

**PLAN COMMISSION
VILLAGE OF DEERFIELD
Minutes**

The Plan Commission of the Village of Deerfield called to order a Remote Public Hearing via Zoom at 7:30 P.M. on March 10, 2022.

Present were: Larry Berg, Chairman
 Bill Keefe
 Jennifer Goldstone
 Lisa Crist
 Kenneth Stolman

Absent were: Blake Schulman
 Al Bromberg

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

Chairman Berg reported that pursuant to amendments to the Illinois Open Meetings Act included in Public Act 101-0640, public bodies may hold virtual public meetings without a quorum physically present.

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 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.

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 the Executive Order issued by the Governor, a limited number of people may gather at Village Hall for the meeting. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a first come, first-served basis. The Plan Commission will comply will all other requirements including public comment and posting the meeting agenda, which can be found on the Village website at www.deerfield.il/us/agendacenter.

Public Comment on a Non-Agenda Item

There was no public comment on a non-agenda item via email, Zoom or in person.

PUBLIC HEARING

1) Public Hearing on the Request for Approval of an Amendment to a Special Use to Add Six Pickleball Courts in Shepard Park at 440 Grove Place (Deerfield Park District)

Chairman Berg swore in all who plan to testify before the Commission.

Chairman Berg confirmed that the petitioners provided proof of certified mailing. Mr. Ryckaert reported that the legal notice for this matter was published in the Deerfield Review on February 17, 2022.

The petitioner Jeff Nehila, Executive Director of the Deerfield Park District addressed the Commission and stated that he is joined by Traffic Consultant Dan Brinkman, Civil Engineer Tom Rychlik, Acoustic Engineer Tom Thunder and Park Board President Jan Caron and Park Board Commissioners Debbie Serota and Michael Brown.

Mr. Nehila shared that they are presenting proposed plans for the renovation of Shepard Park. He reported that at the Prefiling Conference a plan for four courts was presented with future approval for six courts, and they are now seeking approval to add all six courts as part of the park renovation plans. Mr. Nehila shared background on the project stating that the Park District has been looking for a location for pickleball courts in their inventory of park land and they believe this is the ideal location. They have completed a sound study and been in dialogue with School District 109 as well as Deerfield Youth Baseball and Softball and Village officials. He commented that they are excited because all components of this project will improve the park overall and provide a much-needed amenity for the community.

Mr. Nehila showed the project site plan and pointed out the pickleball courts as well as where they plan to add trees for buffering, which was a request from neighboring residents. Mr. Nehila shared how they plan to flip flop the ball fields. Currently, the smaller ball field is in the northwest corner and the larger field is in the southwest corner. They will flip flop these so that the larger field is moved to the north and the smaller field is moved to the south which will make room for the pickleball courts along Hackberry Road. They will also add arborvitaes along the north and west sides of the courts.

Mr. Nehila shared that another major component of the park renovation is a new paved trail in the park. There is some existing trail that will be reoriented as well as new trail added. The trail will provide ADA accessibility from the parking area to both ball fields. They will also expand the parking along Hackberry Road. There are currently seven parallel parking spaces, and they plan to change this to diagonal parking and move the accessible space to be in front of the paved trail, creating 10 new spaces. He summarized that these are the major components of the park renovation plan.

Mr. Nehila pointed out where the depression area is for storm water and stated that per requirements they do not plan to expand this. He also pointed out the closest public restrooms which are Park District owned located just across the circle on Hackberry Drive.

Mr. Nehila shared that they invited all resident neighbors of the park to a meeting to share the plans with them. A neighbor and a pickleball advocate attended and shared positive feedback. Mr. Nehila added that it has been a Park District initiative to upgrade one or more ball fields per

year and these plans fulfill that. The ball fields will have better drainage after rainfall. They are also coordinating construction times with Deerfield Youth Baseball and Softball and plan to begin after their summer season.

