



CITY OF BRIDGMAN
PLANNING COMMISSION AGENDA
Thursday, December 17, 6:30 P.M.
City Hall, 9765 Maple Street, Bridgman, MI 49106
Remote Meeting on <https://zoom.us/join>

The following link may be used to join the meeting
<https://us02web.zoom.us/j/88093541271>
To access by telephone dial (312) 626-6799
Zoom meeting ID: 880 9354 1271

(access information on www.bridgman.org)

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approve/Amend Agenda** for December 17, 2020
- 5. Approval of Minutes** of September 17, 2020
- 6. Hearing of Citizens**
- 7. New Business**
 - a. Consideration of approving a site plan for the construction of a Casey's General Store with fueling station submitted by Jeffery Lonchor (CESO, Inc.) on behalf of Casey's Retail Company. This property is located at 10299 Red Arrow Highway.
 - b. Approval of 2020 Planning Commission schedule.
- 8. Unfinished Business**
- 9. Staff Update**
- 10. Adjournment**

**CITY OF BRIDGMAN
PLANNING COMMISSION
REGULAR MEETING
September 17, 2020
6:30 PM**

The regular meeting of the Bridgman City Planning Commission was held September 17, 2020 remotely by means of electronic conferencing and called to order by Chair Parsons at 6:40 p.m.

MEMBERS PRESENT: Steve Parsons, Richard Kading, Dorothea Crocker, John Truesdell, Eugene Herrman, Mark Hurray, Tom Woerdehoff

MEMBERS ABSENT: None

STAFF PRESENT: City Manager Ganum, City Clerk Holm, Building Official Mattner

Pledge of Allegiance was led by the board.

APPROVE/AMEND AGENDA:

Motion by Member Woerdehoff, seconded by Member Hurray to approve the agenda for September 17, 2020 as presented,

Roll Call Vote:

Yeas: Truesdell, Crocker, Woerdehoff, Parsons, Hurray, Kading, Herrman

Nays: None

Motion carried.

APPROVE MINUTES:

Motion by Member Woerdehoff, seconded by Member Hurray to approve the September 3, 2020 minutes as presented,

Roll Call Vote:

Yeas: Crocker, Woerdehoff, Parsons, Hurray, Kading, Herrman, Truesdell

Nays: None

Motion carried.

HEARING OF CITIZENS:

- Ganum stated because he had to change the log in access, public was not allowed to attend the meeting, but no action will be taken tonight.

PRESENTATION:

Ted Buzby to give a power point presentation on hemp processing

He has been talking to Mattner and Ganum about his interest in purchasing the Sunset Tool Facility located at 9890 Red Arrow Highway to use as a hemp processing facility. The building is 57,000 square feet and the front building would be used as the warehouse. The proposed use is for drying and storage of industrial hemp biomass and CBD Oil Extraction and Distillation. He has become involved in hemp and

CBD growing and has teamed up with a couple gentleman that are the “knowhow” with the process. They both were in attendance tonight to further answer questions. There is not an abundance of facilities to do the processing in southwest Michigan and that is why they are looking here. They went through the presentation in detail and answered all questions the board had.

Buzby said the purpose of the meeting tonight is to introduce themselves and what they are looking at doing. That is why they did not have detailed drawings from engineers or schematics. The owner of Sunset Tool already has an offer on the building who is an investor that will use it for something else. Time is of the essence as drying seeing is upon them. If they are not able to do that, they will have to wait until next year and he does not know if the owner will wait that long.

Mattner went over some of his concerns and why he has invited them to the Planning Commission:

- Has been talking with the Fire Chief and there is currently no fire suppression in the building.
- There is a little bit of a learning curve with this because there is not a step by step guide for this type of processing.
- Hemp is listed in the Michigan Building Code. They reference this as a moderate hazard because of the combustible fiber. If it goes over so many cubic foot pounds, it could change into a high hazard.
- This property is zoned Transitional Industrial, but he needs to know if this is an acceptable use. He does not see this falling under the 4 categories that are listed under Utilities in Section 2.10.
- He also went over his interpretation of Section 7.20 Unclassified Use.

Ganum stated the first issue is the Special Land Use and the need to amend the Zoning Ordinance. Once that hurdle is cleared, it is an expansive project.

Habitat for Humanity on revised layout for its development on Vineyard

Erin Hudson, the Director of Habitat, showed the Planning Commission the new revised site plan. This includes three stand-alone homes that would be built first. The next phase would be an extension of Willow Street to build duplexes. Their mission is to provide safe, decent, and affordable housing. She showed mockup photos of what both styles would look like and both will include a garage and basement. The board followed up with several questions which were all answered.

Ganum stated that the City Charter requires to sell the property no less than the appraised value which came in at \$28,000. The City cannot donate the property outright but can help the project out by having a zero-land value for them. This option is being explored. There is a need for a conditional rezoning that would need the Planning Commission’s approval. The next time the board will see this there will be an application for rezoning to consider which will probably be at the next meeting.

NEW BUSINESS:

- Member Herrman received an email to sign up for a MAP class. It would be a wise decision to sign up as one person and have the webinar at City Hall to save money.

Motion by Member Herrman, seconded by Member Woerdehoff to have the City apply for the MAP class under one person so a webinar can be held for the whole board at City Hall to save money,

Roll Call:

Yeas: Woerdehoff, Parsons, Hurray, Kading, Herrman, Truesdell, Crocker
Nays: None
Motion carried.

UNFINISHED BUSINESS:

- No unfinished business.

STAFF UPDATE:

- Ganum stated that there will be a meeting tomorrow with the prospective townhouse builders that will also include the Planning Commission Chair, Corridor Improvement Authority Chair, a couple of Council Members, the Building Official and himself.

ADJOURNMENT:

Motion by Member Herrman, seconded by Member Woerdehoff to adjourn the meeting at 8:11 p.m.

Roll Call:

Yeas: Parsons, Hurray, Kading, Herrman, Truesdell, Crocker, Woerdehoff

Nays: None

Motion carried.

Tom Woerdehoff, Secretary

Allyson Holm, City Clerk/Recording Secretary



2021 CALENDAR COUNCIL AND BOARDS

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
CITY COUNCIL	1st Monday	4	1	1	5	3	7	6*	2	7*	4	1	6
	3rd Monday	18	15	15	19	17	21	19	16	20	18	15	20
	5th Monday			29**					30**			29**	
PLANNING COMMISSION	3rd Thursday	21	18	18	15	20	17	15	19	16	21	18	16
ZBA	1st Thursday	1	4	4	1	6	3	1	5	2	7	4	2
CGA	2nd Thursday	14	11	11	8	13	10	8	12	9	14	11	9
CIA	2nd Monday	11	8	8	12	10	14	12	9	13	11	8	13
GRSD	4th Wednesday	27	24	24	28	26	23	28	25	22	27	24	22

Please check the calendar on the city's website: www.bridgman.org for updated meeting information

* Meeting date has changed

** Meeting will be cancelled if there is an election on the following Tuesday

** All Fifth Monday City Council meetings are tentative

BOARD	TIME	LOCATION	ADDRESS
City Council	6:30 p.m.	Bridgman City Hall	9765 Maple St., Bridgman, MI
Planning Commission	6:30 p.m.	Bridgman City Hall	9765 Maple St., Bridgman, MI AS NEEDED
ZBA (Zoning Board of Appeals)	6:30 p.m.	Bridgman City Hall	9765 Maple St., Bridgman, MI AS NEEDED
CGA	8:30 a.m.	Lake Township Hall	3220 Shawnee Rd., Bridgman, MI
CIA (Corridor Imp. Authority)	5:30 p.m.	Bridgman City Hall	9765 Maple St., Bridgman, MI AS NEEDED
GRSD (Galien River Sanitary)	10:00 a.m.	Chikaming Twp. Hall	13535 Red Arrow Highway, Harbert, MI

This notice is posted in compliance with Open Meeting Act, Public Act 267 of 1976, MCL 15.261, et seq., and the Americans with Disabilities Act. Individuals with disabilities requiring auxiliary aids should contact the City Clerk by writing or calling the following:
 Allyson Holm, City Clerk (269) 465-5144, 9765 Maple Street, Bridgman, MI 49106.



