

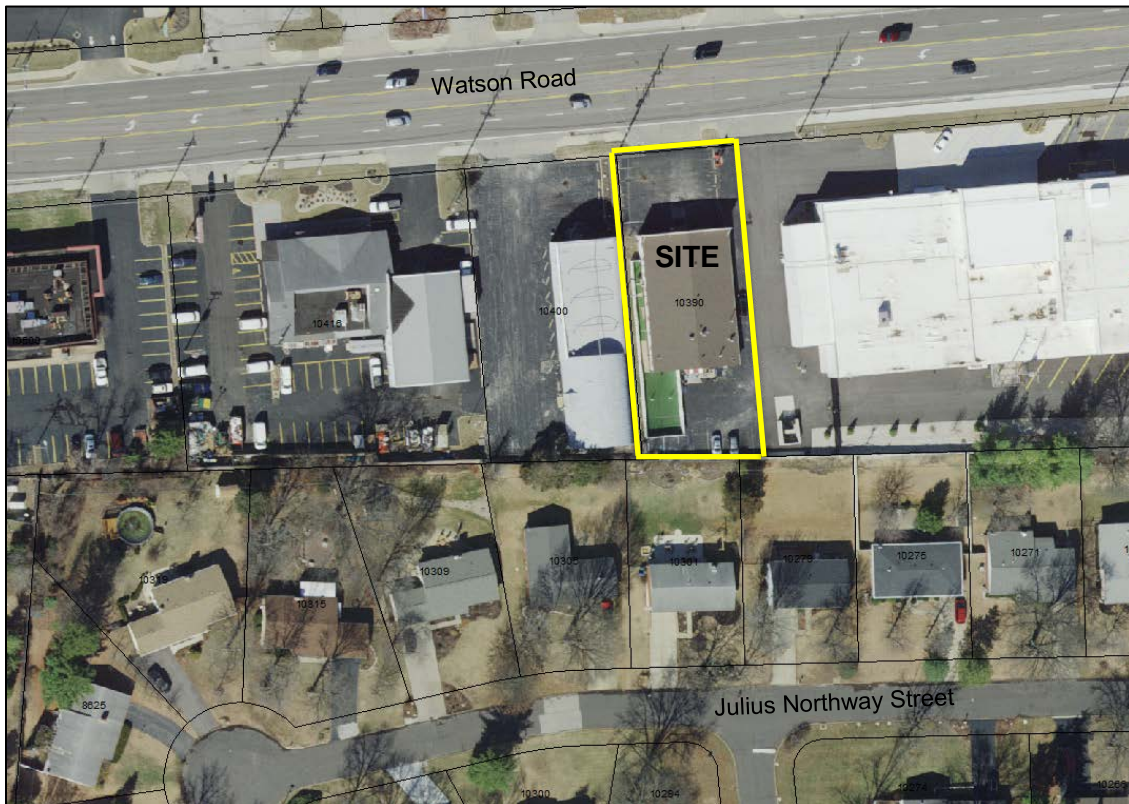
P-01-19

Title: Petition for Amended Conditional Use Permit, submitted by Patches Ellis, to make changes to the approved Conditional Use Permit for Y Bark Alone by increasing the total number of dogs allowed per day from 50 to 120 at an existing dog day care at 10390 Watson Road.

