

City of Rolling Meadows
Planning and Zoning Commission Minutes
3600 Kirchoff Road
Tuesday, June 7, 2022

Members Present:

Presiding: Chairman Doug Duvall
Commissioner Milton Buckingham
Commissioner Glenn Gercken
Commissioner Suzanne Morrison
Commissioner Kelly Sheehan

Members Absent:

Commissioner Paul Chubirka
Commissioner Liza Morrison
Commissioner Kevin Sipple

Also Present:

JoEllen Charlton, Public Works Assistant Director
Elizabeth Kwandras, Interim Superintendent Community Development
Martha Corner, Business Advocate
Vickie Wiley, Secretary
Cindy Browder, Secretary

Call to Order

Chairman Duvall called the meeting to order at 7:03PM and declared a quorum.

Approval of Minutes from May 3, 2022 Meeting

Chairman Duvall asked for a motion to approve the minutes from the May 3, 2022 Planning and Zoning Commission meeting. A motion was made by Commissioner Buckingham and seconded by Commissioner S. Morrison and with no additional discussion the minutes were unanimously accepted as written.

Upcoming Public Hearings: NONE

Pending Business: NONE

New Business – (New Public Hearings)

1. Public Hearing for a special use pursuant to Division 4 “Planned Developments”, of Article VI “Administration and Development Review”, of Chapter 122 “Zoning” of the City of Rolling Meadows Code of Ordinance, to authorize a special use for a Major Amendment to the Marketplace of Rolling Meadows Planned Development authorized by Ordinance 00-16 for Lot 5, including a request for

approval of preliminary and final plans to redevelop the site with a new 3,077 square foot Raising Canes restaurant with drive-through, including variations and other exceptions and zoning relief necessary to construct the project in accordance with the plans submitted, 1420 Golf Road, Raising Cane's Restaurants, LLC, petitioner.

Chairman Duvall asked if proper notice was given and if the file was in order. Ms. Kwandras stated that file was in order and proper notice was given.

Motion to Open Public Hearing

Chairman Duvall asked for a motion to open the public hearing. A motion was made by Commissioner Buckingham and seconded by Commissioner Gercken. Motion to open public hearing approved by unanimous voice vote.

Motion to Enter Staff Report

Chairman Duvall asked for a motion to enter staff report into public record. A motion was made by Commissioner Gercken and seconded by Commissioner Buckingham. Motion to enter into public record approved by unanimous voice vote.

Tom Szafranski, Civil Engineer J&P Properties was sworn in by Chairman Duvall.

Mr. Szafranski stated he is the Civil Engineer for Raising Canes. They are working with city staff to be sure plan is agreeable with all parties and will fit well with City of Rolling Meadows and the Marketplace Shopping Center. They are proposing a 3,077 square foot restaurant with dual drive-through lanes at 1420 Golf Road. They will demolish existing vacant Bona Beef property and reorient the site such that the building is on the south side of the site and there is a single access point to Ring Road on the north. Customers will enter the site from the north. If they are dining in they will enter the parking lot right in front of them. If they are going through the drive-through they will travel counter clockwise through the site. Pedestrians will access the site off of a newly proposed sidewalk that runs along the eastern lot line along Meijer Drive. Stormwater detention and volume control measures will be provided for the city per the MWRD code requirements. This will be done via oversize storm sewer pipes, permeable pavers and a bioretention swale area. They are requesting variances for front yard setup reduction, landscape island size reduction, parking stall count and size reduction, and an increase in the number of signs.

Raising Canes provides speedy high-quality limited menu of chicken fingers, french fries, texas toast and coleslaw. They have an industry best in drive through times of just under 2 minutes 30 seconds, and hold themselves to high standards to maximize efficiencies to the building itself, the site, and crew development to insure quality products. Examples of unique brand, hand painted mural on the side of building painted by an artist that is flown in which includes the community name on all murals. Tidy, well-kept sites. Have a Restaurant Image Position who is responsible for surveying the site to be sure there is no trash laying around or landscape or building items that need maintenance. Raising Canes likes to get involved with the community and will quickly become involved with school districts, feeding the hungry, and pet welfare.

