

**INTRODUCED BY:**

**ALDERMAN PLUFKA  
ALDERMAN WEGGE  
ALDERMAN LOCHMOELLER  
ALDERWOMAN HARTER**

**ALDERWOMAN PARKER TICE  
ALDERWOMAN SIMS  
ALDERMAN GOULD  
ALDERMAN ERGER**

**AN ORDINANCE AMENDING ORDINANCE NO. 4355 AND THE  
CONDITIONAL USE PERMIT FOR THE WATERING BOWL PET CARE  
FACILITY AT 2615 S. HANLEY ROAD**

**WHEREAS**, Jeremy King, owner of The Watering Bowl, at 2615 S. Hanley Road ("Subject Property") has applied for an amendment to the conditional use permit to update the name of the permittee and eliminate the condition that the conditional use permit shall expire and be void upon any discernable sale of the business or assets; and

**WHEREAS**, Ordinance NO. 4355 authorized the conditional use permit and site development plans for the pet care facility on the Subject Property in 2012; and

**WHEREAS**, Ordinance No. 4434 amended the conditional use permit for the installation for a fence and sound blanket to address noise concerns for the Subject Property; and

**WHEREAS**, The Subject Property is zoned LI-Light Industrial District, with FP-Flood Plain Overlay District for a portion of the property, where under Section 400.1390(C)(5) pet boarding facilities, including day care and overnight boarding for domesticated dogs and cats, are allowed as conditional uses that require review by the Planning and Zoning Commission and approval by the Board of Aldermen; and

**WHEREAS**, in accord with the applicable ordinances of the City of Brentwood, the application was submitted to the Planning and Zoning Commission for its investigation and report, and further that the Planning and Zoning Commission has returned its final report and has recommended that the revised site development plan and conditional use permit be approved subject to certain conditions; and

**WHEREAS**, after due notice as required by law a public hearing regarding the revised conditional use permit was duly held by the Board of Aldermen on the 15th day of July 2024, at which the public was given an opportunity to be heard; and,

**WHEREAS**, the Board of Aldermen hereby finds and determines that the applicant has borne the burden of proving that the conditional use permit contemplated will not:

- a) Substantially increase traffic hazards or congestion
- b) Substantially increase fire hazards
- c) Adversely affect the character of the neighborhood
- d) Adversely affect the general welfare of the community
- e) Overtax public utilities; and

**WHEREAS**, the Board of Aldermen further finds and determines that the applicant has borne the burden of proving that the conditional use permit contemplated:

- f) Complies with all other applicable provisions of the zoning code including performance standards in regard to yard and setbacks, parking and loading areas, screening and buffering, refuse storage and service areas
- g) Will contribute and promote the community welfare and convenience at the specific location,
- h) Will not cause substantial injury to the value of the neighboring property
- i) Complies with the Brentwood Comprehensive Plan or plans for any applicable zoning district regulations and provisions of the zoning chapter
- j) Will provide, if applicable, erosion control and on-site storm water detention in accordance with the standards contained in this ordinance
- k) Will be compatible with the surrounding area and thus will not impose an excess burden or have a substantial negative impact on surrounding or adjacent use or on community facilities or services.

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

**Section 1.** Ordinance No. 4355 is hereby amended by the repeal of Section 2 thereof and enacting a new Section 2 in lieu thereof to read:

**SECTION 2.** TWB2, LLC., d/b/a The Watering Bowl, is hereby granted a conditional use permit to operate a pet care facility, and site plan approval to construct the site improvements in accordance with the plans cited in Section 1 above, said plans having been submitted to the Planning and Zoning Commission and to the Board of Aldermen subject to the conditions contained in this section.

- a) Permitted Uses. The use permitted by this conditional use permit shall be a pet care facility with overnight boarding and an outdoor exercise area.
- b) The petitioner shall ensure that commercial trash service is provided for this business.
- c) Hours of operation. Hours of operation shall be 24 hours/day, Monday through Sunday.
- d) Parking Lot. All parking spaces shall be marked by durable painted lines at least four (4) inches wide and extending the length of the space or by curbs or other means to indicate individual spaces. Handicapped parking spaces shall be identified through the use of light blue painted lines. Signs or markers located on the surface within a parking facility shall be used as necessary to ensure efficient and safe traffic operation of the facility. No double-parking in the lot or in marked parking areas is to be allowed.
- e) All rooftop equipment shall be screened from public view with an architectural treatment. "Screened from public view" means not visible from any adjoining properties or any street right-of-way.
- f) All conditional use permits are approved for a specific location only and may not be transferred to any other location.


**SECTION 2.** All other provisions of Ordinance No. 4355 and Ordinance No. 4434 shall remain in full force and effect.

**SECTION 3.** The Director of Planning and Development shall be charged with the responsibility for the enforcement of this ordinance.

**Section 4.** This Ordinance shall be in full force and effect from and after the date of its final passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERMEN THIS 15<sup>th</sup> DAY OF JULY, 2024.**

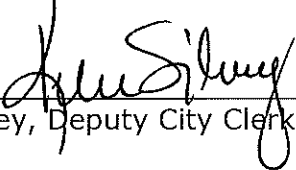
ATTEST:

  
\_\_\_\_\_  
Kelle Silvey, Deputy City Clerk

  
\_\_\_\_\_  
David A. Dimmitt, Presiding Officer

**APPROVED BY THE MAYOR THIS 15th DAY OF JULY, 2024.**

ATTEST:

  
\_\_\_\_\_  
Kelle Silvey, Deputy City Clerk

  
\_\_\_\_\_  
David A. Dimmitt, Mayor

1<sup>st</sup> Reading: July 15, 2024  
2<sup>nd</sup> Reading: July 15, 2024

