

**PLAN COMMISSION**  
**Village of Deerfield**  
**Agenda**  
**September 1, 2020, 3:00 PM**  
**Remote Workshop Meeting Via Zoom**

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Please click the link below to join the meeting via Zoom video:

<https://deerfieldil.zoom.us/j/81277593423?pwd=VTdzZlpsY0V5R1hzVm13YkxscU1JQT09>

or follow the dial-in instructions below to join for audio only:

Dial: 1-312-626-6799 or 1-646-558-8656

Meeting ID: 812 7759 3423

Passcode: 59656258

Anyone wishing to share thoughts about any matter concerning the Village may do so by submitting an email to [plancommissioncomment@deerfield.il.us](mailto:plancommissioncomment@deerfield.il.us) prior to the meeting. Emails received will be read aloud during Public Comment. Any e-mails received during the meeting will be read during the meeting or during the second public comment period before the end of the meeting. We ask that you keep your emailed response to under 200 words to allow time for others to be heard and for the Plan Commission to progress through the public meeting agenda. In addition to written Public Comment, oral comments will also be permitted. Members of the public desiring to make an oral comment should click the “raise hand” button on Zoom or dial “\*9” if participating by phone to indicate you wish to speak.” The Plan Commission typically does not immediately respond to public comments or engage in open dialogue, but we are actively listening to your comments. Thank you for your understanding of these guidelines.

In accordance with the Open Meetings Act, at least one representative from the Village will be present at Village Hall and the virtual meeting will be simulcast at Village Hall for members of the public who do not wish to view the virtual meeting from another location. Pursuant to Executive Order 2020-48 issued by the Governor, the number of attendees that may attend the meeting at Village Hall is limited. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a “first come, first-served” basis.

### **Public Comment on a Non-Agenda Item**

### **WORKSHOP MEETING**

#### **Document Approval**

1. Request for a Finding of Substantial Conformance to Allow a Dog Run for AMLI at 1525 Lake Cook Road
2. August 13, 2020 Plan Commission Meeting Minutes

#### **Items from the Commission**

#### **Items from the Staff**

#### **Designation of Representative for the next Board of Trustees Meeting**

#### **Public Comment**

#### **Adjournment**

## **RECOMMENDATION**

To: Mayor and Board of Trustees

From: Plan Commission

Date: August 13, 2020

RE: Request for a Finding of Substantial Conformance to Allow a Dog Run for AMLI at 1525 Lake Cook Road.

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 request for a finding of substantial conformance. The Plan Commission held a workshop meeting on August 13, 2020. At that public hearing, the petitioners presented testimony and documentary evidence in support of the request. A copy of the public hearing and workshop 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 parcel consists of the AMLI rental apartment development at 1525 Lake Cook Road (within the Weinberg PUD) which is approximately 6.04 acres in size in the 21.68 acre Weinberg Planned Unit Development. This PUD is located between the Edens Spur, Lake Cook Road, the Arbor Lakes Development to the west, and the existing office buildings and Embassy Suites to the east. The JUF Deerfield independent living residential development at 1627 Lake Cook Road (within the Weinberg PUD) is located to the west of the AMLI apartment.

#### **Surrounding Land Use and Zoning**

North: (across Lake Cook Road): R-1 Single Family Residential District, single family homes

South: Eden's Spur

East: I-1 Office, Research, and Restricted Industrial District – two office buildings and Embassy Suites Hotel

West: I-1 Office, Research, and Restricted Industrial District – Arbor Lakes Development consisting of two office buildings

#### **Proposed Plan**

The proposed change to the final development plan for AMLI involves a request for a dog run in green area at south boundary near the southwest drive of the AMLI

residential development. The dog run is enclosed with 4 foot high, black, aluminum fencing with double gate entry at the west end. The enclosed area is approximately 2,210 square feet and the surface will consist of a maintenance free synthetic turf similar to athletic fields.