Dr. Tom Thunder, Audiologist and Acoustical Engineer, stated that he completed a sound study for this project to determine the impact of noise generated by pickleball on the closest residential neighbors. To do this he measured pickleball noise and ambient noise at the park. Dr. Thunder stated that pickleball noise is more annoying than other sports because of the nature of the impact of the sound. Unlike tennis where a resilient ball hits a racket with strings, pickleball is a harder ball hitting a paddle creating a louder, more impulsive impact. Dr. Thunder stated that municipal noise ordinances do not embody that affect. But acoustic experts add a 5 decibel adjustment to correct for this, which is advocated by the American National Standards Institute. Dr. Thunder measured pickleball noise at Willow Park in Northfield where there are 6 courts, and also measured the ambient noise at Shepard Park over a 24 hour period to determine how audible the pickleball noise would be over the ambient noise. Dr. Thunder stated that ambient noise varies depending on proximity to airports, traffic and trains.

Dr. Thunder showed a graph of the ambient noise recorded at Shepard Park. He pointed out hours of playground activity in the morning which was around 60 decibels. Around 1:30 P.M. the ambient noise dropped to 52 decibels. He stated that as a benchmark, conversation is 60 decibels, and a dishwasher in a kitchen is about 50 decibels. The sound level dropped in the evening with a small bump for rush hour, and the nighttime sound dropped to 45 decibels.

Regarding pickleball noise, Dr. Thunder stated that he determined how audible it will be at 500 feet away which is where the nearest residents are. Sound uses the inverse square law, decreasing by 6 decibels every time the distance doubles. For example, when you go from 75 feet away to 150 feet away, the noise level drops 6 decibels and from 150 to 300 feet away it drops another 6 decibels. The calculation of the pickleball noise with the 5 decibel penalty at 500 feet away is 43 decibels. During the hours which pickleball is played, the pickleball noise will generate less than the regular ambient noise to the neighbors. Dr. Thunder concluded that pickleball noise at this location would not pose an impact to the neighbors at over 500 feet away.

Civil Engineer Tom Rychlik of Gewalt Hamilton reported that Gewalt Hamilton is under contact with the Village for engineering and has requested and been approved a waiver to provide testimony before the Plan Commission as there is no conflict between the two projects. Mr. Rychlik reported that he reviewed storm water management for the Shepard Park for this project. With the park renovation plans which include hard surfaces added for the pickleball courts and the path and ball field renovations with no new impervious surface, there is no additional detention required per Village ordinances. The site will continue to drain from the school to the west towards the river and into existing storm sewers and will be sufficient for the park renovations.

Traffic Engineer Dan Brinkman of Gewalt Hamilton reviewed the parking and traffic study. He stated that it was not practical to complete counts in the off season so there was not much traffic data. Mr. Brinkman stated that there are currently 15 parking spaces that serve the site, and one is accessible. Aerial images showed that maximum parking utilization was on a Friday afternoon in July of 2018 with 11 cars on site and an average occupancy of three cars. The Village parking ordinance requires one space for each three patrons for six courts, which is 24 people and a net requirement of 8 spaces. The park renovation proposal will add 10 spaces which will exceed the

requirement for the additional facilities. The plan will also move the accessible space from the south end of Hackberry Road to be in front of the new paved path. Shepard Middle School also has 100 parking spaces that can be used outside of school hours and used to support baseball. An average public park of this size is expected to generate around 100 trips per day and more for programming and organized sports including baseball. Traffic will arrive by Hackberry, Forest, Elm and by going north to the school. Mr. Brinkman stated that the Institute of Transportation Engineers does not yet have pickleball traffic data, so tennis court data was used which is similar. When the courts will be at peak use, it is estimated that around 20 trips total in and out and around 100 trips total per day. There will not be any program during peak hours of pickleball play and noon to 4 P.M. during the school year the courts will be reserved for school use for PE classes. Mr. Brinkman summarized that the overall daily traffic impact is very minimal and that improving the parking from parallel to angled will help with traffic flow. He added that the plan to increase parking is more than sufficient.