9765 Maple Street / Bridgman, MI 49106 / Tel: 269•465•5144 / Fax: 269•465•3701

December 10th, 2020

TO: City of Bridgman Planning Commission

FROM: Brad Mattner – Zoning Administrator

SUBJECT: Staff Report for Casey's General Store

The proposal before you is for a new convenience store called Casey's General Store, more commonly known as "Casey's". The building will be approximately 4,100 sq. ft. and will be located on the corner of Red Arrow Highway and Rambo Road. Casey's General Store is a chain of convenience stores in the Midwest and South. The company is headquartered in Ankeny, Iowa, a suburb of Des Moines. Casey's General Stores was founded in 1959, and as of April 30, 2019, Casey's has 2,146 stores in 16 states.

The proposed site plan process, as specified in article 8.09 of the Zoning Ordinance, has been addressed in my preliminary site plan review with the project manager, Jeff Lonchor of CESO, Inc. Fire Chief Joel Buist, Police Chief Dan Unruh and the Director of Public Services, Tim Kading have all been involved in the preliminary review process. Corrections have been addressed and CESO has submitted a full clean set of site plan drawings (22 pages) which are in conformance with table **2.03, Site Plans Submittal Requirements**.

The property is currently zoned for commercial use and located within our **Interstate Gateway District (IG)** per article 2.15 of the city's zoning ordinance. The use falls under Gas/Service Station and is a permitted use by right in IG district. The convenience store will have an all-brick facade and there will be one fueling canopy in the front along Red Arrow Highway and a smaller one in the rear. The front fueling canopy will have 12 pumps to accommodate 24 vehicles and the rear canopy will have 2 diesel pumps for fueling two vehicles. The sidewalks bordering the property along Rambo Rd and Red Arrow Highway will be completely removed and replaced with 5' wide sidewalks, with new sod installed in the right-of-way. Sidewalk ramps will be installed per MDOT standards at each entrance to the convenience store and also on the corner of Red Arrow Highway and Rambo Road. There will be curbs around the entire perimeter of the site except on the north end towards the entrance along Red Arrow Highway, which has been left open for future connectivity to adjoining businesses. Landscaping requirements have been fully met per Article 7.19. Parking has also been met per Article 5.10 and a bicycle rack will also be installed. There had been a branding logo change part way through the

conception and review phase. The updated sign packet reflects the changes and meets the standards of Article 6.

Due to impervious surfaces for vehicle fueling pads, driveway and parking, an underground stormwater retention system will be installed. There is 2.4 acres of regulated wetlands to the east of the site, which was identified by a consultant and reviewed by the Michigan Department of Environment, Great Lakes and Energy (EGLE). A stormwater review has been performed by Wightman & Associates and has been approved. A Soil and Erosion Permit has been issued by the Berrien County Drain Commissioner's office. Permit applications have also been submitted and approved by EGLE for disturbance of a very small portion of the regulated wetland on the northeast corner of the property.

I have worked closely with Mr. Lonchor from CESO for many months on this project. He and his firm have been very accepting to changes pertaining to zoning compliance throughout the process. There have been many modifications to the site plan in order to conform with our zoning ordinance as well as building and energy codes. The lot upon which Casey's will be located is being combined with surrounding properties, and then split into two separate lots. The new lot that Casey's will be located on will be 1.5 acres and will have an address of 10299 Red Arrow Highway. Casey's will operate 24/7 and has obtained a liquor license from the Michigan Liquor Control Commission. I have extensively reviewed the recent site plan drawings and have determined that they are in compliance with the City of Bridgman's Zoning Ordinances.

In reviewing **Chapter 8 of the City of Bridgman Master Plan**, Goal 9 states: "Hospitality and tourism will be an important part of the local economy, structured to offer visitors year-round memorable and enjoyable experiences by balancing the interest of local residents and other key sectors of the economy." I believe that a gas station and convenience store such as Casey's at the leading edge of our city will provide travelers a convenient place to stop, while serving to encourage visitors into the City of Bridgman. If approved, this will be the second Casey's General Store in the entire State of Michigan.

Respectfully,

Brad Mattner

Brad Mattner

Zoning Administrator



9765 Maple Street / P.O. Box 366 / Bridgman, MI 49106 / Tel: 269•465•5144 / Fax: 269•465•3701

SITE PLAN REVIEW APPLICATION

The following submittal is in keeping with Article 8.06 of the Zoning Ordinance as adopted by the City of Bridgman, effective July 10, 2017. This application shall be provided to the Dept. of Building Services no less than 30 days prior to the next (regular) scheduled meeting of the Planning Commission. Applications are reviewed for completeness by the Zoning Administrator and if properly completed shall be forwarded to the Planning Commission for their review.

There is an initial deposit of \$500.00 and shall be included with the application. Be sure application is signed and dated, and has both phone and email information. A copy of Articles 8.09, 8.10, and 8.11 are included for our mutual benefit. This is to be the guide for all site plan reviews; however, the more data provided the more beneficial to the process.

Please provide the following:

Project Name and **PROJECT** Address: Proposed Casey's General Store @ 10299 Red Arrow Hwy. Bridgman, Michigan
Parcel Tax I.D. No. 11-56-0019-0142-02-8 & 11-56-0124-0164-02-4 Current Zoning District: IG - Interstate Gateway District
Applicant Name: Jeff Lonchor (CESO, Inc.) on behalf of Casey's Retail Company & Phone [REDACTED]
If not the Owner what is your affiliation? _____
Applicants Address: 2800 Corporate Exchange Drive. Suite 400 Columbus, OH 43231
Current email address: [REDACTED]

Current USE of property: Vacant Parcel

Briefly describe the proposed USE and general Scope of Work to be done:

The proposed project is the construction of a Casey's General Store (C-Store) with fueling station. The proposed building is Casey's "U3" prototype and is 4,159.7 SF in size.
The site will consist of (19) parking spaces, a dumpster enclosure, a 6-dispenser fueling canopy for regular car/truck use, along with a 2-dispenser fueling canopy for larger trucks,
with all associated pavement required for proper site circulation.

All Existing and Proposed (New or Expanded) buildings are to be shown with exterior Dimensions shown and square footage indicated for each.

Submitted by: Jeffrey Lonchor Date: 12/10/2020 Fee Included: Yes No

Updated 10.12.17

tion on the parcel for the proposed improvements for which a variance is sought where such alternative location would eliminate the need for the requested variance or reduce the extent of the condition(s) necessitating the variance.

