

**INTRODUCED BY ALDERMAN TOBEN**

**BILL NO. 23-2520**

**ORDINANCE NO. 23-2404**

**AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO LOCKEDIN ESCAPE ROOMS, LLC TO OPERATE AN AMUSEMENT ESTABLISHMENT AT 679 AND 681 BIG BEND ROAD IN THE C-2 COMMERCIAL ZONING DISTRICT AS PROVIDED FOR IN SECTION 405.250(C)(5)(d) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER.**

WHEREAS, applicant LockedIn Escape Rooms, LLC, by its representative Jonathan Brunts, and on behalf of property owner Treetop Associates, LLC, has submitted an application for a Special Use Permit to operate an amusement establishment at 679 and 681 Big Bend Road (the "Property"); and,

WHEREAS, pursuant to Section 405.250(C)(5)(d) of the Zoning Regulations of the City of Manchester, *amusement establishments* are listed as a special use in the C-2 Commercial District to be approved only if found to meet the "general guides and standards" of Section 405.540 of the Zoning Regulations; and,

WHEREAS, the Planning and Zoning Commission reviewed the application on October 23, 2023 and recommended approval of the Special Use Permit; and,

WHEREAS, the Board of Aldermen, on the 20<sup>th</sup> day of November 2023, after publication of notice held a public hearing in accordance with Section 405.550 (D) of the Code of Ordinances of the City of Manchester, and after conducting the public hearing took the proposed Special Use Permit under advisement; and,

WHEREAS, the Board of Aldermen of the City of Manchester, having fully considered the recommended Special Use Permit and the report of the Planning and Zoning Commission, does find that the proposed use would not substantially increase traffic hazards or congestion, would not adversely affect the character of the neighborhood, would not adversely affect the general welfare of the community or adversely affect public safety and health, would not overtax public utilities, is consistent with good planning practice, can be operated in a manner that is not detrimental to the permitted developments and uses in the district with conditions imposed herein, can be developed and operated in a manner that is visually compatible with the permitted uses in surrounding area, and otherwise complies in all respects with the terms and provisions of Chapter 405 and of the Code of Ordinances of the City of Manchester; and,

WHEREAS, based on the above, the Board of Aldermen does further find that approval of the proposed use is in the best interest of the public welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MANCHESTER, STATE OF MISSOURI AS FOLLOWS:

Section One: Based on the facts and findings set forth in the "Whereas" clauses above which are incorporated herein by reference, a Special Use Permit is hereby granted to LockedIn Escape Room, LLC (sometimes referred to herein as "Holder"), to operate an amusement establishment at 679 and 681 Big Bend Road as provided for in Section 405.250(C)(5)(d) of the Zoning Regulations of the City of Manchester. Attached hereto and incorporated herein as Exhibit "A" is the Special Use Permit application for the Property.

Section Two: Holder, by accepting and acting under this Special Use Permit, acquiesces and accepts same subject to the reservations, conditions, and restrictions which are made a part hereof, and said Holder, by said action, does agree that any time such requirements are not met, this Special

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Use Permit may be revoked and terminated, and does further agree that it, its successors, and assigns, shall be held to have acquired no special rights, privileges, or immunities by virtue of proceeding to expend money, time, or effort in the construction, improvement, or maintenance of land herein described and for which this Special Use Permit is granted.

Section Three: The Special Use Permit granted hereunder shall be deemed to have been abandoned one (1) year after the date of the adoption of this Ordinance unless Holder has received from the City of Manchester a building permit or occupancy permit within such year; except that, for reasonable cause, the Board of Aldermen for the City of Manchester may grant one (1) or more extensions of time for additional periods not exceeding one hundred and eighty (180) days for each such extension within which period such holder shall receive a building permit or occupancy permit.

Section Four: This Special Use Permit shall be non-assignable without the expressed consent of the Board of Aldermen of the City of Manchester and is contingent upon the compliance with the Municipal Code of the City of Manchester, including the Zoning Regulations, and all applicable building codes, fire codes, and other governmental regulations.


Section Five: This Ordinance, having been read in full or by title two times prior to passage, shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF NOVEMBER 2023.

