

STAFF DESIGN COMMISSION REPORT

PROJECT INFORMATION:

Project Name: Portillo's - Sign Variation
Project Address: 806 W. Dundee Road
Prepared By: Steve Hautzinger

PETITION INFORMATION:

DC Number: 23-024
Petitioner Name: Matthew Pyter
Petitioner Address: Olympik Signs
1130 N. Garfield
Lombard, IL 60148
Meeting Date: July 11, 2023

Date Prepared: June 28, 2023

Requested Action(s):

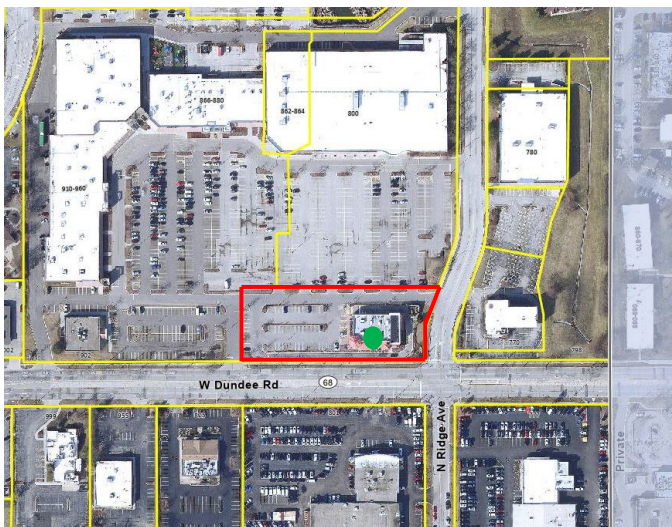
1. A variation from Chapter 30, Section 30-208.b, to allow a 21.4 sf fully digital drive-through menu board, where fully electronic menu board signage is not allowed.
2. A variation from Chapter 30, Section 30-208.c, to allow a 7.17 sf fully digital drive-through pre-sell menu board, where fully electronic pre-sell menu board signage is not allowed.
3. A variation from Chapter 30, Section 30-208.a.4.c, to allow a drive-through menu board and pre-sell menu board to be located in front of the building, where they are required to be located in the side or rear yard away from the primary street frontage.
4. A variation from Chapter 30, Section 30-208.a.4.d, to allow a menu board and pre-sell menu board to be oriented towards the public right-of-way, where they are not allowed to face the street.

ANALYSIS:

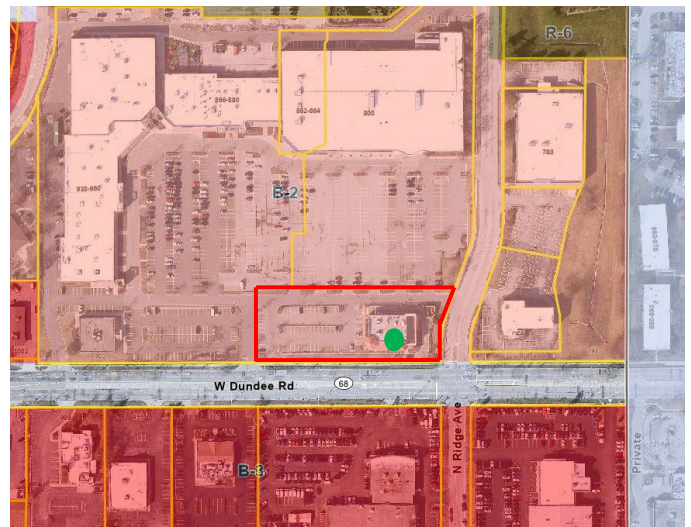
Summary:

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."

The existing Portillo's restaurant located at 806 W. Dundee Road is proposing to replace their existing conventional printed drive-through menu board with a new fully electronic menu board display, as well as to install a new fully electronic pre-sale menu board along their existing drive-through lane. The electronic menu board is proposed to be installed in the same location as the existing menu board, which faces, and is visible from, Dundee Road. The new pre-sell menu board will be located along the existing drive-through lane and it will also face, and be visible from, Dundee Road. There is one existing speaker bollard, which is proposed to remain.



