

## STAFF DESIGN COMMISSION REPORT

### PROJECT INFORMATION:

**Project Name:** Burger King - Sign Variation  
**Project Address:** 675 E. Rand Road  
**Prepared By:** Steve Hautzinger

### PETITION INFORMATION:

**DC Number:** 21-072  
**Petitioner Name:** Jason Berg  
**Petitioner Address:** Tri City Foods  
1400 Opus Place, Suite A  
Downers Grove, IL 60515  
**Meeting Date:** December 14, 2021

**Date Prepared:** December 2, 2021

### Requested Action(s):

1. A variation from Chapter 30, Section 30-208.b, to allow two 22.2 sf digital drive-through menu boards (one per drive-through lane), where fully electronic menu board signage is not allowed.
2. A variation from Chapter 30, Section 30-208.d.2, to allow two 6.3 sf digital order screens (one per drive-through lane), where 2 sf is the maximum allowed.

## ANALYSIS:

### Summary:

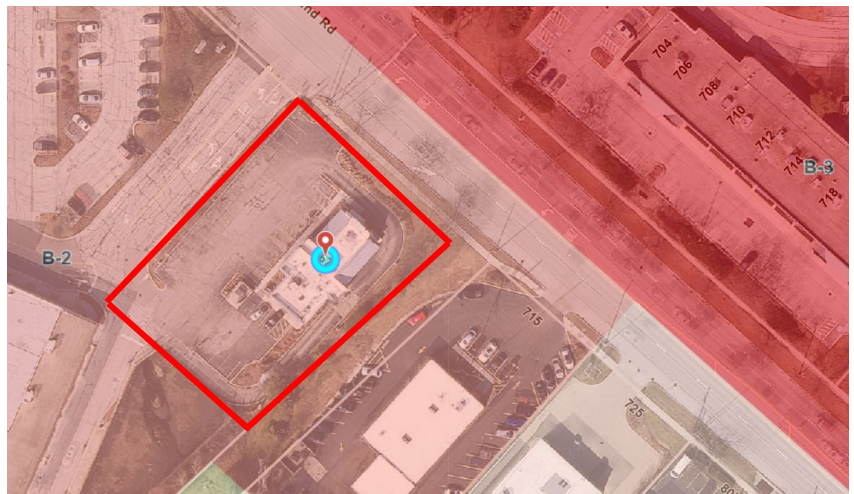
The subject design is being forwarded to the Design Commission for review pursuant to Chapter 6 of the Municipal Code, specifically Section 6-501 (e)(1), which states that the Design Commission "shall review all Plan Commission, Zoning Board of Appeals, Building Permit and Sign Permit applications for new construction and those improvements which affect the architectural design of the building, site improvements or signage to determine whether it meets with the standards, requirements and purposes of the Design Guidelines and Chapter 30, Sign Regulations."

Burger King is proposing to update the interior and exterior of their existing restaurant at 675 E. Rand Road, including site modifications to create a second drive-through lane. The scope of the project includes all new exterior building signage, a new ground sign, and new drive-through signage. The changes to the building design are being reviewed under a separate application. Zoning approval of the second drive-through lane is currently under review.

The new building signs and ground sign are just branding changes to the existing signs. They will be replaced in the same size, quantity, and location as all existing signs. However, the new drive-through menu boards are proposed to be fully digital displays, where the existing signs are conventional printed menu displays. Electronic menu boards are not allowed by code, so a variation is required. Additionally, Burger King is seeking a variation to allow 6.3 sf digital order screens, where 2 sf is the maximum allowed by code. The menu displays will remain static except for breakfast/lunch/dinner menu changes each day. They will not display any video, animation or sound, and the brightness will be automatically dimmed based on ambient light conditions.



Aerial of Property



Zoning Map of Property

**Surrounding Land Uses:**

<b>Direction</b>	<b>Existing Zoning</b>	<b>Existing Use</b>
<b>Subject Property</b>	B-2, General Business District	Burger King Restaurant
<b>North</b>	B-3, General Service, Wholesale and Motor Vehicle District	Southpoint Shopping Center
<b>South</b>	B-2, General Business District	Town & Country Shopping Center
<b>East</b>	B-2, General Business District	Casey Automotive Service & Repair Shop
<b>West</b>	B-2, General Business District	Town & Country Shopping Center

