November 6, 2013, PC-2013-22, Mullins BBQ Restaurant SLU Public Hearing minutes; and, 3) the November 6, 2013, PC-2013-23, Guest House SLU Public Hearing minutes as presented. Motion carried 6-0 (Steimel was absent).

4. AGENDA REVIEW AND APPROVAL
Chairwoman Thurber overviewed an email correspondence received from Mr. Matthew Pisko, of The Project Collaborative, Inc., dated November 20, 2013, time stamped 10:04 a.m., referencing case PC-2013-03, Shops on Waldon Pond PUD Amendment to construct Kroger Fuel Facility D-649, with the subject site being located on the southeast corner of Waldon and Baldwin Roads, noting that since the full Commission will not be present, they requested deferral to the next Planning Commission meeting where it is foreseen having the full Planning Commission present*. 

127
Moved by Vice-Chairman Dunaskiss, supported by Secretary Christie to accept the agenda as amended, which is to remove agenda item 8,A, PC-2013-03, Shops on Waldon Pond PUD Amendment to construct a Kroger Fuel Facility D-649, at the petitioner's request. Motion carried 6-0 (Steimel was absent).

Chairwoman Thurber recessed the regular meeting and opened the PC-2013-24, Pomeroy Living-Orion Campus Special Land Use Public Hearing at 7:05 p.m. and closed it at 7:14 p.m.

Chairwoman Thurber reconvened the regular meeting at 7:14 p.m.

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY
Public comments were heard.

6. CONSENT AGENDA
No items.

7. NEW BUSINESS
A. PC-2013-24, Pomeroy Living – Orion Campus Phase I, Special Land Use and Site Plan located on the east side of Lapeer Road between Scripps Road and Stadium Drive (Sidwell #09-14-400-016)
Mr. Jim Butler, of Professional Engineering Associates, 2430 Rochester Court, Suite 100, Troy, Michigan 48083, (Civil Engineer for this project) and Mr. Stefan Stration, President of Pomeroy Living, 5480 Corporate Drive, Suite 230, Troy, Michigan 48098, were present.

Mr. Butler noted that they haven't had full conversation with the Michigan Department of Environmental Quality (MDEQ) related to the impacts on the wetlands and that outcome will obviously have an impact on the layout of Phase I Beacon's Square if it's negative, so at this point, they'd like to postpone action on the site plan until they have conversations with the MDEQ and then they will come back to the Commission for review. However, they would like members' feedback related to the site plan, so they can address those items when they come back before the Commission along with the Township Consultants' review comments as well.

Mr. R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc., overviewed their Special Land Use Review correspondence, dated November 12, 2013*. In Phase I, the applicant is proposing to construct a new 63-unit memory care facility designed for patients with Alzheimer's and other forms of dementia. Phase II will entail construction of 120 independent living units. The special land use applies to both Phase I and Phase II under the RM-1 zoning district. He then overviewed specific standards for special land use approval. Generally speaking, they feel that it does meet the standards for special land use. The Planning Commission will need to evaluate this as they're going through it.

Chairwoman Thurber referenced a part of the applicant's application in which they wrote out the standards for special land use approval and how their case complies with each criterion*.
Mr. R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc., overviewed their Site Plan Review correspondence, dated November 12, 2013*. This project does comply with the setbacks for the RM-1 zoning district. The issue with the MDEQ wetland permit and the Orion Township wetland permit, the applicant has indicated tonight that those will be addressed. The applicant also needs approval from the Michigan Department of Transportation (MDOT) and the Road Commission for Oakland County (RCOC) of proposed improvements to Scripps Road. He noted that the applicant has indicated that they may be willing to put in the safety path rather than putting money in the Safety Path Fund as they had originally thought. The pedestrian plaza should match the features shown in the Orion Commons pedestrian plaza design. Also, revise the light levels on the photometric drawing along the south property line and the details of the signage will have to be submitted to the Building Department. In addition, the Planning Commission can consider a waiver for building length over 250'.

Mr. James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc., overviewed their Site Plan Review correspondence, dated November 12, 2013*. With regard to sanitary sewer and water main, they are both existing and will be extended into the site from Scripps Road. The storm water management, there's proposed sedimentation basins, pre-treatment basins to collect storm water, discharge to the existing wetland on-site and the existing wetland is proposed to be used as storage at this time, which will be addressed with the MDEQ and the Township as this project moves forward. Paving and grading, there was coordination with MDOT and RCOC as well as for the safety path along the frontage of Scripps Road. There was a traffic study provided for this site and the RM-1 zoning would generate more traffic than this current proposal, however, we feel there are some items that need to be corrected within the traffic study, although we foresee that the traffic study will still show that there's very little impact to the existing conditions of the road network based upon the traffic generated from the proposed site. The natural feature wetlands will have to be addressed. The tree survey appears to be older and members may wish to discuss that with the petitioner.

Chairwoman Thurber overviewed Site Plan Review correspondence dated October 21, 2013, received from Mr. Bob Smith, Fire Chief, in which he had no additional comments*.

Chairwoman Thurber commented that Site Plan Review correspondence were received from MDOT*, RCOC*, and the Township DPW*.

Mr. Butler noted that he has no problem with any of the review comments from Planner Wortman or Engineer Stevens. He then noted that their plans did show the "payment in lieu of" for the safety path along Lapeer Road and Stadium Drive. This site gets inundated with water from everybody, from Scripps Road, from Lapeer Road, from Stadium Drive, from the Church next door, so it's impacted pretty significantly. The issue that we had along Lapeer Road initially was trying to create a ditch to cut the water off instead of having it come across, because the water sheet flows right now from Lapeer Road onto the site, so we're trying to come up with a way to not create an issue with the water main that is there or create an issue with the utility poles that are there, and there is an underground fiber-optic that's there, but we think we've found a way to be able to put the safety path in along both Lapeer Road
and Stadium Drive and make that happen. We will be showing that on the plans and putting that in.

Chairwoman Thurber commented regarding the many items from MDOT and RCOC to be addressed.

Mr. Butler replied that one of the issues that would go away if they do what the RCOC wants as far as the passing lane on Scripps Road, they will not have to touch anything within Lapeer Road. The other items are their recommendations. They are currently discussing with the RCOC their desire to make the westerly drive a right-in and right-out.

Chairwoman Thurber noted that two further items for discussion are: 1) outdated tree survey; and, 2) the building length.

Mr. Butler noted that the trees list that is on there is for both the south site and a portion of the north site and that they are willing to update the tree survey if needed.

Planner Wortman commented regarding the building length, which is 309 feet in length and the ordinance allows up to 250 feet.

Secretary Christie commented that the architecture is very appealing and that they would need a 59-foot waiver.

Vice-Chairman Dunaskiss inquired what the time line will be for this project.

Mr. Stration replied that Phase I will be sometime next Summer and one year later will be Phase II.

Chairwoman Thurber noted that this Special Land Use action will be for both Phase I and Phase II, but the Site Plan they're considering tonight is only for Phase I.

Mr. Steven Smith, of 1807 Hunters Lane, inquired about the site plan and about fire-suppression.

Secretary Christie replied that the Fire Chief did review it as well as the DPW Director and there is adequate supply of water.

Mr. Butler noted that both buildings will be fire-suppressed.

Moved by Secretary Christie, supported by Vice-Chairman Dunaskiss regarding case PC-2013-24, Pomeroy Living - Orion Campus Phase I and Phase II Special Land Use, with the subject site located on the east side of Lapeer Road between Scripps Road and Stadium Drive (Sidwell #09-14-400-016), referencing plans date stamped received by the Township on October 7, 2013, to approve the Special Land Use based on the following findings of fact: 1) that the proposed buildings will be designed, constructed, operated, and maintained to be compatible with the surrounding uses and that the location of the parking will be located along the east side of the development and screened from adjacent uses; 2) that we feel that the proposed use will be compatible with and in accordance with the principles and objectives of the Township's Master Plan; 3) that the traffic impact will virtually have very little impact to the
area; 4) that the detrimental effects of the proposed use does not involve any activities, materials, equipment, or conditions of operations that would be detrimental to the public health, safety, and welfare; 5) that the proposed development will enhance the surrounding environment with the installation of a series of pathways throughout the development along the existing wetland area that will be interconnected with the proposed sidewalks along Scripps Road; 6) that the location and proposed special land use will not result in a small residential area being substantially surrounded by a non-residential development; and, 7) the location and proposed special land use will not result in a small non-residential area being substantially surrounded by a residential development. Roll call vote was as follows: St. Henry, yes; Dunaskiss, yes; Christie, yes; Pennington, yes; Walker, yes; Thurber, yes. Motion carried 6-0 (Steimel was absent).

Moved by Vice-Chairman Dunaskiss, supported by Secretary Christie regarding case PC-2013-24, Pomeroy Living – Orion Campus Phase I Site Plan, with the subject site located on the east side of Lapeer Road between Scripps Road and Stadium Drive (Sidwell #09-14-400-016), referencing plans date stamped received by the Township on October 7, 2013, to postpone action on the Site Plan due to comments provided tonight by the Planning Commission, Planner, Engineer, and needing further information from the MDEQ on impacts on the wetlands and looking for a revised site plan. Roll call vote was as follows: Dunaskiss, yes; Christie, yes; Pennington, yes; Walker, yes; St. Henry, yes; Thurber, yes. Motion carried 6-0 (Steimel was absent).

Moved by Secretary Christie, supported by Commissioner Pennington regarding case PC-2013-24, Pomeroy Living – Orion Campus Phase I Site Plan, with the subject site located on the east side of Lapeer Road between Scripps Road and Stadium Drive (Sidwell #09-14-400-016), referencing plans date stamped received by the Township on October 7, 2013, to approve the building design for a building of greater length than the required 250 feet in overall length based on the following finding of fact: 1) that it was demonstrated that the architectural design and natural and topographic features ensure that the building is in scale with the site and surrounding areas. Roll call vote was as follows: Christie, yes; Pennington, yes; Walker, no; St. Henry, yes; Dunaskiss, yes; Thurber, yes. Motion carried 5-1 (Steimel was absent).

Chairwoman Thurber noted that there is no need for a safety path waiver.

Mr. Butler replied, correct and we will see you when we hear from the MDEQ.

8. UNFINISHED BUSINESS
A. PC-2013-03, Shops on Waldon Pond Planned Unit Development (PUD) Amendment to construct Kroger Fuel Facility D-649, southeast corner of Baldwin and Waldon Roads
This agenda item was removed from the agenda at the petitioner’s request.

B. PC-2013-17, Clark-Orion, Inc. Gas Station Special Land Use & Site Plan, 3865 S. Baldwin Road, Sidwell #09-29-326-016
Chairwoman Thurber gave a brief history of this case.

Mr. Kevin Brandon, of Preview Architecture and Planning, 570 E. Snell Road, Oakland Township, Michigan 48306, commented that the applicant took care of some issues from the last meeting regarding the special land use. The main
one was eliminating the access ingress/egress from Hidden Timber Drive to the north and keeping the same egresses that are existing there currently with no modification. They will note the hours of operation on the site plan. They redesigned the building to be more in line with the Gingellville Village Center Overlay design requirements.

Mr. R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc., overviewed their Special Land Use Review correspondence, dated November 11, 2013*. He confirmed that they are going to use the existing drives on Baldwin Road. Also, that the applicant does need to note the hours of operation on the plans. He also inquired whether the applicant could use some of the trees on the east (rear) of the building to help with some of the screening for the residential behind there along with more dense evergreens to provide a more effective screening.

Planner Wortman then overviewed their Site Plan Review correspondence, dated November 11, 2013*. We find the proposed site plan is not in substantial compliance with the zoning ordinance. The following items need to be addressed to the satisfaction of the Planning Commission: 1) All existing trees within the greenbelt are subject to the tree replacement requirements of Section 27.12; 2) The existing trees along the east property line should be preserved and supplemental plantings provided to help screen the rear of the convenience store; 3) Provide easement agreement for storm water discharge through adjacent property to the east; and, 4) Comply with the Gingellville architectural standards for repeating architectural modules for the east (rear) side of the convenience store (Section 33.02,H).

Mr. James Stevens, (Township Engineer) of Orchard, Hiltz, and McCliment, Inc., overviewed their Site Plan Review correspondence, dated November 11, 2013*. He briefly noted that they had consulted the ITE Trip Generation Report to compare the trip generation of the site with that of the existing surrounding uses. He also noted that the applicant shall show an easement on the plans for the pathway in the northwest part of the site.

Chairwoman Thurber overviewed Site Plan Review correspondence dated August 30, 2013 received from Mr. Bill Ireland, DPW Director*. Adequate sanitary sewer and water is available for the proposed project. Additional sanitary sewer and water connection fees will be required to be paid in full when building permits are issued.

Chairwoman Thurber overviewed Site Plan Review correspondence dated October 21, 2013, received from Mr. Bob Smith, Fire Chief, in which he had no additional comments*.

Secretary Christie read aloud email correspondence received from Ms. Linda E. Moses (no home address was provided on the email), dated September 19, 2013, in which she was opposed to a new entrance/exit to Hidden Timber Drive*.

Secretary Christie read aloud email correspondence received from Mr. Dave Jones, of 3039 Hidden Timber Drive, dated September 25, 2013, in which he is in opposition to this project*.

Secretary Christie read aloud email correspondence received from Ms. Kellie DeVito, of 3299 Springwood Court, dated September 20, 2013, in which she is in opposition to this project*.
Mr. Salam Kalabat, of K4 General Contractor, 2496 Silverside, Waterford, Michigan, commented that after they get site plan approval, then they will get the easement.

Vice-Chairman Dunaskiss inquired what the hours of operation will be.

Mr. Iven Sharrak, owner of Clark-Orion, Inc., resides at 6346 Orchard Lake Road, West Bloomfield, Michigan. He commented that they will remain the same as the existing hours and that he will note them on the site plan.

Vice-Chairman Dunaskiss inquired what their thoughts are on preserving the existing trees on the site and using them in the screening.

Mr. Kalabat noted that they will do their best to save as many trees as possible and that they could also add new trees. They will be more than glad to work with the Township on that.

Mr. Kevin Brandon commented that they will work with Kieft Engineering to reconfigure the retention basin to get a little bit of a greenbelt on the eastern border.

Planner Wortman noted that he had a discussion with Mr. Jim Scharl (of Kieft Engineering) on the retention pond and there will be grading to do right up to the property line. The zoning ordinance requires a greenbelt, so as part of the Special Land Use, the Planning Commission can request additional screening and/or trees as a condition, preferably evergreens. That would help to mitigate the impacts to the neighborhood.

Mr. Kalabat replied that he is sure they could work with that and give them a greenbelt with evergreen trees.

Vice-Chairman Dunaskiss inquired whether they have come up with something for exterior architectural features in keeping with the Gingellville Village Center Overlay design guidelines as required in the zoning ordinance, especially on the rear (east) side that will face the residential neighborhood.

Mr. Brandon noted that they will put a gable on the front (west) side, on the north side, and on the east side. They will also do a pattern on the rear side.

The applicant and members briefly discussed the exterior materials.

Moved by Vice-Chairman Dunaskiss, supported by Secretary Christie regarding case PC-2013-17, Clark-Orion, Inc. Gas Station Special Land Use to allow a 5,600-square foot convenience store, with the subject site located at 3865 S. Baldwin Road, Sidwell #09-29-326-016, referencing plans date stamped received by the Township on October 8, 2013, to approve the Special Land Use with conditions based upon the following findings of facts: 1) that the proposed use is compatible with the adjacent land uses; 2) that the proposed use is compatible with the Township's Master Plan; 3) the site does have adequate public services servicing the site for this proposed use; 4) based on the traffic study as well as review comments we've received from the Michigan Department of Transportation (MDOT) and the Road Commission for Oakland County.
County (RCOC) that we do not see a negative impact on the traffic that would be due to this development; 5) that it will not create detrimental effects to the surrounding community; 6) that it will not result in any sort of isolation of existing land use for the property. The conditions of the Special Land Use approval are as follows: 1) that the hours of operation are from 5:00 a.m. to 11:00 p.m.; 2) that the applicant shall provide additional screening as they agreed to with dense evergreens on the east side of the property to screen the building and also to preserve as much of the existing vegetation and plantings; and, 3) that the applicant shall mirror the front (west) elevation on the rear (east) elevation, but not with the exact materials given that is the rear of the property, but similar in keeping with the architectural façade of the front of the property. Roll call vote was as follows: Pennington, no; Walker, yes; St. Henry, no; Dunaskiss, yes; Christie, yes; Thurber, yes. Motion carried 4-2 (Steimel was absent).

Moved by Vice-Chairman Dunaskiss, supported by Secretary Christie regarding case PC-2013-17, Clark-Orion, Inc. Gas Station Site Plan for a 5,600-square foot convenience store, with the subject site located at 3865 S. Baldwin Road, Sidwell #09-29-326-016, referencing plans date stamped received by the Township on October 8, 2013, to approve the Site Plan with conditions as follows: 1) that the applicant shall supply an easement agreement for both the storm water as well as the safety path for the northwest part of the site; 2) that the applicant shall comply with Gingellville Village Center Overlay architectural standards for repeating architectural modules for the east (rear) side of the convenience store as well as comply with it for the entire site and that can be administratively approved; 3) that the applicant shall submit a separate application to the Township Building Department for their signage; 4) that the existing trees along the eastern property line shall be preserved and supplemental dense evergreen plantings shall be provided to screen the rear of the convenience store; 5) that all existing trees within the greenbelt are subject to the tree replacement requirements of Zoning Ordinance No. 78, Section 27.12. Roll call vote was as follows: Walker, yes; St. Henry, no; Dunaskiss, yes; Christie, yes; Pennington, yes; Thurber, yes. Motion carried 5-1 (Steimel was absent).

C. PC-2013-26, Text Amendment to Zoning Ordinance No. 78, Article III, Temporary Use Permits.
Mr. R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc., overviewed their correspondence dated November 13, 2013 and the attached proposed text amendment*.

Discussion only and members requested that a cash bond and insurance requirement be added to ensure proper clean-up is done. Also, to remove the words "may" and "similar" in Section 30.11,F,3,d.

Mr. Steven Smith, of 1807 Hunters Lane, commented that he believes that a noise level regulation should be added to aid the Ordinance Enforcement Officers when that becomes a problem to protect our local residents.

Planner Wortman noted that the Township does have a noise ordinance that is already in place. It's already covered. He also noted that he will add back in the cash performance bond, security, insurance language and will change the provision of the one mile language. He will make these changes and then they'll be ready for the public hearing on Wednesday, December 4, 2013.
9. PUBLIC COMMENTS
None further.

10. COMMUNICATIONS
None further.

11. COMMITTEE REPORTS
Chairwoman Thurber commented regarding her report* for the Site Walk Committee’s recent site walk for case PC-2013-24, Pomeroy Living-Orion Campus SLU and Site Plan, which was held on Friday, November 15, 2013 at 5:00 p.m.

12. UPCOMING PUBLIC HEARING
A. 12-04-13, PC-2013-26, Text Amendment to Zoning Ordinance No. 78, Article XXX, Temporary Use Permits Public Hearing is scheduled for 7:05 p.m.

13. CHAIRWOMAN’S COMMENTS
Chairwoman Thurber noted that tonight was the second time that the Planning Commission was notified on the day of the meeting that the applicant for case PC-2013-03, Kroger Fuel Facility (SE corner of Waldon and Baldwin Roads) requested to be removed from the agenda at the last minute and that was inconsiderate to our local residents as well as to our Township’s consultants and Planning Commission members. She then wished all a Happy Thanksgiving.

14. COMMISSIONERS’ COMMENTS
Members thanked the members of the public for coming tonight and wished all a Happy Thanksgiving.

15. ADJOURNMENT
Moved by Secretary Christie, supported by Commissioner Pennington to adjourn at 8:42 p.m. Motion carried 6-0 (Steimel was absent).

Respectfully submitted,

Phoebe Schutz
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date

* Attachment
To: The Charter Township of Orion Planning Commission

From: Tammy Girling, Zoning/Planning Director

Date: December 8, 2020

Re: PC-2020-38, Edgar Development, Rezone Request

As requested, I am providing a suggested motion for the matter mentioned above. Please feel free to modify the language. The verbiage below could change based upon the Planning Commissions’ findings of facts. Any additional findings of facts should be added to the motion below. Please note that it was suggested to me that on matters that involve rezonings, PUD’s, Special Land Uses or variances that I provide language indicating that the matter can be approved or denied.

Rezone Request (Ord. 78, Section 30.04)
Motion: I move that the Planning Commission forwards a recommendation to the Township Board to approve/deny PC-2020-38, Edgar Development, rezone request, requesting to rezone the northern approximately 4.21 acres of parcel 09-26-451-005 from Restricted Business (RB) to General Business (GB) as depicted on the plan date stamped received 11/12/20, located at 3805 S. Lapeer Rd. This recommendation to approve/deny is based on the following findings of facts:

a. The objectives of the Master Plan (Insert findings of facts),
b. Existing uses of property within the general area of the property in question (Insert findings of facts),
c. The zoning classification of property within the general area of the property in question (Insert findings of facts),
d. The suitability of the property in question to the uses permitted, under the existing zoning classification (Insert findings of fact),
e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification (Insert findings of facts).
f. Any additional findings of facts.

If the motion is to recommend approval it is conditioned upon:
(motion maker to insert any conditions).
Rezoning Review
Request: from split RB and GB, to GB

Case No: PC-2020-38
Site: 3805 S. Lapeer Road
Applicant: Jeffrey Edgar
Plan Date: 11/11/2020
Zoning: RB Restricted Business & GB General Business
Parcel ID: 09-26-451-002 & -003

Dear Planning Commission Members:

We have completed a review of the request for rezoning referenced above and a summary of our findings is below. Items in **bold** require specific action by the applicant. Items in *italics* can be addressed administratively.
SUMMARY OF FINDINGS

Existing Conditions

1. **Zoning.** The site consists of two areas that were formally separate parcels but have since become one parcel. The south area (former parcel) is 10.82 acres zoned GB, General Business and is currently developed as Wally Edgar Chevrolet. The north area (former parcel) is 4.22 acres zoned RB, Restricted Business and is vacant. The new parcel totals 15.03 acres with approximately 870 feet of frontage on Lapeer Road. The GB district permits automobile dealerships and the intent of the GB district, from Zoning Ordinance Section 14.00 – Preamble, is as follows:

   “The General Business (GB) District is intended to provide locations for individual businesses or a collection of businesses that provide a commodity or service on a regional basis. The zoning district is characterized by higher traffic generation and greater degrees of sight visibility and requires a site design which will not impede the flow of traffic or traffic safety. The GB District is intended to have the necessary restrictions to limit businesses’ impact upon the community. This includes safe and efficient traffic flow, adequate parking and attractive landscaping. The GB District is further intended to have direct access onto an existing or proposed thoroughfare, but only where optimum egress and regress can be provided.”

The RB district, which is what the north 4.22-acre area is currently zoned, does not permit automobile dealerships. The Application Statement of Purpose states that a boundary adjustment was recently approved by the Township due to the applicant’s acquisition of the north area (parcel), which has resulted in a split zoning of the site that includes both GB and RB zoning as this boundary adjustment preceded this rezoning request. Due to this boundary adjustment, the entire site, including the developed dealership area and undeveloped north area, is subject to this request.

**Hills of Woodbridge PUD Modification**

The undeveloped north area (4.22 acres) was previously within the approved concept and eligibility PUD plan for the development known as the Hills of Woodbridge. This PUD was recently subject to Planning Commission modification consideration related to a recent boundary adjustment that occurred prior to final PUD approval being granted for the north and area in question. At its December 2 meeting, the Planning Commission determined that a public hearing for the modification request would not be required and that the PUD may proceed with the final application. Therefore, this rezoning request may proceed without any delay related to the Hills of Woodbridge final PUD consideration. Below is an excerpt from the planner review for the PUD.

**Hills of Woodbridge PUD – 11/24/2020 Final PUD Review**

“Modification of Approved PUD Plans. The Hills of Woodbridge PUD applicant has requested that the Planning Commission consider a modification to the approved concept and eligibility PUD plan. This is the result of a portion of the PUD area having recently been sold to the adjacent Wally Edgar Chevrolet dealership to the south to no longer be included within the PUD. The applicant has submitted a comparison overlay and sketch that indicate in detail the PUD area and development details that are no longer within the parcel originally considered as part of the concept PUD.”
### 2. Adjacent zoning & land uses.

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<td>Automobile Dealership</td>
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3. **Master Plan.** The Future Land Use Map designates the site as Neighborhood Commercial and Single Family Medium High Density as indicated below. The Single Family Medium High Density designation appears to be an extension of the developed residential area surrounding the site to the north, east, and south.
From the Master Plan:

**Neighborhood Commercial Designation**

"Neighborhood Commercial uses are located primarily along Baldwin and Lapeer Road (M-24) corridors with the greatest concentration planned for the M-24 corridor. These areas are intended to be located in close proximity to the residential neighborhoods in order to meet the day-to-day shopping needs of nearby residents. Neighborhood commercial activities may be located either individually or in small centers that serve one or more neighborhood trade areas. Planned uses include food stores, hardware and drug stores as well as personal service establishments, all of which can be found within the Restricted Business (RB) zoning district."

**Single Family Medium High Density Designation**

"Single Family Medium High Density Residential is the highest density single family category with a density range of 3 to 5 dwelling units per acre. While the actual density will depend on the area needed for the street right-of-way, lot sizes in such areas range from 8,400 to 14,000 square feet each. A majority of the areas planned for Medium High Density residential are clustered around the Township’s lakes, near Gingellville Village and the Village of Lake Orion, and located adjacent to the Township’s major corridors. Much like the medium density areas, the clustering of residential homes around lakes allows more people to take advantage of the amenity while also providing sufficient recreation space. These areas are typically flatter and can thus accommodate a greater number of units. The presence of adequate roads and utilities are also of importance. The correlating zoning classifications include the R-1/R-2/R-3, Single Family Residential zoning districts at a minimum lot size of 14,000 square feet, 10,800 square feet and 8,400 square feet respectively."

4. **Items for Planning Commission Consideration:**

**Planner Comments:** The Future Land Use Map designates the front of the site as Neighborhood Commercial and the rear as Single Family Medium High Density. This conflicts with current zoning and uses for the following reasons:

**Existing South Dealership Area**
- The existing zoning and use of the developed south portion of the dealership site is consistent with the current GB zoning district. However, the FLU map, which indicates split Neighborhood Commercial and Single Family Medium High Density for the south portion, is currently inconsistent with both the use and zoning of the site as a designation of General Commercial would be more appropriate for an auto dealership operating in the GB district.
- The applicant has stated that the dealership has been operating in this location for 33 years.
- Future updates to the Master Plan FLU map should consider the current boundaries of the developed south portion of the dealership site in relation to overall Township goals for development of this area.

**Undeveloped North Area**
- The current RB zoning of the undeveloped north area appears to accurately reflect only the Neighborhood Commercial designation of the frontage of the north area.
- The Planning Commission may wish to consider if the limited retail uses conceptually approved in this area as part of the Hills of Woodbridge PUD more accurately represent the FLU map, as opposed to uses permitted in the GB district, such as an auto dealership. We
note that many of the development sites on the Hills of Woodbridge PUD plan show what appear to be drive-through restaurants, which are not permitted in RB but are permitted in GB as a special land use.

- Hills of Woodbridge Concept and Eligibility Plan. At the February 20, 2019, regular Planning Commission meeting, a recommendation of approval was forwarded to the Township Board for the concept and eligibility plan based on the following findings of fact:

**PC Findings of Fact**

1. There appears to be a significant amount of preservation of buffer and existing landscaping to the perimeter, especially to the east.
2. This plan is less intensive development than could potentially be here.
3. It contains more percentage of residential versus commercial.
4. The residential component provides a better transition from the commercial along Lapeer Road to the single-family development to the east.
5. Because it is more residential and less commercial intensive, the township will probably see less of an impact than if it was all commercial; although, there will be some impact from what is existing now (vacant land).
6. It appears that the preliminary plans show additional open space than required.
7. They are preserving some of the natural features on the site.
8. The proposed architectural upgrades to the units do seem to be an upgrade and will need to be clarified later. That will also be true for the preliminary increased landscaping details along Lapeer Road.

- The Planning Commission may request that the applicant address the above findings of fact related to the north area included within this rezoning request. While the applicant does not consider this area to be within the boundaries of the PUD at the time this rezoning application was made, these findings of fact are still relevant to previous Planning Commission consideration of development and uses within the north area in question.

- This request is essentially an expansion of the current GB district boundaries for the developed portion of the dealership site, so it does not appear to reflect one of the characteristics of a spot zone, which would be the creation of a new isolated zoning district in this area.

**Future Land Use Plan Boundaries**

In general, and for most communities, future land use plan boundaries are not typically intended to be precise related to the boundaries of individual parcels as master plans have a long-range focus. Related to this, the Orion Township Master Plan states that:

"It should be remembered that the Master Plan is just the best estimate of what would be the desirable land use configuration of the community in the future, from a point in time at the present. As time moves on, this concept of a desirable community may change, so the Plan must be flexible in order to accommodate that change."

**Planner Comments:** While the proposed GB zoning may not be consistent with the Future Land Use Map, the extension of the General Business district to include the north area could potentially be
an extension of the existing dealership site and its current GB zoning, although there is no guarantee of a specific future land use on the site.

30.04 Amendments to the Zoning Ordinance

Findings of Fact and Recommendation of the Planning Commission. Following the public hearing, the Planning Commission shall transmit a summary of comments received at the public hearing and the proposed Ordinance amendments, including any maps and recommendations make written findings of fact and transmit same, together with its recommendation, to the Township Board. The Township Board may hold additional hearings if the Township Board considers it necessary, or if requested.

Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Planning Commission shall make findings based on the evidence presented to it with respect to the following matters:

a. The objectives of the Township’s Master Plan. See general discussion above and refer to Master Plan for additional information.

b. Existing uses of property within the general area of the property in question. See aerial photo on page 1.

c. The zoning classification of property within the general area of the property in question. See Zoning Map on page 3.

d. The suitability of the property in question to the uses permitted under the existing zoning classification. See attachment to this review.

e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification. This item should be discussed by the Planning Commission and the previous findings related to the Hills of Woodbridge PUD should be reviewed (see page 6.).

Sincerely,
Giffels Webster

Rodney L. Arroyo, AICP
President

Eric Fazzini, AICP
Senor Planner

Eric Pietsch
Senior Planner

www.giffelswebster.com
<table>
<thead>
<tr>
<th>Permitted Land Use</th>
<th>General Business (GB)</th>
<th>Restricted Business (RB)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automobile parts, accessories</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Automobile dealerships, used car sales, showrooms</td>
<td>Permit by right</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Automobile repair garages, service centers, &amp; other auto retail (no gas sales)</td>
<td>Permit by right</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Automobile wash establishments</td>
<td>Permit by right</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Recreational vehicle sales/service</td>
<td>Permit by right</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Gasoline/fuel service stations</td>
<td>Special Use</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Planned Unit Development (subject to section 30.03)</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Day-to-day consumer goods</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Grocery store</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Neighborhood convenience store (no gas sales)</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Pharmacy/Drug store (without drive-thru pharmacy)</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Pharmacy/Drug store (with drive-thru pharmacy)</td>
<td>Permit by right</td>
<td>Special Use</td>
</tr>
<tr>
<td>Bar/Lounge</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Outdoor cafe</td>
<td>Special Use</td>
<td>Special Use</td>
</tr>
<tr>
<td>Outdoor patio</td>
<td>Permit by right</td>
<td>Permit by right</td>
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<tr>
<td>Restaurant (no drive-thru)</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Restaurant (with drive-thru)</td>
<td>Permit by right</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Dry cleaning</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel/motel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Printing, copying, shipping stores</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Financial &amp; insurance service (banks, credit unions w/ drive-thru)</td>
<td>Permit by right</td>
<td>Special Use</td>
</tr>
<tr>
<td>Financial &amp; insurance service (banks, credit unions w/o drive-thru)</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Emergency or extended hour medical clinic</td>
<td>Special Use</td>
<td>Special Use</td>
</tr>
<tr>
<td>Professional &amp; medical offices</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Veterinary clinics &amp; hospitals</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Schools for music, dance, business, or trade</td>
<td>Permit by right</td>
<td>Permit by right</td>
</tr>
<tr>
<td>Private schools for profit</td>
<td>Permit by right</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Public service &amp; government facilities</td>
<td>Permit by right</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Private clubs, lodge, &amp; banquet halls</td>
<td>Permit by right</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Churches</td>
<td>Special Use</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Public transportation facilities</td>
<td>Permit by right</td>
<td>Not permissible</td>
</tr>
<tr>
<td>Mini storage &amp; warehousing</td>
<td>Special Use</td>
<td>Not permissible</td>
</tr>
</tbody>
</table>
Tammy,

I am writing this regarding the Edgar Rezoning Application. Hi Hill Village is not opposed to the rezoning of this land as there are currently no plans for expansion per the conversation I had with Cunningham-Limp. Any future development may cause concerns for Hi Hill Village especially from a light or noise pollution perspective. Thank you and stay safe!

Jason Rosell, President
Hi Hill Village Association
REZONING SUBMITTAL

PRESENTED TO:
Charter Township of Orion
Planning and Zoning Department
2525 Joslyn Road,
Lake Orion, Michigan 48360

SUBMITTED BY:
Cunningham-Limp
28970 Cabot Drive, Suite 100
Novi, Michigan 48377

OWNER/APPLICANT:
Edgar Development
3805 S. Lapeer Road,
Lake Orion, Michigan 48360
TABLE OF CONTENTS

01  Rezoning Application

02  Applicant Statement of Purpose

03  Proof of Ownership

04  Supporting Documentation

05  Operating Agreement
REZONING APPLICATION

OWNER'S ACKNOWLEDGEMENT:

Walldo Enterprise, LLC ("OWNER") has retained Cunningham-Limp ("OWNERS AGENT") to act on the Owners behalf to facilitate rezoning of the 4.219 acres, of the 15.03 total acres of Parcel number: 09-26-4514-003.
Checklist for Rezoning Application

Applications must be submitted by noon on Wednesday, four weeks prior to a scheduled meeting. Meetings are held on the first and third Wednesday of each month, unless otherwise specified.

The petitioner, or a representative with written permission from the property owner, must be present at the meeting. Refer to 30.04, C for the criteria the Planning Commission will use to reach their decision to amend the zoning map.

