



**PLANNING AND ZONING COMMISSION
MEETING
1 GOVERNMENT CTR, BALLWIN, MO 63011
MONDAY, OCTOBER 07, 2024 at 7:00 PM**

AGENDA

- 1. Call to Order**
- 2. Approval of Minutes**
 - a.** Minutes of the August 5, 2024 Planning & Zoning Commission Meeting
- 3. Agenda Items**
 - a.** SUE-24-07 Petition for a Special Use Exception for a restaurant with front yard parking, outside seating and the sale of alcoholic beverages at 100 Holloway Road.
- 4. Adjourn**

***NOTE:** Due to ongoing City business, all meeting agendas should be considered tentative. Additional issues may be introduced during the course of the meeting.*

***ADA NOTICE:** Residents of Ballwin are afforded an equal opportunity to participate in the programs and services of the City of Ballwin regardless of race, color, religion, sex, age, disability, familial status, national origin or political affiliation. If one requires an accommodation, please call (636) 227-8580 V or (636) 527-9200 TDD or 1-800-735-2466 (Relay Missouri) no later than 5:00 p.m. on the third business day preceding the hearing. Offices are open between 8:00 a.m. and 5:00 p.m. Monday through Friday.*



THE MINUTES ARE PREPARED IN SUMMARY TO REFLECT THE OVERALL DISCUSSIONS, NOT VERBATIM QUOTES.

The meeting was called to order by Chairman Grant Alexander at 7:00 p.m.

ROLL CALL

Present

- Mayor Tim Pogue
Alderman David Siegel
Chairman Grant Alexander
Commissioner Janet Carr
Commissioner Derek Beiter
Commissioner Victoria Winfrey
Commissioner Zach Carter
Commissioner Scott Brinker
Commissioner Michael Swain
City Attorney Robert Jones
City Planner Lynn Sprick

Absent

- Commissioner Bill Hinds

MINUTES

The minutes from the July 1, 2024 Planning & Zoning Commission Meeting were submitted for approval. A motion to approve as submitted was made by Commissioner Beiter and seconded by Commissioner Carr. The motion was approved unanimously.

AGENDA ITEMS

SUE 24-06 - Petition for a Special Use Exception for a restaurant with front yard parking at 15575 & 15577 Manchester Road

Lynn Sprick summarized the Petition. Mohammed Ayyash (Petitioner) provided further details. Chairman Alexander asked about the focus of the business. Mohammed Ayyash said it is a franchise restaurant that focuses on crepes and other dessert items. Commissioner Carr asked what the business hours would be. Mohammed Ayyash said the hours of operation will be either 12pm - 12am or 10am - 10pm. Commissioner Swain asked if gelato will be sold at the restaurant. Mohammed Ayyash confirmed that gelato, coffee, and other items would be offered..



Meeting Minutes

August 5, 2024 7:00 PM

1 GOVERNMENT CTR. BALLWIN, MO 63011

Lynn Sprick asked if there would be any alcohol sold on site and if there would be any outside seating. Mohammed Ayyash answered no alcohol would be sold on site and patio seating would be added in the future. The patio will be 20' x 20' with four or five tables.

Commissioner Brinker asked if any parking spaces would be lost as a result of the patio addition. Mohammed Ayyash answered no.

Chairman Alexander said the patio is shown on the development plan and it would extend out from the side of the building, not affecting the existing parking lot.

Chairman Alexander went on to ask about green space requirements. Lynn Sprick said the Petitioner may be required to obtain an excavation permit from the Public Works Department.

Victoria Winfrey asked the number of employees. Mohammed Ayyash answered six to eight employees. Chairman Alexander asked per shift or total. Mohammed Ayyash said that would be the total number of employees.

Chairman Alexander opened the public hearing. Noone came forward to speak in favor or opposition of the Petition. Chairman Alexander closed the public hearing.

Mayor Pogue asked for the proposed patio to be added to the Petition.

Chairman Alexander motioned to recommend approval of the Special Use Exception. Commissioner Swain seconded the motion, which was approved unanimously.

OTHER BUSINESS

Lynn Sprick talked about Commissioner training opportunities offered by University of Missouri St Louis or the American Planning Association.

The Commission agreed to the purchase of the training offered by the APA.

Chairman Alexander motioned to adjourn.

