

BOARD OF ADJUSTMENT
OF THE CITY OF SUNSET HILLS, MISSOURI
THURSDAY, DECEMBER 1, 2022

BE IT REMEMBERED that the Board of Adjustment of the City of Sunset Hills, Missouri met in regular session on Thursday, December 1, 2022. The meeting convened at 7:00 P.M.

ROLL CALL

Present:	William Weber	-Member
	Mark Naes	-Member
	John Hassis	-Member
	Larry Smith	-Member
	Joshua Arnold	-Member
	Lynn Sprick	-City Planner
	Lyndee Rodamaker	-City Attorney
	Bryson Baker	-City Engineer

Absent:

APPROVAL OF MINUTES

Copies of the minutes of the September 22, 2022, Board of Adjustment meeting were distributed to the members for their review. Mr. Smith made a motion to approve the minutes, as submitted. Mr. Arnold seconded the motion, and they were unanimously approved.

NEW BUSINESS

A-38-22 Petition for a Variance, submitted by Noel Knobloch, to vary the maximum height of a fence from six feet (6') to eight feet (8') at 3714 Sunset Chase Drive (UDO Section 4.4.2-1a).

Ms. Rodamaker stated exhibit one is the Unified Development Ordinance, exhibit two is the application, exhibit three is the staff report, exhibit four is the petitioner information, and exhibit five is the public hearing information.

Ms. Sprick was sworn in and stated the property is adjacent to a commercial development, so they would like additional screening. All other requirements will be met.

Monica Knobloch, homeowner, was present, sworn in, and stated they currently have an eight-foot fence that is deteriorating. Lights from cars pulling into the commercial building's parking lot shine into their home.

Mr. Smith asked if the fence must be faced a certain way.

Ms. Sprick stated the City does not dictate which way the panels face.

Mr. Weber called for a vote on petition A-38-22 Petition for a Variance, submitted by Noel Knobloch, to vary the maximum height of a fence from six feet (6') to eight feet (8') at 3714 Sunset Chase Drive (UDO Section 4.4.2-1a). With 5 aye votes and 0 nay votes, the petition was approved.

It should be noted that the following petitions were heard simultaneously but voted on separately.

A-39-22 Petition for a Variance, submitted by Amanda O'Hara & Joe Phillips, to vary the number of wall signs allowed from four (4) per street facing side of the building to five (5) for the western elevation at 3600 South Lindbergh Boulevard (App D, Section 5a2a).

A-40-22 Petition for a Variance, submitted by Amanda O'Hara & Joe Phillips, to vary the maximum signage allowed for a retail business located at the intersection of two (2) roadways from 1102.97 square feet to 1552.66 square feet at 3600 South Lindbergh Boulevard (App D, Section 5a2f).

A-41-22 Petition for a Variance, submitted by Amanda O'Hara & Joe Phillips, to

vary the maximum size of a wall sign from 100 square feet to 105.21 square feet for a proposed “Ascend” wall sign at 3600 South Lindbergh Boulevard (App D, Section 5a2g).

A-42-22 Petition for a Variance, submitted by Amanda O’Hara & Joe Phillips, to vary the maximum size of a wall sign from 133.06 square feet to 170.82 square feet for a proposed “Tracker Boats & ATVs” sign at 3600 South Lindbergh Boulevard (App D, Section 5a2g).

A-43-22 Petition for a Variance, submitted by Amanda O’Hara & Joe Phillips, to vary the maximum size of a wall sign from 100 square feet to 332.46 square feet for a proposed “Tracker Boats & ATVs” sign at 3600 South Lindbergh Boulevard (App D, Section 5a2g).

A-44-22 Petition for a Variance, submitted by Amanda O’Hara & Joe Phillips, to allow two (2) signs on the southern, non-street facing wall at 3600 South Lindbergh Boulevard (App D Sign Regulations, Section 5a2).

Ms. Rodamaker stated exhibit 1 is Appendix D of the Code of Ordinances, exhibit 2 is the Unified Development Ordinance, exhibit 3 is the application for A-39-22, exhibit 4 is the staff report for A-39-22, exhibit 5 is the petitioner information for A-39-22 through A-44-22, exhibit 6 is the public hearing information for A-39-22 through A-44-22, exhibit 7 is the application for A-40-22, exhibit 8 is the staff report for A-40-22, exhibit 9 is the application for A-41-22, exhibit 10 is the staff report for A-41-22, exhibit 11 is the application for A-42-22, exhibit 12 is the staff report for A-42-22, exhibit 13 is the application for A-43-22, exhibit 14 is the staff report for A-43-22, exhibit 15 is the application for A-44-22, and exhibit 16 is the staff report for A-44-22.

Mr. Naes asked if the two handouts that were given out should be submitted as evidence.

Mr. Rodamkaer asked if the handouts were included in the packet.

Ms. O'Hara stated they were not in the packet.

Ms. Rodamaker stated exhibit 17 is the version with the green sign and exhibit 18 is the non-colored graph.

Mr. Naes stated it should be noted that the variance requests are for variances that have already been granted.

Ms. Sprick stated in June, variances were granted for four wall signs. Now they would like another one for the newly acquired section of the building.

Mr. Weber asked if any of the four signs that have variances are being changed.

Ms. Sprick stated yes, in June the total wall signage was varied, and they are asking for additional signage to equal 1,552.66 square feet.

