



REPORT TO CITY COUNCIL

Referral to Plan Commission

NO TAXES DUE

TO: Mayor and Members of the City Council

FROM: Nathan Mai-Lombardo, City Manager

DATE: December 5, 2022

SUBJECT: **Case No. 22-17** – A request for a Special Use Permit business owner change for Urai & Somsak Tongpan to operate *Young's Chinese Restaurant*, a restaurant located at 9361 Natural Bridge Road, Berkeley, MO 63134.

We have investigated the Subject item, above, and present the following as our findings:

PROPERTY LOCATION

9361 Natural Bridge Road, Berkeley, Missouri 63134 (*St. Louis County locator #13K610225*).

ZONING

9361 Natural Bridge Road is zoned "C-2" General Commercial District.

This use is allowed as a Special Use under *Section 400.530*.

PROJECT DESCRIPTION

Petitioners Urai & Somsak Tongpan are seeking a Special Use Permit business owner change for *Young's Chinese Restaurant* located at 9361 Natural Bridge Road, Berkeley, Missouri 63134.

SECTION 400.370 ARCHITECTURAL AESTHETICS.

No building shall be greatly dissimilar in architectural style, size, mass or color so as to appear grossly unattractive, and to have a negative impact on adjacent properties and the surrounding neighborhood.

RECOMMENDATION

Staff recommends referral to the Plan Commission

SUPPORTING DOCUMENTS

1. Application

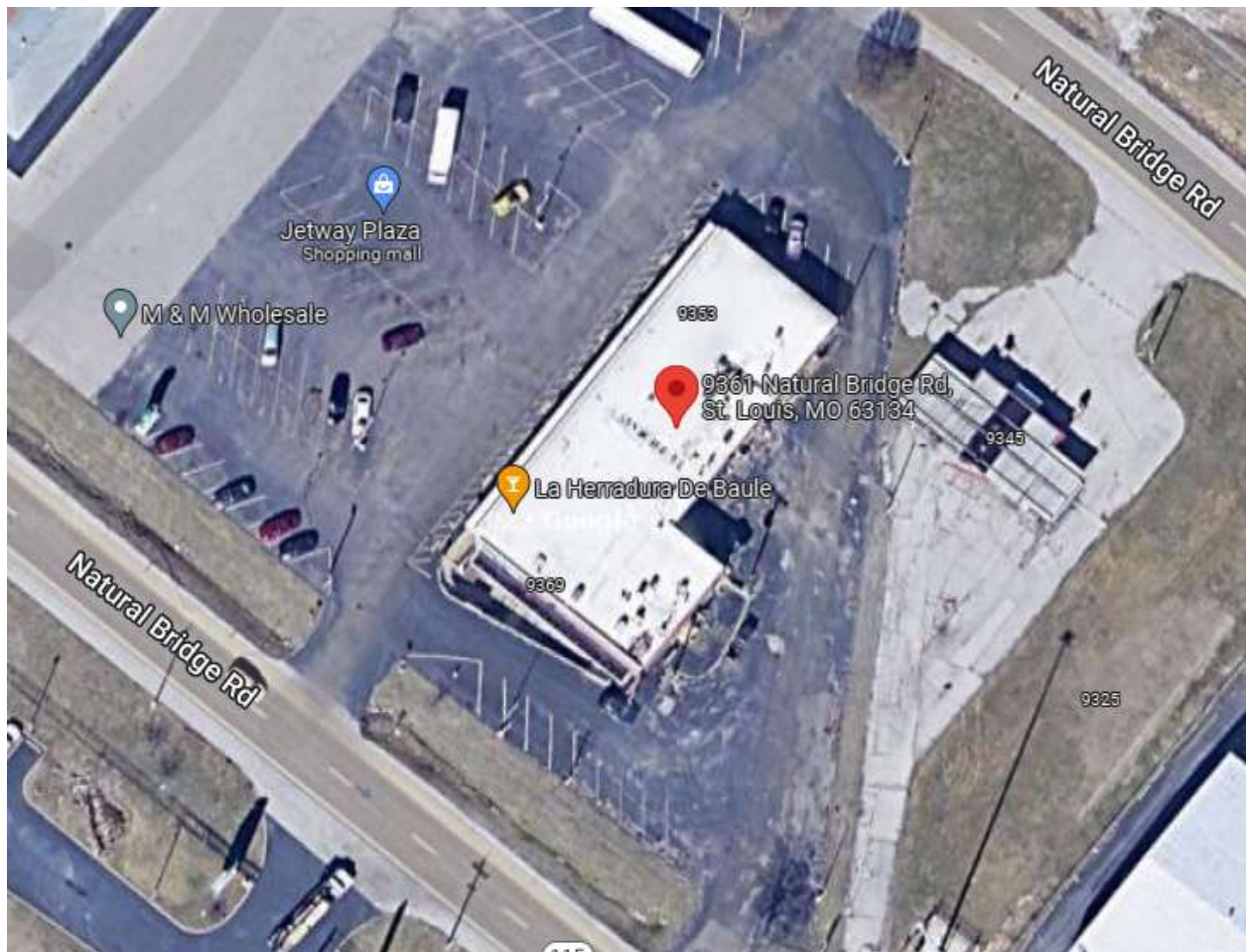
PROCEDURE:

The Commission may recommend modifications to the permit of approval as necessary to preserve the health, safety, general welfare, beauty, and tranquility of the City, and may recommend a specific expiration date of the permit. If no date is specified, the term shall be one year.

