



**CITY OF WARREN
PLANNING COMMISSION**

LORI M. STONE, MAYOR ONE
CITY SQUARE, STE. 315
WARREN, MICHIGAN 48093-5283
PHONE: (586) 574-4687 FAX: (586) 574-4645

SPECIAL LAND USE APPLICATION

☐ SPECIAL LAND USE

☐ SPECIAL LAND USE WITH SITE PLAN \$1,500 up to 5,000 sq. ft.
or less and \$20 per additional 1,000 sq. ft. (fee rounds up)

FEE: \$1,500.00

(Application Effective 1-16-24) (Fee Effective 8-10-21)

PLEASE TYPE OR PRINT

PROPOSED SPECIAL LAND USE _____

EXISTING USE OF LAND AND/OR BUILDINGS _____

ADDRESS _____ PARCEL P.I.N. 12-13- _____
(Attached additional sheet for additional address and parcels if necessary)

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

LEGAL OWNER:
(PRINT)

NAME/COMPANY	PHONE	EMAIL OR FAX
_____	_____	_____
ADDRESS	CITY/STATE/ZIP	

PROFESSIONAL:
(MUST BE LICENSED IN
STATE OF MICHIGAN)
(PRINT)

Name/Company	Phone	Email or Fax
_____	_____	_____
ADDRESS	CITY/STATE/ZIP	

APPLICANT:
(PRINT)

NAME/COMPANY	PHONE	EMAIL OR FAX
_____	_____	_____
ADDRESS	CITY/STATE/ZIP	

SIGNATURE OF LEGAL OWNER (ATTACHED AFFIDAVIT OF OWNERSHIP MUST BE COMPLETED)

DATE

SIGNATURE OF PROFESSIONAL (SITE PLAN PREPARER)

DATE

SIGNATURE OF APPLICANT (REPRESENTATIVE FOR DEVELOPMENT)

DATE

SPECIAL LAND USE AND SPECIAL LAND USE WITH SITE PLAN CHECK OFF LIST

As you the representative complete these items, you need to check them off. We will not accept packets without all items checked and done.

- ☐ Application shall be completed, signed and dated.
- ☐ Affidavit shall be completed, signed and notarized.
- ☐ The property owner shall be listed on the application and affidavit. If it is a business or LLC we need a contact name. If there is more than one owner, we need an affidavit for each one.
- ☐ Submit all phone numbers, fax or emails for contacts for communication purposes.
- ☐ Submit twenty (20) copies of site plans that are signed and sealed by an Architect, Engineer, Land Surveyor or A. I. C. P. Planner and an electronic copy (by USB or email to sheydel@cityofwarren.org or staylor@cityofwarren.org). USB is preferred.
- ☐ Submit two (2) copies of surveys, signed and sealed by a Land Surveyor.
- ☐ Submit twelve (12) copies of floor plans.
- ☐ If special land use with plan need fifteen (15) copies of elevation plans (structure only).
- ☐ A letter of intent, request/reasoning.
- ☐ Submit the square footage of what the project is (not entire property).
- ☐ A legal description is provided on the site plan and electronically in word format.
- ☐ A Site Data Chart is provided on the site plan.
- ☐ A Location Map is provided on the site plan.
- ☐ Submit the estimated cost of the project.
- ☐ **If the property has any delinquent taxes, your packet will not be accepted.**

Representative Signature_____ Date_____
(must have signature or will not accept package)

Employee Only – Please Initial:

1. Verify everything done.
2. Make copy of check.
3. Let applicant know date of Planning Commission Meeting.
4. Stamp application and at least one sheet of plan.
5. Put brief description on agenda immediately.



AFFIDAVIT OF OWNERSHIP OF LAND

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

OF _____
Address, City, State Zip Telephone Email

THE _____ OF _____
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT _____
I/We/It

_____/RECORDED LAND CONTRACT PURCHASER(S) _____/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 Applicant(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.

SIGNED _____

SIGNED _____

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, THE REPRESENTATIVE/APPLICANT SHALL CONTACT THE PLANNING DEPARTMENT BY LETTER OR EMAIL AND MAKE THEMSELVES KNOWN. FAILURE TO ANSWER ANY QUESTION FROM THE COMMISSION MAY RESULT IN YOUR REQUEST BEING TABLED OR DENIED. IT IS RECOMMENDED THAT YOU APPEAR IN PERSON.



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SPECIAL LAND USE PLAN REQUIREMENTS

1. PREPARATION OF PLANS BY LICENSED PROFESSIONAL

A completed application, check off list, affidavit of ownership, required plans and applicable fee must be submitted to the Planning Department. Special Land Use will be placed on a Planning Commission agenda in accordance with the schedule prepared by the Planning Staff (please make checks out to: *City of Warren Treasurer*).