Commissioner Carr seconded and the meeting was adjourned at 7:15pm



SPECIAL USE EXCEPTION PETITION

CITY OF BALLWIN }
COUNTY OF ST. LOUISIS }
STATE OF MISSOURI }

FEE: with site plan review \$ 1,500.00
without site plan review \$ 750.00
PAID: [checkmark]
NUMBER: SUE-24-07

TO THE BOARD OF ALDERMEN
CITY OF BALLWIN

Type of Special Use Exception: Restaurant w/ alcohol,
outside seating

Code Section under which petition is being filed:

Now comes (print name of Petitioner) David Sanchez, Lety's
and states to the Board of Aldermen: Sergio Sanchez

- I. That he, she, it, they, has (have) the following legal interest in the tract of land and/or premises located within the corporate limits of Ballwin, Missouri, described in Section II of this petition.
A. State Legal Interest: Tenant
B. Documentation of Legal Interest must accompany this petition.
II. That the legal description of the property/premises, for which a Special Use Exception is desired, is enclosed.
III. That a survey or drawing of the property/premises, for which a Special Use Exception is requested, is enclosed, and said drawing is to a scale of 100 feet or less to the inch.
IV. That the street address of said property is: 100 Holloway Rd
V. That the area (acres or square feet) of said property is:
VI. That the zoning classification of said property is: C-1
VII. That the present use of said property is: Restaurant
VIII. That the intended use of said property is: Restaurant
IX. That the proposed Special Use Exception does not violate any private deed restrictions on said property.
X. That all information provided herein is true and a statement of fact.

I, the Petitioner, do hereby request an Ordinance of the Board of Aldermen approving and granting the herein described Special Use Exception.

PETITIONER: Sanchez

AUTHORIZED SIGNATURE: [Signature]

AUTHORIZED SIGNATURE (PRINTED): Sergio Sanchez

ADDRESS: 110 Now Ballwin Rd

CITY/STATE/ZIP: Ballwin MO 63021

TELEPHONE NO. 847-804-6217 mukupiteballwin@yahoo.com

I, (print name of Petitioner) _____, do hereby designate _____ as my agent for purposes of presenting this petition, negotiating with the City of Ballwin on all issues relative to this petition, and corresponding and communicating with representatives of the City of Ballwin relative to this petition.

Property owner
AGENT'S SIGNATURE: SESHU B. ENTURI (S. Enturi)

AGENT'S NAME (PRINTED): SESHU B ENTURI

ADDRESS: 413 Valley Spring Dr

CITY/STATE/ZIP: O FALLON MO, 63366

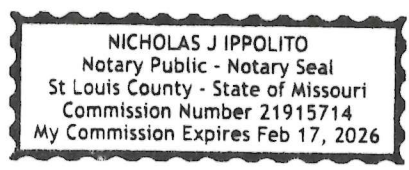
TELEPHONE NO. 314-583-5380, S2INFRA22C@GMAIL.COM

Subscribed and sworn before me this 19th day of August, 2024.

[Signature]
Notary Public

My Commission Expires

Feb. 17, 2026



Petition Number: SUE-24-07

Public Hearing Date: October 7, 2024

Petitioner: David Sanchez
100 Holloway Road
Ballwin, Missouri 63011

Project Name: Mi Lupita Restaurant

Requested Action: Petition for a Special Use Exception for a restaurant with front yard parking, outside seating and the sale of alcoholic beverages at 100 Holloway Road.
[per Appendix A, Article XIV, Section 1 (14) (20) & (21)]

Location: 100 Holloway Road

Existing Zoning: C-1 Commercial District

Surrounding Zoning: C-1 Commercial District

Project Description: Restaurant with front yard parking, outside seating and the sale of alcoholic beverages.



Figure 1 - Aerial view of the site and surrounding properties. Source: St Louis County



Figure 2 - Street view of the development

Project description:

This Petition is for a Special Use Exception to establish a restaurant at 100 Holloway Road, featuring front yard parking, outdoor seating, and the sale of alcoholic beverages. The property is situated on the northwest corner of Holloway Road and West Orchard Avenue, within the commercial development known as Holloway Plaza. It is zoned C-1 Commercial District, as are the surrounding properties. The Petitioner intends to relocate the Ballwin restaurant, Mi Lupita, from its current location to this site. The proposed floor plan includes seating options both indoors and outdoors.