Mr. Nehila provided closing comments. He stated that there are no lights proposed in the plans and lights will not be pursued in the future. He also shared that a petition was started by a local resident supporting pickleball and it now has over 300 signatures with the majority from Deerfield residents which shows community support for the project. There is also a letter of support from the school provided in the packets and school use of the courts will help promote the game of pickleball with younger kids. Mr. Nehila added that the courts will have public access with no reservation process. Pickleball is played in pick-up games and players move down the rotation to play the winner. Mr. Nehila concluded that this project helps the Park District achieve the goals of adding pickleball courts, upgrading ball fields and adding more accessibility and parking which they are very proud of and excited for.

Chairman Berg asked for questions and comments from the Commission.

Commissioner Goldstone commented that she supports the addition of the pickleball courts and the path but has concerns about neighborhood parking as a result of flipping the ball fiends. She stated that during games parking gets full and she is concerned that the neighboring residential streets will get flooded with cars. Mr. Nehila replied that they hope parents will use the new parking and path to the fields instead of park on the side streets and that they will work with Deerfield Youth Baseball and Softball to make sure parents are informed on where to park. Commissioner Goldstone encouraged the Park District to watch this closely as it could become problematic. Commissioner Goldstone stated that she wants to confirm that there is not a home closer than 500 feet from the proposed pickleball courts. Mr. Nehila showed the site plan and confirmed that there is no home within 500 feet.

Commissioner Stolman commented that he is a huge supporter of the pickleball courts but also has concerns about parking in the neighborhood relative to use of the baseball fields. He believes Princeton and other side streets will be flooded with street parking for baseball games. He suggested that the Park District consider adding signs to regulate street parking as has been done in other areas of Deerfield for this. Mr. Nehila replied that they have considered this issue, but the Park District does not have the authority to add signs for parking on Village streets. Their jurisdiction is Park District property, and they can have influence with Deerfield Youth Baseball and Softball. He added that they can work with the Village to possibly limit parking on some side streets.

Commissioner Keefe commented that he is in favor of this plan. And regarding parking on Princeton and Jonquil, while pickleball will not impact this, baseball will. He suggested working with the Village to add no parking signs during baseball hours.

Chairman Berg agreed that this side street parking is something the Park District should work with the Village on to develop limitations and enforce them to help keep the neighbors happy.

Mr. Nakahara asked Mr. Nehila that if four pickleball courts are added now, what the time frame would be to add the other two. Mr. Nehila replied that they would be added within three years, however it is more probable that the Park District will pursue all six courts at one time this year.

Chairman Berg opened public comment on this matter. Mr. Nakahara reported that several public comment emails received were provided to the Commission and read aloud one new public comment email.

Public Comment Email:

“I’m a Deerfield resident (507 Radcliffe Court) whose house borders the Shepard Park District fields. Reading the information I received at my house regarding the 4 courts currently being proposed to be built, I would like to strongly suggest to this Commission that all 6 courts be built now so that the residents (like me) who reside near these fields do not have to be subjected to multiple years of construction projects. Also I would think that building these 6 courts now would be less expensive than having to build 4 courts then creating another project to build 2 more courts in the future. I am not a pickleball player but would love to pick up this game, but I’m concerned that there is too much demand and not enough public courts to truly enjoy playing this game. Thanks for your consideration, John Ruocco.”

Mr. Nehila gave closing comments. He stated that the Park District is glad to see a great deal of support for the pickleball courts and that they plan to pursue all six courts at this time. In response to other public comments received, Mr. Nehila stated that there will be benches in the pickleball area within the courts that players can move around, and that picnic tables can be added if needed. He reminded that the School District will have use of the courts from noon to 4 P.M. on school days only, but not during the summer. And regarding construction, they plan to start in June after baseball and softball seasons are over and complete the project by fall. Mr. Nehila expressed thanks to the Plan Commission and to Village staff.