CITY OF MANCHESTER, MISSOURI

BY:   
Mayor

ATTEST:

  
City Clerk

INTRODUCED BY ALDERMAN TOBEN

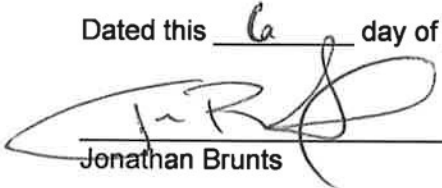
**BILL NO. 23- 2520**

**ORDINANCE NO. 23-2404**

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I, Jonathan Brunts, do hereby declare that I am an authorized representative of LockedIn Escape Room LLC ("Holder"), and do hereby accept on behalf of Holder the foregoing Special Use Permit from the City of Manchester upon the terms and conditions stated above, and acknowledge the intention to operate an amusement establishment at 679 and 681 Big Bend Road and that Holder will fully comply with the terms and conditions of the aforementioned Special Use Permit.

Dated this 6 day of December 2023

  
Jonathan Brunts

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Exhibit A

14318 Manchester Road  
 Manchester, MO 63011  
 P: (636) 227-1385 ex. 118  
 F: (636) 821-8099



**SPECIAL USE  
 PERMIT  
 APPLICATION**

**INSTRUCTIONS AND REQUIRMENTS**

Complete this application and submit with two hard copies and one electronic copy of the supporting documents to the Department of Planning, Zoning and Economic Development. Refer to Article X of the Zoning Code for complete Special Use Permit (SUP) requirements. Submittal documents will vary depending on the special use proposed. If unsure, consult with the Director of Planning, Zoning and Economic Development.

SUPs are reviewed by staff, then when deemed complete forwarded to the City's Planning and Zoning Commission (P&Z) for consideration. P&Z makes a recommendation to the Board of Alderman (BOA). The BOA will approve, approve with Conditions, or deny the application.

P&Z meets twice a month on the second and fourth Monday of the month. SUPs must be submitted 21 days in advance of the P&Z meeting. The non-refundable fee is \$300.

At a minimum, the following shall be submitted:

- A plot survey/sketch/site plan, to scale and showing lot/property and the proposed improvements, including parking, lighting, landscaping and exterior elevations.
- A letter of intent describing the proposed use of the Special Use Permit. Description should include (but is not limited to) the nature of the business, hours of operation, number of employees, reason the SUP should be granted, etc.
- Information on the number of parking spaces assigned to the space.
- Any other pertinent information helpful to describe the site, proposed improvements, and operations of the proposed special use.

New construction, substantial alterations to existing sites or uses that may have an intense impact may be required to submit a traffic impact analysis and stormwater management and erosion control plans.

<b>Project Address:</b> <u>679 / 681 Big Bend Rd</u>	
<b>Owner:</b> <u>Treetop Associates, LLC</u>	
<b>Address:</b> <u>150 N Meramec, Suite 500</u>	<b>Phone:</b> <u>314-862-9400</u>
<b>City, State, Zip:</b> <u>Clayton, MO, 63105</u>	<b>Email:</b> <u>m.long@gershmancommercial.com</u>
<b>Applicant/Representative:</b> <u>JENNIFER BEWITS</u>	
<b>Address:</b> <u>2314 Ayleswick Drive</u>	<b>Phone:</b> <u>314 585 4410</u>
<b>City, State, Zip:</b> <u>St. Louis MO 63129</u>	<b>Email:</b> <u>TEAM@LOCKEDIN-ESCAPE ROOMS.COM</u>
<b>Type of Review:</b> <input checked="" type="checkbox"/> Preliminary <input type="checkbox"/> Amendment (date original SUP approved _____)	

**Provide a project summary, describing the proposed special use and why the SUP should be granted. If proposing an amendment, describe the proposed changes and reason for the request.**

N/A AR

**X Supporting Documents Attached (Check all those required. If unsure, consult with the Director of Planning, Zoning and Economic Development).**