Staff analysis:

This petition seeks a Special Use Exception to establish a restaurant at 100 Holloway Road, featuring front yard parking, outdoor seating, and the sale of alcoholic beverages. The basis for this request is outlined in Appendix A, Article XIV, Section 1(20), which permits restaurants as a special use exception, and Section 1(21), which allows the sale of alcoholic beverages by the drink for on-premises consumption. This petition complies with the zoning requirements for a special use exception.

Additionally, a special use exception is required for front yard parking along a public right-of-way, as specified in Appendix A, Article XIV, Section 1(14), which mandates special use exception approval for parking within any front yard.

The proposed restaurant will be located in an existing development, Holloway Plaza. The space was most recently occupied by a restaurant known as Candicci's, and no exterior or site changes, aside from signage, are planned at this time.

When reviewing a Special Use Exception, the Planning & Zoning Commission and Board of Aldermen shall determine whether such exception:

- a. Will substantially increase traffic hazards or congestion.

A new tenant in this existing development will naturally result in an increase in traffic. However, it is important to note that this is an existing development that originally satisfied parking requirements during its construction phase and is now recognized as an existing, legally non-conforming aspect of the site.

b. Will adversely affect the character of the neighborhood.

The proposed development should not adversely affect the character of the neighborhood. It is situated within an established commercial area designated as part of Ballwin's "Town Center" in the City's Comprehensive Plan.

c. Will adversely affect the general welfare of the community.

The proposed development should not adversely affect the welfare of the community.

d. Will overtax public utilities.

The proposed development should not overtax public utilities.

e. Will adversely affect public safety and health.

The proposed development should not adversely affect public safety and health.

f. Is consistent with good planning practice.

The proposed development would meet all current special use exception requirements and is consistent with good planning practice.

g. Can be operated in a manner that is not detrimental to the permitted developments and uses in the district.

The proposed development should not be detrimental to the permitted developments and uses in the district.

h. Can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.

The proposed development should be operated in a manner that is visually compatible with the permitted uses in the surrounding area.

Staff recommendation:

This Petition is for a Special Use Exception to establish a restaurant at 100 Holloway Road, featuring front yard parking, outdoor seating, and the sale of alcoholic beverages. The restaurant would occupy space in an existing development. Staff has no concerns about the approval of this Petition.

MI LUPITA BALLWIN

Executive Summary:

Mi Lupita is family owned and operated by the Sanchez family. We have been serving our Zacatecas inspired cuisine for 30 years in Ballwin. We are happy and elated at the prospect of expanding to have our grandmothers' recipes reach more people in the community.

Business History:

In 1994, my uncle Jose Campos, famously known as Pepe, opened Mi Lupita with his family. With recipes from his mother and his in-laws, they were able to serve something unique to the area. Mi Lupita till this day remains to be one of the most authentic Mexican restaurants in West County and we're so happy to have it here in Ballwin. In 2011, his sister Lety Sanchez and I, her son, took over Mi Lupita and have been running it ever since. Lety was able to come in with her new ideas and other recipes that have been able to take Mi Lupita Ballwin to the next level. It's been loved by the community and as we have gained popularity throughout the years, we have out grown the space we currently reside.

Locational Rationale:

We are hoping to relocate to 100 Holloway Road. This location provides us with the advantage of having the space to serve larger groups, provides a safer accessibility to the building, and have clear visibility from Holloway Road. In addition, it will finally be able to provide our patrons with what they have been asking for: a patio and an area for private events.

The new location comes equipped with a larger patio that will seat approximately 40 guests comfortably. We will serve food and alcohol (to those of age) until 9PM.

The banquet room will also allow patrons to host their private events which will be separate from the restaurant.

In the future, we would like the opportunity for live music to be provided at least 3 times a year if possible. We want to add to the experience for our patrons by providing live music on Cinco de Mayo, Mexican Independence Day, and maybe once over the summer.