QUESTIONS AND COMMENTS FROM THE BOARD:

Chairman Duvall opened the meeting to commissioner's questions and comments.

Commissioner Gercken asked regarding the monument sign and if it will be illuminated 24 hours. Mr. Szafranski responded that he was unsure based on city requirements. Ms. Kwandras stated that signs in Rolling Meadows are required to be turned off by 11PM unless business is still in operation and then they can remain on until 1AM.

Commissioner Gercken asked regarding the restaurant hours. Mr. Szafranski responded that the typical hours of operation are Sunday-Thursday 9:30AM-1:30AM and Friday-Saturday 9:30AM-3:30AM.

Commissioner Gercken asked what time they will arrange for trash collection in order to not disrupt traffic flow and Mr. Szafranski responded that they prefer to do it early morn before location is open if possible.

Commissioner Gercken asked about a drive-up menu board. Mr. Szafranski responded that there is a pre-order menu board that shows a preview of the menu. There are also order boards for each drive-through lane. Ms. Kwandras stated that site plan does show sign placement.

Commissioner Gercken states that he noticed that there was only the one north entrance so the other entrance that is currently there will be blocked off and the only way around is to go down to the end and in through the north. Mr. Szafranski responded that this was correct.

Commissioner Sheehan asked regarding site access when people drive in. There are seven spaces that are proposed as permeable pavers, how does traffic work with the site flow in order to get to those spaces without having to go through the drive-through lanes? Mr. Szafranski responded that the parking lot is all two-way drive aisles so when someone pulls in to the site they can continue straight toward the trash enclosure and go counterclockwise or make an immediate left opposite the drive-through to access those spots.

Commissioner Sheehan asked regarding the second drive-through lane and how they get their food. Mr. Szafranski responded that during non-peak hours when two lanes are not warranted they will keep both menu boards open but while second lane is closed they will cone it off and merge into single lane. During peak hours they will have runners to bring food orders out and also have crew members with tablets to take orders and speed things up.

Commissioner Sheehan asked regarding bioswale and if they have a maintenance plan for it. Mr. Szafranski responded that they will submit a plan to the city.

Commissioner Buckingham asked about specifics on outdoor seating and if there are any variances being requested. Mr. Szafranski responded that there is a covered patio area at the northeast corner of building. It is intended to be open same hours as inside operation. Ms. Kwandras responded that one of the conditions is that any outdoor seating will be required to comply with current zoning regulations; the setbacks, time requirements, etc. will be handled separately and do not require variations.

Commissioner Buckingham asked how many seats will be inside. Mr. Szafranski responded that he needed to report back on this.

Commissioner Buckingham commented regarding the 26 parking spaces, which is less than code requires, that they should be more than enough. Mr. Szafranski responded that they did a parking study at the Schaumburg and Glen Ellyn locations and Raising Canes feel that the 26 stalls will be adequate as the majority of the business is drive-through. Ms. Kwandras commented that if parking overflows to Sam's Club to the north there are parking cross access easements.

Commissioner Buckingham asked regarding the roof sign and if it is illuminated. Mr. Szafranski responded that it will be consistent with tombstone signage.

Chairman Duvall turned over to Ms. Kwandras responding for staff.

Ms. Kwandras - Staff Report:

The subject property is located at 1420 Golf Road in the Marketplace of Rolling Meadows Planned Development. The property zoning is consistent with all other properties in the immediate vicinity, with the exception of the Continental Towers Planned Development across Golf Road. This is a very commercialized area and this request is consistent with that. Everything in the area is a Planned Development so this is not an out of the ordinary request. The subject site consists of 43,791 square feet or 1.05 acres, and contains an approximately 5,681 square foot building. The petitioner intends to tear the building down and rebuild from scratch to comply with the site plan that has been submitted. The requested use as a restaurant with drive-through component is similar in nature to the previous use as Buona Beef. The petitioner is requesting a combined preliminary and final Planned Development amendment along with the Planned Development approval. The petitioner is requesting a number of variations from the code to make the project viable. These variations include the size and number of parking spaces provided on site, landscaping requirements on site, setback requirements, and the number, type, and location of proposed signage.