The following must accompany your completed application; incomplete submittals will not be accepted.
- Complete application including original ink signatures of property owner and the applicant.
- The Rezoning fees calculated using Ordinance No. 41.
- Proof of ownership. Acceptable forms of documentation include: Warranty Deed, Quit Claim Deed, Land Contract, or Option to Purchase with a Copy of the Warranty Deed.
- 6 sets of a 24” x 36” plot plan containing all elements within Zoning Ordinance No. 78, Section 30.04,B, 2.
- 6 sets of all supporting documents, reports, studies etc.
- PDF format copy of all information submitted (may be emailed or provided on a USB/flash drive).

Please note that an applicant requesting a zoning map change, shall construct and install a sign indicating the requested change of zoning. See Zoning Ordinance No. 78, Section 30.04, H for details.

The Township reserves the right to request additional copies of printed materials as necessary.

If you have any questions, please call the Planning and Zoning Director (248) 391-0304 ext. 5000
Charter Township of Orion Planning Commission
Rezoning Application

30.04, Amendments to the Zoning Ordinance: Map amendments may be initiated by any governmental body or any persons having a freehold interest in the subject property, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, or an exclusive possessory interest entitled to exclusive possession or which is specifically enforceable.

**Project Name:** EDGAR DEVELOPMENT

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Address: 3805 S. Lapeer Road</th>
<th>City: Lake Orion</th>
<th>State: MI</th>
<th>Zip: 48360</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Name: Jeffrey Edgar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Phone: (248)210-0199</td>
<td>Cell:</td>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:jedgar@wallyedgar.com">jedgar@wallyedgar.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Owner(s)</th>
<th>Address: 3805 S. Lapeer Road</th>
<th>City: Lake Orion</th>
<th>State: MI</th>
<th>Zip: 48360</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Waldo Enterprises, LLC</td>
<td>Phone: (248)210-0199</td>
<td>Cell:</td>
<td>Fax:</td>
<td>Email: <a href="mailto:jedgar@wallyedgar.com">jedgar@wallyedgar.com</a></td>
</tr>
</tbody>
</table>

* If the name on the deed does not match the name of the property owner on this application, documentation showing the individual is the same as the company name must be provided.

<table>
<thead>
<tr>
<th>Plan Preparer Firm/Person</th>
<th>Address: 2430 Rochester Court</th>
<th>City: Troy</th>
<th>State: MI</th>
<th>Zip: 48083</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: PEA GROUP</td>
<td>Phone: (248)528-7369</td>
<td>Cell:</td>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:jbutter@peagroup.com">jbutter@peagroup.com</a></td>
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</table>

<table>
<thead>
<tr>
<th>Project Contact Person</th>
<th>Address: 28970 Cabot Drive Suite 100</th>
<th>City: Novi</th>
<th>State: MI</th>
<th>Zip: 48377</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Samuel Ashley</td>
<td>Phone: (248)489-2300</td>
<td>Cell:</td>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:sashley@clc.build">sashley@clc.build</a></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Sidwell Number(s): Part of 09-26-451-002 Has been sold and added to 09-26-451-003 New Parcel Number Pending

Location or Address of Property: 3805 S. Lapeer Road, Lake Orion, MI, 48360

Side of Street: East Nearest Intersection: Silverbell Road & Lapeer Road

Acreage: 4.219 of total parcel Current Use of Property: Undeveloped

Frontage (in feet): Varies Depth (in feet): Varies

Subject Property Zoning: RB Adjacent Zoning: N. RB S. PUD E. RB W. GB & OP

Is the complete legal description printed on the site plan? ☑ Yes ☐ No (if no please attach to the application)

Requested Zoning Classification: General Business (GB)

Existing Use of Property: 4.219 acres undeveloped Proposed Use of Property: Undecided at this point

Explain why the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership: Please see attached Memo

Explain why the existing zoning classification is no longer appropriate: Please see attached Memo

Explain why the proposed rezoning will not be detrimental to surrounding properties: Please see attached Memo
I/we, the undersigned, do hereby submit this application for Rezoning, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.04 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant: ____________________________ Date: November 11, 2020

Print Name: Jeffery Edgar

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner: ____________________________ Date: November 11, 2020

Print Name: Jeffery Edgar
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P: (248) 391-0304 ext. 5002; Fax (248) 391-1454

Project Name_**EDGAR DEVELOPMENT**

PC#________________________________________Parcel#(s)_09-26-451-003

Please select an option below:

[X] **Permission to Post on Web Site**

By signing below as applicant and on behalf of my consultants, we agree to allow the plans for the above named project, in which approval is being sought by the Planning Commission and/or Township Board, to be posted on the Township website.

[Signature]

**Jeffery Edgar**

Printed Name of Applicant

11/11/2020

Date
APPLICATION STATEMENT OF PURPOSE

The subject parcel is comprised of 15.03 total acres, given the Boundary Adjustment approved by the Township on November 9, 2020. The initial 10.82 acres is currently zoned General Business and the added acreage of 4.219 is currently zoned Restricted Business and was previously part of the Hills of Woodbridge Parent Parcel and anticipated PUD application. Due to the acquisition of the 4.219 acres and as a result of the approved Boundary Adjustment, the parcel has split zoning. The Owner's request is to rezone the 4.219 acres to General Business to be consistent with the primary zoning within the parcel. The 4.219 acres is vacant and undeveloped.

RECEIVED

NOV 12 2020

Orion Township Planning & Zoning
REZONING APPLICATION

CONTINUATION OF THE REZONING APPLICATION

EXPLAIN WHY THE REZONING IS NECESSARY FOR THE PRESERVATION AND ENJOYMENT OF THE RIGHTS OF USAGE COMMONLY ASSOCIATED WITH PROPERTY OWNERSHIP?

One of the rights of property ownership is for the owner to be able to develop their property in a manner consistent with the surrounding properties to obtain a return on their investment in the property. The rezoning of the 4.219 acres to General Business will create a uniform zoning throughout the parcel, consistent with the historical zoning of the parcel prior to the acquisition of the 4.219 acres.

EXPLAIN WHY THE EXISTING ZONING CLASSIFICATION IS NO LONGER APPROPRIATE?

Given the approved Boundary Adjustment, it is appropriate to have a constant zoning on the parcel. This will promote uniform and compatible uses within the parcel. The developed portion of the parcel is used for automotive sales. Given that the majority of the parcel is currently zoned as General Business, it requested to continue the General Business zoning throughout the parcel.

EXPLAIN WHY THE PROPOSED REZONING WILL NOT BE DETRIMENTAL TO SURROUNDING PROPERTIES?

The 4.219 acres requested to be rezoned as General Business is surrounded by General Business (balance of the same parcel) to the south, Restricted Business to the north and east (Undeveloped parcel Owner is currently seeking PUD approval) and Office and Professional to the west. The Wally Edgar automotive dealership has occupied this location for 33 years under the General Business zoning classification. Wally Edgar Chevrolet was developed prior to the adjacent parcel developments. The use of the dealership has been in harmony with the adjacent developments since its origination. With the request to simply create a consistent zoning throughout a parcel that has operated as a permitted General Business use for 33 years, there will not be a detrimental impact to the surrounding properties. This is a result of additional land acquired during an uncompleted PUD process and creates consistency within the parcel.
TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: December 9, 2020
RE: PC-2020-40, Lifted Investment, LLC, Ordinance 154 Class “C” Grow Application

As requested, I am providing suggested motions for the abovementioned project. Please feel free to modify the language. The verbiage below could substantially change based upon the Planning Commissions findings of facts for the project. Any additional findings of facts should be added to the motion below.

Ordinance #154

I move to grant/not grant approval of the application, as required per Ord. #154, for PC-2020-40, Lifted Investment, LLC, for a Class “C” growing facility, located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018) based on the finds of fact that the operation does/does not meeting the following location requirements:

• Is located in and IP zoning district
• Is located in a building that meets all the distance requirements shown in Ord. 154
• Is located in a building that has an ingress/egress road with less than 6,000 vehicles/day.
• Is located in a building that has an ingress/egress road that does not service as a road that also serves for residential zoning.

If motion is grant approval - conditioned upon:

1. The applicant meets all applicable Township Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Marihuana Licensing Board.
CHARTER TOWNSHIP OF ORION
ORDINANCE No. 154 APPLICATION REVIEW

Planning Commission Case:  PC-2020-40
Parcel Number:  09-34-300-018
Property Address:  Vacant (lot 4 Liberty Tech)
Applicant:  Lifted Investments, LLC
Request:  Class “C” Grow
Date:  December 8, 2020

The aforementioned application was reviewed for compliance with the location requirements of Article VI of Ordinance No. 154 and the finds are detailed below:

**Article V, 1. – The Facility must be located in the Township’s IP (Industrial Park) district:** The parcel is zoned IP (Industrial Park) as required.

**Article V, 2 – The Facility cannot be within one thousand five hundred (1,500) feet of a “church” in the Township:** Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 1,500 feet. Using GIS, a measurement was taken from the edge of the property where the building will be located (for simplicity vs. from edge of building which is further) to the edge of the closest church property line and it was over 6,600 feet.
Article VI, 3 – The Facility cannot be within two thousand (2,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,000 feet. Using GIS, a measurement was taken from the edge of the property where the building will be located (for simplicity vs. from edge of building which is further) to the edge of the closest residential building and it was 2,000.8 feet. The distance will be greater than this in that the building will be setback within the parcel.

Article VI, 4 – The Facility cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township: Article VI, 7 states that the distances specified in the Ordinance shall be measured from building edge to building edge. The applicant stated within their application that the facility is more than the required 2,500 feet. Using GIS, a measurement was taken from the edge of the property where the building will be located (for simplicity vs. from edge of building which is further) to the edge of the closest school property line and it was over 6,800 feet.
Article VI, 5 – The Facility shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG). The building has ingress and egress off of Liberty Drive. SEMCOG’s website does not contain any traffic count reports for Liberty Dr.

Article VI, 6- The Facility shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district. The proposed building would have ingress or egress off of Liberty Dr. Liberty Dr. does not serve as an ingress and/or egress to any property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP zoning district.

Article VI, 7 - Distances specified in this Ordinance shall be measured from building edge to building edge. The measurements, unless noted differently, were measured from building edge to proposed building edge.

Article VI, 8 – If the Facility shall need a variance from what is set forth in Article VI Sections one (1) through six (6) above, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations: The applicant is not requesting any variances from the ZBA.

Article VI, 9 – It is the Township’s intention that Growers, Processors, Safety Compliance Facilities and Secured Transporters may operate within the same building under the following conditions: each licensed entity remains distinct and separate within different working area and separate record keeping systems: The applicant is requesting a Class “C” growing facility only.

Article VI, 10 – The location shall meet all applicable Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board:

ITEMS TO BE ADDRESSED: These items are unknown at this time. It is recommended that any approval be conditioned upon this requirement.

Article VI, 11 – The Facility location shall conform to all standards of the zoning district in which it is located – The parcel is currently vacant. The Township has received an application for site plan approval and will be held to all the standards of the zoning district in which it is located.
Article VI, 12 – If the Facility location is currently vacant land, the Applicant must submit a site plan and building plans with the Application: The location is vacant land and the applicant has submitted a rough site plan and building elevations. In addition, an application for site plan approval has been submitted to the Township.

Article VI, 14 – Based upon an application for or amendment of a Conditional Rezoning, PUD, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of 3 factors listed in Article VI 14 a,b, and c.: The applicant is not requesting any waivers.

Summary: I have reviewed the application as it relates to Ordinance No. 154 Article VI – Location Requirements. I am agreeable with the recommendation to approve this application with the conditions that:

1. The applicant meets all other applicable Township Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marijuana Licensing Board.

Tamara Girling
Planning & Zoning Director
Charter Township of Orion

3525 Jeslyn Rd., Lake Orion MI 48360
www.oriontownship.org

To: Planning Commission/Planning Coordinator
From: Jeff Williams, Fire Marshall
Re: Lifted Investment, LLC, Ordinance #154 – Class C Grower PC-2020-40
Date: 12/01/2020

The Orion Township Fire Department has completed its review of Medical Marihuana Application PC-2020-49 for the limited purpose of compliance with Charter Township of Orion Ordinance Number 154.

Based upon the application and documentation provided, the Fire Department has the following recommendation as to issues concerning the Medical Marihuana Facility's specific location and impact on the health and safety of Township residents:

X Approved
☐ Approved with conditions (See below)
☐ Not approved

Conditions:
This approval is limited to the application and materials reviewed which at this time do not raise a specific concern with regard to location and/or impact on health and safety. However, the approval is conditioned upon the applicant providing sufficient additional information, data or documents, confirming full compliance with all applicable fire codes, Township Ordinances and State law. Furthermore, the Fire Department's approval is limited to the issuing of a Medical Marihuana Facilities Permit under Ordinance 154 and does not constitute a waiver of any additional requirement for site plan approval or as otherwise required by any applicable code, ordinance or law; including, the Fire Department's review and approval of a final site plan, security plan, fire suppression system, emergency ingress/egress, or other matters which represent a fire or emergency response concern.

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2003.

Sincerely,

Jeffrey Williams
Jeff Williams, Fire Marshal
Orion Township Fire Department

RECEIVED
DEC 02 2020
Orion Township Planning & Zoning
To: Planning Commission
From: David Goodloe, Building Official
Re: Medical Marijuana Applications PC-2020-40
Date: 12/08/2020

The application for the Lifted Investment LLC. has been reviewed by the Building Department for compliance with The Charter Township of Orion Ordinance number 154 Article VI application procedure for the purposes of compliance with Ordinance 154 only, the Building Department has the following recommendation:

- Approved
- Approved with conditions (See below)
- Not approved

Conditions:
1. This approval is conditioned on the future permitting and construction of all structures for the facility in accordance with the Michigan Building Code and Orion Township Ordinances.

If you have any questions feel free to contact me at 248-391-0304.

Sincerely,

David Goodloe
David Goodloe
Building Official
Orion Township Building Dept.
LIFTED INVESTMENTS, LLC’S ORION ORDINANCE 154
INITIAL PERMIT APPLICATION
Ordinance 154, Licensed Marihuana Facilities Ordinance

Pursuant to the Charter Township of Orion Ordinance 154, Licensed Marihuana Facilities Ordinance, the following application is intended to collect information and documentation establishing the applicant’s conformance with the ordinance. All applicants should note that the approval of aMarihuana Permit will be based upon the accuracy and completeness of the information provided. In the event applications are received in excess of the permitted number of locations within the Ordinance or two or more applicants have similar qualifications, the Charter Township of Orion reserves its right to approve a permit which in the opinion of the Township best meets its goals and safeguards as set forth in the Ordinance. No financial or other right is established by the payment of the non-refundable application fee. All applications for renewal of a permit shall be reviewed per the standards set forth in the Ordinance. The Charter Township of Orion reserves the right to approve or deny the permit based upon the failure of any applicant to establish to the satisfaction of the Township any requirement, standard or goal of the Ordinance. The applicant understands this determination may involve a subjective interpretation of the application. Any permit granted by the Township is contingent upon the State of Michigan granting a state license for the specific license applied for under this ordinance.

SECTION A- APPLICANT

1. Name of Applicant: LIFTED INVESTMENTS, LLC
   Authorized Signer (of not an individual): Thomas M DeAgostino

   Address of Applicant: 155 Romeo Rd., Rochester, Michigan 48307
   Phone Number: (248) 377-1700 OFF.  248 860-0700 CELL

   Email Address: tmd@deagostinolaw.com

   Limited Liability Company

2. If entity is Sole Proprietor, state Owner/Proprietor’s date of birth: ____________and provide a copy of photo identification.

3. If other than Sole Proprietor, list name, address and date of birth of all owners and provide copies of photo identification and percentage of ownership.
4. Name and address, phone number, date of birth and photo identification of all anticipated employees of facilities not listed as owners. (This information must be provided and supplemented before any future employee not listed begins working at facility)

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date of Birth</th>
<th>% of Ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>See attached Confidential Appendix 1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Unknown at this time</td>
<td></td>
</tr>
</tbody>
</table>

5. If the Applicant or owner or any operator is a licensed caregiver under the Michigan Medical Marihuana Act, please list their name and address, and caregiver ID number issued by the State of Michigan. N/A

6. For any corporation or other legal entity who has a financial interest or affiliation with the requested permit, please state the following:

   Name: __________________________________________
   Name of Authorized Signer: __________________________
   Address: __________________________________________
   Interest or Affiliation: _____________________________

**SECTION B- FACILITY LOCATION**

7. Name of proposed facility: Lifted

8. Location of proposed facility: V/1 Giddings T4N R10E, SEC 34 LIBERTY TECHNE CENTER Lot 4, 9-2-04 FR 001; Liber 291, Pg. 1; Tax Parcel ID 09-34-300-018

9. Please provide a preliminary floor plan sketch showing the location of all facility operations within an existing building, or for new construction a site plan for the parcel. Attach as Exhibit “A”
   Document(s) attached.

10. With respect to the location of the facility, please state with specificity the exact location, address, suite number and, if necessary, the location of the facility within a building or the parcel of land. This location should include the distance in feet from each property line. Attach as Exhibit “B”
    Document(s) attached.
Provide copies of documentation showing a legal and enforceable property interest. 
Attach as Exhibit “C”.
Document(s) attached.

12. Please confirm and establish that the facility is located within the Township’s Industrial Park district (“IP”); is not within 1,500 feet of a church; is not within 2,000 feet of a residence located in the R-1, R-2, R-3, SF, SE, SR, RM or MHP Zoning Districts; is not within 2500 feet of a registered school and does not have ingress or egress on a street or road that has an average traffic volume in excess of 6,000 vehicles per day as calculated and reported by Southeast Michigan Counsel of Governments. Further, please show that the facility does not have an ingress or egress on a street or road that serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM or MHP Zoning District. For each of the above criteria, please attach any and all documents which will permit the Township to calculate compliance with the Licensed Marihuana Facilities Ordinance No. 154. At a minimum, provide a map showing the facility and measured distances (building edge to building edge).

Liberty Industrial Park is classified with the “IP” designating per Charter Township of Orion Master-plan.

The proposed cultivation facility for the Lifted Investment, LLC. is approximately ~2,200 L.F. from the nearest residential location complying with the >2000 L.F. requirement.

No churches or schools are located within direct vicinity of Liberty Industrial Park.

Ingress and egress to the proposed Site #4 of Liberty Industrial Park will be provided from Liberty Drive which meets the <6000 AADT criteria

Attach as Exhibit “D”.
Documents attached.

a) Is the Facility located in the Township’s IP (Industrial Park District) zoning district?

Yes

b) Is the Facility more than one thousand five hundred (1,500) feet of any church in the Township?

Yes

c) Is the Facility more than two thousand (2,000) feet of any residence located in an R-1, R-2, R-3, SF, SE, SR, RM, or MHP zoning district?
R-1, R-2, R-3, SF, SE, SR, RM, or MHP zoning district?

Yes

d) Is the Facility more than two thousand five hundred (2,500) feet of any registered school within the Township.

Yes

For 10-12 above, please provide a map showing the facility and measured distances (building edge to building edge.) Map attached

e) Does the facility have an ingress or egress on a street or road that has an average traffic volume of six thousand (6,000) or less vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported to the Southeast Michigan Council of Governments (SEMCOG) per the site semcog.org/Traffic-Counts?

Yes

f) Does the Facility have an ingress or egress on a street or road that does not also serve as an ingress or egress to a residential road or property located in a TR-1, R-2, R-3, SF, SE, SR, RM, or MHP zoning district?

Yes

Name of Facility ingress/egress Street or road: Liberty Drive

13. Please state whether the Applicant will seek a variance from the Zoning Board of Appeals pursuant to Article 6(8) of the Orion Licensed Marihuana Facilities Ordinance No. 154.

No

SECTION C- FACILITY REQUIREMENTS

14. When available, submit to the Township a copy of the Applicant’s application for a license submitted to the State of Michigan, Department of Licensing and Regulatory Affairs, for each facility permit requested. Attach as Exhibit “E”:

Document(s) Not attached.

If not attached, why not and when is applicant expected to supplement: We are working with legal counsel to prepare and file the necessary Pre-Qualification Applications. This
15. Is consumption and/or use of marihuana prohibited at the Facility?

Yes

16. Will all activity related to the Facility be done indoors?

Yes

17. Will all Marihuana contained within the building be in a locked Facility in accordance with the Michigan Medical Marihuana Act, MCL 333.26421 et seq., as amended ("MMMA"), the Michigan Medical Marihuana Facilities Licensing Act, MCL 333.27101, et seq., and the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq., as amended ("MRTMA") as amended?

Yes

18. Please set forth an operations statement, plan and or outline showing that all facility activities shall occur indoors and, in a building, which is locked. Attach as Exhibit "F"

Document(s) attached.

19. Will all necessary building, electrical, plumbing and mechanical permits obtained for any portion of the structure in which electrical wiring, lighting and/or watering devices are located?

Yes

20. When available and prior to the issuance of any permit, the Applicant must submit all necessary building, electrical, plumbing and mechanical permits, as well as documented approval by the Orion Fire department showing compliance with the Michigan Fire Protection Code and confirmation that the storage of any chemical, herbicide, pesticide and or fertilizer has also been approved by the Orion Fire Department. Attach as Exhibit "G".

Document(s) Not attached.

If not attached, why not and when is applicant expected to supplement: This information will be supplemented once Site Plan approval is complete and permits are issued.

21. In any portion of the structure where the storage of any chemicals such as herbicides, pesticides, and/or fertilizers, do you agree to be subject to inspection and approval by the Orion Fire Department to ensure compliance with the Michigan Fire protection Code?

Yes
22. Will you ensure that no other uses, other than accessory uses, will be permitted within the same Facility other than those associated with cultivating, processing, transporting or testing marihuana?

Yes

23. Please state and/or provide documentation showing the plan that all litter and waste will be properly and safely removed and will not constitute a source of contamination in areas where marihuana is exposed. Further, please include how the applicant will dispose of rubbish so as to minimize the development of odor and minimize the potential for development of waste odor and waste from becoming an attracted, harborage or breeding place for pests. Please include a detailed description of the ventilation system. Attach as Exhibit “H.”

Document(s) attached.

a) Will litter and waste be properly removed and the operating systems for waste disposal maintained in an adequate manner so that they do not constitute a source of contamination in areas where marihuana is exposed?

Yes

b) Will floors, walls and ceilings be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair?

Yes

c) Will there be adequate screening or other protection against entry of pests, and will rubbish be disposed of so as to minimize the development of odor, minimize the potential for development of waste odor, and minimize the potential for waste becoming an attractant harborage or breeding places for pests?

Yes

d) Will all buildings, fixtures and other facilities be maintained in a sanitary condition?

Yes

e) Will each Facility center provide its occupants with adequate and readily accessible toilet facilities that will be maintained in a sanitary condition and in good repair?

Yes

24. Please state how the Applicant intends to avoid excessive noise, dust, vibrations, glare, fumes or odors detectable to the normal senses beyond the boundaries of the property.
Attach as Exhibit “I”.
Document(s) attached.

a) Will each Facility be operated in a manner that does not create excessive noise, dust, vibrations, glare, fumes or odors detectable to the normal senses beyond the boundaries of the property on which that Marijuana Facility will operate/operates or in violation of any other ordinance?

Yes

25. Please provide the plan and supporting documentation showing that all disposal systems for spent water and spent soil have been adequately and safely disposed of and accounted for. Attach as Exhibit “J”.

Document(s) attached.

26. Please provide a security and safety plan, and at a minimum showing the facilities surveillance systems and continuous monitoring systems of the entire premise as required by the ordinance. Attach as Exhibit “K”.

Document(s) attached.

a. Will the Facility continuously monitor the entire premises with surveillance systems that include security cameras operating 24 hours a day, 7 days a week, every day of the year, and will these recordings be maintained for a period of at least 30 days?

Yes

27. Please state and/or show the exterior signage or advertising identifying the facility. Attach as Exhibit “L”.

Applicant has not finalized its company Logo or Signage, the attached Exhibit L depicts the location of the proposed Logo and/or sign.

Document(s) attached.

a. Do you understand and agree that any exterior signage or advertising identifying the Facility as a marijuana facility is prohibited?

Yes

SECTION D- BUSINESS OPERATIONS AND SECURITY
28. Active business operations shall not be open outside of the hours of 7am and 9:00pm

Active Hours of Operations:

<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
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<tbody>
<tr>
<td>7am-9pm</td>
<td>7am-9pm</td>
<td>7am-9pm</td>
<td>7am-9pm</td>
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<tr>
<td>9pm-7am</td>
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<td>9pm-7am</td>
<td>9pm-7am</td>
</tr>
</tbody>
</table>

29. Will security guards be provided?

If yes, how many? 3

Yes

30. Days and Hours security guards will be provided:

<table>
<thead>
<tr>
<th>24 Hrs?*</th>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Start

Finish

*If any day is not 24 hrs., please enter Start and Finish times.

SECTION F - BACKGROUND

31. Have you previously operated in this Township or any other County, City, or State under a Medical or adult use Marijuana/Marihuana License or Permit?

No

32. Have any of the previously issued licenses or permits mentioned above been revoked or suspended?

N/A

33. Is the Applicant or Authorized Signer currently licensed by any governmental agency to engage in any business?

Yes

34. If yes to questions 31, 32, or 33, please list each such license or permit held, the city or state in which it is held, and expiration date thereof.

Thomas M DeAgostino is licensed to practice law in the States of Michigan and Florida.

35. Has the Applicant or any stakeholder been convicted or incarcerated for a felony

8
within the past ten (10) years or ever been convicted of an illegal substance related felony?

No

HEREBY CERTIFY UNDER OATH AND PENALTY OF PERJURY THAT ALL THE
INFORMATION CONTAINED IN THIS APPLICATION IS COMPLETE, TRUE AND
ACCURATE. I UNDERSTAND THAT ANY OMISSIONS OR INACCURATE
INFORMATION OF THE APPLICANT, MY AGENTS OR EMPLOYEES WILL
DISQUALIFY MY APPLICATION FROM CONSIDERATION.

Applicant's Signature:

Print Name: Thomas M DeAgostino
Title: Manager/Member

Dated: Jan. 11, 2020

Witness Signature:

Laura R. Sizemore
DOCUMENTS TO PROVIDE WITH APPLICATION

(Where applicable, an attached document(s) may satisfy more than one requested document. If so, please identify the appropriate responsive Exhibit or document in the space provided.)

Application Documents

Exhibit A & B: Floor plan or drawings to scale and elevations as required by Orion Township Ordinance No. 154 with location plan showing surrounding area as required by Ordinance.
   Document Attached.

Exhibit C: Copy of Proof of Ownership, Purchase Agreement, Lease, or options for the site where the Marihuana Facility will be operated. (If leased, signed document by owner consenting of the lease to the site for a Marihuana Facility).
   Document Attached.

Exhibit D: Copy of map and/or other documents in response to question 15.
   Document Attached.

Exhibit E: Copy of the Applicant’s application for license submitted to the State of Michigan, Department of Licensing and Regulatory Affairs.
   Document Not Attached. If not, why not: Not yet completed.

Exhibit F: Copy of operations statement, plan and or outline showing facility activities shall occur indoors and in locked building (question 21).
   Document Attached.

Exhibit G: Copy of all necessary building, electrical, plumbing and mechanical permits, as well as documented approval by the Orion Fire Department showing compliance. (question 23)
   Document Not Attached. If not, why not: Not yet completed.

Exhibit H: Copy of plan for litter and waste removal and detailed description of ventilation system. (question 26)
   Document Attached.

Exhibit I: Copy of plan to avoid excessive noise, dust, vibrations, glare, fumes or odors.
   (question 27)
   Document Attached.

Exhibit J: Copy of plan and supporting documents showing disposal of spent water and soil safety plan. (question 28)
   Document Attached.

Exhibit K: Description of a security and safety plan as required in the Orion Township Ordinance No. 154 for Licensed Marihuana Facility. (question 29)
Document Attached.

**Exhibit L:** Any proposed text or graphical materials to be shown on the exterior of the proposed facility. (question 30)

Document Attached.

**Additional Documents**

1. Copy of Articles of Incorporation or Limited Liability company or Partnership Agreement or assumed name certificate.
   Document Attached.

2. Copy of Internal Revenue Service SS-4 EIN confirmation letter.
   Document Attached.

3. Copy of Operating Agreement for LLC or Bylaws of Corporation of Partnership.
   Document Attached.

4. Staffing plan.
   Document Not Attached. If not, why not: Not yet completed

5. Proof of insurance showing compliance with Township Ordinance.
   Document Not Attached. If not, why not: Facility is not yet constructed and there is no insurable interest at this time.

6. Executed Affirmation of Stakeholder
   Document Attached.
AFFIRMATION OF STAKEHOLDERS, AGENTS OR EMPLOYEES
FOR A LICENSED MARIHUANA FACILITY

1. I, Thomas M DeAgostino, make this affirmation in support of the Application for a permit with the Charter Township of Orion for a Marihuana facility located at V/1 Giddings T4N R10E, SEC 34 LIBERTY TECHNE CENTER Lot 4, 9-2-04 FR 001

2. I affirm:
   a. That I am at least 21 years of age.
   b. That I have never been indicted or charged with or arrested for, convicted of, plead guilty, or nolo contendere to a felony or to a controlled substance related misdemeanor.

3. I have not previously had a business license permit or registration denied or revoked or suspended by Orion Township.

Dated: Nov. 11, 2020

Print Name: Thomas M DeAgostino
1. Type of Permit Requested:
   - Class "C" Grower Facility (medical) [ ]
   - Processing Center Facility (medical) [ ]
   - Safety Compliance Facility (medical) [ ]
   - Secured Transporter Facility (medical) [ ]
   - Class "A" Grower Facility (adult use) [ ]
   - Marijuana Safety Compliance Facility (adult use) [ ]

   Name of Applicant: Lifted Investments, LLC

2. Date and Time Application accepted by Orion Township:
   Date: ___________________________ Time: ___________________________

3. Initial Application shall include nonrefundable $5,000 application fee and $5,000 annual permit fee. ($10,000.00 total) The annual permit fee is refundable if permit is denied. The annual renewal fee will be in the amount set by resolution of the Township Board of Trustees in its schedule of fees.
   - $5,000.00 Non-Refundable Initial Application Fee paid on: ___________________________
   - $5,000.00 Annual Permit Fee paid on: ___________________________

Optional Inspections - To be Completed by Orion Township Clerks Office

   Building Department Inspection Date: ___________________________ Signed by: ___________________________
   Police Department Inspection Date: ___________________________ Signed by: ___________________________
   Fire Department Inspection Date: ___________________________ Signed by: ___________________________
EXHIBIT F

LIFTED INVESTMENT, LLC's OPERATING PLAN

Lifted Investment LLC, (the "COMPANY") will cultivate marijuana while taking all actions required to ensure it meets the standards for quality and consistency required for the State of Michigan Operational Standards. To that end, the Company will maintain the cultivation with adequate lighting, ventilation, temperature, sanitation, equipment, and security for the safe and consistent cultivation of marijuana (cannabis). With this Operations Plan, the Company commits to comply with all requirements of the Michigan Medical Marihuana Facilities Licensing Act, ("MMFLA") and the regulations promulgated thereunder.

The COMPANY's Cultivation Facility will utilize fully enclosed grow pods. These prefabricated modular grow pods are fully enclosed, environmentally independent rooms built specifically for our cannabis cultivation. The modular grow rooms will be located within the Company's secured cultivation facility shell.
WARRANTY DEED

Drafted by: Armen Kalaydjian, 25480 Telegraph Rd., Sce 100, Southfield, MI 48033

When recorded return to: Lifted Industrial Partners, LLC, a Michigan limited liability company, 155 Romeo Rd., Suite 300, Rochester, MI 48307

THE GRANTOR(s): HRN Corp., a Michigan corporation

Whose address is: 25480 Telegraph Rd., Suite 100, Southfield, MI 48033

Conveys and warrants to: Lifted Industrial Partners, LLC, a Michigan limited liability company

Whose address is: 155 Romeo Rd., Suite 300, Rochester, MI 48307

the following described premises: See attached Exhibit A.

Tax Parcel No: 09-34-300-018
Commonly known as: Vacant Giddings Rd., Lake Orion, MI 48359

for the sum of [redacted]

COUNTY Transfer Tax: [redacted]
STATE Transfer Tax: [redacted]

Subject to easements, reservations and restrictions of record.
Dated: November 10, 2020

Signed and Sealed:

HRN Corp., a Michigan corporation

by Armen Kalaydjian, President

STATE OF MICHIGAN
COUNTY OF Oakland

On this 10th day of November, 2020, before me personally appeared, HRN Corp., a Michigan corporation by Armen Kalaydjian, President, who provided satisfactory evidence to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.

Notary Public: Monica Schiffer
Printed Name: Monica Schiffer
Wayne County, MI
My Commission Expires: 1-5-21
EXHIBIT A

Land situated in the Township of Orion, County of Oakland, State of Michigan, more particularly described as:

Lot 4, of "Liberty Techne Center", according to the plat thereof recorded in Liber 291, Page(s) 1 of Plats, Oakland County Records.

Tax Parcel No: 09-34-300-018
Commonly known as: Vacant Giddings Rd., Lake Orion, MI 48359
LEASE BETWEEN

Lifted Industrial Partners, LLC

AS LANDLORD,

AND

Lifted Investments, LLC

AS TENANT

LOCATION:
Lot 4 of the Liberty Techne Center
Giddings Rd.
Lake Orion, MI 48359
LEASE

This lease (hereinafter "Lease") made and entered into this 11th day of November, 2020 (the "Effective Date"), by and between Lifted Industrial Partners, LLC, a Michigan limited liability company, and having its usual place of business at 155 Romeo Road, Suite 300, Rochester, Michigan, hereinafter referred to as "Landlord," and Lifted Investments, LLC, a Michigan limited liability company, hereinafter referred to as "Tenant." In consideration of the mutual covenants herein contained, the parties agree as follows:

Definitions

The following terms when used hereinafter shall be defined as follows:

"Building" means the approximately 42,697 square foot building located on the Land, commonly known as Giddings Rd. Lot 4.

"Land" means the real property located in the Lake Orion, County of Oakland, State of Michigan more particularly described on the attached Exhibit A.

SECTION ONE
DESCRIPTION OF BUILDING AND PREMISES

Premises. Landlord leases to Tenant and Tenant leases from Landlord the Building and Land, together with all of the Landlord’s right, title and interest in and to any easements benefitting the Land and Building, along with all fixtures and equipment located on or about the Building (collectively, the "Premises").

SECTION TWO
TERM

Term. The Term of this Lease (the "Term") is twenty (20) years commencing as of the Lease Commencement Date. For purposes of this Lease, the "Lease Commencement Date" shall be the date that Landlord delivers exclusive possession of the Premises to the Tenant.

