

INTRODUCED BY ALDERMAN TOBEN

BILL NO. 24-2525

ORDINANCE NO. 24-2409

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO BRUCE JI AND BEYOND WOK EXPRESS LLC TO OPERATE A RESTAURANT AT 647 BIG BEND ROAD IN THE C-2 COMMERCIAL ZONING DISTRICT AS PROVIDED FOR IN SECTION 405.250(C)(5)(f) OF THE MUNICIPAL CODE OF THE CITY OF MANCHESTER.

WHEREAS, Bruce Ji on behalf of Beyond Wok Express LLC has submitted an application for a Special Use Permit to operate a restaurant at 647 Big Bend Road (the "Property"); and,

WHEREAS, the Planning and Zoning Commission reviewed said application on January 8, 2024 and recommended approval of the Special Use Permit; and,

WHEREAS, on February 5, 2024, after publication of notice the Board of Aldermen held a public hearing in accordance with Section 405.550 (D) of the Municipal Code of the City of Manchester, and after conducting said 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 Municipal Code of the City of Manchester; and,

WHEREAS, based on the above, the Board of Aldermen does further find that 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 Bruce Ji on behalf of Beyond Wok Express LLC (sometimes collectively referred to herein as "Holder"), to operate a restaurant at 647 Big Bend Road as provided for in Section 405.250(C)(5)(f) of the Municipal Code 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 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.

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Section Three: Any special use permit granted hereunder shall be deemed to have been abandoned one (1) year after the date of the adoption of the ordinance granting same unless the holder of such special use permit has received within such year a building permit or occupancy permit from the City or other appropriate jurisdiction; except that for good cause shown, 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 Code of Ordinances of the City of Manchester, the Zoning Ordinance of the City, and all applicable building codes, fire codes, and other governmental regulations.

Section Five: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

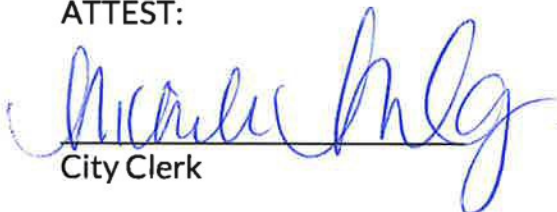
Section Six: This Ordinance, having been read in full or by title two times prior to passage, shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 20TH DAY OF FEBRUARY, 2024.

CITY OF MANCHESTER, MISSOURI

BY: 
Mayor

ATTEST:


City Clerk

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I, Bruce Ji, as an authorized representative of Beyond Wok Express, LLC ("Holder"), do hereby accept the foregoing Special Use Permit from the City of Manchester upon the terms and conditions stated above, and acknowledge the intention to operate a restaurant at 647 Big Bend Road and that Holder will fully comply with the terms and conditions of the aforementioned Special Use Permit.

Dated this 28 day of Feb, 2024



Bruce Ji

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.

Project Address: 647 Big Bend Rd Saint Louis MO 63021

Owner: BeyondwokExpress LLC

Address: 8805 Ryegate Ct **Phone:** 314-757-3996

City, State, Zip: Saint Louis MO 63127 **Email:** wokexpressbigbend@yahoo.com

Applicant/Representative: Xiaoqiang (Bruce) Ji

Address: 8805 Ryegate Ct **Phone:** 314-757-3996

City, State, Zip: Saint Louis MO 63127 **Email:** _____

Type of Review: Preliminary 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.

- This appicaiton is for a local asian type fastfood restarant.
1. I took over the current business named Dynasty, keep everything the same but the name will be cahnged to Wok Express.
 2. Opration hour is set from Tuesday- Sunday 11:00am-9:00pm. 2 employees.
 3. Parking lots are shared
 4. No improvements or changes asked.

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: XIAOQING JI Date: 12/18/2023

Applicant's Name Printed: XIAOQIANG JI

Owner's Signature: XIAOQINAG JI Date: 12/18/2023

Owner's Name Printed: XIAOQIANG JI

FOR OFFICE USE ONLY BELOW

Zoning District: _____

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): _____



DEPARTMENT OF PLANNING, ZONING AND ECONOMIC DEVELOPMENT

TRANSMITTAL TO PLANNING AND ZONING COMMISSION

APPLICATION NUMBER: PC-24-SUP-01

REQUEST: Special Use Permit (SUP) to allow 647 Big Bend Road to be used for a restaurant

APPLICANT NAME: Bruce Ji

MEETING DATE: January 8, 2024

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 647 Big Bend Road as a restaurant. The unit is in the Treetop Commercial Center, which is zoned C-2 Commercial.

A restaurant 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



Source: Gershman CRE



2. DISCUSSION

The restaurant will be located in one unit that was previously occupied by Dynasty restaurant. There are no proposed interior remodels, 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.

The proposed hours of operation are Tuesday through Sunday from 11:00 a.m. to 9:00 p.m. There will be two employees.

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

~~Commissioner Korte asked if any stripping or arrows will be involved to direct the traffic one way into the parking spaces located in the rear. Director Riganti stated that the Commission can make a recommendation for parking and site circulation signs. Chairman Truesdell motioned to approve case number PC-23-SP-003, with a recommendation that the developer work with the City on parking signage, seconded by Mayor Clement. Motion approved unanimously by voice vote.~~

B. PC-24-SUP-01

Chairman Truesdell introduced case PC-24-SUP-01, stating that the case is for consideration of a Special Use Permit for 647 Big Bend, to allow the property to be used for a restaurant in the C-2 Zoning District.

Director Riganti presented the staff report, stating that a Special Use Permit is required to operate in the C-2 Zoning District. Though the property was formerly occupied by a restaurant, no Special Use Permit could be found for the site. Therefore, a new Special Use Permit is required rather than a Special Use Permit transfer application. Director Riganti then stated that there will be two employees, with the proposed hours of operation being Tuesday through Sunday, from 11:00 a.m. to 9:00 p.m.

The applicant, Bruce Ji, stated that this will be the second location for his Wok Express restaurant. The other location is Maryland Heights. The proposed operation is carry out and delivery only, with a few interior tables for waiting patrons.

Chairman Truesdell asked if the site would need any modifications for the proposed use. Bruce Ji indicated that there will be only slight interior modifications to represent the new restaurant. No interior remodeling is needed. Chairman Truesdell then asked when the applicant planned on opening the business. Mr. Ji indicated that February is the target date.

Chairman Truesdell motioned to approve case number PC-24-SUP-01, seconded by Alderman Nolte. Motion approved unanimously by voice vote.

~~**6. PLANNING, ZONING AND ECONOMIC DEVELOPMENT DIRECTOR'S REPORT**~~

~~Director Riganti informed the commission that Planning Technician, Loriell Campbell has resigned from the City of Manchester to accept an opportunity aligned with her engineering degree. Ms. Campbell will be missed, and the City is recruiting a replacement. Director Riganti indicated that the Commission will meet on January 22.~~

~~Chairman Truesdell asked about the plan for the recently closed commercial spaces in the Highlands of Manchester. Director Riganti assured the commission that the City is collaborating with the site's broker. The most recent communication from the broker indicated that a potential user has been identified and negotiations are ongoing.~~

7. MAYORAL REPORT

Mayor Clement stated that he and the City Administrator will be meeting with the Aldermen over the next two weeks to address 2024 priorities. Mayor Clement indicated that the end of year budget reports will be released soon and changes in revenue and expenses are anticipated. Mayor Clement reported on job vacancies, including the Planning Technician, Human Resource Director and two police officers. Mayor Clement invited the commission to Conversations with the Mayor January 17th at 7:30 a.m.