



WILDWOOD

Determination of Issues and Findings of Facts

Board of Adjustment Case B.A. #16-23

City of Wildwood's Board of Adjustment

Public Hearing of August 17, 2023

City Hall Council Chambers - 16860 Main Street

Nature of the Request:

B.A. 16-23 Bank of America, 2412 Taylor Road, Wildwood, Missouri 63040, c/o Chris Smith, Dale Sign Service, 13652 Manchester Road, Wildwood, Missouri, 63131 – requests an exception to the Business Signs – Attached to Wall, for the purpose of erecting one (1) business sign attached to the wall of the building located upon the property at 2412 Taylor Road (Locator Number 23V320184, Dierbergs Outlot H – Lot 1B, Wildwood Town Center), which would thereby authorize a sign height of thirty-three (33) inches in lieu of the required twenty-four (24) inches, and an overall size of seventy-four (74) square feet in lieu of fifty (50) square feet, on the west elevation (front) of the building. The size and height associated with this current request are identical to the current sign that is located on this same façade. These sign requirements are stipulated by Chapter 415.420 Sign Regulations for all "C" and "M" Districts of the City of Wildwood's Zoning Ordinance, Chapter 415.190 C-8 Planned Commercial District Regulations of the City of Wildwood's Zoning Ordinance, and Amended C-8 Planned Commercial District Ordinance #2157. *This request is also to be reviewed by the Architectural Review Board at its August 10, 2023 meeting, as required by Chapter 415.400 Sign Regulations - General. (Ward Eight)*

Determination of Issues:

Principal to this request is the identification of its issues. This identification process is intended to determine whether the variance is reasonable and appropriate under the criteria that the property's site-specific characteristics create a unique hardship or practical difficulty with the application of individual ordinance requirements and, if granted, its impacts are contained to the tract of land under consideration or negligible enough upon adjoining properties to be considered acceptable. In the instance of **B.A. #16-23**, the issues relating to the variance's reasonableness and appropriateness are as follows:

Area and Site Characteristics

1. The site of this request is a lot that is part of a large "Downtown" District development in the City's Town Center Area. The entire development is over 150,000 square feet, and is anchored by a supermarket, four (4) linear buildings, and two (2) sections of in-line, multiple-tenant spaces.

2. The subject of this request, Outlot H, is 0.79 acres in size and occupied by a financial institution, a branch of Bank of America, built in 2004. This building is a single story in height, 4,700 square feet in area, and contains a drive-through component.
3. This outlot is served by a parking area to the west and south of it, which is shared by other tenants in the development. Highway 100 is situated just to the north of it, bordered by a multi-use path that is parallel to the road. There is no direct access onto Highway 100, without first exiting the shopping center.
4. The area around the building is a mix of land uses, vacant commercially designated land area, an institutional site – church, and residential subdivisions to the south and north.
5. There are three (3) existing signs present on the western, eastern, and northern elevations of the building, all nearly identical or greater in size to the new signage and internally illuminated in a similar fashion. These existing signs were approved in 2004, under a different set of requirements. The sign code has since been updated significantly.
6. This subject lot is zoned via Amended C-8 Planned Commercial District #2157, approved by Wildwood City Council in 2016, but first approved in 1998 via Ordinance #1001. This zoning district designation allows for a range of uses under the Town Center Regulating Plan, including restaurants, with drive-through facilities, retail, and service type activities, and contains a number of conditions and requirements relating to architecture, design, and development standards, including signage.
7. The Amended C-8 Planned Commercial District #2157 states the following regarding signage regulations specifically for Outlot H: *A total of three (3) signs shall be authorized for this building and they shall comply with Section 1003.168(B) Sign Regulations for all "C" Districts of the City of Wildwood Zoning Code for the C-2 Shopping District. These signs may be internally illuminated by approved designs.*

Current Request

8. There are two (2) requests that have been submitted to the Board of Adjustment for consideration, both for the front wall sign, which is placed on the west elevation of the building:
 - A. Permit the front wall sign to have a lettering height of thirty-three (33) inches in lieu of twenty-four (24) inches; and
 - B. Permit the front wall sign to have an overall size of seventy-four (74) square feet in lieu of fifty (50) square feet.
9. The two (2) additional signs being proposed on the east and north elevations of the building meet the City's zoning requirements.
10. The City's Chapter 415.400 Sign Regulations (General) requires that signs seeking review and action from the Board of Adjustment must first be submitted to the Architectural Review Board

for comments, suggestions, or recommendations in this regard. Hence, these requests were reviewed by the Architectural Review Board on August 10, 2023. This discussion of the Architectural Review Board is summarized in the attached memorandum.

11. The petitioner's rationale for the additional height on the front wall sign is to keep it in proportion to the building façade and consistent in sizing with what was approved previously.

Correspondences and Previous Actions

12. The site was duly posted in accordance with City code requirements, including the placement of a sign on the property, advertisement in a newspaper, and posting at City Hall. Along with these notifications, direct mailings were sent to surrounding properties advertising the request.
13. The Department of Planning has received no public comments regarding this request at the time this report was completed.
14. The Department of Planning's review of the records of the City of Wildwood's Board of Adjustment indicate no variances have been granted to this property in the past by the City of Wildwood, with the existing signage authorized by the Department of Planning in March 2004 through its Zoning Authorization process. Nine (9) sign variances have been approved for businesses with a Taylor Road address and located within Town Center, most of which were related to sign height or overall size. Two (2) such sign height variance requests were denied, also along Taylor Road and within Wildwood Town Center.
15. The City's lighting consultant reviewed the plans submitted by the petitioner and found them to be consistent with the City's Lighting Code. The consultant recommended a dimmer be utilized instead of a toggle switch.

