

A-40-22

Title: Request for variance, submitted by Amanda O'Hara for Bass Pro Shops, to vary the maximum signage allowed for a retail business from 1102.97 square feet to 1552.66 square feet 3600 South Lindbergh Boulevard (Appendix D, Section 5a2f).

Owners: Sunset Hills Owner LLC **Petitioner:** Amanda O'Hara
120 S Central Ave #500 121 New Britain Boulevard
St Louis, Missouri 63105 Chalfont, Pennsylvania 18914

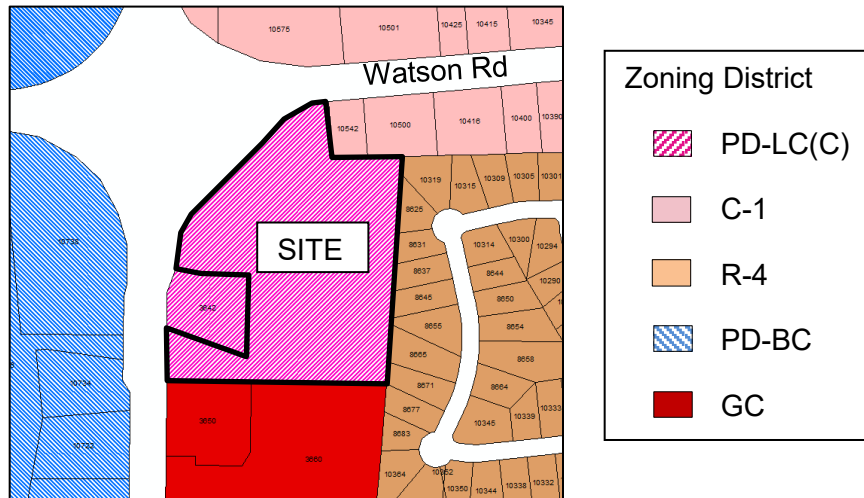
Date: November 2022



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

Summary:

This request is to vary the maximum signage allowed for a retail business from 1102.97 square feet to 1552.66 square feet at 3600 South Lindbergh Boulevard. The property is located on the southeast corner of South Lindbergh Boulevard and Watson Road. The property is currently zoned PD-LC(C) Planned Development – Limited Commercial. The properties to the north are zoned LC Local Commercial District. The properties to the south are zoned GC General Commercial. The properties to the east are zoned LC and R-4 Single Family Residential – 10,000 square foot minimum lot size. The properties to the west (across South Lindbergh Boulevard) are zoned PD-BC Planned Development – Business Commercial.



Project overview:

- Location: The Shoppes at Sunset Hills.
- Existing zoning: PD-LC(C) Planned Development – Limited Commercial.
- Requirement from which variation is being sought: Appendix D, Section 5a2f.
- Requirement: Within large developments, including The Shoppes and The Plaza, each retail business, having a total of one hundred thousand (100,000) square feet of gross floor area or less, regardless of whether the business is located in a multi-tenant building or in a building that occupies only one (1) business, wall signage shall be limited to five (5) percent of the wall area or two hundred (200) square feet whichever is less. A variance (A-24-22) was approved in June 23 to allow 1102.97 square feet of signage.

- Request: 1552.66 square feet of signage, proposed on three (3) sides of the building.

History & staff analysis:

In March 2022, the City approved an Amended Development Plan for redevelopment of the property; consisting of the Toys R Us and Ross Dress for Less space. In June, several variances were approved for wall signage. The space formerly leased by The Tile Shop has now been added to the project, a portion of which will be used for boat service (see P-21-22 for the Conditional Use Permit approving the use) and the proposed signage has changed.

This application is for a variance, to vary the maximum signage allowed for a retail business at the intersection of two (2) roadways. In June, a variance was approved to vary the maximum signage from 200 square feet to 1102.97 square feet (see A-24-22). Signage for the entire development has been redesigned and the proposed total is now 1552.66 square feet.

Per Appendix B Zoning Regulations, Section 9.3-2 Findings: The Board of Adjustment may grant variances from the strict application of this Ordinance when by reason of the strict application of this Ordinance or Amendments thereto would result in unusual difficulty or unreasonable hardship upon the owner of said property; provided that such variance can be granted without substantial impairment of the intent, purpose and integrity of this ordinance. It is further provided that this provision shall not permit the board of adjustment to permit a use of land not authorized by the provisions of this ordinance for a specific zoning district or to increase the height or volume of a building or structure or to increase the density of development beyond that permitted by this ordinance for any particular zoning district.

Before granting a variance, there must be a finding by the Board of Adjustment that all of the following conditions exist:

(A) That if the owner complied with the provisions of this ordinance, the owner would not be able to make any reasonable use of the property which is permitted in the district in which the property is located.

If the owner complied with the provisions of this ordinance, they would be able to make use of the property as it currently exists.

(B) That the difficulties or hardships are peculiar to the property in question in contrast with those of other properties in the same district.

The difficulties and hardships are not peculiar to this property.

(C) That the hardship was not the result of the applicant's own action and is not merely financial or pecuniary.

The hardship is the result of the applicant's own action. The hardship is not financial or pecuniary.

(D) That the issuance of a variance will not be detrimental to the public welfare or health or injurious to other property.

Based on the information provided by the Petitioner, this variance should not be detrimental to the public welfare or health or injurious to other property.

If the Board believes that application of this Ordinance would result in unusual difficulty or unreasonable hardship upon the owner of said property, this appeal should be approved.