



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

ZONING BOARD OF APPEALS

MINUTES • JUNE 22, 2021

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Brent Larson	Commissioner	Present	
Cindy Roth-Wurster	Commissioner	Present	
Jan Wood	Commissioner	Present	
Jerry Luszcak	Commissioner	Absent	
Theodore McGinn	Commissioner	Absent	
Kevin Cavanaugh	Commissioner	Absent	
James Dittrich	Commissioner	Present	
John Pirog	Commissioner	Present	

Staff present: Ms. Lyn Bremanis

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jun 8, 2021 7:00 PM

Mr. Dittrich made a motion to approve the minutes of June 8, 2021 seconded by Mr. Larson.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	James Dittrich, Commissioner
SECONDER:	Brent Larson, Commissioner
AYES:	Larson, Roth-Wurster, Wood, Dittrich, Pirog
ABSENT:	Luszcak, McGinn, Cavanaugh

III. PUBLIC HEARING

1. 1158 E. Dundee Road

Notice was published in the Daily Herald on June 7, 2021 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use and Variation
2. Proof of Ownership
3. Business Plan
4. Menu
5. Floor Plan
6. Sign Elevation
7. Site Plan
8. Public Notice

Sworn in staff: Ms. Lyn Bremanis

**Sworn in the petitioner: Mr. Frank Caputo 1158 E Dundee Road
Representing Torre and Luke's**

Mr. Caputo explained they want to move their current restaurant business from 960 N. Rand Road to 1158 E. Dundee Road.

Ms. Wood asked about their business plan and sign request.

Mr. Caputo explained since Covid they have not had dine in and it is working for them so they want to continue. He stated it is a smaller facility and easier to manage and less overhead. Mr. Caputo explained the sign is in existence and would like to move it. He stated the cost to replace is high so would like to reuse if possible.

Ms. Wood clarified it is the same sign being used.

Mr. Caputo answered yes.

Ms. Wood asked if they need the EMB.

Mr. Caputo stated they posts specials and notify customer of the drive thru and carryout only.

Ms. Wood asked if they have been following the village requirements for the EMB.

Mr. Caputo answered yes.

Mr. Pirog clarified the sign was at the current location.

Mr. Caputo answered yes.

Mr. Pirog asked about surrounding residential properties.

Mr. Caputo stated there is an apartment building behind.

Ms. Bremanis referred to aerial showing closest residential.

Mr. Pirog asked about other EMB locations.

Ms. Bremanis referred to slide to show aerial of other sign distance.

Ms. Wood asked about the size of the Sonic EMB.

Ms. Bremanis stated she is unsure but like this one, it met the 40% of the sign.

Ms. Roth-Wurster asked if it is a monument sign.

Mr. Caputo answered yes.

Mr. Pirog clarified they are taking sign down at current location and moving.

Mr. Caputo answered yes stating they have already taken it down.

Mr. Dittrich asked if the sign would be turned off when they close.

Mr. Caputo answered yes.

Ms. Wood asked if they plan on changing back to dine in.

Mr. Caputo answered no explaining they save on overhead not staffing to clean inside and business is still good enough to sustain so they plan to keep that model.

Ms. Bremanis gave a brief overview of the request stating the property is zoned Planned Development following the B-2. She stated the previous tenant was White Castle referring to the Plat of survey slide showing what was approved with White Castle. She pointed out the building next door is no longer there. Ms. Bremanis spoke to their business plan being drive thru only and open 7 days a week 10:30am-10:30pm with 100-105 customer a day. She spoke to the parking requirement and how they are well over parked. She referred to the floor plan slide showing the entrances.

Mr. Pirog asked if they go inside for pickup.

Mr. Caputo answered no explaining there is no walk-ins. He explained they will bring the food out to the customers.

Ms. Bremanis spoke to the sign and how they are relocating an existing sign so it is understandable why they would not want to get a completely new sign. She spoke to the sign variation request because their property is 220 ft. across and 300 is required for EMB signs as well as being under 500ft away from the surrounding EMB signs. She stated the EMB is approx. 25% of the overall sign with zoning code allowing 40%.

Mr. Pirog asked is the sign not in the front of the property. He asked if they own both properties.

Mr. Caputo answered yes. He explained they chose the location for convenience and not to block the actual building.

Ms. Wood asked how long they have been in business.

Mr. Caputo stated they started in 1960 and moved to Palatine in 1978. He further explained they were at Hicks and Route 12 until 2006 when they moved half mile down the road.

Ms. Wood asked about the existing freestanding sign.

Ms. Bremanis explained they went through a planned development, which included the EMB sign.