Amanda O'Hara, Senior Project manager with Cima, Alexis Neuroth, Retail Planning Manager for Bass Pro Shop, Michael Black, Senior Director of Construction for Bass Pro Shops, and Joe Philips, with Pyros Signs were present and sworn in. Ms. O'Hara stated they acquired an additional 78,000- 95,000 square feet of building space. They are now considered an Outdoor World, instead of an Outpost. Some of the new variance requests are for corrections made to the square footage totals of the previously approved signage. They have removed the Johnny Morris ribbon and there has been a reduction in the size of the Bass Pro logo on the front elevation.

Mr. Weber asked about signs five through seven.

Ms. O'Hara stated they are new signs. There is 405.33 square feet of new signage.

Mr. Naes stated sign five is redundant because it has the same information as sign four.

Ms. O'Hara stated this is due to visibility for traffic flow. The visibility for people turning eastbound out of the plaza across the street and driving northbound on

Lindbergh Boulevard is blocked by Lonestar. The gable where the Tracker sign is will minimize visibility southbound on Lindbergh Boulevard or eastbound on Watson Road.

Mr. Naes stated it is still redundant.

Ms. O'Hara stated the pylon will block some of the visibility for the wall signs.

Mr. Naes stated Tracker will be on the pylon sign already.

Ms. Rodamaker stated exhibit 19 is the new handout.

Mr. Hassis asked about percentage requirements.

Ms. Sprick stated a single tenant building is allowed 10% of the wall area for signage; a large development is allowed only 5%. The total square footage exceeded the allowable amount more significantly than the percentage.

Mr. Hassis stated the variance already exceeded the 5%.

Ms. O'Hara stated there have been other variances within proximity with the allowance of the 10%. For example, A-06-13 for Five Below, was granted a variance from 5%-11.3%. They are asking for variances that are in line with others that have been granted.

Mr. Smith stated the total square footage of the new signs subtracted from the total is 45 square feet more than what was already approved. The second Tracker sign is the major additional amount. It does not appear that the elevation is drawn in and the absolute necessity of having a second sign has not been proven.

Ms. O'Hara stated the signs will not be seen at the same time from any direction. Visibility is imperative because there is little time to make a decision for turning.

Mr. Weber asked if they can make sign #4 closer to the already approved amount, since it has changed the most.

Ms. O'Hara stated there was a calculation error. Even with the miscalculation, the visual appearance and scale of the elevations were correct. It was an error in the totals listed.

Mr. Weber stated the visual looks smaller.

Ms. O'Hara stated if they went with the previously approved signs, this is how small it would be. It does not look right, and some cannot even be read. It is disproportionate to the size of the building.

Mr. Weber stated he is much more pleased with the modified version.

Ms. Rodamaker stated the modified version is exhibit 20.

Mr. Naes asked if the flags were approved as building height.

Ms. Sprick stated the flagpole received a variance.

Mr. Weber called for a vote on petition A-39-22 Petition for a Variance, submitted by Amanda O'Hara & Joe Phillips, to vary the number of wall signs allowed from four (4) per street facing side of the building to five (5) for the western elevation at 3600 South Lindbergh Boulevard (App D, Section 5a2a). With 5 aye votes and 0 nay votes, the petition was approved.

Mr. Weber called for a vote on petition A-40-22 Petition for a Variance, submitted by Amanda O'Hara & Joe Phillips, to vary the maximum signage allowed for a retail business located at the intersection of two (2) roadways from 1102.97 square feet to 1552.66 square feet at 3600 South Lindbergh Boulevard (App D, Section 5a2f). With 5 aye votes and 0 nay votes, the petition was approved.

Mr. Weber called for a vote on petition A-41-22 Petition for a Variance, submitted by Amanda O'Hara & Joe Phillips, to vary the maximum size of a wall sign from 100 square feet to 105.21 square feet for a proposed "Ascend" wall sign at 3600 South Lindbergh Boulevard (App D, Section 5a2g). With 5 aye votes and 0 nay votes, the petition was approved.

Mr. Weber called for a vote on petition A-42-22 Petition for a Variance, submitted by Amanda O'Hara & Joe Phillips, to vary the maximum size of a wall sign from 133.06 square feet to 170.82 square feet for a proposed "Tracker Boats & ATVs" sign at 3600 South Lindbergh Boulevard (App D, Section 5a2g). With 5 aye votes and 0 nay votes, the petition was approved.

Mr. Weber called for a vote on petition A-43-22 Petition for a Variance, submitted by Amanda O'Hara & Joe Phillips, to vary the maximum size of a wall sign from 100 square feet to 332.46 square feet for a proposed "Tracker Boats & ATVs" sign at 3600 South Lindbergh Boulevard (App D, Section 5a2g). With 4 aye votes and 1 nay votes, the petition was approved.

Mr. Weber called for a vote on petition A-44-22 Petition for a Variance, submitted by Amanda O'Hara & Joe Phillips, to allow two (2) signs on the southern, non-street facing wall at 3600 South Lindbergh Boulevard (App D Sign Regulations, Section 5a2). With 5 aye votes and 0 nay votes, the petition was approved.

ANY OTHER MATTERS DEEMED APPROPRIATE

Mr. Weber asked if there is an update on the Unified Development Ordinance for the Board of Adjustment.

Ms. Rodamaker stated the previous Code requires the Board to use specific findings, but it is being changed to take a general finding, giving more leeway. If anything is challenged in court, the specific items would be looked at. This change is making sure evidence is in the City's favor and makes it easier for them to make a decision.

Ms. Sprick stated this is closer to what other communities are using. It is on January's Planning and Zoning agenda as a Text Amendment, and it will go to the Board of Aldermen in February.

Mr. Baker stated the change was written to meet what is already being done.

ADJOURNMENT

Mr. Smith made a motion to adjourn the meeting at 8:20 P.M. Mr. Naes seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape

DRAFT