Tenant shall be entitled to the use and possession of the Premises as of the Lease Commencement Date.

SECTION THREE
QUIET ENJOYMENT

Landlord covenants, warrants and represents that as of the Effective Date, Landlord has full right and power to execute and perform this Lease and to grant the estate demised herein; and that Tenant, from and after the Lease Commencement Date, upon the payment of the rent herein reserved and performance of the covenants and agreements hereof, shall peaceably and quietly have, hold and enjoy the Premises thereon and all rights, easements, covenants and privileges belonging or in any way appertaining thereto, during the Term of this Lease. Upon request, Landlord shall provide proof of ownership of the Premises satisfactory to Tenant.

From and after the Effective Date, Tenant will not make any material or structural modifications to the Premises without the Landlord’s prior written consent. Tenant may, at its cost and subject to municipal code, prune, cut back or remove any trees that interfere with visibility of the Premises from and after the Lease Commencement Date.
SECTION FOUR
RENT

A. Rent. The total ("Base Rent") payable during the original Term, without right of setoff or deduction at any time for any reason shall be

In advance on the first of each month without deduction or set-off.

The parties agree that this Lease is a triple net lease, as further described herein, and that Base Rent does not include charges for Additional Rent (as herein defined), including but not limited to Insurance, taxes, maintenance, upkeep, or repair of the Premises.

All payments of Base Rent or other sums due Landlord shall be made at Landlord's address as set forth in Section Twenty of this Lease or as Landlord may periodically designate in writing.

B. Rent Commencement. Tenant's obligation to pay Base Rent shall commence on the earlier of (a) the Lease Commencement Date; or (b) the day Tenant opens for business (the "Rent Commencement Date"). If the Rent Commencement Date is on a date that is not the first day of the month, the Tenant shall pay a proportionate share of Base Rent for the days remaining in the month of the Rent Commencement Date and thereafter monthly installments of Base Rent shall be due and payable on the first day of each month during the Term. If any payment of Base Rent or Additional Rent (as herein defined) is not paid within seven (7) days after the date when due under this Lease, Tenant shall be in default, and in addition to the payment then due, Tenant shall pay Landlord, as Additional Rent, a late charge ("Late Rent"), which shall be equal to five (5%) percent of the unpaid amounts outstanding, and not as a penalty or interest. If any check, bank draft, order for payment or negotiable instrument delivered to Landlord for any payment under this Lease shall be dishonored for any reason not attributable to Landlord, Tenant shall pay an additional administrative charge to Landlord of Fifty and 00/100 ($50.00) Dollars as Additional Rent. Tenant recognizes and agrees that these changes represent, at the time this Lease is made, a fair and reasonable estimate of the costs to Landlord resulting from the events described. Landlord's right to receive these fees shall be in addition to all other rights and remedies available to Landlord upon the default of Tenant.

C. Additional Rent. In addition to Base Rent payable to the Landlord above, Tenant shall be responsible, at its sole cost and expense, as "Additional Rent" hereunder, for the maintenance, repair and operation of the Premises. Such costs and expenses shall include, without limitation, the costs and expenses attributable to: repair and maintenance of the Premises, including but not limited to, resurfacing, repainting and restriping parking areas; cleaning, sweeping, trash removal and other janitorial services, policing and security services; the purchase, construction and maintenance of refuse receptacles; installing and maintaining plantings and landscaping, directional signs and other markers; the costs, expenses, and payments of power, lighting, gas, water and all other utilities furnished to the Premises; premiums on fire, public liability and property damage insurance; real and personal property taxes levied or assessed against the Premises or any portion thereof. All of the above items shall be the sole cost and responsibility of Tenant during the term of the Lease.

Notwithstanding the above paragraph and Tenant's obligations, Landlord shall remain Taxpayer in the City of Troy and Tenant agrees to promptly pay all Real Estate Taxes and assessments when due as Additional Rent hereunder, upon receipt of notice from Landlord. If Tenant fails to pay all real estate taxes and assessments when due, Landlord has the right to pay said Taxes and Tenant shall reimburse Landlord for said Real Estate Taxes within ten (10) days of receipt of notice from Landlord plus an additional amount of ten (10%) percent of the outstanding payment, plus any interest or penalties imposed by the taxing bodies.

D. Security Deposit. Tenant, contemporaneously with the execution of this Lease, has paid to Landlord the sum of Zero and 00/100 ($0.00) Dollars ("Security Deposit"). The Security Deposit shall be held by Landlord, without liability for interest, as security for the faithful performance by Tenant of all the

Page 3 of 17
terms, covenants and conditions of this Lease by Tenant to be kept and performed during the Term hereof, but in no event shall Landlord be obliged to apply the Security Deposit upon Rents or other charges in arrears or upon damages for Tenant's failure to perform the said covenants, conditions and agreements hereunder. Landlord may so apply the Security Deposit at its sole option. Landlord's right to the possession of the Premises for non-payment of Rent or for any other reason shall not in any event be affected by reason of the fact that Landlord holds the Security Deposit.

E. **Use and Return of Security Deposit.** In the event Tenant shall default, beyond any applicable notice and cure periods, fail to keep and perform any of the terms, covenants and conditions of this Lease to be kept and performed by Tenant, Landlord may, at its sole option, appropriate and apply the entire Security Deposit, or so much thereof as may be necessary, to compensate Landlord for loss or damage sustained by Landlord due to such breach, without prejudice to its further rights and remedies. Should the entire Security Deposit or any portion thereof be appropriated and applied by Landlord for the payment of Base Rent, Additional Rent, Late Rent, or other sums due from Tenant hereunder, Tenant shall, upon the written demand of Landlord, forthwith remit to Landlord a sufficient amount in cash to restore said Security Deposit to the original sum deposited. Should Tenant comply with all the terms, covenants and conditions of this Lease, the Security Deposit shall be returned in full to Tenant at the end of the initial Term of this Lease.

**SECTION FIVE**
**USE OF PREMISES**

Tenant’s use of the Premises shall be as a duly licensed cannabis cultivation facility to be operated in full compliance with the provisions of the Michigan Medical Marihuana Facilities Licensing Act, the Michigan Medical Marihuana Act, and the Michigan Regulations and Taxation of Marihuana Act, as well as any other State and/or Municipal law, rule or regulation, but for no purpose(s) which would substantially diminish the value of the Premises without the written consent of the Landlord. Tenant will not use the Premises for any purpose in violation of any law, municipal ordinance or regulation, and that on any breach of this Lease, Landlord may at its option, terminate this Lease forthwith and re-enter and repossess the Premises.

**SECTION SIX**
**UTILITIES**

Beginning on the Lease Commencement Date, Tenant shall be solely responsible to pay (and shall execute any necessary documentation and affidavits or other requisite forms assuming sole responsibility), and shall pay all charges for all utilities furnished to, consumed by, and servicing the Premises during the Term of this Lease, including but not limited to water, electricity, gas, sewer and sewerage disposal, cable, Internet and telephone service as they become due.

Landlord shall not be liable in the event of any interruption in the supply of any utilities, including without limitation, any heating and air conditioning, nor shall any such interruption constitute any ground for any abatement of any of the Rents reserved hereunder. Tenant agrees that it will not install any equipment which will exceed or overload the capacity of any utility facilities serving the Premises, and that if any equipment or fixtures installed by Tenant shall require additional utility facilities, the same shall be installed at Tenant's sole cost and expense in accordance with plans and specifications to be approved by Landlord in writing, and shall become Landlord's property notwithstanding any provision to the contrary.

**SECTION SEVEN**
**REPAIRS AND MAINTENANCE**

Tenant accepts the Premises as-is where-is with all faults, and shall maintain the Premises, including the roof, outer walls, foundations, walks, driveways, parking areas, and the structural portion of the Premises in good condition and repair at its sole cost and expense. Such maintenance and repair shall include, but not be limited to the removal of snow and/or ice, the doors and the interior of the Building, including electrical wiring and fixtures, plumbing, heating and air conditioning equipment presently in place or added by Tenant, along with all plate glass damaged or broken during the Term. Landlord shall at no time during the Term be
required to perform any repairs, maintenance, or alterations to the Premises after the Lease Commencement Date. Tenant shall not erect any structures for storage or any aerial, or use the roof for any purpose or puncture the roof without Landlord's written consent.

Tenant acknowledges that he has examined the Premises prior to the making of this Lease, that it knows the condition thereof, that no representations as to the condition of the Premises or state of repairs thereof have been made by Landlord or Landlord's agent(s) which are not expressly set forth herein, and that Tenant hereby accepts the Premises in its present as-is where-is condition with all faults at the Effective Date of this Lease.

SECTION EIGHT
HAZARDOUS SUBSTANCES

Landlord warrants and represents that, to the best of its knowledge, any use, storage, treatment or transportation of Hazardous Substances which has occurred in, on or under the Premises and the Building prior to the date of execution of this Lease has been in compliance with all applicable environmental laws. "Hazardous Substances" shall mean pollutants, contaminants, toxic or hazardous waste, or any other substances, the use and/or the removal of which is required or the use of which is restricted, prohibited or penalized by any environmental law. "Environmental Law" shall mean any applicable present and future federal, state or local law, ordinance or other statute of a governmental or quasi-governmental authority relating to pollution or protection of the environment, and any regulation or policy promulgated or issued thereunder. Landlord additionally warrants and represents that, to the best of its knowledge, no release, leak, discharge, spill, disposal or emission of Hazardous Substances has occurred in, on or under the Premises or the Building, and that the Premises and the Building are free of Hazardous Substances as of the date of the execution of this Lease, except for Hazardous Substances contained in products used by Landlord or Tenants in de minimis quantities for ordinary cleaning and office purposes properly stored in a manner and location meeting all Environmental Laws.

To the best of Landlord's knowledge and belief: (a) Landlord has heretofore duly complied with all Environmental Laws and the Premises are presently in compliance with all Environmental Laws, and; (b) Landlord has received no notice respecting, nor does it otherwise know of nor suspect, any fact which might constitute a violation of any Environmental Law.

Landlord agrees to indemnify, defend and hold harmless Tenant from any and all claims, damages, fines, judgments, penalties, costs, liabilities or losses (including any and all sums paid for settlement of claims, attorneys' fees, consultants' and experts' fees) arising during or after the Term of this Lease from or in connection with the breach of the foregoing representations and warranties by Landlord or the presence by Landlord or suspected presence by Landlord in the past, or during or after the Term of this Lease, of Hazardous Substances in, on, or under the Premises and the Building. Without limitation of the foregoing, this indemnification includes all costs incurred due to any investigation of the site or any cleanup, removal or restoration mandated by a federal, state or local agency or political subdivision, unless the Hazardous Substances are present solely as a result of any act, omissions, negligence, willful misconduct or other acts of Tenant, Tenant's agents, employees, contractors. This Indemnification specifically includes all costs due to Hazardous Substances which flow, diffuse, migrate or percolate into, onto or under the Premises or the Building.

Tenant will not cause or permit any Hazardous Substance to be used, stored, generated or disposed of on or in the Premises by Tenant, Tenant's agents, employees, contractors or invitees, without obtaining Landlord's prior written consent, except for Hazardous Substances contained in products used by Tenant or such other persons in de minimis quantities for ordinary cleaning and office purposes provided such materials are properly stored in a manner and location meeting all Environmental Laws. If Tenant breaches the foregoing representation and warranty, or if Hazardous Substances are used, stored, generated or disposed of on or in the Premises or the Building by such persons or if the Premises or the Building become contaminated in any manner for which the Tenant is liable, Tenant agrees to indemnify, defend and hold harmless Landlord from any and all claims, damages, fines, judgments, penalties, costs, liabilities or losses (including a decrease in
value of the Premises, damages due to loss or restriction of rentable or usable space, or any damages due to adverse impact on marketing of the space, and any and all sums paid for settlement of claims, attorneys’ fees, consultants’ and experts’ fees) arising during or after the Term of this Lease and arising as a result of such contamination by Tenant or such other persons. Without limitation of the foregoing, this indemnification includes all costs incurred due to any investigation of the site or any cleanup, removal or restoration mandated by a federal, state or local agency or political subdivision.

If Tenant causes or permits the presence of any Hazardous Substance at the Premises or the Building and such Hazardous Substances alone result in contamination, Tenant will promptly, at its sole expense, take all necessary actions to return the Premises to the condition existing prior to the contamination caused by the presence of any such Hazardous Substance at the Premises at Tenant’s sole cost and expense. Tenant must first obtain Landlord’s approval and the approval of any necessary federal, state or local agencies for any such remedial action.

The foregoing indemnification and responsibilities of Landlord and Tenant, respectively, shall survive the termination or expiration of this Lease.

SECTION NINE
SURRENDER OF PREMISES

Upon full performance of all obligations hereunder throughout the Term, Tenant shall be permitted, within thirty (30) days after the expiration or sooner proper termination of this Lease (without default by Tenant), and upon payment of Rent as contained herein, to remove any additions or Improvements made by it and any equipment installed or trade fixtures remaining in or about the Premises without damage. Tenant shall be obligated to repair and pay for any and all damage to the Premises caused by such removal. Tenant shall surrender the Premises in as good tenable condition as of the Lease Commencement Date. Any such addition or improvement not removed within thirty (30) days of expiration shall be deemed abandoned and shall, thereupon, become the property of Landlord without compensation to Tenant. The Parties agree to work in good faith at the expiration of this Lease to identify what fixtures and equipment Tenant intends to remove.

Tenant’s trade fixtures and all of Tenant’s equipment shall not be considered fixtures, and shall remain the property of Tenant. As such, Tenant’s trade fixtures may be removed by Tenant at any time, while not in default, and upon full performance of its obligations hereunder, subject to the foregoing paragraph.

Tenant may, but shall not be required to remove those alterations or improvements to the Premises which are installed by Tenant and which are trade fixtures which may be removed without material damage to the Premises and which are in the nature of furniture, movable refrigeration, movable cooking equipment, storage and display cases, counter shelves and racks. Notwithstanding any clause to the contrary, all other alterations and fixtures including, without limitation, those in the nature of ventilating, air conditioning, unmovable refrigeration, unmovable cooking equipment, plumbing, sprinkling systems, outlets, partitions, doors, vaults, paneling, molding or flooring shall be surrendered with the Premises and Tenant shall not remove them. Tenant must notify Landlord, in writing through a reliable service such as USPS Overnight Delivery (signature required) or Federal Express Overnight of its intention to surrender the Building and Premises, within a minimum of seventy-two (72) hours’ notice of the specific date/time Tenant intends to vacate and surrender the Buildings and the Premises, upon expiration of the Term and so long as Tenant is not in default.

All costs and expenses incurred by Landlord in connection with repairing or restoring the Premises to the condition called for herein, together with the costs, if any, of removing from the Premises any property of Tenant left therein, shall be invoiced to Tenant and shall be payable as Additional Rent within five (5) days after receipt of invoice.
SECTION TEN
DAMAGE OR DESTRUCTION OF PREMISES

If the Building is completely or partially destroyed by fire, casualty or other cause during the Term of this Lease or any extension thereof, Tenant, at its sole cost and expense, shall promptly repair and restore the Building to the condition immediately preceding the damage or, at Tenant’s option, Tenant may restore the Building to new or updated standards for a Crispielli’s restaurant, and in compliance with all local building codes then in effect. The Building shall be repaired within one (1) year of the date of the damage or destruction.

Rent shall be abated proportionately to the extent to which damage and repair operations interfere with the business conducted on the Premises by Tenant and only if and to the extent covered by loss of rents insurance proceeds, for the period the Building is untenanted. Tenant shall pay for and maintain business interruption insurance which shall provide for payment of Rent to the Landlord during the entire pendency of the repair of the Premises. A total destruction of Building shall automatically terminate the Lease.

Tenant covenants and agrees, as a material inducement for Landlord entering into this Lease, to pay for and carry a standard replacement cost fire and extended coverage insurance policy in an amount sufficient to cover the full replacement cost of the Building with Landlord as a named insured. Landlord also covenants and agrees, as a material inducement for Tenant entering into this Lease, that any insurance proceeds shall be applied exclusively to the cost of repairing or rebuilding the Premises, unless the Lease is terminated pursuant to this Section.

SECTION ELEVEN
TENANT’S PROPERTY & LIABILITY INSURANCE

Throughout the Term (as may be extended in accordance hereof), Tenant shall maintain and keep in full force and effect with financially responsible insurance companies with an AM Best Rating of not less than A-VIII licensed to conduct business in the State of Michigan: (i) a commercial general public liability insurance policy with respect to the Premises and its appurtenances (including signs) with a limit of not less than Two Million ($2,000,000) Dollars per occurrence; (ii) an umbrella liability insurance policy with a limit of not less than Four Million ($4,000,000) Dollars; (iii) an insurance policy to cover heating and air-conditioning units against damage for one hundred (100%) percent of replacement cost; (iv) an all-risk ("special form") property insurance policy for no less than One Hundred Percent (100%) of the full replacement cost of the covered property and in an amount not less than Two Million ($2,000,000.00) Dollars insuring the Premises, Building and landscaped areas, all merchandise, leasehold improvements, furniture, fixtures and other personal property, all at their replacement cost; (v) business interruption insurance with limit of liability representing loss of at least twelve (12) months of Income; (vi) plate glass insurance covering all the plate glass of the Leased Building, in amounts satisfactory to Landlord; (vii) worker’s compensation and employer’s liability insurance in compliance with applicable legal requirements; (viii) any other form of Insurance which Landlord or any mortgagee of the Leased Building and Premises shall reasonably require from time to time, in form, in amounts and for risks against which a prudent tenant would insure. Any insurance policies required hereunder shall have a Term of not less than one (1) year and shall name Landlord and Landlord’s designee(s) as additional insureds and shall provide that the policies may not be modified or terminated without thirty (30) days advance written notice to Landlord. Landlord shall also be named as a loss payee. A copy of the paid up policies evidencing such Insurance or a certificate of insurer certifying to the issuance of such policy shall be delivered to Landlord by Tenant prior to the Lease Commencement Date, and upon renewals not less than thirty (30) days prior to expiration of coverage.

Landlord and Tenant waive any right of recovery against each other of insured claims by anyone claiming through them by way of subrogation.
SECTION TWELVE
NON-LIABILITY OF LANDLORD FOR DAMAGES / INDEMNIFICATION

Landlord shall not be responsible for liability or damage claims for injury to persons or property for claims of any type that Tenant may incur in connection with the operation of Tenant's business regardless of how such damage was caused, unless caused by the sole gross negligence or willful misconduct of Landlord or its agents, servants or employees.

Tenant at its sole cost and expense shall defend, indemnify and save Landlord, its licensees, servants, agents, employees and contractors, harmless from and against any and all loss, damage, claim of damage, liability or expense to or for any person or property, whether based on contract, tort, negligence or otherwise, arising directly or indirectly out of or in connection with the condition of the Premises, the use or misuse thereof by Tenant or any other person, the acts or omissions of Tenant, its licensees, guests, invitees, servants, agents, employees or contractors, the failure of Tenant to comply with any provision of this Lease, or any event on the Premises, whatever the case, including attorney fees; provided however, that nothing herein shall be construed to require Tenant to indemnify Landlord against Landlord's sole negligence.

SECTION THIRTEEN
ASSIGNMENT, SUBLEASE OR LICENSE

Tenant shall not assign this Lease or sublet the Premises, or any right or privilege connected therewith, or allow any other person, except agents, employees, and customers of Tenant, to occupy the Premises or any part thereof, without first obtaining the written consent of Landlord, which shall be conditioned upon compliance with all State and or Municipal laws, rules and or regulations. Any assignee or sublessee of Tenant shall become expressly bound to the terms and conditions of this Lease. A consent by Landlord shall not constitute a consent for a subsequent assignment, sublease or occupation by other persons. An unauthorized assignment, sublease or license to occupy by Tenant, shall be void and this Lease may be terminated at the option of the Landlord. The interest of Tenant in this Lease is not assignable by operation of law, without the written consent of Landlord. In regards to any assignment or subletting of the Premises, Tenant shall not be relieved of any of its obligations under the terms of this Lease, and the Landlord's acceptance of Rent from an assignee, subtenant or occupant will not constitute a release of Tenant from the further performance of the obligations of Tenant hereunder. In no event may Tenant assign or otherwise transfer this Lease or any interest in this Lease at any time while in default hereunder. In the event of any assignment or sublease of all or any portion of the Premises where the rental or other consideration reserved in the sublease or by the assignment exceeds the rental or prorata portion of the rental, as the case may be, Tenant agrees to pay Landlord monthly, as Additional Rent, the excess of the rental or other consideration reserved in the sublease or assignment over the rental reserved in this Lease applicable to the subleased/assigned space. Tenant acknowledges that Landlord selected Tenant in part on the basis of Tenant's proposed use and occupation of the Premises, and agrees that Landlord may withhold consent to any proposed sublease or assignment if the subtenant's or assignee's business or proposed use of the Premises would be physically injurious to the Building or would violate any State and or Municipal law, rule and or regulation.

SECTION FOURTEEN
IMPROVEMENTS OR ADDITIONS BY TENANT

During the Term of this Lease, Tenant shall have the right and privilege of remodeling or altering the interior of the Premises at its sole cost and expense, without the prior consent of Landlord, in accordance with the standard Crispell's decor, including installation of additional partitions complying with all local codes, ordinances, and laws in effect at the time of remodeling the renovation. No alterations or improvements affecting the structural portion of the Premises shall be made by Tenant without the prior written consent of Landlord.
SECTION FIFTEEN
RESTRICTIONS AGAINST MECHANIC'S LIENS

Tenant shall keep the Premises free of liens of any sort, including but not limited to construction liens, and will defend, indemnify, and hold Landlord harmless from and against any and all claims of lien claimants, contractors, and those claiming to have performed improvements upon the Premises at Tenant's sole cost and expense. Landlord may require Tenant to supply statutory bonds at Tenant's expense to remove any construction liens recorded in connection with Tenant's improvements.

SECTION SIXTEEN
SIGNS

Landlord consents to Tenant erecting signage.

SECTION SEVENTEEN
PARKING

Tenant accepts the entirety of the Premises, including current parking lot, in "as is" condition and will maintain the same, including annual sealcoating and paint stripping at Tenant's sole cost and expense. Tenant shall notify Landlord in writing annually upon completion of parking lot maintenance. Tenant shall repair or replace sections damaged by potholes or other cracking in a timely fashion, weather permitting and will maintain lighting in good repair and keep surfaces clear of snow and ice during the winter season.

SECTION EIGHTEEN
CONDEMNATION

If the whole or any part of the Premises shall be taken by any lawful authority under the power of eminent domain, then this Lease and the Term demised, shall thereupon terminate and Tenant shall be liable for rent only up to the date of such termination.

In the event of the condemnation of the Premises, Tenant shall be entitled to participate in any and all awards for such taking to the extent that any such award includes the loss, if any, sustained by Tenant as a result of the termination of this Lease for loss of business, fixtures, goodwill, moving expenses and attorneys' fees and costs, to the fullest extent permitted by law. In no event shall Tenant's claim reduce and/or diminish the amount of Landlord's award.

SECTION NINETEEN
HOLDING OVER

The failure of Tenant to surrender the Premises upon the termination of the original lease Term or any extension and subsequent holding over by Tenant, without the consent of Landlord, shall result in the creation of a tenancy for month-to-month at a monthly rental of one hundred twenty-five (125%) of the then current rent, payable on the first day of each month during the month-to-month tenancy. This provision does not authorize Tenant any right to hold over. All other terms and conditions of this Lease shall remain in full force during any month-to-month tenancy hereunder.

SECTION TWENTY
NOTICES

Any notices required to be given in this Lease shall be deemed sufficiently given if sent by a nationally recognized overnight carrier (i.e. Federal Express, UPS) or Certified or Registered Mail, postage prepaid, or electronic mail addressed as follows:

Tenant: (1) Lifted Investments, LLC
155 Romeo Rd. Suite 300

Page 9 of 17
Rochester, MI 48307

Landlord's address for notice is:

(1) Lifted Industrial Partners, LLC
155 Romeo Road, Ste. 300
Rochester, MI 48307

The customary receipt shall be conclusive evidence of service and notices shall be effective as of the date received. Landlord agrees to accept rent at the above-referenced address. Any change in the Landlord's entity (including, but not limited to; property ownership, address for notices, etc.) must be authorized in writing by Landlord, or by court order and sent to all the required notification parties as listed above. Absent such acceptable authorization, Tenant shall not be in default of this Lease if it continues to pay rent, nor shall Tenant lose any of its rights, privileges (including, but not limited to renewal options) as specified herein.

SECTION TWENTY-ONE
BREACH / INSOLVENCY / RE-ENTRY

If any rental payable by Tenant to Landlord remains unpaid for more than seven (7) days after when due, or if Tenant violates or defaults in the performance of any of its obligations in this Lease and the violation or default continues for a period of ten (10) days after written notice, then Landlord may (but will not be required to) declare this Lease forfeited and the Term ended, or re-enter the Premises, or may exercise all other remedies available under Michigan law. Landlord will not be liable for damages to person or property by reason of any legitimate re-entry or forfeiture, and Landlord will be aided and assisted by Tenant, its agents, representatives and employees. Tenant, by the execution of this Lease, waives notice of re-entry by Landlord. In the event of re-entry by Landlord without declaration of forfeiture, the liability of Tenant for the rent provided herein will not be reengeance or extinguished for the balance of the Term, and any rentals prepaid may be retained by Landlord and applied against the cost of re-entry, or as liquidated damages, or both. Tenant will pay, in addition to the rentals and other sums agreed to be paid hereunder, reasonable attorneys' fees, costs and expenses in any suit or action instituted by or involving Landlord to enforce the provisions of, or the collection of the rentals due Landlord under this Lease, including any proceeding under the Federal Bankruptcy Code.

If Tenant is adjudged bankrupt or insolvent, files or consents to the filing of a petition in bankruptcy under Federal or State law, applies for or consents to the appointment of a receiver for all or substantially all of its assets, makes a general assignment for the benefit of its creditors, fails generally to pay its debts as they become due, or does anything which, under the applicable provisions of the Federal Bankruptcy Code would permit a petition to be filed by or against Tenant, then Tenant shall be in default under this Lease and, to the extent from time to time permitted by applicable law, including but not limited to the Federal Bankruptcy Code, Landlord shall be entitled to exercise all remedies set forth in the preceding paragraph of this Section 18. In a reorganization under Chapter 11 of the Federal Bankruptcy Code, the debtor or trustee must assume this Lease or assign it within sixty (60) days from the filing of the proceeding, or he shall be deemed to have rejected and terminated this Lease. Tenant acknowledges that its selection to be the tenant hereunder was premised in material part on Landlord's determination of Tenant's creditworthiness and ability to perform the economic terms of this Lease, and Landlord's further determination that Tenant and the character of its occupancy and use of the Premises would be compatible with the nature of the Premises and other adjacent properties of Landlord. Therefore, if Tenant, as debtor, or its trustee elects to assume or assign this Lease, in addition to complying with all other requirements for assumption or assignment under the Federal Bankruptcy Code, then Tenant, as debtor, or its trustee or assignee, as the case may be, must also provide adequate assurance of future performance, including but not limited to a deposit, the amount of which shall be reasonably determined based on the duration of time remaining in the Term, the physical condition of the Premises at the time the proceeding was filed, and such damages as may be reasonably anticipated after reinstatement of the Lease, taking into account rental market conditions at the time of the reinstatement. In
the event of an assignment, the Landlord must be reasonably assured that the financial condition of the assignee is sound, and that its use of the Premises will be compatible with the nature of the Premises and other adjacent properties of Landlord.

In the event of declaration of forfeiture at or after the time of re-entry, Landlord may re-lease the Premises or any portion(s) of the Premises for a term or terms and at a rent which may be less than or exceed the balance of the Term of and the rent reserved under this Lease. In such event Tenant will pay to Landlord as liquidated damages for Tenant’s default any deficiency between the total rent reserved and the net amount, if any, of the rents collected on account of the lease or leases of the Premises which otherwise would have constituted the balance of the term of this Lease. In computing such liquidated damages, there will be added to the deficiency any expenses which Landlord may incur in connection with re-leasing, such as legal expenses, attorneys’ fees, brokerage fees and expenses, advertising, and for keeping the Premises in good order for or preparing the Premises for re-leasing. Any such liquidated damages will be paid in monthly installments by Tenant on the Rent Day and any suit brought to collect the deficiency for any month will not prejudice Landlord’s right to collect the deficiency for any subsequent month by a similar proceeding. In lieu of the foregoing computation of liquidated damages, Landlord may elect, at its sole option, to receive liquidated damages in one payment equal to any deficiency between the total rent reserved hereunder and the fair and reasonable rental of the Premises, both discounted at ten (10%) percent per annum to present value at the time of declaration of forfeiture.

Whether or not forfeiture has been declared, Landlord will not be obliged or be responsible in any way for failure to re-lease the Premises or, in the event that the Premises are re-leased, for failure to collect the rent under such re-leaseing. The failure of Landlord to re-lease all or any part of the Premises will not release or affect Tenant’s liability for rent or damages.

SECTION TWENTY-TWO
TENANT’S REMEDIES ON DEFAULT

In the event of any default by Landlord in the performance of any promise or obligation to be kept or performed by Landlord hereunder and the continuance of such default for a period of thirty (30) days after receipt by Landlord of a written notice from Tenant specifying the default, or for more than a reasonable time thereafter if the cure required would reasonably take more than thirty (30) days to complete, and Landlord provides demonstrable evidence of working toward cure, Tenant, at its election, may declare this Lease terminated and void and vacate the Premises within an additional period of thirty (30) days, paying rent only to the date of such vacating.

SECTION TWENTY-THREE
ALTERATIONS

No alterations or improvements affecting the structural components of the Building shall be made by Tenant without written consent of Landlord.

SECTION TWENTY-FOUR
TAXES AND ASSESSMENTS

Landlord shall pay the property taxes directly and Tenant shall reimburse Landlord within ten (10) days from receipt of notice from Landlord as Additional Rent. Tenant shall pay the personal property taxes directly, when due. Tenant shall provide documentation to Landlord within thirty (30) days of the date(s) personal property taxes are due and payable that such taxes have been paid in a timely manner. Tenant shall transfer Water, Gas, Electric, and all other Utilities in to Tenant name upon the Lease Commencement Date.

SECTION TWENTY-FIVE
LANDLORD TO HAVE ACCESS
Landlord hereby expressly reserves the right to enter the Premises and/or any part thereof, at any time, in the event of emergency. Furthermore, Landlord may enter the Premises after two (2) days written notice to make inspection and repairs, to exhibit the Premises to, purchasers, or prospective tenants (commencing one hundred eighty (180) days prior to the expiration of the current Term or extension period) and to perform any acts related to safety, protection, preservation or improvement of the Premises.

Tenant shall have the right to peacefully hold and enjoy the Premises without unreasonable hindrance or interruption by Landlord or any persons claiming by, through, or under Landlord until the end of the Lease Term or any extension or renewal thereof.

SECTION TWENTY-SIX
RENEWAL TERMS

Omit.

SECTION TWENTY-SEVEN
ENTIRE AGREEMENT

The parties acknowledge that there are no oral agreements affecting this Lease, exhibits and riders, if any, attached hereto and forming a part hereof, all of which supersede and cancel any and all previous negotiations, arrangements, letters of intent, executed lease(s), lease proposals, brochures, agreements, representations, promises, warranties and understandings between the parties as stated by, including but not limited to, Tenant's agent(s) and employee(s). No alteration, amendment, change or addition to this Lease shall be binding upon either party unless reduced to writing and signed by each party.

SECTION TWENTY-EIGHT
BROKERS

Landlord and Tenant acknowledge that there are no claims for brokerage commissions in connection with this Lease.

SECTION TWENTY-NINE
RECORDING

Omit.

SECTION THIRTY
WAIVER

No waiver by either of the parties hereto of any provision or breach thereof, shall be deemed a waiver of any other provision or of any subsequent breach by Tenant or Landlord of the same or any other provisions. Landlord's or Tenant's consent to or approval of any act shall not be deemed to render unnecessary the obtaining of Landlord's or Tenant's consent to or approval of any subsequent act.

No remedy or election hereunder shall be deemed exclusive, but shall, whenever possible, be cumulative with all other remedies at law or in equity.

If at any time under the provisions of this Lease the consent of Landlord is required, it shall not be unreasonably withheld.

SECTION THIRTY-ONE
LAW

This Lease and the performance hereunder shall be governed by the laws of the state of Michigan without reference to its conflict of laws provisions.
SECTION THIRTY-TWO

HEADINGS

The paragraph headings are for quick reference and convenience only and do not alter, amend, or otherwise affect the terms, conditions, and agreements set out herein.

SECTION THIRTY-THREE

LITIGATION

In the event of litigation between Landlord and Tenant relative to rights, obligations and duties of either party under this Lease, each party shall pay its own attorneys’ fees and costs.

SECTION THIRTY-FOUR

SEVERABILITY

Should any provision of this Lease be or become invalid, void, illegal or not enforceable, it shall be considered separate and severable from this Lease and the remaining provisions shall remain in force and be binding upon the parties hereto as though such provision had not been included.

SECTION THIRTY-FIVE

FORCE MAJEURE

If either party fails to perform any of its obligations under this Lease as a result of Force Majeure, such party shall not be liable for loss or damage for the failure and the other party shall not be released from any of its obligations under this Lease. If either party is delayed or prevented from performing any of its obligations as a result of Force Majeure, the period of delay or prevention shall be added to the time herein provided for the performance of any such obligation.

"Force Majeure" shall mean any period of delay which arises from or through acts of God; strikes, lockouts, or labor difficulty; explosion, sabotage, riot or civil commotion; or act of war.

SECTION THIRTY-SIX

CONSTRUCTION

Should any provision of this Lease require judicial interpretation, the parties hereto agree that the court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party by reason of the rule of construction that a document is to be more strictly construed against the party who himself or through its agents prepared the same, it being agreed that Landlord, Tenant and their respective agents have participated in the preparation hereof.