- 10. That strict compliance with the requirements of the ordinance under appeal would unreasonably prevent the property owner from using the property for a permitted use.
 - 11. The requested variance is the minimum variance that will make possible the reasonable use of the land.
- C. Conditions. The Board may specify, in writing, such conditions regarding the character, location, and other features that will in its judgment, secure the objectives and purposes of this Ordinance. The breach of any such condition shall automatically invalidate the permit granted.
- D. Each variance granted under the provisions of this Ordinance shall become null and void unless: The construction authorized by such variance has received a land use permit within one (1) year after the granting of the variance; and the occupancy of land, premises, or buildings authorized by the variance has taken place within one (1) year after the granting of the variance, unless an extension of time has been granted by the Zoning Board of Appeals.
- E. No application for a variance which has been denied wholly or in part by the Zoning Board of Appeals shall be re-submitted for a period of one (1) year from the date of the last denial, except on the grounds of newly discovered evidence of changed conditions found, upon inspection by the Board, to be valid. For such newly discovered evidence to be considered, an applicant shall submit a detailed description of such evidence to the Zoning Administrator who shall place it on the agenda of the Zoning Board of Appeals along with a report and recommendation on the nature of such newly discovered evidence and whether it may have been pertinent to the decision of the Zoning Board of Appeals. If the Zoning Board of Appeals determines that the newly discovered evidence would have been pertinent to its decision, it shall direct the Zoning Administrator to accept a new application for the previously denied variance. An application considered under the terms of this subparagraph shall be considered a new application and shall be subject to all hearing, notice and fee requirements of this Ordinance.
- F. Stay of Proceedings Pending Appeal. An appeal shall stay all proceedings in furtherance of the action appealed, except as provided herein. Proceedings shall not be stayed in the event the officer from whom the appeal is taken certifies to the Zoning Board of Appeals, after the notice of appeal is filed, that a stay would cause imminent peril to life or property. The Zoning Board of Appeals or the Circuit Court may is-

sue a restraining order to re-institute a stay on application and notice to the officer from whom the appeal is taken with due cause shown.

- G. Performance Guarantees. In authorizing any variance, or in granting any conditional, temporary or special approval permits, the Zoning Board of Appeals may require that a performance guarantee be furnished to insure compliance with the requirements, specifications and conditions imposed with the grant of variance or permit and to insure the discontinuance of a temporary use by a stipulated time. Such performance guarantee may be in the form of a cash deposit, certified check, or irrevocable bank letter of credit, at the discretion of the Zoning Board of Appeals.

8.09 SITE PLAN PROCESS

A. Site Plan review and approval shall be required for the following:

B. Submittal Procedures Administrative Review: Complete site plans shall be submitted to the City's Zoning Administrator.

TABLE 2.02 SITE PLAN REVIEW PROCESS		
	ACTION	REVIEW LEVEL
NON-FORM GENERATING DISTRICTS	Single Family Detached	Administrative Review
	Permitted Use	Administrative Review by Zoning Administrator
	Special Land Use	Full Site Plan Review
	Amendments Minor Major	Administrative Review Planning Commission Full Site Plan Review (unless project was originally approved by the Zoning Administrator, in which case Administrative Review)
FORM GENERATING DISTRICTS	Single Family Detached	Administrative Review
	Permitted Use	Administrative Review by Zoning Administrator
	Special Land Use	Full Site Plan Review
	Amendments Minor Major	Administrative Review Planning Commission Full Site Plan Review (unless project was originally approved by the Zoning Administrator, in which case Administrative Review)

Review shall be deemed complete by the Zoning Administrator. Typical review periods for Administrative Review vary by complexity of the request, and the reviewing bodies reserve the right to request additional information.

- C. Submittal Procedures Preliminary Site Plan Review (Optional): Preliminary site plan review is optional. Materials shall be submitted in accordance with City requirements. The Planning Commission may provide guidance to the applicant with respect to conformance with the Zoning Ordinance and City Master Plan.
- D. Submittal Procedures Full Site Plan Review: Full site plan review requires review and comment by all reviewing agencies, and review and approval by the City's Planning Commission.
- E. Submittal Requirements: Submittal requirements shall be as outlined in Table 2.03, unless waived by the Zoning Administrator.
- F. Submittal Process: The application shall be submitted by the owner of an interest in the land for which the site plan approval is sought, or the designated agent, or signed by the owner granting permission for the application.
- G. Administrative Review: Plans shall be approved by the Zoning Administrator once they are found to be in compliance with the requirements of the Zoning Ordinance and other applicable ordinances. The Zoning Administrator reserves the right to send the site plan to the Planning Commission for review and approval. The Zoning Administrator shall sign and date the approved plan and keep on file with the City.
- H. Planning Commission Review: Site plans requiring Planning Commission approval shall be placed on the agenda of the Planning Commission. The Planning Commission shall review the application, together with the reports and recommendations from other reviewing departments and agencies, as appropriate.
 - 1. Planning Commission Action:
 - a. The Planning Commission shall make a determination based on the requirements and standards of this Ordinance.
 - b. Where existing nonconforming conditions prevent compliance with these requirements and standards, the Planning Commission may allow reasonable modifications.
 - c. The Planning Commission may take action to postpone a decision, approve, approve with conditions, or deny approval of the application.
 - d. If approved, any conditions shall be made part of the motion to approve and documented in the Planning Commission's minutes.

TABLE 2.03 SITE PLAN SUBMITTAL REQUIREMENTS				
ITEM	ADMIN.	PRELIM.	FULL	
GENERAL	Legal description		x	
	Location map showing all parcels within 1/2 mile of the site		x	
	Plan not to exceed a scale of 1" to 100"		x	
	Date, name, address		x	
	Topography		x	
	Existing natural and man-made features		x	
	Site dimensions		x	
	Easements (if any)		x	
	Project narrative		x	
SITE	Rights-of-way, internal and external circulation		x	
	Fences, greenbelt, buffers, screening, landscaping within the site and between facade and property line		x	
	Lighting details and photometric plan	x		x
	Signage detail and location	x		x
	Parking calculation, location, facilities, access and driveways	x	x	x
	Planting list with size and materials	x	x	x
	Details or traffic regulatory signs, pavement markings, and curbing	x		x
	Accessory buildings, density calculations, any accessory structures	x	x	x
	Proposed grading	x		x
	Location and type of drainage and stormwater management features	x		x
ENGINEERING	All above and below ground utilities	x		x
	Location and description of any hazardous materials	x		x
BUILDING	Placement, height, number of stories, size of buildings		x	
	Detailed building elevations of all building walls that depict facade options used, transparency, and materials	x		x
	Conformance with any build-to-lines, encroachments (if applicable)		x	
	Material samples of glass to be used where transparency is required by facade type indicating VLR and VLT		x	

- INTRO
- I ADM N
- II DISTRICTS & MAPS
- III BU LD NG TYPES & FACADES
- IV STREET SPACE
- V PARK NG
- VI SIGNS
- VII GENERAL PROVISIONS
- VIII PROCEDURES
- IX DEFINITIONS

sion's minutes, a copy of which shall be provided to the applicant.

I. Final Approval of Conditionally Approved Site Plan. **A site plan shall be revised to reflect any conditions** of approval imposed by the Planning Commission or others and submitted to the Zoning Administrator, accompanied by a letter describing all changes. The Zoning Administrator shall review the revised plans for compliance with conditions of site plan approval. **The Zoning Administrator may grant final approval** if the site plan properly addresses the required revisions and conditions and otherwise complies with this Ordinance.

J. Agency Approvals. The applicant shall obtain all necessary agency permits state and local entities. Copies of applications for all applicable outside agencies shall accompany submission of the application and site plan to the City and approvals shall be obtained prior to the issuance of building permits, and before any substantial development activity takes place.