The approved final development plan for AMLI did not contemplate a dog run, but the majority of AMLI Deerfield residents are dog owners and they have requested a dog run that allows for a safe, fun area for their dogs to go.

### **Access**

The vehicular access points to the AMLI development will not be changed as a result of the proposed dog run.

### **Zoning Conformance**

#### **Request for a Finding of a Substantial Conformance**

Changes to an approved planned unit development require Plan Commission consideration and must ultimately be approved by the Board of Trustees (see attached Article 12.09-G). If the Plan Commission recommends that the proposed change to the Planned Unit Development is found to be in substantial conformance with the previous plan and the Board of Trustees agrees, a public hearing will not be required to amend the plan.

Other requests that were approved in the Substantial Conformance manner include:

- A new parking lot for Textura (now Oracle) located west of their existing parking lot due to the growth of the company.
- Changes to the Cadwell's Corners front parking lot and a vehicular connection to Just Tires to the south.
- Walgreens solar panels on the roof of the 200 Wilmot Road building (Walgreens Wilmot Road campus).
- A change to the roof materials for the Coromandel townhomes to replace the cedar shake roofs with an asphalt shingle roof.
- A change in the parking lot at Tollway North/Hyatt Deerfield campus (the Hyatt Hotel and 102, 104, 106, and 108 Wilmot Road office building) to add parking spaces to the property.

### **CONCLUSIONS**

The Plan Commission reviewed the petitioner's plan and finds their request for an amendment to the final plan for a dog run is not substantial and a public hearing is not necessary for these changes. The Plan Commission finds that the petitioner's request is reasonable and appropriate and they are in favor of the proposed amendment to the plan. They believe there is a need for the dog run and that the proposed plan will be an

amenity to the apartment development and find that the dog run will not have an adverse impact on the area.

**RECOMMENDATION**

Accordingly, it is the recommendation of the Plan Commission that the petitioner's request for a finding of a substantial conformance to allow the proposed change to the final site plan to allow a dog run for the AMLI apartment development as indicated on the plans, be approved.

Ayes: (6) Bromberg, Goldstone, Jacoby, Keefe, Schulman, Berg

Nays: (0) None

Respectfully submitted,  
Larry Berg, Chairman  
Deerfield Plan Commission

**PLAN COMMISSION  
VILLAGE OF DEERFIELD  
Minutes**

The Plan Commission of the Village of Deerfield called to order a Remote Workshop Meeting via Zoom at 7:30 P.M. on August 13, 2020.

Present were:           Larry Berg, Chairman  
                              Al Bromberg  
                              Blake Schulman  
                              Jennifer Goldstone  
                              Elaine Jacoby  
                              Bill Keefe

Also present:           Jeff Ryckaert, Principal Planner  
                              Daniel Nakahara, Planner  
                              Andrew Lichterman, Assistant Village Manager/Director of Community  
                                  Development

Chairman Berg stated that anyone wishing to share public comment on any matter concerning the Village may do so by submitting an email to [plancommissioncomment@deerfield.il.us](mailto:plancommissioncomment@deerfield.il.us) prior to the meeting. Emails received will be read aloud during Public Comment. Any emails received during the meeting will be read during the second public comment before the end of the meeting. Chairman Berg asked that emailed response is limited to under 200 words to allow time for others to be heard and for the Plan Commission to progress through the public meeting agenda. In addition to written Public Comment, oral comments will also be permitted. Members of the public desiring to make an oral comment should click the “raise hand” button on Zoom or dial “\*9” if participating by phone to indicate you wish to speak.” Chairman Berg stated that the Plan Commission typically does not immediately respond to public comments or engage in open dialogue, but they will actively listen to comments.

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**Public Comment on a Non-Agenda Item**

Mr. Nakahara reported that there were no written comments from the public on a non-agenda item received via email to this point. Mr. Lichterman reported that there was no one present at Village Hall for public comment. Mr. Nakahara reported there was no one requesting oral public comment via Zoom.

