



**CITY OF WARREN
PLANNING COMMISSION**

JAMES R. FOUTS, MAYOR
ONE CITY SQUARE, STE. 315
WARREN, MICHIGAN 48093-5283

PHONE: (586) 574-4687 FAX: (586) 574-4645

SPECIAL LAND USE APPLICATION

FEE: \$1,000.00
(Effective 3/25/14)

NOTE: All new proposed sites involving construction of buildings, parking areas, site expansions or other changes shall be assessed the "New Site Plan" fee found on the site plan application.

PLEASE TYPE OR PRINT

PROPOSED SPECIAL LAND USE _____

ADDRESS _____ PARCEL I.D. 13-_____

ESTIMATED COST OF PROJECT \$ _____ CURRENT ZONING _____
(Estimated cost of all site improvements)

LEGAL DESCRIPTION (Attach additional sheet if necessary) _____

EXISTING USE OF LAND AND/OR BUILDINGS _____

I have read and understand the application and requirements for Special Land Use Approval.

LEGAL OWNER:

Name/Company Phone Fax

Address City/State/Zip

PROFESSIONAL:

(MUST BE LICENSED)

Name/Company Phone Fax

Address City/State/Zip

PETITIONER:

Name/Company Phone Fax

Address City/State/Zip

Signature of Legal Owner (Attached AFFIDAVIT OF OWNERSHIP must also be submitted) Date

Printed Name of Legal Owner

Signature of Professional (Plan Preparer) Date

Printed Name of Professional

Signature of Petitioner Date

Printed Name of Petitioner

- Along with the required plans and fee, please submit a written explanation detailing how the proposed Special Land Use satisfies the general standards outlined in Section 22.14 of the Zoning Ordinance.
- An applicant's request for tabling a public hearing must demonstrate an undue hardship on the petitioner AND indicate a date certain for the public hearing to occur. One (1) request for tabling is allowed per petition without an amendment fee.
- Special Land Use approval does not waive or override The City of Warren Building and Fire Codes and all other applicable requirements that may apply.
- Please be sure to thoroughly review the attached Plan Requirements, The Standard Conditions of the Planning Commission and the Special Land Use Approval Procedure. The Affidavit of Ownership of Land is also attached and must be completed and submitted with the application.

ONLY SITE PLANS THAT MEET THE REQUIREMENTS OF THE ZONING ORDINANCE WILL BE ACCEPTED!

AFFIDAVIT OF OWNERSHIP OF LAND FOR SPECIAL LAND USE APPROVAL

I, WE _____
Name(s) of Person(s)

OF _____
Address, City, State _____ Zip _____ Telephone _____

THE _____ OF _____
Title of Officer _____ Name of Company _____

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT _____

_____/RECORDED LAND CONTRACT PURCHASER(S) I/We/It _____/RECORDED DEEDHOLDER(S)

OF LAND FOR WHICH SUBMITTAL HAS BEEN/WILL BE MADE TO THE CITY OF WARREN, MACOMB COUNTY, MICHIGAN IN A:

PETITION FOR HEARING BY THE CITY OF WARREN PLANNING COMMISSION

FURTHER, THAT _____ *
Name(s) of Person(s)

THE _____ OF _____ *
Title of Officer _____ Name of Company _____

OF _____
Address, City, State _____ Zip _____ Telephone _____

IS/ARE/MY/OUR DESIGNATED REPRESENTATIVE(S) IN THE PROCESSING OF SAID PETITION.

FURTHER, DEPONENT SAYS NOT.

SIGNED _____ L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME PERSONALLY CAME _____, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND ACKNOWLEDGED THAT _____ DID SO OF _____ OWN FREE WILL AND DEED.

NOTARY PUBLIC, _____ COUNTY, MICHIGAN
MY COMMISSION EXPIRES: _____

NOTICE TO OWNER

If a representative appears on your behalf, they must be informed of all pertinent data relative to your request. Failure to answer any question from the Commission could result in your request being delayed or denied. IT IS RECOMMENDED THAT YOU appear in person.



