

1. 10/08/2020 Special Board Of Aldermen Meeting (PDF)



Documents:

[10 08 20 SPECIAL BOARD MEETING.PDF](#)
[SPECIAL USE - SH SPORTS GROUP LLC.PDF](#)

**CITY OF FENTON, MISSOURI
AGENDA
SPECIAL MEETING OF THE BOARD OF ALDERMEN
VIA VIDEO/TELECONFERENCE
THURSDAY, OCTOBER 8, 2020
TO IMMEDIATELY FOLLOW THE BOARD OF ALDERMEN COMMITTEE
MEETING AT 7:00 P.M.**

Posted at Fenton City Hall on Wednesday, October 7, 2020 at 12:30 p.m.

Notice is hereby given that the City of Fenton will hold a Special Meeting of the Board of Aldermen on Thursday, October 8, 2020, immediately following the Board of Aldermen Committee Meeting at 7:00 p.m. at Fenton City Hall, 625 New Smizer Mill Road, Fenton, Missouri via video/teleconference.

In light of the current public health crisis and the Federal, State, and County Emergency Declarations, and in accord with the provisions of Sec. 610.020, RSMo. and the City's policy for meetings via videoconferencing adopted via R-20-01, the Board of Aldermen recognizes that it would be dangerous and impractical, if not impossible, for its meeting to be physically accessible to the public in accordance with the current Social Distancing requirements of the County. The Board also recognizes the need for the public's business to be attended to in order to protect the public health, safety, and welfare. In order to balance both the need for continuity of government and protection of the health and safety of all, this meeting of the Board of Aldermen will not be open to in-person public attendance. The meeting will be accessible by the public in real time ONLY by a video/teleconference call via "Zoom", instruction to join below.

To join the meeting via website:

- (1) Go to Zoom at <https://zoom.us>
- (2) Select Join a Meeting
- (3) **Enter Meeting ID: 871 8427 7364**
- (4) **Enter Password: 324717**

To join the meeting by phone call (audio):

- (1) Call 1-312-626-6799
- (2) When prompted, enter the **Meeting ID** and **Password** provided above.

This Special Meeting is being called for:

- **CONSIDERATION OF AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR S&H SPORTS GROUP, LLC TO OPERATE AN INDOOR UNLIMITED RECREATION FACILITY AT 601 GRAVOIS BLUFFS BOULEVARD, SUITE G.**
- **EXECUTIVE SESSION PURSUANT TO SECTION 610.021(1) LEGAL ACTIONS, CAUSES OF ACTION OR LITIGATION... SECTION 610.021(2) LEASE, PURCHASE OR SALE OF REAL ESTATE... AND SECTION 610.021(3) HIRING, FIRING, DISCIPLINING OR PROMOTING EMPLOYEES...**

Representatives of the news media may obtain copies of this notice by contacting:

Jane Hungler
City Clerk
City of Fenton
625 New Smizer Mill Road
636-343-2080

1st Reading:
2nd Reading:

SPONSOR: MAURATH

ORDINANCE NO. ____

BILL NO. 20-78

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR S&H SPORTS GROUP, LLC TO OPERATE AN INDOOR UNLIMITED RECREATION FACILITY AT 601 GRAVOIS BLUFFS BOULEVARD, SUITE G.

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on October 6, 2020 in compliance with the City Code and Chapter 89 RSMo. regarding issuing a Special Use Permit to S&H Sports Group, LLC to operate an Indoor Unlimited Recreation Facility (volleyball) at 601 Gravois Bluffs Boulevard, Suite G, Fenton, Missouri, 63026; and

WHEREAS, after reviewing the application and criteria for issuance of a Special Use Permit, the Commission has made a recommendation to the Board of Aldermen that said Special Use Permit be granted with conditions; and

WHEREAS, after consideration of the Commission's recommendation and criteria for issuance of Special Use Permit, the Board of Aldermen finds that Petitioner meets the requirements for issuance of a Special Use Permit and finds it in the best interest of the City to grant the requested Special Use Permit with conditions.

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

Section 1. The Special Use Permit, with conditions and terms, requested to be issued to S&H Sports Group, LLC to operate an Indoor Unlimited Recreation Facility (volleyball) at 601 Gravois Bluffs Boulevard, Suite G, Fenton, Missouri, 63026, all as set out in Exhibit 1 attached hereto, is hereby approved and all terms and conditions are hereby incorporated into this ordinance as if fully set out herein.

