

## STAFF REPORT

TO: ZONING BOARD OF APPEALS

PREPARED BY: Parth Joshi, AICP  
Community Planner

HEARING DATE: October 9, 2024

DATE PREPARED: October 3, 2024

CASE NUMBER: Z2405-04

TITLE: Z2405-04 / U.S. BANK / 1293 E. Higgins Road / Site Plan Approval, Special Use for a Drive- Through Facility, Preliminary and Final Plat of Subdivision

### BACKGROUND INFORMATION

Petitioner: Michael Lenz

Address of Petitioner: 1220 Marshall St. NE,  
Minneapolis, MN 55413

Status of Petitioner: Architect

Owner of Parcel: HSG Schaumburg LLC

Existing Zoning: B-2 General Business District

Existing Land Use: Parking Lot

Requested Action:

- Site Plan Approval for a 4,328 Square Foot Freestanding Bank [Title 15, Chapter 154, Section 154.46 of the Village Zoning Ordinance]
- Special Use for a Drive-Through Facility [Title 15, Chapter 154, Section 154.90.13 of the Zoning Ordinance]
- Preliminary & Final Plat of Subdivision [Title 15, Chapter 154, Section 154.47]

### ANALYSIS

#### **Summary**

The petitioner requests Site Plan approval, Special Use for a drive through facility, Preliminary and Final plat of Subdivision, and Woodfield Regional Center Design Review for U.S. Bank. The petitioner is proposing to subdivide the property to create a 0.73-acre outlot at the northeast corner of the property. U.S. Bank is proposing a ground-up branch and will lease the land from the property owner.

The proposed bank will be a freestanding 4,328 square foot building with drive through for ATM operations. The building will be oriented north/south, such that the main entrance will be located on

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the north side of the building facing Higgins Road. The drive through lane will wrap around the west and south sides of the outlet building. Vehicles will enter the drive through lane on the west side of the building traveling south in a counter-clockwise direction. The proposed drive through lane will be separated by a continuous landscape median. As proposed, the drive through meets village stacking requirements.



Access to the proposed outlet will be provided via existing entry points to the shopping center from Higgins and Meacham Roads. No new access points are proposed at this time. Two new pedestrian access points will be provided, one from each roadway. Other proposed improvements include changes to the existing surface parking lot, a new dumpster enclosure at the southwest corner of the outlet, foundation landscaping around the building, perimeter landscaping and adjustments to existing landscape islands.

The proposed U.S. Bank branch will include one walk-up ATM, two drive-through lanes under a canopy, three teller lines, six offices, and a conference room. Their proposed hours of operation are Monday through Friday 9 am to 5 pm and 9 am to 1 pm on Saturday. The bank will be closed on Sundays/. They will employ 10 employees.

There is currently a shared access and parking agreement in the form of an Operation and Easement Agreement for the overall shopping center. This agreement is being revised to include cross-access and shared parking provisions for the proposed outlet. Both the revised agreement and the final plat must be recorded before a land development permit can be issued. A condition of approval has been added regarding this requirement.

The proposed building will be primarily constructed of brick, limestone veneer, glazing, and metal panels. Windows are provided on all four sides of the proposed building. To enhance the entrance of the building, the front (north) and partially the west side of the building will include a distinctive bump out component with a flat black canopy to create additional geometry.



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*Northwest perspective*

Since the proposed outlot will be situated at the northeast corner of the property, the building will have two street frontages (Higgins and Meacham Road). The applicant modified the original proposed design to add features to this elevation. Therefore, similar to the Higgins Road design and to add architectural interest, the petitioner is proposing to mimic the bump out feature on the east elevation facing Meacham Road. These will be constructed of white stone and marble with white metal panels projecting above the roofline. All rooftop mechanical units will be screened from view.



*Southeast Perspective*

The proposed building materials and building elevations are compatible with the adjacent building architecture. Please note, the property falls outside of the Woodfield Regional Center; therefore a “Woodfield Regional Center Design Review” is not required and has been removed from the case title.

The proposed building will include a wall sign on the north, east and west sides of the façade. Exact dimensions of the proposed wall signs have not been provided with the submitted plans. Per the sign code, the total square footage of all the 3 wall signs must be 400 square feet or less. No additional signage, including a ground sign is proposed at this time.

