

**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 July 23, 2020.

Present were: Larry Berg, Chairman
 Al Bromberg
 Jennifer Goldstone
 Elaine Jacoby
 Bill Keefe
 Justin Silva

Absent were: Blake Schulman

Also present: Daniel Nakahara, Planner
 Andrew Lichterman, Assistant Village Manager

Chairman Berg reported that pursuant to recently adopted 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.

On March 16, 2020, Village President Harriet Rosenthal issued a Declaration of Emergency pursuant to the authority granted by the Village Code, the Illinois Municipal Code, and the Illinois Emergency Management Agency Act to address the health threat posed by the COVID-19 pandemic. On May 29, 2020, Governor Pritzker issued a Disaster Proclamation that declared in-person attendance at public meetings of more than ten people at the regular public meeting location to be infeasible, in accordance the amended Open Meetings Act.

On June 15, 2020, Village President Rosenthal executed a written determination that given the on-going emergency associated with the COVID-19 pandemic, in-person meetings of the Village Board and other public bodies are not practical or prudent at this time and until further notice.

In accordance with the Governor's Disaster Proclamation and the Village' President's Declaration of Emergency and Determination regarding meetings of the Village Board, Chairman Berg stated that in-person meetings of the Plan Commission are not practical or prudent at this time and until further notice.

Chairman Berg stated that anyone wishing to share public comment 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, no more than 10 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 with 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

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 raising their hand for oral public comment via Zoom.

PUBLIC HEARING

1) Public Hearing on the Request for an Amendment to the Carson's Special Use for Renovations to the Carson's Restaurant at 200 Waukegan Road

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

Mr. Nakahara stated that the legal notice for this matter was published in the Deerfield Review on July 2, 2020 and that proof of mailing was received from the Petitioner.

Steve Kolber of Kolbrook Design stated that he is the project architect and was joined by restaurant owner Dean Carson. Mr. Kolber reported that their plans are the same as what was presented at the last Prefiling Conference. There have been no substantial changes. There is additional information provided in the packets on the directional signs that will be added to the parking lot. The small (directional) signs will meet all ordinance requirements.

Mr. Kolber showed the site plan and commented that their main focus and main design is what was presented at the Prefiling Conference and will be a major change from the current look of the restaurant. There have been details added to the site plan to identify areas that will be landscaped. There are no changes to the plans or the building from the last Prefiling Conference meeting. Mr. Carson reiterated that they will add landscaping on the south end of the building.

The Petitioners concluded their presentation and Chairman Berg asked for comments from the commissioners.

Commissioner Bromberg commented that he heard that the Carson's restaurant closed for a few days due to a possible fire. Mr. Carson shared that there was no fire, but an electrical panel burned out due to the age of the building and the electrical system. This caused power, phone and internet outages. The installation of the new electric panel took four days and in order to reopen the staff had to remake bread, butter, salad dressing, sauce and other menu items. Mr. Carson added that he is eager to begin this renovation of this 40 year old building and many systems need replacement.

All commissioners agreed that they support the project. Mr. Carson thanked the Commissioners and commended the work they do for the Village.

Chairman Berg opened public comment on this matter. Mr. Nakahara reported that there were no written comments from the public received via email to this point and there was no one raising their hand for public comment on Zoom. Mr. Lichterman reported that there was no one present at Village Hall for public comment.

Mr. Nakahara added that the Petitioner is asking for input on their parking lot lighting. The parking lot currently has 21 light poles of which 75 percent are inoperative and too old to repair. They plan to remove these and install 11 LED lighting poles. They will be asking at the next board meeting on August 3rd for approval of an agreement to install the parking lot lighting prior to final approval and at their own risk. Commissioner Bromberg clarified that it is at their own risk because they wish to install before Board approval. Mr. Carson stated that they are so eager to move forward with the lighting because it is honestly a public safety issue. Their 40 year old lights are very dim and cannot be fixed. The new LED lights will be safer and more energy efficient. Mr. Carson stated that they have a lighting architect and a lighting plan that all photometrics meet ordinance requirements. They need to do this because the parking lot is too dark and unsafe currently. There were no comments from the Commissioners on this. Mr. Nakahara reported that a hold harmless agreement for this will go before the Village Board on August 3, 2020.

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 who will take final action on this matter.