Section 2. The Mayor is hereby authorized to execute this Special Use Permit on behalf of the City of Fenton.

Section 3. This ordinance shall be in full force and effect from and after the date of its passage and approval.

ORD. NO. ____

ORD. NO. _____

PASSED this 8th day of October, 2020.

BOB BRASSES, MAYOR

APPROVED this 8th day of October, 2020.

BOB BRASSES, MAYOR

ATTEST:

Jane Hungler, City Clerk

Motion to approve. Roll Call vote:

Ayes:

Nays:

Absent:

ORD. NO. _____

EXHIBIT 1

SPECIAL USE PERMIT

A Special Use Permit, as requested by Gary Grewe of Gravois Bluffs East 8B, LLC is granted to S&H Sports Group, LLC (“Owner”) this 27th day of August, 2020 by the City of Fenton (“City”), a Municipal Corporation situated in St. Louis County, Missouri.

WITNESSETH:

WHEREAS, the Zoning Code of the City of Fenton, Missouri authorizes the establishment of a Special Use Permit; and

WHEREAS, the aforementioned Owner requests a Special Use Permit for the property located at 601 Gravois Bluffs Boulevard, Suite G, Fenton, Missouri, 63026 ("Premises") to operate an Indoor Unlimited Recreation Facility (volleyball), and asserts that Owner will comply with the terms and conditions of the Zoning Code of the City of Fenton and the following terms and conditions of this Permit:

1. This Special Use Permit is solely for S&H Sports Group, LLC, to operate an Indoor Unlimited Recreation Facility (volleyball) at 601 Gravois Bluffs Boulevard, Suite G.
2. Minimally, an Occupancy Permit will be required before the building is occupied.
3. The site plan submitted with the Occupancy Permit will need to include accurate parking calculations for the overall site. If required parking cannot be provided, the Occupancy Permit will not be issued.
4. Municipal Zoning Approval (MZA) by the City of Fenton for any proposed interior remodel will be required.
5. Any proposed signage will require a separate Sign Permit.
6. Compliance with all other applicable City of Fenton Codes and Ordinances.

WHEREAS, the Board of Aldermen finds that the proposed building or use and the issuance of the Special Use Permit as requested by the Owner upon the conditions, restrictions, and requirements set forth herein would not adversely affect the character of the neighborhood or value of adjacent parcels or other property in the surrounding area, traffic conditions, public utility facilities, the ideals of good planning, or the preservation and promotion of the public health, safety, and general welfare.

NOW, therefore, the Board of Aldermen of the City of Fenton, Missouri does hereby approve and issue the Special Use Permit described herein.

- 1) The conditions, restrictions, and requirements as set forth in this Special Use Permit are an integral part of the Special Use Permit and the Owner understands that violation of or failure to perform or maintain any of the conditions, restrictions, and requirements shall constitute cause to revoke and terminate this Special Use Permit.

- 2) If an inspection is made, and the Premises are found to be not in compliance with this Permit or City ordinances, the Owner will be given notice to make all necessary corrections. If the Owner is found not to be in compliance with the terms, conditions, and laws of the City by the compliance date or the Owner otherwise fails to comply with the conditions of this Permit, this Special Use Permit shall be subject to revocation and termination. Any and all expenses, including attorney's fees, incurred by the City in the abatement of any violation shall be paid by Owner.
- 3) The Owner certifies and represents that they have made known to the appropriate City officials all material facts. Any misrepresentation or omission of material facts shall be grounds for revocation of this Permit, and this Permit shall be null and void.
- 4) This Special Use Permit is non-assignable and will be reviewed annually by the Community Development Department to assure that its use is in compliance with the terms of the Permit.
- 5) The Owner understands each of the conditions set out herein and accepts and agrees to them.

IN WITNESS WHEREOF, the City of Fenton upon application of the Owner has caused this Special Use Permit to S&H Sports Group, LLC be issued on the day and year first written above.

CITY OF FENTON, MISSOURI

BY: _____
BOB BRASSES
MAYOR, CITY OF FENTON

ACCEPTANCE:
S&H SPORTS GROUP, LLC

BY: _____

PRINT: _____

DATE: _____