Elevations  Traffic Impact Study  Lighting/Photometric Plan  Landscaping Plan/Tree Inventory  
 Erosion Control  Stormwater Management  Conceptual Approval/Input from Other Jurisdictions  
 Legal documents (contract, cross access agreement, etc.)  Other Information Required

**I hereby certify that the information contained in this application and accompanying documents are correct, and that I will conform to all applicable laws of the City of Manchester.**

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant's Name Printed: \_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner's Name Printed: \_\_\_\_\_

**FOR OFFICE USE ONLY BELOW**

Zoning District: C-2

Case #: \_\_\_\_\_ P&Z Meeting Date/Action: \_\_\_\_\_ BOA Meeting Date/Ordinance #: \_\_\_\_\_

Conditions: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

*Director, Planning, Zoning and Economic Development*

Application Received (Date): \_\_\_\_\_ Fee Paid (Date): \_\_\_\_\_

Revision's Received (Dates): \_\_\_\_\_



## Special Use Permit ADDITIONAL INFORMATION

### **WHAT IS A SPECIAL USE PERMIT (SUP)?**

Within each zoning district in the City of Manchester, certain types of land uses are allowed. These land uses fall into two categories: those that are outright permitted ("permitted by right") and those that are permitted subject to the issuance of a SUP.

Special uses are those that may be desirable, necessary or convenient but that may have detrimental impacts to surrounding areas due to noise, odor, pollution, traffic, additional need for parking and/or other characteristics unique to the particular use. To ensure any negative impacts of the businesses are mitigated, each special use must be reviewed by staff and reviewed and approved by the Planning and Zoning Commission (P & Z) and the Board of Alderman (BOA).

Article X of the City's Zoning Code provides regulations for Special Use Permits.

### **APPLICATION AND APPROVAL PROCESS**

*Applicants are advised to consult with staff from the Department of Planning, Zoning and Economic Development in advance of submission. The requirements and processes vary depending on the proposed project.*

1. Two completed hard copies of the application/supporting documentation and one electronic copy of the application/supporting documentation and the non-refundable application fee of \$300 must be submitted to the Department of Planning, Zoning and Economic Development. Consult with City staff and/or refer to Article X of the Zoning Code for a complete list of submissions. The application packet must be submitted 21 days in advance of the P&Z meeting (or as otherwise listed below) to be placed on that agenda.

### **Planning and Zoning Commission Meetings and Application Deadlines June – December 2023**

P&Z MEETING DATE	APPLICATION DEADLINE
June 12	May 24
June 19	June 6
July 10	June 21
July 24	July 3
August 14	July 26
August 21	August 8
September 11	August 23
September 25	September 5
October 9	September 20
October 23	October 2
November 13	October 24
November 27	November 7
December 11	November 21

The P&Z meets the second and fourth Monday of each month when there is business to conduct. Meetings are held at 6:30 p.m. and are hybrid via zoom and in person at the Manchester Highlands Justice Center, 200 Highlands Boulevard, Manchester Missouri 63011.

2. City staff processes and reviews the application. This includes interdepartmental coordination with impacted City departments (Public Works, Parks and Recreation, Police Department) and other pertinent public agencies (St. Louis County, MoDOT, MSD, School Districts etc.).
3. Planning and Zoning Commission considers the application and votes on a recommendation to approve, approve with conditions or deny the application. The applicant should attend the meeting to present the request and respond to questions.
4. Board of Alderman conducts a public hearing on the application. Public notification of the hearing includes a direct mailing to property owners within 185' of the subject property, posting a sign on the property and placing a notice in a newspaper. BOA will conduct a public hearing and then approve or deny the application, with or without conditions. The applicant should attend the meeting to respond to questions. A SUP is approved by ordinance.

#### **AFTER APPROVAL**

After a SUP has been granted, the holder of the permit must obtain a business license, occupancy permit or other its equivalent no later than one (1) year after ordinance adoption. An extension may be granted for time periods of ninety (90) days by the BOA if good cause of the delay is shown.

All conditions of the SUP must be met. Failure to comply can result in revocation of the SUP.

SUPs are site specific (tied to a parcel) and issued to an individual. SUPs may be transferred to another individual if approved by the Board of Alderman. SUPs are not transferrable to other properties. Contact City staff for process.





