

**PLAN COMMISSION AGENDA
Village of Deerfield
2nd Floor Franz Council Chambers
October 26, 2023 at 5:30 PM
Workshop Meeting**

Public Comment on a Non-Agenda Item

DOCUMENT APPROVAL

1. Portillo's Restaurant Menu Board Recommendation
2. October 12, 2023 Plan Commission Minutes

Items from the Commission

Items from the Staff

Designation of Representative for the next Board of Trustees Meeting

Adjournment

RECOMMENDATION

TO: Mayor and Board of Trustees

FROM: Plan Commission

DATE: October 12, 2023

RE: Portillo's Restaurant Request for Approval of a New Digital Menu Board Pursuant to Article 9.02-B,14(a) of the Deerfield Zoning Ordinance for Their Restaurant Located at 700 Lake Cook Road



VILLAGE OF DEERFIELD

Application History

Public Hearing Publication Date: September 21, 2023

Planning Commission Public Hearing Date: October 12, 2023

Village Board of Trustees Meeting Date: November 6, 2023

Zoning Actions

The Deerfield Plan Commission conducted a Public Hearing on October 12, 2023 to consider the request of Dog's Life Ventures, LLC., property owner of 700 Lake Cook Road. The petitioner is seeking approval of new digital menu board pursuant to Article 9.02-B.,14 (a) of the Deerfield Zoning Ordinance.

We transmit for your consideration a recommendation adopted by the Plan Commission of the Village of Deerfield on the request of the petitioners for a digital menu board for Portillo's restaurant at 700 Lake Cook Road. The Plan Commission held a public hearing on October 12, 2023. At that public hearing, the petitioners presented testimony and documentary evidence in support of the request. A copy of the public hearing minutes are attached.

In support of its request, the Plan Commission makes the following findings of fact and conclusions.

Findings of Fact

Subject Property

The subject property consists of Portillo's Restaurant, which is located at 700 Lake Cook Road. In 2016, Portillo's was granted permission to amend the planned unit development and construct the 10,772 square foot restaurant with a dual drive-thru as a Special Use (Ord. O-16-14). The subject property is zoned C-2 Outlying Commercial District and is approximately 2.3 acres in size.

Surrounding Zoning and Land Use

North: I-1 Office, Research and Restricted Industrial District, 3 office buildings, Deer Park Business Center

South: I-1 Office, Research and Restricted Industrial District, 707 Lake Cook Road Office Building and C-2 Outlying Commercial District, Home Depot PUD (south of Lake Cook Road)

East: C-2 Outlying Commercial District, Demetri's Restaurant and Eggshell Café (across Deer Lake Road)

West: I-1 Office, Research and Restricted Industrial District, 770 Lake Cook Road office building; and C-2 Outlying Commercial District, Courtyard Marriott Hotel

Proposed Plan

The petitioners are seeking approval to replace its current 36.64 square foot, non-digital menu board in their drive-thru operation with a smaller sized, digital menu board. The new 3-panel menu board will be 21.49 square feet and positioned at a 45-degree angle away from Lake Cook Road. There will be no flashing, moving or excessively bright images. The existing speakers will remain for ordering and the applicant will limit of the brightness of the digital menu board screen to be between 500-1,500 nits (same as what was approved for McDonald's and Starbuck's digital menu boards). Nothing will change to the plans regarding traffic, circulation or parking.

Zoning Conformance

The petitioners are seeking approval of their proposed menu boards by the Plan Commission pursuant to below Article 9.02B.14 (a) of the Deerfield Zoning Ordinance.

Article 9.02B.14 -Restaurant Drive-Thru Menu Board Signage in the C-2 Outlying Commercial District (Ordinance Number 0-14-13)

- a. Number, Area, Location, Height and Lighting- The number, area, location, height and lighting of a restaurant drive-thru menu board sign shall be determined by the Corporate Authorities following review and consideration of a recommendation from the Village Plan Commission. (Ord. 0-14-13)

In 2014, the Plan Commission explored the issues of menu boards and sent a recommendation to the Board of Trustees. The Board of Trustees passed Ordinance O-14-13 regarding drive-thru menu boards. The outcome was that the Village would review restaurant menu boards on a case-by-case basis. Any new drive-thru menu boards would be evaluated on a case by case basis to determine the number, area, location, height and lighting.

Landscaping Plan

The petitioner plans to maintain the existing landscape plan. No changes are proposed to the landscaping plan and the location of the proposed menu board will remain the same.

Menu Board Brightness

The petitioner has indicated that they would keep the brightness level for the proposed menu board between 500 – 2,500 nits. A nit is a unit of measurement of luminance, or the intensity of visible light. Nits are used to describe the brightness of computer displays, such as LCD and CRT monitors and in this case a digital menu board. *Luminance* (measured in nits) quantifies surface brightness,

or the amount of light an object gives off. *Illuminance* (measured in foot-candles) quantifies that amount of light, which falls onto an object.

Appearance Review Commission (ARC)

The petitioners met with the ARC on July 24th, 2023 regarding the Portillo's digital menu board at 700 Lake Cook Road. The petitioners discussed their proposal to remove the existing static menu board and replace it with a smaller, digital menu board. The order takers will still be utilized during high volume hours. The Commissioners were good with the new 3-panel digital menu board with the brightness maintained at 500-1500 nits, per Village standards. The ARC voted 5-0 in favor of the new menu boards, pending Village Board approval.