K. Engineering Review. The City's Engineer shall make a full review of the engineering plans. A building permit shall not be issued without the approval of the City's Engineer.

L. Building Permit. An application for a building permit **may be submitted following final approval of the** site plan, or sketch plan and engineering plans by the City's Engineer. The applicant is responsible for obtaining all other applicable City, County, or State permits before a building permit is received.

M. **As-Built Drawings. Digital files submitted to the City** shall be in PDF format.

N. Expiration of Approved Site Plan. If construction has not commenced within twelve (12) months of site plan approval, approval becomes null and void and a new application for site plan review shall be required. The applicant may request and the Planning Commission may grant extensions to the approved site plan for a period of one (1) year each, provided a written request is received prior to the expiration date and provided that the approved site plan complies with the Zoning Ordinance, as amended. Planning Commission approval shall be required to extend site plans and Zoning Administrator approval shall be required to extend administrative site plans.

O. Site Plan Review Standards: Any site plan (administrative, preliminary or full), shall be approved if it contains the information required by the Zoning Ordinance and is in compliance with the conditions imposed under the Zoning Ordinance, other statutorily authorized and properly adopted City planning documents, other applicable ordinances, and state and federal statutes, as outlined below:

1. Adequacy of Information. The site plan shall **include all required information in a sufficiently** complete and understandable form to pro-

vide an accurate description of the proposed use(s) and structure(s).

2. Buildings. Buildings and structures shall meet the minimum dimensional requirements of this Ordinance. Redevelopment of nonconforming structures shall bring the site into closer conformity to the extent deemed practical by the City. Expansions to nonconforming buildings shall be as provided for in Article VII, General Provisions.

3. Privacy. The site design shall provide reasonable visual and sound privacy for dwelling units located adjacent to the site. Walls, berms, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and the privacy of adjacent uses.

4. Exterior Lighting. Exterior lighting shall be **designed so that it is deflected away from adjacent** properties and so that it does not impede the vision of drivers on public streets.

5. Preservation of Natural Areas. The landscape shall be preserved in its natural state, insofar as practicable, by strategic building placement, minimizing tree and soil removal, alteration to the natural drainage courses, and the **amount of cutting, filling and grading. Insofar** as practical, natural features and the site topography shall be incorporated into the proposed site design.

6. Drainage. Stormwater management systems and facilities shall preserve natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible, and shall not substantially reduce or increase the natural retention or storage capacity of any wetland, water body, or water course, or **cause alterations which could increase flooding** or water pollution on or off the site.

7. Soil Erosion. Measures shall be included to prevent soil erosion and sedimentation.

8. Hazardous Materials. Sites that include storage of hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, or nearby surface water bodies. These areas shall be designed to meet all applicable state and federal regulations and incorporate basic management practices for the handling of hazardous materials. Uses that involve the storage of large quantities of hazardous or combustible materials shall be located and designed to ensure no threat to nearby uses and residents is present.

9. Ingress and Egress. Every structure and dwelling unit shall be provided with adequate means of ingress and egress via public streets

NTRO

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ADMIN

II
DISTRICTS
& MAPS

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and walkways. Access to the site shall be located and designed to ensure minimal impact on the safety and efficiency of traffic flow along all adjoining roadways.

10. Emergency Vehicle Access. All buildings and site circulation shall be arranged to permit emergency vehicle access by practicable means to all buildings and areas of the site. Vehicle circulation shall meet turning radius requirements set by the Fire Department. Fire lanes shall be designated on the site and posted with signage by the developer/property owner at the developer's/property owner's expense prior to occupancy. **Fire hydrants, fire suppression systems, fire detection, and fire extinguishers** shall be provided as required by the Fire Department.
11. Vehicular Circulation Layout. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian pathways in the area. Public streets adjacent or through the proposed development shall be required when it is essential to promoting and protecting public health, safety and general welfare and to provide continuity to the public road system.
12. Pedestrian Circulation. The site plan shall provide a pedestrian circulation system which is insulated as completely as is reasonably possible from the vehicular circulation system.
13. **Traffic Impact. The expected volume of traffic** to be generated by the proposed use shall not **adversely affect existing roads and traffic patterns.** Roadway access shall minimize excessive vehicle traffic on local residential streets to reduce the possibility of any adverse effects upon adjacent property. A transportation impact study may be required.
14. Public Services. The scale and design of the proposed development shall facilitate the adequate provision of services currently furnished by or that may be required of the City or other public agency including, but not limited to, **fire and police protection, stormwater management, sanitary sewage removal and treatment, traffic control, and administrative services.**
15. Site Redevelopment. Redevelopment of existing sites shall conform to the site improvement provisions of this Ordinance to the extent deemed practical by the Planning Commission. The extent of upgrade to site improvements shall be relative to and proportionate with the extent of redevelopment or expansion in accordance with the nonconforming site re-

quirements of Article VII.

P. Amendments

1. Minor changes: Prior to making any changes to an approved any site plan for properties located in Non-Form Generating Districts, the applicant or property owner shall notify the Zoning Administrator of any desired change. For properties located within the Form Generating Districts, please see Section 8.10 below.
2. The Zoning Administrator shall determine if the request constitutes a major or a minor **modification. The following shall be considered minor changes:**
 - a. Movement of a building or buildings by **no more than five (5) feet, provided all setback, parking, landscaping and other site requirements are still met.**
 - b. Plantings approved in the landscape plan may be replaced by similar types and sizes of landscaping which provides a similar screening effect on an equal or greater basis.
 - c. Trees to be preserved that were damaged or lost during construction may be replaced.
 - d. Improvements to site access or circulation, such as deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, but not the addition of new driveways.
 - e. Changes of building materials to another of higher quality, as determined by the Zoning Administrator.
 - f. **Changes in interior floor plans which do not alter the character of the use.**
 - g. **Modification of sign placement (by no more than 10%) or reduction of size.**
 - h. Changes required or requested by the City, County, State or Federal agency for safety reasons or for compliance with applicable laws.
 - i. Revisions that do not alter the basic design, compliance with the standards of **approval, nor any specified conditions** of the approved site plan.
 - j. Situations the Zoning Administrator deems similar to the above.
3. All other changes constitute major changes and shall require a new application for site plan review.

8.10 DEPARTURES FROM FORM BASED DISTRICT STANDARDS

- A. Minor Departures. The Zoning Administrator may, at

INTRO

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BU LD NG TYPES & FACADES

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the request of an applicant, waive certain minor adjustments to building facade standards and building type standards as outlined in Table 8.04.

