

## MEMORANDUM

TO: Plan Commission

FROM: Jeff Ryckaert, Principal Planner and Dan Nakahara, Planner

DATE: January 4, 2023

RE: Public Hearing on the Request for an Amendment to the Rosebud Restaurant Special Use to Permit the Expansion of the Rosebud Restaurant into the Adjacent Unit B Tenant Space in the 711 Deerfield Road Building in the Deerfield Square Shopping Center



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### **Application History**

Public Hearing Publication Date: December 22, 2022

Planning Commission Public Hearing Date: January 12, 2023

### **Zoning Actions**

The Deerfield Plan Commission is conducting a Public Hearing to consider the request of Rosebud Deerfield, Inc. and Kirby Limited Partners for an amendment to the existing Rosebud Restaurant Special Use to expand into the adjacent tenant space at Unit B Deerfield Road.

### **Subject Property**

The subject property is known as Deerfield Square Shopping Center. It is zoned C-1 Village Center District and is a commercial Planned Unit Development. In 2017, Ordinance O-17-29 approved the Bartaco Restaurant Special Use for a 4,228 square foot, casual dining restaurant with approximately 735 square foot outdoor patio located in Unit A of the 711 Deerfield Road building in Deerfield Square. The Bartaco Restaurant closed in the middle of 2020 and Rosebud Restaurant assumed the Special Use in October 2020 after the staff review determined that the proposed Rosebud restaurant was substantially similar to the previously approved Special Use for the Bartaco Restaurant.

## **Surrounding Land Use and Zoning (to the Deerfield Square PUD)**

North (across Deerfield Road): C-1 Village Center District and P-1 Public Lands District – retail, public parking lots, AT&T building, and commuter parking lot

South C-3 Limited Commercial District: medical office building, (and across Osterman Avenue): C-1 Village Center District, P-1 Public Lands District and R-5 General Residence District - Post Office, One Deerfield Place senior housing apartment building, and South Commons multiple-family residential development

East (across Waukegan Road): Deerfield Village Centre mixed use retail, office, and residential development

West (across train tracks): P-1 Public Lands District, R-5 General Residence District, R-4 Single and Two-Family District – Metra parking, multi-family residential, and two-family residential

## **Proposed Plan**

The petitioners are proposing to add approximately 1,446 square feet of interior space in the adjacent Unit B space (currently vacant) to the existing 4,967 square foot Rosebud restaurant (Unit A) in the 711 Deerfield Road building in the Deerfield Square Shopping Center. The restaurant expansion would provide for private dining rooms and additional indoor seating capacity. The expansion will result in an additional 5-10 employees. The expansion does not affect or change the existing outdoor patio area or the daily hours of operation (3:00PM – 9:00PM). The petitioner is proposing new awnings and window treatments for the expanded restaurant space that will tie in with the existing Rosebud restaurant exterior.

## **Zoning Conformance**

The petitioners are seeking to amend the Special Use. They have provided their responses to the Special Use criteria in their material. The Special Use criteria is attached.

## **Access**

Deerfield Square has two signalized access points off of Deerfield Road and one signalized access point off of Waukegan Road. The existing access points to Deerfield Square will remain unchanged and consists of the following: the signalized intersection north Deerfield Square access drive on Deerfield Road allows full movements in and out of the shopping center; Robert York Avenue at the north provides access to Deerfield Road and allows full movements in and out of the shopping center under signalized control. Robert York Avenue at the south provides access to Osterman Avenue and allows full movements in and out of the shopping center under all-way stop sign control. The signalized easternmost Deerfield Square access drive on Waukegan Road allows full movements in and out of the shopping center.

## **Parking**

Parking for the Deerfield Square Planned Unit Development was approved at 5 spaces per 1,000 square feet of gross floor area for retail use (i.e., 1 parking space per 200 s.f.), and 4 spaces per 1,000 square feet of gross floor area for office use (i.e., 1 parking space per 250 s.f.) with a 15% reduction for storage areas in the building (Ordinance 0-98-34 granted a variation for parking in the development). A total of 1,000 spaces (including 100 underground spaces) are provided for Deerfield Square.