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PLAN REQUIREMENTS

I. PREPARATION OF PLANS BY LICENSED PROFESSIONAL

Submit one (1) copy of this application to the Planning Department, along with the corresponding **plans, signed and sealed by a professional licensed by the State of Michigan**, and the appropriate **fee** (please make checks out to: *City of Warren Treasurer*).

All plans necessary for approval must bear the seal and signature of a professional architect, engineer, land surveyor, landscape architect, or community planner licensed by the State of Michigan. All plans shall be on a minimum 24" x 36" size paper using a minimum scale of 1" = 10'. Planning Staff may approve smaller scales. The following chart prescribes the type and quantity of plans the Planning Department requires for your petition:

SITE PLAN		SPECIAL LAND USE		SITE PLAN AND SPECIAL LAND USE	
Site Plan	20 copies			Site Plan	20 copies
Property Survey	12 copies	Site Plan	20 copies	Property Survey	12 copies
Floor Plan	2 copies	Property Survey	12 copies	Floor Plan	12 copies
Elevations	15 copies	Floor Plan	12 copies	Elevations	15 copies
Landscape	11 copies			Landscape	11 copies

Note: The Planning Commission may require a Phase I Environmental Assessment on the subject property if the Commission believes that there may be a health, safety, and welfare concern with regards to environmental contamination.

II. PROPERTY SURVEY PLAN SPECIFICATIONS

A property survey, signed and sealed by a Professional Surveyor licensed by the State of Michigan and presented on a 24" X 36" sheet of paper must be provided. An accurate property survey ensures the Planning Commission that the development presented is as it exists. A survey will also enable your professional to provide you with a higher quality product. The survey shall be separate from the site plan and needs to clearly and correctly show the following:

- A. A correct depiction of the property lines, bearings, and distances of subject property.
- B. The legal owners, address, parcel number, legal description, and petitioner/representative.
- C. Platted, cross access, joint driveway access, utility, and drainage easements.
- D. Joint parking and radii encroachment agreements.
- E. Features, structures, and improvements under, on, or above the surface of the property.

III. FLOOR PLANS

Plans of each floor of a structure, including the basement, prepared to an architect's scale are a requirement. Please identify all walls, doors, and window openings. Identify areas of each floor by use. Note all seating arrangements and capacities on the plans.

IV. BUILDING ELEVATIONS

Acceptable renderings of building elevations prepared to an architect's scale must include the height and width of the building in relation to the established grade, the types and colors of exterior materials, and fenestration, rooflines, chimneys, etc.

V. PLAN SPECIFICATIONS

Please be sure to include all of the information listed below on your plan. **Please note that the Planning Staff may remove the plan from an agenda if this information is not provided!**

A. Title Block

1. Project Name and Address
2. Designer Name and Address
3. Drawing Date
4. North Arrow with Drawing Scale
5. Embossed/Stamped and Signed Seal

B. Property Description

1. Legal Description
2. P.I.N. Number(s) (Sidwell)
3. Property Lines, Bearings & Distance

4. Platted Easement(s)
5. Small Location Map
6. Cross Access Easement(s)
7. Joint Parking Agreement(s)
8. Radii Encroachment Agreement(s)
9. Joint Driveway Access Easement(s)
10. Drainage Easement(s)
11. 100-year Flood Plain Boundary

C. Zoning Ordinance Requirements

1. List any variances granted for the property
2. Provide setbacks for all structures, impermeable areas, storage areas, etc. – measured to property lines
3. Site Data Chart must contain the following:
 - Use (both existing and proposed)
 - Zoning district(s) and setbacks (both required and existing or proposed)
 - Site area (ft² or acreage)
 - Area of existing structure(s)
 - Area of proposed structure(s)
 - Gross structure area
 - Structure height
 - Outdoor storage area
 - Outdoor sales area
 - Parking requirements
 - Existing parking area(s)
 - Proposed parking area(s)
 - International Building & Fire Code
 - Michigan Building Code – use group

