



Variance Review



TO: City of Grosse Pointe Woods
FROM: Laura Mangan, AICP, NCI
 Paige Smith, NCI
SUBJECT: 20195 Mack Avenue (#40-011-01-155-400) – Use Variance Review #1
DATE: April 8, 2026

BACKGROUND AND VARIANCE REQUEST

The applicant, Branden McRill, on behalf of Lola’s Taco Bar, requests a use variance for the restaurant at 20195 Mack Avenue. The subject site is a 6,877 square foot corner lot, is zoned the C, Commercial Business District, and is located south of Norwood Drive and east of Jackson Avenue. The applicant proposes utilizing a walk-up window for employee-only service. In the C, Commercial Business District, restaurants that serve alcohol are permitted (as a Special Land Use), provided that food or beverages are not dispensed or served from an outside counter.

As presented, the waitstaff will use the window off Norwood Drive to pick up items and deliver them to patrons dining on the seasonal patio along Mack Avenue. This will reduce the need for employees to navigate food and beverages through the primary building entrance (a single door on Mack Avenue). The walk-up window will not be used for pedestrian or customer pick-up, and no point-of-sale purchases will be made at the window.

The applicant requests the following use variance, pursuant to the City’s Zoning Ordinance:

Code Section	Ordinance Use Requirements	Proposed Use	Requested Use Variance
Sec. 50-4.9.A.6	Retail Businesses <i>“Restaurants, lunchrooms and cafeterias and places for the sale of soft drinks, juices, ice cream and nonalcoholic liquors, but excluding drive-thru facilities and places or businesses providing dancing or entertainment and places where food or beverages are dispensed to or served in automobiles parking on private property adjacent to and in connection with such establishments <u>or are dispensed or served from an outside counter.</u>”</i>	The primary use of the property will remain a sit-down restaurant (with alcohol service) and an accessory, seasonal, outdoor patio area. The requested use of the employee-only window is accessory to the site’s principal use.	Utilization of a walk-up window facing Norwood, for employee service only.



COMMUNITY CONTEXT

Background: Full Service, Walk-Up Windows

Various communities across Michigan have allowed walk-up service windows as an accessory use to food and beverage establishments, and have adopted zoning ordinance provisions to that effect. In multiple cities, walk-up windows are permitted or conditionally permitted within commercial zoning districts, particularly in areas intended to support compact development patterns and pedestrian-oriented activity.

Walk-up windows can reduce the need for larger interior service and dining areas, which lowers barriers to entry for small-scale businesses. Walk-up windows are often associated with increased pedestrian activity and can contribute to the activation of commercial corridors, especially where good urban design and form prioritize walkability.

Municipal zoning ordinances that permit walk-up windows typically include specific performance (use) standards intended to mitigate potential negative impacts. Examples of regulations for walk-up windows include:

- Prohibitions on illuminated or digital menu boards on façades facing a public street or adjacent residential districts.
- Requirements for designated queuing or waiting areas (i.e., staking spaces for pedestrians during peak usage) to prevent the obstruction of public sidewalks and ensure accessibility compliance.
- Limitations on the hours of operation, noise, and additional lighting.
- Requirements for seating areas, where appropriate, especially if public seating areas are not nearby or available.

All of the above performance standards are intended to regulate full-service walk-up windows. Several examples of full-service walk-up windows in nearby communities are detailed on the following page.

Use Variance Request: Limited, Walk-Up Window

While some municipalities in Michigan have modernized zoning provisions to accommodate walk-up windows, the City's Zoning Ordinance does not permit a walk-up window, either for full-service or for employee-only use. *The applicant's request to use the window at Lola's Taco Bar is limited to employee-only service.*

In October of 2025, the Planning Commission reviewed a site plan modification for the conversion of one of three existing windows along Norwood Drive into a self-closing, pass-through window, with the following conditions:

- Signage to indicate the window is "for employee-only use" is posted.
- The Zoning Board of Appeals grants approval for the subject use variance.

The Commission also discussed the walk-up window at their March 2026 meeting, where an additional condition was placed on the property. This condition required the removal of the awning on the north elevation, over the subject walk-up window (see site plan sheet A301 for details). Pending a determination from the ZBA, the final site plan will be updated accordingly.