Commissioner Bromberg moved, seconded by Commissioner Jacoby, to approve the request for an Amendment to the Carson's Special Use for renovations to the Carson's Restaurant at 200 Waukegan Road. The motion passed the following vote:

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

Mr. Nakahara reported that this matter will go before the Village Board on September 8, 2020.

2) Public Hearing on the Request for Approval a Class A Special Use to Permit the Establishment of a Medical Office for NorthShore Center for Oral and Facial Surgery at 700 Osterman Avenue in the C-1 Village Center District

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

Mr. Nakahara stated that the legal notice for this matter was published in the Deerfield Review on July 2, 2020 and that proof of mailing was received from the Petitioner.

Dr. Walter Tatch stated that he is a board certified oral surgeon and owner of NorthShore Center for Oral and Facial Surgery. He is seeking to open a third office to be located in Deerfield. He has been serving the North Shore area for many years and has many patients

from Northbrook and Deerfield. His current offices are in Gurnee and Libertyville and many of his patients would like a closer location.

Dr. Tatch reviewed the Special Use Permit criteria to allow for a Special Use for a medical office. Regarding compatibility there is no question that it is compatible as it is a freestanding building and there are a number of medical offices in the area. There is an orthodontist around the corner and a dental office on the other side of the shopping center that also have Special Use Permits. These businesses will complement each other and receive referrals back and forth.

The lot is of sufficient size and the building area is 5,800 square feet. The building will be a complete and build out. They will add operating rooms as well as medical and dental offices. Dr. Tatch reported that the use will not impede in any way with others in the development. It is not expected to cause additional traffic and has a sufficient supply of parking. The use will have no adverse impact on the surrounding parking, traffic and access. The Commission had previously granted a waiver of the parking and traffic study requirement. Dr. Tatch commented that the neighborhood and surrounding Village center will be complementary to his use. He has current patients from Deerfield and surrounding North Shore towns which will increase exposure to the adjacent businesses. He added that they also sell products and this retail component is complementary to surrounding businesses.

Dr. Tatch stated that the building has adequate fencing and screening as well as adequate utilities and they are not seeking any changes to these. Dr. Tatch added that he has preliminary plans for the interior build out. The building is of adequate size at 5,800 square feet and an ideal space for the NorthShore Center for Oral and Facial Surgery satellite office. Dr. Tatch stated that his practice will receive traffic from the surrounding areas and improve the visibility of businesses in that area.

Dr. Tatch reported that their signage plans are not finalized but showed an image of their logo which will be displayed on the building. All signs will be compliant with Village requirements. Dr. Tatch concluded his presentation.

Chairman Berg asked for comments from the Commissioners.

Commissioner Bromberg asked if Julie Morrison's office would remain in the building. Dr. Tatch replied that his business plans to occupy the entire building. He believes the seller has had discussions with Julie Morrison's office on their future.

Commissioner Silva asked if as a surgical center there are other doctors who would book rooms to perform other types of surgeries there. Dr. Tatch replied that only NorthShore Center for Oral and Facial Surgery doctors will occupy and use the rooms at their offices, it will not be a surgical center available to other doctors for any other types of procedures.

Commissioner Keefe commented that this use is a good fit for the location. Chairman Berg agreed.

Chairman Berg opened public comment on this matter. Mr. Nakahara reported that there were no written comments from the public received via email to this point and there was no one raising their hand for public comment on Zoom. Mr. Lichterman reported that there was no one present at Village Hall for public comment.

Dr. Tatch concluded that he is eager to close on the property and proceed with the development as soon as possible.

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 who will take final action on this matter.

Commissioner Bromberg moved, seconded by Commissioner Jacoby to approve the request for approval of a Class A Special Use to permit the establishment of a medical office for NorthShore Center for Oral and Facial Surgery at 700 Osterman Avenue in the C-1 Village Center District. The motion passed the following vote:

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

Nays: None (0)

Mr. Nakahara reported that this matter will go before the Village Board on September 8, 2020.

3) Public Hearing on the Request for a Text Amendment for an Animal Hospital as a Special Use in the C-1 Village Center Zoning District and a Special Use for a Proposed Animal Hospital to be Located at 711 Waukegan Road

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

Mr. Nakahara stated that the legal notice for this matter was published in the Deerfield Review on July 2, 2020 and that proof of mailing was received from the Petitioner.

Project Architect Ken Just of RWE Design Build shared that he is joined by veterinary practice owners Jamie Root and Jay Nordstrom. He stated that they have no changes to the plans that were presented at the Prefiling Conference.