The existing site has two entries off Meijer Drive to the east, including two curb cuts. Staff had some concerns over overflow onto Meijer Drive and onto Golf Road. The petitioner worked closely with Staff to come up with modified site plan. This use as mentioned relies heavily on drive-through business. This redevelopment will allow traffic flow and if overflow for drive-through it will be on Ring Road rather than blocking the main entrance. The traffic flow pattern is shown on Staff Report Page 3. Patrons using the drive-through will enter from the north and get into a drive-through lane, go all the way around in a full circle pattern to get on and off the site. On-site parking is available for dine in patrons. In the unlikely event that overflow parking is needed they can park across Ring Road at Sam's Club.

The petitioner has also agreed to install a sidewalk along Meijer Drive making the entire development more walkable. It connects from Golf Road along the east property line up to the northeast corner of the site. The sidewalk is bordered by retaining wall just to the east of it. It is at a higher elevation so there is no concern of people falling over the retaining wall. Staff is requesting that the sidewalk be terminated a little farther east, just at the curve, to allow for a future crosswalk to be installed. This will increase pedestrian access to the development. There is a crosswalk proposed in the development just east of the building across from the drive-through. The City Engineer has expressed some concern about visibility of patrons of the business

walking there and being seen when people are coming around the curve but that is a detail that will be addressed in final engineering and permitting.

The parking lot will not be entirely asphalt. The petitioner is proposing to install various types of paving materials throughout the site such as permeable pavers that will help with stormwater detention. In addition, there will also be stamped concrete and other aesthetically pleasing materials. As noted, the dumpster is located in the middle of the development, in the southwestern corner of the parking lot. The location is acceptable to staff. It is required that the dumpster enclosure be masonry.

The building will be completely relocated to the southern part of the property line. The building is only located 31.5 feet away from the front property line. The zoning code requires a 90-foot front yard setback in the C-2 district. The reduced setback is relatively consistent with other buildings along Golf Road. The variation is supported to allow the development to be safe and successful.

The petitioner is increasing the amount of landscaping as well as a detention area in the northwestern corner of the site. There are several landscape islands proposed throughout the parking lot. The zoning code should be 180 square feet apiece for each landscape island. The petitioner is proposing to provide somewhat less than that in the middle of the parking lot. Staff does support this variation in order to make sure that the site itself is workable and the traffic and parking flow nicely. They are making up for the lack of parking lot landscaping elsewhere in the proposed development. In addition, part of the landscaping offset is due to the sidewalk that they are installing along Meijer road which was at Staff's request. One change that staff is requesting is that the small strip of striped asphalt between the dumpster and the handicapped parking spaces be removed and replaced with landscaping which will help to offset some of the other deficiencies in the parking lot. A landscaping plan will be required and will be submitted for approval by the City Forester in permit review.

The major utility update pertains to stormwater management. Lot coverage for the previous iteration was higher than what we are looking at for this petitioner. Stormwater management is being provided in the green space in the northwest corner of the site. Additional stormwater structures are also being proposed in several locations throughout the development to help guide stormwater from the paved and covered areas over to the swale area. An MWRD permit will also be required as part of the permitting process, staff will not issue any site plans or engineering permits until that permit has been addressed and obtained. Within the context of permit review, the city engineer will work with the site engineer on the property about the placement of some of these storm structures but overall should work well with the site. Some of the other utilities are also being relocated with the movement of the building from the western side to the southern side. Sanitary sewer will be relaid, main holes are being relocated across the site. Water main is being moved to hook up to a new location on the building. Electric and gas will also have to be moved to hook up to the new building. Staff is requesting that all of these new utility connections be located underground. There is an existing fire hydrant on site in the middle of the development which was between parking spaces and drive-through. Relocation of this fire hydrant will have to be considered and must be within 100 feet of the fire department connection. There is discussion of putting it on the south side closer to Golf Road or in a more northerly location for fire department access. The Rolling Meadows Fire Department (RMFD) has indicated the preference of the north side of the lot so when they need to fight a fire they can do it from within the development rather than blocking Golf Road. That detail will be finalized with RMFD in a permit review.