CONCLUSIONS

Review of Proposed Menu Board Per Ordinance O-14-13 Dated July 7, 2014

In 2014, the Village Board approved Ordinance O-14-13, which created a category for restaurant drive-thru menu board signs in the Zoning Ordinance. The ordinance did not place specific size, location, number, height and lighting restrictions on menu board signs, but rather allowed each menu board sign to be evaluated on a case-by-case basis. The Plan Commission recommended and the Village Board agreed that each site is unique and there should be flexibility to evaluate what is a suitable and appropriate in regards to number, area, location, height and lighting of a restaurant drive-thru menu board sign at each site. The Plan Commission reviewed the number, area, location, height, and lighting of the Portillo's restaurant drive-thru menu board sign and find the proposed new menu board sign for Portillo's restaurant should be approved as shown on the petitioner's plans. They find the petitioners have demonstrated the need for the new menu board sign and that it will help improve their drive-thru operations.

RECOMMENDATION

Accordingly, it is the recommendation of the Plan Commission that the petitioner's request for approval of a new menu board pursuant to Article 9.02-B, 14(a) of the Deerfield Zoning Ordinance with the brightness level for the proposed menu board between 500 minimum NITs to 1,500 maximum NITs, be approved.

Ayes: (4) Crist, Keefe, Schulman, Bromberg

Nays: (0) None

Respectfully submitted,
Al Bromberg, Chair
Deerfield Plan Commission

**PLAN COMMISSION
VILLAGE OF DEERFIELD
Minutes**

The Plan Commission of the Village of Deerfield called to order a meeting at 7:30 P.M. on October 12, 2023 at Deerfield Village Hall.

Present were: Al Bromberg, Chair
Blake Schulman
Lisa Crist
Bill Keefe

Absent: Jennifer Goldstone
Kenneth Stolman
Sara Lubezny

Also present: Jeff Ryckaert, Principal Planner
Daniel Nakahara, Planner II

Chair Bromberg swore in all who plan to testify before the Commission.

Public Comment on a Non-Agenda Item

There were no comments from the public on a non-agenda item.

PUBLIC HEARING

1) Public Hearing on Portillo's Restaurant Request for Approval of a New Menu Board Pursuant to Article 9.02-B,14(a) of the Deerfield Zoning Ordinance for Their Restaurant Located at 700 Lake Cook Road

Chair Bromberg asked for proof of publication and certified mailing. Mr. Ryckaert reported that the legal notice was published in the Deerfield Review on September 21, 2023. Certified mailing receipts were provided by the petitioner.

Robert Whitehead of Olympic Signs representing Portillo's at 700 Lake Cook Road addressed the Commission. He stated that they are requesting to remove the existing static exterior menu board and replace it with a 21 square foot electronic display. They are trying to centrally locate the internal network at all of their locations. Mr. Whitehead stated that they will take down the existing 36 square foot board and replace with a 21 square foot menu board. He added that they were originally seeking to add a presell board, but the Appearance Review Commission (ARC) recommended against it, so they have removed the presell board from their petition and are now hoping to get just the new electronic menu board approved. Chair Bromberg asked what a presell board is. Mr. Whitehead replied that the presell board was a static board, about 18 inches wide by 3 feet tall on the corner of the building intended to preempt customers to decide what they want. The ARC felt it was unnecessary and Portillo's said they were happy to remove it from their petition. Mr. Whitehead stated that they are hoping to receive a favorable vote and to move forward. Chair Bromberg asked about the lighting on the new electronic sign. Mr. Whitehead replied that it is dimmable and programmable, and if it's too bright they can dim it.

The Commissioners were in favor of the request and had no issues with the proposal. And there were no comments from the public on this matter.

Chair Bromberg stated that the Plan Commission has concluded public testimony and will deliberate their recommendation on this matter. He stated that this portion of the meeting is open to the public, but no new testimony will be taken unless requested by the Commission. He stated that the Plan Commission is a recommending body, a written recommendation will be forwarded to the Village Board of Trustees for final action on this matter.

Commissioner Schulman moved, seconded by Commissioner Crist, to approve the request for Portillo's Restaurant menu boards pursuant to Article 9.02-B,14(a) of the Deerfield Zoning Ordinance for their restaurant located at 700 Lake Cook Road. The motion passed with the following vote.

Ayes: Crist, Keefe, Schulman, Bromberg (4)
Nays: None (0)

Mr. Ryckaert reported that this matter will go before the Village Board on November 6, 2023.

DOCUMENT APPROVAL

1. 728 Waukegan Road 2nd Floor Residential Use Recommendation

Commissioner Crist moved, seconded by Commissioner Keefe, to approve the recommendation. The motion passed with a unanimous voice vote.

2. September 28, 2023 Plan Commission Minutes

Commissioner Crist provided a correction to the minutes. Commissioner Crist moved, seconded by Commissioner Schulman, to approve the minutes with the correction provided. The motion passed with a unanimous voice vote.

Items from the Staff

Mr. Ryckaert reported on upcoming agenda items. The next meeting will be on October 26, 2023 for document approval only.

Adjournment

There being no further discussion, Commissioner Keefe moved, seconded by Commissioner Schulman to adjourn the meeting at 7:45 P.M. The motion passed with a unanimous voice vote.

Respectfully Submitted,
Laura Boll