Dr. Nordstrom, owner of River Trails Animal Hospital shared that he is very excited to move into a central downtown Deerfield location. They feel that their business is a good fit for the area. It has been a successful veterinary practice for the past 25 years. He and Dr. Root bought the practice together five years ago and have done very well. They provide high quality, friendly, neighborhood veterinary service. A graph of their current client base shows that most of their clients are close to the new location, making it very central. This will provide a real convenience for their clients and they also hope to grow their business being in a more visible location.

Mr. Just reported that the parking study was completed by Gewalt Hamilton Associates. Parking consultant Justin Opitz of Gewalt Hamilton stated that Walker Consultants completed a shared parking study for this parcel in 2017 for a proposed massage parlor. In that study, parking and traffic counts were considered to be at normal levels and currently due to the pandemic they are not. Given that, Mr. Opitz confirmed with staff that they could use the 2017 parking demand survey and compare what they project the animal hospital demand to be. Mr. Opitz reported that there are 249 shared parking spaces total in the center (not counting residential parking spaces). They looked at weekday and weekend demand. During weekday peak demand there were 195 of 249 parking spaces used, or 78 percent. Weekend peak demand used 157 of 249

spaces, or 63 percent. Mr. Opitz then took total demand from this study and replaced the massage parlor projected parking demand with the animal hospital projected demand, as well as replaced the current vacant parcel with what demand would be for a retail business. They tested two methods and came up with a graph for demands. The animal hospital projected demand has a peak of 14 spaces conservatively. This would make for a peak weekday demand of 209 of 249 parking spaces and 171 of 249 spaces for weekend peak demand. This makes a surplus of 40 to 78 parking spaces at any given time and the parking supply sufficient for this use.

Regarding traffic, Mr. Opitz reported that they are relying on previous data in this current environment as travel demand is down about 40 percent. Gewalt Hamilton Associates had completed intersection traffic counts in 2017. They tested the morning and afternoon peak trips that are projected to be generated as well as the overall trips during peak hours against the 2017 data. They concluded that peak traffic hours will be impacted very little by projected animal hospital traffic, at a rate of less than one percent. He concluded that they do not expect any traffic or parking issues at all with the new animal hospital.

Chairman Berg asked for comments from the Commissioners.

Commissioner Keefe commented that regarding a dog using the bathroom on the way in or out, there are two large landscaped outdoor areas on the site available and this should not be a problem.

Commissioner Silva asked the Petitioners if those areas would also be used by animal hospital staff taking animals there for bathroom needs. Dr. Nordstrom replied that they are a day practice and do not provide boarding or keep surgery patients overnight. For day surgeries they express bladders before the animals are woken up. They will have very little need to take dogs out to use the bathroom and if they do at a rare time, staff will be very discrete and will clean up right after them.

Chairman Berg asked how the windows will be covered, as this building is primarily all glass and located at a visible intersection. Mr. Just replied that the windows will be tinted with an opaque film added to the back of the tint. From the outside it will appear tinted, not opaque. The tint will be consistent across all windows. Commissioner Bromberg asked staff if this requires approval. Mr. Nakahara replied that because they plan to block out more than 20 percent of the windows, this must be approved by the Appearance Review Commission and the Petitioners will meet with them on July 27, 2020 to discuss this.

Chairman Berg opened public comment on this matter. Mr. Nakahara reported that there were no written comments from the public received via email to this point and there was no one raising their hand for public comment on Zoom. Mr. Lichterman reported that there was no one present at Village Hall for public comment.

Dr. Root thanked the Commission for their consideration on their proposal. He commented that in looking at the history of this space, it has changed hands multiple times in the past and he would like to reiterate that their business has been operating successfully for 25 years and the space will not turn over again. The new space is slightly larger than what need, and they hope to grow with the community. Their current space is a small facility and the location is not good for drive by traffic and visibility. They plan to be a strong member of the commercial community and look forward to being a good partner with the Village of Deerfield.

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 who will take final action on this matter.

Commissioner Goldstone commented that this appears to be a very good move for the animal hospital and that she has heard wonderful things about the practice. All Commissioners agreed.

Commissioner Jacoby moved, seconded by Commissioner Goldstone to approve the request for a text amendment for an animal hospital as a Special Use in the C-1 Village Center Zoning District and a Special Use for a proposed animal hospital to be located at 711 Waukegan Road. The motion passed the following vote:

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

Mr. Nakahara reported that this matter will go before the Village Board on September 8, 2020.

