



FRONT VIEW RENDER

Note:
Signage is show for illustration purposes, and is subject to change.
The approvals for signage will be pursued separately from this submission.



Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tele: 972-769-3100 Fax: 972-769-3101

STORE:

RAISING CANE'S
RESTAURANT
287 LOUDON ROAD
CONCORD, NH 03301
PROTOTYPE: P6-V-AV
SCHEME: A
RESTAURANT #RC1145



17710 Detroit Avenue Lakewood, Ohio 44107
Phone (216) 521-5134 Fax (216) 521-4824
www.adaarchitects.com

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WRITING.

75% PROGRESS SET

ENGINEER INFORMATION:

SHEET REVISIONS

#	DATE	TYPE
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RENDERING

PERMIT DATE: 09/23/24

JOB NO. 23342

R-1
SHEET NO.



SITE RENDER

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RENDERING

PERMIT DATE: 09/23/24

JOB NO. 23342

R-3
SHEET NO.



Raising
Cane's
CHICKEN FINGERS

The image shows a brightly lit sign for Raising Cane's Chicken Fingers at night. The sign is mounted on a dark building facade. It features the word "Raising" in a yellow script font above the word "Cane's" in a large, white, stylized script font with a red outline. Below "Cane's" is a yellow oval containing the words "CHICKEN FINGERS" in a blue, sans-serif font. The sign is illuminated from within, making it stand out against the dark background. To the left of the sign is a red brick wall with a large red arrow pointing upwards. To the right, there are some string lights hanging from a pole.







April 3, 2025

Re: Trademark Registration

To Whom It May Concern:

Raising Cane's USA, LLC has registered the Raising Cane's Chicken Fingers logo for a variety of goods and services, including restaurant services, with the United States Patent and Trademark Office. Please see the attached Registration Certificate for details. If you require any additional information or have any questions, please contact me. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Heather Morschauser".

Heather Morschauser

Senior Corporate Counsel – Marketing, Fry Cook & Cashier

hmorschauser@raisingcanes.com

Enclosures

United States of America

United States Patent and Trademark Office



Reg. No. 4,494,192

Registered Mar. 11, 2014

Corrected Jun. 18, 2024

Int. Cl.: 29, 30, 32, 43

Service Mark

Trademark

Principal Register

Raising Cane's USA, LLC (LOUISIANA LIMITED LIABILITY COMPANY)
6800 Bishop Road
Plano, TEXAS 75024

CLASS 29: Food products, namely, chicken tenderloins, crinkle cut french fried potatoes, and creamy cole slaw; prepared meals consisting primarily of a chicken entrée and also including a drink sold as a unit

FIRST USE 11-3-2001; IN COMMERCE 11-3-2001

CLASS 30: Food products, namely, sauces, honey mustard dressing, thick buttered toasted bread, non-alcoholic beverages, namely, sweet and unsweetened iced tea

FIRST USE 11-3-2001; IN COMMERCE 11-3-2001

CLASS 32: Non-alcoholic beverages, namely, lemonade

FIRST USE 11-3-2001; IN COMMERCE 11-3-2001

CLASS 43: Restaurant services

FIRST USE 11-3-2001; IN COMMERCE 11-3-2001

The color(s) red, yellow, white and black is/are claimed as a feature of the mark.

The mark consists of a red oval containing the wording "RAISING" in yellow and "CANE'S" in white, the oval and wording "CANE'S" outlined in black, with an elongated oval in yellow superimposed over the lower portion of the larger oval containing the wording "CHICKEN FINGERS" in black.

OWNER OF U.S. REG. NO. 2343712, 2773218, 3272782

No claim is made to the exclusive right to use the following apart from the mark as shown: "CHICKEN FINGERS" FOR INTERNATIONAL CLASSES 29 AND 43

SER. NO. 85-966,221, FILED 06-21-2013



Katherine Kelly Vidal

Director of the United States
Patent and Trademark Office





AnneMarie Skinner, AICP
City Planner

CITY OF CONCORD

New Hampshire's Main Street™
Zoning Board of Adjustment

April 4, 2025

Hinckley, Allen and Snyder LLP
Attn: John Sokul
650 Elm St, Ste 500
Manchester, NH 03101

Re: Notice of Decision – ZBA 0259-2025

Dear Mr. Sokul:

At a meeting of the Concord Zoning Board of Adjustment, held on April 2, 2025, the Board voted on the following:

Hinckley, Allen and Snyder, LLP, on behalf of Kasada, LLC, requests approval for a variance from Section 28-6-9(b)(1) *Permitted Building Signs*, to permit four wall signs where three wall signs are the maximum allowed, at Tax Map Lot 611Z 38/2, addressed as 287 Loudon Rd, in the Gateway Performance (GWP) District. Not a development of regional impact. (ZBA 0259-2025)