Chairman Berg 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 Goldstone stated that she expressed her concern about parking and overall supports the project. Commissioner Stolman agreed. Commissioners Crist and Keefe stated that they support the project.

Chairman Berg stated that he also supports the project and that pickleball is one of the fastest growing sports right now and there is pent up demand in many communities. He commended the Deerfield Park District for their efforts in this project.

Commissioner Goldstone moved, seconded by Commissioner Crist to approve the request an amendment to a Special Use to add six pickleball courts in Shepard Park at 440 Grove Place (Deerfield Park District). The motion passed with the following vote.

Ayes: Goldstone, Crist, Keefe, Stolman, Berg (5)
Nays: None (0)

Mr. Ryckaert reported that this matter will go before the Board of Trustees on April 4, 2022.

2) Public Hearing on the Request for Approval of an Amendment to a Commercial Planned Unit Development to Redevelop the 728 Waukegan Road (Barnes and Noble) Space at the Shoppes of Deerfield Square (Kirby Limited Partnership)

Chairman Berg swore in all who plan to testify before the Commission.

Chairman Berg confirmed that the petitioners provided proof of certified mailing. Mr. Ryckaert reported that the legal notice for this matter was published in the Deerfield Review on February 17, 2022.

The petitioner Chris Siavelis of Kirby Limited Partnership and Deerfield Square Shopping Center stated that he is joined by Chuck Malk and Jeff Malk of Kirby Limited Partnership and Project Architect Jesper Dalskov of Stantec Architecture. Mr. Siavelis reported that they are seeking a recommendation for plans for the redevelopment of the former Barnes and Noble space in Deerfield Square. The plans are substantially the same as what was presented at the Prefiling Conference with a more comprehensive landscape plan included.

Mr. Dalskov provided an overview of the plans. He showed the current two story Barnes and Noble retail space and stated they are proposing to redevelop the space into attractive first floor retail spaces with second floor office use. Mr. Dalskov showed a rendering of the plans pointing out the height and roof parapet. The center of the building is the tallest element is 49 feet with the rest of the building at 38 to 41 feet which is in line with the current height. Mr. Dalskov showed this in context with adjacent buildings to show the height and architectural nature. He then showed the front entrance and canopy of the office building. The building design pallet includes red brick similar to most of the shopping center and gray brick to tie in a more contemporary look and feel. There will also be metal panels with dark gray elements in between.

Mr. Dalskov explained that there will be six bays across including the office entrance, each 25 feet wide. Right above the center of the retail bays is an outdoor balcony as an amenity to office users on the second floor. On the ground floor in front of the retail bays they are proposing to add attractive outdoor dining areas for restaurants that may occupy retail spaces. This area will be screened to the parking lot by a brick knee wall with landscaping in front of it.

Mr. Dalskov showed a rendering of the rear elevation which will remain the existing 41 to 44 feet in height. Much of the rear elevation will remain the same with the addition of more windows for the office tenants and some new materials to tie in the color pallet. Next Mr. Dalskov showed the ground floor with up to five retail bays the office entrance. The center bay can be a double bay spanning 50 feet across. This will be determined based on retail tenants. The office entrance will be an attractive lobby with an elevator and a staircase as well as a direct connection to the adjacent retail space which could be a café or coffee shop. Mr. Dalskov

showed two interior plan scenarios for the second floor office space, one for a single tenant using the entire space and another option with a corridor down the middle.

Mr. Dalskov showed the landscape plans. They are proposing to remove a small grass area and six parking spaces in front for the new outdoor seating area. The outdoor seating area will be 20 feet by 100 feet for a total of 2,000 square feet. This allows for a generous walking aisle of 6 feet against the retail spaces. There will be landscaped area in front of the knee wall which screens and protects the patio. The plant pallet is comprised of attractive annual and seasonal hardy and salt tolerant plants with consistent colors to plants in other areas of the center. The accessible parking removed for this will be relocated, converting some regular spaces to accessible spaces.