## WORKSHOP MEETING

- 1) Prefiling Conference for an Amendment to Deerfield Square Planned Unit Development for the Redevelopment of Multi-Tenant Building 7 (which occupies the existing Rhapsody Café Restaurant and former Warehouse Restaurant space) for the Establishment of a Residential Apartment Development at 833 Deerfield Road in the Shoppes at Deerfield Square – (Kirby Limited Partnership, d/b/a Deerfield Square Limited Partnership)**

Chairman Berg swore in all who plan to testify before the Commission on this agenda item.

Chris Siavelis of Kirby Limited Partnership representing Deerfield Square addressed the Commission and introduced Devon Patterson and Brian Romanelli of SCB Architects.

Mr. Siavelis shared that Deerfield Square has had high occupancy rates since its development but unfortunately is not immune to the affects of online retail and the pandemic on restaurant and retail spaces. To address this they are seeking to diversify Deerfield Square by adding a residential component.

Mr. Patterson reviewed the plans to add residential units to Deerfield Square. In the former Warehouse and Rhapsody locations, they plan to add a new five story residential building. The building will have 40 residential units with 90 parking spaces including the existing outdoor parking and new indoor first floor parking that will be beneath the residential units.

Mr. Patterson showed an image of the existing building that will be demolished and replaced with the new residential building. The existing retaining wall along Deerfield Road will remain and the new building will sit on top of the northern edge of this retaining wall. Mr. Patterson displayed an image of the building entrance being proposed. There will be pedestrian walkways and a vehicle drop off. The building will be accessed as it is now from Robert York Road off of Deerfield Road. Vehicles can turn into the service entrance for drop off and residents can park underneath the building or in surface parking spaces outside.

Mr. Patterson explained that they will be maintaining the trees along Deerfield Road and adding new landscaping, as well. The fence along the train tracks and existing vegetation there will remain. They will add a landscaped island in the center of the outdoor parking lot with planters, benches and public art.

Mr. Patterson showed renderings of the exterior which were previously presented to the Appearance Review Commission (ARC). Based on the feedback provided by the ARC, the building's balconies have been pulled into the building in order to hide any unsightly balcony views. The building is symmetrical around the entrance. The glass on the corners of the building are the windows for the larger two bedroom units.

Mr. Patterson stated that overall the building is glassy and transparent and displayed the first rendering before the ARC's feedback. After their comments they also added metal panels to obscure equipment on the roof deck. The composition of the building is contemporary and traditional. It has a warehouse aesthetic with metal panels, glass and brick. The brick used will match the brick in the rest of the shopping center. Mr. Patterson showed the perspective from Deerfield Road facing southwest. The base of the building is brick with metal panels for natural

ventilation in the garage which also obscures cars in the garage. The intent of the developer is to create a contemporary building that is distinct from rest of development.

Mr. Patterson described that the building is organized with two bedroom units on the corners and one bedroom units in the center. The ground floor has parking on the ground level underneath the building and will also have bike storage and a package room. Mr. Patterson stated that the building is taller than the zoning allows. The building measures 58 feet to the roof and 61 feet to the top of the parapet to which they are requesting an exception to exceed the maximum 55 feet building height.

Mr. Patterson showed the pedestrian access paths from the building to the train station. They are providing a pedestrian walkway from the building, across the streets at signalized intersections, and to the train platforms.

Mr. Patterson stated that the elevations are shown in the packets and the balconies have been revised so they are no longer exterior but are pulled in. Mr. Patterson showed the ground floor plan and explained the other exceptions that are being requested. The setback on east side is at 10 feet and the requirement is 12 feet. They believe there is ample sidewalk with plantings here and hope for some relief there to reduce the setback. They are also providing a smaller loading area than is required. They feel this is justified, as they will not get 50-foot trucks at a residential building with one and two bedroom units. Most trucks will be 20 to 25 feet and the loading area will be used for moving in and moving out. They do not see it being heavily used as there are only 40 units.

