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REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING  
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS  
PLAN COMMISSION

COMMISSION

RE: RAISING CANES - 225 E. PALATINE RD. - PC# 19-006  
PUD AMENDMENT, SUP FOR RESTAURANT WITH DRIVE-THROUGH

REPORT OF PROCEEDINGS had before the Village of  
Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village  
Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights,  
Illinois on the 26th day of June, 2019 at the hour of 8:30 p.m.

MEMBERS PRESENT:

TERRY ENNES, Chairman  
MARY JO WARSKOW  
JOE LORENZINI  
BRUCE GREEN  
SUSAN DAWSON  
JOHN SIGALOS  
JAY CHERWIN

ALSO PRESENT:

BILL ENRIGHT, Planning & Community Development Deputy Director  
JACOB SCHMIDT, Assistant Development Planner

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CHAIRMAN ENNES: So, we have another hearing. I trust the Petitioner has been here. If they would come forward?

MR. BIBAT: Good evening.

CHAIRMAN ENNES: If you can bring anybody from your group that is going to talk and we will swear them in? Please raise your hand.

(Witnesses sworn.)

MR. BIBAT: Good evening, members of the board. My name is Joseph Bibat, B-i-b-a-t. I'm the representative of Town & County Chicago Associates, the owners of the shopping center. Thanks for hearing our petition tonight.

You know, over the past several months, I along with our tenants and engineers have been coordinating diligently with the Village Planning and Engineering Departments and all the other departments to gain approval for a new freestanding Raising Cane's tenants. I believe we have met most if not all of the requirements, and I'd like your support tonight.

As you may know, the building will be located on an empty site area between the existing Harris Bank and the Verizon store along Palatine Road.

We did have our Design Commission meeting last night, and the response from the board was very positive.

Today, I have Jeff Cossel with Visconsi Companies; LuAron McCormack with Raising Cane's; Jeffrey Pountney with ADA Architects; and somebody with the traffic engineer, Horn. We're here to answer any questions you might have about the project. Now we'll have a presentation from LuAron.

MS. McCORMACK: Good evening. LuAron McCormack, first name is L-u-A-r-o-n, last name is McCormack, M-c-C-o-r-m-a-c-k. I just want to do a brief introduction to Raising Cane's, of who we are and what we do.

So, our founder had a dream to build a chicken finger restaurant. He joined a college business planning class and received the worst grade in his class on his business plan. The banks would not support him either, saying that such a limited menu would never work. So, he set off to raise his own money, first moving to LA and worked as a boilermaker, and from there he moved to Alaska and commercially fished for sockeye salmon. He came back to Baton Rouge with the money that he raised and, using that in a small business loan, he bought a rundown building outside the gates of LSU and renovated the building himself and opened our first restaurant in 1996. Today, we have over 430 restaurant locations.

We have one love, and this is quality chicken finger meals and the meals that we serve our customers. We have a very focused menu that includes chicken fingers, fries, cole slaw, Texas toast, our famous Cane sauce, and freshly brewed sweet tea, and freshly squeezed lemonade.

We are highly involved in the community with six main areas of focus. In addition, each Cane's we like to think is the local community's Cane's with our traditional and historical hand-painted mural that has the city name on the mural.

This is the existing site at Rand and at Palatine and Arlington Heights. Then I wanted to show you a few photos of existing Raising Cane's locations around the US.

We are here for any questions.

CHAIRMAN ENNES: Is that the end of your presentation?

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MR. BIBAT: That's it.

CHAIRMAN ENNES: Okay, thank you. Jake, I take it you're going to give us the Staff report?

MR. SCHMIDT: Absolutely. So, as the Petitioner mentioned, they're seeking to open a Raising Cane's Restaurant in the Town & Country Shopping Center, addressed as 225 East Palatine Road. Subject site is currently zoned B-2 General Business District, and is designated as commercial on the Comprehensive Plan.