Mr. Siavelis provided reviewed the parking and special use criteria. He stated that they are converting 15,000 square feet of second floor retail to 14,000 square feet of office space. Retail requires a 5 to 1 per 200 square feet parking ratio and office requires less parking at 1 space per 250 square feet. This reduces the overall parking requirement, and they are over the required parking with the loss of the six spaces. As the center is a Commercial PUD, and an amendment to it requires a public hearing addressing the special use criteria. Mr. Siavelis stated that they believe they meet all criteria, and this would be an excellent adaptive update as large bookstores are no longer viable in today's retail environment. He concluded that they also presented their plans to the Appearance Review Commission and received favorable feedback.

Chairman Berg asked for questions from the Commission.

Commissioner Keefe commented that this is a good use and asked about moving the accessible parking spaces. One space is being moved further east and he questioned why the accessible spaces to the east are being moved across the aisle as this would be less desirable for accessibility. He encouraged the petitioners to consider walkways for accessibility with existing islands and drive aisles to ensure users of these spaces can navigate safely to sidewalks in the center. Mr. Siavelis replied stating that they are not losing any handicapped spaces and by code they must be nearest to an entrance which explains the placement of the spaces, which is in line with three existing accessible spaces on the west side and the functionality will operate the same way. He commented that there is more of a demand today for food than apparel or non-food retail uses, as well as outdoor dining and it was important to remove these spaces to create this. He explained that one reason Roti closed was due to no option for outdoor dining and they are planning for the future and adapting to the changing marketplace.

Commissioner Stolman asked how they arrived at this proposal given that the trends are not necessarily in favor of retail at this time. Mr. Siavelis replied that this remains a great location for retail as it is facing busy roads and will get the traffic from essential retail with Whole Foods and Walgreens. And the former Warehouse location was ideal for a residential use to diversify the center as it does not have these traits.

Commissioner Goldstone commented that the request is for retail, but restaurants have been discussed. Mr. Siavelis replied that they envision food uses here and if any are over 3,000 square feet they would be back to request a special use. Commissioner Goldstone asked if access from the rear has been discussed to utilize this parking. Mr. Siavelis replied that there is a pedestrian access walkway with stairs, but there is a significant grade change of 5 to 7 feet.

This walkway provides access by the buildings instead of going around the retaining walls. Due to the grade change and retaining wall there is not much else that can be done for access.

Mr. Nakahara read comments received from Commissioner Schulman who is not in attendance.

Comments from Commissioner Schulman:

“Unfortunately, I will not be in attendance at tonight’s Planning Commission hearing. After reading all of the materials on tonight’s agenda, I am generally in favor of each of the matters on the agenda. However, I did want to reiterate one concern I have relating to the Request for Approval of an Amendment to a Commercial Planned Unit Development to Redevelop the 728 Waukegan Road (Barnes and Noble) Space at the Shoppes of Deerfield Square (Kirby Limited Partnership) (the “Deerfield Square Matter”).

At the February 10, 2022 workshop meeting regarding the Deerfield Square Matter I shared my concerns about moving the sculpture garden that is approximately in front of the Barnes and Noble leased space out of the Deerfield Square shopping center. I understand that it needs to be moved to make way for the new outdoor seating area, but I don’t think that it should be relocated to the front of the future apartment project located behind the shopping center at 833 Deerfield Road (The Residences at Deerfield Square). I think it should be moved further to the east or west of the new outdoor seating area (noting that there is a lot of open space immediately to the west in front of the office building and retail space).

As you know, Deerfield Ordinance O-15-22, requires commercial developments in the Village Center to give consideration to providing public art on the property. The existing sculpture garden is a mainstay in the Deerfield Square shopping center and should remain there (or be replaced with something substantially similar). But the owners of the Deerfield Square shopping center should not be permitted to remove it (without replacement) and relocate it to the neighboring apartment complex that is planning to be built.”