Commissioner Goldstone asked the petitioners how tall this building will be compared to the office building in Deerfield Square. Mr. Siavelis responded that the office building is 71 feet to the peak of the gable. And the South Commons development nearby is 65 feet high, so there is precedent to exceed the 55 foot requirement. They are proposing the new residential building to be 61 feet high.

Commissioner Keefe commented that the north elevation shows 61 feet and asked what the height is at the west end of the building from the street level. Mr. Patterson replied that from underneath the viaduct on the street it is probably another 12 or 14 feet making it around 74 feet in height from the street level at this point.

The petitioners concluded their presentation and in closing Mr. Siavelis stated that the building does meet all PUD requirements and criteria.

Chairman Berg asked for comments and questions from the commissioners.

Commissioner Bromberg commented that it is a very attractive rendering and the building looks nice. He asked if the units are smaller now than what was shared in the material as the balconies have been moved inside. Mr. Patterson replied that the units are not smaller, and they balanced this by moving the facades a little to the south to keep the same unit square footage. Commissioner Bromberg asked if the windows open. Mr. Patterson replied that yes, some windows are operable and are push out, hung windows. They use these types of windows in a lot of residential projects with tall glass panels. When the windows are open, they look like an awning projected out.

Commissioner Bromberg commented that although the materials state that they are not going to provide any workforce housing, the Village is in the early stages of creating an ordinance or guidance on this topic. He stated that the preliminary suggestion is that for a building with 21 to 50 units, that five percent be set aside for workforce housing. For this building that would be two units that would be made affordable to people that make no more than 120 percent of the average median income in Deerfield. Rent for workforce housing for a one bedroom unit would be around \$1,840 which is already within the rent range indicated. And for two bedroom unit would be \$2,457 which is less than indicated. Commissioner Bromberg commented the materials state that there is no workforce housing for economic reasons, but it is only two units and they are already at this price point for the one bedroom units. He asked the petitioners to consider providing two units for workforce housing. Mr. Siavelis replied that the margins are very thin on residential, but they will take two units under advisement with the developer and will come back with a proposal on that. Commissioner Bromberg asked if school buses can get into the parking lot. Mr. Siavelis replied that they are conducting a turning radius analysis for a firetruck and can also include a school bus.

Commissioner Bromberg commented that he read in the material that a variance is being requested for 8 foot wide parking spaces instead of the required 9 foot wide spaces. Mr. Siavelis replied that this has been revised to be 9 foot wide spaces which is consistent with the rest of Deerfield Square. Commissioner Bromberg commented that 8 feet would be too narrow. Commissioner Bromberg asked if residents would have to pay extra for the covered parking. Mr. Siavelis replied that yes they would, and this is standard for developments such as this.

Commissioner Bromberg commented to staff that the Village's Comprehensive Plan allows for residential above first floor retail. He asked if this would require an amendment to the Comprehensive Plan since there is no retail on the first floor. Mr. Ryckaert replied that he would look at the wording to determine if an amendment to the Comprehensive Plan is needed.

Lastly, Commissioner Bromberg commented that previously Mr. Siavelis had mentioned that residential could someday be built in the Barnes and Noble location in Deerfield Square and he now assumes this is less likely with the plan before them. Mr. Siavelis replied that they are trying to diversify the asset, and this was the best option for residential. He added that he will most likely come before the Commission at a later date to propose converting the Barnes and Noble location to office with retail on the first floor.