- B. Major Departures. The Planning Commission may, at the request of the Zoning Administrator or applicant, waive certain major deviations to building facade standards and building type standards. Table 8.05 provides a summary of major departures.
- C. Findings for Code Departures. The applicable reviewing body shall find that a departure(s):
 1. Do not materially change the circulation and building location on the site;
 2. Do not alter the relationship between the

	TYPE	MODIFICATION	FINDINGS
BUILDING FACADE	Location requirement, including required building line	Not to exceed 1' deviation in standard	Constraints related to topography, pattern of existing adjacent facades, or lot dimensions
BUILDING COMPOSITION	Transparency	deviation ≤ 5%	Constraints related to topography, pattern of existing adjacent facades, or lot dimensions
	Sign Band/ Horizontal Expression Line	deviation ≤ 6"	
	Storefront base or pilaster	deviation ≤ 2"	
BUILDING TYPE	Size and massing	Not to exceed 5% deviation in standard	Constraints related to topography, pattern of existing adjacent facades, or lot dimensions
	Entrance intervals		
	Story height		

	TYPE	MODIFICATION	FINDINGS
BUILDING FACADE	Location requirement, including required building line	Not to exceed 2' deviation in standard	Constraints related to topography, pattern of existing adjacent facades, or lot dimensions
BUILDING COMPOSITION	Transparency	deviation ≤ 10%	Constraints related to topography, pattern of existing adjacent facades, or lot dimensions
	Sign Band/ Horizontal Expression Line	deviation ≤ 1'	
	Storefront base or pilaster	deviation ≤ 4"	
BUILDING TYPE	Size and massing	Not to exceed 10% deviation in standard	Constraints related to topography, pattern of existing adjacent facades, or lot dimensions
	Entrance intervals		
	Story height		

- 3. Do not allow a use not otherwise permitted in buildings and the street;

the zoning district; and

- 4. The departure is the minimum required necessary to meet the intent of the form generating standards.

8.11 SPECIAL LAND USE

Special land uses are uses considered to be more intense, or potentially more disruptive, compared to the various uses permitted by right in a particular zoning district. The uses classified as special land uses vary by district and are listed in the regulations of each zoning district. The special land use procedures and standards are intended to provide a procedure by which special land uses can be evaluated to determine their potential impacts; ensure impacts can be accommodated within the environmental, infrastructure, and public services capacities of the area; provide site design and operational standards to minimize any negative impact on adjoining or nearby properties; and provide for public input through a public hearing.

- A. An application for the approval of a special land use shall be made by an owner, lessee, or other person with a legal interest in the property who has the owner's consent to file the application.
- B. The application shall be accompanied by a complete full site plan and the necessary fees in accordance with the City's requirements, and written information describing the special land use and how the proposed land use will comply with the standards of Section 8.11 and the applicable specific standards in Section 8.12.
- C. Upon a determination by the Zoning Administrator that the application is complete, the City shall provide notice of the request as per Section 8.06.
- D. Planning Commission Review. Following a public hearing, the Planning Commission shall:
 1. Review the application and site plan along with recommendations from City staff.
 2. Make a recommendation on the special land use along with any suggested conditions they deem necessary.
 3. In making its recommendation the Planning Commission shall review the application for its appropriateness using the general standards that follow and the specific standards for the applicable use in Section 8.12.
- E. Amendments shall follow the procedures as outlined in Section 8.09, P. Departures shall follow the process in Section 8.10.
- F. General Special Land Use Standards are as follows:
 1. The Special Use shall be consistent with the adopted City Master Plan and all other applicable adopted planning documents.
 2. The Special Use shall be designed, constructed, operated and maintained to be consistent with the existing or intended character of the

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- general vicinity and such use will not change the essential character of the area in which it is proposed.
3. The Special Use shall not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.
 4. The Special Use shall be served adequately by essential public facilities and services, such as **highways, streets, police and fire protection**, storm water drainage, refuse disposal, water and sewage facilities, and schools; or persons or agencies responsible for the establishment of the proposed use shall provide adequately for such services.
 5. The Special Use shall not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.
 6. The Special Use shall not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of **excessive production of traffic, noise, vibration, smoke, toxic emissions, fumes, glare, or odors**.
 7. The Special Use shall 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 will be in compliance with these standards.
 8. In addition to all applicable standards, the Special Land Use shall comply with General Provisions, Building Type and Facade standards, Street Space standards, Parking, and Signs.

8.12 STANDARDS FOR SPECIFIC SPECIAL LAND USES

- A. Sexually-Oriented Business Facilities. Sexually-Oriented Business businesses, meeting the definition of Sexually-Oriented Business business as set forth in Article XI or those similar in character, shall be subject to the following special provisions:
 1. All business shall be the principal use of a building located in the TI - Transitional Industrial District.
 2. No business shall be located within 1,000 feet, measured from the perimeter of the building to the lot line of zoning lot containing a residential, commercial or public building.
 3. All business shall be conducted in an enclosed building having an occupancy of less than 50 persons, as determined by the Fire Chief or Building Inspector based on nationally recognized occupancy standards established by the National Fire Insurance Board or City Building

Code or fire protection standard organization.

4. Any building used may have not more than **forty (40) per cent of the floor area devoted** to storage purposes incidental to such primary use.
- B. Automobile Sales and Storage. The use of any building, land area, or other premise for the display and sale of new or pre-owned automobiles, RVs, trucks, or similiar motorized vehicle, including any vehicle preparation or repair work conducted as an **accessory use, shall adhere to the following specific standards:**
 1. Dismantled, wrecked or inoperable vehicles or any vehicle parts or scrap of any kind shall not be kept outdoors where they are visible from any adjoining property or right-of-way. The Planning Commission may require an opaque fence up to eight (8) feet in height and/or an evergreen landscape buffer not less than eight (8) feet in height at time of planting to buffer any vehicles from neighboring uses or passers-by.
 2. Any loading or unloading of vehicles shall be on site. The Planning Commission may establish hours for load or unloading of vehicles.
 3. All equipment including hydraulic hoists, pits, lubrication and repair facilities shall be entirely enclosed within a building.
 4. All repair and maintenance activities shall be performed entirely within an enclosed building.
 5. A permanent 15' greenbelt shall be established in any required yard, and shall be landscaped in accordance with Article 6. The required greenbelt shall be in addition to any required transition strip, unless waived by the Planning Commission due to existing site conditions which may provide buffering to adjacent uses.
 6. Adequate internal access routes shall be provided for ease of loading and unloading of vehicles.
 7. Automobiles shall not be parked in any required greenbelt or transition strip area.
 8. The Planning Commission may establish hours of operation for such uses consistent with the character of the land uses in the vicinity.
 9. Noise generated on site from any source shall not exceed 60 decibels measured at any property line.
 - C. Bed and Breakfast Facilities. Because many older, single-family homes are larger and represent sizeable maintenance and energy costs for a single family, it is feared that restriction to only single-family use may foster inadequate maintenance or even abandonment in certain zoning districts. The possible consequences may be a general appearance of blight,

INTRO

I
ADM N

II
DISTRICTS
& MAPS

III
BU LD NG
TYPES &
FACADES

IV
STREET
SPACE

V
PARK NG

VI
SIGNS

VII
GENERAL
PROVISIONS

VIII
PROCEDURES

IX
DEFINITIONS

1



4

FRONT

3



2

REAR

INTENT

The intent of the Interstate Gateway district is to provide for commercial uses to serve the larger community and the traveling public in the vicinity of Interstate 94 and to promote the economic development of the City, while establishing standards for curb cut locations, parking, loading and unloading areas, landscaping and building material, to enhance the connectivity, safety and appearance of the City's primary southern entrance.



