

STAFF DESIGN COMMISSION REPORT

PROJECT INFORMATION:

Project Name: Raising Cane's – Sign Variation
Project Address: 225 E. Palatine Road
Prepared By: Steve Hautzinger

PETITION INFORMATION:

DC Number: 22-027
Petitioner Name: Erin Livingston
Petitioner Address: All Right Sign
3628 Union Avenue
Steger, IL 60475
Meeting Date: August 23, 2022

Date Prepared: August 16, 2022

Requested Action(s):

1. A variation from Chapter 30, section 30-402.a Number, to allow three wall signs on the north wall of the building facing Palatine Road, where only one wall sign is allowed.
2. A variation from Chapter 30, section 30-403.a Dimensions, to allow a 67.5 sf wall sign on the north wall of the building facing Palatine Road, where 0 sf is allowed
3. A variation from Chapter 30, section 30-403.a Dimensions, to allow a 127.2 sf wall sign on the north wall of the building facing Palatine Road, where 0 sf is allowed.

ANALYSIS:

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."

Summary:

Raising Cane's is a new drive-through restaurant that recently opened for business at the Town & Country retail center. The building currently has one code-compliant wall sign installed above the main entrance on the north wall of the building facing Palatine Road. A permit has also been approved for a code-compliant ground sign, which will also face Palatine Road.

At this time, the petitioner is proposing two additional wall signs to be installed on the north wall of the building. Per code, only one wall sign is allowed per street frontage, so variations are required to allow the two additional signs. The first sign is a One Love Heart sign to be mounted on the brick wall next to the main entrance. The second sign is a 22'-10 1/2" tall number "1" wall sign to be installed on the tower feature at the main entrance. Neither of the signs will be internally illuminated, but the One Love Heart will be externally illuminated by a wall mounted light fixture located above the sign.

Surrounding Land Uses:

<i>Direction</i>	<i>Existing Zoning</i>	<i>Existing Use</i>
Subject Property	B-2, General Business District	Raising Cane's
North	B-2, General Business District	Pepboys Auto
South	B-2, General Business District	Town & Country Multi-Tenant Retail
East	B-2, General Business District	Verizon Store
West	B-2, General Business District	BMO Bank

Zoning Map of Property:



Table 1: Proposed Wall Sign Summary:

SIGN	ELEVATION / FRONTAGE	SIGNABLE AREA	25% OF SIGNABLE AREA	SIGN SIZE	REMARKS
Sign 1. "Raising Cane's Chicken Fingers"	North / Palatine Road	100.5 sf	25.1 sf	17.3 sf	Existing Sign. Complies with code.
Sign 2. One Love Heart Sign	North / Palatine Road	376.8 sf	94.2 sf	67.5 sf	Only one wall sign is allowed per street frontage. Variations required.
Sign 3. Number "1" Tower	North / Palatine Road	127.2 sf	31.8 sf	127.2 sf	Only one wall sign is allowed per street frontage. Variations required.
TOTAL				212.1 sf	

Table 2: Summary of Previous Wall Sign Variations for Drive-Through Restaurants:

BUSINESS NAME, ADDRESS	STREET FRONTAGES / NUMBER OF WALL SIGNS PERMITTED	NUMBER OF WALL SIGNS APPROVED	TOTAL SQUARE FOOTAGE OF WALL SIGNAGE	REMARKS
McDonald's, 1920 N Arlington Heights Rd	1	4	82.8 sf	Variations Approved in 2006
McDonald's, 45 E Golf Rd	1	3	60.8 sf	Variations Approved in 2019
McDonald's, 15 E Dundee Rd	1	3	58.8 sf	Variations Approved in 2006
Arby's, 100 W. Rand Rd	1	2	51.6 sf	Variations Approved in 1984
Burger King, 675 E. Rand Rd	1	3	99.8 sf	Variations Approved in 2012
Taco Bell, 1530 W Algonquin Rd	1	2	55.4 sf	Variations Approved in 2019
Popeye's, 7 W Dundee Rd	1	2	85.2 sf	Variations Approved in 2017
Culver's, 2060 E. Northwest Hwy	1	3	85.5 sf	Variations Approved in 2012
CURRENT REQUEST				
Raising Cane's, 225 E Rand Rd	1	3	212.1 sf	

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 stating that the proposed wall signs should be classified as works of art rather than as signage, and that they are only designed for advertising to customers already on the property. They also do not feel that these signs provide a competitive advantage over similar businesses since they do not directly state "Raising Cane's" name, slogans, or products sold. They are seeking approval because these items are part of their nationally recognized brand image and can be found on a majority of the over 500 Raising Cane's locations.

Staff Comments:

Per code, a sign is defined as any object, device, display or structure, used to advertise, identify, display or attract attention to an establishment or product by any means including, without limitation, words, letters, numerals, figures, designs, symbols, colors, illumination, whether affixed to a building or structure or otherwise installed on the premises visible to the general public. The proposed wall signs meet this definition and are therefore considered to be signs, not just works of art. Furthermore, Staff disagrees that the proposed signs are only designed for customers on the property. The huge number “1” and the One Love Heart will both be highly visible from Palatine Road.

After comparing the proposed signs to other similar drive-through restaurants in Arlington Heights (refer to Table 2 above), Staff has concerns about the proposed 212.1 sf amount of signage, where 85-90 sf represents the upper end of sign variations previously granted for other drive-through restaurants in Arlington Heights. Staff feels that 212.1 sf of signage is excessive, and it would provide an unfair competitive advantage over similar businesses. The huge 127.2 sf number “1” sign is the issue, and it is recommended that it be omitted. The remaining two signs would total 84.8 sf, which is more in line with the sign variations previously approved for other drive-through restaurants. The existing EIFS tower wall should be required to remain the same color as the adjacent walls, which is consistent with other existing Raising Cane's restaurants. Examples of other Raising Cane's restaurants with and without the red metal signage are included in the drawings packet.

RECOMMENDATION

It is recommended that the Design Commission recommend **approval** to the Village Board for the following sign variations for *Raising Cane's* at 225 E. Palatine Road:

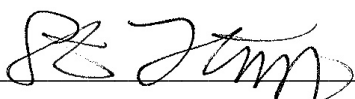
1. A variation from Chapter 30, section 30-402.a Number, to allow two wall signs on the north wall of the building facing Palatine Road, where only one wall sign is allowed.
2. A variation from Chapter 30, section 30-403.a Dimensions, to allow a 67.5 sf wall sign on the north wall of the building facing Palatine Road, where 0 sf is allowed.

It is recommended that the Design Commission recommend **denial** to the Village Board for the following sign variation for *Raising Cane's* at 225 E. Palatine Road:

3. A variation from Chapter 30, section 30-403.a Dimensions, to allow a 127.2 sf wall sign on the north wall of the building facing Palatine Road, where 0 sf is allowed.

This recommendation is subject to compliance with the plans received 7/6/22, Federal, State, and Village Codes, regulations, and policies, and the issuance of all required permits, and the following conditions:

1. No additional signage and no window signage shall be allowed.
2. The existing EIFS tower wall shall remain the same color as the adjacent walls.
3. 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.



August 16, 2022

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

c: Charles Witherington-Perkins, Director of Planning and Community Development, Petitioner, DC File 22-027