**Zoning History:**

In June 1985, the Village Board of Trustees approved Ordinance No. 2554, adopting the Polk-Branch Concept Plan, which designated the area bounded by Meacham, Higgins, Plum Grove and Schaumburg Roads for predominantly single-family residential use. In March 1992, the Village Board granted rezoning, variations, and site plan approval for a 236,405 square foot commercial retail center, located at the southwest corner of Higgins and Meacham Roads (Case No. Z9007-02). A condition of this approval was that the petitioner secure an executed lease for a grocery store prior to the issuance of a land development permit. A phasing plan was subsequently approved to permit construction of the shopping center in two phases. Phase I construction consisted of the 131,450 square foot Target Greatland store and 10,800 square feet of general retail space with 778 on-site parking spaces. Phase II consisted of the Byerly’s Finer Food/Dominicks Foods (currently Kohl’s).

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In 1993, Target received approval of a sign variation for an additional wall sign (Case N. Z9311-04). In 1994, the Village Board granted approval for a Special Use for a Type “C” restaurant located within the Target. In 2004, a Site Plan Amendment request for stop signs and spherical bollards along the main drive aisle was denied (SP0408-02). In 2004, Staff approved a Minor Amendment for the addition of pedestrian crossing signs and relocation of ADA parking spaces.

In 1997, a sign variation was granted for Dominick’s for a variation for an additional wall sign and larger wall sign (case No. Z9703-04). In 1998, Dominick’s was granted an amendment to the special use for a Type “C” Restaurant for an outdoor seating area (Case No. Z9807-07). In 2015, Art Van Furniture (former Byerly’s Finer Foods/Dominick’s Foods) received a Site Plan Amendment for a building addition and façade and site modifications. In 2016, Staff approved a Minor Amendment for some minor façade modifications (Case No. MA1606-04). In 2016, Art Van Furniture also received a sign variation for a larger wall sign on the north-facing façade in lieu of a sign on the east-facing façade (Case No. Z1607-06).

Outlot 1 of Park St. Claire Plaza was originally approved as Bertucci’s Restaurant and received Special Use approval for a Type “A” Restaurant, a variation to allow an additional wall sign and site plan approval in October 1995 (Case No. Z9506-01). In March 2000, Bertucci’s Restaurant changed from a Type “A” to a Type “C” restaurant when it became Connie’s Pizza and a 22 space parking variation was also granted (Case No. Z0001-02). In March 2003, the restaurant underwent some minor façade changes (Case No. MA0303-01) when it changed to Pompeii Restaurant. Pompeii Restaurant closed in 2011. In November 2013, the property owner added 2,997 square feet to the existing building and received approval for a Special Use for a type “C” restaurant with a drive through and a foundation landscape variation for Starbucks (Case No. Z1308-02). In 2017, the Village Board granted approval for Jersey Mike’s Subs (Case No. Z1704-01), and a special use for an animal grooming facility (accessory to a retail business) for Bentley’s Pet Stuff (Case No. Z1706-03). In 2018, the Village Board granted approval of a special use for a Type “C” Restaurant (Case No. 1801-02), for Fresh International Market; the grocery store included a restaurant as an ancillary use. In July 2022, the Village Board granted a site plan amendment for building modifications for Kohls (previously Art Van Furniture) (Case No. Z2205-04, Ordinance No. 22-056). This approval also subdivided the Kohls building into a total of three tenant spaces. In January 2024, the Village Board granted a special use permit approval for an animal hospital for Veterinary Emergency Group at 1287 E. Higgins Rd (Case No. Z2312-01, Ordinance No. 24-004).

**Surrounding Zoning and Land Uses:**

North: B-3 Planned Office Business – Chase Bank (600 N. Meacham Rd)

South: B-2 General Business District – Park St. Claire Plaza

East: R-4 Single Family Residential – Lexington Fields

West: B-2 General Office Business District – Park St. Claire Plaza

**Compatibility with Surrounding Land Uses:**

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The zoning code limits freestanding financial institutions be limited to 10% of the overall development larger than 3 acres. The proposed bank would account for 1.67% of the development The proposed U.S. Bank is compatible with the surrounding uses.

**Comprehensive Plan Designation:**

The subject property is designated for community commercial as stipulated on the Future Land Use Map in the Village Comprehensive Plan. The proposed use is compatible with the community commercial designation.