SECTION THIRTY-SEVEN

ATTORNMENT

In the event Landlord sells, conveys or otherwise transfers its interest in the Premises or any portion thereof containing the Premises, whether such transfer is voluntary or otherwise, or through bankruptcy or foreclosure this Lease shall remain in full force and effect. Tenant hereby attorns to and covenants and agrees, within fifteen (15) days of Tenant’s receipt of a written request, to execute an instrument in writing reasonably satisfactory to the new owner whereby Tenant attorns to such successor in interest and recognizes such successor as Landlord under this Lease. The new owner agrees, within fifteen (15) days written request, to confirm in writing, the continued validity of this Lease.
SECTION THIRTY-EIGHT
ESTOPPEL CERTIFICATES

Tenant, within fifteen (15) days of Landlord’s request, shall deliver to Landlord an executed, written, Estoppel Certificate identifying Tenant and this Lease and certifying and confirming, in addition to any information or confirmation Landlord may reasonably require, the following:

A. That this Lease is either unmodified since its execution and in full force and effect, or modified since its execution but still in full force and effect as modified;

B. That Landlord is not in default of any of its obligations under this Lease, or identify such defaults with specificity;

C. The Lease Term, Rent Commencement Date, Expiration Date, Current Rent, Renewal Periods remaining as to the Leased Premises for which the Estoppel Certificate applies.

In the event Tenant shall fail to return such statement within fifteen (15) days of Landlord’s request, Landlord may presume that there are no defaults, monetary or non-monetary, under the Lease and Tenant shall be estopped from rebutting such presumption. Landlord and any subsequent owner of the Premises may rely on such Certificate as true and correct. The information contained in such Estoppel Certificate shall be binding upon Tenant, its assignees and successors in interest.

SECTION THIRTY-NINE
WHEN LEASE BECOMES BINDING

The submission of this document for examination and negotiation does not constitute an offer to lease or a reservation of, or option for, the Premises, and this document shall become effective and binding only upon the execution and delivery hereof by both Landlord and Tenant.

SECTION FORTY
MISCELLANEOUS

Should Tenant cease operations at the Premises during the Lease Term, whether or not in default of the Lease, Tenant shall promptly secure the Premises including but not limited to, boarding up windows, fencing/gating the property, securing all roof access, or Tenant shall become additionally responsible for all damages caused from lack of occupancy to the Premises in addition to its continuing obligations hereunder.

SECTION FORTY-ONE
RIGHT OF FIRST REFUSAL

Omit.

SECTION FORTY-TWO
GUARANTY

Omit.
The parties have executed and delivered this Lease as of the date first above written.

<table>
<thead>
<tr>
<th>Landlord:</th>
<th>Tenant:</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIFTED INDUSTRIAL PARTNERS, LLC, a Michigan limited liability company</td>
<td>LIFTED INVESTMENTS, LLC, a Michigan limited liability company</td>
</tr>
<tr>
<td>By: JEFFERT SCHMITZ</td>
<td>By: JEFFERY SCHMITZ</td>
</tr>
<tr>
<td>Its: Managing Member</td>
<td>Its: Managing Member</td>
</tr>
<tr>
<td>By: JEFFERT SCHMITZ</td>
<td>By: JEFFERY SCHMITZ</td>
</tr>
<tr>
<td>Its: Manager</td>
<td>Its: Manager</td>
</tr>
</tbody>
</table>
EXHIBIT A
Legal Description of Premises

Land situated in the Township of Orion, County of Oakland, State of Michigan, more particularly described as:

Lot 4, of "Liberty Techne Center", according to the plat thereof recorded in Lib 251, Page(s) 1 of Plats, Oakland County Records.

Tax Parcel No: 09-34-300-018
Commonly known as: Vacant Giddings Rd., Lake Orion, MI 48359
EXHIBIT H

WASTE DISPOSAL

- As described below, the Company will assure that all marijuana waste ("MW") and other wastes are disposed of in accordance with R 420.211 of the MMFLA. and other applicable local and state regulations. The Company will contract with a local waste management facility to remove all waste at set durations. The facility shall be maintained in a clean and orderly condition, free from infestation by rodents, insects, birds, and other animals of any kinds. Based on the growing criteria, the facility will also utilize specific environmental control systems to mitigate any potential outside hazardous pollen, spores, mold etc. that could provide detrimental to the cultivation operations.

The Company also anticipates minimizing liquid waste through the use of a "closed-loop" water filtration and irrigation systems with recycled water capabilities.

i. Standards for disposal/destruction of Marijuana Waste and other Waste

Upon the conclusion of cultivation activities, all waste will be made unusable prior to the waste leaving our registered facility. MW will be rendered unusable through grinding and incorporating the MW with non-consumable, solid wastes listed below such that the resulting mixture is at least fifty percent non-MW in accordance with R 420.211 of the MMFLA:

- Paper waste
- Plastic waste
- Cardboard waste
- Food waste
- Rock Wool
- Other wastes approved by the Department.

After the MW is made unusable, then the solid waste will be:

- Disposed of through a licensed/certified refuse hauler as a solid waste at a solid waste site (per State/Local disposal criteria) and disposal facility that has a Certificate of Designation from the local governing body,
- Deposited at a compost facility, or
- Composted on-site at a facility owned by the generator and operated in compliance with applicable County and State statutes and regulations.

Liquid waste from our cultivation facilities will be disposed of in compliance with applicable County and State statutes and regulations. Since Lifted is utilizing a closed loop system for watering/fertilization, the only anticipated waste derived from the facility would be a separate "cleaning purge" whereas approved cleaning agents will be utilized to sterilize the designated independent grow areas for the next crop cycle.
The Company will record in the statewide monitoring system the date of the disposal, type and quantity of medicine disposed of, plant numbers, the reason for disposal, the persons present during disposal, and these approved persons/staff signatures. The Company will maintain accurate and comprehensive records regarding MW that accounts for, reconciles, and evidences all waste activity related to the disposal.

The Company will record the reason and associate it with the identifier for that plant or product. The report will show the person who created the destruction event, a timestamp of when the event was created, the identifiers for all plants or products to be destroyed, and the reasons the items were selected for destruction. All aspects of the Marijuana plant, byproduct wastes, weights, ID numbers, and associated data is recorded in the state system.

A State of the art, HVAC/Filtration System is being specified from Aaon Systems that includes dedicated 60-ton mechanical system with on board Merc 8 filtration and associated carbon-canister exhaust fans for any purge operations.

The site design will include a professionally designed landscape plan that addresses proper shrouding of any equipment enclosures etc. Per the Township ordinance, strategic architectural/engineered barriers will be utilized for any ground-based equipment requiring frequent access/serviceability. All roof-top mounted equipment will also receive engineered (aesthetically pleasing) enclosure systems that will still allow for serviceability and required ventilation.
EXHIBIT I

LIGHT / POLLUTION / GLARE / DUST:

The Company's Cultivation Facility will utilize fully enclosed grow pods. These prefabricated modular grow pods are fully enclosed, environmentally independent rooms built specifically for our cannabis cultivation. The modular grow rooms will be located within the Company's secured cultivation facility shell. By design, these grow pods do not emit any light outside. By growing indoors and enclosing areas with proper air filtration, this exposure can be virtually eliminated.

A State of the art, HVAC/Filtration System is being specified from Aaon Systems that includes dedicated 60-ton mechanical system with on board Merc 8 filtration and associated carbon-canister exhaust fans for any purge operations.

The site design will include a professionally designed landscape plan that addresses proper shrouding of any equipment enclosures etc. Per the Township ordinance, strategic architectural/engineered barriers will be utilized for any ground-based equipment requiring frequent access/serviceability. All roof-top mounted equipment will also receive engineered (aesthetically pleasing) enclosure systems that will still allow for serviceability and required ventilation.”
Environmental / Mechanical Systems Design Criteria

A state-of-the-art HVAC/R system is being specified from Aaram Systems that includes dedicated on- and off-peak mechanical systems with an in-built chiller filtration and associated carbon-scrubber exhaust fans for any purge operations.

This site design will include a professionally designed landscaping plan that addresses proper screeding of the site. The site's aesthetics, including architectural/engineered barriers, will be utilized for any ground-based equipment requiring freestanding access/maintenance. All rooftop mounted equipment will also receive engineered (mechanically planted) enclosures that will still allow for serviceability and required ventilation.
EXHIBIT J

DISPOSAL OF WASTE WATER:

The Company's wastewater and effluent capture system recycles and reuses nearly all water waste, utilizing a "closed loop" Reverse Osmosis System. All wastewater shall be managed in accordance with all federal and state requirements. Any wastewater that will be generated from the sterilization/cleaning of associated cultivation environments will include environmentally safe cleaning agents being used to prepare for the next cultivation cycle.
Disposal Systems

The Rhythmic closed loop fertigation system has been specified for the Lifted Industrial partners facility in Orion Township. This closed loop system utilizes an innovative filtration/recycling system for treated water to optimize efficiency and environmental operability. The reservoir and associated water treatment/reclamation system is a industry leading approach utilized through this top offline system.

Only secondary emergency valved system will be utilized as a fail-safe for the designated system

Rock Wool grow media will be utilized at the facility. No soil is proposed for usage. All proper protocol will be utilized for waste management.

Exhibit "J"
**EXHIBIT K**

**SECURITY PLAN:**

The Company will utilize a combination of design features, security equipment, processes, surveillance, and alarms to prevent and detect diversion, theft, or loss of any seeds, immature Marijuana plants, Marijuana plants, and Marijuana.

The Company’s plan incorporates the following:

- Architectural Security - including, but not limited to, site and building perimeter protection, lighting to ensure proper exterior and interior surveillance, critical building services, entry vestibule control/ loading and shipping areas within the facility.

- Electronic Security Systems, comprised of an access control system, intrusion alarm system, and closed-circuit television ("CCTV") surveillance system, all with remote monitoring and wireless notification capabilities. Notification will also be included to local law enforcement officials through the proprietary security system.

- Organizational Elements, including policies and procedures such as visitor control, employee badge verification, security guard staffing, access and surveillance all in accordance with security related requirements and associated operations as defined by R 420.211

**A. Premises Security Overview:**

The Company’s security plan will incorporate perimeter security measures utilizing barrier delay countermeasures, including: egress doors, nonresidential/security classified doors and commercial grade locks/hinges that meet the requirements of NFPA 1 exterior and interior intrusion detection sensors; an alarm system with onsite and remote monitoring; a CCTV system; an onsite security guard twenty-four (24) hours a day, seven (7) days a week, with advanced communications and security stations within the Facility; robust security lighting; local law enforcement liaisons; and operational/ emergency contingency plans.

**i. Site Perimeter and Physical Security:**

The entirety of the Facility, as well as all waste disposal containers, and disposal areas located outside of the Facility will be locked and monitored 24hrs a day by CCTV. The Company will install a commercial grade security alarm system around the perimeter of the Facility to prevent and detect diversion, theft, or loss of Marijuana or associated waste. Access to the Facility will be limited to one (1) clearly defined point of ingress and egress, which shall increase Company’s control over access to and from the Facility, and shall include:
• Encrypted smart cards for entry for authorized employees.

Additionally, the following physical safety and security measures shall be included as part of the Facility:

• Clean landscaping and sightlines that create an unobstructed view of the Facility from the public right-of-way.

• Removal of architectural elements that provide outside roof access.

• Enhanced security lighting to create blinding glare or deep shadows for easy detection and deterrence of trespassers.

• Theft deterrent metal grates within all HVAC openings.

• Forced-entry-resistant be 5/16" glass meeting all forced entry UL 972 and ASTM FI915 requirements. The Facility will not have any windows located in limited and restricted access areas. An 8" security perimeter consisting of concrete masonry block façade and heavy gauge metal gauge framing has been incorporated at building perimeter.

• The vault where all Marijuana is stored will be constructed of eight-inch (8") Concrete Masonry Unit walls, with steel reinforcement and filled cells, and reinforced precast concrete slab ceiling with weld anchors to walls, in accordance with the US Army Field Manual Physical Security Handbook. Associated HVAC service into vault will incorporate minimal duct sizing with associated metal security grates.

• All approved safes, vaults, or any other equipment or areas used for cultivating, harvesting, or storing of Marijuana shall be securely locked and protected from unauthorized access to Marijuana. Swipe access sensors will be provided at all locations to monitor employee/security access which is also supported by proprietary CCTV camera systems.

• Maximum Duty, Security 4 doors will be installed at all egress-only points, which will be rated to withstand thirty (30) minutes of attempted force entry. Rated security/egress hardware and hinge assemblies will be utilized at all external doors.

• A hardened sally port for all shipping/receiving areas and production area entry points, including a steel shutter together with a K* rated gate assembly at overhead doors to withstand a vehicle impact of up to 40 MPH impact).

• One-hour fire rated dry wall with designated security mesh in specific circulation and secured areas.

• Integrated ESS including redundant alarm detection, monitoring and notification, including Un-interruptible Power System backup. Additional alarms will be installed by a vendor entirely distinct from the primary security system installer.
• The main entrance door will have external door hardware, while all others will be used for emergency egress only and will be flat on the outside with no exterior hardware or exposed hinges installed.

• The main entry vestibule will be a mantrap (secured access). All visitors must be buzzed into the reception area by the security guard or have authorized swipe access capabilities to enter the facility.

• Access from the reception area to limited and/or restricted access areas are controlled by smart card/fob-controlled access doors (swipe access) based on agent cardholder access levels and all such access will be granted, tracked and stored by the Director of Security. The fire panel will also be included in this space along with an exterior knock-box for emergency service access only.

• Commercial-grade smoke/fire detection and suppression systems are included in design which are complimented by code-compliant alarms systems located throughout the Facility and in compliance with local codes.

ii. Site Lighting:

Intruders shall be discouraged from attempts to gain access to the Facility through proper illumination at entry points, making detection highly likely. Light glare shall be directed outward away from the guard force and toward the direction of a would-be intruder. Security lighting will have power redundancy of no less than seventy-two (72) hours, shall be vandalism-resistant and shall be installed high and out of reach of potential intruders. LED lights shall be used for security lighting due to their whiteness in color, aiding in clear identification. All exterior sites, including entrances, perimeter property lines, the building perimeter, and parking areas shall be illuminated and well-lit in accordance with Department regulations/code compliance.

ACCESS RESTRICTIONS:

Only authorized employees, officials performing their duties, approved and escorted vendors and/or contractors and Department approved visitors will be allowed access to the Facility. No one under the age of 21 years of age is permitted to enter the Facility at any time.

The Company shall restrict access to any area within the Facility containing Marijuana to registered employees and agents, or an individual permitted to access the Facility under the supervision of a registered employee or agent in accordance with the visitor authorization procedures set forth by the MMFLA.

i. Limited Access Areas:

Limited access areas include all interior spaces of the Facility; including areas where immature Marijuana plants or Marijuana plants are growing or being processed, where Marijuana is packaged for sale or stored prior to transport to a processor or retail dispensary, and where Marijuana waste is processed, or stored. All areas of ingress and egress to a limited access area shall be clearly identified by the posting of a sign and have swipe access hardware. All loading and unloading activities of Marijuana into and from a transport vehicle will occur within
a secure limited access area that is out of public view (with a dedicated staging area for added security). Only employees with authorized key cards will be able to gain access to limited access areas. Overhead door operations will be controlled from the facility interior only and will require keyed access for scheduled delivery/pickup events.

ii. **Restricted Access Areas:**

Within the limited access areas, access is further restricted to the secure product storage rooms, record storage rooms, and security rooms, all of which shall be locked at all times and shall not be used for any other purpose or function. These areas are considered restricted access areas. All security system equipment and video surveillance systems shall be stored in a restricted access area. The Company will limit access to surveillance areas to employees who are essential to surveillance operations, law enforcement agencies, and security system service employees. The Company will keep all on-site surveillance rooms locked and shall not use such rooms for any other function. Only employees with authorized key cards will be able to gain access to restricted access areas.

iii. **Loading Areas:**

The secure Distribution Loading and Clean Pallet Storage room will be located within a limited access area and used to load Marijuana for transportation to other Marijuana entities. The loading and unloading of vehicles shall be done in this enclosed, secure and fortified area, out of public view, restricted via access control and alarm monitoring systems, and done so under full coverage of the surveillance system/security personnel.

iv. **Access Control System:**

The Company will secure and monitor the perimeter of and access to the Facility through the installation and use of a commercial-grade swipe card access control system, which is used to control and record the movement of employees into, out of, and throughout the Facility, selectively allowing/preventing access to sensitive spaces and to monitor employee activities. All Company employees will be issued smart cards as access cards, complete with the employee's name and photo after approved vetting process is completed.

The access control system allows centralized access monitoring, control, and recordkeeping. All such actions are securely recorded in the system and are sufficiently protected to prevent modification or erasure of records (offsite redundant backup). The system also allows generation and exportation of custom event reports.

v. **Alarm Monitoring and Notification System:**

The intrusion alarm system shall be subject to remote monitoring by the network control center, and shall allow remote monitoring whether the system is armed or not. Restricted access employees shall be trained on the use of the intrusion alarm system, including arming and disarming the alarm system, the armed settings, the location of camera, motion and wired door sensors, the location of fixed panic alarm buttons, and accidental activation procedures.
vi. **Closed Circuit Television Video Surveillance System:**

The entire Facility shall be equipped with a video surveillance recording system installed by a vendor that meets the standards required by the MMFLA to prevent and detect diversion, theft or loss of Marijuana. The system will be comprised of motion-based: a) fixed with digital pan-tilt-zoom cameras; (excluding restrooms and locker rooms), which allows for a clear image of all individuals and activities in all areas in and around the Facility. Video cameras shall be directed in accordance with R 420.211, and will include without limitations, all approved safes, approved vaults, and any other area where Marijuana is being cultivated, harvested, handled, or stored. CCTV cameras will clearly reveal facial and body detail quality and avoid backlighting, and will be installed in a manner that will prevent cameras from being obstructed, tampered with, or disabled.

Full perimeter CCTV coverage shall be installed to capture the entire Facility, including direct placement near the entrances and exits, the access drive, the exterior facade, and parking areas, dumpster/refuse area to capture a clear and certain identification of any person entering or exiting the Facility, which shall be appropriate for the normal lighting conditions of the area under surveillance.
Brand Signage
Lifted Industrial Partners, LLC "Elysium" Brand Signage Locations

Exhibit "L"
ARTICLES OF ORGANIZATION
For use by DOMESTIC LIMITED LIABILITY COMPANY

Pursuant to the provisions of Act 23, Public Acts of 1993, the undersigned executes the following Articles:

Article I

The name of the limited liability company is:

LIFTED INVESTMENTS, LLC

Article II

Unless the articles of organization otherwise provide, all limited liability companies formed pursuant to 1993 PA 23 have the purpose of engaging in any activity within the purposes for which a limited liability company may be formed under the Limited Liability Company Act of Michigan. You may provide a more specific purpose:

Article III

The duration of the limited liability company if other than perpetual is:

Article IV

The street address of the registered office of the limited liability company and the name of the resident agent at the registered office (P.O. Boxes are not acceptable):

1. Agent Name: GAMAL ZAKI
2. Street Address: 155 ROEMO RD.
   Apt/Suite/Other: STE 300
   City: ROCHESTER
   State: MI
   Zip Code: 48307

3. Registered Office Mailing Address:
   P.O. Box or Street Address:
   Apt/Suite/Other:
   City:
   State:
   Zip Code:

Signed this 7th Day of February, 2020 by the organizer(s):

<table>
<thead>
<tr>
<th>Signature</th>
<th>Title</th>
<th>Title if &quot;Other&quot; was selected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas M DeAgostino</td>
<td>Attorney in Fact for Gamal Zaki</td>
<td>Attorney In Fact</td>
</tr>
</tbody>
</table>

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

- Accept

221
Exhibit "K"
Charter Township of Orion
Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P: (248) 391-0304 ext. 5000; Fax (248) 391-1454

TO: The Charter Township of Orion Planning Commission
FROM: Tammy Girling, Planning & Zoning Director
DATE: December 9, 2020
RE: PC-2020-39, Lifted Industrial Partners Site Plan

As requested, I am providing suggested motions for the abovementioned project. Please feel free to modify the language. The verbiage below could substantially change based upon the Planning Commissions’ findings of facts for the project. Any additional findings of facts should be added to the motion below.

Parking Calculation Waiver (Ord. No 78, Section 18.03.C.2)
Motion 1: I move that the Planning Commission grants/denies a parking calculation waiver for PC-2020-39, Lifted Industrial Partners, LLC, Site Plan, located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018) for plans date stamped received 11/23/20, contingent on the following:
   a. (insert any conditions)

Based on the following findings of facts:
   a. The applicant did/did not provide evidence that indicates that another standard would be more reasonable, because of the level of current or future employment and/or the level of current or future customer traffic (insert how they did or didn’t demonstrate).
   b. (motion maker to insert any additional findings of facts).

Site Plan (Ord. No. 78, Section 30.01)
Motion 2: I move that the Planning Commission grants site plan approval for PC-2020-39, Lifted Industrial Partners, LLC, Site Plan, located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018) for plans date stamped received 11/23/20 based on the following findings of facts (motion make to insert findings of facts).

This approval is based on the following conditions:
   a. (Motion maker to list any unresolved issues related to the Township Planner’s review letter).
b. (Motion maker to list any unresolved issues related to the Township Engineer's review letter).

c. (Motion maker to list any unresolved issues related to the Fire Marshall's review letter)

d. (Motion maker to list any additional conditions).

Or

I move that the Planning Commission **denies** site plan approval for PC-2020-39, Lifted Industrial Partners, LLC, Site Plan, located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018) for plans date stamped received 11/23/20. This **denial** is based on the following reasons (insert findings of facts).

Or

I move that the Planning Commission **postpones** site plan approval for PC-2020-39, Lifted Industrial Partners, LLC, Site Plan, located at vacant lot 4 in Liberty Tech Center, west of 4601 Liberty Drive S. (parcel 09-34-300-018) for plans date stamped received 11/23/20 for the following reasons (motion maker to indicate outstanding items to be addressed from the Planner's, Fire Marshall's, or Engineer's review letter(s)).
Site Plan Review #1
Lifted Industrial

Site: North side of Liberty Dr & Astra Ct / Case No: PC-2020-39
Applicant: Jeff Schmitz
Plan Date: 11/23/2020
Zoning: IP (Industrial Park)
Parcel ID: 09-34-300-018

Dear Planning Commissioners:

We have completed a review of the application, site plan, and landscape plan referenced above and a summary of our findings is below. Items in bold require specific action. Items in italics can be addressed administratively. A brief summary of all items within this review is provided on the next page.
SUMMARY OF REVIEW

1. Cover Sheet. The Drawing Index should be updated with accurate sheet numbers.
2. Fencing. The applicant should verify that no fencing or gates are proposed as indicated.
3. Site Plan. The previous dumpster location drawing should be removed from the site plan.
4. Marihuana Facilities. We defer to the Township Attorney on compliance with the location requirements, and all other requirements, of Ordinance No. 154.
5. Lot Coverage. The proposed maximum lot coverage is required to verify compliance (35% max).
6. Off-Street Parking. The applicant should address if a waiver is requested to the off-street parking requirement or if the required additional two parking spaces will be provided.
7. Lighting. For six building-mounted lights (Lumark AXC52A-CBP) indicated on the photometric plan, the applicant should verify that the full cutoff fixture detail would be installed as there is a refractive lens detail that is not full cutoff and would likely cause off-site glare. Additionally, any architectural or building up lighting desired by the applicant should be presented at this time.
8. Covered Trash Areas. No detail of the dumpster enclosure has been provided to verify compliance. Additionally, the south dumpster enclosure is partially within the side yard, which is not permitted, due to a 50-foot rear yard setback being required for the enclosure structure.
9. Performance Guarantee. Compliance with the performance guarantee requirement will be verified prior to permitting as typical.
10. Water Pollution. The applicant should verify compliance with all items in this subsection as they relate to cannabis cultivation wastewater.
11. Safety Paths. The Safety Path, Trails and Parks plans does not indicate a proposed path along either Liberty Drive South or Astra Court. However, it is our understanding that sidewalks are required for individual developments within this industrial park as stated on the approved plat.
12. Wetland Setbacks. We defer to the Township Engineer on compliance with wetlands setbacks.
13. Parking Dimensions. The aisle width adjacent to the row of parking in the rear of the site is only 20 feet. Either the aisle width should be increased to 22 feet in width, or this row of parking should be angled corresponding with the one-way traffic flow which would allow for a reduced aisle width depending on the angle.
14. HVAC Screening. Additional information from the applicant is needed to verify that the proposed shroud system would be in compliance with the Zoning Ordinance. Given that a pitched roof is proposed, we have concerns that the HVAC units and shroud system for each unit would be highly visible from adjacent roadways and abutting property.
15. Landscaping & Tree Preservation. Some modest revisions are required and additional information regarding tree removal needs to be submitted. See end of review page 6.

Project Summary

The applicant is proposing a one-story, 43,952 sq. ft. light industrial building to house a cannabis cultivation facility. Access would be provided from a 24-foot wide driveway onto Liberty Drive South, with one-way access indicated along the sides and rear of the building. Parking areas are proposed to the south (front) and north (rear) yards of the building, with three loading berths indicated along the west side of the building. Two dumpster enclosures are indicated in the northwest corner of the site. No ground-mounted mechanical equipment is indicated. Thirteen HVAC units are indicated on the roof of the building. A rendering sheet indicates a pre-manufactured roof top unit shroud system at the roof line.
The building would be 28 feet in height to the peak of the roof. In the front triangular portion of the building, architectural features are proposed including cast stone, metal screening, metal panels, and windows to provide architectural interest. A steel canopy structure to be painted “mantis green” is proposed to run along a portion of the front façade off the main entrance. On the floor plans, the front of the building is indicated as reception, security, lobby, employee space, and storage areas. Proposed materials for the rear main portion of the building include smooth concrete masonry units with cast stone pilasters along the bottom eight feet of the façade. The upper main façade includes pre-engineered metal rib wall with metal trim painted “mantis green” in line with the base pilasters. On the floor plans, the rear of the building is indicated as flowering rooms, shipping/receiving, employee, and mechanical areas.

**Existing Conditions**

1. **Existing site.** The site is Lot 4 of the Liberty Techne Center Subdivision, and totals 2.992 acres of undeveloped area. Liberty Drive and Astra Court provide paved access to the site’s south frontage. There is an existing tree line along the west boundary of the site.

2. **Zoning.** The site is zoned IP (Industrial Park) and is not located within any overlay districts. The Licensed Marihuana Facilities Ordinance (No. 154) permits marihuana facilities within the IP (Industrial Park) district. *We defer to the Township Attorney on compliance with the location requirements, and all other requirements, of Ordinance No. 154.*

3. **Adjacent zoning & land uses.**

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<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>IP – Industrial Park</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>South</td>
<td></td>
<td>Undeveloped Industrial Lot</td>
</tr>
<tr>
<td>East</td>
<td></td>
<td>Overhead Transmission Lines</td>
</tr>
<tr>
<td>West</td>
<td></td>
<td>Undeveloped Pond</td>
</tr>
</tbody>
</table>

**Zoning Compliance**

4. **IP district area & bulk requirements.**

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard Setback – Liberty Drive</td>
<td>50 ft</td>
<td>50+ ft - met</td>
</tr>
<tr>
<td>Front Yard Setback – Astra Court</td>
<td>50 ft</td>
<td>70 ft - met</td>
</tr>
<tr>
<td>Rear Yard Setback (north)</td>
<td>20 ft ea. side</td>
<td>40 ft (east) - met</td>
</tr>
<tr>
<td>Minimum Lot Area</td>
<td>175 acres</td>
<td>2.992 acres - met</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>35%</td>
<td>Not provided (approx. 34%)</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Maximum Height of All Structures</td>
<td>40 ft</td>
<td>28 ft - met</td>
</tr>
<tr>
<td>Minimum Clear Space Around Structures</td>
<td>15 ft</td>
<td>20+ ft - met</td>
</tr>
<tr>
<td>Parking &amp; Driveways Setback</td>
<td>20 ft</td>
<td>20 ft - met</td>
</tr>
<tr>
<td>Landscaped Greenbelt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetland Setbacks: all structures or buildings; parking lots; streets, roads, driveways</td>
<td>25 ft.</td>
<td>Met – no improvements indicated in NW corner of site where potential wetlands</td>
</tr>
<tr>
<td>Off-Street Parking (GFA/employee)</td>
<td>44 spaces (1 spc / 1,000 sf GFA)</td>
<td>44 spaces - met</td>
</tr>
<tr>
<td>Off-Street Parking (additional shifts)</td>
<td>11 spaces (1 spc / 4 required spcs)</td>
<td>11 spaces – *Not met (55 required, 53 provided)</td>
</tr>
</tbody>
</table>

*The Planning Commission may, at their discretion, modify the numerical requirements for off-street parking, based on evidence provided by the applicant that indicates that another standard would be more reasonable, because of the level of current or future employment and/or the level of current or future customer traffic. The applicant should address if a waiver is requested to the off-street parking requirement or if the required additional two parking spaces will be provided.

5. **Continuous Curbs.** Section 18.03 C.5. states that all internal roadways and driveways in the front yard area shall be continuously curbed. All roadways, driveways and parking areas shall consist of hard-surfaced concrete, blacktop or equivalent, as approved by the Planning Commission. The paving and grading plan indicates 6-inch concrete curb and gutter around the entire paved area in compliance with this section. The entire paved area is indicated as concrete with no asphalt pavement proposed.

6. **Lighting.** Section 18.03 F.2. states that exterior site lighting shall be fully shielded and directed downward to prevent off-site glare. For six building-mounted lights (Lumark AXCS2A-CBP) indicated on the photometric plan, the applicant should verify that the full cutoff fixture detail would be installed as there is a refractive lens detail that is not full cutoff and would likely cause off-site glare.

Additionally, at the pre-application meeting the potential use of up lighting of the building exterior was discussed. Up lighting is not indicated on the photometric plan. If the applicant desires up lighting or other architectural lighting to highlight the building design, this information should be presented to the Planning Commission as there is limited authority to approved up lighting, decorative light fixtures, and internally illuminated architectural bands that are not full cutoff fixtures.

7. **Covered Trash Areas.** Section 18.03 I. requires the following:
   a. Covered trash receptacles surrounded on three sides by masonry brick-type walls one foot higher than the receptacle shall be provided in the rear yard of the building or principal use structure. **No detail of the two proposed dumpster enclosures have been provided to verify compliance.** Additionally, the south dumpster enclosure is partially within the side yard, which is not permitted, due to a 50-foot rear yard setback being required for the enclosure structure. The Zoning Ordinance does not provide for a reduced setback for accessory structures such as this.

   b. The fourth side of the trash receptacle enclosure shall be equipped with an opaque lockable gate that is the same height as the masonry brick wall. **No detail of the dumpster enclosure has been provided to verify compliance.**
8. **Performance guarantee.** Section 18.03 K. states that the Planning Commission shall require a performance guarantee to be deposited with the Township Clerk in accordance with Section 30.09 to ensure that necessary and required improvements proposed on the site plan will be completed. *Compliance with the performance guarantee requirement will be verified prior to permitting as typical.*

9. **Water pollution.** Section 18.03 L. provides general nuisance-related and other requirements within the IP district. For water pollution, subsection #11 provides additional requirements that are referred to as more strict than other governmental approval agencies. *Given that this is a unique use that may not have typical water pollution impacts, the applicant should verify compliance with all items in this subsection, 1 through 11, as they relate to cannabis cultivation wastewater. It should be noted that these are general requirements that are not specific to medical marihuana and may not apply.*

10. **Safety Paths.** Section 18.03 M. states that the construction of safety paths for pedestrian use and use by non-motorized vehicles shall be required in conjunction with the development of all parcels in this zoning district. The safety paths shall conform to the specifications outlined in Section 27.06 and Ordinance No. 97. *The Safety Path, Trails and Parks plans does not indicate a proposed path along either Liberty Drive South or Astra Court. However, it is our understanding that sidewalks are required for individual developments within this Industrial park as stated on the approved plat.*

11. **Wetland Setbacks.** Section 18.03 N. states that the wetland setback requirements apply to all developments in this district, according to Section 27.12. The map at the end of this review indicates potential wetlands crossing a small portion of the northwest corner of the site. No improvements are indicated in this area. *We defer to the Township Engineer on compliance with wetlands setbacks.*

12. **Parking Dimensions.** The Off-Street Parking Chart in Section 27.04 A.3. requires a minimum 22-foot aisle width adjacent to 90-degree parking spaces. *The aisle width adjacent to the row of parking in the rear of the site is only 20 feet. Either the aisle width should be increased to 22 feet in width, or this row of parking should be angled corresponding with the one-way traffic flow which would allow for a reduced aisle width depending on the angle.*

13. **HVAC Screening.** Section 30.01 E.2.c.10) states that all mechanical equipment shall be screened to minimize its visibility from adjacent roadways and abutting property lines. Screening shall be at least one foot above the height of the mechanical equipment or transformers. The screening material shall be compatible with the building material and general architecture. Landscape materials or other screening structures shall not interfere with ventilation or access for maintenance.

a. **Thirteen HVAC units are indicated on the roof of the building.** A rendering sheet indicates a pre-manufactured roof top unit shroud system at the roof line. Additional information from the applicant is needed to verify that the proposed shroud system would be in compliance with this section. *Given that a pitched roof is proposed, we have concerns that the HVAC units and shroud system for each unit would be highly visible from adjacent roadways and abutting property.*
Landscaping & Tree Preservation

IP District Landscaping. Section 18.03 requires the following landscaping for the IP district:

14. A landscape plan for each use in the Industrial Park shall be submitted to the Planning Commission for approval. The landscape plan shall specify plant materials and landscape treatment, based on the requirements of Section 27.05 of this Ordinance for such items. This landscape plan shall be part of, or accompany, the site plan. The landscape plan has been submitted as part of the site plan.

15. A landscaped greenbelt at least 20 feet in width shall be provided along the entire perimeter of the zoning lot, except where ingress or egress drives are located, when the parcel abuts commercial/office or industrially zoned property. However, when the parcel abuts residentially zoned property, the landscaped greenbelt shall be at least 50 feet in width, except where ingress or egress drives are located. This standard is met.

16. The off-street parking areas and access driveways shall be screened from view from any adjoining residential property. Such screening shall consist of earth berms, permanent walls or evergreen landscaping subject to approval of the Planning Commission. N/A- the parcel is not adjacent to any residential property that is apparent based on the zoning map and aerials.

17. All landscaping and screening shall be maintained in an attractive, litter-free, safe and healthy condition. Maintenance of all landscaping shall be of sufficient frequency to prevent overgrowth and deterioration from the original condition. In addition, an underground lawn irrigation system shall be required in any landscaped area located in the front yard. Met- Landscape Planting Plan General note #4 indicates that an automatic underground irrigation system is proposed.

Section 27.05 – Landscaping, Fences, and Walls.

