



DEPARTMENT OF
Buildings, Safety Engineering &
Environmental

Coleman A. Young Municipal Center Phone 313-224-2733 TTY:711
2 Woodward Avenue, Fourth Floor Fax 313-224-1467
Detroit, Michigan, 48226 www.detroitmi.gov

BSEED Case No: SLU2018-00206
Property Address: 8305 Livernois
Decision Date: June 1, 2021
Effective Date: June 15, 2021



Applicant

Parkstone Development Partners
C/o: 8305 Livernois, LLC
28 W. Adams, Suite 1300
Detroit, MI 48226

Owner

Ryan Riddle
8305 Livernois
Detroit, MI 48204

Request: Establish a Marijuana Retail/Provisioning Facility (MRPF) in an existing 2,657 square foot building and a Marijuana Processor Facility (MPF) in an adjacent 1,300 square foot building.

Location: 8305 Livernois between Alaska and Linsdale Streets in a M2 (Restricted Industrial) Zoning District and legally described as: *W LIVERNOIS 33.32 AND 31 EXC LIVERNOIS AVE AS WD HARRAHS LIVERNOIS AVE SUBDIVISION LIBER 36 PAGE 90 PLATS, W C R 16/227 72.74 X 73.01 SPLIT/COMBINED ON 7/16/2019 FROM 16018279, 16018280 (PIN 16018279-80)*

The current legal land use of the property is Retail Store (8350 Livernois) established by permit #56294 issued May 16, 2002 and Church (8301 Livernois). It should be noted that the two parcels were combined into one address, 8305 Livernois. The building is a one story building with a flat roof. The total number of parking spaces required for the Marijuana Retail/Provisioning Facility (MRPF) is seven (7) and the spaces required for the Marijuana Processor Facility (MPF) is two (2). The total number of off street parking spaces for both uses is nine (9) spaces. It should be noted that within 100 feet of the proposed site, an accessory parking lot located at 8295 Livernois shows fifteen (15) off-street parking spaces which is sufficient for the proposed uses.

Marijuana Retail/Provisioning Facility (MRPF) and Marijuana Processor Facility (MPF) are subject to several spacing requirements per Section 50-12-132 of the Detroit Zoning Ordinance. This location is not in a drug free zone, a Gateway Radial Thoroughfare or a Traditional Main Street overlay area.

This request has been processed in accordance with the provisions of Sections 50-3-241, 50-3-535(a)(2), 50-10-54(4) and 50-12-110 of the Detroit Zoning Ordinance, Chapter 50 and the following submittals were considered as part of this request:

Bernard J. Youngblood
Wayne County Register of Deeds
2021261194 L: 56824 P: 316
06/23/2021 09:48 AM Z9 Total Pages: 6



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1. Preliminary Plans prepared by Nathan L. Harvey, AIA last revised 4/24/2019 & 5/8/2019 and including the following:
 - a. Site Plan, Floor Plan and Elevation Plans
2. Recommendation to approve with conditions from the Detroit Planning & Development Department received February 17, 2021.
3. Recommendation from the Medical Marihuana Review Committee received February 28, 2019.

Our department held a public Zoom hearing on 2/4/2021. Notice of this hearing was published in the Detroit Legal News on 1/20/2021 and mailed to 74 residents and property owners within 300' of the subject site. Besides City of Detroit representatives, people attending the hearing, the owner and his consultant. Two people spoke in support and one person in opposition. There were nine (9) letters of support and no letters of opposition.

After careful consideration, the required findings of fact were made per Section 50-3-281, specifically:

- A) That the proposed conditional use is consistent with the City of Detroit Master Plan future generalized land use designation of Neighborhood Commercial (CN).
- B) That the proposed uses of the subject building will not have a negative impact on the community and the surrounding property in maintaining an active business on the site.
- C) That the potentially detrimental effects of this use will be mitigated by the strict conditions of approval contained in this letter.

Thereby, the ordinance requirements for a conditional use have been satisfied in this case and the request and site plan have been APPROVED WITH CONDITIONS.

This conditional approval will become effective **June 1, 2021**.

However, Section 50-3-302 of the Zoning Ordinance provides the right to appeal this decision to the Board of Zoning Appeals prior to the effective date of this decision. A fee may be required for an appeal to the Board of Zoning Appeals. **All appeals must be made in person at the Zoning Counter, 4th Floor, Coleman A. Young Municipal Center.**

It shall be the responsibility of the person or organization who files an appeal, or his/her duly authorized representative, to attend and testify at the Board of Zoning Appeals hearing as to why the original decision of this Department should not take effect.



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If no written appeal is filed prior to the effective date of this decision, the conditional approval shall be deemed final.