**Table 1: Drive-Through Menu Boards Summary**

<b>SIGN</b>	<b>QUANTITY</b>	<b>MAX. SIZE PER CODE</b>	<b>SIZE</b>	<b>HEIGHT (7' MAX. PER CODE)</b>	<b>REMARKS</b>
<b>Existing Menu Board</b>	1	49 sf	35.5 sf	7'-7"	To be removed.
<b>Proposed Fully Digital Menu Boards</b>	2	49 sf	22.2 sf	5'-4"	Variation required for fully digital display. The display is required to comply with all operational standards for electronic signs as set forth in Chapter 30, Section 30-705.h.
<b>Existing Digital Order Screen</b>	1	2 sf	0.8 sf	-	To be removed.
<b>Proposed Digital Order Screen</b>	2	2 sf	10 sf	-	Variation required for size.

**Sign Variation Criteria:**

The Village Sign Code, Chapter 30, Section 30-901 sets out the criteria for granting a sign variation.

- That the particular difficulty or peculiar hardship is not self-created by the Petitioner.*
- That the granting of said variation will not create a traffic hazard, a depreciation of nearby property values or otherwise be detrimental to the public health, safety, morals and welfare;*
- That the variation will serve to relieve the Petitioner from a difficulty attributable to the location, topography, circumstances on nearby properties or other peculiar hardship, and will not merely serve to provide the Petitioner with a competitive advantage over similar businesses;*
- That the variation will not alter the essential character of the locality;*
- That the Petitioner's business cannot reasonably function under the standards of this chapter.*

The petitioner has submitted a letter addressing the hardship criteria, which states that the proposed fully digital menu boards and 6.3 sf digital order screens are necessary to comply with Burger King's corporate standards. The petitioner states that other local fast food restaurants use similar fully electronic drive-through signage.

**Staff Comments:**

Sign variations for similar fully digital menu boards have been approved at three McDonald's restaurants in Arlington Heights in recent years. Digital menu boards do allow for easier menu updates, and they are smaller than conventional menu boards due to the ability to change the menu items based on the meal time. Staff does not object to the use of full digital menu board displays, but they shall be required to comply with all operational standards for electronic signs as set forth in Chapter 30, Section 30-705.h, which includes static displays only (no scrolling, fading, flashing, animation, video, or sound), auto-dimming photocell technology to control brightness to .3 footcandles maximum above ambient lighting conditions, no off-premises advertising, and only permitted to be illuminated during the hours that the business is open. Additionally, per Chapter 30, Section 30-208.e.1, the sound from the speaker on the ordering canopies shall not be audible at or beyond the property line, and the speakers shall be equipped with an adjustable volume control.

**RECOMMENDATION**

It is recommended that the Design Commission recommend **approval** to the Village Board for the following sign variations for *Burger King* at 675 E. Rand Road:

1. A variation from Chapter 30, Section 30-208.b, to allow two 22.2 sf digital drive-through menu boards (one per drive-through lane), where fully electronic menu board signage is not allowed.
2. A variation from Chapter 30, Section 30-208.d.2, to allow two 6.3 sf digital order screens (one per drive-through lane), where 2 sf is the maximum allowed.

This recommendation is subject to compliance with the plans received 10/14/21, Federal, State, and Village Codes, regulations, and policies, and the issuance of all required permits, and the following conditions:

1. Approval of the second set of drive-through signage is contingent upon zoning approval for the second drive-through lane.
2. Per Chapter 30, Section 30-208.e.1, the sound from the speaker on the ordering canopies shall not be audible at or beyond the property line, and the speakers shall be equipped with an adjustable volume control.
3. The digital displays shall comply with all operational standards for electronic signs as set forth in Chapter 30, Section 30-705.h, which includes static displays only (no scrolling, fading, flashing, animation, video, or sound), auto-dimming photocell technology to control brightness to .3 footcandles maximum above ambient lighting conditions, no off-premises advertising, and only permitted to be illuminated during the hours that the business is open.
4. This review deals with architectural design only and should not be construed to be an approval of, or to have any other impact on, any other zoning and/or land use issues or decisions that stem from zoning, building, signage or any other reviews. In addition to the normal technical review, permit drawings will be reviewed for consistency with the Design Commission and any other Commission or Board approval conditions. It is the architect/homeowner/builder's responsibility to comply with the Design Commission approval and ensure that building permit plans comply with all zoning code, building permit and signage requirements.



December 2, 2021

Steve Hautzinger AIA, Design Planner  
Department of Planning & Community Development

c: Charles Witherington-Perkins, Director of Planning and Community Development, Petitioner, DC File 21-072