Parking as we have noted is somewhat deficient. Technically requires 31 parking spaces per zoning code and currently 26 are being proposed. This is approximately 84% of the required on-site parking. As previously

mentioned, most of the petitioner's business is drive-through as COVID-19 has changed how people dine. As such, staff feels that this variation is supportable as well. The next variation is part of the City building codes which requires parking spaces to be nine feet by twenty feet (9'x20') when they are perpendicular. The shopping center as a whole was developed under a different building code, that required nine feet by eighteen feet (9'x18') parking spaces. The petitioner is requesting that they be allowed to keep the parking spaces the same size which requires a variance from the code. The additional space made available from that reduction is going toward additional landscaping and stormwater management on site. Staff is supportive of this variance.

A signage package was provided for review. One of the signs is the monument sign which is proposed to be located in the southeast corner of the development. The sign itself meets zone requirements for height, composition, and size. The proposed location technically meets setback requirements for a monument size however, it is within the clear sight triangle which should be left open so that motorists can adequately see oncoming traffic which is 25 feet from the corner either way. Staff is fine with the monument sign but requesting that it be pushed north as far as possible which would require a variation for sign placement setbacks. Landscaping around the sign base will be required as per the Zoning Code, 3 feet from the base all the way around. Staff recognizes that by requesting them to push it forward there might be slightly less landscaping than we would like to see. The sign package also requests four wall signs. Generally speaking the zoning code only allows for two in a single tenant building. The sizes proposed are well within the parameters for a wall sign on the zoning code. On the north elevation which is shown on staff report, page 7, it shows two proposed wall signs, and the zoning code allows for one per elevation. The two signs taken as a total are far less square footage than is allowed by the zoning code so staff is generally supportive of all wall sign variances requested. There are two signs being requested that are not allowed by the zoning code. One is the roof sign and the other is the mural. Planned Developments do allow for some additional flexibility in code application when needed. Staff feels these requests are supportable and support allowing it. On the east elevation, there are two LED window signs proposed. Per the zoning code, only one window sign is generally allowed. The two signs are extremely small and take up much less than the 25% of window space allowed by the code. As such, staff is supportive of the request. All other signs being proposed meet zoning code standards and requirements. Staff does stipulate that the menu boards do not overlap drive-through lane, as they are shown on the site plan. The findings of fact for variation, plan development, and special use are located in staff report.

Ms. Charlton stated that while speaking to the petitioner to potentially find a way to increase the width of the sidewalk and landscaping area on the east side, meaning they would lose 2-3 parking spaces, learned of a document called the Operations and Easement Agreement that was put in place by Buona Beef when they built the site. While the original Planned Development did include cross access for parking, when they developed the property and it was sold to them, that provision was taken away so they ultimately agreed on the development of that property, not to park offsite and that continues with the ownership being transferred to this property as well. It is important to be sure the record is clear that variations that are being granted for this site are granted with the understanding that the restaurant and drive-through will be supported on the number of parking spaces being less than required and cannot technically, pursuant to this agreement, overflow onto the adjoining sites.

Ms. Charlton checked documents for number of indoor seats and there are 50.

QUESTIONS FOR STAFF:

Commissioner Gercken asked if there is enough turning radius for a Fire Truck to enter the parking lot. Ms. Kwandras responded that RMFD would work from Meijer Drive or Ring Road as opposed to entering the site. RMFD has expressed no concerns.

