

1st Reading:  
2nd Reading:

**SPONSOR: MAURATH**

**ORDINANCE NO. \_\_\_\_\_**

**BILL NO. 22-24-A**

**AN ORDINANCE APPROVING A REZONING OF AN 8.9-ACRE OF PROPERTY LOCATED AT 800 S. HIGHWAY DRIVE FROM “HP-1” HOSPITALITY PARK TO “BP-3” BUSINESS PARK.**

**WHEREAS**, Johnathan Fowler of Fowler Development Company LLC (“Petitioner”) submitted an application to rezone a 8.9-acre portion of 800 S. Highway Drive and legally described as being part of Lot 4 of Breck Industrial Court and part of Breck Industrial Plat No. 3 (the “Property”) from “HP-1” Hospitality Park to “BP-3” Business Park (the “Petition”); and

**WHEREAS**, 800 S. Highway Drive is currently developed as the former Stratford Hotel and is owned by Infinity Hospitality, LLC and FTN Investment, LLC (“Owner”); and

**WHEREAS**, Owner is under contract to sell the Property to Petitioner for Petitioner to demolish the current Stratford Hotel building and build a future office/warehouse building, which is a use not authorized in the “HP-1” Hospitality Park District but allowed in “BP-3” Business Park; and

**WHEREAS**, “[t]he purpose of the "BP-3" District is to provide a mix of office, light industrial, retail, and service uses in a business park setting. Because portions of the "BP-3" District are adjacent to Residential Districts and Uses, the District provides for appropriate small-scale uses that complement and provide a Buffer Area to the surrounding Residential Uses. These regulations are supplemented and qualified by additional regulations appearing elsewhere in this Code; and

**WHEREAS**, the rear of the Property touches other properties zoned “BP-3” Business Park District; and

**WHEREAS**, the Planning & Zoning Commission held a duly noticed public meeting on April 6, 2022 regarding rezoning of the Property; and

**WHEREAS**, after reviewing the Petition, the submitted staff report, and hearing comment from the Petitioner and the public, the Commission declined to make a recommendation to the Board of Aldermen regarding the Petition (motion to recommend the Petition to the Board resulting in a tie vote with the Chair declining to break the tie); and

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**WHEREAS**, the Board of Aldermen held a duly noticed public hearing on April 28, 2022, in compliance with the City Code and Chapter 89 RSMo., to hear public comment on the Petition; and

**WHEREAS**, after consideration of the public hearing and the Petition, the Board of Aldermen finds that because the subject Property is adjacent to other “BP-3” Business Park zoned property and rezoning the same will result in development of the Property by Petitioner, the Property should be rezoned subject to certain conditions.

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

**Section 1.** Including for the reasons stated above, the Board of Aldermen hereby rezones the Property from “HP-1” Hospitality Park to “BP-3” Business Park subject to the following conditions:

1. This approval is strictly to rezone an 8.9-acre portion of a tract of land described as being part of Lot 4 of Breck Industrial Court and part of Breck Industrial Plat No. 3 from “HP-1” Hospitality Park to “BP-3” Business Park. The Property is addressed as 800 S. Highway Drive. The rezoning is contingent on the approval of the corresponding Boundary Adjustment Plat and the 8.9-acre portion of the Property shall remain “HP-1” Hospitality Park if the Boundary Adjustment Plat is denied by the Board of Aldermen.
2. Compliance with all other applicable City of Fenton Codes and Ordinances.

**Section 2.** The Board of Aldermen hereby directs the City Administrator to amend the Official Zoning Map of the City of Fenton to reflect the same.

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

PASSED this 28<sup>th</sup> day of April, 2022.

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JOE MAURATH, ACTING PRESIDENT OF  
THE BOARD OF ALDERMEN

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APPROVED this 28<sup>th</sup> day of April, 2022.

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JOE MAURATH, ACTING PRESIDENT OF  
THE BOARD OF ALDERMEN

ATTEST:

\_\_\_\_\_  
Jane Hungler, City Clerk

Motion to approve. Roll Call vote:

Ayes:

Nays:

Absent:

Abstain:

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