A.3. Landscaping Design Standards. Except as otherwise specified in the general requirements for each zoning district, all landscaping shall conform to the following standards:

a. General Landscaping. (amended 11.14.85) All developed portions of the site shall conform to the following general landscaping standards, except where specific landscape elements, such as a greenbelt, berms, or screening are required:

i. All portions of the landscaped area shall be planted with grass, ground cover, shrubbery, or other suitable plant material, except that paved patios, terraces, sidewalks, and similar site features may be incorporated, with Planning Commission approval. Met- the Landscape Plan indicates sodded lawn for all yard areas.

ii. A mixture of evergreen and deciduous trees shall be planted at the rate of one tree for each 3,000 square feet, or portion thereof, of landscaped open-space area. Met- 9 trees are provided for 24,166 sq. ft. of landscaped open-space area.

iv. All landscaped areas shall have an underground irrigation system or shall be provided with a readily available and acceptable water supply with at least one hose bib within 100 feet of all planted material to be maintained. Met- Landscape Planting Plan General note #4 indicates that an automatic underground irrigation system is proposed.

v. The total landscaped area shall be the basis for determining the required number of trees or shrubs, irrespective of the portion which is devoted to patios, terraces, sidewalks, or other site features.

vi. In consideration of the overall design and impact of the landscape plan, the Planning Commission may reduce or waive the requirements outlined herein for General Landscaping, or for landscaping in greenbelt areas, on berms, or as part of a screen, provided that any such adjustment is in keeping with the intent of the Ordinance, and more specifically, with the intent of Section 27.05.
A.4. Parking Lot Landscaping Adjacent to Roads Excluding Single Family Residential Uses. A greenbelt separation area is required between the right-of-way property line and the nearest portion of any off street parking area, for parcels fronting roads but excluding single family residential uses. Said area shall be a minimum of 20 feet in width and minimally landscaped as follows and as illustrated in the following:

a. One tree for each 30 lineal feet, or fraction thereof, of required greenbelt separation area (including driveways). Such trees shall be located between the abutting right-of-way and the off-street parking area or vehicular use area. **Met: 8 trees are provided along Library Drive and 3 trees are provided along Astra Court as required based on frontage.**

b. In addition, a hedge, wall, decorative metal fence, or berm, or other landscape elements with a vertical rise of at least 30 inches shall be developed within said separation zone. The hedge, wall, fence, or berm shall have the effect of reducing the visual effect of parked cars. **Met: the applicant has proposed a row of Hummingbird Summersweet plantings as a hedge around the perimeter of the south parking area adjacent to rights-of-way.**

c. The remainder of the required landscape separation area shall be landscaped with grass, ground cover or other landscape treatment, excluding paving such as concrete or asphalt. This shall not be construed to prohibit decorative brick paving. **Met: sodded lawn proposed.**

A.6. Interior Parking Lot Landscaping. Off-street parking areas shall be landscaped as follows:

a. Off-street parking areas containing greater than 20 spaces shall be provided with at least 20 square feet of interior landscaping per parking space. **Met: 1,080 sq. of landscape area provided**

A minimum of one-third of the trees required in Section 27.05 (A)(5) shall be placed on the interior of the parking area and the remaining may be placed surrounding the perimeter parking lot within 10 feet, as illustrated on the following figure. **N/A: no conflicting land uses**

b. A minimum of one tree shall be planted per 200 square feet or fraction thereof of interior parking lot landscaping. **The Parking Lot Landscaping calculation should be revised from 300 sq. ft. to 200 sq. ft., and required tree plantings adjusted, per this section.**

At least 50% of each interior landscaped area shall be covered by living plant material, such as sod, shrubs, ground cover, or trees. Interior parking lot shrubs and trees shall permit unobstructed visibility and maintain clear vision between a height of 30 inches to eight feet. **It is unclear on the drawing what surface material is proposed for the three landscaped peninsulas within the front parking area.**

c. Interior parking lot landscaping islands shall be no less than 10 feet in any single dimension and no less than 200 square feet in any single area and shall be protected from parking areas with curbing, or other permanent means to prevent vehicular encroachment onto the landscaped areas. **This standard is met. The hatched area at the east end of the front parking area is not considered a landscaped area.**

27.05 B. Materials Standards and Specifications. Except as otherwise specified in the general requirements for each zoning district, all plant and non-plant material shall be installed in accordance with the following standards:

4. Required Plant Material Specifications. The following specifications shall apply to all plant material required by this section:

a. Deciduous shade trees shall be a minimum of two inches in caliper measured 12 inches above grade with the first branch a minimum of four 4 feet above grade when planted.

c. Evergreen trees shall be a minimum of five 5 feet in height when planted, except that juniper, yew and arborvitae species shall be a minimum of three 3 feet in height when planted. Furthermore, evergreen trees shall have a minimum spread of three 3 feet, and the size of the burlapped root ball shall be at least 10 times the caliper measured six inches above grade. **Arborvitae are proposed at four feet in height, which is permitted.**
h. Grass areas shall be planted in species normally grown as permanent lawns in Oakland County. Grass may be plugged, sprigged, seeded or sodded, except that rolled sod, erosion-reducing net, or suitable mulch shall be used in swales or other areas subject to erosion. Grass, sod, and seed shall be clean and free of weeds, noxious pests, and diseases. No swales or detention areas are indicated on the site.

i. Mulching material for planted trees, shrubs, and vines shall be a minimum of three (3) inches deep, and installed in a manner as to present a finished appearance. Also, straw or other mulch shall be used to protect newly seeded areas. It is unclear where mulched areas are proposed. The applicant should clarify areas of mulch ground cover and indicate compliance with the depth and finish requirements of this subsection.

18. Tree and woodlands protection. A Tree Removal Permit will be required for this development in accordance with Section 27.12, which is reviewed as part of this site plan review. The tree inventory indicates that 18 regulated trees located outside of the setback line are proposed to be replaced, and four regulated trees are to be preserved at the northwest and southwest corners of the site.

A tree survey has not been submitted. The applicant has submitted a Tree Preservation Plan, which indicates approximate locations of trees to be removed, but this plan does not provide the species or sizes of trees to be removed that would normally be included on a tree survey. Therefore, we are unable to consider the details of all protected trees proposed to be replaced and we are also unable to determine if any landmark trees would be removed. A detailed survey is not necessary for deciduous trees being replaced as this is on a one-to-one basis. However, the applicant should verify that no landmark trees are proposed to be replaced as indicated on the Tree Preservation Plan.

Without a detailed tree survey, it may be possible that the Tree Preservation Plan does not account for all existing protected or landmarked trees present on the site, though this plan was prepared by a Registered Landscape Architect. The applicant should address what “accurate techniques” were utilized in creation of the Tree Preservation Plan, and that all protected trees are in fact indicated.

Zoning Ordinance Section 27.12 E.4.

For other developments, including site plans, site condominiums or subdivisions, the permit applicant shall provide ten (10) copies of a plan containing the same information required for one single-family building site, and the following additional information:

a. Plan. A topographical survey sealed by a registered engineer or registered surveyor shall be shown on the plat.

b. Tree Survey. A tree survey prepared by a State of Michigan registered forester, arborist, or landscape architect for all areas for which a Tree Removal Permit is required.

c. For larger sites over ten (10) acres in size containing more than 100 regulated trees, the Planning Commission may waive the detailed tree inventory requirements where it can be demonstrated that the proposed development will not impact woodland areas.

Tree Survey. A scaled drawing (one inch shall not exceed 100 feet) which provides the following information: location of all protected trees (i.e., trees having four inches or greater d.b.h.) plotted by accurate techniques, and the common or botanical name of those trees and their d.b.h.
We are available to answer questions.

Respectfully,
Giffels Webster

Rod Arroyo, AICP
Partner

Eric Fazzini, AICP, CNU-A
Senior Planner
December 9, 2020

Justin Dunaskiss, Planning Commission Chairperson  
CHARTER TOWNSHIP OF ORION  
2525 Joslyn Road  
Lake Orion, MI 48360

RE: Lifted Industrial Partners, PC-2020-39  
Site Plan Review #1

Received: November 24, 2020 by Orion Township

Dear Mr. Dunaskiss:

We have completed our review of Lifted Industrial Partners plan set. The plans were prepared by Tri-County Engineering Consultants and were reviewed with respect to the Township's Zoning Ordinance, No. 78, Stormwater Management and Soil Erosion & Sedimentation Control Ordinance, No. 139, and the Township’s Engineering Standards.

EXISTING SITE CONDITIONS:
The site is located northwest of the intersection of Giddings Rd and Liberty Dr. S., east of Astra Ct. within Section 34 of the Charter Township of Orion. The site is zoned Industrial Park (IP) and bound by parcels on all sides zoned Industrial Park (IP).

The existing site is the undeveloped Lot 4 within the Liberty Techno Industrial Park. There are some trees and light brush scattered throughout the site. There is a detention basin and forebay to the west that were designed to handle the drainage associated with this lot. Some of the storm network that runs to the forebay is located along the southern border of the site. No approaches currently exist for this site, but the site has frontage on both Liberty Dr. S. as well as Astra Ct.

A topographic survey was included in the plan set. However, the survey indicates a title search was not conducted and therefore easements of record may not be shown. Easements of record should be researched and shown.

WATER MAIN AND SANITARY SEWER:
There is 12-inch water main located along the north side of Liberty Dr. S. and along the southwest side of Astra Ct. The water main along both roads needs to be shown on the plans. It appears that an existing gate valve is missing southeast of the site. The existing water main shall be shown in its entirety and its alignment should be verified. If the existing water main along the east border of the site is not located within an easement, preparation of an easement will be necessary for any portion of the water main that is located within 6 feet of the site. The applicant is proposing a 2-inch domestic service and a 6-inch fire service connecting on the east side of the building. No main or hydrants are proposed as part of this project. Hydrant coverage does not appear to be sufficient for fire protection of the entire building. A hydrant shall be added to the northwest portion of the site to meet minimum spacing requirements. We understand the Fire Marshal will also be requesting an additional hydrant near the front door of the facility. In addition, the main may need to be looped through the site to provide sufficient flow and pressures. The FDC was
shown on the plans and appears to be located 130 feet from the nearest hydrant, which exceeds maximum standards. The applicant shall coordinate with the Orion Township Fire Department regarding FDC and hydrant locations. The proposed light poles should be included on the utility plan to avoid conflicts.

There is a 12-inch sanitary sewer located along the south side of Liberty Dr. S., a 10-inch sewer located on the northeast side of Astra Ct. and a 12-inch sewer extending along the east property line in the access drive for Lot 3. The plans currently call out the sanitary along Astra Ct. as 12-inch sewer and should be verified. There is a triangular sanitary easement in the southern corner of the site and appears to be represented accurately in the plans. The applicant is proposing to connect to an existing manhole via internal drop connection with an 8-inch PVC Truss lead. One sanitary manhole is proposed on site between the building and the existing manhole. Per review of the original engineering plans for the park, this lot is intended to connect to the sanitary sewer running along the east property line. A 6-inch lead appears to have been provided and stubbed under the access drive and past the watermain. The plans should be revised accordingly.

**STORMWATER MANAGEMENT:**
To the west of this lot is the detention basin and forebay that were designed to collect drainage from this development. Detention calculations were not provided on the plans. The plans should include a C-value calculation for the site comparing the proposed development to the original design to show the ponds are adequately sized to accommodate this development. The applicant is proposing a series of catch basins and storm network throughout the drive aisles and parking lots that ultimately outlet into the forebay located to the west of the site. Roof conductors were included in the plans and appear to run directly to the nearest storm structure at each corner of the building. A swale is proposed along the north side of the site directing drainage from the north to the detention basin. There appears to be a discrepancy regarding CB5 on sheet GP-1 which should be addressed.

**PAVING:**
There are no drive approaches currently to the site. The applicant is proposing a 24-foot-wide approach on Liberty Dr. S. with a 20-foot drive aisle throughout the site which does not meet standards. Minimum drive aisle width is 22 feet and may need to be increased to 26 feet wide in areas as directed by the Fire Marshal. The drive aisles do not appear sufficient to support the Orion Township fire truck turning movements and shall be revised accordingly. Currently the fire truck turning movements conflict with the parking along the north property line and the dumpster pad.

Pavement grades throughout the site were provided using spot grades. The drive into the site appears to exceed 10% and should be revised to be below 6% per engineering standards. The drive approach off Liberty Dr. S. will require a permit from RCOC. Pavement slopes are to remain between 1% and 6% for drive areas, and between 1% and 4% for parking areas. Pavement cross-sections were provided for the drive aisles and internal sidewalk. The drive aisles are proposed as 9 inches of concrete over 6 inches of aggregate, with an alternate option of 9 inches of HMA over 6 inches of aggregate. Both pavement sections are acceptable for the industrial site. The sidewalk is proposed as 4 inches of concrete on 4 inches of aggregate and appears acceptable.

The plans do not include safety path along Liberty Dr. S. or Astra Ct. It is our understanding that the original plat for this park requires each lot owner to install pathway along their frontage.

**GRADING:**
Existing grades were included via 1-foot contours, and proposed grades were included via spot grades. The existing site generally drains east to west toward the detention basin and the proposed plan will match this drainage pattern. There is a note located on the site border stating that grades will match existing along the entire border. Grades do not appear to exceed 1:4 and are acceptable but may need to be revised to account for a flatter drive slope as noted above. Proposed contours should be included on the proposed grading plan to show site slopes are acceptable.
A Soil Erosion and Sedimentation Control plan was included in the plan set and will be reviewed in greater detail at engineering.

**NATURAL FEATURES:**

**WETLANDS:**
The nearest wetland is located northwest of the site, and is a part of a 32-acre wetland contiguous with Carpenter Lake. The applicant is not proposing any changes to the wetland area, and the drainage pattern will not change as a result of this development.

**WOODLANDS:**
There are trees and brush located on site. It does not appear that a tree survey is included in the plan set, but a tree replacement schedule was included on the Landscape Planting Plan. Landscape calculations and a plant list were included and appear acceptable.

**LANDSCAPING:**
A Landscape Plan and a Tree Preservation plan were included in the plans. No trees are proposed within the vicinity of the utilities.

**CONCLUSION:**
In our opinion, the site plan as submitted is not in substantial compliance with the Township's ordinances and engineering standards. We ask that the following items be addressed:

1. Revise the drive aisles to support the truck turning movements of the Orion Township fire truck.
2. Revise the drive aisles to meet the minimum required width of 22 feet and 26 feet where required by the Orion Township Fire Department.
3. A hydrant shall be added to the northwestern corner of the site to provide minimum hydrant coverage requirements. This may result in the need to loop the main through the site to provide adequate fire flows and pressures.
4. Revise the drive approach to meet the Township slope requirements. Drive slopes shall not exceed 6%.
5. Revise the sanitary lead to utilize the 6-inch sanitary lead originally intended for this site. A monitoring manhole will be necessary prior to the connection to the public sewer.
6. The original plat for this park requires each lot owner to install pathway along their frontage.
7. Light pole locations should be added to the utility plan to avoid conflicts.
8. The existing water main needs to be shown in its entirety along Liberty Dr. S. and Astra Ct.
9. An existing gate valve is missing southeast of the site and shall be added to the plans.
10. Correct the elevation discrepancy between CB5 and the curb elevation on GP-1. Please also address the overlapping text at this catch basin.
11. Verify the size of the sewer along Astra Ct. and revise plans accordingly.
12. The site C-value shall be included in the plans. Please include the original calculation from the Liberty Industrial Park development to show what the detention basin was designed to detain for this site.
13. Please include the proposed contours on the grading plan to show that site slopes are acceptable.
14. Revise the topographic survey/plans to include easements of record.
Please feel free to contact us with any questions at (248) 751-3100 or mark.landis@ohm-advisors.com.

Sincerely,

OHM Advisors

Joe Lehman
Project Engineer

Mark Landis, P.E.
Project Manager

cc:  Chris Barnett, Township Supervisor
     David Goodloe, Building Official
     Jeff Stout, Director of Public Services
     Tammy Girling, Director of Planning and Zoning
     Lynn Harrison, Planning and Zoning Coordinator
     Jeff Williams, Township Fire Marshal
     Bill Bazighow, Water and Sewer Superintendent
     Jeff Schmitz, Lifted Industrial Partners, L.L.C.
     Ron Rader, TDG Architects
     File
To: Planning Commission/Planning & Zoning Director  
From: Jeff Williams, Fire Marshal  
Re: PC-2020-39, Lifted Industrial Partners Site Plan  
Date: 08/04/2020

The Orion Township Fire Department has completed its review of Application PC-2020-39 for the limited purpose of compliance with Charter Township of Orion Ordinance’s, Michigan Building Code, and all applicable Fire Codes.

Based upon the application and documentation provided, the Fire Department has the following recommendation:

- Approved
- Approved with Requirements (See below)
- Not approved with Comments

Comments:

- FDC Location - The Fire Department Connection shall be located on the front side of the building near the main front entrance door. (IFC 912.2)
- Fire Hydrant Locations - 2 additional fire hydrants will be required on site (IFC Section C102).
  1. Location #1 will be required in front of the facility near the front door located inside the proposed curbed island.
  2. Location #2 will be required in Northwest corner of the site just south of the proposed dumpster enclosure area.
- Fire Department Access Roads – The Fire Department will require the following items to be addressed in regards to fire department access roads.
  1. Fire Department access drive width located between dumpster enclosure and building shall be increased from 19’ 1” to 20’ (IFC 503.2.1).
  2. The access drive located in front of the facility shall be increased from 25’ to 26’ (IFC Section D103).
  3. The Orion Township Truck Turning Template overlay shall be shown on the revised set of drawings (IFC 503.2.4).

If there are any questions, the Fire Department may be reached at 248-391-0304 ext. 2004.

Sincerely,

Jeffrey Williams  
Jeff Williams, Fire Marshal  
Orion Township Fire Department
To: Tammy Girling
    Planning & Zoning Director

From: Jeffery T. Stout
    Director, Department of Public Services

Date: December 9, 2020

Re: PC-2020-39 Lifted Industrial Partners Site Plan

Dear Tammy,

After review, Public Services has no further concerns or issues with this project.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout
Director
Department of Public Services
December 3, 2020

Orion Township
ATTN: Tammy Girling
2525 Joslyn Road
Lake Orion, MI 48360

RE: R.C.O.C. PRELIMINARY PLAN REVIEW 20P0039
LOCATION: LIBERTY DR., ORION TOWNSHIP
PROJECT NAME: LIFTED INDUSTRIAL

Dear Ms. Girling:

At your request, the Road Commission for Oakland County (RCOC) has completed a preliminary review for the above referenced project. Enclosed you will find one set of plans with our comments in red. All comments are for conceptual purpose only and should be incorporated into detailed construction plans. Below you will find a listing of the comments generated by the RCOC review:

A) Remove or relocate all fixed objects prior to excavation. Fixed objects shall be no nearer than 5 feet from back of curb, or 12 feet from lane line.

B) The approaching radius is shown as being 15 feet. It should be a minimum 25 feet.

C) Drive approaches should include a detail M curb line to provide controlled drainage across the driveway.

D) Pavement cross section shall consist of a minimum 2 inches of MDOT 5E HMA, over 3 inches of 4E, over 4 inches of 3E, or 9 inches of MDOT 35-P concrete, with epoxy coated rebar lane and curb ties over a suitable base, as determined in the field by RCOC.

E) Match and tie proposed curb to existing curb. Epoxy coated #4 bar required.

F) Adjust/reconstruct existing storm structure as warranted.

G) Excavations within a 1:1 influence of the roadway will require MDOT Class II backfill compacted to 95% maximum density.

Once the comments above are addressed, plans should be submitted to this office with completed RCOC permit application(s) Form 64a, signed by the owner (or his agent), three sets of plans (per application, 5 for signal permit) and the appropriate application fee(s).
Tammy Girling  
December 3, 2020  
Page 2

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

a) Drive approach  
b) Utility connections

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

Respectfully,

Scott Sinkowski, P.E.  
Permit Engineer  
Department of Customer Services

SS/mac  
Enclosure
To whom it may concern,

On December 8th 2020 at approximately 5:00pm, the Orion Township Planning Commission - Site Walk Committee Completed a site walk for PC-2020-39, Lifted Industrial - Liberty Industrial Park.

The undeveloped parcel is located on the corner of Liberty Dr. S. and Astra Ct.

An industrial style building is currently under construction to the north of the proposed site. The existing General Motors Lake Orion Assembly is located to the east.

The site has some light vegetation of low brush and small caliper trees. The site does not appear to have any landmark or legacy trees, although a tree survey was not available at the time of the site walk.

Scott Reynolds, Planning Commissioner
Charter Township of Orion
sreynolds@oriontownship.org
**ZONING:**

**INDUSTRIAL PARK (IP)**

**Setbacks**

- **Front:** 50'
- **Rear:** 50'
- **Side:** 20'

**Maximum Lot Coverage:** 35%

**Maximum Heights:** 40'

**Minimum Clear Space:** 15''

**Lot Area:** APPROX. 129,036 SQFT

\[129,036 \times 0.35 = 45,163.\text{ SQFT}\]

**Maximum Building Size:** 45,163. SQFT

**Parking:**

One (1) Parking Space per one thousand (1,000) square feet of Gross Floor Area or one (1) Space per Employee whichever is greater for uses within the IP Zoning District.

One (1) Additional Parking Space shall be added for every four (4) required Spaces for facilities which operate more than one employee shift.

\[43,952 \text{ SQFT} / 1,000 = 44 \text{ SPACES}\]

SECOND SHIFTS EMPLOYEES APPROX. 20 / 4 = 5 SPACES

**Total Required Spaces:** 49 Spaces

2 being ADA Accessible provided

53 spaces

**Parking Dimensions:**

90°

9'x19'

One (1) loading berth shall be provided for buildings containing three thousand five hundred (3,500) to twenty thousand (20,000) square feet of gross floor area. For buildings containing twenty thousand (20,000) to forty thousand (40,000) square feet of gross floor area, two (2) loading berths shall be provided, plus one (1) additional loading berth for each additional forty thousand (40,000) square feet of gross floor area or fraction thereof.

**3 LOADING BERTHS REQUIRED**

10'x50'

**WATER DETENTION**

**GREEN BELT**

**BUILDING SETBACK**

**PARKING SETBACK**

**79 Oakland Avenue**

Pontiac, Michigan 48342

© COPYRIGHT 2020 TDG Architects

Liberty Dr.

Orion Charter Township, MI 48359

LIFTED INDUSTRIAL GROW FACILITY

Lifted Industrial Partners, LLC

155 Romeo Road, Suite 300

Rochester, MI. 48307

TDGArchitects.com
Materials:
- Cast stone - reading rock, rockcast, 16" x 32", Riesling
- Cast stone - reading rock, rockcast, buffstone
- Metal screen - Pressure Lock Grating, walcoom, painted "mantis green" per client specifications
- Glazing - Kawneer aluminum, Schoeller + Co., painted "mantis green" per client specifications
- Alucobond, random pattern, Graphite Mica, Cubanite Metallic, Beachstone Gray Metallic, Market Pearl White Mica
- CMU block - cmu block, smooth finish, match color to buffstone cast stone
- Pre-engineered metal building - Vee Rib Wall, varco pruden, painted gray
- Pre-engineered metal building roof - Standing Seam, varco pruden, painted gray
- Pre-engineered metal building trim - painted "mantis green" per client specifications
- Entry doors - all glass, sliding system
- Canopy - steel structure, painted "mantis green" per client specifications, graphic glazing with SS spider fittings
PERFORATED METAL PANEL SYSTEM
ANODIZED ALUMINUM STOREFRONT SYSTEM (CLEAR ANODIZED)
CUSTOM BREAK BENT METAL "BLADES" WITH METAL PANEL SYSTEM
PRE-MANUFACTURED ROOF TOP UNIT SHROUD SYSTEMS
GRADIENT COLORED VINYL GRAPHIC APPLIED SECOND SURFACE TO CANOPY
CMU BLOCK "BLACK QUARTZ) FINISH
CAST STONE WALL SYSTEM "LIMESTONE) FINISH
METAL SCREEN
CAST STONE
ALUMINUM FRAMED GLAZING
CAST STONE WALL SYSTEM
CBD BLOCK "BLACK QUARTZ) FINISH
PRE-ENGINEERED METAL BUILDING
PRE-ENGINEERED METAL BUILDING
CANOPY
Hazard Area (SFHA), according to Flood Protection, DOES NOT LIE in a Special Flood Hazard Area (SFHA), effective as of September 29, 2006.

Panel No. 0359, Suffix “F”, being part of SQUARE EETF:depicted herein, 9,063.76 SQUARE FEET as being most SE San MH as shown hereon. EL=1014.42’ (NAVD88).

LEGAL DESCRIPTION
Vacant Land, Liberty Drive South, Lake Orion, MI, 48359

Copyright © 2020 AB-SB Land Survey, P.C.
NOTES FOR EXISTING TREES:
1. No land banking of tree removal shall occur on site until final site plan approvals have been granted and the location of the tree protection zones have been inspected and approved by the Township.
2. No damaging attachments such as wires other than addressing trees for disease, signs, or permits may be attached to any tree protected by the ordinance.
3. Trees to be removed for a four inch diameter tree with root flare every ten feet (10) shall be the subject of the final site plan and be removed to be removed for the purposes of the development. No scaling, rigging, or tree cutting shall occur inside the fenced area without approval of the Township. The tree cutting shall maintain the approved location until such time as it is authorized to be removed by the Township or issuance of a final certificate of occupancy.
4. Ash trees proposed for removal shall be disposed of properly according to the requirements of the State of Michigan Department of Agriculture.
5. Existing trees within thirty feet (30) of buildings and roads shall be protected by a professional tree contractor according to the details set forth above.

EXISTING REGULATED TREE REMOVAL & REPLACEMENT:

| Approximate number of trees outside setback line | 22 |
| Regulated Trees to be removed with replacement required | 12 |
| Regulated Trees to be saved | 4 |
| Replacement trees required | 18 |

NOTES:
1. Site Sheet UP - LANDSCAPE PLANNING PLAN for parks, landscape development and construction details.
2. The tree inventory list must be signed by the contractor and retained for three years after completion of the tree inventory list.

LANDSCAPE PLAN FOR: J.S. Capitol Group
PROJECT LOCATION: Lifted Industrial Grow Facility
155 American Road
Rochester, Michigan 48307
(248) 500-1697

LANDSCAPE PLAN BY: Yago Smith, Landscape Designer
3175 West Ottawa Ave
Libertyville, Illinois 60048
(714) 634-0682

TTP - 1: TREE PRESERVATION PLAN

* Base data provided by 14-County Engineering Consultants.
DESCRIPTION
The Gallo1™ Wall LED luminaire's appearance is complementary with the Gallo1 area and site luminaire bringing a modern architectural style to lighting applications. Flexible mounting options accommodate wall surfaces in both an upward and downward configuration. The Gallo1 family of LED products deliver exceptional performance with patented, high-efficiency AccuLED Optics™, providing uniform and energy conscious lighting for parking lots, building and security lighting applications.

SPECIFICATION FEATURES

Construction
Driver enclosure thermally isolated from optics for optimal thermal performance. Heavy wall aluminum housing die-cast with integral external heat sinks to provide superior structural rigidity and an IP66 rated housing. Overall construction passes a 1.5G vibration test to ensure mechanical integrity. UPLIGHTING: Specify with the UPL option for inverted mount upright housing with additional protections to maintain IP rating.

Optics
Choice of thirteen patented, high-efficiency AccuLED Optics. The optics are precisely designed to shape the distribution maximizing efficiency and application spacing. AccuLED Optics create consistent distributions with the scalability to meet customized application requirements. Offered standard in 4000K (4000K/2700K) CCT and minimum 70 CRI. Optional 3000K, 5000K and 6000K CCT. Greater than 90% lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 1200mA, 800mA, and 600mA drive currents.

Electrical
LED drivers are mounted for ease of maintenance. 120-277V 50/60Hz, 347V or 480V 50Hz operation. 480V is compatible for use with 480V Wye systems only. Drivers are provided standard with 0-10V dimming. An optional Cooper Lighting Solutions proprietary surge protection module is available and designed to withstand 10kV of transient line surge. The Gallo1 Wall LED luminaire is suitable for operation in -40°C to 50°C ambient environments. For applications with ambient temperatures exceeding 40°C, specify the HA (High Ambient) option. Emergency egress options for -20°C ambient environments and occupancy sensor available.

Mounting
Gasketed and zinc plated rigid steel mounting attachment fits directly to 4" hub or wall with the Gallo1 Wall "Hook-N-Lock" mechanism for quick installation. Secured with two captive corrosion resistant black oxide coated allen head set screws which are concealed but accessible from bottom of fixture.

Finish
Housing finished in super durable TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Standard colors include black, bronze, gray, white, dark platinum and graphite metallic. RAL and custom color matches available. Consult the McGraw-Edison Architectural Colors brochure for the complete selection.

Warranty
Five-year warranty.

DIMENSIONS

HOOK-N-LOCK MOUNTING

BATTERY BACKUP AND THRU-BRANCH BACK BOX

CERTIFICATION DATA
UL/ULc Listed
LM79/LM80 Compliant
IP66 Housing
ISO 9001
DesignLights Consortium® Qualified

ENERGY DATA
Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120-277V 50/60Hz
347V, 480V 50Hz
-40°C Min. Temperature
40°C Max. Temperature
50°C Max. Temperature (HA Option)

SHIPPING DATA
Approximate Net Weight:
27 lbs. (12.2 kgs.)

www.designlights.org

McGraw-Edison

1-2 Light Squares
Solid State LED
WALL MOUNT LUMINAIRE
WaveLinx

Orion Township Planning & Zoning

273
The Galleon™ Wall LED luminaire's appearance is complementary with the Galleon area and site luminaire bringing a modern architectural style to lighting applications. Flexible mounting options accommodate wall surfaces in both upward and downward configuration. The Galleon family of LED products deliver exceptional performance with patented, high-efficiency AccuLED Optics™, providing uniform and energy conscious lighting for parking lots, building and security lighting applications.

**SPECIFICATION FEATURES**

**Construction**
Driver enclosure thermally isolated from optics for optimal thermal performance. Heavy wall aluminum housing die-cast with integral external heat sinks to provide superior structural rigidity and an IP66 rated housing.
Overall construction passes a 1.5G vibration test to ensure mechanical integrity. UPLIGHTING: Specify with the UPL option for inverted mount uplight housing with additional protections to maintain IP rating.

**Optics**
Choice of thirteen patented, high-efficiency AccuLED Optics. The optics are specifically designed to shape the distribution maximizing efficiency and application spacing. AccuLED Optics create consistent distributions with the scalability to meet customized application requirements. Offered standard in 4000K (w/ 275K) CCT and minimum 70 CRI. Optional 3000K, 5000K and 6000K CCT. Greater than 90% lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 1200mA, 800mA, and 600mA drive currents.

**Electrical**
LED drivers are mounted for ease of maintenance. 120-277V 50/60Hz, 347V or 480V 60Hz operation. 480V is compatible for use with 480V Wye systems only. Drivers are provided standard with 0-10V dimming, an optional Cooper Lighting Solutions proprietary surge protection module available and designed to withstand 10kV of transient line surge. The Galleon Wall LED luminaire is suitable for operation in -40°C to 40°C ambient environments. For applications with ambient temperatures exceeding 40°C, specify the HA (High Ambient) option. Emergency egress options for -25°C ambient environments and occupancy sensor available.

**Mounting**
Gasketed and zinc plated rigid steel mounting attachment fits directly to 4" j-box or wall with the Galleon Wall "Hook-N-Lock" mechanism for quick installation. Secured with two captive corrosion resistant black oxide coated allen head set screws which are concealed but accessible from bottom of fixture.

**Finish**
Housing finished in super durable TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available. Consult the McGraw-Edison Architectural Colors brochure for the complete selection.

**Warranty**
Five-year warranty.

---

**CERTIFICATION DATA**
UL/UL Listed
LM-79 / LM-80 Compliant
IP66 Housing
ISO 9001
DesignLights Consortium® Qualified*

**ENERGY DATA**
Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120-277V 50/60Hz
347V, 480V 60Hz
-40°C Min. Temperature
40°C Max. Temperature
50°C Max. Temperature (HA Opt cn)

**SHIPPING DATA**
Approximate Net Weight:
27 lbs. (12.2 kg.)

---

*www.designlights.org

September 15, 2020 6:23 PM
OPTICAL DISTRIBUTIONS

Asymmetric Area Distributions

T2 (Type II)

T3 (Type III)

T4FT (Type IV Forward Throw)

TL4 (Type IV with Spill Control)

Symmetric Distributions

SNQ (Type V Square Narrow)

SMQ (Type V Square Medium)

SWQ (Type V Square Wide)

Specialized Distributions

RW (Rectangular Wide Type I) (90° Spill Light Eliminator Left)

SLL (90° Spill Light Eliminator Right)

LUMEN MAINTENANCE

<table>
<thead>
<tr>
<th>Drive Current</th>
<th>Ambient Temperature</th>
<th>TM-21 Lumen Maintenance (60,000 Hours)</th>
<th>Projected L70 (Hours)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 1A</td>
<td>Up to 50°C</td>
<td>&gt; 95%</td>
<td>&gt; 418,000</td>
</tr>
<tr>
<td>1.2A</td>
<td>Up to 40°C</td>
<td>&gt; 90%</td>
<td>&gt; 205,000</td>
</tr>
</tbody>
</table>

LUMEN MULTIPLIER

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>Lumen Multiplier</th>
</tr>
</thead>
<tbody>
<tr>
<td>0°C</td>
<td>1.02</td>
</tr>
<tr>
<td>10°C</td>
<td>1.01</td>
</tr>
<tr>
<td>28°C</td>
<td>1.00</td>
</tr>
<tr>
<td>40°C</td>
<td>0.99</td>
</tr>
<tr>
<td>60°C</td>
<td>0.97</td>
</tr>
</tbody>
</table>
CONTROL OPTIONS

0-10V
This fixture is offered standard with 0-10V dimming drivers. The DIM option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (P, R and PER7)
Optional button-type photocontrol (P) and photocontrol receptacles (R and PER7) 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 PER7 receptacle.

After Hours Dim (AHD)
This feature allows photocontrol-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a "dusk-to-dawn" period has been calculated from the photocontrol input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hours Dim supplemental guide for additional information.

Dimming Occupancy Sensor (MS/DIM-LXX and MS-LXX)
These sensors are factory installed in the luminaire housing. When the MS/DIM-LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MS/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MS-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity. The MS/X-LXX is also preset for five minutes and only controls the specified number of light engines to maintain steady output from the remaining light engines.

These occupancy sensors include an integral photocell that can be activated with the FSIR-100 accessory for "dusk-to-dawn" control or daylight harvesting - the factory preset is OFF. The FSIR-100 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lens are available to optimize the coverage pattern for mounting heights from 6'-40'.