All plans necessary for approval must bear the seal and/or signature of a professional architect, engineer, and surveyor, landscape architect licensed by the State of Michigan, or A.I.C.P. planner. All plans shall be on a minimum 24" x 36" size paper using a minimum engineer's 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:

SPECIAL LAND USE		SITE PLAN AND SPECIAL LAND USE	
		Site Plan	20 copies
Site Plan	20 copies	Property Survey	2 copies
Property Survey	2 copies	Floor Plan	12 copies
Floor Plan	12 copies	Elevations	15 copies
		Landscape	15 copies
*An electronic PDF version of all Site Plans, Floor Plans, Elevations, Landscape Plans and Property Surveys <u>MUST</u> be included with all submittals.			

Note: The Planning Commission may require a traffic study, Phase I Environmental Assessment or other studies on the subject property if the Commission believes that there may be a health, safety, and welfare concern.

2. 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 applicant/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.
- F.** Contour lines for elevations may be required depending upon site location.

3. FLOOR PLANS

Plans of each floor of a structure, including mezzanines and 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 and sq. ft. Note all seating arrangements and capacities on the plans.

4. 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.

5. PLAN SPECIFICATIONS

Please be sure to include all of the information listed below on your plan.

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

- a. Use (both existing and proposed)
- b. Zoning district(s) and setbacks (required, existing and proposed)
- c. Site area (sq. ft. or acreage)
- d. Area of existing structure(s)
- e. Area of proposed structure(s)
- f. Gross structure area
- g. Structure height
- h. Open storage area
- i. Outdoor sales area
- j. Parking requirements for use
- k. Existing parking area(s)
- l. Proposed parking area(s)
- m. International Building & Fire Code
- n. Michigan Building Code – use group
- o. Acreage of proposed earth disturbance

B. Property Description

1. Legal Description (Match or update City records)
2. P.I.N. Number(s)
3. Property Lines, Bearings & Distances
4. Small Location Map
5. Subdivision Platted Easement(s)
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 and 500-year Flood Plain Boundaries
12. Acreage of proposed earth disturbance

C. Zoning Ordinance Requirements

1. List all dimensional and use variances granted to the property
2. Provide setbacks for all structures, impermeable and permeable parking areas, storage areas, etc.– measured to property lines
3. Site Data Chart must contain the following:

D. Structures (dimensioned)

1. Principal Structure(s)
2. Accessory Structure(s)
3. Trash Enclosure
4. Greenbelt(s), Fence(s), Wall(s), Earthen Berm(s)
5. Utility Pole(s), Fire Hydrant(s), Manhole(s)
6. Signage
7. Flood Plain Floor Elevations
8. Storage Area(s)
9. Proposed areas for storm water treatment and detention facilities (if applicable)
10. All trees having a minimum caliper of three (3) inches in diameter.
11. All existing natural vegetation features.

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. Roof Area (All Structures)

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 (dimensioned)

1. Name and Class (thoroughfare, collector, residential)
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 curbed, graded, drained, and hard surfaced within one (1) years' 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 the leading edge of a continuous concrete curbing measured five (5) ft. from the property line. If parking spaces abut a common property line AND do not require continuous curbing, then they shall have six (6) in. high, six (6) in. wide concrete curbing or a protective "bumper curb" placed with the leading edge five (5) ft. from the property line.
3. Planning Commission approval for the site plan is contingent upon a true representation of the development, which means that all dimensions, acreage, and figures on a site plan shall be accurate.
4. Front setback areas and areas between sidewalks and street curbs must be planted and maintained with grass and trees. Trees should be planted every fifty (50) ft. or less on center when 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 roadways on an individual basis. A grass area with a three (3) ft. wide concrete strip along the street curb may be acceptable. Do not place loose materials or stones within front setback areas or public right-of-ways.
5. The curb radii connecting driveway approaches shall be twenty (20) ft. to twenty-five (25) ft. The government agency (City Engineer, Macomb County Road Commission, and MDOT) with jurisdiction over the Right-of-Way will evaluate the location, deceleration lanes, etc. for 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 applicant to obtain the approval from MDOT. If MDOT requires modification of the site plan, the Planning Director will 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). All new and existing sidewalks where offset by varying property right-of-ways shall be provided with reverse curves.
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 shall accompany the site plan. The Planning Director may allow walls a minimum three (3) ft. high if sight lines for adjacent properties are an issue.
8. Install greenbelts and walls before requesting a Certificate of Compliance.
9. Any lighting on the site shall not encroach onto abutting properties or right-of-ways.