Two actions are requested tonight, the first being an amendment to the Planned Unit Development Ordinances 74-49 and 01-26 which govern the Town & Country Shopping Center. The proposed Raising Cane's would not be on its own separate subdivided lot; rather it would be part of the overall Town & Country Shopping Center. The second action requested tonight is a special use permit for a 3,736 square-foot restaurant with a drive-through. Typically, restaurants under 4,000 square feet in size qualify for the special use waiver process. However, due to the fact that a planned unit development amendment is required as part of this petition, as well as the fact that the restaurant proposes a drive-through, Raising Cane's does not qualify for the special use waiver.

No variations are required as part of this approval process.

Town & Country Shopping Center is approximately 31.5 acres in size. It is bordered to the west by Arlington Heights Road, it is bordered to the north by Palatine Road, and it is bordered to the east by Rand Road. The subject site would be inside of an existing parking area on the northern end of Town & Country Shopping Center adjacent to Palatine Road. Town & Country is accessible via four driveways, two of which are full access and signalized. One is in Arlington Heights Road and one is on Rand Road. It's also accessible by two non-signalized right-in/right-out only intersections at Palatine Road and Rand Road.

The subject site would be developed with a 3,700 square-foot restaurant with outdoor seating, 46 parking spaces, landscaped areas conforming to code which would also include two bio-retention areas for stormwater management, and a dual lane drive-through with capacity for 18 vehicles.

The Design Commission did review this project yesterday, and they recommended approval with several requirements with respect to extending the rooftop parapet wall, modifying the materials for the dumpster enclosure to match the materials of the building, and requiring the provision of specifications for proposed EIFS for Staff review. It should be noticed that sign variations would be required for the proposed signage, and the Petitioner would have to go through the sign variation process via the Design Commission and Village Board.

Two primary considerations are factored in in formulating the Staff opinion on this project, the first being the impact of Raising Cane's on the traffic circulation and capacity of Town & Country, the second being the impact on parking for Town & Country.

With respect to traffic circulation, the Petitioner did provide a traffic study which assessed Town & Country under a scenario where Town & Country was fully occupied and Raising Cane's was in operation. The study found that the operation of Raising Cane's would not negatively impact circulation within the Town & Country circulation network, and also found that the drive-through has sufficient capacity for peak demand stacking and would not impact circulation within the Raising Cane's parking lot. Lastly, the study determined that the existing access intersections to Town & Country would be able to accommodate anticipated traffic from Raising Cane's and a fully occupied center.

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With respect to parking, Town & Country with the proposed outlot would have a 295-space surplus per code. Regarding bicycle parking, Raising Cane's requires two bicycle parking spaces, and they do provide these two spaces adjacent to the entrance to the building.

Staff did not have concerns about the outlot being located in the existing parking area for the primary reason that the area in question is not used frequently for parking. The adjacent outlots, being the bank to the west and the Verizon store to the east, have sufficient code-required parking adjacent to them for their uses. Secondly, Raising Cane's also provides code-required parking for their use within the specific site. They require 39 spaces per code, and 46 are provided; so, there's a surplus of seven parking spaces. Therefore, parking is not a major concern with this petition.

In review of all of the facts, Staff Development Committee recommends approval of this requested PUD amendment and special use permit subject to two conditions: the first being that the Petitioner shall comply with all Design Commission recommendations from the June 25th meeting, and the second being that the Applicant shall comply with all applicable federal, state, and Village codes, regulations and policies.

That concludes my presentation. If there are any questions, I'm happy to answer.

CHAIRMAN ENNES: Thank you, Jake. Can we have a motion to approve the Staff report?

COMMISSIONER DAWSON: So moved.

CHAIRMAN ENNES: Is there a second?

COMMISSIONER WARSKOW: I'll make the second.

CHAIRMAN ENNES: Are we all in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Anyone opposed?

(No response.)

CHAIRMAN ENNES: Okay, is there anyone in the audience that would like to comment about this project? Seeing nobody, I'm closing the public portion of the meeting. Mary Jo, if you'd like to start with any questions you might have?

COMMISSIONER WARSKOW: I have no questions. I'm very supportive. It's good to see some of the parking lot that's not being currently utilized to be utilized for such a, I think what's going to be a popular establishment, and even provide some green space around the establishment. So, I am supportive.

CHAIRMAN ENNES: Joe?

COMMISSIONER LORENZINI: I have no comments other than I think it's a good project and it sounds very interesting. Thank you.

