

REVIEW SUMMARY

The applicant requires a public hearing and approval by the Planning Commission and a recommendation for special land use approval to sell alcohol on the premises. Final action on the special use will be taken by City Council. In July of 2013, the City Council approved a special land use request for the site to operate as a gas station in the Commercial Vehicular District. The gas station has since operated with a convenience store retail use. No changes to the approved site plan are proposed with this special land use request.

The standards for the Planning Commission to consider 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 2013, 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 use is consistent with the property’s commercial designation and will provide a valuable neighborhood service by offering convenient access to everyday grocery items, household needs, and packaged alcoholic beverages in a single location.

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 and intensity. 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; however, the applicant is proposing an extension to the hours of operation as follows:

Weekdays: Monday through Thursday: 6:00 A.M. – 12:00 A.M.

Weekends: Friday and Saturday: 6:00 A.M. – 12:00 A.M.

Sunday: 7:00 A.M. – 11:00 P.M.

Peak Hours Weekdays: 7:00 A.M. – 9:00 A.M. & 4:00 P.M. – 6:00 P.M.

Peak Hours Weekends: Noon

Section 4.7 of the Ordinance states, in part, “no place of business, trade or commerce shall be open for the transaction of business with the general public between the hours of 11:00 p.m. and 7:00 a.m. the following day **except with the express prior approval of the Zoning Board of Appeals as a deviation under the provisions of Section 7.**”

The applicant shall prepare and submit an application for the Zoning Board of Appeals to consider variance relief from the allowed hours of operation as proposed above.

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.

There is no indication the exterior of the existing facilities will be changed with this request and will remain unchanged. If any exterior improvements are pursued, separate permit applications 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. The applicant states, "the proposed use will provide an additional service to customers while remaining compatible with the existing commercial uses in the area. The applicant will comply with all applicable requirements of the Michigan Liquor Control Commission and Chapter 18, Article III of the Lathrup Village Code of Ordinances."

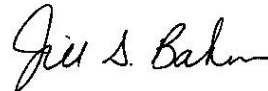
We will look forward to discussing the special land use application with the Planning Commission on August 18, 2026.

Regards,

Giffels Webster



Eric Pietsch
Senior Planner



Jill Bahm, AICP
Partner