

**BILL NO. 39**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF SUNSET HILLS, MISSOURI, PROVIDING FOR THE APPROVAL OF AN AMENDED DEVELOPMENT PLAN FOR A PARCEL OF PROPERTY CONTAINING 8.51 ACRES, MORE OR LESS, LOCATED AT 3600 SOUTH LINDBERGH BOULEVARD, SUNSET HILLS, MISSOURI, OWNED BY SUNSET HILLS OWNER LLC AND MATTERS RELATED THERETO, AS PER APPLICATION P-03-22**

WHEREAS, an application for an amended development plan was received from LC Restaurant LLC on behalf of the property owner Sunset Hills Owner LLC (collectively, the "Applicant"), for approval of an amended development plan for certain real property containing 8.51 acres, more or less, legally described in Exhibit "A" of this Ordinance, and having an address of 3600 South Lindbergh Boulevard, Sunset Hills, Missouri (the "Property"); and

WHEREAS, in conjunction with Application P-03-22, the Applicant has submitted an Amended Development Plan dated December 23, 2021, entitled "Bass Pro Shops" on the Property showing the proposed area of development which is attached hereto as Exhibit B and incorporated herein by reference (hereinafter the "Amended Development Plan"); and

WHEREAS, in conjunction with Application P-03-22 and based on comments received from the Planning and Zoning Commission, the Applicant has submitted further revisions to the Amended Development Plan dated January 27, 2022, providing modifications to the entrance to the property from South Lindbergh Boulevard at Sunset Hills Plaza which revisions to the Amended Development Plan are attached hereto as Exhibit C and incorporated herein by reference (hereinafter the "Supplement to the Amended Development Plan"); and

WHEREAS, said application was duly referred to the Planning and Zoning Commission for its investigation and report; and

WHEREAS, public notice of a meeting of the Planning and Zoning Commission upon said application was posted according to law and ordinance; and

WHEREAS, meetings were held before the Planning and Zoning Commission on January 5, 2022, and February 2, 2022, upon said petition; and

WHEREAS, the Planning and Zoning Commission has submitted its report recommending approval to the Board of Aldermen; and

WHEREAS, a public hearing was scheduled before the Board of Aldermen on February 8, 2022, in accordance with the Zoning Regulations, Appendix B of the Code of Ordinances; and

WHEREAS, the Board of Aldermen of the City of Sunset Hills, Missouri (the "Board"), after careful and due deliberation, has concluded that the proposed Amended Development Plan for the Property is appropriate, that the request is consistent with existing and planned future land use in the area, and that approval of such Amended Development Plan would be in the interests of the health, safety and welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The Amended Development Plan designated P-03-22 submitted by Sunset Hills Owner LLC for the property at 3600 South Lindbergh Boulevard, Sunset Hills, Missouri, bearing a date of December 23, 2021, and as supplemented and modified by the Supplement to Amended Development Plan, bearing a date of January 27, 2022, as attached hereto and incorporated herein by reference as Exhibits B and C, is hereby approved, subject to the following conditions:

- A. All requirements of Appendix B of the Code of Ordinances (the Zoning Code), including, without limitation, the below listed requirements, shall either be met, anticipated to be met or the Board of Adjustment approves variances for any substantive requirement that shall not be met.
  - a. Appendix B Zoning Regulations, Section 6.3-4: Parking areas shall meet a ten foot (10') requirement from any front property line or right of way and five feet (5') from any side or rear property lines.
  - b. Appendix B Zoning Regulations, Section 4.10-11B3: Total site coverage shall not exceed 70% total site coverage.
  - c. Appendix B Zoning Regulations, Section 5.13-5B5: Parking rows shall not exceed fifteen (15) spaces without the provision of a landscape planting area.
- B. Applicant shall provide an as-built photometric plan for the Property that shall satisfy the illumination requirements of Appendix B Zoning Regulations, Section 6.3-7B before an occupancy permit is issued.
- C. Applicant shall construct an eight feet tall site-proof fence on the east side of the Property between the parking area behind the building and the property line.
- D. Applicant shall obtain approval from Metropolitan St. Louis Sewer District (MSD) for the proposed use of the Property.
- E. Applicant shall establish a cross access easement and install a cross access drive between the Property and the Comfort Suites/Helen Fitzgerald property to the south of the Property.
- F. Applicant shall install sidewalks adjacent to the Property pursuant to Section 24-108(a) of the Code of Ordinances before an occupancy permit is issued.

Section 2. This ordinance shall take effect and be in full force from and after its passage and approval.

**PASSED** this \_\_\_\_\_ day of February, 2022

\_\_\_\_\_  
*MAYOR*

**APPROVED** this \_\_\_\_\_ day of February, 2022

\_\_\_\_\_  
*MAYOR*

**ATTEST:** \_\_\_\_\_

***CITY CLERK/CITY ADMINISTRATOR***