

Request to Deviate from Performance Standards

Midtown Center DIZ

5610 W. Capitol Drive – Wing Stop

September 7, 2021

Wing Stop is requesting to deviate from the performance or design standards within the Midtown Center Development Incentive Zone (DIZ) overlay for the site located at 5610 W. Capitol Drive. This property also has a base zoning of Regional Business (RB2). This site is currently vacant and is comprised of an existing one-story, 1,500 square foot building and associated drive-through lane. This property was operated as a Starbucks from around 2003 to 2019. Wing Stop intends to renovate the building into a carry-out restaurant with drive-through. The use requires a public hearing before the City Plan Commission and is being reviewed under a separate file.

The Midtown Center DIZ limits the number of freestanding signs within Sub Area B (which the subject site is within) to two, both of which currently exist. The overlay also limits the total square footage of building wall signage to 100 square feet for any tenant space smaller than 10,000 square feet and also limits the sign height to 3 feet. The DIZ requires Type A signage. To meet Wing Stop's signage needs, a deviation is being requested for 3 of the overlay standards relating to signs:

1. Area B Site Signage, #3: Up to two monument signs in Area B are permitted. Two monument signs currently exist within Area B, so an additional sign at 5610 W. Capitol Dr. requires a deviation to allow one monument sign on the subject site.
 - The monument sign will be 48" X 72" on the existing brick masonry base that was utilized by Starbucks. The sign face will be Type A with letters 1" protruding from the face. The background is opaque green. Illumination 5000K white LED, setback, etc.
2. Area B Building Signage, #1: Building signage shall not exceed 3 feet in height or 100 square feet in area per business. Proposed wall signage exceeds 100 sq. ft. in total area.
 - Total proposed wall sign area is 124 sq. ft. For comparison, the previous Starbucks had approximately 166 sq. ft. square feet of signage on its building.
3. Area B Building Signage, #4: Individual pin-set metal letters that are halo-lighted are most desirable. Internally illuminated individual letters are acceptable if raceways are not visible. The building wall signage as proposed is considered Type B.
 - Branding is required by Wing Stop, which includes a green backer plate that the sign letters are affixed to. Because the background is integral to the sign, the sign is considered Type B.

The deviation request for the monument sign and building wall signs aligns with the Criteria for Deviation (Section 295-311-8-c) as outlined below:

1. **The purpose of the overlay zone is met:** The signage will support a use that is allowed in the overlay (subject to a public hearing), and as such, this deviation request meets the overlay zone intent. While the proposed signage exceeds the total square footage allowed in the overlay, this is one of the few standalone commercial buildings and is not simply a tenant space within a multi-tenant building with less lineal frontage.
2. **The deviation improves the aesthetics of the site:** All of the signage is high quality and unique to the Wing Stop branding. The building wall signs consist of channel letters with a background and being halo-lit. The backer panel that the letters are affixed to, which is a requirement of the Wing Stop branding, makes the signage become classified as Type B, which the overlay does not allow. The monument is also of high quality with routed push thru letters, and is consistent with the previously approved Starbucks monument sign. A freestanding monument sign would be allowed in the Regional Business (RB2) zoning district, but the overlay restricts the number of freestanding signs in this area to 2 given the largely multi-tenant building nature of the shopping center. This site is one of the few in the overlay that consists of a small, single-tenant commercial building.
3. **If applicable, the deviation addresses one or more unique site factors that make application of the standards impractical:** The fact that it's one of the few single-tenant, standalone buildings in the Midtown Shopping Center area as opposed to a multi-tenant building with a smaller lineal frontage. This is a free standing building on a corner with four sides.
4. **The deviation is consistent with the comprehensive plan:** This is within the West Side Comprehensive Plan, which was approved by the Common Council on December 14, 2009. More specifically, it is located within the Midtown Gateway Area. This project is consistent with the West Side Plan's goals for the Midtown Gateway Area by providing stability to the area by reoccupying a currently vacant lot and increasing activity at Midtown Center and the surrounding area.