

April 18, 2024

City Council  
City of Lathrup Village  
27400 Southfield Road  
Lathrup Village, MI 48076

## Special Land Use

Site: 26727 Southfield Road  
Applicant: Village Square Market, Inc.  
Plan Date: March 20, 2024  
Zoning: CV Commercial Vehicular District  
Parcel ID: 24-23-229-018; -029  
Proposal: Gas station convenience store with alcohol sales: Special Land Use

Dear City Council members,

We have reviewed the Special Land Use application, and a summary of our findings is below. As with all proposed Special Land Uses, this Special Land Use application was reviewed by the Planning Commission, who held the required public hearing on April 16, 2024 and recommended that City Council approve the application as provided below.



## REVIEW SUMMARY

1. A public hearing was held at the April 16, 2024, Planning Commission meeting. The Planning Commission moved to approve the application and to recommend the City Council approval of the Special Land Use request. In February of 2019, the Planning Commission approved a site plan and special land use request for the site to operate as a gas station in the Commercial Vehicular District. No changes to the approved site plan are proposed with this special land use request.

The ordinance standards for consideration of a special land use, as related to this request, are outlined below.

## REVIEW OF ORDINANCE STANDARDS

### **Standards for Special Land Use Approval (Section 6.2.10)**

1. *Reasonable Use.* The proposed use is considered “reasonable” when it would be harmonious, compatible, and appropriate for the use along with not impinging unreasonably on the value or use of nearby properties.

*As stated above, the site received special land use approval for a gas station in 2019, which, along with a convenience store, currently exists on the site. In order to sell alcoholic beverages in the Commercial Vehicular District, a Special Land Use application and approval by the Planning Commission and City Council is required. The applicant states the enhanced convenience for their gas and food customers will not result in additional traffic impact.*

2. *Conformity with other regulations of the City.*

*The site is found to be in compliance with other City ordinances.*

3. Location, intensity, and periods of operation. The location, intensity, and periods of operation of the use must be such as to eliminate any reasonable likelihood that it will be, cause, or create a public or private nuisance in fact.

*The proposed use is reasonable within the context of location, intensity, and periods of operation of the City of Lathrup Village. The sale of alcohol at this site is for take-out purposes. The application does not state there will be on-site consumption of alcohol. The applicant states the hours of operation will be as follows:*

Weekdays and Saturdays: 7:00 am. – 11:00 pm.

Sundays: 8:00 am – 11:00 pm.

Peak Hours Weekdays: 7:00 am. – 9:00 am. & 4:00 pm. – 9:00 pm.

Peak Hours Weekends: 12:00 pm. noon

4. The use, as and where proposed, must not be inconsistent with the spirit and purpose of this ordinance nor contrary to the principles of sound community planning.

*The proposed sale of alcohol is not inconsistent with the use of convenience stores at gas stations, and therefore, is in line with sound community planning.*

5. The character of the use must not have adverse effects on neighbors or the community.

*There is no change proposed to the existing facility that is believed to result in a greater impact to the surrounding area, as food and beverage items are currently sold for take-out.*

6. The use must not diminish the fair market value of neighboring lands or buildings to any substantial or significant degree.

This standard is likely met.

7. *Site Design.* The site and manner of operation provide for the maximum reasonable and feasible enhancement of the environment of the surrounding area.

The exterior of the existing facilities is proposed to remain unchanged. If any exterior improvements are pursued, additional enhancements may be required.

8. Demonstrated Need. Establishments involving the sale of alcoholic beverages must demonstrate a quantifiable need for the proposed use within either the City or surrounding area.

*The existing site will maintain the primary use as a gas station and convenience store. Alcohol sales will be incidental to the primary use. At the April 16 meeting, the Planning Commission asked for clarification for how the term, "need" is addressed in this particular case. The applicant's attorney explained a more fitting term for "need" would be "allowable quota" or "absorption of the use within the community". Since the community of Lathrup Village can handle a convenience store that sells alcohol, the "need" is appropriate in this case.*

We will look forward to discussing the special land use application with the City Council on May 20, 2024.

Regards,

Giffels Webster



Jill Bahm, AICP  
Partner



Eric Pietsch  
Senior Planner