**Parking:**

The parking table below is for the entire Park St. Claire Shopping Plaza, including the existing outlots and proposed outlot development:

Use	Parking Rate	Required Parking
Proposed U.S. Bank 4,328 sq. ft. GFA 3,984 sq. ft. NFA	5 spaces per 1,000 sq. ft. NFA	20 spaces
Retail 106,819 GFA 96,365 NFA	4 spaces per 1,000 sq. ft. NFA	386 Spaces
Service 7,040 sq. ft. GFA 6,336 sq. ft. NFA	4 spaces per 1,000 sq. ft. NFA	25 spaces
Target 130,974 sq. ft. NFA	4 spaces per 1,000 sq. ft. NFA	524 spaces
Jersey Mike's Type "C" Restaurant 1,470 sq. ft. GFA 1,323 sq. ft. NFA	12 spaces / 1,000 sq. ft. NFA	16 spaces
Starbucks Restaurant Type "C" Restaurant 1,614 sq. ft. GFA 1,453 sq. ft. NFA + 481 sq. ft. Patio	12 spaces / 1,000 sq. ft. NFA	17 spaces
Raising Canes Type "C" Restaurant 3,575 sq. ft. GFA 2,544 sq. ft NFA (including outdoor patio)	12 spaces / 1,000 sq. ft. NFA	31 spaces
<b>Required Parking</b>		<b>1,019 spaces</b>
<b>Provided Parking</b>		<b>1,153 spaces</b>

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<b>Previously Granted Variations</b>		<b>326 spaces</b>
<b>Parking Surplus</b>		<b>460 spaces</b>

### **Planning**

1. Prior to the issuance of a Land Development Permi, the Final Plat of Subdivision shall be recorded and placed on file with the Cook County Clerk.
2. Prior to the issuance of a land development permit, the proposed Declaration of Restrictive Covenants and Easements between HSG Schaumburg, LLC and U.S. Bank must recorded and placed on file with the Cook County Clerk. This revision must provide for cross access and shared parking.

### **Transportation:**

1. The existing traffic agreement for 1293 E. Higgins Road runs with the land and will remain in effect following the proposed subdivision of the property according to the terms of the executed agreement. The traffic agreement shall remain recorded with the existing pin and any new pins generated as result of the subdivision.

### **Engineering:**

1. A Land development permit is required. The permit will cover all work outside the building including paving, site lighting, and landscaping. Work related to the building will be a separate permit. Separate permit applications and plans are required. The building permit will not be issued until the Land development permit is picked up.
2. A Project Security in the form of a Letter of Credit or Bond is required before the Land Development permit may be issued. The amount of the Security will be determined by the village and will be approximately 50% of the Engineers opinion of probable construction cost (EOPC).The Security will not be released until the Record Drawings are approved. Sample formats for the Security are available on the village website or by request.
3. A MWRD/WMO permit will be required. Please note that village code differs from the WMO.
4. A review of the conveyance (storm sewer and overland flow route) calculations will be performed at the final engineering stage of the design.

### **Developer Contribution**

1. Prior to the issuance of a building permit, the petitioner shall submit the Police and Fire Fund developer contribution of \$398, based on the 3,984 square foot proposed building and \$0.10 per square foot fee.

### **RECOMMENDATION**

Staff has reviewed the petitioner's request and recommends **approval** of a Site Plan Approval, Special Use for a Drive- Through Facility, Preliminary and Final Plat of Subdivision for U.S. Bank, Case No. Z2405-04, subject to the following conditions:

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1. Prior to the issuance of a Land Development Permi, the Final Plat of Subdivision shall be recorded and placed on file with the Cook County Clerk.
2. Prior to the issuance of a land development permit, the proposed Declaration of Restrictive Covenants and Easements between HSG Schaumburg, LLC and U.S. Bank must recorded and placed on file with the Cook County Clerk. This revision must provide for cross access and shared parking.
3. A Land development permit is required. The permit will cover all work outside the building including paving, site lighting, and landscaping. Work related to the building will be a separate permit. Separate permit applications and plans are required. The building permit will not be issued until the Land development permit is picked up.
4. A Project Security in the form of a Letter of Credit or Bond is required before the Land Development permit may be issued. The amount of the Security will be determined by the village and will be approximately 50% of the Engineers opinion of probable construction cost (EOPC).The Security will not be released until the Record Drawings are approved. Sample formats for the Security are available on the village website or by request.
5. A MWRD/WMO permit will be required. Please note that village code differs from the WMO.
6. A building permit, in accordance with the current regulations and requirements of the Village of Schaumburg, must be issued within one (1) year from the date of adoption of the enabling ordinance by the Village Board which authorized the development proposal. The development approvals granted herein, without need for further action by any Village board, commission or official shall become null and void if no building permit is issued within the one (1) year requirement.
7. The floor plan has been accepted a preliminary. The plans will receive a much more detailed review when submitted for the building permit.
8. Prior to the issuance of a building permit the petitioner shall provide a cash contribution to the Village Police and Fire Fund in the amount \$398, based on the 3,984 square foot proposed building and \$0.10 per square foot fee.
9. All rooftop mechanical units must be screened from view.
10. The existing traffic agreement for 1293 E. Higgins Road runs with the land and will remain in effect following the proposed subdivision of the property according to the terms of the executed agreement. The traffic agreement shall remain recorded with the existing pin and any new pins generated as result of the subdivision.
11. Prior to the issuance of a land development permit, the engineering plans shall be revised to illustrate the following:
  - a. The water main on the east side of the building is now shown within the footprint of the eastern permeable pavement area. This should be relocated to be outside any stormwater infiltration areas.
  - b. Redesign the drive through exit to extend the width of the northern island only, narrowing to one exit lane. The southern island is to remain as originally designed.
  - c. Provide pedestrian access to the public sidewalk to the south of the development through the extended landscape island.