Hours of Operation

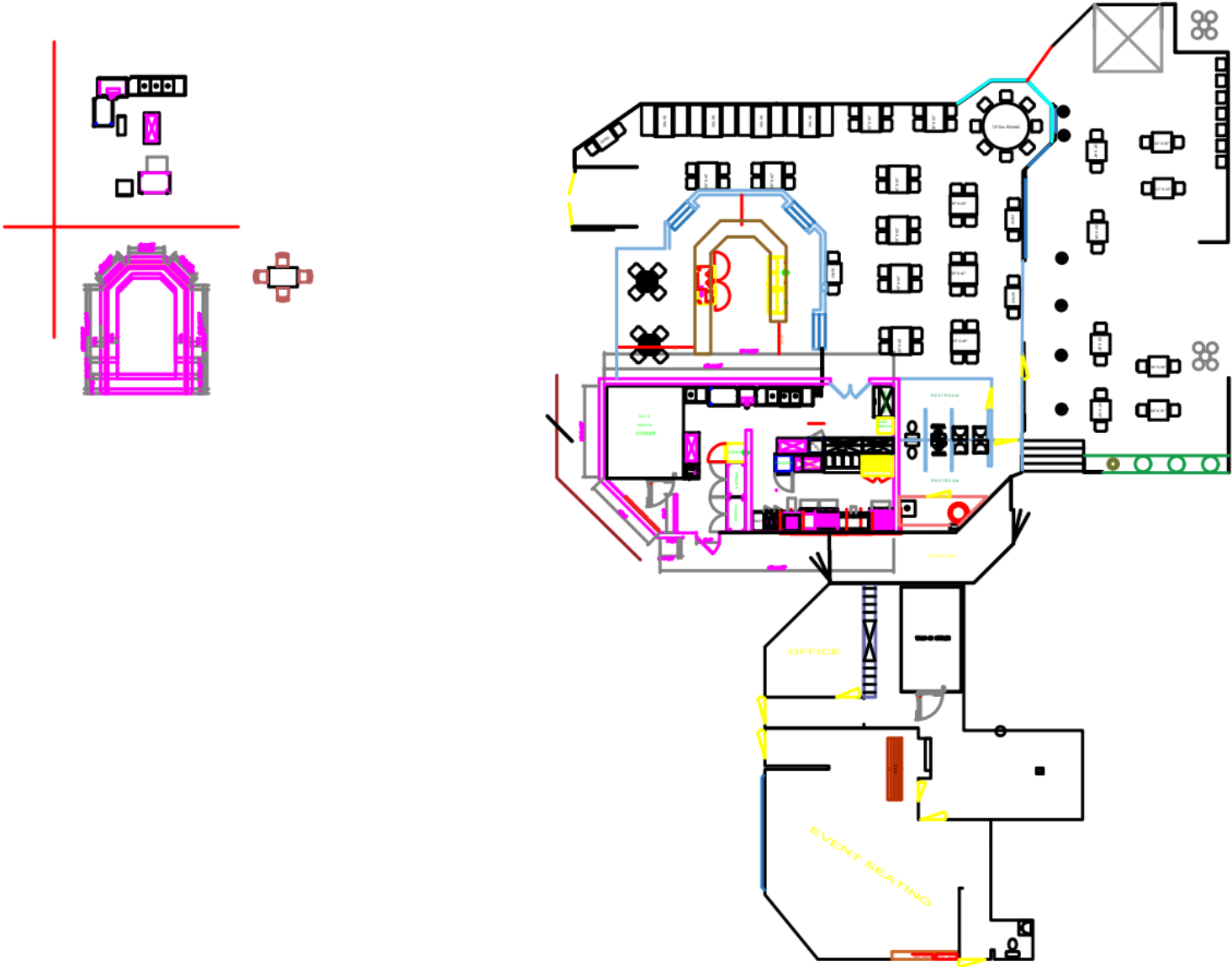
Mi Lupita will operate Monday through Saturday, from 11am to 9PM. The restaurant will remain closed on Sundays. Private events may held on Sundays in the banquet room, the restaurant will remain closed. A liquor license for Sundays will be acquired.