When Deerfield Square was approved, the various uses in the development were to share the parking within the development. The amount of parking for the different mix of uses in the development will vary throughout the day. In other words, the different uses in the development will have varying peak hour parking times. As part of the approval process of a Special Use for the proposed restaurant, the petitioners must demonstrate that adequate parking will be provided.

Sit-down restaurants require one parking space for each 60 square feet of gross floor area and carry-out restaurants require one parking space for each 120 square feet of gross floor area. The proposed restaurant expansion would require an additional 25 parking spaces based on the additional 1,446 square feet of indoor space (24.1 parking spaces for the sit-down:  $1,446 \text{ square feet} / 60 = 24.1$

spaces = 25 spaces). If the space were all retail, then a total of eight spaces would be required ( $1,446/200 = 7.23 = 8$  spaces) as retail requires one parking space per 200 square feet of gross floor area).

The petitioner has provided a parking study by their traffic consultant KLOA dated June 9, 2021 to demonstrate that there will be adequate parking for the Rosebud Restaurant Expansion. The parking survey was conducted on Friday, May 21, 2021 and Saturday, May 22, 2021 and records parking for every half hour from 7:00 AM to 5:00 PM. Figure 1 on page 2 shows the parking fields that were surveyed within the Deerfield Square shopping center and Table 1 on page 3 and Table 2 on page 4 of the petitioner's study summarizes the survey results.

The petitioner's plans indicates that by adjusting for vacant space at the time the study was conducted and adjusting for normal (non-Covid) conditions, the peak demand is projected to be 603 parking spaces used during the peak demand periods of the shopping center. The petitioner notes that the projected additional demand (24 parking spaces) from the Rosebud expansion can be accommodated in the existing (875+) surface parking spaces.

The owners of Deerfield Square have implemented a parking plan that requires all Deerfield Square employees to park in designated areas of the main parking lot of the shopping center. The office building employees currently park in the underground garage to allow as much surface parking for shopping center customers as possible.

### **Signage**

Deerfield Square has an approved sign criteria that the petitioners are required to follow. The petitioners are not proposing any signage with the restaurant expansion.

### **Appearance Review Commission (ARC)**

The Appearance Review Commission reviewed the proposed 711 Deerfield Road Rosebud restaurant expansion at their November 28, 2022 meeting.

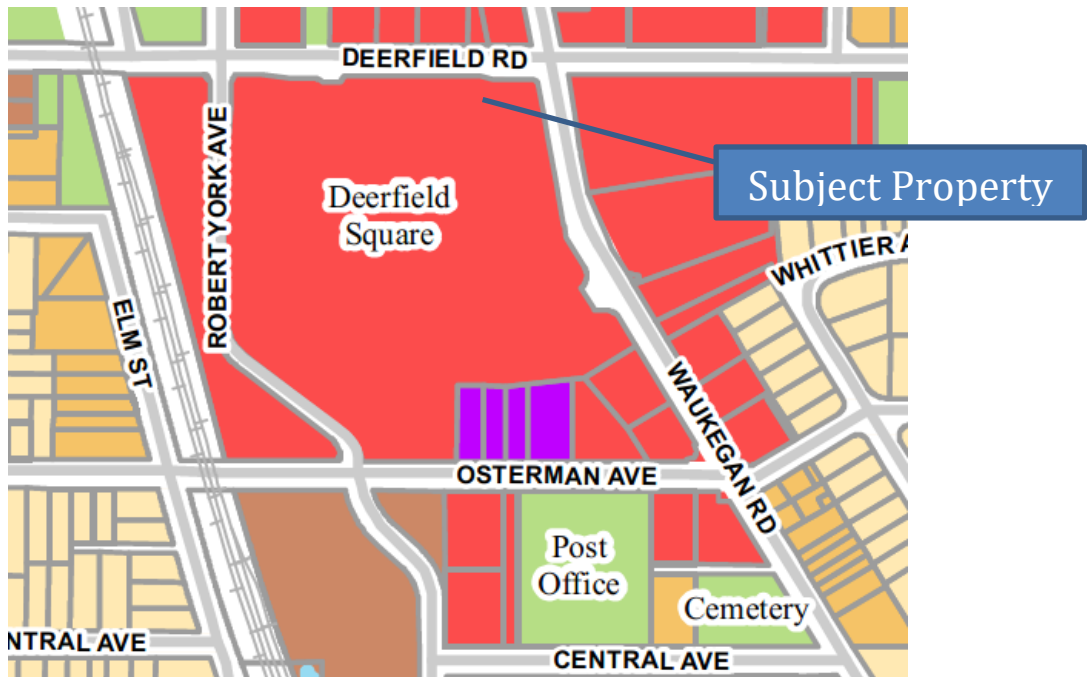
The ARC discussed the exterior changes for the new restaurant expansion and