Commissioner Schulman asked the petitioners to review the variances requested for setbacks, building height, and parking. Mr. Siavelis added that there is also a variance requested for the loading berth. Mr. Ryckaert commented that the staff memo did not indicate any exceptions to the loading berth as the petitioner did not provide size information at the writing of the staff memo. Mr. Schulman confirmed that the variances requested are for setback, building height and loading area. He asked staff if the changes made to the PUD for this building will that only affect this building or if they will affect all buildings in the PUD. Mr. Ryckaert replied that as part of the PUD the changes will apply to the entire PUD and all buildings in it. This includes the entire 17 acre development of Deerfield Square from Deerfield Road to Waukegan Road and to the train tracks, which consists of 10 buildings. Mr. Ryckaert stated that for example, there would be two new perimeter setbacks for this new building on the north and the west. However they do not have to worry about the other exterior setback of the PUD, which are on Osterman Avenue and Deerfield Road. Mr. Ryckaert added that there will be more data added to the memo for Public Hearing on this matter. Commissioner Schulman asked if the Commission



could grant exceptions for this building only but not the entire PUD. Mr. Ryckaert stated that they would be granting the exceptions for this proposed development within the PUD.

Commissioner Schulman asked the petitioner whether there has been research on the affect the 40 units could have on Deerfield schools. Mr. Siavelis replied that this information will be ready for the Public Hearing, however they do not expect many school age children as renters.

Commissioner Keefe asked if there will be any mechanicals on the roof that will need to be screened which would change the height of the building. Mr. Siavelis replied that the parapet already planned will screen all equipment and they will have sight line renderings ready for the Public Hearing.

Commissioner Jacoby commented that regarding parking there are 29 spaces covered in the building and 61 outside the building and tenants will pay for covered parking. She asked if outdoor parking is an extra cost to tenants and if spaces will be marked. Mr. Siavelis replied that the outdoor spaces will remain available at no cost to users of the shopping center, residents and visitors of this development.

Chairman Berg asked how the footprint of the proposed new building compares to the footprint of the existing building. Mr. Patterson replied that they were cognizant to not go further south than the existing building. A difference is that the existing building comes back in on the north side for the walkway and staircase and the new building will be pushed out to the retaining wall. The new building will be larger to the north but not to the south. Chairman Berg confirmed that the distance to the south of the new building will be more or less the same.

Chairman Berg confirmed that the parking spaces will be 9 feet wide and 21 feet long with a drive aisle of 18 feet. Chairman Berg asked if the brick used will be similar to the brick in the rest of Deerfield Square. Mr. Siavelis replied that it will be the same brick as the 833 Deerfield Road building in Deerfield Square. Chairman Berg asked if the windows are completely transparent and if apartments could be seen into from the street level. Mr. Patterson replied that the glass will have 25 percent reflectivity and will obscure things behind the glass. The transparency is not high, and this will make it harder to see into the residential units from the street.

Chairman Berg stated that the Village is looking into workforce housing more seriously and he implored the petitioners and the developer to give some serious consideration to this.

Commissioner Jacoby asked if Rhapsody will be relocating. Mr. Siavelis replied that Rhapsody will be relocating within Deerfield Square to the former Josh's Deli first floor retail space which has outdoor dining space and a full restaurant kitchen already. Mr. Siavelis shared that he talked to the Rhapsody owner and he is very excited about it and they will appear before the Commission again for a Special Use Permit application for this. Mr. Siavelis added that this space is about 600 square feet smaller, but the owner is fine with this.

Commissioner Bromberg asked if there will be a security gate for the covered parking. Mr. Siavelis replied that they are planning this now and will have this information at the Public Hearing.

In closing Mr. Siavelis thanked the Commission and stated that they look forward to coming back for the Public Hearing.

Mr. Ryckaert reported that the Public Hearing on this matter will be September 24, 2020.

**2) Request for a Finding of Substantial Conformance to Allow a Dog Run for AMLI at 1525 Lake Cook Road**

Chairman Berg swore in all who plan to testify before the Commission on this agenda item.

Dorie Roth of Woodlawns Landscape Company representing AMLI stated that she is the landscaper in charge of this project. She shared that AMLI is a 240 unit residential building and there are many residents with dogs, and they have had a lot of request for a dog run. The building's management is now planning to move forward with the project in their budget.