D. Structures (dimensioned)

1. Principal Structure(s)
2. Accessory Structure(s)
3. Trash Enclosure
4. Greenbelt(s), Fence(s), Wall(s), Earthen Berms(s)
5. Utility Pole(s), Fire Hydrant(s), Manhole(s)
6. Signage
7. Flood Plain Floor Elevations
8. Storage Area(s)

E. Impermeable Surface Areas (dimensioned)

1. Parking Area(s)
2. Driveway(s) (26 ft. minimum)
3. Concrete Curbing
4. Concrete Strips
5. Bumper Curbs
6. Public/Private Sidewalk(s)
7. Plaza(s)

F. Parking Areas and Circulation (dimensioned)

1. Parking Area(s)
2. Barrier-Free Parking Space(s)
3. Loading Zone(s)
4. Maneuvering Lane(s)
5. Vehicle Circulation Arrows

G. Abutting Properties (within 50 ft.)

1. Zoning District(s)
2. Structure(s) and uses of close proximity
3. Driveway(s)
4. Sidewalk(s)
5. Parking Area(s)
6. Greenbelt(s), Fence(s), Wall(s), Earthen Berm(s)

H. Public/Private Streets and Roads

1. Name and Class (thoroughfare, collector, etc.)
2. Defined Centerline
3. Existing and Planned Right-of-Ways
4. Public Alley(s), Walkway(s), etc.



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STANDARD CONDITIONS OF THE PLANNING COMMISSION

1. Parking areas and driveways accessing streets shall be properly curbed, graded, drained, and hard surfaced within one (1) year's time of issuance of a building permit. The Division of Engineering shall approve parking/driveways in accordance with the approved site plan.
2. Perpendicular parking spaces abutting a common property line shall be a minimum of twenty-two (22) ft. in length and a minimum of nine (9) ft. in width. All parking spaces adjoining a wall shall have five (5) ft. wide continuous concrete curbing. If parking spaces abut a common property line AND do not require continuous curbing, then they shall have six (6) in. high concrete curbing or a protective "bumper curb" placed five (5) feet from the property line.
3. Planning Commission approval for site plans is contingent upon a true representation of the development, which means that all dimensions, acreage, and figures on a site plan must be accurate.
4. Setback areas and areas between sidewalks and street curbs must be planted and maintained with grass and trees. Trees should be planted at fifty (50) feet on center if these areas abut public right-of-ways. Please note that areas along Van Dyke Avenue, Eight Mile Road, and Groesbeck Highway have proved difficult to landscape and the Planning Staff will review each plan abutting these streets on an individual basis. A grass area with a three (3') foot wide concrete strip along the street curb may be acceptable. Do not place loose materials or stones within setback areas or public right-of-ways.
5. The curb radii connecting driveway approaches must be twenty (20) ft. to twenty-five (25) ft. The government agency with jurisdiction (City Engineer, Macomb County Road Commission, and MDOT) over the Right-of-Way will evaluate the location, deceleration lanes, etc. of any points of access. MDOT may not be able to prepare a review of a site plan by the public hearing date set by the Planning Commission. When this situation arises, it is the responsibility of the petitioner to obtain the approval of MDOT. If MDOT requires modification of the site plan, the Planning Director may review minor changes administratively, or remit major changes to the Planning Commission for consideration.
6. Construct sidewalks to the standards of the Division of Engineering. Sidewalk ramps at roadway intersections, driveways, sidewalk grade separations, etc. must comply with Act 8, P.A. 1973 (MCLA 125.1361).
7. Any screening wall required shall be a brick embossed, poured concrete wall with a 45° cap. The wall shall be six (6) feet higher than the established grade of the properties abutting the property line. A detail of construction for walls must accompany the site plan. The Planning Director may allow walls three (3) feet high if sight lines for adjacent properties are an issue.
8. Install greenbelts and walls before requesting a Certificate of Occupancy.
9. Any lighting on the site shall not trespass onto abutting properties or right-of-ways.
10. A trash enclosure shall be provided on each site. Construct the enclosure with six (6) foot high, brick embossed poured concrete walls. Gates with chain link and slats or boards should not have more than an inch of space between them. Details for construction are available in the Planning Department.
11. All sites must comply with the provisions of Act 1 (1966, as amended, MCLA 125.1352) for physically disabled persons. This includes the installation of signs, blue parking stall lines, and symbols.