With a vote of 5 to 0, the Board denied the variance request from Section 28-6-9(b)(1) *Permitted Building Signs*, because evidence was not provided showing that all the criteria under RSA 674:33 have been met. Specifically, the following criteria are not met for the following reasons:

1. Granting the variance would be contrary to the public interest because it will alter the essential character of the neighborhood. Other stores in the plaza do not have rear signs, they are not lit, and Aldi does not have a rear sign on Old Loudon Rd. There is no entrance to the property from Old Loudon Rd, and it would be districting to drivers and distracting to the residential development.
2. No evidence was presented regarding diminishing property values.
3. There is gain to the general public in denying the fourth sign by keeping the neighborhood across Old Loudon Rd as residential in appearance.
4. There is no hardship. There is plenty of signage on three sides of the freestanding building that drivers will be able to see driving on Old Loudon Rd.

RSA 677:2 states that within 30 days after any order or decision of the Zoning Board of Adjustment, any party to the action or proceedings, or an abutter as defined by RSA 672:3 may apply for a rehearing in respect to any matter determined in the action or proceeding, or covered or included in the order, specifying in the motion for rehearing the ground therefor; and the Board, may grant such rehearing if in its opinion good reason therefor is stated in the motion. **This 30-day time period shall be counted in calendar days beginning with the date following the date upon which the Board voted to approve or disapprove the application** in accordance with RSA 21:35; provided however, that if the moving party shows that the minutes of the meeting at which such vote was taken, including the written decision, were not filed within 5 business days after the vote pursuant to RSA 676:3(II), the person applying for the rehearing shall have the right to amend the motion for rehearing, including the grounds therefor, within 30 days after the date on which the written decision was actually filed. A request for a rehearing shall be made through the Citizen Self Service permit portal, and must be made in accordance with RSA 677:2.

Planning
City Hall • 41 Green Street • Concord, NH 03301 • (603) 225-8515
planning@concordnh.gov

In accordance with RSA 677:4, any further appeal must be made to the Superior Court within 30 days after the date upon which the Board voted to deny the motion for rehearing; provided however, that if the petitioner shows that the minutes of the meeting at which such vote was taken, including the written decision, were not filed within 5 business days after the vote pursuant to RSA 676:3(II), the petitioner shall have the right to amend the petition within 30 days after the date on which the written decision was actually filed. Note that a rehearing before the Zoning Board of Adjustment must be requested to preserve the right to appeal to Superior Court.

Zoning Board of Adjustment



AnneMarie Skinner
City Planner



AnneMarie Skinner, AICP
City Planner

CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department
Zoning Board of Adjustment

April 4, 2025

Hinckley, Allen and Snyder LLP
Attn: John Sokul
650 Elm St, Ste 500
Manchester, NH 03101

RE: Notice of Decision – ZBA 0261-2025

Dear Mr. Sokul:

At a meeting of the Concord Zoning Board of Adjustment, held on April 2, 2025, the Board voted on the following:

Hinckley, Allen and Snyder, LLP, on behalf of Kasada, LLC, requests approval for a variance from Section 28-6-9(b)(1)(a) *an area equal to one square foot per linear foot of building frontage*, to permit 123 feet of signage where 58.5 feet is the maximum allowed, at Tax Map 611Z 38/2, addressed as 287 Loudon Rd, in the Gateway Performance (GWP) District. Not a development of regional impact. (ZBA 0261-2025)

With a vote of 5-0, the Board granted the variance from Section 28-6-9(b)(1)(a) *an area equal to one square foot per linear foot of building frontage*, to allow for 123 feet of signage at 287 Loudon Rd where 58.5 feet is the maximum allowed, at 287 Loudon Rd, because all of the criteria under RSA 674:33 have been met based on the record before the Board, and the Board adopted the applicant's findings as the Board's findings of fact.

Adopted Findings of Fact:

1. *The variance will not be contrary to the public interest.* "A variance is contrary to the public interest if "it unduly and in a marked degree conflicts with an ordinance such that it violates the ordinance's basic zoning objectives." Farrar v. City of Keene, 158 N.H. 684, 691 (2009) (internal quotations omitted). In determining whether a variance would violate basic zoning objectives, the Board should examine whether the variance would alter the essential character of the locality, or whether the granting of the variance would threaten public health, safety or welfare. *Id.* The variance requested here will not alter the essential character of the locality. The proposed use is consistent with and in harmony with the neighborhood. The surrounding area is commercial and contains several restaurants of a similar nature and character to Raising Cane's Chicken Fingers. Many of the surrounding restaurants, when viewed from Loudon Road, would have signage indistinguishable in size and number to what the Applicant has proposed. The variance is consistent with the purpose of the GWP District to provide for well-designed, largescale commercial development, including restaurants. Nor will the variance threaten the public health, safety, or welfare. Outside of the variances requested, the proposed signage complies with all requirements of the Concord Zoning Ordinance, including illumination and flashing requirements which, if not complied with, could pose a threat to public health, safety, and welfare. The proposed wall signage will not impact the health, safety, or welfare of the public."