Ms. Roth reviewed the project plans stating that it is a simple plan for a dog run on the south side of the building for dogs to be able play and engage. Ms. Roth reviewed the site survey and pointed out a highlighted area where the dog run will be located. She stated that this was the only open area that would work for this. There are parking lots to the east and a new senior living development to the south on the other side of the roadway.

Ms. Roth displayed the site drawing and rendering. The 2,200 square foot dog run will be a fenced and will consist of a long dog run and a play area. They will also add two by two concrete pavers along the entire west side and a bench for a sitting area. Ms. Roth stated that the fence will match the current black aluminum fencing already on the site. The fence will be four feet high and the dog run surface will be an artificial turf. Ms. Roth stated that the operational expense and ease of cleaning the turf is beneficial. She commented that it is soft and nice and used in many dog runs. There will also be a spigot right outside the dog run. The entrance will be double gated for safety so users will enter the safety gate and then the dog run entrance gate. Ms. Roth stated that this is a simple project.

Chairman Berg asked for comments from the Commissioners.

Commissioner Schulman asked if the adjacent neighbors to the south have been informed of the project. Ms. Roth replied that there is a road and a parking lot before the neighboring building on this side. She stated that they have reached out to the Weinberg development several times but have not heard back and they do not foresee a problem as the dog run is more along the roadside than the building. Ms. Roth added that most of the Weinberg residents go outside in the courtyard and not out front. Commissioner Schulman asked if the north facing units in AMLI will look out onto the dog run and commented that some may not like the view or the noise. Ms. Roth replied that the majority of AMLI residents have dogs and have asked for this for years. She commented that there may be someone that complains, but they feel the majority of tenants will appreciate the amenity. It will also alleviate the mess of dogs in the grass area right outside the units. She added that she will ask the building manager if the tenants have been surveyed on this topic.

Chairman Berg asked if there is currently lighting or if there is an intention to add any lighting. Ms. Roth replied that there is some street lighting, but she will have to look into this further. Chairman Berg stated that it should be illuminated for safety when it is dark outside.

Commissioner Bromberg moved, seconded by Commissioner Keefe for a finding of Substantial Conformance to allow a dog run for AMLI at 1525 Lake Cook Road. The motion passed with the following vote:

Ayes: Jacoby, Bromberg, Keefe, Goldstone, Schulman, Berg (6)  
Nays: None (0)

Mr. Ryckaert reported that the Board of Trustees on this matter will be September 8, 2020.

### **Items from the Staff**

Mr. Ryckaert reported on upcoming Plan Commission agenda items.

Mr. Nakahara reported that Plan Commissioner Justin Silva has resigned from the Commission. He is relocating out of Deerfield and said that it was a pleasure working with his fellow Plan Commissioners and an honor to serve on the Commission. At the next Village Board Meeting on the August 17 the Board will appoint a new commissioner to take his place and the new commissioner will be at the next Plan Commission meeting on August 27, 2020.

### **Public Comment**

Mr. Ryckaert reported that there was no public comment via email received during the meeting. Mr. Lichterman reported that no one was present at Village Hall for public comment. Mr. Nakahara reported that there were no Zoom participants requesting public comment.

### **Document Approval**

Commissioner Bromberg moved, seconded by Commissioner Schulman to approve the documents. The motion passed with the following vote:

Ayes: Jacoby, Bromberg, Keefe, Goldstone, Schulman, Berg (6)  
Nays: None (0)

### **Adjournment**

There being no further discussion, Commissioner Schulman moved, seconded by Commissioner Goldstone to adjourn the meeting at 8:30 P.M. The motion passed the following vote:

Ayes: Bromberg, Schulman, Goldstone, Jacoby, Keefe, Berg (6)  
Nays: None (0)

Respectfully Submitted,  
Laura Boll