Enlightened Wireless Control and Monitoring System (LWR-LW and LWR-LN)
Enlightened is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granularity data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources, beyond lighting.

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P-10A)
The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomical or time schedules based on a 7 day week.
### Sample Number: GWC-AF-92-LED E13-TG-3M

<table>
<thead>
<tr>
<th>Product Family 1</th>
<th>Light Engine</th>
<th>Number of Light Squares 2</th>
<th>Lamp Type</th>
<th>Voltage</th>
<th>Distribution</th>
<th>Color</th>
<th>Mounting Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>GWC+Galleon Wall</td>
<td>AF=1A Drive Current</td>
<td>01=1</td>
<td>LED=Solid State Light Emitting Diodes</td>
<td>E=120-277V  347V</td>
<td>T2=Type II T3=Type III T6=Type IV Forward Throw T6W=Type V Wide</td>
<td>A=Gray  B2=Bronze  B6=Black  D=Dark Platinum  G=Graphite  M=Metallic  W=White  CC=Custom Color</td>
<td>BLANK=Surface Mount</td>
</tr>
<tr>
<td></td>
<td></td>
<td>02=2  3</td>
<td></td>
<td>480-480V  4.4</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Options (Add asSuffix)

- **CSB=** Battery Pack with Back Box, Cold Weather Rated 5 6 9 10 11 12 13
- **CCE=** Battery Pack with Back Box, Cold Weather Rated 5 6 9 10 11 12 13
- **NEXT** NEMA 7-PIN Twistlock Photocell Receptacle 3 16 17
- **AHD=** After Hours Dim, 5 Hours 18
- **AHDAS=** After Hours Dim, 6 Hours 18
- **AHDSS=** After Hours Dim, 7 Hours 18
- **AHDSE=** After Hours Dim, 8 Hours 18
- **MS=LXX=** Motion Sensor for On/Off Operation 15 16 17
- **MS=DM=** LXX=On/Off Motion Sensor for Dimming Operation 15 16 17
- **LWR=** Luminous Wireless Sensor, Wide Lens for 8'-16' Mounting Height 18 21
- **LWR=LN=** Luminous Wireless Sensor, Narrow Lens for 8'-16' Mounting Height 18 21
- **LSN=** Luminous Sensor, Narrow 18'-40' Mounting Height 19 21
- **LSN=** Luminous Sensor, Narrow 18'-40' Mounting Height 19 21
- **LOR=** Optical Rotated 90° Right
- **META=** Factory Installed Mesh Top
- **LCF=** Light Square Trim Plate Painted to Match Housing 29
- **HSF=** Factory Installed House Shield 30
- **CE=** CE Marking and Small Terminal Block 34
- **ZWN=** Wireless Module Enabled Module and 4-PIN Receptacle 29 30
- **ZDN=** Wireless Module Enabled Module and 4-PIN Receptacle 29 30
- **SWPDX=** Wireless Sensor Only, 7'-15' 34
- **SWPDWX=** Wireless Sensor Only, 16'-40' 34
- **WOBX=** Wireless Sensor with Bluetooth, 7'-15' 34 35
- **WOFX=** Wireless Sensor with Bluetooth, 15'-40' 34 35

### Notes

2. Standard 400K CCT and minimum 70 CRI.
3. Two light squares with CSB options limited to 23'C, 120-277V only. Not available in combination with sensor options at 120V.
4. Requires a use of a step down transformer. Not available in combination with sensor options at 1200V.
5. For use only with 480V Wire systems. Per NEC, not for use with ungrounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner: Grounded Delta systems).
6. Custom colors are available. Setup chargers apply. Paint chip samples required. Extended Lead times apply.
7. Extended lead times apply. Use dedicated IES file if performed layouts.
8. Not available with LSN option.
9. Cannot be used with other control options.
10. Lower voltage control leads brought out 14' outside fixture.
11. Only available with BB or BW in single light square. CSB option available for single light square only. Limited to 1A and below.
12. Not available with 1200, 12V, BB and CWY options. Available for single light square only.
14. Operates as a single light square only. Operates as 20'-240'-400'. Edger is non-IP rated.
15. Complete with standard 2-PIN phosphorescent, 4-PIN or 7-PIN AND controller.
16. Requires the use of a photocell or the PER7 or PER photocell receptacle with photocell accessory. See After Hours Dim supplemental guide for additional information.
17. The PER7 configuration tool is required to adjust parameters including high and low module, sensitivity, time delay, roll-up and more. Contact your lighting representative at Cooper Lighting Solutions for more information.
18. Replaces LXX with the available mounting height options: 1.08, 1.39, 1.40 or LADW are the only choices.
19. Includes integral photocell
20. Selectable wireless sensors are factory installed requiring network components in appropriate quantities. See www.cooperlighting.com for list of application information
21. Bronze sensor is shipped with Bronze fixtures. While sensor shipped on all other housing color options.
22. Not available with LSN option.
23. For use with SLS, SLD and SLS distributions. The light square trim plate is painted black when the SLS option is selected.
24. CC is not available with the 1200, DALL, LWR, MS, MS/DOL, P or PER options. Available in 120V-277V only.
25. One required for each light square.
27. Control option limited to P=Push Type Photocell (must specify voltage).
28. Narrow-band 900mm x 150mm for wildlife and observational use. Supplied at 900mm drive current only. Available with both 2W and 3W, SLD, SLS and SLD4 distributions. Can be used with HSS option.
29. Cannot be used in conjunction with photocell or other control systems (P, R, MS, LWR).
30. WAC Gateway required to enable field configurability. Order WAC-PH and WPDE128 (120V to 277V Injector) power supply if needed.
31. Requires V2 or ZD receptacles.
32. Replace AX with sensor color (H, 82 or BK).
McGraw-Edison
GLEON Galleon

Area / Site Luminaire

Typical Applications
Outdoor • Parking Lots • Walkways • Roadways • Building Areas

Interactive Menu
• Ordering Information page 2
• Mounting Details page 3
• Optical Distributions page 4
• Product Specifications page 4
• Energy and Performance Data page 4
• Control Options page 9

Quick Facts
• Lumen packages range from 4,200 - 80,800 (34W - 640W)
• Efficacy up to 156 lumens per watt

Product Certifications

Product Features

Dimensional Details

<table>
<thead>
<tr>
<th>Number of Light Sources</th>
<th>&quot;A&quot; Width</th>
<th>&quot;B&quot; Standard Arm Length</th>
<th>&quot;B&quot; Extended Arm Length</th>
<th>&quot;B&quot; Quick Mount Arm Length</th>
<th>&quot;B&quot; Quick Mount Extended Arm Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-4</td>
<td>15-1/2&quot;</td>
<td>7&quot;</td>
<td>10&quot;</td>
<td>10-5/8&quot;</td>
<td>16-9/16&quot;</td>
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<td>5-6</td>
<td>21-5/8&quot;</td>
<td>7&quot;</td>
<td>10&quot;</td>
<td>10-5/8&quot;</td>
<td>16-9/16&quot;</td>
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<tr>
<td>7-8</td>
<td>27-5/8&quot;</td>
<td>7&quot;</td>
<td>13&quot;</td>
<td>10-5/8&quot;</td>
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</tr>
<tr>
<td>9-10</td>
<td>33-3/4&quot;</td>
<td>7&quot;</td>
<td>16&quot;</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

NOTE:
For arm selection requirements and additional information, see Mounting Details section.
Mounting Details

Standard Arm (Drilling Pattern)

Quick Mount Arm (Includes fixture adapter)

QM Quick Mount Arm (Standard)

QMEA Quick Mount Arm (Extended)

Standard Well Mount

Mast Arm Mount

Arm Mounting Requirements

<table>
<thead>
<tr>
<th>Number of Light Squares</th>
<th>Standard Arm @ 90° Apart</th>
<th>Standard Arm @ 120° Apart</th>
<th>Quick Mount Arm @ 90° Apart</th>
<th>Quick Mount Arm @ 120° Apart</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Standard</td>
<td>Standard</td>
<td>QM Extended</td>
<td>Quick Mount</td>
</tr>
<tr>
<td>2</td>
<td>Standard</td>
<td>Standard</td>
<td>QM Extended</td>
<td>Quick Mount</td>
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<td>3</td>
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<td>QM Extended</td>
<td>Quick Mount</td>
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<tr>
<td>6</td>
<td>Extended</td>
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<td>-</td>
<td>Quick Mount</td>
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</tr>
<tr>
<td>10</td>
<td>Extended</td>
<td>Extended</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

NOTES: 1 Round poles are 2 @ 180°. Square poles are 2 @ 90°. 2 Round poles are 2 @ 120°.

Fixture Weights and EPAs

<table>
<thead>
<tr>
<th>Number of Light Squares</th>
<th>Weight with Standard and Extended Arm (lbs.)</th>
<th>EPA with Standard and Extended Arm (sq ft.)</th>
<th>Weight with Quick Mount Arm (lbs.)</th>
<th>EPA with Quick Mount Arm (sq ft.)</th>
<th>Weight with Quick Mount Extended Arm (lbs.)</th>
<th>EPA with Quick Mount Extended Arm (sq ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-4</td>
<td>33</td>
<td>0.96</td>
<td>35</td>
<td>1.11</td>
<td>38</td>
<td>1.11</td>
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<tr>
<td>5-6</td>
<td>44</td>
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<td>45</td>
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</table>
Optical Distributions

Asymmetric Roadway Distributions
- T3 (Type III with Spill Control)
- T4FT (Type IV Forward Throw)
- T4W (Type IV Wider)
- SL4 (Type IV with Spill Control)

Asymmetric Area Distributions
- SL2 (Type II with Spill Control)
- T2R (Type II Roadway)
- T3R (Type III Roadway)
- SNQ (Type V Square Narrow)
- SMQ (Type V Square Medium)
- SWQ (Type V Square Wide)

Specialized Distributions
- AFL (Automotive Frontline)
- SLR (90° Spill Light Eliminator Left)
- SLR (90° Spill Light Eliminator Right)

Rotated Optics
- Street Side
- House Side
- Option Rotated Left @ 90° (L00)
- Option Rotated Right @ 90° (R00)

Product Specifications

Construction
- Extruded aluminum driver enclosure
- Heavy-gauge, die-cast aluminum end caps
- Die-cast aluminum heat sinks
- Patent pending interlocking housing and heat sink

Optics
- Patented, high-efficiency injection-molded AccuLED Optics technology
- 16 optical distributions
- 3 shielding options including HSS, GRS and PFS
- IDA Certified (3000K CCT and warmer only)

Electrical
- LED drivers are mounted to removable tray
- Assembly for ease of maintenance
- Standard with 0-10V dimming
- Standard with Cooper Lighting Solutions proprietary circuit module designed to withstand 10KV of transient line surge
- Suitable for operation in -40°C to 40°C ambient environments. Optional 50°C high ambient (HA) configuration

Mounting
- Standard extruded arm includes internal bolt guides and round pole adapter
- Extended arms (EA and QMEA) may be required in 90° or 120° pole mount configurations, see arm mounting requirements table

- Mast arm (MA) factory installed
- Wall mount (WM) option available
- Quick mount arm (QM and QMEA) includes pole adapter and factory installed fixture mount for fast installation to square or round poles

Finish
- Super housing durable TGIC polyester powder coat paint, 2.5 mil nominal thickness
- Heat sink is powder coated black
- RAL and custom color matches available
- Coastal Construction (CC) option available

Warranty
- Five year warranty

Energy and Performance Data

Lumen Maintenance (TM-21)

<table>
<thead>
<tr>
<th>Drive Current</th>
<th>Ambient Temperature °C</th>
<th>25,000 hours*</th>
<th>50,000 hours*</th>
<th>60,000 hours*</th>
<th>100,000 hours*</th>
<th>Theoretical L70 hours**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 1A</td>
<td>25</td>
<td>99.4%</td>
<td>99.0%</td>
<td>98.9%</td>
<td>98.3%</td>
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<td>40</td>
<td>98.7%</td>
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<td>&gt; 1.9M</td>
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<td>98.2%</td>
<td>97.2%</td>
<td>96.8%</td>
<td>95.2%</td>
<td>&gt; 851,000</td>
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<tr>
<td>1.2A</td>
<td>25</td>
<td>99.4%</td>
<td>99.0%</td>
<td>98.9%</td>
<td>98.3%</td>
<td>&gt; 2.4M</td>
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<tr>
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<td>40</td>
<td>98.5%</td>
<td>97.9%</td>
<td>97.7%</td>
<td>96.7%</td>
<td>&gt; 1.3M</td>
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</tbody>
</table>

* Supported by IES TM-21 standards
** Theoretical values represent estimates commonly used; however, refer to the IES position on LED Product Lifetime Prediction, IES P5-10-18, explaining proper use of IES TM-21 and L70B.

View GLEON IES files

Lumen Multiplier

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>Lumen Multiplier</th>
</tr>
</thead>
<tbody>
<tr>
<td>0°C</td>
<td>1.02</td>
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<tr>
<td>10°C</td>
<td>1.01</td>
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<tr>
<td>25°C</td>
<td>1.00</td>
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<td>40°C</td>
<td>0.99</td>
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<tr>
<td>50°C</td>
<td>0.97</td>
</tr>
</tbody>
</table>

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281
Control Options

0-10V (DIM)

This fixture is offered standard with 0-10V dimming driver(s). The DIM option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocell (BPC, PR and P/R7)

Optical or built-in photocell (BPC) and photocell receptacles (P/R and PR7) 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 PR7 receptacle.

After Hours Dim [AHD]

This feature allows photocell-enabled luminaires to achieve additional energy savings by dimming during scheduled periods of the night. The dimming profile will automatically take effect after a “dusk-to-dawn” period has been calculated from the photocell input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hours Dim supplement for additional information.

Dimming Occupancy Sensor (MDIM-LXX, MSX-LXX and MSX-XX)

These sensors are factory installed in the luminaire housing. When the MDIM/LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dim when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MDIM/LXX sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MSX-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity. The MSX-XX is also preset for five minutes and only controls the specified number of light engines to maintain steady output from the remaining light engines.

These occupancy sensors include an integral photocell that can be activated with the FSIR-100 accessory for “dusk-to-dawn” control or daylight harvesting - the factory preset is OFF. The FSIR-100 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 8'-40'.

Elgileled Wireless Control and Monitoring System (LWR-LW and LWR-LN)

Elgileled is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources beyond lighting.

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P-10A)

The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomical or time schedules based on a 7-day week.

LumenSafe Integrated Network Security Camera (LS)

Cooper Lighting Solutions brings ease of camera deployment to a whole new level. No additional wiring is needed beyond providing line power to the luminaire. A variety of networking options allows security integrators to design the optimal solution for active surveillance. As the ideal solution to meet the needs for active surveillance, the LumenSafe integrated network camera is a streamlined, outdoor-ready fixed dome that provides 1080p video. This IP camera is optimally designed for deployment in the video management system or security software platform of choice.

Synapse (DIM10)

SimplyDAH integrated wireless controls system by Synapse. Includes factory installed DIM10 Synapse control module and MS/DC motion sensor; requires additional Synapse system components for operation. Contact Synapse at www.synapsewireless.com for product support, warranty and terms and conditions.
McGraw-Edison
GLEON Galleon

Area / Site Luminaire

Typical Applications
Outdoor • Parking Lots • Walkways • Roadways • Building Areas

Interactive Menu
- Ordering Information page 2
- Mounting Details page 3
- Optical Distributions page 4
- Product Specifications page 4
- Energy and Performance Data page 4
- Control Options page 9

Quick Facts
- Lumen packages range from 4,200 - 80,800 (34W - 640W)
- Efficacy up to 156 lumens per watt

Product Certifications

Product Features

Dimensional Details

<table>
<thead>
<tr>
<th>Number of Light Squares</th>
<th>&quot;A&quot; Width</th>
<th>&quot;B&quot; Standard Arm Length</th>
<th>&quot;B&quot; Extended Arm Length ¹</th>
<th>&quot;B&quot; Quick Mount Arm Length</th>
<th>&quot;B&quot; Quick Mount Extended Arm Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-4</td>
<td>15-1/2&quot;</td>
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<td>10&quot;</td>
<td>10-5/8&quot;</td>
<td>16-9/16&quot;</td>
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<td>5-6</td>
<td>21-5/8&quot;</td>
<td>7&quot;</td>
<td>10&quot;</td>
<td>10-5/8&quot;</td>
<td>16-9/16&quot;</td>
</tr>
<tr>
<td>7-8</td>
<td>27-5/8&quot;</td>
<td>7&quot;</td>
<td>13&quot;</td>
<td>10-5/8&quot;</td>
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<tr>
<td>9-10</td>
<td>33-3/4&quot;</td>
<td>7&quot;</td>
<td>16&quot;</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

¹ For arm selection requirements and additional line art, see Mounting Details section.
NOTES:
1. Customer is responsible for engineering analysis a conformal coat and future compatibility for all applications. Refer to our white paper WPS/DOR/3145 for additional information.
2. Degreasing Concentrate: Refer to the product data sheet for specific cleaning products and their uses. See details.
3. The model shown is a standard 2.5GHz band transmitter. Details are available on our website.
4. Not compatible with an enhanced wireless sensor.
5. Not compatible with wireless surveillance equipment.
6. Not compatible with wireless surveillance equipment.
7. Requires the use of an external interface to combine wireless sensors. Details are available on our website.
8. Requires the use of an external interface to combine wireless sensors. Details are available on our website.
Mounting Details

Standard Arm (Drilling Pattern)

Quick Mount Arm (includes fixture adapter)

QM Quick Mount Arm (Standard)

QMEA Quick Mount Arm (Extended)

Standard Wall Mount

Mast Arm Mount

Arm Mounting Requirements

<table>
<thead>
<tr>
<th>Number of Light Squares</th>
<th>Standard Arm @ 90° Apart</th>
<th>Standard Arm @ 120° Apart</th>
<th>Quick Mount Arm @ 90° Apart</th>
<th>Quick Mount Arm @ 120° Apart</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Standard</td>
<td>Standard</td>
<td>QM Extended</td>
<td>Quick Mount</td>
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<tr>
<td>2</td>
<td>Standard</td>
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<td>Quick Mount</td>
</tr>
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<td>Standard</td>
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<td>Quick Mount</td>
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<td>10</td>
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Fixture Weights and EPAs

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<tr>
<th>Number of Light Squares</th>
<th>Weight with Standard and Extended Arm lbs.</th>
<th>EPA with Standard and Extended Arm (Sq. Ft.)</th>
<th>Weight with Quick Mount Arm lbs.</th>
<th>EPA with Quick Mount Arm (Sq. Ft.)</th>
<th>Weight with Quick Mount Extended Arm lbs.</th>
<th>EPA with Quick Mount Extended Arm (Sq. Ft.)</th>
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</thead>
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<td>63</td>
<td>1.12</td>
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</table>

NOTES: 1 Round poles are 3 @ 90°. Square poles are 3 @ 90°. 2 Round poles are 3 @ 90°.
**Optical Distributions**

<table>
<thead>
<tr>
<th>T2 (Type II)</th>
<th>SL2 (Type II with Spill Control)</th>
<th>T3 (Type III)</th>
<th>SL3 (Type III with Spill Control)</th>
<th>T4PT (Type IV Forward Throw)</th>
<th>T4W (Type IV Wide)</th>
<th>SL4 (Type IV with Spill Control)</th>
</tr>
</thead>
</table>

**Asymmetric Roadway Distributions**
- RW (Rectangular Wide Type II)
- TR2 (Type II Roadway)
- TR3 (Type II Roadway)

**Symmetric Distributions**
- 5NQ (Type V Square Narrow)
- 5MQ (Type V Square Medium)
- 5SW (Type V Square Wide)

**Specialized Distributions**
- AFL (Automatic Vandal Resistant)
- SLL (10° Spill Light Eliminator Left)
- SLR (10° Spill Light Eliminator Right)
- Street Side
- House Side
- Optic Rotated Left @ 10°
- Optic Rotated Right @ 90°

---

**Product Specifications**

**Construction**
- Extruded aluminum driver enclosure
- Heavy-wall, die-cast aluminum end caps
- Die-cast aluminum heat sinks
- Patent pending interlocking housing and heat sink

**Optics**
- Patented, high-efficiency injection-molded AccuLED Optics technology
- 16 optical distributions
- 3 shielding options including HSS, SRS and PFS
- IES Certified (3000K CCT and warmer only)

**Electrical**
- LED drivers are mounted to removable tray assembly for ease of maintenance
- Standard with 0-10V dimming
- Standard with Cooper Lighting Solutions proprietary circuit module designed to withstand 10kV of transient line surge
- Suitable for operation in -40°C to 40°C ambient environments. Optional 50°C high ambient (HA) configuration.

**Mounting**
- Standard extruded arm includes internal bolt guides and round pole adapter
- Extended arms (EA and QME) may be required in 90° or 120° pole mount configurations, see arm mounting requirements table

- Mast arm (M4A) factory installed
- Wall mount (WM) option available
- Quick mount arm (QM and QMEA) includes pole adapter and factory installed fixture mount for fast installation to square or round poles

**Finish**
- Super housing durable TGIC polyester powder coat paint, 2.5 mil nominal thickness
- Heat sink is powder coated black
- RAL and custom color matches available
- Coastal Construction (CC) option available

**Warranty**
- Five year warranty

---

**Energy and Performance Data**

**Lumen Maintenance (TM-21)**

<table>
<thead>
<tr>
<th>Drive Current</th>
<th>Ambient Temperature</th>
<th>50,000 hours*</th>
<th>50,000 hours*</th>
<th>60,000 hours*</th>
<th>100,000 hours**</th>
<th>Theoretical L70 hours**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 1A</td>
<td>25°C</td>
<td>99.4%</td>
<td>99.0%</td>
<td>98.9%</td>
<td>98.3%</td>
<td>&gt; 2.4M</td>
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<tr>
<td></td>
<td>40°C</td>
<td>98.7%</td>
<td>98.3%</td>
<td>98.1%</td>
<td>97.4%</td>
<td>&gt; 1.9M</td>
</tr>
<tr>
<td></td>
<td>50°C</td>
<td>98.2%</td>
<td>97.2%</td>
<td>96.8%</td>
<td>95.2%</td>
<td>&gt; 851,000</td>
</tr>
<tr>
<td>1.2A</td>
<td>25°C</td>
<td>99.4%</td>
<td>99.0%</td>
<td>98.9%</td>
<td>98.3%</td>
<td>&gt; 2.4M</td>
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<tr>
<td></td>
<td>40°C</td>
<td>98.5%</td>
<td>97.9%</td>
<td>97.7%</td>
<td>96.7%</td>
<td>&gt; 1.3M</td>
</tr>
</tbody>
</table>

*Supported by IES TM-21 standards
**Theoretical views represent activations commonly used, however, refer to the IES position on LED Product Lifetime Predictive, IES PS-10-1A, explaining proper use of IES TM-21 and L70B0.

**Lumen Multiplier**

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>Lumen Multiplier</th>
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<tr>
<td>0°C</td>
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<tr>
<td>40°C</td>
<td>0.99</td>
</tr>
<tr>
<td>50°C</td>
<td>0.97</td>
</tr>
</tbody>
</table>

[View GLEON IES files]
Control Options

0-10V (DIM)
This fixture is offered standard with 0-10V dimming driver(s). The DIM option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (BPC, PR and PR7)
Optional button-type photocell (BPC) and photocell sensor eyes (PB and PR7) 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 PR7 receptacle.

After Hours Dim (AHD)
This feature allows photocell-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a "dusk-to-dawn" period has been calculated from the photocell input. Specify the desired dimming profile for a simple, factory-ship dimming solution requiring no external control wiring. Reference the After Hours Dim supplemental guide for additional information.

Dimming Occupancy Sensor (MS/DIM-LXX, MS/X-LXX and MS-LXX)
These sensors are factory installed in the luminaire housing. When the MS/DIM-LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MS/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MS-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity. The MS/X-LXX is also preset for five minutes and only controls the specified number of light engines to maintain steady output from the remaining light engines.

These occupancy sensors include an integral photocell that can be activated with the FSIR-100 accessory for "dusk-to-dawn" control or daylight harvesting - the factory preset is OFF. The FSIR-100 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 8'-40'.

Enlightened Wireless Control and Monitoring System (LWR-LW and LWR-LN)
Enlightened is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources, beyond lighting.

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-TF-10A)
The 7-pin outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomical time schedules based on a 7 day week.

LumenSafe Integrated Network Security Camera (L9)
Cooper Lighting Solutions brings ease of camera deployment to a whole new level. No additional wiring is needed beyond providing line power to the luminaire. A variety of networking options allows security integrators to design the optimal solution for active surveillance. As the ideal solution to meet the needs for active surveillance, the LumenSafe integrated network camera is a streamlined, outdoor-ready fixed-dome that provides HDTV 1080p video. This IP camera is optimally designed for deployment in the video management system or security software platform of choice.

Synapse (DIM10)
SimplySNAP integrated wireless controls system by Synapse. Includes factory installed DIM10 Synapse control module and MS/DC motion sensor; requires additional Synapse system components for operation. Contact Synapse at www.synapsesnaps.com for product support, warranty and terms and conditions.
McGraw-Edison
GLEON Galleon

Area / Site Luminaire

Typical Applications
- Outdoor
- Parking Lots
- Walkways
- Roadways
- Building Areas

Interactive Menu
- Ordering Information page 2
- Mounting Details page 3
- Optical Distributions page 4
- Product Specifications page 4
- Energy and Performance Data page 4
- Control Options page 6

Quick Facts
- Lumen packages range from 4,200 - 80,800 (34W - 640W)
- Efficacy up to 156 lumens per watt

Product Certifications
- ISO
- DLC
- 3G ViP
- IP65
- UL Listed
- IESNA
- IESNA

Product Features
- LumenTalk Technology
- Elke-Design
- WAC Lighting
- Light Architect

Dimensional Details

<table>
<thead>
<tr>
<th>Number of Light Sockets</th>
<th>&quot;A&quot; Width</th>
<th>&quot;B&quot; Extended Arm Length</th>
<th>&quot;C&quot; Quick Mount Arm Length</th>
<th>&quot;D&quot; Extended Arm Length</th>
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<tr>
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<td>33-3/4&quot;</td>
<td>7&quot;</td>
<td>16&quot;</td>
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</tbody>
</table>

NOTES:
- For arm selection requirements and additional line art, see Mounting Details section.

RS500020EN page 1
October 30, 2029 11:00 AM
Mounting Details

Standard Arm (Drilling Pattern)

Quick Mount Arm (Includes fixture adapter)

QM Quick Mount Arm (Standard)

QMEA Quick Mount Arm (Extended)

Standard Wall Mount

Mast Arm Mount

Arm Mounting Requirements

<table>
<thead>
<tr>
<th>Number of Light Squares</th>
<th>Standard Arm @ 90° Apart</th>
<th>Standard Arm @ 120° Apart</th>
<th>Quick Mount Arm @ 90° Apart</th>
<th>Quick Mount Arm @ 120° Apart</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Standard</td>
<td>Standard</td>
<td>Quick Mount</td>
<td>Quick Mount</td>
</tr>
<tr>
<td>2</td>
<td>Standard</td>
<td>QM Extended</td>
<td>Quick Mount</td>
<td>Quick Mount</td>
</tr>
<tr>
<td>3</td>
<td>Standard</td>
<td>QM Extended</td>
<td>Quick Mount</td>
<td>Quick Mount</td>
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NOTES: 1 Round poles are 3 @ 120°. Square poles are 3 @ 90°. 2 Round poles are 3 @ 90°.

Fixture Weights and EPAs

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<tr>
<th>Number of Light Squares</th>
<th>Weight with Standard and Extended Arm (lbs.)</th>
<th>EPA with Standard and Extended Arm (Sq. Ft.)</th>
<th>Weight with Quick Mount Arm (lbs.)</th>
<th>EPA with Quick Mount Arm (Sq. Ft.)</th>
<th>Weight with QuickMount Extended Arm (lbs.)</th>
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Optical Distributions

Asymmetric Area Distributions
- T2 (Type III)
- SL2 (Type II with Spill Control)
- T3 (Type III)
- SL3 (Type III with Spill Control)
- T4FT (Type IV Forward Throw)
- T4W (Type IV Wide)
- SL4 (Type IV with Spill Control)

Asymmetric Roadway Distributions
- RW (Rectangular Wide Type II)
- T2R (Type II Roadway)
- T3R (Type III Roadway)

Symmetric Distributions
- SNQ (Type V Square Narrow)
- SMQ (Type V Square Medium)
- SWQ (Type V Square Wide)

Specialized Distributions
- AFL (Automotive Frontline)
- SLL (90° Spill Light Eliminator Left)
- SLR (90° Spill Light Eliminator Right)

Rotated Optica
- Street Side
- House Side
- Optica Rotated Left @ 90° LR
- Optica Rotated Right @ 90° RR

Product Specifications

Construction
- Extruded aluminum driver enclosure
- Heavy-wall, die-cast aluminum endcaps
- Die-cast aluminum heat sinks
- Patent pending interlocking housing and heat sink

Optics
- Patented, high-efficiency injection-molded AccuLED Optics technology
- 16 optical distributions
- 2 shielding options including HSS, GRS and PFS
- IES Certified (3000K CCT and warmer only)

Electrical
- LED drivers are mounted to removable tray
- Assembly for ease of maintenance
- Standard with 0-10V dimming
- Standard with Cooper Lighting Solutions proprietary circuit module designed to withstand 16kV of transient line surge
- Suitable for operation in -40°C to 40°C ambient environments. Optional 50°C high ambient (HA) configuration.

Mounting
- Standard extruded arm includes internal bolt guides and round pole adapter
- Extended arms (EA and GMEA) may be required in 90° or 120° pole mount configurations, see arm mounting requirements table

- Mast arm (MA) factory installed
- Wall mount (WM) option available
- Quick mount arm (QM and GMEA) includes pole adapter and factory installed fixture mount for fast installation to square or round poles

Finish
- Super housing durable TGIC polyester powder coat paint, 2.5 mil nominal thickness
- Heat sink is powder coated black
- RAL and custom color matches available
- Coastal Construction (CC) option available

Warranty
- Five year warranty

Energy and Performance Data

Lumen Maintenance (TM-21)

<table>
<thead>
<tr>
<th>Drive Current</th>
<th>Ambient Temperature</th>
<th>25,000 hours*</th>
<th>50,000 hours*</th>
<th>60,000 hours*</th>
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<th>Theoretical L70 hours</th>
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<tr>
<td>Up to 1A</td>
<td>25°C</td>
<td>99.4%</td>
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<td>98.9%</td>
<td>98.3%</td>
<td>&gt; 2.4M</td>
</tr>
<tr>
<td></td>
<td>40°C</td>
<td>98.7%</td>
<td>98.3%</td>
<td>98.1%</td>
<td>97.4%</td>
<td>&gt; 1.9M</td>
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<tr>
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<td>50°C</td>
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<td>97.7%</td>
<td>96.7%</td>
<td>&gt; 1.3M</td>
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</table>

* Supplied by E3 TM-21 standards
** Theoretical values express extraneous commonly used; however, refer to the IES position on LED Product Lifetime Prediction, IES F5-10-16 & explanatory paper use of E3 TM-21 and L70.

Lumen Multiplier

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<tr>
<td>50°C</td>
<td>0.97</td>
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</table>

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291
Control Options

0-10V (DIM)

This fixture is offered standard with 0-10V dimming drivers. The DIM option provides 0-10V dimming wires for use with a lighting control panel or other control methods.

Photocontrol (RPC, PR and PR7)

Optional, built-in photocontrol (RPC) and photoreceptacle (PR and PR7) 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 PR7 receptacle.

After Hour Dim (AH0)

This feature allows photocontrol-enabled luminaire to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a “dusk-to-dawn” period has been calculated from the photocontrol input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hour 3h supplemental guide for additional information.

Dimming Occupancy Sensor (MS/DIM-LXX, MSX/LXX and MSX/LXXX)

These sensors are factory-installed in the luminaire housing. When the MS/DIM/LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MS/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MS-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity. The MSX/LXX is also preset for five minutes and only controls the specified number of light engines to maintain steady output from the remaining light engines.

These occupancy sensors include an integral photocell that can be activated with the FS1-100 accessory for “dusk-to-dawn” control or daylight harvesting - the factory preset is OFF. The FS1100 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lens are available to optimize the coverage pattern for mounting heights from 8’ to 16’.

Enlightened Wireless Control and Monitoring System (LWR-LV and LWR-LN)

Enlightened is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources, beyond lighting.

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P-10A)

The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomical or time schedules based on a 7 day week.

LumenSafe Integrated Network Security Camera (LD)

LumenSafe integrated network cameras bring ease of camera deployment to a whole new level. No additional wiring is needed beyond providing line power to the luminaire. A variety of networking options allows security integrators to design the optimal solution for active surveillance. As the ideal solution to meet the needs for active surveillance, the LumenSafe integrated network cameras are a streamlined, outdoor-ready fixed dome that provides HDTV 1080p video. This IP camera is optimally designed for deployment in the video management system of security software platform of choice.