OPTIONS

1. Recommend approval of the Petitioner's request.
2. Recommend denial of the Petitioner's request.

Respectfully submitted,



**TYPE OF APPLICATION**

(Please check all that apply)

INITIAL FEE \$350

<input type="checkbox"/> Preliminary (Plats)	<input checked="" type="checkbox"/> Special Use Permit
<input type="checkbox"/> Re-approval (Plats)	<input type="checkbox"/> Zoning Change
<input type="checkbox"/> Amending (Plats)	<input type="checkbox"/> Resubdivision/Reconsolidation
<input type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Business Name/Ownership Change
<input type="checkbox"/> Lot Consolidation	<input type="checkbox"/> Variance (Land Use)
<input type="checkbox"/> Street Name (New, Change)	<input type="checkbox"/> Variance (Building Code)
<input type="checkbox"/> Street Vacation	<input type="checkbox"/> Liquor/Lottery/Financials (Money Grams/Order)
<input type="checkbox"/> Medical Marijuana (Dispensary)	<input type="checkbox"/> Medical Marijuana (Grow Facility)
<input type="checkbox"/> Medical Marijuana (Researching/Testing)	<input type="checkbox"/> Building Code Appeal
<input type="checkbox"/> Food Truck - SUP \$100.00	<input type="checkbox"/> Food Truck - Fire Inspection \$75.00
<input type="checkbox"/> Food Truck Business License \$75.00	<input type="checkbox"/> Other

REQUIREMENTS:

1. Prepare twenty (20) legible sets of drawings detailing interior & exterior of property.
2. Submit a completed application three (3) weeks prior to Planning meeting.
3. **DO NOT** destroy, tear down or remodel proposed business structure until 'FINAL' approval by City Council.
4. If you do not submit your application in a timely manner your request will be considered on the next meeting date.

APPLICANT(S) LEGAL NAME(S) URAI TONGPAN / Somsak TONGPANAPPLICANT IS (CHECK ONE): OWNER ☐ AGENT ☐ PURCHASER OF CONTRACT ☐ TENANT ☒APPLICANT(S) ADDRESS: STREET 520 MONCEAU DRCITY ST LOUIS STATE MO ZIP 63135 PHONE 314-600-4315 E-MAIL tongpan88@gmail.com**LOCATION OF PROPOSED USE**STREET ADDRESS: 9365 NATURAL BRIDGE RD ST LOUIS, MO 63134

PROPERTY DESCRIPTION: _____

PRESENT ZONING DISTRICT: _____ PROPOSED ZONING DISTRICT (If applicable) _____

THE PROPERTY IS PRESENTLY BEING USED AS FOLLOWS: _____

THE PROPERTY IS TO USE IT FOR: (Type of Business) RESTAURANT**DAYS & HOURS OF OPERATION ETC**PROPOSED NAME OF BUSINESS: YOUNG'S CHINESE RESTAURANT

APPROXIMATE SIZE OF TRACT: ACRES _____ SQ FT OF SPACE (Under roof) _____

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: MITESH KIMBACHIAADDRESS: STREET: 9361 NATURAL BRIDGE CITY ST LOUISSTATE: MO ZIP: 63134 PHONE: (314) 1421 9398 E-MAIL: 971 8743 @gmail.com

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER: _____

SIGNATURE

By signing this application the owner(s) and applicant(s) attest that all information and facts provided on this form and attachments are complete and accurate and that any omission or incorrect fact or information may invalidate any notice or subsequent action taken by the City of Berkeley Board of Adjustments, City of Berkeley Planning & Zoning Commission. (All applicants and owners shall sign the application. Attach additional name/address/signature/date pages as needed.)

APPLICANT(S) SIGNATURE [Signature] OWNER(S) SIGNATURE [Signature]DATE 07/14/2022DATE 07/14/22On this date 11-22-22, all items necessary for a technical review of the proposed special use permit plan have been submitted andConstitute a COMPLETE APPLICATION. STAFF SIGNATURE: [Signature] - PA SecretaryDATE PAID 11/22/22 Cash ☒ Check ☐ Money Order ☐ Debit/Credit ☐ RECEIPT NO: 56024 CASE NO: 22-1713K610225