CHAIRMAN ENNES: Bruce?

COMMISSIONER GREEN: It's the best project if it will bring some life to this Town & Country Shopping Center. So, thumbs up.

CHAIRMAN ENNES: Okay, we're moving right along. Sue?

COMMISSIONER DAWSON: I just have one quick question. I want to know if you went back to the professor and told him how well he's been doing? Any idea? Did you send him a box of chicken? If he hasn't, he needs to do that, you know, right away.

I don't have any questions, and I think that my nine-year-old

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daughter that's obsessed with chicken fingers would completely disagree with the professor and think that this is the best restaurant idea she's ever heard of. So, I have no questions, I think it's a good project.

COMMISSIONER SIGALOS: I also have no questions. I think it's a great project. I'm glad to see them coming into Arlington Heights and to further develop this parking area. It's really not used there in the shopping center.

CHAIRMAN ENNES: Just a pile of snow, right?

COMMISSIONER SIGALOS: That's it, a pile of snow.

CHAIRMAN ENNES: Jay?

COMMISSIONER CHERWIN: Yes, I would agree with what our colleagues here said. I would also echo what Sue said. I think my kids are going to be very excited that it's probably going in, because I told them conceptually it's going in and now they're like, well, where is it? It's not there. So, well, you've got to wait, you've got to be patient.

No, but you know, a great project. It sounds like a great business ran by great people and we're delighted to have you in the community. I'm sure it will be a great fit. So, thank you for all your good work. That's it.

CHAIRMAN ENNES: Okay, Mrs. McCormack, I have a, I wanted to piggyback a little bit on Sue's comments. Where was, your founder, where was his original school where he took this class? Was it at LSU?

MS. McCORMACK: I do not know if it was LSU, I'm not sure.

CHAIRMAN ENNES: You need to find out.

MS. McCORMACK: I'm going to have to look into that.

CHAIRMAN ENNES: Anyways, don't interpret this as being derogatory about teachers, but some people, because I have teachers in the family, some people say that those that can, do, and those that can't, teach.

COMMISSIONER DAWSON: You just put that on the record, Terry. That's brave.

CHAIRMAN ENNES: No, I wanted to tie into this. There is a very successful business in the country that started with a business proposal at one of the, I believe it was at one of the Ivy League universities. The gentleman that wrote that was told it would never succeed, and that is the biggest air parcel delivery company we have in this country.

So, congratulations, I'm glad he went back and did this. I think it will be a great improvement to the shopping center. I live right in that area, so we'll try it out once you get it built.

So, is there a motion?

COMMISSIONER DAWSON: I'll make a motion.

**A motion to recommend to the Village Board of Trustees approval of PC# 19-006, an amendment to Ordinances #74-49 and #01-026 to allow for development of an outlot within the Town & Country Shopping Center, and a special use permit for a restaurant with a drive-through.**

**This recommendation shall be subject to the following conditions:**

- 1. The Petitioner shall comply with all Design Commission recommendations from**

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June 25, 2019.

2. **The Petitioner shall comply with all applicable federal, state, and Village codes, regulations, and policies.**

CHAIRMAN ENNES: Is there a second?

COMMISSIONER GREEN: Second.

CHAIRMAN ENNES: Can we have a roll call vote?

MR. SCHMIDT: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. SCHMIDT: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MR. SCHMIDT: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. SCHMIDT: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. SCHMIDT: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. SCHMIDT: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. SCHMIDT: Chairman Ennes.

CHAIRMAN ENNES: Yes. So, you have unanimous approval from the Plan Commission. You heard the comment about the Village Board meeting; it might not be until July --

MR. SCHMIDT: 15th.

CHAIRMAN ENNES: -- 15th. You'll get that date from Staff, but good luck!

MR. BIBAT: Okay, great! Thank you.

CHAIRMAN ENNES: So, is there a motion to adjourn the meeting?

COMMISSIONER GREEN: So moved.

CHAIRMAN ENNES: Second?

COMMISSIONER LORENZINI: Second.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Any opposed?

(No response.)

CHAIRMAN ENNES: Thank you.

(Whereupon, the above-mentioned public hearing was adjourned at 8:40 p.m.)