## BOARD OF ALDERMAN AGENDA ITEM COVER

**MEETING DATE:** November 20, 2023

**AGENDA ITEM TITLE:** Case Number 23-SUP-004: Consideration of a Special Use Permit to allow 679 and 681 Big Bend Road to be used for an amusement establishment (escape room), located in the C-2 Commercial zoning district.

**AGENDA SECTION:** New Legislation (*Emergency Reading Requested By Applicant*)

**BACKGROUND:** LockedIn Escape Room, applicant is seeking approval to use 679 and 681 Big Bend Road as an amusement establishment (escape room), which requires a Special Use Permit (SUP) for properties in the C-2 Commercial.

Section 405.550 of City's Zoning Ordinance requires that a public hearing be conducted for a Special Use Permit. After such a hearing, the Board of Alderman is to determine if the SUP:

1. Will substantially increase traffic hazards or congestions.
2. Will adversely affect the character of the neighborhood.
3. Will adversely affect the general welfare of the community.
4. Will overtax public utilities.
5. Will adversely affect public safety and health, including substantially increasing fire hazards.
6. Is consistent with good planning practice.
7. Can be operated in a manner that is not detrimental to the permitted developments and uses in the district.
8. Can be developed and operated in a manner that is visually compatible with the permitted uses in surrounding area.
9. Otherwise complies in all respects with the terms and provisions of this Chapter and of the Code of Ordinances of the City of Manchester.

If the findings of the Board of Aldermen (BOA) are negative as to all subjects referred to in Subsections (1) through (5) above and are affirmative as to all subjects referred to in Subsections (6) through (9) above, and all applicable matters in Section 405.540 (see staff report for analysis) above have been adequately provided for, then the application shall be granted.

The Planning and Zoning Commission recommended approval of the SUP at their October 23, 2023 regular business meeting. Approval by BOA shall be by ordinance.

**Attachments:**

1. Staff Report
2. Public Hearing Notification
3. Planning and Zoning Commission Draft Minutes
4. Emergency Reading Request

**PREPARED BY:**

*Andrea Riganti*

Andrea Riganti, AICP

Director of Planning, Zoning and Economic Development



**DEPARTMENT OF  
PLANNING, ZONING AND ECONOMIC DEVELOPMENT**

**TRANSMITTAL TO PLANNING AND ZONING COMMISSION**

**APPLICATION NUMBER:** PC-23-SUP-004

**REQUEST:** Special Use Permit (SUP) to allow 679 and 681 Big Bend Road to be used for an amusement establishment (escape room).

**APPLICANT NAME:** Jonathan Brunts

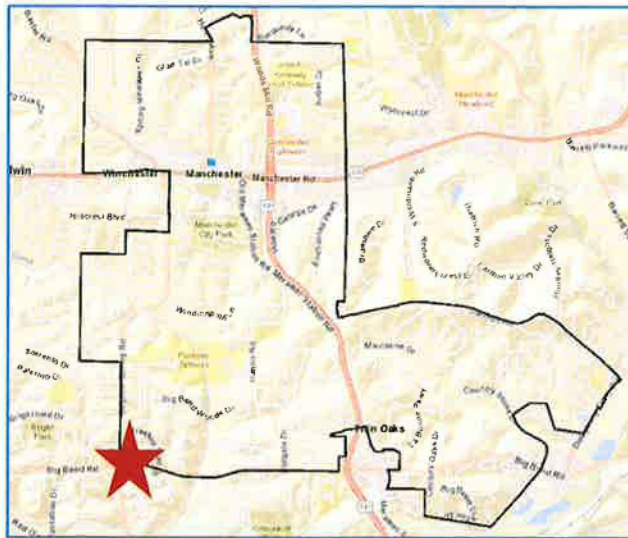
**MEETING DATE:** October 23, 2023

**ZONING:** C-2 Commercial

**LAND USE:** Commercial/Retail

**PLANNING COMMISSION ACTION:** Consideration of a SUP in accordance with Section 405.550 of the Zoning Code. Planning and Zoning Commission makes a recommendation to the Board of Alderman to approve, approve with conditions, or deny the request.

