

BILL NO. 6519

ORDINANCE NO. 5145

INTRODUCED BY:

ALDERMAN PLUFKA
ALDERMAN WEGGE
ALDERMAN LOCHMOELLER
ALDERWOMAN HARTER

ALDERWOMAN PARKER TICE
ALDERWOMAN SIMS
ALDERMAN GOULD
ALDERMAN ERGER

AN ORDINANCE APPROVING A SITE PLAN AND GRANTING A CONDITIONAL USE PERMIT FOR PLANET FITNESS, A GYMNASIUM AND HEALTH CLUB AT 8340 EAGER ROAD WITHIN THE MERIDIAN AT BRENTWOOD DEVELOPMENT.

WHEREAS, Michael Twiss, of The MT Studio, LLC, submitted an application for a conditional use permit for a Planet Fitness, within the Meridian at Brentwood Development within the tenant space addressed as 8340 Eager Road; and

WHEREAS, in accordance 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 site development plan and conditional use permit be approved subject to certain conditions; and

WHEREAS, pursuant to notice duly published as required by law, a public hearing was duly held by the Board of Aldermen on the August 19, 2024, , at which all interested parties were given an opportunity to be heard and were 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. The MT Studio, LLC, has submitted the following documents to depict the extent of improvements proposed for the site:

- Conditional use Application Review Set prepared by The MT Studio, LLC, received May 28, 2024

The site development plan described on the referenced documents is hereby approved for the subject location.

SECTION 2. The MT Studio is hereby granted a conditional use permit to operate a recreational entertainment facility in accordance with the plans referenced in Section 1, above, subject to the conditions contained in this section.

1. The Applicant shall submit for a building permit to be consistent with the drawings submitted for the Planning and Zoning Commission meeting on July 10, 2024, except as modified below.
2. The facility shall not exceed 32,807 square feet, and be located at 8340 Eager Road.

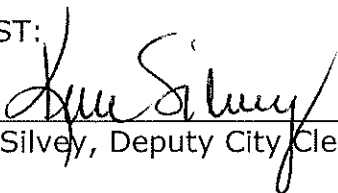
- 3. Hours of operation may be up to 24 hours, 7 days per week.
- 4. All dead or dying trees or plants and any missing plant materials located within the Development within which the site plan approved hereby is located shall be replaced per the prior approved landscape plan.
- 5. All landscaping shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. In order to present a healthy, neat and orderly appearance, landscaped areas shall be provided with adequate irrigation for the maintenance of grass, shrubs, ground covering and other landscaping by utilizing a sprinkler system, hose bibs and/or such other method of providing water, as required under Section 400.1730 Screening and landscaping.
- 6. All signs shall be consistent with the prior approved Comprehensive Sign Plan, Ordinance No. 4426, or as amended.
- 7. No site plan or conditional use permit approved by the Board of Aldermen shall be valid for a period longer than twelve (12) months from the date granted, unless within such period a building permit is obtained, and substantial construction is commenced.

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 19th DAY OF AUGUST, 2024.

ATTEST:



 Kelle Silvey, Deputy City Clerk



 David A. Dimmitt, Presiding Officer

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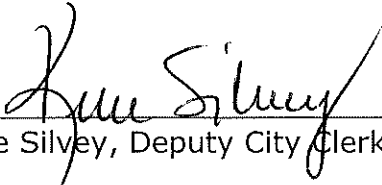
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APPROVED BY THE MAYOR THIS 19th DAY OF AUGUST, 2024.



David A. Dimmitt, Mayor

ATTEST:



Kelle Silvey, Deputy City Clerk

1st Reading: August 19, 2024

2nd Reading: August 19, 2024