Aerial of Property



Zoning Map of Property

Surrounding Land Uses:

Direction	Existing Zoning	Existing Use
Subject Property	B-2, General Business District	Portillo's
North	B-2, General Business District	Kohl's
South	B-3, General Service, Wholesale and Motor Vehicle District	Arlington Heights Ford Dealership
East	B-2, General Business District	TM Accountant (Office)
West	B-2, General Business District	Suresh Abad (Urgent Care)

Table 1: Drive-Through Menu Boards Summary

SIGN	QUANTITY	MAX. SIZE PER CODE	SIZE	HEIGHT (7' MAX. PER CODE)	REMARKS
Existing Conventional Printed Menu Board	1	49 sf	35.3 sf	6' (approx.)	To be removed.
Proposed Fully Electronic Menu Board	1	49 sf	21.4 sf	5'-9"	Variation required for fully digital display. Variations required since located in front of the building, facing the street. Required to comply with all operational standards for electronic signs as set forth in Chapter 30, Section 30-705.h.
Proposed Fully Electronic Pre-Sell Menu Board	1	24 sf	7.17 sf	5'-9"	Variation required for fully digital display. Variations required since located in front of the building, facing the street. Required to comply with all operational standards for electronic signs as set forth in Chapter 30, Section 30-705.h.

Sign Variation Criteria:

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

- a. That the particular difficulty or peculiar hardship is not self-created by the Petitioner.
- b. 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;
- c. 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;
- d. That the variation will not alter the essential character of the locality;
- e. 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 are necessary to comply with menu format updates taking place at all Portillo's locations so that Corporate can remotely control items and pricing across the country. The petitioner feels that this will not provide a competitive advantage, but will be similar to electronic menus at McDonald's and other similar businesses.

The petitioner has confirmed through a written acknowledgement that their use of the signs will comply with the operational standards set forth in Chapter 30, Section 30-705(h), which states that the electronic signs will display static images only (without 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.

Staff Comments:

Overall, Staff does not object to the use of fully electronic menu boards since they allow for easier menu updates and they are generally smaller than conventional menu boards. Similar fully electronic menu boards have been previously approved in Arlington Heights for McDonald's and Burger King. However, the McDonald's and Burger King electronic menu boards are located at the rear of the building as required by code. Since Portillo's electronic menu board signs will be in front of their building and visible from Dundee Road, it is important that the operation of the signs be used for drive-through menu displays only, and not used to display other advertisements, such as video commercials, when the drive-through is not in use. Additionally, Staff recommends that new/additional landscaping be provided to improve screening of the electronic menu boards from the street.

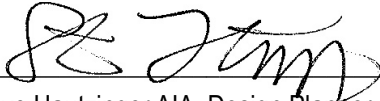
RECOMMENDATION

It is recommended that the Design Commission recommend **approval** to the Village Board for the following sign variations for *Portillo's* at 806 W. Dundee Road:

1. A variation from Chapter 30, Section 30-208.b, to allow a 21.4 sf fully digital drive-through menu board, where fully electronic menu board signage is not allowed.
2. A variation from Chapter 30, Section 30-208.c, to allow a 7.17 sf fully digital drive-through pre-sell menu board, where fully electronic pre-sell menu board signage is not allowed.
3. A variation from Chapter 30, Section 30-208.a.4.c, to allow a drive-through menu board and pre-sell menu board to be located in front of the building, where they are required to be located in the side or rear yard away from the primary street frontage.
4. A variation from Chapter 30, Section 30-208.a.4.d, to allow a menu board and pre-sell menu board to be oriented towards the public right-of-way, where they are not allowed to face the street.

This recommendation is subject to compliance with the drawings received 4/27/23, sample menu displays and manufacturer specifications received 6-9-23, Federal, State, and Village Codes, regulations, and policies, and the issuance of all required permits, and the following conditions:

1. Provide new/additional landscaping to be approved prior to issuance of a permit to improve screening of the electronic menu boards from the street.
2. The electronic menu boards will display drive-through menu signage only, and will not be used to display any other advertisements.
3. Use of the electronic 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.



June 28, 2023

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

c: Charles Witherington-Perkins, Director of Planning and Community Development, Petitioner, DC File 23-024