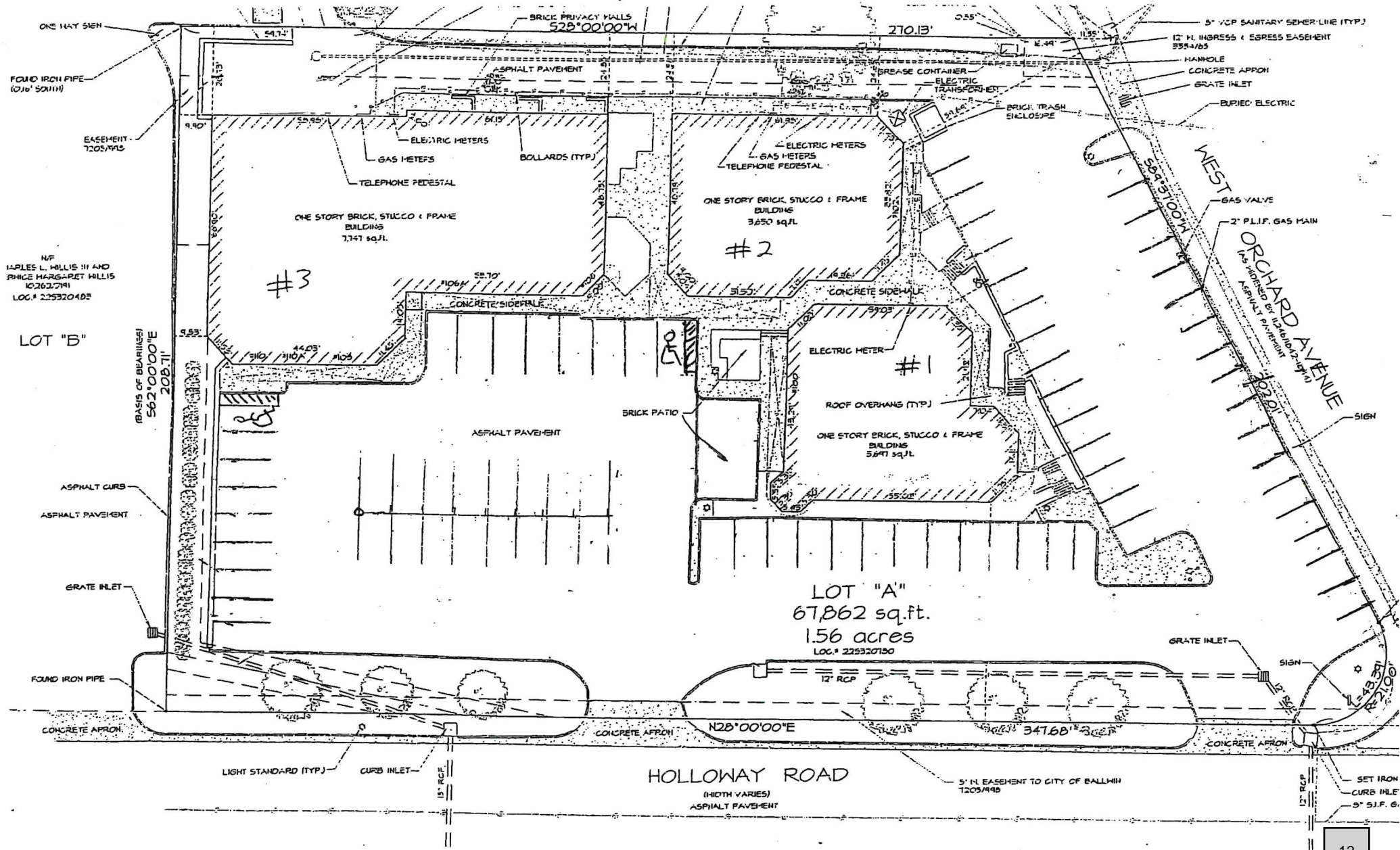
Staffing:

Mi Lupita currently has 37 employees, 8 full time and 29 part time employees. With relocating to a bigger space, we are hoping to bring more job opportunities to the area.

Floor plan is attached.

SUE-24-07 Mi Lupita Floor Plan







PUBLIC HEARING

Notice is hereby given that on Monday, October 7, 2024 at 7:00 pm, a Public Hearing will be held by the Planning & Zoning Commission in the City Government Center Board Room at 1 Government Center, Ballwin, Missouri 63011. The Commission will consider the following Petition:

SUE-24-07 - Petition for a Special Use Exception for a restaurant with front yard parking, outside seating and sale of alcoholic beverages at 100 Holloway Road

Additional information on this Petition is available at the City Government Center or by calling 636-227-2243