



Consent Item

RE: 15270 Manchester Road

Department/Program: Administration/Planning

Explanation: Special Use Exception Extension

The Petitioner is requesting approval of an extension of the Special Use Exception that was approved on March 10, 2025, and granted to Jorge J Flores for Inca Maya Restaurant. The Special Use Exception permits a restaurant with outside seating, the sale of alcoholic beverages, live music and front yard parking at 15270 Manchester Road. The request is for an extension through March 1, 2027.

According to Appendix A, Article XIV, Section 4(11): In the event that a special use exception grantee fails to proceed with the allowed use or construction and/or development, within a period of one year following the effective date of said special use exception, and no extension of time is granted by the Board of Aldermen, said grantee shall be deemed to have abandoned the special use exception and it shall terminate.

A building permit has been issued for the project, and renovations to the building are currently underway. According to the petitioner, unforeseen circumstances were encountered during construction and are currently being resolved. An additional permit, and potentially an addendum to the existing permit, is anticipated to complete the project.

Recommendation:

Staff recommends that the following existing conditions on the property be addressed and resolved within 90 days of approval of the requested extension. These conditions include:

1. Parking Lot and Patio Area: Repair and improve the parking lot and proposed patio area, which are currently in disrepair and present safety concerns.
2. Signage: Remove all signage that is no longer applicable to the property or building.

Any new permit(s) or addendums required to complete the project must comply with the 2024 International Building Codes, assuming those codes are adopted by ordinance at tonight's meeting.

If substantial progress is not made within the requested extension period, an additional extension request will be required.

September 3, 2026

Mayor Mark R. Stallmann
Board of Aldermen
City of Ballwin
1 Government Center
Ballwin, Missouri 63011

VIA EMAIL: Lynn Sprick, City Planner (lynnsp@ballwin.mo.us)

Re: Extension Request for Special Use Exception No. SUE-25-02 (“SUE-25-02”) for 15270 Manchester Road, Suites 20, 120 and 130, Ballwin, Missouri 63011 (the “Premises”).

Dear Mayor Stallmann and the Members of the Board of Aldermen (the “**Board**”):

Inca Maya, Inc. (“**Petitioner**”) was previously granted SUE-25-02 for (i) front yard parking, (ii) outside seating and (iii) sale of alcoholic beverages in connection with Petitioner’s planned operation of a Mexican-Peruvian restaurant at the Premises. SUE-25-02 is presently scheduled to expire on September 10, 2026. Petitioner respectfully requests an extension of SUE-25-02 through March 1, 2027 to complete the buildout of the Premises (the “**Requested Extension Deadline**”).

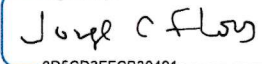
Petitioner has made significant progress on the buildout of the interior of the Premises. For your reference, Exhibit A is attached hereto which depicts before and current photos of the interior of the Premises. However, unforeseen delays have prevented timely completion of the project. As of the date of this letter, the bulk of Petitioner’s outstanding work remaining to be performed at the Premises includes installation of the ventilation hoods and ancillary fire suppression system in the kitchen area of the Premises. In connection with the installation of the ventilation hoods, Petitioner also plans to install exhaust ventilation through the second floor of the building and screening on the roof of the building (together with the kitchen work items, the “**Remaining Interior Work**”). Petitioner expects the mechanical drawings for the Remaining Interior Work to be completed and submitted for City approval on or about September 15, 2026, following review and approval by the landlord. Petitioner is confident that it will complete the Remaining Interior Work prior to the expiration of the Requested Extension Deadline.

As of the date of this letter, the remaining exterior work to be completed at the Premises includes: (i) the pouring of a concrete patio, (ii) construction of a trellis covering over the patio, (iii) parking lot re-grading in connection with the patio work, (iv) updates to the exterior façade of the building, (v) installation of a new front door to the Premises, (vi) installation of landscaping along the northern boundary of the property fronting Manchester Road, (vii) repair and replacement, as needed, of the exterior lighting serving the building and (viii) the construction and repair of the dumpster pad enclosure (collectively, the “**Remaining Exterior Work**”). Petitioner expects that the Remaining Exterior Work will be completed on or prior to the Requested Extension Deadline.

My family and I look forward to opening our restaurant at the Premises and bringing our Mexican-Peruvian cuisine to the City of Ballwin. We appreciate your consideration of this extension request for SUE-25-02.

Respectfully Submitted,

Inca Maya, Inc.

Signed by:
By: 
005CB3FFC030491....
Jorge Flores, President

cc: Tim Boegeman, Baywood Rlty & Constr. Corp., Agent for Owners (tim@baywoodrealty.com)
Lawrence Goldworm, RA, LSG Architect (goldie1957@msn.com)

Exhibit A

Beginning of Project



Current Status





Bill No. 5015

Ordinance No. 25.05

INTRODUCED BY

ALDERMEN UTT, FINLEY, STALLMANN, HAUG, FLEMING, WEAVER, SIEGEL, LEHMKUHL

AN ORDINANCE GRANTING A SPECIAL USE EXCEPTION TO JORGE J. FLORES FOR INCA MAYA RESTAURANT, FOR OPERATION OF A RESTAURANT WITH OUTSIDE SEATING, SALE OF ALCOHOLIC BEVERAGES, LIVE MUSIC AND FRONT YARD PARKING.

