

# Development Review Committee

## Staff Report

October 18, 2017



|                          |                                |
|--------------------------|--------------------------------|
| <b>Case No:</b>          | 17WAIVER1033                   |
| <b>Project Name:</b>     | Buffalo Wild Wings Sign Waiver |
| <b>Location:</b>         | 6801 Dixie Hwy                 |
| <b>Owner(s):</b>         | BC Wood Properties             |
| <b>Applicant:</b>        | Louisville Sign Co             |
| <b>Jurisdiction:</b>     | Louisville Metro               |
| <b>Council District:</b> | 12 – Rick Blackwell            |
| <b>Case Manager:</b>     | Jay Lockett, Planner I         |

### **REQUEST(S)**

- Waiver of Land Development Code section 8.3.3.A.1 to allow for more than one sign on a façade for a business in a multiple tenant building.

### **CASE SUMMARY/BACKGROUND**

The applicant is seeking to replace existing signs for the Buffalo Wild Wings restaurant located in the Dixie Manor shopping center at 6801 Dixie Hwy. There is a sign proposed for the small angled portion of the building which is considered to be a part of the façade facing Dixie Hwy. A second sign on that façade is out of conformance with current zoning regulations.

### **STAFF FINDING**

Land Development Code section 8.3.3.A.1 allows one sign per business per façade within a multiple tenant building. The existing signs are nonconforming as one of the facades has two signs. Land Development Code section 8.1.4.B states “At such time as any structural element of a nonconforming sign is replaced, the sign must be brought into compliance with the requirements of current regulations.” The waiver requested would allow the existing signs to be replaced and come into compliance with the Land Development Code.

The waiver requested is adequately justified and meets the standard of review.

### **TECHNICAL REVIEW**

There are no outstanding technical issues associated with this review.

### **INTERESTED PARTY COMMENTS**

Staff has received no interested party comments concerning this case.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR WAIVER**

- (a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver will not adversely affect adjacent property owners, as the signs are all replacing existing signs and reducing the square footage.

- (b) The waiver will not violate specific guidelines of Cornerstone 2020; and

STAFF: Guideline 3, Policy 28 states signs are compatible with the form district pattern and contribute to the visual quality of their surroundings. The signs proposed are smaller than the existing signs and are compatible with the general character of the area and form district.

- (c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant. All signs are being reduced in area, and are located in the same place as current signs.

- (d) Either:

(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR

(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant, as the existing signs were previously approved, potentially in error, leading to the current situation of nonconformance with zoning regulations.

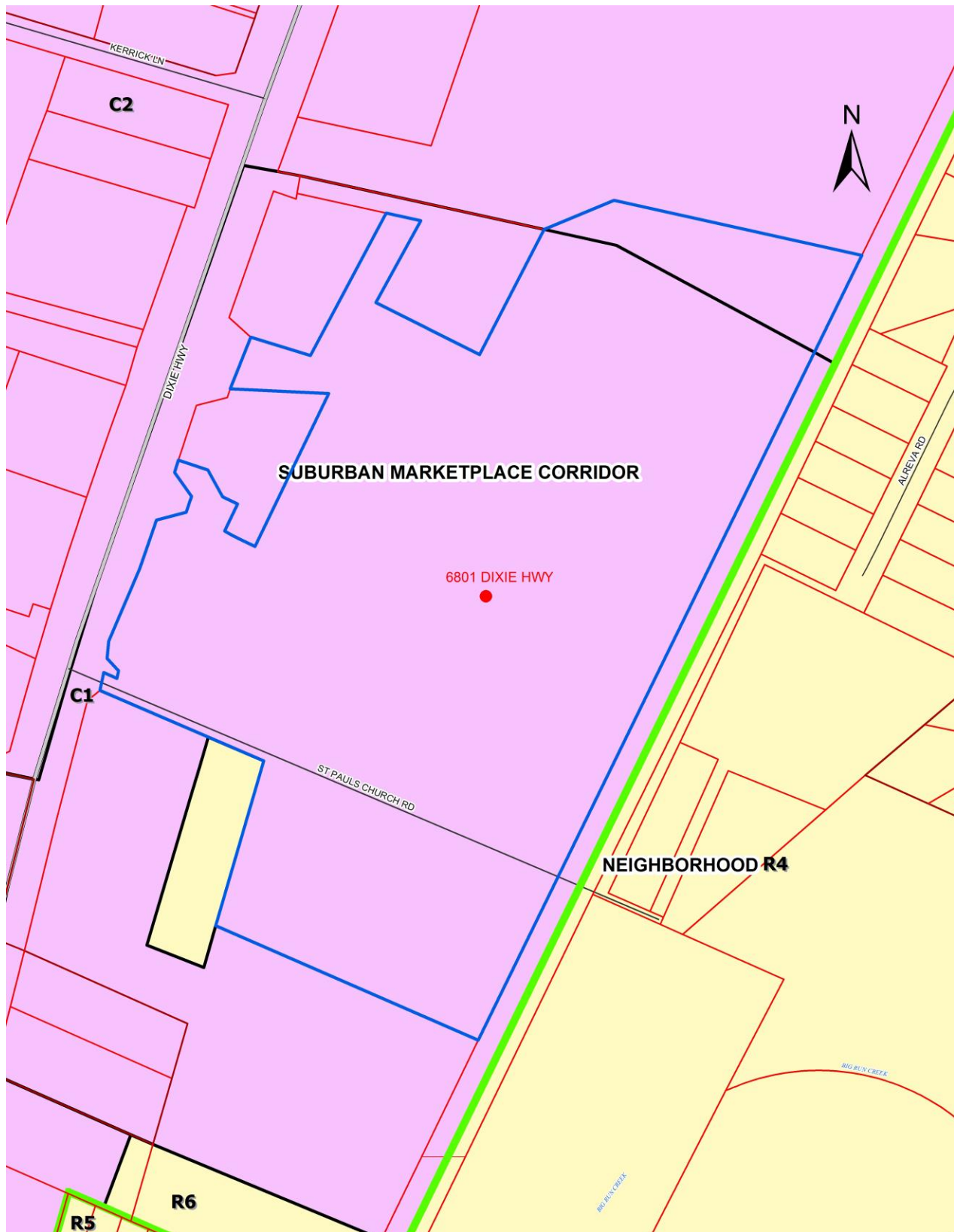
## **NOTIFICATION**

| Date    | Purpose of Notice  | Recipients  |
|---------|--------------------|---|
| 10-6-17 | Hearing before DRC | 1 <sup>st</sup> tier adjoining property owners<br>Registered Neighborhood Groups in Council District 12 |

## **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**





2. Aerial Photograph