believes the new awnings over the expanded space would be a nice tie-in to the existing restaurant space. They were also in favor of the proposed wood blinds on the north window and drapes on the south window. The ARC was also fine with the window treatments being closed during private parties. The studs from the mezzanine floor visible from Deerfield Road was also discussed. The petitioner plans to run the new blinds all the way up to the top of the window on all windows. The ARC felt this would resolve the issue. The ARC voted 4-0 to approve the new awnings and window coverings for Rosebud.

### **Submittal List**

Staff has provided the petitioners with a submittal list for the proposed development. The submittal list is attached.

# Village of Deerfield 2022 Zoning Ordinance Map

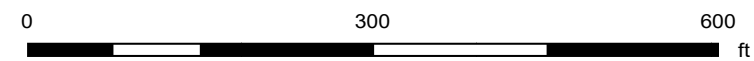


	<b>R-1</b>	SINGLE FAMILY DISTRICT ONE FAMILY DWELLINGS AND ACCESSORY USES
	<b>R-2</b>	SINGLE FAMILY DISTRICT SAME AS R1
	<b>R-3</b>	SINGLE FAMILY DISTRICT SAME AS R1
	<b>R-4</b>	SINGLE & TWO FAMILY ONE FAMILY & TWO FAMILY DWELLINGS & ACCESSORY USES
	<b>R-5</b>	GENERAL RESIDENCE ONE FAMILY & TWO FAMILY DWELLINGS & ACCESSORY USES
	<b>C-1</b>	VILLAGE CENTER
	<b>C-2</b>	OUTLYING COMMERICAL
	<b>C-3</b>	LIMITED COMMERICAL OFFICE
	<b>I-1</b>	OFFICE, RESEARCH, RESTRICTED INDUSTRY
	<b>I-2</b>	LIMITED INDUSTRIAL
	<b>P-1</b>	PUBLIC LANDS SCHOOLS, PARKS, PUBLIC BUILDINGS & CEMETERIES



### Legend

### Notes



Print Date: 1/6/2023

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

## SPECIAL USE CRITERIA

Does it meet the standards for a Special Use? A Special Use shall be authorized only when the Plan Commission finds all of the following:

1. Compatible with Existing Development  
The nature and intensity of the activities involved and the size, placement and design of any structures proposed will be so planned that the Special Use will be compatible with the existing development and will not impede the normal and orderly development and improvement of surrounding property.
2. Lot of Sufficient Size  
The size of the lot will be sufficient for the use proposed.
3. Traffic  
The location of the Special Use within the Village will be such that adverse effects on surrounding properties will be minimal, particularly regarding the traffic generated by the Special Use.
4. Parking and Access  
Parking areas will be of adequate size for the particular use and properly located, and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
5. Effect on Neighborhood  
In all respects the Special Use will not be significantly or materially detrimental to the health, safety and welfare of the public or injurious to the other property or improvements in the neighborhood, nor will it diminish or impair property values in the surrounding area.
6. Adequate Facilities  
That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.
7. Adequate Buffering  
Adequate fencing and/or screening shall be provided to ensure the enjoyment of surrounding properties, to provide for the public safety or to screen parking areas and other visually incompatible uses.
8. If in C-1 Village Center District: That the establishment of the Special Use will not be injurious to the character of the C-1 Village Center District as a retail center for the Village.



## SUBMITTAL LIST

TO: Chris Siavelis, Senior Vice President, CRM Properties

FROM: Jeff Ryckaert, Principal Planner and Dan Nakahara, Planner

DATE: November 17, 2022

RE: Rosebud Expansion Special Use & PUD Amendment Submittal List

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VILLAGE OF DEERFIELD

Below is a list of the submittals needed for the Rosebud Restaurant Expansion Special Use and PUD Amendment

### Public Hearing Submittals

*Two (2) sets of plans are due three (3) weeks prior to the public hearing for staff review and comments.*

- A detailed written description of the proposed restaurant expansion operations at this location will need to be submitted. The written description needs to include items such as: a description of the restaurant concept proposed; hours of operation of the restaurant, maximum seating capacity of the restaurant with the expansion, peak hours (busiest times) of the restaurant, total number of employees (include the maximum working at one time), gross square footage of the restaurant, information about deliveries/loading (location, hours of delivery).
- A scaled site plan of the property will need to be submitted. Provide a data table on the site plan that indicates the gross square footage of the restaurant, the number of parking spaces including handicapped spaces, and the seating capacity. The site plan will need to show any proposed changes to: the outdoor seating area, the refuse/trash area enclosure, delivery areas, landscaping, sidewalks, crosswalks, benches, bike racks, flag poles, etc. If you are planning to designate any new or additional parking spaces in the lot for carry-out/pick-up, these will need to be shown on the site plan, and also show any signage proposed for the carry-out/pick-up parking space(s). This signage, as well as any other directional signage on the property must be under 2 square feet and non-illuminated and non-commercial. If any proposed directional signage on the site is over 2 square feet in area and illuminated, you will need to seek a sign exception. The

location of any delivery vehicle(s) used in conjunction with the restaurant must be designated on the site plan. Any changes to pedestrian connections needs to be shown on the site plan.

- A traffic and parking analysis prepared by a professional traffic engineer is necessary for the restaurant expansion. The Plan Commission will be analyzing if the site will be able to safely accommodate the traffic generated by the proposed restaurant expansion. Safe access, circulation, are all key issues that will be examined closely by the Plan Commission. The Plan Commission will also be examining if there will be enough parking on site for the expanded restaurant, and if customer pick-up of orders works efficiently. Required parking is based on the estimated percentage of sit-down and carry-out for customers that park and come into the restaurant. The traffic and parking consultant must testify at the public meetings.
- A scaled floor plan of the proposed restaurant will need to be submitted (please include the location of the grease trap on the plans). If you are serving liquor, a copy of the floor plan will need to be send to Clint Case, Deerfield's Code Enforcement Supervisor, to determine compliance with the Village's Liquor Control Ordinance.
- Scaled building elevation drawings of each wall of the restaurant. The building elevation drawings will need to detail all the exterior building materials and colors, and include details for building lighting, awnings, all exterior signage building entrances, etc. All of these details have to be shown on the detailed, scaled elevation drawings with an exterior materials legend provided on the elevation drawings.
- If new signage is being proposed, all of the proposed exterior wall signs must be shown on the building elevation drawings and dimensions given for the signs' placement on the wall. Scaled drawings showing all of the proposed exterior wall signage including the size, content, colors, lighting, materials, and placement on the wall are required. The size of the letters needs to be indicated on the plans. Walls signs must be in proportion to the size of the wall on which they are placed. Front and rear wall signs cannot exceed 8% of the area of the wall to which the sign is affixed, or 80

