



**BUILDINGS, SAFETY ENGINEERING
AND ENVIRONMENTAL DEPARTMENT**

Coleman A. Young Municipal Center
2 Woodward Avenue, Fourth Floor
Detroit, Michigan 48226

Phone 313•224•2733 TTY:711
Fax 313•224•1467
www.detroitmi.gov/BSEED

BSEED Case No.: SLU2023-00114
Property Address: 12621, 12625, & 12627 Greenfield, 15775 Glendale, 16000
Fullerton, & 12660 Mansfield
Decision Date: December 19, 2023
Effective Date: January 9, 2024

Applicant

Michelle Woods
NTH Consultants
41780 Six Mile Rd Suite 200
Northville MI 48168

Owner

Green Valley Properties
34643 Sara Beth Lane
Livonia MI 48152

Request: Expand and intensify a Very High-impact Manufacturing or Processing Facility (Crushing, grading, and screening of rock, stone, slag, clay, or concrete) on a 12.3-acre site utilizing two buildings of 8,700 and 11,300 square feet, respectively.

Location: 12621, 12625, & 12627 Greenfield, 15775 Glendale, 16000 Fullerton, & 12660 Mansfield, located between Glendale and Fullerton Streets in an M4 (Intensive Industrial) Zoning District and legally described as *W GREENFIELD PT OF NE 1/4 SEC 25 T 1 S R 10 E DESC AS BEG AT INTSEC N LINE FULLERTON WITH W LINE GREENFIELD W SERV RD TH S 86D 27M 40S W 56.12 FT TH N 89D 43M 30S W 212.92 FT TH N 0D 07M 30S E 94 FT TH S 89D 43M 30S E 112.62 TH N 0D 16M 30S E 7 FT TH S 89D 43M 30S E 155.69 FT TH S 0D 13M 36S E 97.27 FT TO PTE OF BEG 22/--- 26,239 SQ FT SPLIT ON 03/13/2020 WITH 22050987-0 INTO 22050992.006; W GREENFIELD PT OF NE 1/4 SEC 25 T 1 S R 10 E ALL DESC AS BEG AT N LN FULLERTON AND W LN W GREENFIELD TH S 86D 27M 40S W 56.12 FT TH N 89D 43M 30S W 505.62 FT TH N 00D 07M 30S E 104.00 FT TH N 89D 43M 30S W 530.00 FT TH N 00D 03M 00S W 53.34 FT TH N 47D 45M 00S E 80.59 FT TH ON CURVE R RAD 514.97 FT DELTA 04D 23M 08S ARC DIST 39.60 FT CHORD N 49D 56M 34S E 39.59 FT TH N 49D 31M 49S E 11.00 FT TH ON CURVE L RAD 780.04 FT DELTA 02D 24M 19S ARC DIST 32.75 FT CHORD N 48D 19M 40S E 32.75 FT TH N 47D 07M 30S E 32.05 FT TH ON CURVE L RAD 286.48 DELTA 14D 21M 00S ARC DIST 73.55 FT CHORD N 39D 57M 00S E 73.56 FT TH N 47D 07M 30S E 32.05 FT TH ON CURVE L RAD 286.48 DELTA 14D 21M 00S ARC DIST 73.55 FT CHORD N 39D 57M 00S E 73.56 FT TH N 32D 46M 30S E 84.15 FT TH N 30D 10M 11S E 11.00 FT TH ON CURVE L RAD 271.07 FT DELTA 06D 55M 19S ARC DIST 32.75 FT CHORD N 26D*