**GENERAL LOCATION:**



**STAFF ADVISORY**

## 1. BACKGROUND

The City of Manchester's Zoning Code divides the City into districts and establishes a set of land uses that are either "permitted" or "special". Permitted uses are compatible land uses authorized as a matter of right. Special uses are those that may cause potential conflict depending on the scope of the operation. A special use may be allowed after a review by Planning and Zoning Commission and Board of Alderman, in accordance with Article X. Each special use is evaluated on its own merits.

The applicant is seeking approval to use two units located at 679 and 681 Big Bend Road as an escape room. The units are located in the Treetop Commercial Center, which is zoned C-2 Commercial.

An amusement establishment is listed as a special use in the C-2 Commercial District. Therefore, a Special Use Permit is required for the proposed use.

### Property Context

Treetop Commercial Center is located in the southwest portion of the City, north of Big Bend Road, east of Sulphur Spring Road, and south and west of Treetop Subdivision. It is comprised of 47,369 square feet of office/retail space in 25 units. The center was constructed in 1981 and has approximately 235 parking spaces. The site is served by three curb cuts: two from the south off Big Bend Road and one from the west off of Sulphur Spring Road.

The surrounding properties are zoned R-4 Residential to the north and east, C-8 Commercial to the south and west in unincorporated St. Louis County. The surrounding land uses include commercial (retail and office) and residential. The residential areas are buffered from the Center by +/- 95' of greenspace/landscaping.

### Property and Surrounding Areas





## **2. DISCUSSION**

The proposed escape room will be located in two corner units that will have a combined space of 4,027 square feet. Prior uses in the two units include an optical store and medical office. The use will require interior renovation of existing space; therefore no site plan is required. The location has adequate open space, lighting, buffering, paving, sewage, stormwater, ingress/egress, and rubbish service for the escape room use. No modifications to these site elements are required for the proposed use.

LockedIn Escape Rooms will include four escape rooms with a maximum capacity of 50. The business will employ 10-15 individuals, with 5 employees per shift. The proposed hours of operation are:

Monday thru Thursday: 10:00 a.m. – 10:00 p.m.

Friday and Saturday: 10:00 a.m. – 11:00 p.m.

Sunday: 10:00 a.m. – 8:00 p.m.

An amusement place requires 1 parking space per 100 square feet of floor area, or approximately 40 for this use. The Center currently has adequate parking to serve existing tenants and the proposed use. The use is not expected to substantially increase traffic congestion.

The use is not expected to adversely affect the character of the neighborhood or the general welfare of the community.

In its deliberations, the Planning and Zoning Commission shall review general planning considerations and may impose conditions to the approval of a special use. Section 405.540.A of the zoning code states that "...A Special Use permit should be approved if it is found that the location is appropriate and not in conflict with the City's Master Plan, that the public health, safety, morals and general welfare will not be adversely affected, that such things as adequate utilities, off-street parking facilities and signage consistent with the sign regulations will be provided, and that the necessary safeguards will be provided for the protection of surrounding property, persons and neighborhood values..."

### **3. PLANNING AND ZONING COMMISSION ACTION**

With respect to a Special Use Permit review, Section 405.550 of the Zoning Code states instructs the "...City's Planning and Zoning Commission to investigate and report as to the matters set forth in Section 405.540 hereof and as to the effect of such building, buildings, structures or uses upon traffic hazards or congestion, the character of the neighborhood, the general welfare of the community, the public utility facilities and fire hazards...". The Planning and Zoning Commission makes a recommendation to the Board of Alderman to approve the Special Use Permit with conditions or deny the request. A public hearing will be conducted by the Board of Alderman.

Staff recommends approval of this Special Use Permit.