Commissioner S. Morrison asked if feedback has been solicited from the bank that is west of Raising Canes as they may be the most impacted neighbor. Ms. Kwandras responded that they were part of the notification procedures including signage to alert of a Public Hearing. The hope is, if there is backup it will go north toward the Sam's Club parking lot.

Commissioner Buckingham asked why this is special use. Ms. Kwandras responded that under the City Zoning Code, Planned Developments are technically special use so in order to modify the Planned Development, special use must be included.

Commissioner Sheehan asked regarding window signs and does the business ever use temporary window signs. Mr. Szafranski responded that he doesn't believe so. Commissioner Sheehan's question pertains to why they are asking for a variance. Ms. Kwandras responded that the business is allowed up to 25% of the windows to be covered and these two signs are a very small percentage of that. To clarify, the 25% pertains to each window not overall.

Commissioner Sheehan asked regarding the painted sign on the wall, if it is approved as a variation does it open this up to others to ask for the same variation. Ms. Kwandras responded that a request like this would be evaluated on a case by case basis but would ultimately be up to the commission and city council to determine whether or not they would allow it. Painted signs on buildings are not technically allowed but when part of a Planned Development, which by nature allows for flexibility from the strict letter of the code, may be allowed in order to make the development successful.

Chairman Duvall recalled Mr. Szafranski:

Chairman Duvall asked regarding the east elevation proposed crosswalk. Is this requested, required, or just desired? Mr. Szafranski responded that per ADA code they do need to provide an accessible route to the public right of way for pedestrians and this can be accomplished many ways with the easiest being sidewalk. The original site plan was a direct connection to the Golf Road sidewalk and now that they are proposing a sidewalk along Meijer Drive it makes sense to make that be the connection. The entry door on the east as well as the north will both act as main entrances that lead right into the front door. It will probably shift north to get it a bit further away from traffic pattern.

Chairman Duvall asked regarding the signage plan and noted that there is nothing shown for traffic signage other than pavement markings. Is there a plan for cautionary signage for pedestrians? Mr. Szafranski responded that they typically create a striping and signage plan at the final engineering permit stage and that it is standard for Raising Canes, in their drive-through, to post signs to watch for pedestrian traffic. In addition, when there is a crosswalk like this one, a sign would be posted for pedestrians to watch for cars. Ms. Kwandras reassured that staff would be sure that these signs are in place although a permit is not required.

Chairman Duvall recapped the proposal and praised the thoroughness of it. The letter that was submitted from Kimley Horn asked for relief on four items. Ms. Kwandras said the variation requests go deeper than those four items. Chairman Duvall stated that the proposed site plan and traffic patterns are similar with other fast food restaurants of this kind and feels customers will accept that as condition of use. He agrees with the number of parking spaces and size and the site plan. Chairman Duvall's only caution is that there are signage and/or pavement markings to ensure that every conceivable measure is taken to keep pedestrians safe. Agrees with staff on wall signs and acknowledges that every business with a glass front door has a sign to show it is open. All of his questions were answered.

Commissioner Gercken Asked re the signage overlapping menu board. Ms. Kwandras assured it would be addressed and not allowed to be in a place where it is impeding traffic flow.

Chairman Duvall asked if any other questions from commission or gallery. No questions.

Motion to close public hearing:

Chairman Duvall asked for a motion to close the public hearing, motion received by Commissioner Gercken, seconded by Commissioner Sheehan.

Motion carried by unanimous vote.

Chairman Duvall asked for a motion to ask for recommendation to approve. Motion received by Commissioner Gercken.