Several Michigan Examples of Full-Service Walk-Up Windows

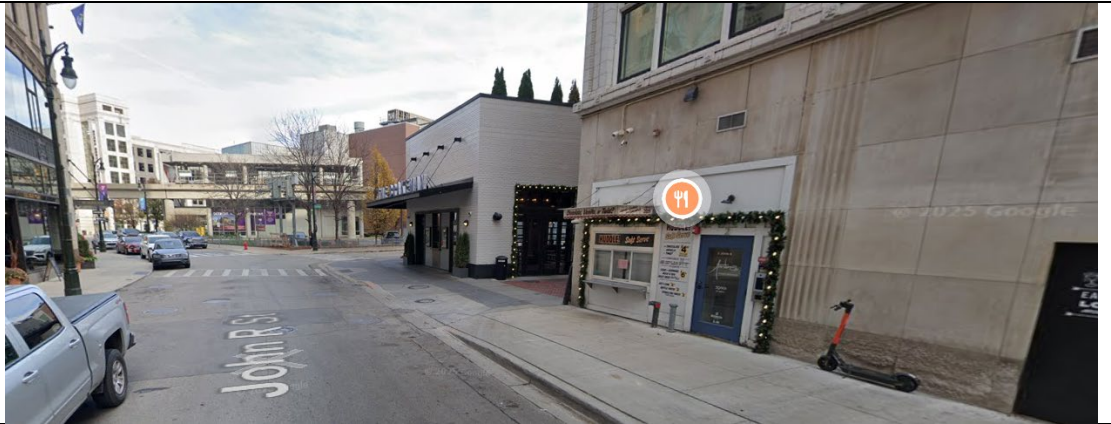
*Chazzaneno
Coffee*

Berkely, MI



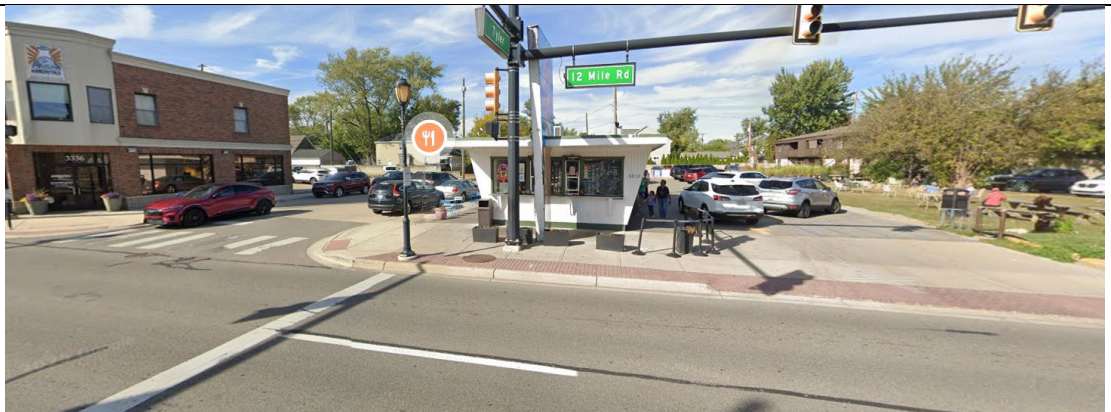
*Huddle Soft
Serve Ice Cream*

Detroit, MI



*Clark's Ice
Cream*

Berkely, MI





Variance Criteria and Evaluation

Per Section 50-7.15.1.2, the Zoning Board of Appeals may grant a use variance only upon finding that there is an unnecessary hardship in the way of carrying out the requirements of the chapter. A finding of unnecessary hardship, based on competent, material, and substantial evidence on the record, shall require the petitioner to demonstrate that all of the following conditions are met.

Additional information brought forward by the Board, the applicant, and/or during the public hearing should be incorporated into the record prior to the Board making any determination. Our comments follow:

CRITERIA #1:

The property cannot reasonably be used in a manner consistent with existing zoning.

Findings:

Per Article 3 of the Zoning Ordinance, the purpose statement of the C, Commercial Business District provides:

“The C commercial business district is intended to be that permitting retail business and service uses which are needed to serve the nearby residential areas. In order to promote such business development insofar as it is possible and appropriate in each area, uses are prohibited which would create hazards, offensive and loud noises, vibration, smoke, glare, heavy truck traffic or late hours of operation. The intent of this district is also to encourage the concentration of local business areas to the mutual advantage of both the consumers and merchants and thereby promote the best use of land at certain strategic locations and avoid the continuance of encouraging marginal strip business development along major streets.”