There were no comments from the public on this matter.

Mr. Siavelis provided closing comments. He stated that with respect to the existing sculptures, they are planning to relocate them to a landscaped area at the new residential building at Deerfield Square. And they also plan to add more public art to the shopping center as well as possibly a fountain. He commented that it is sad to see Barnes and Noble go, but it is inevitable with where today’s retail market is. And the second floor office space will add daytime traffic for other retail. He concluded that this is an exciting project for the center as well as downtown Deerfield and the community, and they are asking for the Plan Commission’s support.

Chairman Berg 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 Crist commented that this is a good use of space, and it would be great to have new retail and office space. Commissioners Goldstone and Stolman agreed.

Commissioner Keefe commented that he is also in favor of the new uses and reiterated his earlier comments about accessible parking spaces.

Chairman Berg stated that he is also in favor of this project, and it is a very creative and positive use of the property. He stated that the petitioners should give serious consideration to Commissioner Schulman's comments about public art as the sculpture garden has been a nice amenity for residents including children.

Commissioner Goldstone moved, seconded by Commissioner Crist to approve an amendment to a commercial Planned Unit Development to redevelop the 728 Waukegan Road (Barnes and Noble) space at the Shoppes of Deerfield Square (Kirby Limited Partnership). The motion passed with the following vote.

Ayes: Stolman, Keefe, Crist, Goldstone, Berg (5)

Nays: None (0)

Mr. Ryckaert reported that this matter will go before the Board of Trustees on April 4, 2022.

3) Public Hearing on the Request for Approval for Text Amendments to the Deerfield Zoning Ordinance Regarding Amendments to the Sign Criteria Process; Approved Planned Unit Developments and Planned Residential Developments; Prefiling Conferences meetings for Land Owned or Used by Public Bodies or Put to Public Use; Accessory Uses and Structures Located in Planned Residential Developments; and Duties and Procedures of the Appearance Review Commission

Chairman Berg confirmed that the petitioners provided proof of publication. Mr. Ryckaert reported that the legal notice for this matter was published in the Deerfield Review on February 17, 2022.

Assistant Village Manager and Director of Community Development Andrew Lichterman reported that Village staff is seeking approval of text amendments to the zoning ordinances. The amendments would make enhancements to several legal documents including the zoning ordinances and the municipal ordinances. These have all been suggested improvements from the Mayor and Board of Trustees as well as staff and the Village Attorney in an effort to clean up existing ordinances, streamline processes, and match current practices. Mr. Lichterman stated that each amendment will be explained and voted on.

Village Attorneys Ben Schuster and Lucy Prather reviewed the 5 text amendments.

Mr. Schuster reviewed the text amendments to the Deerfield Zoning Ordinance regarding the sign criteria process. He stated that the goal is not to create policy changes, but to clarify ambiguities, codify current practices and clarify the process to make it more efficient. They are seeking to create sign criteria consistency throughout a development where there will be multiple signs as well as an easy process to change out signs. For example, if Barnes and Noble leaves, this would be the process to change the sign for a new tenant. In the current process, there is nothing in the zoning code for approval of a sign package for a property. The proposed amendments will create a sign criteria approval process that can be applied to multi-tenant commercial buildings, office buildings, associations of merchants in one area, and properties with frontage with more than one sign. If a building or a development of multiple

buildings is any of these, they would be able to apply for approval of sign criteria and change signs with staff approval if they meet the criteria instead of going to the ARC for each sign change. This provides flexibility for owners to alter and replace signs without going before the ARC. Approval for sign criteria states that it must be unified and consistent throughout the building or area, it must be the same or higher quality, and it must be compliant with the Appearance Code.

There were no comments from the public on this matter.