12. Post the required performance bond in a form (surety, cash or letter of credit) approved by the City Attorney. This assures the City of development in accordance with the approved site plan, completed within two (2) years of issuance of a building permit. The Planning Staff will conduct a site inspection after a request in writing to release the bond is received. **There is no fee for the initial bond release inspection, but each subsequent inspection will require a \$50 fee.** The Planning Commission will only release the bond after the Planning Staff verifies that the development meets the conditions of the site plan approval. The minimum amount of the bond will be three (3) percent of the estimated cost of the new construction, including all site improvements. The Planning Commission may require a higher bond amount if it determines that it is necessary based on the circumstances of the proposed site plan.
13. If a site plan is approved and a building permit is not issued within two (2) years from the date of approval, the site plan approval will be revoked. If an issued building permit expires after six (6) months, the site plan approval will also be revoked and a new building permit may not be issued until the Planning Commission extends site plan approval or new site plan approval is granted. **Please note that there will be a \$200 fee assessed to extend a site plan approval.**
14. Special land use and/or site plan approval does not waive or override the City of Warren's Building and Fire Codes. Fire hydrant location and distances are required on all site plans, along with fire apparatus access and turn around, construction type, and external flammable and combustible liquid storage referenced in the current Zoning Ordinance and International Building and Fire Code.
15. Storage of vehicles, trailers, and materials on site is prohibited except as stipulated in Section 17.02 (s) and (t) Industrial Districts of the Zoning Ordinance.
16. If the proposed development is within the Red Run Drain, connecting tributaries, easements or right-of-ways, then the Red Run Drainage Board requires permits for the installation of storm drainage taps.
17. The Planning Commission may require a Phase I Environmental Assessment on the subject property if the Commission believes that there may be a health, safety, and welfare concern on the property with regards to environmental contamination.

SPECIFIC NOTES MAY BE REQUIRED ON SITE PLANS. THE FOLLOWING LIST SHOULD BE REVIEWED AND THE NOTES PROVIDED, IF APPLICABLE:

1. This note applies to property in C-1, C-2, C-3, M-1 and M-2 Zoning Districts if the applicant is not selling or renting items outside the building - NOTE: All outdoor retail sales of items shall be prohibited on the site.
2. This note applies to property in C-3, M-1, M-2, M-3 and M-4 Zoning Districts if the applicant is not storing anything outside the building - NOTE: Open storage of materials shall not be permitted on the site.
3. When a new trash enclosure is required, the following note shall be provided - NOTE: A trash enclosure, measuring a minimum 10 ft. x 10 ft. shall be constructed of six (6) ft. high brick embossed poured concrete walls with 45° angle cap, have screened gates and be placed upon a minimum 10 ft. x 18 ft. concrete pad that provides an 8 ft. wide apron. Masonry block shall not be used as a construction material.
4. This note shall be provided on every site plan - NOTE: All lighting on the site shall be shielded and not encroach upon abutting properties or right-of-ways. The light poles shall be no higher than 20 ft. All glare shall be eliminated from all light fixtures. Upward directed lighting shall not be permitted.
5. This note shall be provided on every site plan - NOTE: All landscaped areas shall be automatically irrigated.
6. This note shall be provided on every site plan - NOTE: All barbed wire and supports for barbed wire are prohibited on the site.



