

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, June 6, 2016

DOCKET 1204

10263 Clayton Road

A meeting of the Zoning Board of Adjustment was held at 3:00 p.m. on Monday, June 6, 2016, at City Hall.

The following members of the board were present:

Mr. Stanley Walch
Mr. David Schlafly
Ms. Elizabeth Panke
Mr. Daniel Welsh
Mr. Lee Rottmann

Also present were: Mr. William Penney, Building Official; Ms. Anne Lamitola, Director of Public Works; Ms. Andrea Sukanek, City Planning Consultant, and Ms. Erin Seele, City Attorney. Councilman John Fox and Mayor Nancy Spewak were also in attendance.

Mr. Walch called the meeting to order at 3:00 PM.

Mr. Daniel Welsh stated that he would be recusing himself from this docket matter due to business conflicts.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1204**

Notice is hereby given that the Zoning Board of Adjustment of the City of Ladue, St. Louis County, Missouri, will hold a public hearing on a petition submitted by Desco Group, 10263 Clayton Road, requesting relief from the ruling of the Planning Consultant for denying sign permits for a low monument sign that does not meet the ten (10) foot setback from right-of-way which is outlined in Section X-F(4)(f) of Zoning Ordinance #1175 and for individual business hanging signs that exceed two square feet in gross sign area which is prohibited by Section X-F(6)(b) and Section X.C, Definition of "Sign Area, Gross" of Zoning Ordinance #1175.

The hearing will be held at 3:00 p.m. on Monday, June 6, 2016, at the City Hall, 9345 Clayton Road.

The hearing will be public and anyone interested in the proceedings will be given the opportunity to be heard.

Pursuant to Section 610.022 RSMo., the Zoning Board of Adjustment could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMo.

Stanley Walch, Chairman
Zoning Board of Adjustment

Mr. Walch asked City Planning Consultant Andrea Sukanek for an explanation with regard to the denial of the permit for the signs. Ms. Sukanek explained that Desco Group has applied for the installation of a low monument sign that does not meet the ten (10) foot setback from right-of-way which is outlined in Section X-F(4)(f) of Zoning Ordinance #1175 and for individual business hanging signs that exceed two square feet in gross sign area which is prohibited by Section X-F(6)(b) and Section X.C, Definition of "Sign Area, Gross" of Zoning Ordinance #1175.

Mr. Walch introduced the following exhibits to be entered into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Permit denial dated March 23, 2016;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated May 10, 2016
- Exhibit F - Entire file relating to the application

The court reporter administered the oath to Mr. Mark Schnuck, Desco, Mr. Brian Ivy, Idea Architects, and Mr. Jerry Cowles, sign constructor.

Mr. Schnuck explained that the Schnucks development at Lindbergh and Clayton, also known as Ladue West, is in need of substantial updates which will include a façade update and signage update. Mr. Schnuck provided details about the proposed improvements to the building, signage, and the landscaping. He provided renderings of the proposed improvements to the commission members. He described the low monument sign that meets the size limitations, but the location does not meet the 10 foot setback. He also described the hanging signs that are proposed for tenants along the corridor on the eastern portion of the development, and that those signs are limited to a total of two square feet. The staff has interpreted the signage code for this area to be hanging signs, but that in his opinion, that because there is no ceiling in this area, the hardship is that there is not an appropriate code section to cover this particular scenario. He explained that the proposed signs are four square feet per side for a total of eight square feet per sign. He reiterated that this area does not constitute a covered walkway, but more of a pergola.

Mr. Rottmann asked if the monument sign is in front of the fence and Mr. Schnuck confirmed that it is.

Mr. Schnuck stated that the hardship for the monument sign is the topography of the property near the intersection of Clayton Road and Lindbergh Road where there is an elevation change and retaining wall. Modifying this condition would result in the loss of parking spaces.

Mr. Schlafly asked about the ownership of the right-of-way on Lindbergh and Mr. Schnuck stated that it is controlled by MoDOT. Mr. Schnuck will work with MoDOT and the City of Ladue on obtaining the required permits.

Ms. Panke asked about the renovation within the eastern retail corridor where the hanging signage will be located to clarify if the signs will be higher or lower than their existing height. A discussion ensued regarding the existing conditions of the hanging signs which are four square feet per sign face.

The public comment portion of the meeting was closed.

Commission discussion began.

Mr. Schlafly stated his support of businesses modernizing signage in the community and recalled similar variances issued to Schneithorst that have set a precedent. He also stated that the existing signage at the site is not highly visible and that the location for the monument sign not be able to comply with the setback requirements due to the topography. Mr. Walch stated that he is in agreement with regard to restrictions due to the topography at the intersection of Clayton and Lindbergh.

Mr. Schlafly stated that, with respect to the hanging signs, there is a hardship at the corridor where there will now be an outdoor shopping experience.

Mr. Rottmann stated that the code allowing only one square foot for a hanging sign is very restrictive. Mr. Schnuck is asking for a four square foot signage which is necessary for visibility.

Ms. Sukanek explained that the options within the sign code are either wall signs or walkway signs and that hanging walkway signs were the most applicable code section.

Mr. Schlafly moved that based on the evidence presented, a practical difficulty exists and the decision of the Planning Consultant be reversed, and a variance granted for both the low monument sign and the hanging signs based on plans dated May 10, 2016. Mr. Rottmann seconded the motion. Mr. Walch called for a vote with regard to this variance request and the vote thereupon was as follows:

Mr. Stanley Walch	"Approve"
Mr. David Schlafly	"Approve"
Ms. Elizabeth Panke	"Approve"
Mr. Lee Rottmann	"Approve"

There were four (4) votes to approve and zero (0) votes to deny and therefore the variances were granted.



Mr. Stanley Walch, Chairman

DOCKET 1204

DATE OF HEARING	June 6, 2016
NAME	Desco Group
DESCRIPTION OF PROPERTY	10263 Clayton Road
CAUSE FOR APPEAL	Relief from the ruling of the City Planning Consultant denying a sign permit for a low monument sign that does not meet the ten (10) foot setback from right-of-way which is outlined in Section X-F(4)(f) of Zoning Ordinance #1175 and for individual business hanging signs that exceed two square feet in gross sign area which is prohibited by Section X-F(6)(b) and Section X.C, Definition of "Sign Area, Gross" of Zoning Ordinance #1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board approved the variance for the low monument sign and the individual business signs and the decision of the City Planning Consultant was overturned.