Chairman Berg 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 Goldstone moved, seconded by Commissioner Keefe to approve text amendments to the Deerfield Zoning Ordinance regarding amendments to the Sign Criteria Process. The motion passed with the following vote.

Ayes: Goldstone, Crist, Keefe, Stolman, Berg (5)

Nays: None (0)

Mr. Schuster reviewed the next proposed amendment to approved Planned Unit Developments (PUD) and Planned Residential Developments (PRD). The current code requires that an applicant must appear before the Commission for any subsequent change or addition to an approved Final Development Plan. The Plan Commission would then make a recommendation to the Village Board. If in the Plan Commission's opinion, such a change or addition is not substantial, they may recommend approval to the Village Board without hearing from the petitioner. If the changes are determined to be substantial they will hold a Public Hearing. With the current code, even minor amendments to PUDs require a Public Hearing and a recommendation to the Village Board. The recommended changes would offer a two tiered process for minor and major amendment to PUDs and PRDs which currently does not exist. If the amendments were determined by the Principal Planner to be consistent with the intent and purpose of the PUD than it would be a minor change. And a major change would still go before the Plan Commission for a Public Hearing and the Plan Commissioners recommendation would go to the Village Board for final approval. This would create a more transparent and more efficient process for an applicant, so they know this before spending time and money on architectural plans.

Mr. Schuster reviewed examples of substantial versus not substantial or minor amendments to PUDs or PRDs. A minor amendment would be consistent with the intent and purpose of the PUD or PRD and would be anything that is not major. Minor amendments also include the addition or replacement of a building mounted wind energy system, solar energy system, or geothermal energy system. Major amendments include changes in approved land uses, changes in boundaries, an increase in number of dwelling units in excess of 3 units or 5%, an increase by more than 1% in floor area or square footage, an increase in the size of approved building pads, a substantial increase in the volume of traffic, a reduction or more than 1% of approved common open space, a reduction in the required number of parking spaces, a significant modification to the provision of public utilities, the replacement or expansion of a sign

that is more than 10% larger than the approved sign, and a change that requires a variation, modification, or exception to the zoning ordinances.

Chairman Berg asked for questions from the Commission.

Commissioner Keefe asked about the provision for a major change about increasing the number of dwelling units. He asked how it would be handled if someone kept it under the threshold more than one time and over time it became a major change. Mr. Schuster replied that this is addressed, and it states that this may only be done once per PUD to be considered a minor amendment and any additional time it would be a major amendment and they must appear for a Public Hearing and determination by the Village Board.

Commissioner Goldstone commented that there may still be some ambiguity from minor to major amendments and she asked if staff would make these determinations. Mr. Schuster replied that they have tried to resolve ambiguity with the long list of items. And Mr. Lichterman added that if there was any question about it, staff would see take a cautious approach and send it to the Plan Commission for a Public Hearing.

There were no comments from the public on this matter.

Chairman Berg 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 Keefe moved, seconded by Commissioner Goldstone to approve text amendments to the Deerfield Zoning Ordinance regarding amendments to approved Planned Unit Developments and Planned Residential Developments. The motion passed with the following vote.

Ayes: Stolman, Keefe, Crist, Goldstone, Berg (5)
Nays: None (0)

Ms. Prather reviewed proposed amendments to Prefiling Conference meetings for land owned or used by public bodies. Ms. Prather stated that currently a Prefiling Conference is permitted but there is no language describing what would require a Prefiling Conference and what would not. The proposed changes amend the PUD and PRD procedures by requiring property to be owned or used by a public body to have a pre-application conference with Plan Commission and encouraging all other land and properties to have a pre-application conference with Plan Commission. The changes also amend the special use procedures by requiring property to be owned or used by a public body to have a pre-application conference with the Plan Commission. Ms. Prather stated that lands that will be put to public use or owned by a public body often have financial benefits to the public, use public money, have public participation, and are also sometimes complex, large parcels with high intensity uses. In these cases it is valuable to have this preliminary feedback.