Findings of Fact:

The Department of Planning has reviewed this request with regard to the criteria established for its approval or denial, i.e. site characteristics, which render a unique hardship or a practical difficulty and impacts on adjoining properties, and believes these requests **do meet** the requirements set forth to be considered reasonable and appropriate. This position is premised upon the following site-specific findings:

1. The proposed sign is lesser in size and height than the existing representation, which was approved by the City of Wildwood in March 2004 through its Zoning Authorization process under different requirements at the time. Additionally, while the height of the logo is thirty-three (33) inches, the height of the lettering is only sixteen point five (16.5) inches compared to the twenty-four-inch-high lettering approved previously. Thus, the new sign will have less impact to the surrounding area.

2. The proposed signage is proportional to the facade of the building, and thus maintains a pleasing aesthetic.
3. This sign, when lit at night, will be by internal sources with blue and red LED lighting, which minimizes its impact, particularly if controlled by a dimmer, which is recommended by the Department upon the advice of its lighting consultant. Several members of the City's Architectural Review Board indicated their support for the requested variances, contingent upon the sign being controlled by a dimmer.
4. The location of this sign on the building's west elevation provides the greatest level of exposure to State Route 100 in many regards, which benefits the driving public.

Recommendation:

Based upon the above-listed Findings of Fact, the Department recommends the Board of Adjustment approve the sign variances as submitted, contingent upon the sign being equipped with a dimmer, in the event the lighting associated with the sign is too bright for its surrounding setting.

Respectfully submitted,
CITY OF WILDWOOD
Department of Planning



August 17, 2023

MEMORANDUM

To: Board of Adjustment Members, Alternates & Liaisons

CC: Architectural Review Board Members, Alternates & Liaisons

From: Planner Keefe

Re: *Summary of architectural review* of rendering and related materials for the following Board of Adjustment petition:

B.A. 16-23 Bank of America, 2412 Taylor Road, Wildwood, Missouri 63040, c/o Chris Smith, Dale Sign Service, 13652 Manchester Road, Wildwood, Missouri, 63131 – requests an exception to the Business Signs – Attached to Wall, for the purpose of erecting one (1) business sign attached to the wall of the building located upon the property at 2412 Taylor Road (Locator Number 23V320184, Dierbergs Outlot H – Lot 1B, Wildwood Town Center), which would thereby authorize a sign height of thirty-three (33) inches in lieu of the required twenty-four (24) inches, and an overall size of seventy-four (74) square feet in lieu of fifty (50) square feet, on the west elevation (front) of the building. The size and height associated with this current request are identical to the current sign that is located on this same façade. These sign requirements are stipulated by Chapter 415.420 Sign Regulations for all “C” and “M” Districts of the City of Wildwood’s Zoning Ordinance, Chapter 415.190 C-8 Planned Commercial District Regulations of the City of Wildwood’s Zoning Ordinance, and Amended C-8 Planned Commercial District Ordinance #2157. *This request is also to be reviewed by the Architectural Review Board at its August 10, 2023 meeting, as required by Chapter 415.400 Sign Regulations - General. (Ward Eight)*

At its August 10, 2023 meeting, the Architectural Review Board *made the following comments and suggestions* pertaining to requested variances for one (1) replacement sign on the front (west elevation) of an existing building located at 2412 Taylor Road (Bank of America).



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Comments on the Variance Requests: Height of Thirty-Three (33) Inches in Lieu of Twenty-Four (24) Inches and Overall Size of Seventy-Four (74) Square Feet in Lieu of Fifty (50) Square Feet

- Generally:
 - Council Liaison Clark: The sign should adhere to the Wildwood Zoning Code, and if signs are consistently requiring variances, the Code should be reviewed.
 - Two members indicated they supported the request, while another member stated they supported it, contingent on a dimmer being incorporated.

- Comments on Size:
 - Council Liaison Clark: There is a lot of blank space included in the overall size calculation for the sign.
 - The applicant's representative noted that, if the logo shrunk to conform to the Code requirements, the sign would also decrease in length, which may then look disproportionate to the building.

- Lighting:
 - The applicant's representative noted the sign would be lit at night with blue and red LED lights, which would not be very bright.
 - Council Liaison Clark requested that the color temperature of the lighting, and other relevant measurements to the brightness of it, be provided, as well as the times at which the lighting would change color.
 - A couple members indicated they supported a dimmer being incorporated into the sign.



31 July 2023

Robin C. Keefe, AICP
Planner
CITY OF WILDWOOD
16860 Main Street
Wildwood, MO 63040

RE: Lighting Review of Bank of America Signage

Dear Robin:

We have reviewed the signage lighting outlined in the documents provided for the Bank of America building at 2412 Taylor Road, in Wildwood. Pages 4 and 6 describe the illumination of building-mounted signage for Bank of America. That lighting is of an LED source and is internal to the sign. This provides backlighting of the acrylic sign material.

The Code Section 415.450 Outdoor Lighting Requirements addresses lighting for this type of signage. Section 415.450.4.f specifically states the following:

Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Dark background with light lettering or symbols is required, unless otherwise authorized by the Architectural Review Board of the City.

The submitted signage lighting complies with Section 415.450.4.f obligations.

Although not required by the Lighting Ordinance, a dimmer control is preferred to the toggle switch presently called out in the signage drawings. This would allow further fine-tuning of the signage luminance (brightness).

Let me know if you have any questions.

Thanks,

A handwritten signature in black ink, reading 'Randy Burkett'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Randy Burkett, FIES, FIALD
Principal