

1st Reading:
2nd Reading:

SPONSOR: HARRELL

ORDINANCE NO. _____

BILL NO. 22-57

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

WHEREAS, Infinity Hospitality, LLC/FTN Investment, LLC (“Petitioner”) submitted an application to rezone a 1-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 but the 1-acre Property has been used for parking by the parcel addressed as 1850 Larkin Williams Road, which abuts the rear of 800 S. Highway Drive and is also owned by Petitioner; and

WHEREAS, 1850 Larkin Williams Road is zoned “BP-3” Business Park and does not have adequate parking; and

WHEREAS, Petitioner has requested the rezoning of the Property in conjunction with combining the Property with 1850 Larkin Williams Road to have the entire combined property have the same zoning classification; 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, the Commission made a recommendation to the Board of Aldermen to approve the Petition with conditions, given, among other reasons, that the Property only consists of 1-acre of the rear of 800 S. Highway Drive and abuts 1850 Larkin Williams Road, which is zoned “BP-3” Business Park, and is already being used for parking for 1850 Larkin Williams Road, and, therefore, it is in the interest of the public and Petitioner to allow rezoning of the 1-acre Property in conjunction with combining the same with 1850 Larkin Williams to allow for more parking; 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, the Petition and Staff Report, and the Planning and Zoning Commission’s recommendation, the Board of Aldermen did not approve the rezoning request; and

WHEREAS, the Petitioner is still seeking a Boundary Adjustment Plat related to the Property and has provided the City with the necessary application and approvals for the same to be approved; and

WHEREAS, Staff resubmitted the Petitioner’s original request to rezone the Property for consideration by the Planning and Zoning Commission during a duly noticed public meeting held on July 5, 2022; and

WHEREAS, after reviewing the submitted staff report and hearing comment from staff regarding good planning practices in conjunction with the Boundary Adjustment Plat, the Commission made a recommendation to the Board of Aldermen to approve the Petition with conditions, given, among other reasons, that the Property only consists of 1-acre of the rear of 800 S. Highway Drive that does not front the highway and abuts 1850 Larkin Williams Road, which is zoned “BP-3” Business Park, and is already being used for parking for 1850 Larkin Williams Road, and that it is good planning to have a property only have one zoning classification and, therefore, found that granting this request will not set a precedent given the unique circumstances of this application and it is in the interest of the public and good planning to allow rezoning of the 1-acre Property in conjunction with combining the same with 1850 Larkin Williams to allow for more parking; and

WHEREAS, the Board of Aldermen held a duly noticed public hearing on July 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, the Petition and Staff Report, and the Planning and Zoning Commission’s recommendation, the Board of Aldermen agrees with the reasoning and recommendation of the Planning and Zoning Commission and finds that it is in the best interest of the City to rezone the Property from “HP-1” Hospitality Park to “BP-3” Business Park with conditions.

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

Section 1. 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 a one-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, and of no force and effect until, the approval of the corresponding Boundary Adjustment Plat.
2. Compliance with all other applicable City of Fenton Codes and Ordinances.

Section 2. Provided the contingency in paragraph 1 of Section 1 above is met, 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 28th day of July, 2022.

JOE MAURATH, MAYOR

APPROVED this 28th day of July, 2022.

JOE MAURATH, MAYOR

ATTEST:

Jane Hungler, City Clerk

Motion to approve. Roll Call vote:

Ayes:

Abstain:

Nays:

Absent:

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