SITE DESIGN STANDARDS SNAPSHOT

OFF-STREET PARKING	Quantity, location, and landscaping of off-street parking shall be provided as per Article V.
	Overnight parking is not allowed unless in conjunction with Hotel/Lodging and Automotive Service.
	Parking lots located adjacent to primary and secondary streets shall have one (1) of the following landscape screens at the parking lot edge: Garden Wall, Decorative Metal Fence, or Continuous Landscape Hedge. Parking lot screens adjacent to single-family detached may include any of the above screens, or a minimum four (4) foot wide landscape buffer.
SIGNAGE	Signs are permitted for non-residential uses only, except as permitted for temporary yard signs.
	All signage in this district shall follow Article VI.
	Refer to Table 6.01.
LANDSCAPING	For Landscaping Standards refer to Article VII.
	There shall be a 10' buffer zone along all parcels fronting Red Arrow Highway and along any parcel line abutting the OS, RL, RC or RS districts. One of the following shall be provided within the buffer zone for every 40' linear feet: <ul style="list-style-type: none"> a. One (1) deciduous tree b. Two (2) ornamental trees c. Three (3) shrubs d. Four (4) flowering perennial plants

PERMITTED AND SPECIAL USES

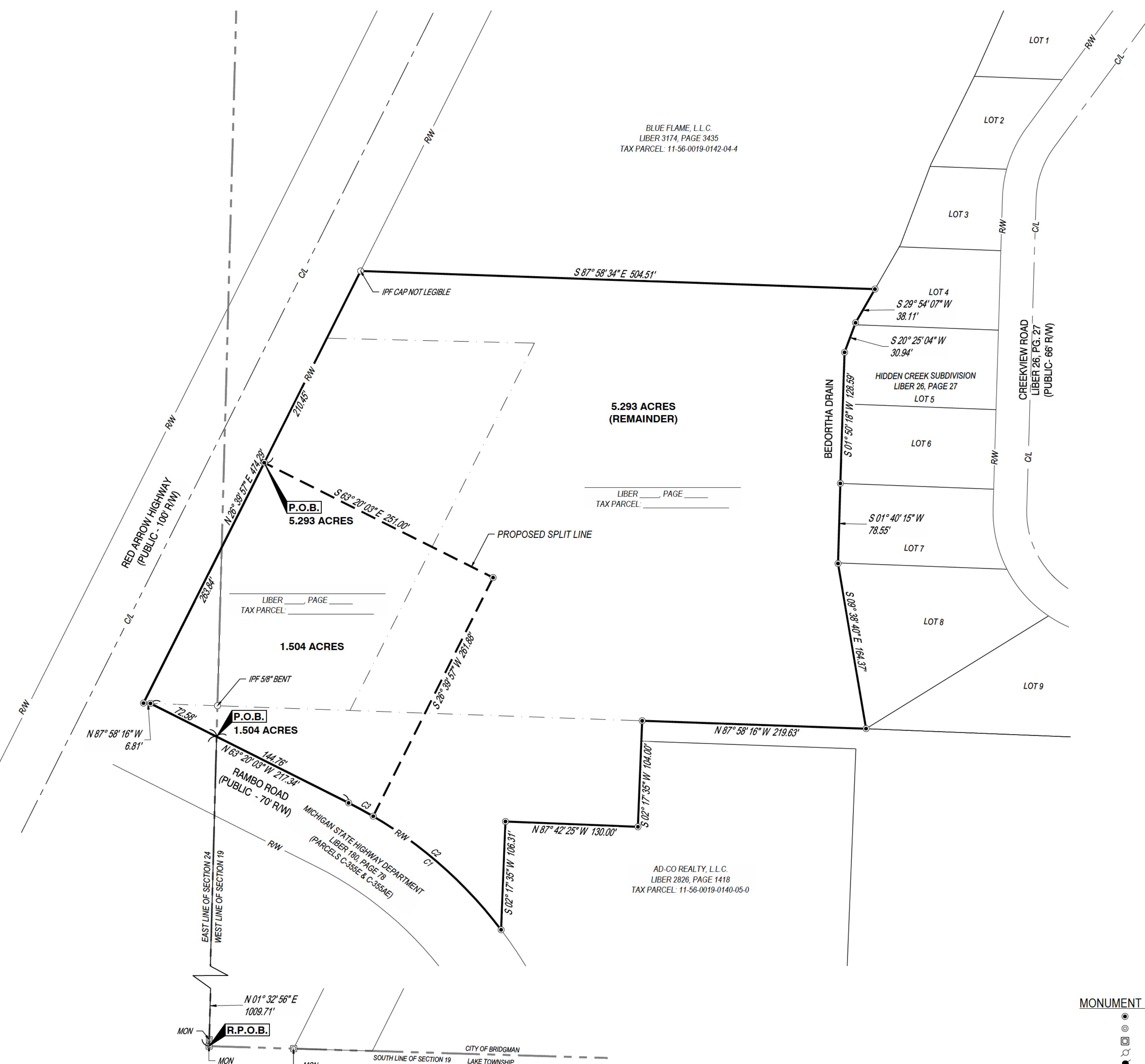
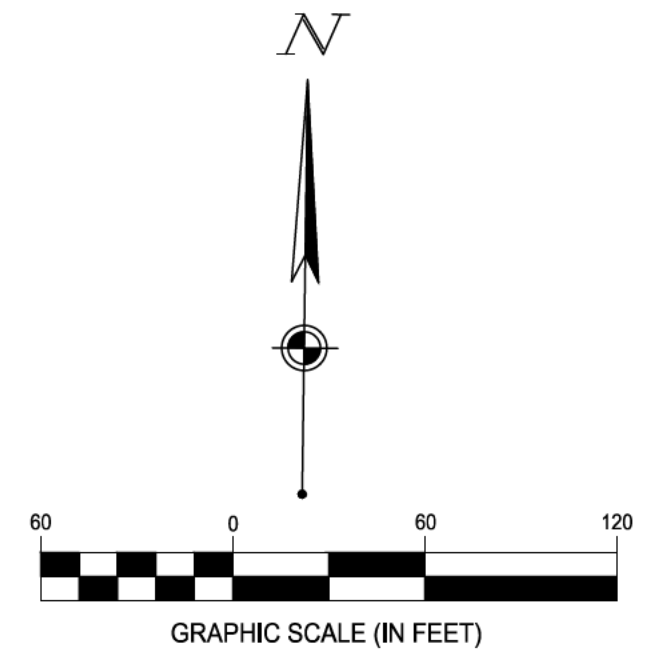
RESIDENTIAL	Accessory Building and Structure*	Permitted
	Single Family Detached	Not permitted
	Single Family Residential, All Floors	Not permitted
	Multi-family Residential, All Floors	Not permitted
	Residential, Upper Floor Only	Not permitted
	Bed and Breakfast	Not permitted
	Foster Care, Adult	Permitted
INSTITUTIONAL & OPEN SPACE	Day Care, Family	Permitted
	Dwelling, Two-family	Not permitted
	Place of Public Assembly	Permitted
	School	Permitted
COMMERCIAL	Park	Permitted
	Plaza	Permitted
	Retail	Permitted
	Office	Permitted
	Eating and Drinking Establishment	Permitted
	Hotel/Lodging	Permitted
	Professional Services	Permitted
	Brewery/Distillery	Permitted
	Veterinary Clinic	Permitted
	Automobile Sales	Permitted
INDUSTRIAL & UTILITY	Gas/Service Station	Permitted
	Drive-through Establishment	Permitted
	Sexually-Oriented Business	Not permitted
	Communication Tower	Special use**
	Craft Industry	Permitted
	Storage/Warehouse/Assembly	Not permitted
	Textile Processing	Not permitted

*For accessory building & structure standards refer to Article VII.
 **Collocation & increasing height/area by 20% is permitted by right.