There were no comments from the public on this matter.

Chairman Berg 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 Goldstone moved, seconded by Commissioner Crist to approve text amendments to the Deerfield Zoning Ordinance regarding amendments to Prefiling Conference meetings for land owned or used by public bodies or put to public use. The motion passed with the following vote.

Ayes: Crist, Keefe, Goldstone, Stolman, Berg (5)
Nays: None (0)

Ms. Prather reviewed amendments to setbacks for accessory uses and structures located in Planned Residential Developments (PRD). She described that the Hovland subdivision is where this change would be beneficial. Hovland is a PRD in the Village that does not have exceptionally large lots and currently required 10 foot setback for detached accessory uses and structures is an issue. She stated that they believe this is a scrivener's error and the setback should be 5 feet because 10 feet is not realistic for the small lots. They are seeking to correct this error. Mr. Schuster added that currently any setback to an accessory use under 10 feet requires a variation to be granted and this would eliminate that variation process for setbacks of 5 feet or more and create more room to add accessory structures such as sheds.

There were no comments from the public on this matter.

Chairman Berg 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 Goldstone moved, seconded by Commissioner Stolman to approve text amendments to the Deerfield Zoning Ordinance regarding amendments to accessory uses and structures located in Planned Residential Developments. The motion passed with the following vote.

Ayes: Stolman, Keefe, Crist, Goldstone, Berg (5)
Nays: None (0)

Ms. Prather reviewed the proposed amendments to the duties of the Appearance Review Commission (ARC) which would define items that are not subject to Plan Commission review. She stated that the current code is not consistent with practice. Currently, the ARC does not hold Public Hearings and they are not required to by any state statutes. The ARC approves applications, but does not make recommendations to the Village Board. The changes would be consistent with current practices and will include requiring 7 members of the ARC, not 5 members; stating that the ARC conducts public meetings not public hearings; and stating that the ARC approves applications, but does not make recommendations to the Village Board. Proposed amendments will also create an appeal process for ARC decisions; amends the jurisdiction of the ARC to allow review of window signs in the entire Village Center District; and

removes a modification procedure that applies only for window signs so that modifications for window signs will be treated in the same manner as other sign modifications and variations.

There were no comments from the public on this matter.

Chairman Berg 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 Crist moved, seconded by Commissioner Keefe to approve text amendments to the Deerfield Zoning Ordinance regarding amendments to the duties and procedures of the Appearance Review Commission. The motion passed with the following vote.

Ayes: Goldstone, Crist, Keefe, Stolman, Berg (5)
Nays: None (0)

Document Approval

1. 130-140 Kenmore Avenue Preliminary Plat of Resubdivision Recommendation

Commissioner Goldstone moved, seconded by Commissioner Crist, to approve the recommendation. The motion passed with the following vote.

Ayes: Stolman, Crist, Keefe, Goldstone, Berg (5)
Nays: None (0)

2. February 24, 2022 Plan Commission Minutes

Commissioner Goldstone moved, seconded by Commissioner Keefe, to approve the minutes. The motion passed with the following vote.

Ayes: Crist, Keefe, Stolman, Goldstone, Berg (5)
Nays: None (0)

Items from the Staff

Mr. Ryckaert reported on upcoming Plan Commission agenda items. The next meeting will be March 24, 2022.

Mr. Lichterman shared that at the Board of Trustees Committee of the Whole Meeting on March 15, 2022 they will consider in person or virtual meetings for April and beyond.

Public Comment

There was no public comment on a non-agenda item via email, Zoom or in person.

Adjournment

Public Hearing
March 10, 2022
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There being no further discussion, Commissioner Goldstone moved, seconded by Commissioner Keefe to adjourn the meeting at 9:42 P.M. The motion passed the following vote.

Ayes: Stolman, Keefe, Crist, Goldstone, Berg (5)
Nays: None (0)

Respectfully Submitted,
Laura Boll