Owner: Paul Cardwell
9349 Lincoln Drive
St Louis, Missouri 63127

Petitioner: Y Bark Alone
10390 Watson Road
St Louis, Missouri 63127

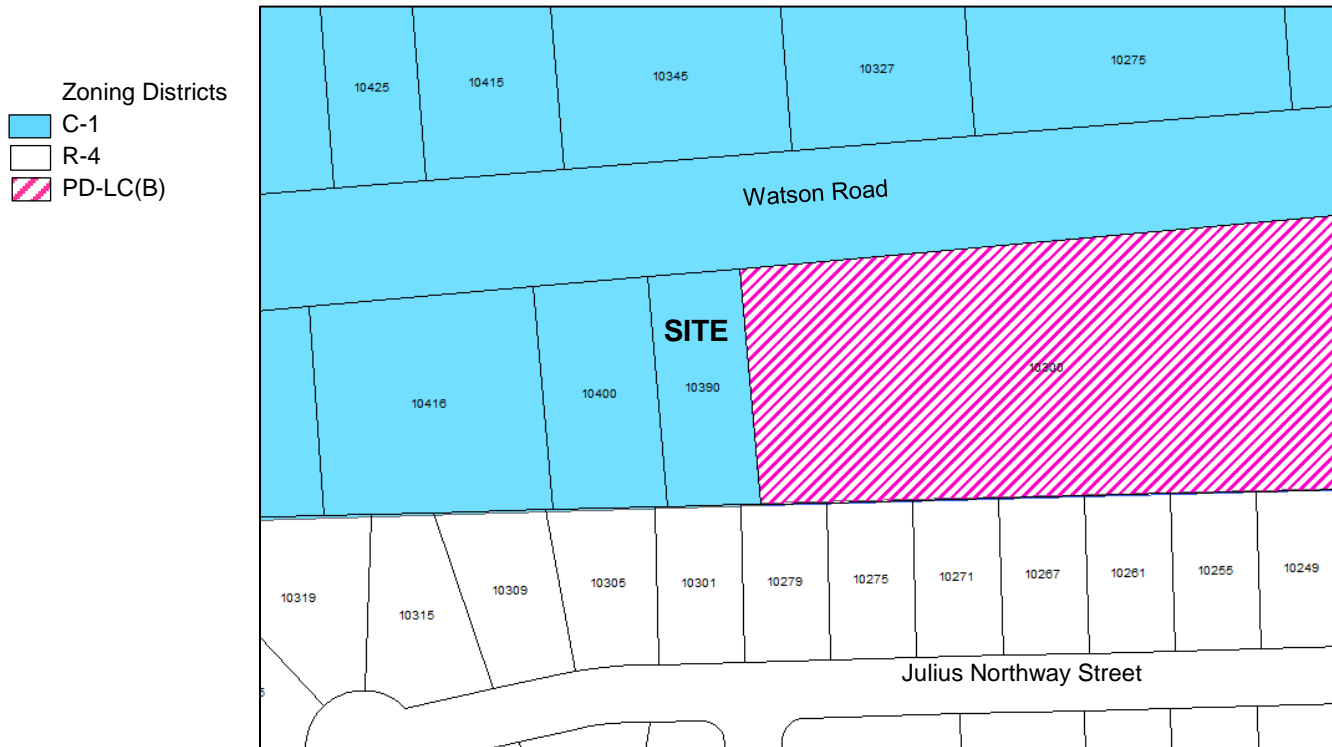
Date: April 2019



Maps are for informational use only. Not a representation of the project.

Summary:

This petition is for an Amended Conditional Use Permit to allow an increase in the number of dogs allowed on site from 50 to 120 for Y Bark Alone at 10390 Watson Road. The property is currently zoned C-1, Commercial District. The property to the west is also zoned C-1. The properties to the north (across Watson Road) are also zoned C-1. The property to the east is zoned PD-LC(B) Planned Development-Limited Commercial. The properties to the south are zoned R-4, Single Family Residential-10,000 square foot minimum lot size.



History:

In September 2012, the petitioner applied for a Conditional Use Permit (P-30-12) to operate a dog day care at 10390 Watson Road. At that time, the use was not defined in the City's Zoning Regulations. The Petition was denied in November.

In January 2013, the petitioner applied for a Conditional Use Permit (P-01-13) to operate a dog day care at 10390 Watson Road. At that time, the use was still not specifically defined. Staff, along with the City Attorney determined the use to fall

between an animal hospital/veterinary clinic (not including animal boarding facilities or outdoor animal exercise areas) and a day care center. Both of those uses were and still are conditional uses in the C-1 District and require a Conditional Use Permit to be approved by the Board of Aldermen. At that time, it was also determined that the parking requirement for the use would be one (1) space per employee.

Concerns at that time, included the following:

- Parking – ten (10) spaces were defined in front of the building, nine (9) spaces were defined behind the building and an agreement was produced from the neighboring property owner to the west, granting permission to use up to fifteen (15) spaces in their parking lot.
- Lighting – existing lighting was on the front of the building only. Additional lighting was added to the back of the building and shielded from neighboring, residential properties.
- Privacy – there were concerns about the existing chain link fence. That fence was replaced with a vinyl privacy fence.
- Capacity – the Petitioner produced information that to prevent overcrowding and stress, small dogs require approximately 50-70 square feet of play area per dog and large dogs require approximately 100 square feet of play area per dog.
- Waste disposal – St Louis County and the Metropolitan Sewer District (MSD) determined the proposed waste disposal system to be adequate for the number of dogs proposed at that time (50).

Ordinance Number 1869 was approved February 26, 2013, with the following conditions:

1. No dog may be boarded longer than the operating hours of the business which shall be 5:30am to 8:00pm Monday through Friday; 6:00am through 6:00pm Saturday; and 8:00am through 5:00pm Sunday.
2. The dogs shall not be exercised outside of the building.
3. Permittee shall not keep more than 50 dogs at the same time.