4) Public Hearing on the Request for a Text Amendment for Aesthetician Services and Massage Services as a Special Use in the I-2 Limited Industrial District and a Special Use for These Services in Suite S at 151 S. Pfingsten Road

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

Mr. Nakahara stated that the legal notice for this matter was published in the Deerfield Review on July 2, 2020 and that proof of mailing was received from the Petitioner.

The Petitioner Jeff Bizar of Bizar Entertainment stated that he has owned the business at 151 S. Pfingsten Road, Suite S for 17 years. His business is an entertainment business as well as a fitness studio. Over the years they have had all different types of dance companies use their space, as well as offered yoga, kickboxing, many other types of fitness.

Mr. Bizar introduced Jodi Glick who has operated a female owned fitness business and worked with Bizar Entertainment. Ms. Glick suggested to Mr. Bizar that in today's COVID-19 world, it would be great to have a place for people to come work out and also provide spa like services. Mr. Bizar commented that it will be something in the middle of boutique fitness studios like Orangetheory or Shred 415 and large gyms like Midtown or Equinox. The idea is to keep it small and offer everything in one place. They are requesting to use 350 square feet or two rooms out of their 5,000 square feet space to provide spa healing services to their fitness clients.

Mr. Bizar shared that Tricia Trackman will be in charge of these services. Ms. Trackman shared that she is an aesthetician and previously owned a spa in Highland Park for 20 years. She has also served on the Illinois State Board that regulates the personal spa care industry. Ms. Trackman commented that offering these types of spa services would be a huge convenience to clients as they could use them immediately before or after a workout or a private session. Clients can receive a massage or facial. They will offer a simple massage series as well as facials, waxing and body treatments. They believe their clients will be happy with a one stop shop type of place during the COVID time. There will be one massage therapist and one

aesthetician which will be Ms. Trackman. They will stagger scheduling so that no clients will cross paths. There will be no waiting for appointments as clients will have to call to be let in and will then be escorted. Ms. Trackman commented that it will be very personal and high end. They are excited to offer these wellness services to new and existing fitness clients.

Ms. Glick stated that the goal is to offer healing services and wellness for the mind, body and spirit. She shared that she owned a boxing gym and been a personal trainer for 10 years. At her gym she had to send clients to other boutique gyms and for spa services at other locations. She commented that it will be beneficial to offer these all in one place. She noted that clients will feel safe in a small environment with no large groups. The petitioners have a high level of sanitation and will be very private with a spa like feel with the goal of healing.

Mr. Bizar commented that have also thought about how they can get offer their facility to benefit the community. They have considered that the high school dance team may wish to train there as they can socially distance in the space when other spaces may be closed. He added that they want to help the community in other ways, as well.

There were no questions or comments from the Commission.

Chairman Berg opened public comment on this matter. Mr. Nakahara reported that there were no written comments from the public received via email to this point and there was no one raising their hand for public comment on Zoom. Mr. Lichterman reported that there was no one present at Village Hall for public comment.

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 who will take final action on this matter.

Commissioner Bromberg moved, seconded by Commissioner Keefe to approve the request for a text amendment for aesthetician services and massage services as a Special Use in the I-2 Limited Industrial District and a Special Use for these services in Suite S at 151 S. Pfingsten Road. The motion passed the following vote:

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

Nays: None (0)

Mr. Nakahara reported that this matter will go before the Village Board on September 8, 2020.

Items from the Staff

Mr. Nakahara reported that Aries Real Estate has withdrawn their petition for a small format Walgreens store and drive-thru on Waukegan Road next to Chick-fil-A.

Mr. Nakahara reported that the Village Board voted five to one in favor of drafting an inclusionary housing ordinance. He stated that Plan Commission will likely be taking this up in the fall.

Mr. Nakahara reported on upcoming Plan Commission agenda items.

Public Comment

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

Document Approval

Commissioner Bromberg provided two corrections to the June 25, 2020 Plan Commission meeting minutes. Commissioner Bromberg moved, seconded by Commissioner Jacoby to approve the minutes with the corrections provided. The motion passed with the following vote:

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

Nays: None (0)

Adjournment

There being no further discussion, Commissioner Silva moved, seconded by Commissioner Keefe to adjourn the meeting at 8:41 P.M. The motion passed the following vote:

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

Nays: None (0)

Respectfully Submitted,
Laura Boll