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12. Prior to the issuance of a land development permit, the photometric plans shall be revised to illustrate the following:
  - a. Verify if the existing light pole at the northwest corner of the bank is proposed to be removed or remain, as the demolition plan call out for it to remain. The photometric plan shows this pole as a proposed single fixture which is assumed to have a 25-foot mounting height, but this pole is much taller with two existing fixtures and has a raised foundation. It is not clear what is being proposed as installing a new shorter pole on this foundation would be difficult as it would likely have a different bolt circle and diameter. If the pole and foundation is to be removed and replaced with a new foundation and shorter pole, the demolition plans should be revised accordingly.
  - b. For the pole mounted light fixtures, indicate photometric (ies) file used on the photometric plan.
  - c. For the building mounted light fixtures, indicate the mounting height, light loss factor, lumens, and photometric (ies) file used on the photometric plan.
  - d. Final Engineering plans shall include a detailed site lighting electrical plan showing conduit routing/size/type and wire size/type/quantity, plus lighting details including pole foundation, pole handhole wiring/grounding/bonding detail, splicing/fusing detail, conduits burial detail, etc.
13. Prior to the issuance of a land development permit, the landscape plans shall be revised to illustrate the following:
  - a. Remove the proposed shrub that conflicts with the existing tree along Meacham Road.
14. The following plans/exhibits, as amended in accordance with the above conditions, shall be adopted as part of the governing ordinance:
  - a. Sheet C000, Cover Sheet, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - b. Sheet G201, 3-D Reference Views, prepared by RSP Architects, LTD dated March 17, 2024, and received by the Community Development Department on September 16, 2024.
  - c. Sheet C000, Cover Sheet, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - d. Sheet V000, Topographic Survey, prepared by Compass Surveying, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - e. Sheet C100, General Notes, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - f. Sheet C101, MWRD Notes, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - g. Sheet C102, Village Notes, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - h. Sheet C200, Overall Site Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.

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- i. Sheet C201, Refuse Truck Turn Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- j. Sheet C202, Fire Truck Turn Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- k. Sheet C203, Existing Conditions & Demolition Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- l. Sheet C300, Site Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- m. Sheet C301, Photometric Site Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- n. Sheet C400, Erosion Control Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- o. Sheet C401, Erosion Control Details, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- p. Sheet C500, Grading Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- q. Sheet C600, Utility Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- r. Sheet C700, MWRD Drainage Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- s. Sheets C800, Construction Details, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- t. Sheets C801, Construction Details, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- u. Sheet L100, Landscape Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- v. Sheet L200, Landscape Details, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- w. Sheet T100, Tree Preservation Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- x. Sheet A001, Architectural Site Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
- y. Sheet A010, Site Details, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.

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- z. Sheet A101, Floor Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - aa. Sheet A102, Drive-Lane/Drive-Through Canopy Plans, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - bb. Sheets A401, Exterior Elevations, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - cc. Sheet A402, Exterior Elevations, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - dd. Sheet i301, Furniture Plan, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - ee. Sheets i503, ATM Equipment Cutsheets, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - ff. Sheet -i504, ATM Equipment Cutsheets, prepared by RSP Architects, LTD, dated September 16, 2024, and received by the Community Development Department on September 16, 2024.
  - gg. Project Narrative, prepared by RSP Architects, LTD, dated May 9, 2024, and received by the Community Development Department on September 16, 2024.
  - hh. Final Plat of Subdivision and Signature Page, Park St. Plaza Resubdivision No. 3, prepared by Compass Surveying, LTD, dated May 14, 2024, and received by the Community Development Department on September 16, 2024.
  - ii. Bike Rack Detail, prepared by Wausau Tile, dated November 11, 2020, and received by the Community Development Department on September 16, 2024.
- pc. Petitioner  
Owner