10. A trash enclosure shall be provided on each site. The enclosure shall be constructed with six (6) ft. high, brick embossed poured concrete walls. Gates with chain link and slats or boards should not have more than an inch of space separation between them. Details for construction are available in the Planning Department. Alternate trash enclosure materials may be considered upon approval by the Planning Director or Planning Commission.
11. All sites must comply with the provisions of Act 1 (1966, as amended, MCLA 125.1352) for ADA persons. This includes the installation of signs, blue painted 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. 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. 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, however 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.
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 expire and 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 a new site plan approval is granted. **Please note that there will be a \$200 fee assessed for a site plan approval extension of one (1) year or less.**
14. Site Plan and/or Special land 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 (M-3 and M-4 Districts only) referenced in the current Zoning Ordinance and International Building and Fire Code.
15. Open storage of vehicles, trailers, and materials other than junk on site is prohibited except as stipulated in Section 17.02 (s) and (t) Industrial Districts of the Zoning Ordinance and requires site plan approval.
16. If the proposed development is within the Red Run Drain, connecting tributaries, easements or right-of-ways, then the Red Run Inter County Drainage Board requires permits for the installation of storm drainage taps.
17. The Planning Commission may require a traffic study, Phase I Environmental Assessment or other studies on the subject property if the Commission believes that there may be a health, safety, and welfare concern.
18. All developments or redevelopments that disturb one acre or more, including projects less than one acre of a larger common plan of development, shall show how the developed site will comply with the storm water runoff requirements for the Minimum Treatment Volume Standard, the Channel Protection Standard, and the long term requirement to maintain the design performance of all constructed best management practices for storm water runoff volume and quantity. Guidance for meeting these requirements is found in the ***Procedures and Design Standards for Storm Water Management*** as published by the Macomb County Public Works Office.

19. On December 1, 2021, the City of Warren adopted a new storm water ordinance (**Sec. 41-155. – *Post-construction storm water runoff***). This ordinance applies to any site plan that proposes land disturbance over an acre. A storm water narrative explaining how the site will comply with this ordinance is required.

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 doesn't require open storage outside the building - NOTE: Open storage of vehicles, trailers and 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. 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

- 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 applicant and indicate a date certain for the public hearing to occur. Two (2) request for tabling is allowed per petition.
- 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.
- By signing the application, permission is granted for City Staff and Board Members to enter the subject property for purposes of gathering information to review the request.
- I acknowledge there are no refunds for any reason.

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. Applicants 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, check off list, affidavit of ownership, required plans and applicable fee must be submitted to the Planning Department. **In addition to the required hard copy documents, an electronic PDF version of all submitted Site Plans, Floor Plans, Landscape Plans, Elevations and Property Surveys must also be included with all submittals.** Site plans will be placed on a Planning Commission agenda in accordance with the schedule prepared by the Planning Staff.
3. The applicant 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 approved by the Planning Commission**, the applicant will receive formal correspondence from the Commission secretary outlining any conditions placed on the site plan approval, including the submittal of the required bond, revised site plans, etc. If the request is denied by the Commission, the applicant will receive formal correspondence from the Commission secretary outlining the reasons for the denial.

5. The required performance bond (cash, surety or letter of credit) must be approved by the City Attorney's Office prior to being submitted to the Planning Department (please note that the Planning Department has performance bond forms available).
6. When all of the conditions of the special land use approval have been completed, the Planning Department will prepare a letter to the Building Division indicating that it is acceptable for them to begin processing a certificate of compliance or building permit application, whichever is applicable, for the site. Please note that all required permits are the responsibility of the applicant.
7. When the site is completed in compliance with the approved site plan, including all site improvements, the applicant shall submit a written email or faxed request to the Planning Department requesting that the performance bond be released.

The Planning Staff will perform an inspection of the site to confirm completion. If the site has been completed, the item will be placed on the next available Planning Commission agenda for bond release approval. If the site has not been completed, the Planning Staff will send correspondence to the applicant outlining the deficiencies with the site. All subsequent requests for bond release/site inspection shall require a \$50 fee.

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

1. Applicants 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 sent to City Council.

3. The applicant 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 applicant will also receive formal correspondence from the Planning Commission secretary detailing the Planning Commission's recommendation.
5. The applicant 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 applicant, 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 Compliance or building permit application, whichever is applicable, for the site. Please note that all required permits are the responsibility of the applicant.
10. If a bond was required, once the site is completed in compliance with the approved plan the applicant 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 applicant outlining the deficiencies with the site.