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LOT SPLIT


RED ARROW HIGHWAY AND RAMBO ROAD
 SECTIONS 19 & 24, TOWN 6 SOUTH, RANGE 19 WEST
 CITY OF BRIDGMAN, BERRIEN COUNTY, MICHIGAN



CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD	DELTA ANGLE
C1	429.00'	196.28'	N50° 13' 38"W, 194.57'	26° 12' 51"
C2	429.00'	168.79'	N48° 23' 29"W, 167.70'	22° 32' 35"
C3	429.00'	27.49'	N61° 29' 55"W, 27.48'	3° 40' 16"

BASIS OF BEARING
 NORTH BEARING SYSTEM BASED UPON THE MICHIGAN STATE PLANE SOUTH
 COORDINATE SYSTEM NAD83
 BASED ON FIELD OBSERVATIONS PERFORMED ON FEBRUARY IN 2019

- MONUMENT LEGEND**
- 5/8"x30" REBAR W/ YELLOW CAP STAMPED "CESO" SET
 - IRON PIN FOUND
 - MONUMENT FOUND
 - MAG NAIL FOUND
 - MAG NAIL SET

ROBERT E. MATKO, P.E., P.S.		DATE
MICHIGAN PS #4001054055		
LOT SPLIT		
RED ARROW HIGHWAY & RAMBO ROAD CITY OF BRIDGMAN		SEC 19, T6S, R19W BERRIEN COUNTY, MICHIGAN
SCALE: 1"=60'	DATE: 11/04/2020	
DESIGN: N/A	 WWW.CESOINC.COM	JOB NO.: 756252
DRAWN: ADB		SHEET NO.:
CHECKED: ALB		1 OF 1

STORM WATER REVIEW

CLIENT: City of Bridgman
PROJECT: Project No. 200218
FROM: Brad DeVries & Mary Nykamp, P.E.
ISSUE DATE: October 5, 2020
RE: Casey's General Store, 10299 Red Arrow Highway

Wightman has completed a storm water review for the permit package set of construction plans, dated October 1, 2020 for the Casey's General Store site. The submitted updated permit package consists of the Drainage Report and the Civil permit set of construction plans. These plans reflect the corrections requested per the Storm Water Review letters completed by Wightman dated May 8, 2020 and September 28, 2020.

The updated construction plans have satisfied all of the comments from our previous review letters.

If you have any comments, questions, or further needs concerning our review please feel free to contact me.

Very truly yours,

Bradley S. DeVries

Bradley S. DeVries
bdevries@gowightman.com

ALLEGAN

▲ 1670 LINCOLN RD. (M-40)
ALLEGAN, MI 49010
○ 269.673.8465

BENTON HARBOR

▲ 2303 PIPESTONE RD.
BENTON HARBOR, MI 49022
○ 269.927.0100

KALAMAZOO

▲ 433 E. RANSOM ST.
KALAMAZOO, MI 49007
○ 269.327.3532

ROYAL OAK

▲ 306 S. WASHINGTON AVE., SUITE 200
ROYAL OAK, MI 48067
○ 248.791.1371

BERRIEN COUNTY SOIL EROSION AND SEDIMENTATION CONTROL PERMIT

Berrien County Drain Commissioner, 701 Main Street, St. Joseph, MI 49085-1316 (269/983-7111 Ext. 8261)

Permit #	9100	Date Issued:	09/09/2020	Expiration Date:	09/09/2021
Issued under the authority of Part 91 of the NREPA, as amended by 2000 P.A. 504, (Soil Erosion and Sedimentation Control of Natural Resources and Environmental Protection Act), authority is hereby granted to:					
PERMITTEE/ OWNER:	Casey's Retail Company One SE Convenience Blvd Ankeny IA 50021			Contractor Engineer Architect	Ceso Inc - Jeff Lonchor 2800 Corporate Exchange Dr Ste 400 Columbus OH
Note:				On Site Contact:	Name: Darren Moga Cell: 515-446-6402
Municipality	City of Bridgman		Property No.	11-56-0019-0142-02-8 11-56-0124-0164-02-4	
Section	19-4 & 24-3	SUBDIVISION	NA		Lot# NA

Permitted Activity Construction of a new commercial building with parking and site improvements at the NE corner of Rambo Rd & Red Arrow Hwy, Bridgman

Work to be done under authority of this permit is subject to the following special restrictions, limitations & instructions.

X	1.	PRIOR TO ANY EXCAVATION: If not using existing drive, install a min. 10'wide x 4"deep x 50' long coarse aggregate construction drive , using 1"-3" stone with fabric underlay for all truck & equipment ingress/egress. Daily soil tracking shall be cleaned-up at days end on all paved surfaces. Have a dust abatement procedure in place.
X	2.	PRIOR TO ANY EXCAVATION: Leave a 10'min. strip of vegetation surrounding entire construction site. Protect all drain inlets with a <u>silt sack</u> where applicable. Install silt fencing where applicable to keep soil on site and contained.
X	3.	DURING CONSTRUCTION until final grade can be established, seed for temporary vegetative cover of rye grass, oats, beach grass or reasonable substitute on areas of bare soil.
	4.	Apply fertilizer and lime in amounts adequate for the soil type, a minimum of 1lbs of fertilizer per 200-sq. ft. of seeded or sodded surface.
X	5.	Sod or seed and mulch (10# straw per 100 square feet) all areas as soon as possible after final grade is established. (Not more than 5 days)
X	6.	Provide and maintain any structures, rip-rap, or other permanent means to control possible future erosion of soil from the site.
X	7.	Divert any run-off water into areas where the sediment will settle out before it leaves the site.
X	8.	Avoid unnecessary removal of existing vegetative soil cover

PERMIT CONDITIONS: THIS PERMIT MUST BE POSTED AND VISABLE AT THE PROJECT SITE

1. **This permit does not waive the necessity for obtaining all other required federal, state, or local permits.**
2. The permitted activity shall be completed in accordance with the approved plans and specifications, and the above general and specific conditions.
3. **Permittee shall notify the permitting agency within one week after completing the permitted activity or one week prior to the permit expiration date, which ever comes first.**

CONTINUED

4. Periodic inspections will be performed with the issuance of this permit at reasonable hours.
5. The commencement of work under this permit shall constitute an acceptance by Permittee/Owner of the terms and conditions set forth in this Permit.



se\permit

JEANNINE TOTZKE, Berrien County Deputy Drain Commissioner
PERMITTING AGENT (269)983-7111 Ext 8261

revised 4/20

On September 5, 2013, the Berrien County Board of Commissioners passed a Soil Erosion and Sedimentation Control Ordinance #24 and a corresponding permit fee schedule to be administered and enforced county wide.

This ordinance, in accord with Part 91 of the NREPA (Natural Resources and Environmental Protection Act, 1994 PA 451, as amended), requires that a site plan be approved and permit obtained for all earth change activity within 500 feet of any body of water or that which disturbs one acre or more of land.

An application for a county prescribed permit shall be submitted to the county enforcing agent (the Berrien County Drain Commissioner) by a person proposing to undertake an earth change. In case of land development, the application shall be submitted by the landowner, or in his absence, an agent authorized by the landowner. The county enforcing agent shall approve, disapprove or require modification of an application for an earth change permit within 30 calendar days following receipt of the application.

A county agency or general law township shall not issue a building or health permit to a person engaged in an earth change which requires a permit under the sediment act or these rules until the county enforcing agent has issued the required county prescribed permit for the earth change.