Ms. Bremanis stated Community Services, Engineering, Environmental Health and Fire Prevention have reviewed and had no issues. She referred to the slides to show existing conditions and how the drive thru would operate.

Ms. Roth-Wurster asked about White Castle sign location.

Ms. Bremanis referred to plat of survey to show location.

Ms. Wood stated the request is unique with only drive thru and pick up. She asked if staff has any concern about increased drive thru traffic.

Ms. Bremanis pointed out they have an escape lane.

Ms. Wood asked Mr. Caputo is they have had any problems during lunch with the drive thru only.

Mr. Caputo answered no pointing out this space is longer than current location so should be in good shape.

Mr. Dittrich asked what their average wait time is in the drive thru.

Mr. Caputo stated approx. 2-4 minutes.

Mr. Dittrich clarified no customers will be allowed inside.

Mr. Caputo stated the doors are locked. He explained the options to order being driver thru, or through various apps.

Ms. Wood asked how many ordering stations.

Mr. Caputo answered 2.

Ms. Roth-Wurster asked about catering setup.

Mr. Caputo explained they have designated customer pickup spots.

Mr. Dittrich asked about signage allowance and how they exceed.

Ms. Bremanis explained a free standing sign in the B2 can only go up to 100 sq.ft. and this sign is 109. She further explained the EMB percentage allowance pointing out they are within the allowed percentage.

STAFF RECOMMENDATION:

The Petitioner is proposing to relocate an existing restaurant, Tore and Lukes, to a vacant building with associated drive-through previously occupied by White Castle. The proposal also includes the relocation of an existing freestanding EMB sign, which has an overall sign area of 109 square feet.

While the proposed EMB sign would be located approximately 250 feet from Sonic's existing EMB sign, it would be placed on the opposite side of Dundee Road, a 5-lane roadway, and further west. Furthermore, Dundee Road is an approved corridor for EMB signs, per the Zoning Ordinance. Therefore, the proposed EMB sign should not have a negative impact and with regard to the square footage, Staff believes that the Petitioner has presented a unique circumstance, with the sign being permitted at another location and zoning district within the Village and requiring a variation at this location.

Additionally, the proposed business will be take-out only via the drive-thru or pickup. The Subject Property has adequate parking to accommodate the proposed restaurant and its business operations. Therefore, Staff recommends approval of the Special Use for the restaurant and while Staff does not object to the Variation for the sign square footage, Staff recommends action at the discretion of the Zoning Board of Appeals for the EMB relief, subject to the following conditions:

1. The Special Uses and Variations shall substantially conform to the business plan, floor plan and site plan submitted by the Petitioner on 1/8/21, except as such plans may be changed to conform to Village Codes and Ordinances.
2. The EMB sign shall follow the operation standards in the zoning ordinance, including the following:

8.03 Operation.

- a. All illumination shall be consistent in color.
- b. The message shall not flash, scroll or scintillate. Illumination representing movement shall be prohibited. Background illumination shall be prohibited.
- c. Any message on an electronic message board shall be displayed for a minimum of fifteen (15) seconds. (Ord. No. 0-123-15, §1, 10/19/15)
(Ord. No. 0-8-12, §1, 1/9/12)

There were no further questions. The public hearing was closed.

Mr. Pirog made a motion to approve subject staff's conditions; seconded by Mr. Dittrich

DELIBERATIONS:

Mr. Pirog spoke to the standards looking at unique circumstance. He pointed out it is an existing sign and is almost like when property owners are grandfathered in. He spoke to the other signs and how it is an approved EMB corridor. Mr. Pirog stated it meets the standards and votes to approve.

Ms. Wood spoke to the EMB request pointing out this is reasonable. She stated this business had been in Palatine for years and should not have a substantial injury to the property and will be nice to have the vacant property occupied. Ms. Wood pointed out it is not a large EMB so will not be overwhelming. She spoke to

the uniqueness being that they are moving an already approved sign. She stated it won't alter the character of locality.

Ms. Roth-Wurster agreed the standards have been met. She stated it is an established sign and is moving to a restaurant-focused area. She spoke to the traffic flow of the drive thru and how the property is custom made for their business plan.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on July 12, 2021.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	John Pirog, Commissioner
SECONDER:	James Dittrich, Commissioner
AYES:	Larson, Roth-Wurster, Wood, Dittrich, Pirog
ABSENT:	Luszczak, McGinn, Cavanaugh

IV. COMMUNICATIONS**V. ADJOURNMENT**

1. Motion to Adjourn

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Cindy Roth-Wurster, Commissioner
SECONDER:	James Dittrich, Commissioner
AYES:	Larson, Roth-Wurster, Wood, Dittrich, Pirog
ABSENT:	Luszczak, McGinn, Cavanaugh