The property is currently used in a manner that is consistent with the intent of the C, Commercial Business District. Allowing the walk-up window does address the applicant’s concerns in having only one access point to deliver food and beverages to the seasonal patio area, which is a reasonable use of the property as a restaurant. The requested variance represents an accessory operational feature to a fully functional restaurant, rather than a new use.

CRITERIA #2:

That the plight of the petitioner is due to unique circumstances peculiar to the property and not to general neighborhood conditions.

Findings:

It has not been demonstrated that the subject property is unique in location, topography, size, nonconformities, or zoning classification. However, the request for an employee-only window is driven by a site-specific operational flow. Use of the existing storefront glass (and now window) makes efficient use of a corner lot property and the existing entry and exit points.

CRITERIA #3:

That the use to be authorized by the variance will not alter the essential character of the area and locality.

Findings:

The subject parcel neighbors primarily commercial properties zoned C, Commercial Business District. Properties immediately to the west are zoned R-1E, One-Family Residential, with properties across Mack Avenue zoned



RO-1, Restricted Office. It is important to ensure that negative externalities are not generated from the requested use variance.

It has not been demonstrated that an employee-only window will alter the essential character of the Mack Avenue corridor and surrounding neighborhoods. This is based on several findings, including:

- The use of the window is limited to restaurant staff delivering food and beverages to a limited number of patio tables (approximately seven tables). The volume of outdoor dining is limited by the extents of the previously approved patio area.
- The window will operate seasonally and will maintain the same hours as the interior dining room (daily from 11:00 a.m. to 9:00 p.m.). This ensures there is no extension of activity into late night hours.
- The window will not function as a point of sale, eliminating characteristics typically associated with walk-up windows (e.g., lines, ordering activity, etc.).
- No menu boards, signage, lighting, or architectural features will signal the presence of a customer-facing service window.
- The removal of the awning further ensures the feature remains visually subordinate to the building façade.

CRITERIA #4:

That the problem is not self-created.

Findings:

The applicant's plight is not self-created. The proposed use is reflective of the intent of the C, Commercial Business District, but does not reflect evolving industry standards, particularly the increased enjoyment and demand for outdoor dining. Additionally, the building was not originally constructed with modern patio service in mind, the applicant is operating under a design constraint.

CRITERIA #5:

That the spirit of this chapter will be observed, public safety and welfare secured, and substantial justice done.

Findings:

The requested use variance supports the intent of the City's Zoning Ordinance to prevent customer-facing external sales activity, which is not proposed with this development. As designed, the employee-only window is not expected to generate a burdensome impact on the surrounding residential uses, or adjacent commercial and office spaces.

MASTER PLAN ALIGNMENT:

While not a formally listed criteria for evaluation, it is relevant for the city to also consider the Master Plan and its alignment with this proposed use, at this location.

The adopted 2025 Grosse Pointe Woods Master Plan designates this parcel as "Corridor Mixed Use" on the Future Land Use Map. The Master Plan designates retail, restaurant, personal service, and office establishments as most appropriate for this district. This offers a wide range of potential future uses for the Mack Avenue corridor. The proposed accessory use of a walk-up window by employees can be considered aligned with the subject Future Land Use classification.



Recommendation

Subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Zoning Board of Appeals approve the requested use variance for an employee-only window at 20195 Mack Avenue, subject to the following conditions:

1. Window service is limited to employee use only; no customer ordering, point-of-sale, or pick-up is permitted.
2. The use of the window is restricted to on-site employees of Lola's Taco Bar only; no third-party delivery service is permitted to use the window.
3. Signage must be posted to the effect: "*For Employee-Only Use, No Customer or Delivery Service.*"
4. No menu boards, speakers, lighting, or ordering features are permitted.
5. The previously proposed awning on north elevation is removed.
6. The City reserves the right to direct the applicant to modify the window operations to address any potential impacts, should this need arise.

The above recommendation of approval is based on the following findings:

- A. The Ordinance does not distinguish between customer-facing outdoor service and internal operational features, limiting reasonable restaurant operations.
- B. The request is driven by ordinance limitations, not applicant action.
- C. The proposal reflects modern service practices, not an expansion of use.
- D. The proposal avoids the negative impacts the Ordinance intends to prevent (e.g., congestion, noise, etc.).