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April 8, 2008

City of Rochester Hills Planning Commission and
City Council
C/o Maureen Gentry
1000 Rochester Hills Dr.
Rochester Hills MI 48309

Re: Special Use; Outdoor Seating; Crust Pizza-2595 S. Rochester Road

To Ms. Gentry:

Please supplement our previously submitted materials (application, site plan, survey and patio rendering) with this letter. Pursuant to Sec. 138-1306(d), the *discretionary decision shall be based upon the findings that the special land use will:*

- (1) *Promote the intent and purpose of this chapter.*

The purpose of the chapter is best stated in standards (2) – (5) of this subsection. We feel that the submitted request meets the standards set forth in those subsections. See responses below.

- (2) *Be designed, constructed, operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use, and the community as a whole.*

The patio will serve as an outdoor seating area for a recently opened gourmet pizza restaurant. As evidenced by the interior décor, the owner of the restaurant will bring an upscale look to outdoor seating area. The patio will be compatible and consistent with the upscale appearance of the newly constructed shopping center. As the owner of the shopping center, I am in full support of the patio concept. The patio will not increase the use of any public services. It will be contained within the existing parking area and will not affect any of the existing landscaping or natural environment. The

surrounding properties along the east side of Rochester Road are all restaurants. This use will be consistent with the uses in the area.

- (3) *Be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainageways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.*

Prior to this submittal we met with representatives of the building and fire departments. Based upon our informal discussions, the representatives did not see any proposed dangers or burdens on essential services. Our formal submittal is consistent with the representations made at that meeting. Therefore, we feel that this standard has been met. Additionally, the patio will be served by the same road systems, utilities, drainageways, refuse disposal, etc.

- (4) *Not be detrimental, hazardous, or disturbing to existing or future neighboring uses, persons, property or the public welfare.*

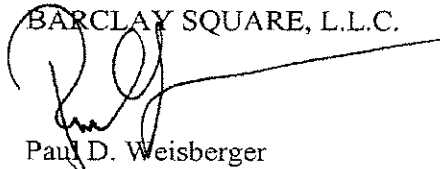
The surrounding properties along the east side of Rochester Road are all restaurants. This use will be consistent with the uses in the area. The patio will be a low impact addition to the shopping center development and will serve as an attractive draw to the development. The subject property is surrounded by commercial development on all four (4) sides.

- (5) *Not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

Prior to this submittal we met with representatives of the building and fire departments. Based upon our informal discussions, the representatives did not see any proposed dangers or burdens on essential services. The patio will be served by the same road systems, utilities, drainageways, refuse disposal, etc. We hope that the patio helps support the current restaurant and makes it more viable, which in turn produces jobs and revenue for the community.

Sincerely,

BARCLAY SQUARE, L.L.C.


Paul D. Weisberger

PDW:b