Exhibits

1. Application and Submittals

1400 S. Highway Drive,  
Fenton, MO, 63026, USA  
314-421-1880, <https://molawyersmedia.com/news/st-louis/>

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<b>Category:</b>	Hearings and Minutes
<b>First Issue:</b>	11/04/2023
<b>Last Issue:</b>	11/04/2023
<b># of Insertions:</b>	1
<b>Net Charge:</b>	\$34.51
<b>Payments/Credits:</b>	\$0.00
<b>Amount Due:</b>	\$34.51
<b>Affidavit Reference:</b>	Case Number - PC-23-SUP-004

## Ad Proof

### PUBLIC HEARING NOTICE

The City of Manchester Board of Aldermen shall hold a public hearing on Monday, November 20 at 7:00 p.m. at the Manchester Justice Center, 200 Highland Boulevard Dr, to consider the following

CASE NUMBER- PC-23-SUP-004, a Special Use Permit (SUP) to allow 679 and 681 Big Bend Road location in the C-2 Commercial Zoning District to be used for an amusement establishment (escape room). Interested parties will have the opportunity to make public comments live during the meeting either in-person or by using online video conference software. If an individual chooses to participate via video conference, they may register for the meeting at [www.manchestermo.gov](http://www.manchestermo.gov). Public comment may also be emailed to the Manchester City Clerk no later than 12:00 p.m. on Monday, November 20, 2023. Submit public comments to:

[mmelugin@manchestermo.gov](mailto:mmelugin@manchestermo.gov)  
2554289 County Nov. 4, 2023

**\* Changes to this order may result in pricing changes \***

## A. PC-23-SUP-004

Chairman Truesdell introduced case PC-23-SUP-004, stating that the request was for a consideration of a Special Use Permit to allow 679 and 681 Big Bend Road, located in the C-2 Commercial Zoning District, to be used for an amusement establishment (escape room).

Director Riganti proceeded with the staff report, stating that the applicants are seeking to open an escape room within the C-2 District, located in a strip center on the corner of Big Bend Rd and Sulphur Spring Rd. Director Riganti indicated that the applicants are proposing to combine two of the units for the use, needing to remodel the inside only and having no proposed changes to lighting, open space, off-street parking, and ingress/egress.

Mr. Jonathan Brunts, representing Locked In Escape Room, stated that he currently owns Altered State Comics, located within the same strip center as the purposed location for the escape room. Mr. Brunts indicated that he and his partners wanted to bring more family entertainment options into the City of Manchester, explaining that the escape room will contain 4 game rooms, and the hours of operation are tentatively 10am to 10pm.

Chairman Truesdell inquired about the customers they planned to target with the escape room. Mr. Brunts indicated that they plan to target all age groups, and they would like to have team-building activities for businesses within the area.

Chairman Truesdell asked if any food or beverages will be sold at the escape room. Mr. Brunts confirmed that they will not be selling any of those items.

Chairman Truesdell motioned to approve the request of the allowance of an escape room through a Special Use Permit, seconded by Commissioner Streeter. Motion carried unanimously by voice vote.

## B. PC-23-TXT-004

Chairman Truesdell introduced case PC-23-TXT-004, stating that the request was for a consideration of a Text Amendment to Section 405.640 Greenspace Requirements.

Director Riganti stated that the Greenspace regulations that the City has currently are challenging administratively, yard definitions are unclear, the process of a greenspace variance request is a departure from the City's typical variance requests processes, and there are many nonconformities in the C-1, C-2 commercial districts. Director Riganti presented an illustration on a residential property of the current regulations for greenspace including the yard definitions and amount of greenspace required in those yards. Director Riganti stated that the proposed text amendment modeled after surrounding communities uses a site coverage ratio, eighty percent of greenspace provided on the site in residential, and twenty percent of greenspace provided on the site for commercial or as determined through site plan review. Director Riganti indicated that the amendment will address the nonconformity properties, it will also be more reasonable based on the market and prevailing pattern, and the greenspace variance request will be referred to the Board of Adjustment rather than the Planning and Zoning Commission.

Mayor Clement asked for clarification on the need for the text amendment to the greenspace requirements. Director Riganti stated that the text amendment will be more consistent with other communities on greenspace regulations and definitions, more applicable for new development and existing properties, can reflect current conditions, and it will be easier for the City Staff to interpret.

Commissioner Streeter asked for the risks that will come with using a site coverage ratio rather than having a percentage of greenspace required for rear, sides, and front yard. Director Riganti stated