



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

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Legislative File No: 2008-0086 V2

TO: Mayor and City Council Members

FROM: Ed Anzek, Director of Planning and Development, ext. 2572

DATE: March 27, 2008

SUBJECT: Conditional Land Use Request to allow an outdoor seating area for the service of food and beverages for Pei Wei Asian Diner, located at the Boulevard Shoppes on Walton, east of Livernois (City File No. 77-505.2).

REQUEST:

Conditional Land Use Approval for Pei Wei Asian Diner, a restaurant located within the recently constructed Boulevard Shoppes on Walton east of Livernois. The applicant would like to add seasonal outdoor seating for the service of food and beverages in the corridor next to the restaurant. Since the restaurant is located in a B-2, General Business zoning district, Section 138-523(11) of the City's Ordinance requires Conditional Land Use approval from City Council for that activity.

BACKGROUND:

At its March 18, 2008 meeting, the Planning Commission recommended that City Council approve the request for Conditional Land Use for the Pei Wei Asian Diner with two conditions regarding dates of operation and using non-flammable materials. The proposed use would not require any modification to the existing site plan based on its seasonal use. The site plan conforms to the current City Code and all previous approvals. The plan has been reviewed by the City's Fire and Building Departments and has been recommended for approval. The applicant will, if approved, be required to submit plans to the City's Building Department prior to issuance of a permit. Please refer to the Minutes from the March 18, 2008 Planning Commission meeting for details of the discussion.

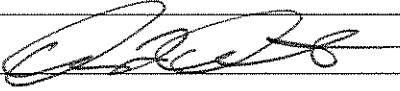
RECOMMENDATION:

Staff and the Planning Commission recommend that City Council approve the Conditional Land Use request for the Pei Wei Asian Diner, based on the findings and conditions contained in the enclosed Resolution.

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA

APPROVALS:	SIGNATURE	DATE
Department Review		3-27-08
Department Director		
Mayor		
City Council Liaison		

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