Synapse (DIM10)

SimplySNAP integrated wireless control system by Synapse. Includes factory installed DIM10 Synapse control module and MS/DC motion sensor; requires additional Synapse system components for operation. Contact Synapse at www.synapsesystems.com for product support, warranty and terms and conditions.
McGraw-Edison
GLEON Galleon

Area / Site Luminaire

Typical Applications
Outdoor • Parking Lots • Walkways • Roadways • Building Areas

Product Certifications

Product Features

Quick Facts
• Lumen packages range from 4,200 - 80,800 (34W - 640W)
• Efficacy up to 156 lumens per watt

Dimensional Details

<table>
<thead>
<tr>
<th>Number of Light Squares</th>
<th>&quot;A&quot; Width</th>
<th>&quot;B&quot; Standard Arm Length</th>
<th>&quot;B&quot; Extended Arm Length</th>
<th>&quot;B&quot; Quick Mount Arm Length</th>
<th>&quot;B&quot; Quick Mount Extended Arm Length</th>
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NOTES:
For arm selection requirements and additional line art, see Mounting Details section.
Mounting Details

Standard Arm (Drilling Pattern)  Quick Mount Arm (Includes fixture adapter)

QM Quick Mount Arm (Standard)  QMEA Quick Mount Arm (Extended)

Standard Wall Mount  Mast Arm Mount

Arm Mounting Requirements

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<th>Number of Light Squares</th>
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<td>Quick Mount</td>
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Fixture Weights and EPAs

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<tr>
<th>Number of Light Squares</th>
<th>Weight with Standard and Extended Arm (lbs.)</th>
<th>EPA with Standard and Extended Arm (Sq. Ft.)</th>
<th>Weight with Quick Mount Arm (lbs.)</th>
<th>EPA with Quick Mount Arm (Sq. Ft.)</th>
<th>Weight with Quick Mount Extended Arm (lbs.)</th>
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<td>1.12</td>
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</table>
Optical Distributions

- T2 (Type II)
- SL2 (Type II with Spill Control)
- T3 (Type III)
- SL3 (Type III with Spill Control)

Asymmetric Area Distributions

- T4PT (Type IV Forward Throw)
- T4W (Type IV Wide)
- SL4 (Type IV with Spill Control)

Asymmetric Roadway Distributions

- RW (Rectangular Wide Type I)
- T2R (Type II Roadway)

Symmetric Distributions

- SNQ (Type V Narrow)
- SMQ (Type V Medium)
- SWQ (Type V Wide)

Specialized Distributions

- AFL (Autonomous Frontline)
- SL1 (180° Spill Light Eliminator Left)
- SLR (180° Spill Light Eliminator Right)

Rotated Optics

- Street Side
- House Side

Product Specifications

Construction
- Extruded aluminum driver enclosure
- Heavy-wall, die-cast aluminum end caps
- Die-cast aluminum heat sinks
- Patent pending interlocking housing and heat sink

Optics
- Patented, high-efficiency injection-molded AccuLED optics technology
- 16 optical distributions
- 3 shielding options including HSS, GRS and PFs
- IDA Certified (3000K CCT and warmer only)

Electrical
- LED drivers are mounted to removable tray
- Assembly for ease of maintenance
- Standard with 0-10V dimming
- Standard with Cooper Lighting Solutions proprietary circuit module designed to withstand 10kV of transient line surge
- Suitable for operation in -40°C to 40°C ambient environments. Optional 50°C high ambient (HA) configuration.
- Standard extruded arm includes internal bolt guides and round pole adapter
- Extended arms (EA and OMEA) may be required in 50° or 120° pole mount configurations; see arm mounting requirements table
- Mast arm (MA) factory installed
- Wall mount (WM) option available
- Quick mount arm (QM and OMA) includes pole adapter and factory installed fastener mount for fast installation to square or round poles

Finish
- Super housing durable TGIC polyester powder coat paint, 2.0 mil nominal thickness
- Heat sink is powder coated black
- RAL and custom color matches available
- Coastal Construction (CC) option available

Warranty
- Five year warranty

Energy and Performance Data

Lumen Maintenance (TM-21)

<table>
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<tr>
<th>Drive Current</th>
<th>Ambient Temperature</th>
<th>25,000 hours</th>
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<th>60,000 hours</th>
<th>100,000 hours</th>
<th>Theoretical L70 hours</th>
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<td>25°C</td>
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<td>40°C</td>
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<td>98.3%</td>
<td>98.1%</td>
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<td>&gt;1.9M</td>
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<td>50°C</td>
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<td>98.3%</td>
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<td>40°C</td>
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<th>Ambient Temperature</th>
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<td>50°C</td>
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*Supported by ETS TM21 standards
**Theoretical values represent rejections normally used; however, refer to the IES position on LED Product Lifetime Prediction, IES PD-16-13, explaining proper use of ETS TM21 and LM-80.

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Control Options
0-10V (DIM)
This fixture is offered standard with 0-10V dimming driver(s). The DIM option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (BPC, PR and PR7)
Optional button-type photocontrol (BPC) and photocontrol receptacles (PR and PR7) provide a flexible solution to enable "dusk-to-dawn" lighting by sensing light levels. Advanced control systems compatible with NECMA 7-inch standards can be utilized with the PR7 receptacle.

After Hours Dim (AHD)
This feature allows photocontrol-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a "dusk-to-dawn" period has been calculated from the photocontrol input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hours Dim supplemental guide for additional information.

Dimming Occupancy Sensor (MS/DIM-LXX, MSX-LXX and MS-LXX)
These sensors are factory installed in the luminaire housing. When the MS/DIM-LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MS/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MS-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity. The MSX-LXX is also preset for five minutes and only controls the specified number of light engines to maintain steady output from the remaining light engines.

These occupancy sensors include an integral photocell that can be activated with the FSIR-100 accessory for "dusk-to-dawn" control or daylight harvesting - the factory preset is OFF. The FSIR-100 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 8'-0" to 24'-0".

Enlightened Wireless Control and Monitoring System (LWR-LW and LWR-LN)
Enlightened is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications are found at thegranular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources, beyond lighting.

WaveLux Wireless Outdoor Lighting Control Module (WOLC-7P-10A)
The 7-pin wireless outdoor lighting control module enables WaveLux to control outdoor area, site and flood lighting. WaveLux controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomic or time schedules based on a 7 day week.

LumenSafe Integrated Network Security Camera (0,0)
Cooper Lighting Solutions bring ease of camera deployment to a new level. No additional wiring is needed beyond providing line power to the luminaire. A variety of networking options allow security integrators to design the optimal solution for active surveillance. As the ideal solution to meet the needs for active surveillance, the LumenSafe integrated network camera is a streamlined, outdoor-ready device that provides HDTV 1080p video. This IP camera is optimally designed for deployment in the video management system or security software platform of choice.

Synapse (DIM10)
SimplySNAP integrated wireless control systems by Synapse. Includes factory installed DIM10 Synapse control module and MS/DC motion sensor; requires additional Synapse system components for operation. Contact Synapse at www.simplesnapwireless.com for product support, warranty and terms and conditions.
McGraw-Edison
GLEON Galleon

Area / Site Luminaire

Typical Applications
- Outdoor • Parking Lots • Walkways • Roadways • Building Areas

Product Certifications

Product Features

Quick Facts
- Lumen packages range from 4,200 - 80,800 (34W - 640W)
- Efficacy up to 156 lumens per watt

Dimensional Details

<table>
<thead>
<tr>
<th>Number of Light Spheres</th>
<th>&quot;A&quot; Width</th>
<th>&quot;B&quot; Standard Arm Length</th>
<th>&quot;C&quot; Extended Arm Length</th>
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NOTES:
For arm extension requirements and addional test information, see mounting data in sections.
## Ordering Information

**Sample Number:** GLEON-SA4C-740-U-T4FT-GM

<table>
<thead>
<tr>
<th>Product Family</th>
<th>Configuration</th>
<th>Color Engine</th>
<th>Voltage</th>
<th>Distribution</th>
<th>Mounting</th>
<th>Finish</th>
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<tr>
<td>GLEON-Galleon</td>
<td>SA4-1S</td>
<td>A-4060a</td>
<td>1-72W</td>
<td>2-52W</td>
<td>3-7W</td>
<td>4-15W</td>
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<td>SAF-18S</td>
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</table>

### Options (Add as Suffix)

- **DIN-External 0-10V Dimming Leads**
- **F-Single Flex (125, 277, or 347V; Specify Voltage)**
- **F-Dual Flex (240, 24V or 48V; Specify Voltage)**

### Controls and Systems Options

- **Light Engine Controls**
- **Din Dimmer Controls**
- **PC/USB Controls**
- **USB Controls**
- **Wired or Wireless**

### Accessories (Order Separately)

- **Lighting Mounting Options**
- **Lighting Mounting Accessories**

### Notes:

1. Customers are responsible for engineering products to market and future compatibility on all applications. Refer to your local HPS%SOO for additional support information.
2. The provided information is subject to change without notice. For further information, contact the manufacturer.
3. The data provided is for reference purposes only. Refer to the manufacturer's specifications for detailed information.
4. The data provided is for reference purposes only. Refer to the manufacturer's specifications for detailed information.
5. The data provided is for reference purposes only. Refer to the manufacturer's specifications for detailed information.
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36. The data provided is for reference purposes only. Refer to the manufacturer's specifications for detailed information.
37. The data provided is for reference purposes only. Refer to the manufacturer's specifications for detailed information.
Mounting Details

Standard Arm (Drilling Pattern)

<table>
<thead>
<tr>
<th>TYPE &quot;H&quot;</th>
<th>3/4&quot; [18mm] Diameter Hole</th>
<th>7-11/16&quot; [122mm]</th>
</tr>
</thead>
<tbody>
<tr>
<td>2&quot; [51mm]</td>
<td>(2) 3/16&quot; [4mm] Diameter Holes</td>
<td></td>
</tr>
</tbody>
</table>

Quick Mount Arm (includes fixture adapter)

| 1-1/4" [32mm] |
| 4-7/8" [124mm] |
| 6-15/16" [177mm] |
| 4-15/16" [125mm] |
| 3-3/4" [96mm] Dia. Hole |
| 9/16" [14mm] |

QM Quick Mount Arm (Standard)

| 4-15/16" [125mm] |
| 3-3/4" [96mm] Dia. Hole |
| 9/16" [14mm] |
| 21-3/4" [553mm] |

QMEA Quick Mount Arm (Extended)

| 16-3/4" [421mm] |
| 10-3/8" [263mm] |
| 21-3/4" [553mm] |

Standard Wall Mount

| 10-3/32" [255mm] |
| 6-3/8" [167mm] |

Mast Arm Mount

| 2-3/16" [61mm] |
| 3-13/64" [82mm] |
| 3-13/64" [82mm] |
| 1-13/16" [47mm] |
| 1-13/16" [47mm] |
| (1) 27/64" [11mm] Dia. Hole |

Arm Mounting Requirements

<table>
<thead>
<tr>
<th>Number of Light Squares</th>
<th>Standard Arm @ 90° Apart</th>
<th>Standard Arm @ 120° Apart</th>
<th>Quick Mount Arm @ 90° Apart</th>
<th>Quick Mount Arm @ 120° Apart</th>
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<tbody>
<tr>
<td>1</td>
<td>Standard</td>
<td>Standard</td>
<td>QM Extended</td>
<td>Quick Mount</td>
</tr>
<tr>
<td>2</td>
<td>Standard</td>
<td>Standard</td>
<td>QM Extended</td>
<td>Quick Mount</td>
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<td>Quick Mount</td>
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<td>4</td>
<td>Standard</td>
<td>Standard</td>
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<td>5</td>
<td>Extended</td>
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<td>QM Extended</td>
<td>Quick Mount</td>
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<td>Quick Mount</td>
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<td>9</td>
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<tr>
<td>10</td>
<td>Extended</td>
<td>Extended</td>
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Fixture Weights and EPAs

<table>
<thead>
<tr>
<th>Number of Light Squares</th>
<th>Weight with Standard and Extended Arm (lbs.)</th>
<th>EPA with Standard and Extended Arm (sq. ft.)</th>
<th>Weight with Quick Mount Arm (lbs.)</th>
<th>EPA with Quick Mount Arm (sq. ft.)</th>
<th>Weight with Quick Mount Extended Arm (lbs.)</th>
<th>EPA with Quick Mount Extended Arm (sq. ft.)</th>
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<tr>
<td>1-4</td>
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<td>35</td>
<td>1.11</td>
<td>38</td>
<td>1.11</td>
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<td>5-6</td>
<td>44</td>
<td>1.00</td>
<td>46</td>
<td>1.11</td>
<td>49</td>
<td>1.11</td>
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<td>7-8</td>
<td>54</td>
<td>1.07</td>
<td>56</td>
<td>1.11</td>
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<td>--</td>
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<tr>
<td>9-10</td>
<td>63</td>
<td>1.12</td>
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</table>

NOTES: 1 Round poles are 3 @ 120°. Source poles are 3 @ 90°. 2 Round poles are 3 @ 90°.
McGraw-Edison

Optical Distributions

<table>
<thead>
<tr>
<th>Asymmetric Area Distributions</th>
<th>T2 (Type II)</th>
<th>SL2 (Type II with Spill Control)</th>
<th>T3 (Type III)</th>
<th>SL3 (Type III with Spill Control)</th>
<th>T4FT (Type IV Forward Throw)</th>
<th>T4W (Type IV Wide)</th>
<th>SL4 (Type IV with Spill Control)</th>
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<tbody>
<tr>
<td>Rsymmetric Roadway Distributions</td>
<td>RW (Rectangular Wide Type I)</td>
<td>T2R (Type II Roadway)</td>
<td>T3R (Type III Roadway)</td>
<td>SNQ (Type V Square Narrow)</td>
<td>EMQ (Type V Square Medium)</td>
<td>SWQ (Type V Square Wide)</td>
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<table>
<thead>
<tr>
<th>Specialized Distributions</th>
<th>APL (Automotive Frontline)</th>
<th>SLL (90° Spill Light Eliminator Left)</th>
<th>SLR (90° Spill Light Eliminator Right)</th>
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<tbody>
<tr>
<td>Rotated Optics</td>
<td>Standard</td>
<td>Optikas Rotated Left @ 90° [L0]</td>
<td>Optikas Rotated Right @ 90° [R0]</td>
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</tbody>
</table>

Product Specifications

Construction
- Extruded aluminum driver enclosure
- Heavy-wall, die-cast aluminum end caps
- Die-cast aluminum heat sinks
- Patent pending interlocking housing and heat sink

Optics
- Patented, high-efficiency injection-molded Ar-Cut ED Optic technology
- 16 optical distributions
- 3 shielding options including HSS, GRS and PFS
- IIDA Certified (3000K CCT and warmer only)

Electrical
- LED drivers are mounted to removable tray assembly for ease of maintenance
- Standard with 0-10V dimming
- Standard with Cooper Lighting Solutions proprietary circuit module designed to withstand 10kV of transient line surge
- Suitable for operation in -40°C to 40°C ambient environments. Optional 50°C high ambient configuration.

Mounting
- Standard extruded arm includes internal bolt guides and round pole adapter
- Extended arm (EA and QMEA) may be required in 90° or 120° pole mount configurations, see arm mounting requirements table

- Mast arm (MA) factory installed
- Wall mount (WM) option available
- Quick mount arm (QM and QMEA) includes pole adapter and factory installed fixture mount for fast installation to square or round poles

Finish
- Super housing durable TGIC polyester powder coat paint, 2.5 mil nominal thickness
- Heat sink is powder coated black
- RAL and custom color matches available
- Coastal Construction (CC) option available

Warranty
- Five year warranty

Energy and Performance Data

Lumen Maintenance (TM-21)

<table>
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<tr>
<th>Drive Current</th>
<th>Ambient Temperature</th>
<th>20,000 hours*</th>
<th>50,000 hours*</th>
<th>60,000 hours*</th>
<th>90,000 hours**</th>
<th>Theoretical (70 hours)**</th>
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<td>Up to 1A</td>
<td>25°C</td>
<td>99.4%</td>
<td>99.0%</td>
<td>98.9%</td>
<td>98.3%</td>
<td>&gt; 2.4M</td>
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<tr>
<td></td>
<td>40°C</td>
<td>98.7%</td>
<td>98.3%</td>
<td>98.1%</td>
<td>97.4%</td>
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<td>50°C</td>
<td>98.2%</td>
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<td>1.2A</td>
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<td>98.9%</td>
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<td>97.9%</td>
<td>97.7%</td>
<td>97.1%</td>
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<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>Lumen Multiplier</th>
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<td>10°C</td>
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<td>25°C</td>
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<tr>
<td>40°C</td>
<td>0.99</td>
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<tr>
<td>50°C</td>
<td>0.97</td>
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* Supported by IES TM-21 standards
** Theoretical values represent estimations commonly used; however, refer to the IES position on LED Product Lumen Maintenance, IES PS-10-18, explaining proper use of IES TM-21 and LM-90.

View GLEON IES files
Control Options

0-10V (DIM)

This fixture is offered standard with 0-10V dimming driver(s). The DIM option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocell (BPC, PR, and PR7)

Optional built-in type photocell (BPC) and photocell receptacles (PR and PR7) provide a flexible solution to enable "dusk-to-dawn" lighting by setting light levels. Advanced control systems compatible with NEMA 7-pin standards can be utilized with the PR7 receptacle.

After Hours Dim (AHD)

This feature allows photocell-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a "dusk-to-dawn" period has been calculated from the photocell input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hours Dim supplemental guide for additional information.

Dimming Occupancy Sensor (MS/DIM-LXX, MS/X-LXX and MS-LXX)

These sensors are factory installed in the luminaire housing. When the MS/DIM-LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MS/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MS-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity. The MS/X-LXX is also preset for five minutes and only controls the specified number of light engines to maintain steady output from the remaining light engines.

These occupancy sensors include an integral photocell that can be activated with the FSIR-100 accessory for "dusk-to-dawn" control or daylight harvesting - the factory preset is OFF. The FSIR-100 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 8' to 40'.

Enlighted Wireless Control and Monitoring System (LWR-LW and LWR-LN)

Enlighted is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources, beyond lighting.

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P-1DA)

The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor area, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomical or time schedules based on a 7 day week.

LumenSafe Integrated Network Security Camera (LDO)

Cooper Lighting Solutions brings ease of camera deployment to a whole new level. No additional wiring is needed beyond providing line power to the luminaire. A variety of networking options allow security integrators to design the optimal solution for active surveillance. As the ideal solution to meet the needs for active surveillance, the LumenSafe integrated network camera is a streamlined, outdoor-ready fixed dome that provides HDTV 1080p video. This IP camera is optimally designed for deployment in the video management system or security software platform of choice.

Synapse (DIM10)

SimplySNAP integrated wireless controls system by Synapse. Includes factory installed DIM10 Synapse control module and MS/DC motion sensor; requires additional Synapse system components for operation. Contact Synapse at www.synapseenwireless.com for product support, warranty and terms and conditions.
DESCRIPTION

The Lumark Accent LED wall mount luminaire provides a flush-mounted, architectural design with high performing, energy-efficient illumination resulting in up to 95% energy and maintenance savings over traditional sources. The die-cast aluminum construction along with stainless steel hardware, gasketed housing, and sealed optical compartment make the Accent impervious to contaminants. The Accent replaces 70W to 450W metal halide equivalents making it ideal for pathway illumination, building entrances, vehicle ramps, schools, tunnels, stairways, loading docks and floodlighting applications.

SPECIFICATION FEATURES

Construction
Low-profile LED design with rugged die-cast aluminum housing. Matching housing styles incorporate both a full cutoff and refractive lens design. External fin design on the back of the fixture extracts heat from the surface resulting in a thermally optimize design for longer luminaire life. One-piece silicone gasket seals the fixture, keeping out moisture and dusts in compliance with IP66 rating. The fixture is 3G vibration rated (ANSI C159.31) and UL/ULC listed ensuring reliability and durability in wall mount applications.

Optical
Silicone-sealed optical LED chamber incorporates a custom engineered reflector providing high-efficiency illumination. Refractive lens models incorporate a molded lens assembly designed for maximum forward throw. Optional glare free lens is available for visual comfort at reduced lumen values. Available in Type IV distribution with lumen packages ranging from 1,300 to 15,300 nominal lumens. Light engine configurations consist of high-efficiency, discrete LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life. Offered in standard 4000K (+/- 275K) CCT and minimum 70 CRI. Optional 5000K CCT / 70CRI min and 3000K / 80CRI min are available.

Electrical
LED driver is mounted to the die-cast aluminum housing for optimal heat sinking. Integral LED electronic driver incorporates 6k surge protection. Class 1 electronic drivers have a power factor >90% and THD<20%. 120-277V 50/60Hz standard operation with optional 347V 60Hz or 480V 60Hz options available. 480V is compatible for use with 480V Wye systems only. 0-10V dimming driver is standard with leads external to the fixture to accommodate controls capability such as a dimming and occupancy. 10kV/10kA surge protection option is available.

Mounting
Steel wedge mounting plate fits directly to 4" standard j-box or directly to wall with the "Hook-N-Lock" mechanism for quick installation. Secure with two captive, corrosion resistant, stainless steel set screws, which are concealed but accessible from bottom of fixture. Optional floodlight kits available in slipfitter, knuckle and trunnion mount configurations. Optional pole mount configuration provides a quick-mount solution to round and square poles. The easy installation arm accommodates multiple drill patterns ranging from 1-1/2" to 4-7/8".

Emergency Egress
Optional integral cold weather battery emergency egress includes emergency operation test switch, an AC-ON indicator light and a premium, maintenance-free battery pack. The separate emergency lighting LEDS are wired to provide redundant emergency lighting. Listed to UL Standard 924, Emergency Lighting.

Finish
The Accent is protected with five state super TGIC polyester powder coat paint in carbon bronze and five other color finishes. Super TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life.

Warranty
Five-year warranty.

DIMENSIONS

<table>
<thead>
<tr>
<th>Dimensional Data</th>
<th>AXCS Small</th>
<th>AXCL Large</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>8&quot; [202mm]</td>
<td>11-1/2&quot; [292mm]</td>
</tr>
<tr>
<td>B</td>
<td>7-1/2&quot; [199mm]</td>
<td>10-3/4&quot; [273mm]</td>
</tr>
<tr>
<td>C</td>
<td>3-5/8&quot; [84mm]</td>
<td>4-7/8&quot; [124mm]</td>
</tr>
<tr>
<td>D</td>
<td>6-1/8&quot; [156mm]</td>
<td>7-1/8&quot; [189mm]</td>
</tr>
</tbody>
</table>

CERTIFICATION DATA

3G Vibration Rated
Dark Sky Approved (Fixed mount, Full cutoff, and 3000K CCT only)
DesignLights Consortium® Qualified®
FCC Class A
IP66 Rated
ISO9001, UL/ULC, RoL Location Listed
ROHS Compliant
Title 24 Compliant
UL924 Listed (CSP Models)

TECHNICAL DATA

-40°C Minimum Ambient Temperature
+40°C Maximum Ambient Temperature
External Supply Wiring 90°C Minimum

SHIPPING DATA:
Approximate Net Weight:
Small fixture=12 lbs. [5.45 kgs.] Small fixture=12 lbs. [5.45 kgs.] Large fixture=21 lbs. [9.54 kgs.] Large fixture=21 lbs. [9.54 kgs.]
MOUNTING OPTIONS

Slipfitter Mount (Small)
Tenon OD: 2-3/8" [50mm]
12-1/8" [307mm]
2-7/8" [74mm]
3-1/8" [80mm]
8-1/4" [213mm]

Knuckle Mount (Small)
9-1/8" [229mm]
3-5/8" [94mm]
2-7/8" [74mm]
7-1/4" [183mm]

Trunnion Mount (Small)
9-1/8" [229mm]
2-1/8" [S4mm]
4-5/8" [117mm]
7-1/4" [183mm]

Trunnion Mount (Large)
14" [355mm]
2-1/8" [54mm]
4-5/8" [117mm]
8-7/8" [226mm]

Pole Mount Arm
(Shown with Large fixture)
Tenon OD: 2-3/8" [50mm]
2-3/4" [76mm]
6-1/16" [154mm]
5-3/4" [146mm]

Through branch wiring
(Available through rated junction box - supplied by others)

Wall Mount Plate Detail (Large)
4-3/4" [120mm]
6-1/4" [159mm]
1/2" [13mm]

Wall Mount Plate Detail (Small)
4-3/4" [120mm]
2-1/8" [54mm]
2-7/8" [74mm]

LumeHett Pro Sensor
Occupancy Sensor
Button Photosensor
Vandal Shield
Wire Guard
CONTROL OPTIONS

0-10V
This fixture is offered standard with 0-10V dimming driver(s) for use with a lighting control panel or other control method.

Photoscontrol (PC1, PC2, and PC)
Optional button-type photoscontrol provides a flexible solution to enable “dusk-to-dawn” lighting by sensing light levels.

After Hours Dim (AHD)
This feature allows photocontrol-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night.

Dimming Occupancy Sensor (MSP/DIM-LXX and MSP-LXX)
These sensors are factory installed in the luminaire housing. When the MSP/DIM-LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MSP/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of ten minutes. The MSP-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity.

These occupancy sensors includes an integrated photocell that can be activated with the ISHH-01 accessory for “dusk-to-dawn” control or daylight harvesting - the factory preset is ON. The ISHH-01 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters.

A variety of sensor lens are available to optimize the coverage pattern for mounting heights from 8’-30’.

WaveLink Wireless Control and Monitoring
The WaveLink Outdoor control platform operates on a wireless mesh network based on IEEE 802.15.4 standards enabling wireless control of outdoor lighting. Use the WaveLink Mobile application for set-up and configuration. At least one Wireless Area Controller (WAC) is required for full functionality and remote control (including adjustment of any factory pre-sets).

WaveLink Wireless Sensor (SWPD4 and SWPDSL)
These outdoor sensors offer passive infrared (PIR) occupancy 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 (ZV/W). These sensors are factory preset to dim down to approximately 50 percent power after 15 minutes of no activity detected. These occupancy sensors include an integral photocell for “dusk-to-dawn” control or daylight harvesting that is factory-enabled. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 7’-40’.

Enlighted Wireless Control and Monitoring System (LWR-LW and LWR-LN)
The Enlighted System is a connected lighting solution that combines LED luminaires with an integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of other resources beyond lighting.

For mounting heights from 16’ to 40’ (LWR-LW)

For mounting heights from 8’ to 16’ (LWR-LN)
### POWER AND LUMENS (AXCENT SMALL)

<table>
<thead>
<tr>
<th>Light Engine</th>
<th>AXCS1A</th>
<th>AXCS2A</th>
<th>AXCS3A</th>
<th>AXCS4A</th>
<th>AXCS5A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power (Watts)</td>
<td>14</td>
<td>21</td>
<td>27</td>
<td>44</td>
<td>52</td>
</tr>
<tr>
<td>Input Current @ 120V (A)</td>
<td>0.12</td>
<td>0.18</td>
<td>0.23</td>
<td>0.37</td>
<td>0.43</td>
</tr>
<tr>
<td>Input Current @ 240V (A)</td>
<td>0.36</td>
<td>0.09</td>
<td>0.11</td>
<td>0.18</td>
<td>0.22</td>
</tr>
<tr>
<td>Input Current @ 277V (A)</td>
<td>0.35</td>
<td>0.08</td>
<td>0.10</td>
<td>0.16</td>
<td>0.19</td>
</tr>
<tr>
<td>Input Current @ 480V (A)</td>
<td>0.34</td>
<td>0.06</td>
<td>0.08</td>
<td>0.13</td>
<td>0.15</td>
</tr>
<tr>
<td>Input Current @ 960V (A)</td>
<td>0.33</td>
<td>0.04</td>
<td>0.05</td>
<td>0.06</td>
<td>0.11</td>
</tr>
</tbody>
</table>

**Configuration**

- **Full Cutoff**
  - 400K/500K Lumens: 1,856, 2,651, 3,537, 5,520, 6,300
  - 300K Lumens: 1,526, 2,164, 2,989, 4,665, 5,324
  - BUG Rating: B1-U0-G0, B1-U0-G1, B2-U0-G1

- **Refractive Lens**
  - 400K/500K Lumens: 1,815, 2,716, 3,704, 5,656, 6,659
  - 300K Lumens: 1,618, 2,295, 3,120, 4,980, 5,891
  - BUG Rating: B1-U3-G2, B1-U3-G3, B1-U4-G3

### POWER AND LUMENS (AXCENT LARGE)

<table>
<thead>
<tr>
<th>Light Engine</th>
<th>AXCL6A</th>
<th>AXCL8A</th>
<th>AXCL10A</th>
<th>AXCL12A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power (Watts)</td>
<td>56</td>
<td>72</td>
<td>102</td>
<td>123</td>
</tr>
<tr>
<td>Input Current @ 120V (A)</td>
<td>0.44</td>
<td>0.60</td>
<td>0.83</td>
<td>1.01</td>
</tr>
<tr>
<td>Input Current @ 240V (A)</td>
<td>0.22</td>
<td>0.31</td>
<td>0.41</td>
<td>0.51</td>
</tr>
<tr>
<td>Input Current @ 277V (A)</td>
<td>0.23</td>
<td>0.27</td>
<td>0.38</td>
<td>0.45</td>
</tr>
<tr>
<td>Input Current @ 480V (A)</td>
<td>0.17</td>
<td>0.22</td>
<td>0.30</td>
<td>0.37</td>
</tr>
</tbody>
</table>

**Configuration**

- **Full Cutoff**
  - 400K Lumens: 1,594, 9,688, 13,283, 16,823
  - 500K Lumens: 7,465, 9,531, 13,058, 16,538
  - 300K Lumens: 6,819, 8,450, 11,577, 14,662
  - BUG Rating: B1-U0-G1, B2-U0-G2, B3-U0-G2

- **Refractive Lens**
  - 400K Lumens: 7,069, 9,976, 13,841, 17,346
  - 500K Lumens: 7,689, 9,817, 13,450, 17,034
  - 300K Lumens: 6,817, 8,704, 11,924, 15,102
  - BUG Rating: B1-U4-G4, B2-U5-G5, B3-U5-G5

### LUMEN MAINTENANCE (AXCENT SMALL)

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>TM-21 Lumen Maintenance (72,000 Hours)</th>
<th>Theoretical L70 (72,000 Hours)</th>
</tr>
</thead>
<tbody>
<tr>
<td>25°C</td>
<td>90%</td>
<td>248,000</td>
</tr>
<tr>
<td>40°C</td>
<td>90%</td>
<td>225,000</td>
</tr>
<tr>
<td>50°C</td>
<td>85%</td>
<td>195,000</td>
</tr>
<tr>
<td>25°C</td>
<td>85%</td>
<td>240,000</td>
</tr>
<tr>
<td>40°C</td>
<td>85%</td>
<td>225,000</td>
</tr>
<tr>
<td>50°C</td>
<td>85%</td>
<td>195,000</td>
</tr>
</tbody>
</table>

### LUMEN MAINTENANCE (AXCENT LARGE)

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>TM-21 Lumen Maintenance (72,000 Hours)</th>
<th>Theoretical L70 (72,000 Hours)</th>
</tr>
</thead>
<tbody>
<tr>
<td>25°C</td>
<td>94%</td>
<td>556,000</td>
</tr>
<tr>
<td>40°C</td>
<td>94%</td>
<td>556,000</td>
</tr>
<tr>
<td>50°C</td>
<td>94%</td>
<td>340,000</td>
</tr>
<tr>
<td>25°C</td>
<td>94%</td>
<td>556,000</td>
</tr>
<tr>
<td>40°C</td>
<td>94%</td>
<td>478,000</td>
</tr>
<tr>
<td>50°C</td>
<td>87%</td>
<td>207,000</td>
</tr>
<tr>
<td>25°C</td>
<td>94%</td>
<td>161,000</td>
</tr>
<tr>
<td>40°C</td>
<td>81%</td>
<td>129,000</td>
</tr>
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</table>

### LUMEN MULTIPLIER

<table>
<thead>
<tr>
<th>Ambient Temperature</th>
<th>Lumen Multiplier</th>
</tr>
</thead>
<tbody>
<tr>
<td>10°C</td>
<td>1.02</td>
</tr>
<tr>
<td>15°C</td>
<td>1.01</td>
</tr>
<tr>
<td>25°C</td>
<td>1.00</td>
</tr>
<tr>
<td>40°C</td>
<td>0.97</td>
</tr>
</tbody>
</table>

### POWER AND LUMENS (SMALL + CBP)

<table>
<thead>
<tr>
<th>Light Engine</th>
<th>AXCS1A</th>
<th>AXCS2A</th>
<th>AXCS3A</th>
<th>AXCS4A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power (Watts)</td>
<td>18</td>
<td>25</td>
<td>31</td>
<td>48</td>
</tr>
<tr>
<td>Input Current @ 120V (A)</td>
<td>0.15</td>
<td>0.21</td>
<td>0.26</td>
<td>0.40</td>
</tr>
<tr>
<td>Input Current @ 240V (A)</td>
<td>0.08</td>
<td>0.11</td>
<td>0.13</td>
<td>0.20</td>
</tr>
<tr>
<td>Input Current @ 277V (A)</td>
<td>0.07</td>
<td>0.09</td>
<td>0.11</td>
<td>0.18</td>
</tr>
</tbody>
</table>

**Configuration**

- **Full Cutoff**
  - 400K/500K Lumens: 629, 587, 647, 570
  - 300K Lumens: 631, 496, 547, 482

- **Refractive Lens**
  - 400K/500K Lumens: 857, 623, 688, 606
  - 300K Lumens: 653, 526, 580, 511

### POWER AND LUMENS (LARGE + CBP)

<table>
<thead>
<tr>
<th>Light Engine</th>
<th>AXCL6A</th>
<th>AXCL8A</th>
<th>AXCL10A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power (Watts)</td>
<td>69</td>
<td>76</td>
<td>108</td>
</tr>
<tr>
<td>Input Current @ 120V (A)</td>
<td>0.50</td>
<td>0.63</td>
<td>0.88</td>
</tr>
<tr>
<td>Input Current @ 240V (A)</td>
<td>0.25</td>
<td>0.32</td>
<td>0.44</td>
</tr>
<tr>
<td>Input Current @ 277V (A)</td>
<td>0.22</td>
<td>0.27</td>
<td>0.36</td>
</tr>
</tbody>
</table>

**Configuration**

- **Full Cutoff**
  - 400K/500K Lumens: 1,070
  - 300K Lumens: 545

- **Refractive Lens**
  - 400K/500K Lumens: 1,098
  - 300K Lumens: 573

Note: Power and current based on full power consumption while CBP is charging. Lumen outputs are while operating in emergency mode only.

Cooper Lighting Solutions
121 Highway 71 South
Peachtree City, GA 30269
P: 770-466-8400
www.coopering.com

Specifications and dimensions subject to change without notice.