GENERAL CONDITIONS

In accordance with Rule 1709 promulgated under the authority of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and in addition to the information on the attached plan(s) and special conditions, the following general conditions apply to the earth change authorized by this Permit:

- Design, construct, and complete the earth change in a manner that limits the exposed area of disturbed land for the shortest period of time.
- Remove sediment caused by soil erosion from runoff water before it leaves the site of the earth change.
- Temporary or permanent control measures shall be designed and installed to convey water around, through, or from the earth change area to limit the water flow to a non-erosive velocity.
- Install temporary soil erosion and sedimentation control measures before or upon commencement of the earth change activity and maintain the measures on a daily basis. Remove temporary soil erosion and sedimentation control measures after permanent soil erosion measures are in place and the area is stabilized. ("Stabilized" means the establishment of vegetation or the proper placement, grading, or covering of soil to ensure its resistance to soil erosion, sliding, or other earth movement.)
- Complete permanent soil erosion control measures for the earth change within five calendar days after final grading or upon completion of the final earth change. If it is not possible to permanently stabilize the earth change, then maintain temporary soil erosion and sedimentation control measures until permanent soil erosion control measures are in place and the area is stabilized.
- This permit does not waive the necessity for obtaining all other required Federal, State or local permits.



**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION
PERMIT**

Issued To:

**James Skloda, Casey's Retail Company
1 SE Convenience Blvd,
Ankeny, IA 50021**

**Permit No: WRP023209 v.1
Submission No.: HNZ-2VCP-7K0BG
Site Name: 11-10299 Red Arrow Highway-Bridgman
Issued: June 25, 2020
Revised:
Expires: June 25, 2025**

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- | | |
|--|---|
| <input type="checkbox"/> Part 301, Inland Lakes and Streams | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input checked="" type="checkbox"/> Part 303, Wetlands Protection | <input type="checkbox"/> Part 325, Great Lakes Submerged Lands |
| <input type="checkbox"/> Part 315, Dam Safety | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input type="checkbox"/> Part 31, Water Resources Protection (Floodplain Regulatory Authority) | |

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Authorized Activity:

Place approximately 7.39 cubic yards of onsite sand fill in wetland in an area that is approximately 199.5 square feet and a maximum depth of 1 foot. All work shall be completed in accordance with the attached plans and the terms and conditions of this permit.

Waterbody Affected: Regulated wetlands
Property Location: Berrien County, Bridgman, Town/Range/Section 06S20W24
Property Tax No. 11-56-0124-0164-02-4

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.

**EGLE-WRD
WRP023209 v1.0
Approved
Issued On:06/25/2020
Expires On:06/25/2025**

- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify EGLE within one week after the completion of the activity authorized by this permit by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of EGLE.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- M. In issuing this permit, EGLE has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, EGLE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, EGLE may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.

- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
1. Authority granted by this permit does not waive any jurisdiction of the United States Army Corps of Engineers or the need for a federal permit, if required.
 2. The permittee and contractors will take steps to minimize the risk of spreading terrestrial and aquatic invasive species during this project and will take measures to prevent spread, where feasible, including:
 - Visually inspecting and removing any plants or mud from footwear (boots, hip-boots, and waders).
 - Visually inspecting and removing and properly disposing of any plants and mud from field equipment (nets, shovels, rakes, etc.) and vehicles.
 - Draining all water from vehicles and equipment, prior to leaving the site and before entering a new waterbody.
 - Thoroughly drying equipment (5-7 days, if possible) between sites, when possible.
 - Disinfecting vehicles and equipment between sites (e.g. diluted bleach solution, heated pressure washer), when possible. Disinfection should be conducted away from surface waters, where the disinfecting solution will not enter any storm sewers and/or surface waters.
 - Typical diluted bleach solution treatment is ½ cup (4 fluid ounces) bleach to 5 gallons of water, applied by spraying or sponge so surface is thoroughly exposed to bleach solution for 10 minutes.
 - Typical heated pressure wash is 140° water temperature, sprayed for 5-10 seconds.
 - Thoroughly washing vehicles and boats between sites (e.g. drive-through car wash).
 - Using only native plants and seed for restorations and best management practices.

If invasive aquatic or terrestrial plants are removed from a site, the permittee will take steps to minimize the spread of these species. Dispose of invasive plant material by bagging and transporting to a landfill, composting, or burning, as appropriate and in compliance with local and state laws.

A "Watch List" of Michigan's high priority aquatic invasive species along with how to report sightings can be found at www.michigan.gov/aquaticinvasives.

3. Prior to the start of construction, all adjacent non-work wetland areas shall be protected by properly trenched sedimentation barrier to prevent sediment from entering the wetland. Orange construction fencing shall be installed as needed to prohibit construction personnel and equipment from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland

site, the sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.

4. All fill/backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be contained in such a manner so as not to erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be stabilized with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.
5. This permit is limited to authorizing the construction as specified above and carries with it no assurances or implications that associated lake, stream, wetland or floodplain areas can be developed and serviced by the structures authorized by this permit.
6. This permit is being issued under Minor Permit Category 20: Fills – Minor. No further permits may be applied for on this parcel using this Minor Permit category.
7. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit www.mi.gov/eglestormwater and select "Soil Erosion and Sedimentation Control Program" under "Related Links."
8. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
9. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
10. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
11. The permit placard shall be kept posted at the work site in a prominent location at all times for the duration of the project or until permit expiration.
12. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.

Issued By:



Jason Combs
Kalamazoo District Office
Water Resources Division
269-568-2693

cc: George Lepeniotis, Owner
Bridgman Clerk
Berrien County Drain Commissioner
Berrien County CEA
Jeffrey Lonchor, Agent
USACE Detroit

EGLE-WRD
WRP023209 v1.0
Approved
Issued On:06/25/2020
Expires On:06/25/2025



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Friday, August 07, 2020

Kelly Allen, Attorney
c/o CASEY'S RETAIL COMPANY (AN IOWA CORPORATION)
kallen@anafirm.com lpeters@anafirm.com

RID # RQ-2002-03623 **Reference/Transaction:** TRANSFER OWNERSHIP ESCROWED 2019 SDM LICENSED BUSINESS WITH SUNDAY SALES PERMIT (AM) FROM RITE AID OF MICHIGAN, INC.; TRANSFER LOCATION FROM 1701 M 139, BENTON HARBOR TO 10299 RED ARROW HWY, BRIDGMAN; TRANSFER GOVERNMENTAL UNIT FROM BENTON TOWNSHIP TO BRIDGMAN CITY; NEW MOTOR VEHICLE FUEL PUMPS ISSUED UNDER MCL 436.1541(6) 5' (INSIDE) AT 10299 RED ARROW HWY, BRIDGMAN, MI 49106-9386 IN BRIDGMAN CITY IN BERRIEN COUNTY

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: CASEY'S RETAIL COMPANY (AN IOWA CORPORATION)

Business address and phone number: 10299 RED ARROW HWY, BRIDGMAN, MI 49106-9386 IN BRIDGMAN CITY IN BERRIEN COUNTY

Home address and phone number of partner(s)/subordinates:
Casey's General Stores, Inc; One S.E. Convenience Blvd Ankeny IA 50021; Cell phone: 515-446-6494

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Grand Rapids District Office (616) 447-2647

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: CASEY'S RETAIL COMPANY (AN IOWA CORPORATION) james.skroda@caseys.com
RITE AID OF MICHIGAN, INC. mbrown@cebhlaw.com
BRIDGMAN CITY aholm@bridgman.org

MICHIGAN LIQUOR CONTROL COMMISSION
PAT GAGLIARDI, CHAIR
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