

**SPONSORED BY:** \_\_\_\_\_  
**INTRODUCED BY:** \_\_\_\_\_

**BILL NO. 3734**  
**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE AUTHORIZING ISSUANCE OF A CONDITIONAL USE PERMIT AND LIQUOR LICENSE TO XGOLF INDOOR GOLF SIMULATOR TO ALLOW THE OPERATION OF A RETAIL ENTERTAINMENT ESTABLISHMENT WITH LIQUOR SALES AT THE LOCATION KNOWN AND NUMBERED AS 15382 MANCHESTER ROAD, WITHIN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI.**

**WHEREAS**, XGolf Indoor Golf Simulator has petitioned for issuance of a conditional use permit and liquor license to allow the operation of a retail entertainment establishment with liquor sales at the location known and numbered as 15382 Manchester Road, within the “C-3” Commercial Zoning District of the City of Ellisville, Missouri; and

**WHEREAS**, said petition was considered by the Planning and Zoning Commission at an open meeting on February 9, 2022, pursuant to Title IV, Land Use, of the Municipal Code of the City of Ellisville, and the Planning and Zoning Commission forwarded a positive recommendation of said petition to the City Council; and

**WHEREAS**, a public hearing was held by the City Council on February 16, 2022, pursuant to Title IV, Land Use, of the Municipal Code of the City of Ellisville, regarding said petition; and

**WHEREAS**, all persons present at such hearing were given an opportunity to be heard and were heard; and

**WHEREAS**, the Council finds that the project: (1) would not adversely affect traffic conditions, (2) would not substantially increase fire hazards, (3) would not adversely affect the character of the neighborhood, (4) would not adversely affect the general welfare of the community, (5) would not overtax the sewage or public utilities, (6) would not adversely affect or overtax Police or other City services, (7) would be the highest and best use of the location applied for, (8) would not adversely affect the financial condition of the City including an adverse impact upon utility, property and sales tax, (9) would not have a substantial negative impact on the environment, (10) is compatible with surrounding uses and the surrounding neighborhood, (11) the comparative size, floor area and mass of the proposed use and/or proposed structure are appropriate and reasonable in relation to adjacent structures and buildings on surrounding properties and in the surrounding neighborhood, (12) would not adversely affect the neighborhood in terms of water runoff, noise transfer or heat generation due to significant amount of hard surfaced areas for buildings, sidewalk, drives, parking and service areas, (13) the frequency and duration of various indoor and outdoor activities and special events associated with the proposed use will not have a deleterious impact on the surrounding area, (14) is likely to remain in existence for a reasonable length of time and not become vacant or unused and does not involve the presence of unusual, single-purpose structures or components of a temporary nature, (15) complies with the standards of good planning practices, (16) sufficient measures have been or will be taken to negate, to an acceptable level, any potentially adverse impacts, (17) furthers the goals and objectives set forth in the Comprehensive Plan, and (18) would comply with all applicable provisions of Title IV, Land Use; and

**WHEREAS**, a copy of the proposed ordinance was available for public inspection prior to consideration by the Council; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**SECTION 1:** The Council hereby authorizes issuance of a conditional use permit and liquor license to XGolf Indoor Golf Simulator to allow the operation of a retail beverage and retail entertainment establishment with liquor sales at the location known and numbered as 15382 Manchester Road, within the “C-3” Commercial Zoning District of the City of Ellisville, Missouri, subject to the following conditions in addition to all other applicable regulations and requirements:

1. That the property owner, on behalf of the applicant, agrees to comply with all recommendations from the City’s third-party landscape architect; and
2. That the property owner, on behalf of the applicant, agrees to provide cross access to the west and east properties; and
3. That the property owner, on behalf of the applicant, agrees to install sidewalk luminaires along Manchester Road; and
4. Compliance with all applicable site design regulations.

**SECTION 2:** This Ordinance shall be in full force and effect after its passage and approval of the Council.

This Bill No. \_\_\_\_\_ having been read by title or in full two times prior to passage, and having been duly considered and voted upon was finally passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**First Reading votes:**

**DATE:** \_\_\_\_\_

**AYE    NAY    ABSTAIN**

**MCGRATH** \_\_\_\_\_

**COMPTON** \_\_\_\_\_

**CAHILL** \_\_\_\_\_

**VACANT** \_\_\_\_\_

**DUFFY** \_\_\_\_\_

**BOGGS** \_\_\_\_\_

**ROEMERMAN** \_\_\_\_\_

**Second Reading votes:**

**DATE:** \_\_\_\_\_

**AYE    NAY    ABSTAIN**

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**ATTEST:**

**CITY OF ELLISVILLE**

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**MAYOR MIKE ROEMERMAN**

Approved as to legal content and form:

\_\_\_\_\_  
City Attorney