WHEREAS, a petition has been received from Jorge J. Flores for Inca Maya Restaurant, requesting the use of certain property at 15274 Manchester Road for operation of a restaurant with outside seating, sale of alcoholic beverages, live music and front yard parking; and

WHEREAS, said petition was duly referred to the Planning and Zoning Commission for its investigation and report; and

WHEREAS, due notice of a public hearing before the Planning and Zoning Commission upon said petition was published and posted according to law and ordinance; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on March 3, 2025, upon said petition; and

WHEREAS, the Planning and Zoning Commission has submitted its report recommending approval to the Board of Aldermen; and

WHEREAS, the Board of Aldermen has determined that an establishment for the purposes disclosed above, under certain conditions, 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; would not over-tax public utilities; would not adversely affect public safety and health; 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; and can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and

WHEREAS, all applicable matters in Section 2 of Article XIV of Appendix A, "The Zoning Ordinance," have been adequately provided for:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. A special use exception, subject to the conditions hereinafter specifically set forth, is hereby granted to Jorge J. Flores for Inca Maya Restaurant, to use the premises in the City of Ballwin, Missouri, known as 15274 Manchester Road, Ballwin, Missouri 63011 for operation of a restaurant with outside seating, sale of alcoholic beverages, live music and front yard parking in a C-1 commercial district, as is made and provided for in Article IX of Appendix A.

Section 2. The special use exception hereby issued, and referred to in Section 1, is issued to the named permittee only and shall not be assigned or transferred, without the permission of the Board of Aldermen of the City of Ballwin.



Bill No. 5015

Ordinance No. _____

Section 3. The special use exception hereby issued and referred to in Section 1, shall be valid only if the conditions set forth in the Addendum, attached hereto as Exhibit 1 and made a part hereof, are observed by permittee.

Section 4. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this 10 day of March, 2025.

Tim Pogue
TIM POGUE, MAYOR

APPROVED this 10 day of March, 2025.

Tim Pogue
TIM POGUE, MAYOR

ATTEST: Eric Stermán
ERIC STERMAN, CITY ADMINISTRATOR

EXHIBIT ONE

The permittee granted a Special Use Exception per the ordinance hereby appended to, their assignees and successors, as authorized and approved by the Board of Aldermen of the City of Ballwin, agree to abide by the following provisions, the provisions of all ordinances of the City of Ballwin, and all applicable laws of St. Louis County, the State of Missouri and of the United States of America and to require all licensees, franchisees, and lessees to similarly abide by said ordinances, laws and provisions, as appropriate to such special use exception. In addition, the following provisions, as appropriate, shall apply:

1. There is no outdoor storage, display or sale of any merchandise, equipment, vehicle, supplies or product except as may be provided and limited by this Special Use Exception or ordinance of the City of Ballwin.
2. There is no servicing, repair, cleaning, maintenance or other work on any merchandise, equipment, vehicle, materials, supplies, or product except as may be provided and limited by this Special Use Exception or ordinance of the City of Ballwin, except within a fully enclosed building which shall not include carports, porte-cocheres, accessory structures or temporary coverings and/or enclosures such as tents, tarpaulins, flies, or other similar structures.
3. No food or beverage of any kind is delivered outside of a building shown on the accompanying site plan by the permittee, its agents, servants or employees except for purposes of off-site delivery.
4. No food or beverage of any kind is served or dispensed to persons inside of automobiles or other vehicles by the permittee, its agents, servants or employees except from a drive-through window and/or designated waiting spaces specified on the accompanying site plan. Under no circumstances is drive-in curb service permitted.
5. Any violation of the laws, statutes, ordinances, codes, policies and regulations of the City of Ballwin, St. Louis County, the State of Missouri, or the United States of America by the permittee, its agents, servants or employees shall be cause for the revocation of the Special Use Exception hereby granted.
6. That the site, premises and/or land use described by the permittee in the application and subsequently approved by this ordinance is developed and operated in accordance with the final approved development plan and the provisions of this ordinance, and any failure to do so shall be cause for the revocation of the Special Use Exception hereby granted.
7. All new utility and other service laterals and connections on the site and/or premises, and all connections to site improvements and fixtures installed outside of a fully enclosed building shall be installed underground.
8. All sign illumination and other lighting is selected and arranged so as not to cast light upon, and/or be a nuisance, to any right-of-way or any other property.
9. The permittee and their approved assignees or successors, if any, shall preserve, maintain and care for all plantings, and landscaped and planted areas on the site and/or premises, in accordance with the landscape and site plans of this ordinance. Such maintenance, preservation



Bill No. 5015

Ordinance No.

and care shall include all planted and landscaped rights-of-way adjacent to the site and/or premises addressed and approved by the Special Use Exception hereby granted.

10. Trash and debris shall not be allowed to accumulate and the site/premises shall at all times be kept clean and free of all refuse, debris, leakage and recyclable material accumulation.

11. All trash dumpsters and recyclable material storage areas shall be screened with a 100% opaque screen which shall totally obscure any visibility of the dumpster and recyclables container. Such screening shall be permanent in nature and architecturally compatible with the associated development. Said enclosure and screening may not be located within any front yard and shall not interfere with driver visibility or any loading, parking or vehicular circulation.

12. Unless otherwise provided by this Special Use Exception or other ordinances of the City of Ballwin, no vehicles, equipment or property may be parked or stored on the premises for which this permit is issued except non-commercial vehicles as defined by the Ballwin Ordinances and one fully operational and licensed delivery/service vehicle per business or tenant or use operated on the premises.

13. No changes or departures from the approved final development plan may be made without the approval of the Board of Aldermen in accordance with the provisions of Article XIV, Section 3, of the Ballwin Zoning Ordinance.

14. This Special Use Exception shall terminate three months following the non-renewal of the business license for the business associated with the location for which the Exception is granted.

15. Parking lot lighting must be in working condition.

16. Landscaping must be provided along the north property line.

17. Mechanical equipment on the roof or the side of the building shall be screened from view with appropriate material that is consistent and compatible with the existing building.