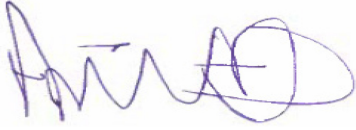
2. *The spirit of the ordinance is observed by granting the variance.* “Our Supreme Court has determined that the requirement that a variance not be contrary to the public interest “is co-extensive and related to the requirement that a variance be consistent with the spirit of the ordinance.” *Chester Rod & Gun Club v. Town of Chester*, 152 N.H. 577, 580 (2005). “The public interest is protected by standards which prohibit the granting of a variance inconsistent with the purpose and intent of the ordinance, which require that variances be consistent with the spirit of the ordinance, or which permit only variances that are in the public interest.” *Id.* As such, this criterion overlaps with the public interest requirement. The Gateway Performance District is established “to provide for well designed, large scale commercial development along arterial streets at entrances to the City.” See Zoning Ordinance § 28-2-2(b)(11). The district is intended to be “predominantly commercial” and include “both individual and mixed use developments of retail, restaurant, service and office uses.” *Id.* This proposed development fits squarely within the purpose of the GWP District, and the variance will help further and preserve the spirit of the ordinance.”
3. *Substantial justice will be done by granting the variance.* “Substantial justice is done where granting a variance will not cause harm to the general public that outweighs the benefit to the applicant. See *Malachy Glen Associates v. Town of Chichester*, 155 N.H. 102, 109 (2007). That is clearly the case here. Granting this variance will cause no harm to the general public. Instead, doing so will facilitate bringing a highly desirable and popular restaurant to Concord’s downtown. Likewise, the benefit of the variance to the Applicant is substantial because it will allow a successful business operator to expand into southern New Hampshire, generate new business activity, and better align with the Applicant’s specific business model.”
4. *The values of surrounding properties will not be diminished.* “Granting the variance will not diminish surrounding property values. The proposed use of the Property is expressly allowed at this location and is surrounded by other commercial uses. The development will draw new commercial traffic to the area, which likely will support other businesses as well and positively affect surrounding property values. Increasing the total sign area will have no off-site impacts and will not diminish the value of surrounding properties.”
5. *Denial of the variance would result in unnecessary hardship because:* “The Property is unique in several respects. First, the Property consists of three land condominiums, which must share the access points to Loudon Road. Because the access points are at the far ends of the Property, interior traffic must be able to flow the entire length of the Property, increasing the need for more and larger signage at the interior of the site. The southern entrance to the Property is at a signalized intersection on Loudon Road which uniquely provides access to both the Property and to the adjacent shopping center at 273 Loudon Road. Therefore, the access to the Property is configured in such a way that potential customers will view the building from all four sides with frequency – three sides from Loudon Road, and one side from the actual access road onto the Property. Additionally, the irregular shape of the lot creates numerous setback requirements that further limit the areas where signage could be displayed and the distance from the street to the building, requiring larger signs for visibility to passing traffic. These physical challenges on the Property make it uniquely adversely affected by the signage requirements of the Concord Zoning Ordinance. The general public purpose of the signage requirements is to maintain and enhance the appearance and aesthetic environment of the City, particularly along the highway corridors leading into the City. In this case, the Applicant’s extensive experience indicates that the proposed signage will have no impact on the aesthetic environment of the City. With respect to the total sign area, these signs are of a similar size and shape as other signs in the surrounding area and do not have any negative impact on the appearance and aesthetic of the surrounding environment. There is no substantial relationship between the general public purposes of the ordinance provision noted above and the specific application of those provisions to the Property. The proposed project is consistent with those purposes and objectives. A proposed project “is presumed to be reasonable if it is a permitted use under the Town’s applicable zoning ordinance.” *Malachy*, 155 N.H. at 107. Wall signage such as the signage proposed by the Applicant is allowed in the GWP district, and the signs are not abnormally large or bright compared to signage for other businesses in the surrounding area. For reasons explained above, the proposed use is not only reasonable; it is both appropriate and desirable for this location. It is consistent with the goals and objectives of the GWP District and will contribute to the development of the Property in a manner both functional and attractive.

If there is a significant change at any time in the future, you are hereby advised to discuss any proposed changes with the City Planner. If the use or construction authorized by this approval has not commenced within the two-year

anniversary date of the original decision (or by **April 2, 2027**), it shall be deemed to have expired and authorization shall be considered null and void as specified in Section 28-9-3(b)(5) of the Zoning Ordinance.

Granting of a variance does not authorize construction or use prior to the application for and approval of site plan review, architectural design review, and/or subdivision review, as applicable. Granting of a variance does not authorize construction or use prior to the application for and issuance of a building permit, if applicable.

Zoning Board of Adjustment

A handwritten signature in blue ink, appearing to read 'AnneMarie Skinner', with a large, stylized loop at the end.

AnneMarie Skinner, City Planner