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SPECIAL LAND USE APPROVAL PROCEDURE

All special land use requests will be presented to the Planning Commission. In accordance with the terms set forth in the Zoning Ordinance, however, City Council approval may be necessary depending upon the request. The following procedure applies in instances when the request must only be considered by the Planning Commission:

1. Petitioners may schedule a meeting with Planning Staff to conduct a preliminary review of the proposed special land use/site plan in order to identify issues which may arise during the review process. This preliminary meeting is not a requirement.
2. A completed application, including the affidavit of ownership, required plans and applicable fee must be submitted to the Planning Department. Plans in compliance with Zoning Ordinance requirements will be placed on a Planning Commission agenda in accordance with the submittal schedule prepared by the Planning Staff. Please note that all required variances must be obtained before an item will be placed on a Planning Commission agenda.
3. The petitioner will receive a notice informing them of the Planning Commission public hearing scheduled for their item. Attendance at the Planning Commission meeting is mandatory.
4. If the request is denied by the Planning Commission, the petitioner will receive formal correspondence from the Planning Commission secretary outlining the reasons for the denial. If the request is approved by the Planning Commission, the petitioner will receive formal correspondence from the Planning Commission secretary outlining any conditions placed on the approval by the Commission, including the submittal of a bond, revised plans, etc.
5. If a bond is required, it must be approved by the City Attorney's office prior to being submitted to the Planning Department (please note that the Planning Department has bond forms available).
6. All other conditions of the special land use approval must be met by the petitioner, including the submittal of acceptable revised plans, if necessary.
7. When all of the conditions of the special land use approval have been satisfactorily met, the Planning Department will prepare a letter to the Building Division indicating that it is acceptable for them to begin processing a certificate of occupancy or building permit application, whichever is applicable, for the site. Please note that all required permits are the responsibility of the petitioner.
8. If a bond was required, once the site is completed in compliance with the approved plan the petitioner must submit a written request to the Planning Department requesting that the bond be released. Staff will perform an inspection of the site to confirm proper completion. If the site has been properly completed, the item will be placed on the next available Planning Commission agenda for bond release approval. If the site has not been properly completed, staff will send correspondence to the petitioner outlining the deficiencies with the site.

When City Council approval is required for a special land use request, the following procedure is followed:

1. Petitioners may schedule a meeting with Planning Staff to conduct a preliminary review of the proposed special land use/site plan in order to identify issues which may arise during the review process. This preliminary meeting is not a requirement.
2. A completed application, including the affidavit of ownership, required plans and applicable fee must be submitted to the Planning Department. Plans in compliance with Zoning Ordinance requirements will be placed on a Planning Commission agenda in accordance with the submittal schedule prepared by the Planning Staff.

Please note that all required variances must be obtained before an item will be placed on a Planning Commission agenda.

3. The petitioner will receive a notice informing them of the Planning Commission public hearing scheduled for their item. Attendance at the Planning Commission meeting is mandatory.
4. The Planning Commission will hold a public hearing and issue their recommendation regarding the request. This recommendation is forwarded to City Council. The petitioner will also receive formal correspondence from the Planning Commission secretary detailing the Planning Commission's recommendation.
5. The petitioner will receive a notice informing them of the City Council public hearing scheduled for their item. Attendance at the City Council meeting is mandatory.
6. City Council will hold a public hearing and either approve, approve with conditions or deny the special land use request.
7. If a bond is required as a condition of the approval, it must be approved by the City Attorney's office prior to being submitted to the Planning Department (please note that the Planning Department has bond forms available).
8. All other conditions of the special land use approval must be met by the petitioner, including the submittal of acceptable revised plans, if necessary.
9. When all of the conditions of the special land use approval have been satisfactorily met, the Planning Department will prepare a letter to the Building Division indicating that it is acceptable for them to begin processing a certificate of occupancy or building permit application, whichever is applicable, for the site. Please note that all required permits are the responsibility of the petitioner.
10. If a bond was required, once the site is completed in compliance with the approved plan the petitioner must submit a written request to the Planning Department requesting that the bond be released. Staff will perform an inspection of the site to confirm proper completion. If the site has been properly completed, the item will be placed on the next available Planning Commission agenda for bond release approval. If the site has not been properly completed, staff will send correspondence to the petitioner outlining the deficiencies with the site.