Cooper Lighting Solutions
October 1, 2030 3:48 AM

306

TD514036EN
## ORDERING INFORMATION

**Sample Number:** AXCS1A-AP-347V

<table>
<thead>
<tr>
<th>Model Series</th>
<th>Color</th>
<th>Options (Add as Suffix)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AXCS1AR16W</td>
<td>[Blank]=400K, Neutral</td>
<td>347V=347V</td>
</tr>
<tr>
<td>AXCS2AR12W</td>
<td>[Blank]=Carbon Bronze (Standard)</td>
<td>480V=480V</td>
</tr>
<tr>
<td>AXCS8AR27W</td>
<td>W=Summit White</td>
<td>PC=Photocontrol 120V 4.4.6</td>
</tr>
<tr>
<td>AXCS8AR44W</td>
<td>BK=Black</td>
<td>PC=Photocontrol 208-277V, 347V, 480V 4.4.6</td>
</tr>
<tr>
<td>AXCS8AR55W</td>
<td>AP=Grey</td>
<td>PC=Photocontrol 120-277V, 347V, 480V 4.4.6</td>
</tr>
<tr>
<td>AXCL8AR72W</td>
<td>GM=Graphite Metallic</td>
<td>PC=Photocontrol 120-277V, 347V, 480V 4.4.6</td>
</tr>
<tr>
<td>AXCL12AR102W</td>
<td>DP=Dark Platinum</td>
<td>KK=Knuckle Floodlight Mount</td>
</tr>
<tr>
<td>AXCL12AR123W</td>
<td></td>
<td>TRNKIT=Trunnion Floodlight Mount</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SFTK=Slipfitter Floodlight Mount</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PMAK=Pol Mount Arm</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ZW=WaveLine-enabled 6-PIN Twistlock Receptacle</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ZW-SWPDKXX=WaveLine Wireless Sensor, 7” - 15” Mounting Height</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ZW-SWPDKXX=WaveLine Wireless Sensor, 15” - 40” Mounting Height</td>
</tr>
<tr>
<td></td>
<td></td>
<td>LWR-LW=LinkWireless Sensor, Narrow Lane for 15” - 40” Mounting Height</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MSLP-DIM2=Integraded Sensor for Dimming Operation, 8” - 12” Mounting Height</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MSLP-DIM2=Integraded Sensor for Dimming Operation, 12” - 30” Mounting Height</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MSLP-DIM2=Integraded Sensor for ON/OFF Operation, 8” - 12” Mounting Height</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MSLP-DIM2=Integraded Sensor for ON/OFF Operation, 12” - 30” Mounting Height</td>
</tr>
<tr>
<td></td>
<td></td>
<td>CB-P=CB Pole Weather Pack, CEC compliant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>RJC=10x10x1 IA Surge Protection</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MF=50C High Ambient</td>
</tr>
<tr>
<td></td>
<td></td>
<td>GRF=Glare Reducing Lens</td>
</tr>
<tr>
<td></td>
<td></td>
<td>AHD14=After Hours Dim 6 Hours</td>
</tr>
<tr>
<td></td>
<td></td>
<td>AHD24=After Hours Dim 6 Hours</td>
</tr>
<tr>
<td></td>
<td></td>
<td>AHD29=After Hours Dim 7 Hours</td>
</tr>
<tr>
<td></td>
<td></td>
<td>AHD35=After Hours Dim 8 Hours</td>
</tr>
<tr>
<td></td>
<td></td>
<td>LWR-L=LinkWireless Sensor, Narrow Lane for 15” - 40” Mounting Height</td>
</tr>
</tbody>
</table>

### Accessories (Order Separately)**

<table>
<thead>
<tr>
<th>VS/AXCS-Vandal Shield Accent Small</th>
<th>TRNKIT=XX=Trunnion Floodlight Kit (For Accent Large)</th>
</tr>
</thead>
<tbody>
<tr>
<td>WA/AXCS=Wire Guard Accent Small 1</td>
<td>SFTK=XX=Slipfitter Floodlight Kit (For Accent Large)</td>
</tr>
<tr>
<td>WA/AXCS-M=Wire Guard Accent Small 1</td>
<td>PMAK=XX=Pol Mount Kit</td>
</tr>
<tr>
<td>VS/AXCL=Vandal Shield Accent Large</td>
<td>ISHI-01=Inteigrated Sensor Programming Remote</td>
</tr>
<tr>
<td>VS/AXCL=Vandal Shiled Accent Small</td>
<td>MA190-XX=Single Tenon Adapter for 3”-9” O.D. Tenon</td>
</tr>
<tr>
<td>WA/AXCL=Wire Guard Accent Large</td>
<td>MA191-XX=28-180° Tenon Adapter for 3”-12” O.D. Tenon</td>
</tr>
<tr>
<td>WA/AXCL=Wire Guard Accent (With Motion Sensor)</td>
<td>MA107-XX=Single Tenon Adapter for 2-3/8” O.D. Tenon</td>
</tr>
<tr>
<td>KEITAK=XX=Knuckle and Visor Floodlight Kit (For Accent Small)</td>
<td>MA108-XX=28-180° Tenon Adapter for 2-3/8” O.D. Tenon</td>
</tr>
<tr>
<td>SFTKIT=AXCS=XX=Slipfitter Floodlight Kit (For Accent Small)</td>
<td>SWPD-XX=WaveLine Wireless Sensor, 7” - 15” Mounting Height</td>
</tr>
<tr>
<td>TRNKIT=AXCS=XX=Trunnion Floodlight Kit (For Accent Small)</td>
<td>SWPD-XX=WaveLine Wireless Sensor, 15” - 40” Mounting Height</td>
</tr>
</tbody>
</table>

### NOTES:
1. CoaxLight’s Consortium® Qualified. Refer to www.designlights.com for details on whether a model is qualified or not.
2. Transformer used only when ordered with motion sensor or AXCS through AXCELX6 fixtures wattages.
3. Not available in 347 or 480 VAC.
4. Button photocontrol and any motion sensor (MS, ZW, or LWR) not ordered separately.
5. Available only on AXCEL-AXCELX2 models.
6. Used with 277, 347, and 480 VAC options.
7. Only available on AXCEL-AXCELX2 models.
8. This configuration may contain materials that are not RoHS compliant. Contact your lighting representative for more information.
9. Uses 120V 50W lamp.
10. Sensor passive infrared (PIR) may be overly sensitive when operating below 30°F (-1°C). For the device to be field configurable, requires WAC accessory for WAC-P40 and WP-420 or appropriate quantities. Only compatible with WaveLine system and software and requires system components to be integrated for operation. See wwwwaveappliation information.
11. Replace X with sensor color (WW, RL, or BK).
12. Enriched wireless sensors are factory installed and require network components LWF-EM-1, LWG-1, and LWP-Em in appropriate quantities. See website for application information.
13. The ISHI-01 accessory is required to adjust parameters.
14. Ambient operating temperature -20°C to 26°C for AXCS through AXCELX6. Ambient operating temperature 20°C to 30°C on AXCELX4 models. Ambient operating temperature 19°C to 40°C on AXCELX through AXCELX5 models.
15. Not available with AXCEL or AXCELX6 models.
16. Uses deep back housing for AXCELX2, AXCELX3, AXCELX4, and AXCELX6 models.
17. Not to be mounted in upwards /diverted orientation. Downlight wall mount only for AXCS through AXCELX4 models. CEP cannot be used with any sensor option (IP, AMC, ZW, or LWR).
18. Can be ordered with CEP as PC options.
19. Use dedicated ETS files on product website for lumens values and distributions.
20. Requires the use of PVC or PC mounting photoflash.
21. See Accessories brochure for supplementary guide for additional information.
22. Replace XX with color designation.
23. For use with full cutoff lens configurations only.
24. This tool enables adjustments to parameters including high and low modes, sensitivity, time delay, cutoff, and more. Consult your lighting representative for more information.
25. Requires 6-PIN twistlock receptacle (ZW) options.

### STOCK ORDERING INFORMATION

<table>
<thead>
<tr>
<th>Model Series</th>
<th>Full Cutoff</th>
<th>Refractive Lens</th>
</tr>
</thead>
<tbody>
<tr>
<td>AXCS1AR16W</td>
<td>AXCS1AR12W</td>
<td>AXCS1AR16W</td>
</tr>
<tr>
<td>AXCS2AR12W</td>
<td>AXCS2AR12W</td>
<td>AXCS1AR16W</td>
</tr>
<tr>
<td>AXCS8AR27W</td>
<td>AXCS8AR27W</td>
<td>AXCS8AR27W</td>
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<td>AXCS8AR44W</td>
<td>AXCS8AR44W</td>
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<td>AXCS8AR52W</td>
<td>AXCS8AR52W</td>
<td>AXCS8AR52W</td>
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<td>AXCL8AR58W</td>
<td>AXCL8AR58W</td>
<td>AXCL8AR58W</td>
</tr>
<tr>
<td>AXCL8AR72W</td>
<td>AXCL8AR72W</td>
<td>AXCL8AR72W</td>
</tr>
</tbody>
</table>

### NOTES:
1. All stock configurations are 4000K color temperature, standard Carbon Bronze finish, and wall mount configuration.

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*Cooper Lighting Solutions*

1121 North 4th Street

Peabody, KS 67471

P: 710-486-6800

www.coopperlighting.com

October 1, 2020 8:48 AM

TDS14036EN

307
DESCRIPTION
Cooper Lighting Solutions brings ease of camera deployment to a new level. No additional wiring is needed beyond providing line power to the luminaire. A variety of networking options allows integrators to design the optimal solution.

The LumenSafe integrated network camera is a streamlined, outdoor-ready dome that provides high-quality video. This solution is optimally designed for open software integration.

DOME CAMERA SPECIFICATION FEATURES

FEATURES
- Single-source power input from line
- Power over Ethernet IEEE 802.3af/802.3at Type 1 Class 3 created internally in LumenSafe-compatible luminaires
- H.264 (MPEG-4 Part 10/AVC) Baseline, Main and High Profiles Motion JPEG
- Controllable frame rate and bandwidth
- Multiple, individually configurable streams in H.264 and M-JPEG

INTEGRATION
- Open API for software integration, including VAPIX® and AXIS Camera Application Platform
- ONVIF® Profile G, ONVIF® Profile S, and ONVIF® Profile T
- Analytics supported and compatible; consult factory for more details
- Support for microSD/microSDHC/microSDXC card (not included)

HOUSING
- IP66- and NEMA AX-rated, IK10 impact-resistant casing
- Color: White NCS S 1002-B, consult factory for custom options

WARRANTY
- Luminaire/Components: Five-year warranty
- Camera: Axis 3-year warranty and AXIS Extended Warranty option, see axis.com/warranty

P3225-VE MK II
(D= Dome Camera, Standard)
Axis specification sheet:
Learn more
- Camera power max 7.1 W, typical 4.5 W
- Up to 1920 x 1080, HDTV 1080p
- 2.1 MP
- 512 MB RAM, 256 MB Flash memory
- Up to 50 fps with power line frequency 50/60 Hz
- Varifocal lens, 3.0-10.5 mm, F1.4
- Horizontal field of view up to 92°
- Vertical field of view up to 50° (Field of view is fixed in place during installation)
- Remote focus and zoom, P-Iris control, IR corrected
- Pan ±180°, tilt -5 to +85°, rotation ±95°

P3227-LVE
(H=Dome Camera, High Res)
Axis specification sheet:
Learn more
- Camera power max 11.5 W, typical 8.4 W
- Up to 3072 x 1728, exceeds HDTV 1080p
- 5 MP
- 1 GB RAM, 512 MB Flash memory
- 25/30 fps with power line frequency 50/60 Hz
- Varifocal lens, 3.5-10 mm, F1.7
- Horizontal field of view up to 100°
- Vertical field of view up to 51° (Field of view is fixed in place during installation)
- Remote zoom and focus, P-Iris control, IR corrected
- Pan ±180°, tilt -40 to +75°, rotation ±95°

M5525-E PTZ
(Z=Dome Camera, Remote PTZ)
Axis specification sheet:
Learn more
- Camera power max 12.95W, typical 6.6W
- Up to 1920 x 1080, HDTV 1080p
- 2.1 MP
- 512 MB RAM, 256 MB Flash memory
- 25/30 fps with power line frequency 50/60 Hz
- Lens 4.7-47 mm, F1.6-3.0
- Horizontal field of view up to 62°
- Vertical field of view up to 37°
- Auto-focus, auto-iris
- Pan: 360° endless, 1.8°-150°
- Tilt: 90°, 1.8°-150°
- Field of view controlled remotely by software
- 10x optical zoom, 12x digital zoom, total 120x zoom
- Standard with factory-installed light shield

DOME CAMERA DIMENSIONS
P3225-VE MK II / P3227-LVE
M5525-E PTZ
DROPPED DOWN HOUSE SIDE SHEILD FOR TYPE V OPTICS

NOTE: For EPA calculations, add 12 to the luminaire EPA.

COOPER
Lighting Solutions

308

LumenSafe

CERTIFICATION DATA
UL/ULC, Wet Location Listed
ISO 9001
FCC Part 15 / IC
RoHS Compliant
3G Vibration Rated
IP66 Rated Housing and Camera
IK10 Impact Rated
ICE-606 Class A

PRODUCT DATA
120V-277V 50/60Hz
40°C Max Temperature

TD512013L6N
March 10, 2020 3:47 PM
WI-FI BRIDGE / ANTENNA

The Wi-Fi bridge establishes wireless connections over both 2.4 GHz and 5 GHz bands. Whenever the 2.4 GHz airspace is overcrowded with competing wireless transmission, the bridge can be switched over to 5 GHz band to keep the camera feed flowing. The bridge uses a multi-layered security approach to addresses stringent security requirements. These advanced security features include wireless security, network security, communication security and device security.

SPECIFICATION FEATURES

**TECHNOLOGY**
- Wireless technology
  - IEEE 802.11 a/b/g/n, Wi-Fi Compliant

**Frequency**
- 2.4 – 2.4835 GHz (US/Canada/Europe)
- 5.150 – 5.350 GHz
- 5.725 – 5.825 GHz

**Modulation technology**
- DSSS, CCK, OFDM

**Network access modes**
- Infrastructure (Client), Ad Hoc
- LumenSafe Wi-Fi will connect and stream over a internet enabled Wi-Fi network within range
- Connection range is dependent on obstructions and customer router configurations and specifications

**Range**
- Secure communications
- SSH and SSL tunneling
- Encrypted configuration

**Channels**
- US/Canada: 11 Channels 602.11b/g,
  13 Channels 802.11a
- Wireless data rates
  - Up to 65 Mbps
- Network protocols
  - TCP/IP, ARP, ICMP, DHCP, DNS, UDP, TFTP, UDP, PING, HTTP, FT

**Wireless security**
- Open, WEP 64 & 128 bit, WPA-PSK (TKIP), WPA2-PSK (AES), 802.1x(EAP), WPA-Enterprise, WPA2-Enterprise, EAP-TLS/MSCHAPv2, EAP-TLS/MSCHAPv2, EAP-TTLS (MD5), EAP-PEAPv0/MSCHAPv2, LEAP
- Zero host security footprint
- Advanced certificate storage and management

**TRANSMIT POWER**
- 802.11b 15 dBm (31.6mW)
- 802.11g 12.6dBm (18.12mW)
- 802.11a 17 dBm (60.1mW)

**MECHANICAL**
- Antenna
  - 802.11b 15 dBm

**REGULATORY APPROVALS**
- FCC Part 15.247, Class B Sub C Modular Approval Industry Canada RSS-21
- FCC Part 15 Subpart B:2007, Part 15.107(b) (conducted emissions, Class A), Part 15.109(g) (radiated emissions, Class B)
- RoHS and WEEE Compliant

**LTE GATEWAY / ANTENNA**

Designed to withstand harsh industrial conditions, the LTE gateway is tested to meet and exceed the MIL-STD-810G specification for shock, vibration, temperature and humidity. Support for VPN tunnels, port filtering and trusted IP protect the connected devices from unwanted access and maintain secure cellular communications. Integrated GPS for tracking equipment provides an additional level of physical security. The gateway automatically configures the radio based on the SIM, which provides versatility and simplicity when changing operator networks. The omni-directional antenna provides reliable signal strength with the ability to fall back to 2G and 3G networks for deployments in areas with limited LTE coverage.

**SPECIFICATION FEATURES**

**LTE GATEWAY**
- Peak
  - DL Up to 100 Mbps
  - UL Up to 50 Mbps
- GSM Frequency band
  - Quad-band
- Approvals
  - Regulatory: FCC, IC, PTCRB
  - Carrier: Verizon, AT&T, Sprint, T-Mobile USA, US Cellular, Rogers, Bell, Telus
- Network and routing
  - Network Address Translation (NAT), Port Forwarding, Host Port Routing, NEMO/DMNMR, VRRP, Reliable Static Route, Dynamic DNS
- Network management
  - Secure network management applications, Router configurations and template management, Over-the-air software and radio-module firmware updates, Configurable monitoring and alerting

**VPN**
- IPsec, GRE, and OpenVPN Client with up to 5 concurrent tunnels, split tunnel, dead peer detection (DPD), multiple subnets
- Events engine
  - Configurable interface for custom event triggers and reports
- Event Types: Digital Input, Network Parameters, Data Usage, Timer, Power, Device Temperature and Voltage
- Report Types: RAP, SMS, Email, SNMP Trap, TCP (Binary, XML, CSV)
- Security
  - Remote Authentication (LDAP, RADIUS, TACACS+), DMZ, Inbound and Outbound Port filtering, Inbound and Outbound Trusted IP, MAC Address Filtering, PCl compatible
- Satellite navigation
  - 12 Channel GPS and GLONASS Receiver
  - Tracking Sensitivity: -145 dBm
  - Reports: NMEA 0183 V3.0, NMEA, RAP, XORA

**Industry certifications**
- Safety: IEEE Certification Bodies Scheme (CB Scheme), UL 60950
- Hazardous Environments: Class 1 Div 2
- Environmental: RoHS, REACH, WEEE

**ANTENNA**
- Electrical data
  - Frequency Range: Elements 1 & 2 698-860 / 1710-2800MHz, Element 3 1552-1612MHz
  - Peak Gain: Isotropic: Cellular - 698-960MHz 1.5dBi, 1710-2700MHz 4.5dBi, 2500-3800MHz 5dBi
  - Pattern: Omni-directional
  - Nominal Impedance: 50Q

**GNSS Data**
- Frequency Range: 1562-1612MHz
- LNA Gain: 26dB
- Polarisation: Right Hand Circular

**Dimensions**
- Height 49mm (1.92"), Length 150mm (5.90"), Width 45mm (1.77")

ETHERNET

The ethernet data backhaul option is a great solution for installations where an ethernet cable can be brought to the luminaires. These hard-wired solutions do not require an antenna to be specified. An ethernet connection point is provided inside the luminaires for ease of installation. Cabling with appropriate ratings for the installation must be used.
PRODUCTS AVAILABLE WITH LUMENSAFE CAMERA TECHNOLOGY

Galleon area / site luminaire
The Galleon™ LED luminaire delivers exceptional performance in a highly scalable, low-profile design. Patented, high-efficiency AccuLED Optics™ system provides uniform and energy conscious illumination to walkways, parking lots, roadways, building areas and security lighting applications.

- Choice of 16 high-efficiency optical distributions
- Wide range of specifiable lumen packages, providing up to >55,000 delivered lumens
- Available with LumaWatt Pro, integrated photocell receptacle, After Hours Dim and occupancy control options
- Pole, mast-arm or wall-mounted configurations
- All configurations utilize housing width of at least 21-5/8"
- Filler plates used when ordered with less than six light squares

NOTES:
1. Not available with 1-6 light square housing. 2. Not available with 34V, 480V or high ambient options. 3. Not available with terminal block options
4. Not available with MB125-4 FT2 mount. 5. Type V optics come with factory installed light shields for glare control.

Navion area, site and roadway luminaire
The Navion LED luminaire combines world class optical performance, energy efficiency and outstanding versatility to meet the requirements of any area, site and roadway application. Patented AccuLED Optics™ system delivers unparalleled uniformity and budget-beating operating costs for commercial sites and municipal streets and highways.

- Choice of 16 high-efficiency optical distributions
- 24 lumen packages, providing up to >42,000 delivered lumens
- Available with LumaWatt Pro, integrated photocell receptacle, After Hours Dim and occupancy control options
- All configurations utilize housing width of 15"
- Filler plates used when ordered with less than four light squares

NOTES:
1. Not available 347V, 480V or high ambient options. 2. Available with all camera options. 3. Type V optics come with factory installed light shields for glare control.

Archean roadway luminaire
The Archean Large LED luminaire combines world class optical performance, energy efficiency and outstanding versatility to meet the requirements of any roadway application. This discrete LED solution with the patented high-efficiency AccuLED Optics™ system, provides uniform and energy conscious illumination for municipal streets and highways.

- Choice of 4 high-efficiency optical distributions
- 20 lumen packages, providing up to >31,000 delivered lumens
- Available with integrated photocell receptacle
- Single-latch tool-less entry

NOTE:
1. Maximum of 250W (4x60W). 2. Available with all camera options. 3. Type V optics come with factory installed light shields for glare control.

Prevail XL / USSL-XL area / site luminaire
The Prevail / USSL LED area and site luminaire combines optical performance, energy efficiency and long-term reliability in an advanced, patent pending modern design. Utilizing the latest LED technology, the Prevail / USSL luminaire delivers unparalleled uniformity resulting in greater pole spacing. A versatile double arm facilitates ease of installation for both retrofit and new installations. With energy savings greater than 85%, the Prevail / USSL fixture replaces 150-1,000W metal halide fixtures in general area lighting applications such as parking lots, walkways, roadways and building areas.

- Standard versatile quick mount arm for square / round poles and existing drill patterns
- Low profile housing design allows for low EPAs and fixture weights for added labor savings
- 5 lumen packages, providing 26,000 up to 48,000 delivered lumens

NOTE:
1. Not available with 347V, 480V or H4 options. 2. Type V optics come with factory installed light shields for glare control.
## ORDERING INFORMATION

**Sample Number:** GLEON-AF 08 LED E1-TW GM MSQIM-L40-LDV

<table>
<thead>
<tr>
<th>Product Family</th>
<th>Camera Type</th>
<th>Data Backhaul</th>
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<tbody>
<tr>
<td>L=LumenSafe Technology</td>
<td>D=Dome Camera, Standard</td>
<td>C=Cellular, Customer Installed SIM Card</td>
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<td>H=Dome Camera, High Res</td>
<td>A=Cellular, Factory Installed AT&amp;T SIM Card</td>
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<td>Z=Dome Camera, Remote PTZ</td>
<td>V=Cellular, Factory Installed Verizon SIM Card</td>
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<td></td>
<td>Sw=Cellular, Factory Installed Sprint SIM Card</td>
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<td></td>
<td>WW-Fi=Networking w/ Omni-Directional Antenna</td>
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<tr>
<td></td>
<td></td>
<td>Ethernet Networking</td>
</tr>
</tbody>
</table>

**NOTES:**
1. Add this catalog logic as a suffix to the luminaire catalog logic. Reference the footnotes further below for compatibility restrictions with specific luminaire families.
2. Provided with factory-installed drop down house side shield when ordered with Type V optics.
3. Provided with factory-installed house side shield HSS for Non-Type V optics.
4. Available in North America only.
5. Contact factory for details on network compatibility.

## DATA PLAN

<table>
<thead>
<tr>
<th>Data Plan (Optional for Cellular Backhaul ONLY, Order Separately)</th>
<th>Data Options</th>
<th>Gigabyte</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATA-LMSF-L=Cooper Lighting Solutions Provided Cellular Data Plan, 1 Year</td>
<td>Low (DATA-LMSF-L)</td>
<td>L-5 GB / per month</td>
</tr>
<tr>
<td>DATA-LMSF-M=Cooper Lighting Solutions Provided Cellular Data Plan, 1 Year</td>
<td>Medium (DATA-LMSF-M)</td>
<td>M-10 GB / per month</td>
</tr>
<tr>
<td>DATA-LMSF-H=Cooper Lighting Solutions Provided Cellular Data Plan, 1 Year</td>
<td>High (DATA-LMSF-H)</td>
<td>H-50 GB / per month</td>
</tr>
</tbody>
</table>

**NOTES:**
1. Requires use of V data backhaul. Available in the United States only.
2. This plan provides the anticipated data totals for transmitting sufficient data for transmitting 1080p low resolution and 6 frames per second on a 24 hour basis. Data overages charge may apply.
3. This plan provides the anticipated data totals for transmitting sufficient data for transmitting 1080p high resolution and 6 frames per second on a 24 hour basis. Data overages charge may apply.
4. This plan provides the anticipated data totals for transmitting sufficient data for transmitting 1080p high resolution and 30 frames per second on a 24 hour basis. Data overages charge may apply. Coming soon.
5. Contact factory for non-refundable. Contact factory for availability.

When using data plans and software services, Cooper Lighting Solutions will provide required bandwidth settings and reserves the right to manage bandwidth settings on the customer's behalf with written notification.
CONTROL OPTIONS

0-10V
This fixture is offered standard with 0-10V dimming driver(s). The DIM option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (P, R and PER7)
Optional button-type photocontrol (P) and photocontrol receptacles (R and PER7) 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 PER7 receptacle.

After Hours Dim (AHD)
This feature allows photocontrol-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a “dusk-to-dawn” period has been calculated from the photocontrol input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hours Dim supplemental guide for additional information.

Dimming Occupancy Sensor (MS/DIM-LXX and MS-LXX)
These sensors are factory installed in the luminaire housing. When the MS/DIM-LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MS/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MS-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity. The MS/X-LXX is also preset for five minutes and only controls the specified number of light engines to maintain steady output from the remaining light engines.

These occupancy sensors include an integral photocell that can be activated with the FSIR-100 accessory for “dusk-to-dawn” control or daylight harvesting - the factory preset is OFF. The FSIR-100 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 8’-40’.

Enlighted Wireless Control and Monitoring System (LWR-LW and LWR-LN)
Enlighted is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources, beyond lighting.

WaveLinx Wireless Outdoor Lighting Control Module (WOLC-7P-10A)
The 7-pin wireless outdoor lighting control module enables WaveLinx to control outdoor areas, site and flood lighting. WaveLinx controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomical or time schedules based on a 7 day week.
### ORDERING INFORMATION

**Sample Number:** GWC-AF-02-LED-ET3-GM

<table>
<thead>
<tr>
<th>Product Family</th>
<th>Light Engine</th>
<th>Number of Light Squares</th>
<th>Lamp Type</th>
<th>Voltage</th>
<th>Distribution</th>
<th>Color</th>
<th>Mounting Options</th>
</tr>
</thead>
</table>
| GWC=Gallone Wall | AFE>A Drive Current | 63-1 | LED Solid State | E1=120-277V | T2A+Type II | AP/V-Gray  
|                 |              | 02x2 ² | Light Emitting Diodes | 347/347V *  
|                 |              |          |             | 480=480V ² | T4F+Type IV | BZ/Bronze  
|                 |              |          |             |             | Forward Throw | BK/Black  
|                 |              |          |             |             | TAW+Type IV/Vide | DP=Dark Platinum  
|                 |              |          |             |             | Wire | GM=Graphite  
|                 |              |          |             |             | Metallic | WW=White  
|                 |              |          |             |             | CD=Custom Color * | |

**Options:** Add as Followed

- 7627x70 CRI / 2700K ²
- 7627x70 CRI / 3000K ²
- 7628x70 CRI / 3000K ²
- 7626x70 CRI / 3000K ²
- AMB=Amber 8500K ²
- 6800xDrive Current Factory Set to 600mA
- 6800xDrive Current Factory Set to 600mA
- 1200xDrive Current Factory Set to 1200mA
- P=Single Fused (120, 277 or 347V, Must Specify Voltage)
- F=Double Fused (209, 240 or 480V, Must Specify Voltage)
- 10k=10V Surge Modules
- DIM=0-10V Dimming Leads ²
- DALI=DALI Driver ²
- HAI=50°C High Ambient ²
- UPU=Uplight Housing ²
- CBF=Battery Pack with Back Box, Cold Weather Rated ²
- CBB=CBCE=Battery Pack with Back Box, Cold Weather Rated, CBBCE compliant ²
- R=Button Type Photocell (120, 209, 240 or 277V, Must Specify Voltage)
- N=NEVAA Twinstick Photocell Receptacle
- PER=Y+NEMA 7-PIN Twinstick Photocell Receptacle ²
- AND=AC-Hours Dim 25 Hours ²
- AHC=AC-Hours Dim 5 Hours ²
- AHDC=AC-Hours Dim 7 Hours ²
- AHW=AC-Hours Dim 8 Hours ²
- MS=LX+Motion Sensor for On/Off Operation ²
- MS=Motion Sensor for Dimming Operation ²
- LWR=Low Voltage Wireless Sensor, Low V for 8'-18' Mounting Height ²
- LWR=Low Voltage Wireless Sensor, Narrow V for 16'-20' Mounting Height ²
- LBD=Optics Rotated 90° Left ²
- R90=Optics Rotated 90° Right ²
- MTH=Factory Installed Mesh Top ²
- LCF=Light Square Trim Plate Painted to Match Housing ²
- HSF=Factory Installed House Shield ²
- CL=CL Marking and Small Terminal Block ²
- ZW=WaveLinx Enabled Module with DIALdriver and 4-PIN Receptacle ²
- ZD=WaveLinx Enabled Module with DIALdriver and 4-PIN Receptacle ²
- SFDAXX=WaveLinx Sensor Only, 7.15 ²
- SFDAX=WaveLinx Sensor Only, 7.15 ²
- SFDX=WaveLinx Sensor Only, 7.15 ²
- WOBX=WaveLinx Sensor with Bluetooth 7.15 ²
- WDFX=WaveLinx Sensor with Bluetooth 7.15 ²

**NOTES:**

2. Standard 4900K CCT and minimum 79 CRI.
3. Two light squares with CBCE options limited to 2P/2L, 120-277V only. Not available in combination with sensor options at 1200mA.
4. Requires use of a snap down transformer. Not available in combination with sensor options at 1200mA.
5. Can only be used with 480V Wire systems. Per NEC, not for use with underground systems. Impedance grounded systems or corner grounded systems commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems.
6. Custom colors are available. Setup charges apply. Pick color if color required. Excluded Lead times apply.
7. Extended lead times apply. Use designated ES line when placing an order.
8. Not available with HA option.
9. Cannot be used with other control options.
10. Low voltage control lead brought out 14" outside fixture.
11. Only available with BFB or CBW in single light square. NA option available for single light square only. Limited to 1A and below.
13. Not available with SL2, SL2, SL4, BFB, CBW, or 2P/2L options.
14. Operates at a single light square only. Operates at 10°C to 40°C, Bracket in exposed operation.
15. Not compatible with 3-PIN photocells, E-2, E-4, or E-2, E-4 control.
16. Requires the use of 60-277V photocell for the P59 2PHFAXX Photocell Control accessory. See After Hours Dim supplemental guide for additional information.
17. The FS110-configuration tool is required to adjust parameters including high/low settings, sensitivity, time delay, cutoff and more. Consult your lighting representative at Cooper Lighting Solutions for more information.
18. Replace LXX with the available mounting height options; LUB, L20, L40 or L44W are the only options.
19. Includes integral photocell.
20. Equivalent wireless sensors are factory installed requiring no components in appropriate quantities. See www.cooperlighting.com for information.
21. Brackets are shipped with fixture. Wheels on stainless steel for all other housing colors.
22. Not available with HSS option.
23. Only for use with SL2, SL3 and SL4 options only. The light square trim plate is painted black when the HSS option is selected.
24. CE is not available with the 1200, DALL, LWR, MS, MS/DS, P for FR options. Available in 120-277V only.
25. Not required for each light square.
26. Requires FBT.
27. Control options limited to Full Button Type Photocell control (must specify voltage).
28. Narrow bandwidths up to 8mm for wildlife and observatory usage. Supplied at 500mA drive current only. Available with SRO, SMO, SL2, SL3 and SL4 distributions. Can be used with HSS option.
29. Cannot be used in conjunction with photocell or other controls systems (R, B, MS, WBR).
30. WAC Gateway required to enable switch-configuration. Order WAC-POZ and WAC-06C (10V) or POZ Power (injector) power supply if needed.
31. Requires ZW or ZD receptacle.
32. Replace XX with sensor color (WH, BZ or BK)
Charter Township of Orion Planning Commission
Site Plan Approval Application

30.01, A. Intent: The site plan review procedures and standards are intended to provide an opportunity for consultation and cooperation between the applicant and the Planning Commission so as to achieve maximum utilization of land with minimum adverse effects on adjoining property. Furthermore, it is the intent of these procedures and standards to allow for review of site plans by the Planning Commission, to provide a consistent and uniform method of review, and to ensure full compliance with the standards contained within Zoning Ordinance 78, and other applicable local ordinances and State and Federal laws.

Project Name: **Lifted Industrial**

<table>
<thead>
<tr>
<th>Name of Development if applicable:</th>
<th>Lifted Industrial Partners, LLC</th>
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</thead>
<tbody>
<tr>
<td>Name:</td>
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</tr>
<tr>
<td>Address:</td>
<td>155 Romeo Rd Ste 300</td>
</tr>
<tr>
<td>City:</td>
<td>Rochester</td>
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<tr>
<td>State:</td>
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<td>Cell:</td>
<td>248-909-7697</td>
</tr>
<tr>
<td>Fax:</td>
<td>248-650-9345</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:jeff.schmitz@jscapitol.com">jeff.schmitz@jscapitol.com</a></td>
</tr>
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</table>

* If the name on the deed does not match the name of the property owner on this application, documentation showing the individual is the same as the company name must be provided.

<table>
<thead>
<tr>
<th>Applicant</th>
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<tbody>
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<table>
<thead>
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Version 10/19/18
Sidwell Number(s): Liberty Industrial Park
Location or Address of Property: LOT4 - 2.992ACRES - P/D Site 09-34-300-018
Side of Street: North Nearest Intersection: Liberty Drive and Astra Court
Acreage: 2.99 Acres Current Use of Property: Undeveloped
Is the complete legal description printed on the site plan? □ Yes □ No (If no please attach to the application)

Subject Property Zoning: IP Adjacent Zoning: N. IP S. IP E. IP W. IP
List any known variances needed (subject to change based on Township consultant's review)
Discussion on placing dumpster (2) 10 Yard units in rear 50' setback per Liberty Association locational requirements
Give a detailed description of the proposed development, including the number and size of the buildings or units being proposed
Cannabis Cultivation Facility, singular building ~43,000 S.F. (28' max height)

Pursuant to Zoning Ordinance 78, Section 30.01 C, a copy of this application and two copies of the site plan must be submitted to the each of the following agencies. Please provide the Township with a copy of each transmittal and proof of delivery.

AT&T
54 MIB St.
Pontiac, MI 48342

Consumers Power Company
530 W. Willow St.
Holly, MI 48442

DTE Energy
37849 Interchange Dr.
Farmington Hills, MI 48335

Michigan Department of Transportation (if applicable)
800 Vangard Dr.
Pontiac, MI 48341

Oakland County Water Resources Commission
wrpermittng@oakgov.com
(electronic submittal only)

Oakland County Health Department
Building 34 East
1200 N. Telegraph Rd.
Pontiac, MI 48341

Road Commission of Oakland County (if applicable)
2420 Pontiac Lake Rd.
W nerford, MI 48328

I/we, the undersigned, do hereby submit this application for Site Plan Approval, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.01 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant: (must be original ink signature) 
Date: 11/23/2020

Print Name: JEFFREY SCHMITZ

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner: (must be original ink signature) 
Date: 11/23/2020

Print Name: JEFFREY SCHMITZ