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42M 32S E 32.74 FT TH N 23D 14M 52S E 22.14 FT TH ON CURVE L RAD 286.48 FT DELTA 23D 06M 40S ARC DIST 114.80 FT CHORD N 11D 41M 32S E 114.77 FT TH S 89D 43M 30S E 800.64 FT TH ON CURVE L RAD 1715.17 FT DELTA 02D 55M 34S ARC DIST 87.59 FT CHORD S 01D 18M 34S W 87.57 FT TH S 00D 09M 13S E 399.06 FT TH S 00D 03M 00S E 97.23 FT TO POB 523,447.72 SQFT SPLIT/COMBINED ON 03/13/2020 FROM 22050987-0, 22050992.001; W GREENFIELD THAT PT OF N E 1/4 SEC 25 T 1 S R 10 E DESC AS FOLS-BEG AT A PTE S 89D 27M 30S E 431 FT AND S 78D 47M 54S E 120.03 FT FROM INTSEC S LINE GLENDALE AVE WITH E LINE MANSFIELD AVE TH S 78D 47M 54S E 57.14 FT TH S 89D 37M 06S E 64.03 FT TH S 0D 08M 30S W 264.05 FT TH N 89D 32M W 120 FT TH N 0D 07M 7S E 274.60 FT TO P O B 22/--- 31,989.52 SQ FT; E MANSFIELD ALL THAT PT OF NE 1/4 SEC 25 T1S R10E DESC AS FOLS; BEG AT THE NECOR OF FULLERTON AVE (66 FT WD) & MANSFIELD AVE (65 FT WD); TH N 0D3M W ALG E LINE OF SD MANSFIELD AVE 105.5 FT; TH S 89D 39M E 116 FT TO A PTE; TH N 0D 3M W 84.5 FT TO A PTE; TH S 89D 39M E 30 FT TO A PTE; TH N 0D 03M W 115.17 FT TO A PTE; TH S 89D 43M E 34.40 FT TO A PTE 6.00 FT W OF AN EXISTING BLDG; TH N'LY ALG A LINE PARALLEL TO SD BLDG & 6 FT W OF SD BLDG 77 FT TO THE INTSEC OF SD LINE & THE EXTENSION OF THE N'LY LINE OF SD BLDG EXTENDING W'LY; TH E'LY ALG SD LINE 112.80 FT TO A PTE; TH S 0D 04M W 382.0 FT TO A PTE ON N LINE OF FULLERTON AVE; TH N 89D 43M W ALG SD N LINE 292.74 FT TO P O B 22/--- 71,768 SQ FT 1.6419 AC Split on 03/08/2023 with 22050989. into 22050989.000, 22057119.004; & E MANSFIELD ALL THAT PT OF N E 1/4 SEC 25 T 1 S R 10 E DESC AS FOLS BEG AT A PTE IN E LINE MANSFIELD AVE 65 FT WIDE DIST N 0D 03M W 305 FT FROM N E CORNER MANSFIELD AVE & FULLERTON AVE 66 FT WD TH S 89D 43M E 146 FT TH S 0D 03M E 40 FT TH N 89D 43M W 146 FT TH N 0D 03M W 40 FT ALG E LINE MANSFIELD AVE TO POINT OF BEG 22/--- 5840 SQ FT (PIN 22050990-1, 22050992.001, 22050987-8, 22050986.002L, 22057119.001, & 22057120.002)

The current legal, conforming use of 12621 Greenfield is 'Vacant Land'. The current legal, conforming use of 12625 Greenfield is 'Concrete Crushing' via building permit BLD2019-01306 and Special Land Use Hearing Grant 56-18. The current legal, conforming use of 12627 Greenfield is 'Retail' via building permit BLD2019-06445. The current legal, conforming use of 15775 Glendale is 'Cell Tower' and 'Storage'. The current legal, conforming use of 16000 Fullerton is 'Vacant Land'. The current legal, conforming use of 12660 Mansfield is 'Office' via building permit 88749 issued August 31, 1966.

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The applicant is proposing to expand and intensify the above addresses into a stone crushing and recycling facility that will produce and store crushed material including but not limited to concrete, brick, stone, etc. The company will weigh, load and ship crushed aggregate and material via trailer truck to various work locations (i.e., roadwork, etc.). The property owner is proposing to install a second scale and grate to the site and pave a road through the operational area of the site to reduce fugitive dust and debris leaving the premises.

A Parcel Revision Form to combine all addresses has been completed and submitted to the Assessors Division.

Per Section 50-14-62 ("Industrial service"), Crushing, grading, and screening of rock, stone, slag, clay, or concrete requires two off-street parking spaces per every three employees (or 20 parking spaces for the 30 employees); 23 off-street parking spaces are being proposed, thus fulfil the requirement.