4. Permittee shall produce evidence before opening for business that Dr. Hallie Feagans will allow the use of fifteen (15) parking spaces on the adjoining property.

In January 2014, the petitioner applied for a Text Amendment (P-01-14) to the Zoning Regulations. The Amendment was to Appendix B Zoning Regulations, Section 4.9-3 Conditional Uses in the C-1 Commercial District and read (amendment shown in red):

- (K) Day care centers (people or animals) which shall allow boarding within a dog day care.

Ordinance Number 1902 was approved February 25, 2014.

In March 2014, the petitioner applied for an Amended Conditional Use Permit to allow boarding at the existing dog day care at 10390 Watson Road. Ordinance Number 1909 was approved April 22, 2014 with the following conditions:

1. The dogs shall not be exercised outside of the building.
2. Permittee shall not keep more than 50 dogs at the same time.

The petitioner has presented updated capacity information, which is included in the attached information.

Staff analysis:

This Petition is to increase the number of dogs permitted on site from 50 to 120. The petitioner has stated that the facility can accommodate 50 dogs for day care, 50 dogs for boarding and 20 dogs for grooming. Other changes from the previously approved petitions include:

1. Hours of operation are proposed to be 5:30am to 8:30pm Monday through Friday, 6:00am to 8:00pm on Saturday and 8:00am to 5:00pm on Sunday.
2. The fenced area behind the building has increased in size.
3. The number of parking spaces has been reduced. Originally, there were nineteen (19) spaces plus an agreement to use up to fifteen (15) spaces on the adjoining property. There are currently ten (10) parking spaces in front of the

building. The parking spaces behind the building were eliminated when the size of the fenced area was increased. It is not clear whether the petitioner has a current parking agreement with any adjoining property owner.

Per Appendix B Zoning Regulations, Section 7.3-1 Criteria: The board shall not approve any conditional use, which they determine to:

- (A) Substantially increase traffic hazards or congestion.

Based on the information provided, traffic hazards or congestion could increase. At this time, there does not appear to be adequate parking.

- (B) Substantially increase fire hazards.

Staff would recommend updated occupancy permits be issued by St Louis County and Mehlville Fire District.

- (C) Adversely affect the character of the neighborhood.

Based on the information provided and previous noise complaints from adjacent residential property owners, staff has concerns that this amendment could adversely affect the character of the neighborhood.

- (D) Adversely affect the general welfare of the community.

Based on the information provided, this amendment should not adversely affect the general welfare of the community.

- (E) Overtax public utilities.

The proposed amendment should not overtax public utilities.

- (F) Conflict with standards contained in Subsections 7.3-2 and 7.3-3.

The standards in Subsections 7.3-2 and 7.3-3 are not applicable to this petition.

- (G) Conflict with the goals and objectives or proposed land use in the Comprehensive Plan.

This petition does not conflict with the Comprehensive Plan. This property has a commercial designation in the current land use plan.

Staff recommendation:

Staff is not in favor of this petition. At the time the original Conditional Use Permit was approved, there were concerns expressed about the number of dogs and as a result, the number of dogs was limited to 50.

The table below illustrates information submitted by the petitioner at the time of the original petition with recommended play space per dog, square footage provided within the building and the number of dogs that could be accommodated for day care using that recommendation:

Recommended play space per dog	Provided space	Number of dogs accommodated
100 square feet per large dog	2801	28
60-70 square feet per medium dog	525	7-8
60-70 square feet per small dog	462	6-7
? square feet per puppy*	180	
Total	3968	

*A recommended play space area was not provided for puppies.

In addition to the 50 dogs permitted for day care, the petitioner wishes to board up to 50 additional dogs and provide grooming services for up to 20 dogs.

There does not appear to be adequate parking for the proposed number of dogs. The facility currently has three (3) shifts, ranging from one (1) to eight (8) employees. Continuing with the previous requirement of one (1) parking space per employee, eight (8) parking spaces would be required. Additionally, per ADA requirements, parking lots with up to 25 spaces require one (1) of those spaces to be accessible. This would result in only one (1) additional parking space for customers.

If you choose to recommend approval of this petition to the Board of Aldermen, staff recommends the following conditions:

1. The petitioner must provide a copy of their current license, as issued by the State of Missouri.
2. The petitioner must obtain new occupancy permits from St Louis County and Mehlville Fire District.

3. The petitioner must provide a new parking agreement, for a number of spaces determined to be adequate by the Planning & Zoning Commission and Board of Aldermen.