Based on the submitted petition and testimony presented, I make a motion that the Rolling Meadows Planning and Zoning Commission adopt the findings for a special use and variance listed in the staff report prepared for the June 7, 2022 Planning and Zoning Commission meeting, and recommend to City Council approval of a special use for a Major Modification of the Marketplace of Rolling Meadows Planned Development approved by Ordinance 00-16, and variations to modify signage requirements per sections 122-603(g) and 122-606; reduce the required parking from 31 to 26 per section 122-163; reduction of the depth of parking spaces from 18 feet to 20 feet per section 18-245(3); reduction of parking lot landscaping per section 122-157(6); reduction of front yard setback from 90 feet to 31.5 feet per section 122-272; and other exceptions and zoning relief necessary to construct the project in accordance with the plans submitted; for Raising Cane's Restaurants, LLC, subject to the following conditions:

1. This approval shall be null and void if permits are not applied for within two (2) months of City Council approval, and work completed within one year.
2. The special use and variation shall be null and void unless building and site improvements are in substantial conformance with the representations, plans and specifications prepared by Kimley-Horn and Associates, Inc. and dated 4/22/2022, pursuant to proper building permit review and approval by the City except for the following:
 - a) A detailed, updated landscaping plan incorporating comments from the review letter dated 5/31/2022 (attached as Exhibit 1A) will be submitted as part of the permitting process, and approved by the City Forester.
 - b) The dumpster enclosure shall be masonry.

- c) The strip of striped paving directly to the east of the dumpster enclosure shall be removed and replaced with landscaping.
 - d) All utility connections shall be located underground.
3. Occupancy of the building shall not be allowed until all building and site improvements have been completed by the applicant and approved by the City.
4. This approval is exclusively for zoning, and shall not be interpreted to waive any requirements of the building code.
5. Full engineering plans will be revised per comments from the City Engineer dated 5/4/2022 (attached as Exhibit 1C), submitted to the City for review, and approval by the City Engineer as part of the site development permit process.
6. No permits will be issued without approved permits from other authorizing agencies, including MWRD.
7. The photometric plan will be revised per City Engineer comments dated 5/4/2022.
8. Any outdoor seating will be required to adhere to standards in the zoning code as written. Modifications will require additional amendment to the Planned Development.
9. The signage package is approved per the submittal from AGI, last revised 3/21/2022, and per staff comments dated 5/26/2022 (attached as Exhibit 1B). Permits will be required to install the signs.

Seconded by Commissioner Buckingham

Chairman Duvall requested roll call:

Commissioner Buckingham: Yes
Commissioner Gercken: Yes
Commissioner S. Morrison: Yes
Commissioner Sheehan: Yes
Chairman Duvall: Yes

5 Yes
0 No

The motion is carried and a recommendation for approval will be forwarded to City Council for 1st reading on June 28, 2022.

Chairman Duvall asked if staff has discussion items. Ms. Kwandras responded with the following:

1. There are tentatively four cases on the agenda for July 5, 2022.
 - a. Special use request for pet daycare to be located at 2639 Kirchoff Road for the Meadows Dog House.
 - b. Special use request for outdoor storage for 1675 Hicks Road, Sunset Pools and Spas.
 - c. Text amendment to allow medical and dental clinics into certain office buildings in the M district.
 - d. Request to reduce the number of commissioners required from nine to seven.
2. August meeting is delayed by one day to the first Wednesday of August due to National Night Out being held that first Tuesday.

3. In September, 2022 the American Planning Association has an Illinois Chapter and will be holding a state conference in Chicago at the old post office. One of the events is Planned Commissioner training. \$75 fee will be covered by the city. Commissioner Gercken is interested in attending.

Chairman Duvall invited audience guest to step forward. Jonathan Wurfel is a member of the community for fifty years, born at Northwest Community Hospital. His father built Carriageway and Three Fountains Condominiums. Mr. Wurfel and his father have been building homes throughout the Northwest Suburbs while living in the City of Chicago under the business name Early American Development. They are looking to continue developing properties and building homes in this area. Mr. Wurfel is looking to make a connection with the city to get their developments completed. Ms. Kwandras offered her contact information to Mr. Wurfel to discuss his thoughts and plans for future developments.

Chairman Duvall requested motion to adjourn. Commissioner Morrison made motion, seconded by Commissioner Gercken.

5 Yes
0 No

Declare the meeting adjourned at 8:12PM

Next meeting will be July 5 at 7:00 pm.

Cindy Browder
Administrative/Clerk
Community Development Division