NOTE: THIS LETTER IS NOT A PERMIT

If no appeal is made within the prescribed time, you must:

1. Pick up the official decision letter from the Buildings, Safety Engineering and Environmental Department, Special Land Use Office, 4th Floor, Room 407, Coleman A. Young Municipal Center.
2. Record the official decision letter with the Wayne County Register of Deeds and present proof of registration when applying for the necessary permit.
3. Submit electronically fully dimensioned, drawn to scale, final site and floor plans for the subject development prior to the issuance of the necessary permits by the Buildings, Safety Engineering and Environmental Department.

Please call or email Zoning@detroitmi.gov (on or after the effective date of this grant) before coming down to pick up your verified copy of this letter. If someone else is to secure your letter and permits, they must provide a signed and notarized letter of authorization granting them the authority to act on your behalf.

CONDITIONS OF APPROVAL

Occupancy of the premises without full compliance with all of the following conditions is unlawful and contrary to the provisions of the Zoning Ordinance and is subject to penalties as provided in the Ordinance, which may include the revocation of this grant and/or daily fine of \$250-500, for not complying with these conditions.

1. That this grant is only to establish a Marijuana Retail/Provisioning Facility (MPCF) in an existing 2,657 square foot building and Marijuana Processor Facility (MMPF) in an adjacent 1,300 square foot building and cannot be further expanded, enlarged, altered, or modified in any manner without the prior approval of the Buildings, Safety Engineering and Environmental Department or Board of Zoning Appeals.
2. That the owner/occupant of said premises abides by all of the provisions of the Detroit Property Maintenance Code, Article 1, Chapter 9 of the Detroit City Code. That this operation be conducted in such a manner as to not create a nuisance of any kind to the surrounding neighborhood.



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3. **That a recorded shared parking agreement for the accessory parking lot located at 8295 Livernois be presented at the time of applying for a building permit.**
4. That the parking lot shall be paved, properly drained and striped according to municipal standards.
5. That the building shall be painted in a neutral or earth-tone color in compliance with the development standards per Section 50-14-417(1-6), of the 2019 Detroit Zoning Ordinance.
6. That a separate permit be obtained from DPW (Department of Public Works) for any work performed on Short Street in the public right-of-way to coordinate for the repair of sidewalks surrounding the facility and that the City of Detroit design standards for sidewalks, curbs and approaches be presented in construction documents when applying for building permit.
7. That the proper permit be secured from the Buildings, Safety Engineering and Environmental Department by **December 15, 2021**. Failure to secure such permit will thereby invalidate and terminate this grant.
8. Failure to obtain a Certificate of Occupancy as herein described will nullify this special land use approval and result in enforcement action.
9. That there be no open storage of any kind including any rubbish or debris generated by this operation. All such materials, including grease receptacles and recycling containers, shall be kept within the building until removed from the site, or be kept within the on-site masonry dumpster enclosure.
10. That consumption of Medical Marijuana on the premises is prohibited.
11. That accessory uses are prohibited per Section 50-3-357 of the Detroit Zoning Ordinance and therefore, the sale or display of any items unrelated to the activities authorized by the Michigan Marijuana Act is not permitted.
12. That the parking lot is properly screened from adjacent right-of-ways with a wall or opaque hedge per Section 50-14-341 of the Detroit Zoning Ordinance.
13. That the water source is available for the maintenance and irrigation of any landscaped areas.
14. That the site and adjacent rights-of-way shall be kept free of debris and in compliance with property maintenance codes.



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15. That where windows are provided, the windows have a clear view into the establishment.
16. That the following are prohibited from being on the exterior or any proposed signage; green crosses, the word marijuana or medical marihuana leaf symbols are not allowed on the exterior or signage.
17. That lights on signs that flash are not permitted per Section 50-14-443(2) of the Zoning Ordinance. No LED or rope lights shall be permitted on the building, signage or surrounding windows.
18. That all reasonable measures shall be taken to ensure that off-site spillover of light and nightglow are minimized to the greatest extent possible per Section 50-14-418 of the Zoning Ordinance.
19. That all signs, including temporary signs and banners, shall abide by the requirements of Article VI of the Detroit Zoning Ordinance and Chapter 4 of the Detroit City Code. A maximum of 25% of each window may be covered by signs.
20. That the proper city license be obtained from the Business License Division and renewed annually.
21. That a "Certificate of Maintenance of Grant Conditions" be obtained annually by the owner/operator of the subject premises/use; and further, that the proper application for such Certificate be filed with the Buildings, Safety Engineering and Environmental Department no later than each annual anniversary of the effective date of this grant.

Sincerely,

David Bell
Director

DB/JSP/SE



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I have read the conditions of **SLU2018-00206** and agree to abide by all of the conditions contained herein.

Printed Name: Ryan Riddle

Signature: [Handwritten Signature]

Date: _____

Subscribed and sworn to before me this 22nd day

of June, 20 21.

[Handwritten Signature]
Notary Public, Wayne County, Michigan

My Commission expires 10.05, 20 26

Georgine C Gersdorff
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF WAYNE
My Commission Expires October 5, 2026
Acting in the County of _____