Per Section 50-14-115 (Manufacturing and industrial), a 12' x 55' loading space is required for the concrete crushing facility; one 12' x 55' loading space is proposed, thus is compliant.

Additionally, the proposed change of use required review by the Industrial Review Committee per Section 50-2-104(1) of the Detroit Zoning Ordinance.

This request has been processed in accordance with the provisions of Sections 50-3-241, 50-10-113(18), 50-12-365 and 50-16-441 of the Detroit Zoning Ordinance, Chapter 50 and the following submittals were considered as part of this request:

1. Preliminary Plans, last revised 8/22/2023, approved by BSEED on 9/15/2023 and including site plan, floor plan and elevations; and
2. Recommendation to deny the use with conditions from the Detroit Planning & Development Department received 11/15/2023.
3. Recommendation to deny the use from the Environmental Affairs Division received 12/4/2023.

Our department held a public zoom hearing on 10/25/2023. Notice of this hearing was published in the Detroit Legal News on 10/10/2023 and mailed to property owners within 300' of the subject site. In addition to representatives from the City of Detroit, the hearing was attended by twenty-two people: three members of the development team and their project consultant, eight residents who spoke in opposition and ten neutral observers. Twenty-nine letters of opposition were received by the department at the time of the hearing and nine letters of support were received after the hearing.

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Concerns expressed at the hearing included potential impact to air quality, noise, clogged drains, heavy truck traffic and fugitive dust in the neighborhood, and the use of the best practices for loading and offshore loading being completely enclosed to eliminate the release of particulate matter into the air. They were also very concerned about mitigating dust being created daily from the existing concrete crushing facility located at 12625 Greenfield.

After careful consideration, we were unable to make the required findings per Section 50-3-281, specifically:

- A) Per the Planning and Development Department, due to the very high-impact nature of the proposed concrete crushing, heavy vehicle traffic associated with the use and its proximity to the residential community, it does not comply with the current Master Plan of Policies Future Land Use designation of *Light Industrial or (IL)*, thereby could aggravate any pre-existing physical, social or economic deterioration of the adjacent residential neighborhood.
- B) That the Environmental Affairs Division state there are still deficiencies in the geotechnical report which were noted during the hearing. It was also noted that the dust plan has not been completely implemented.
- C) At the time of the BSEED field inspection, it was confirmed that the applicant was non-compliant with Condition # 8 of their previous Special Land Use Grant (#56-18) for 12625 Greenfield which states: "That concrete and cement material shall not be visible from the rights-of-way as indicated in Section 61-14-235/50-14-235 of the Detroit Zoning Ordinance.". The piles can be seen from Glendale, right-of-way. Additionally, there are existing screening materials along the perimeter that does not meet the current City of Detroit Zoning Ordinance Section 50-14-368, thus could pose an adverse public health, noise, and safety hazard for residents.
- D) The applicant has otherwise failed to meet its burden and satisfy other general approval criteria outlined in Section 50-3-281 of the 2019 Detroit City Code. More specifically, the applicant has not provided evidence which demonstrates:
 - a. The conditional use sought will not substantially diminish or impair property values within the neighborhood.
 - b. The conditional use sought will be compatible with the capacities of public services and public facilities that are affected by the proposed use.
 - c. Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided.



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- d. The conditional use sought will be compatible with land uses on adjacent and nearby zoning lots in terms of location, size, and character.
- e. The conditional use sought is so designed, located, planned, and will be operated so that the public health, safety, and welfare will be protected.

Therefore, this request is DENIED.

This decision will become effective **January 9, 2024**. 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 by emailing zoning@detroitmi.gov.**

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.

If no written appeal is filed prior to the effective date of this decision, the denial shall be deemed final, and the use shall cease immediately. No application which has been denied wholly or in part shall be submitted for a period of one (1) year from the date of said order of denial, except on the grounds of new evidence or proof of changed conditions.

Sincerely,

David Bell
Director

DB/JSP/EL