square feet, whichever is greater. Side wall signs cannot exceed 4% of the area of the wall to which the sign is affixed, or 40 square feet, whichever is greater. In calculating the area of the wall on which the wall sign is placed, the area of the wall is measured from grade to the top of the roof deck. The 4% and 8% are not givens, the signs must be in proportion to the walls. Signs are measured by placing a box around all the outermost points of sign elements. There can be no more than one (1) business wall sign per elevation facing a public street, public right-of-way, easement for access, or parking area. Wall signs can contain the name of the restaurant and a logo. Additional wall signs that list products sold such as burgers, pasta, etc. are not allowed by the Zoning Ordinance and Appearance Code. Please consider the use of the windows for these signs. No exposed neon is allowed on the exterior of the building. Neon signage is only allowed on the inside of a window (8% of the area of a window can be neon). Electronic signs and exposed LED signs, inside or outside, aren't allowed by the Zoning Ordinance. Any signs on the awnings are considered to be wall signs under the Zoning Ordinance. Wall signs are not allowed to project above the roof deck of a building. The top of the roof deck of the building must also be shown on the building elevation drawings with a dashed line. The Deerfield Square shopping center has an approved sign criteria specific to the 711 Deerfield Road building.

- The Village has window sign regulations for all commercial businesses in the commercial districts which are available online at [www.deerfield.il.us](http://www.deerfield.il.us) then click on Businesses → New Business → Regulations → Window Sign Regulations.
- Please address the Plan Commission's seven Special Use standards (attached) in writing.
- If the restaurant serves alcohol, please contact the Village Manager's Office at (847) 945-5000 to see if any changes to your liquor license are necessary.
- If there are any changes to the outdoor seating area, the details for the outdoor seating area(s) need to be provided including:
  - Dimensions of the proposed outdoor seating area on the scaled site plan.
  - The number of tables proposed and the seating capacity.

- The type of outdoor furniture proposed (provide a picture or some type of drawing to show the style of furniture).
  - The details of the proposed enclosure for the outdoor seating area (e.g. fence, railings, posts with chains, planter boxes, etc.). A scaled drawing of the proposed enclosure will need to be submitted.
  - If umbrellas are to be used in the outdoor seating area(s), the color of the umbrellas needs to be known and a color and material sample needs to be brought to the meeting (no signage or logos of any type are allowed on the umbrellas).
  - Where will the outdoor furniture be stored when the outdoor seating area is closed for the season? (Inside the building or off-site storage of the furniture is preferred.)
  - The Village has regulations in the Municipal Code regarding the serving of alcohol in outdoor seating areas. The following is a summary of those regulations for outdoor seating areas: The Liquor Control Ordinance (which is part of the Municipal Code) allows liquor to be served in an outdoor seating area of licensed restaurants provided that the service of alcohol be incidental and complementary to the sale of a meal, and outdoor service hours must coincide with restaurant hours of a complete meal, and the access to outdoor seating areas have to be gained solely from the interior of the restaurant (that is, if alcohol is served in the outdoor seating area, this outdoor seating area has to be fully enclosed so that access to this area is from the restaurant). The proposed enclosure of the outdoor seating area must be shown on the site plan and an elevation drawing submitted of the enclosure.
  - Outdoor seating areas are included in the required number of parking spaces for a restaurant unless it is demonstrated that outdoor seating should not be counted toward the parking requirement for a restaurant.
  - Village staff has example submittals of the outdoor seating areas to show the level of detail, if you need them.
- An issue that often comes up with a restaurant is odors. You need to indicate in detail how this will be handled with the expansion of the restaurant in your written materials. Please contact Clint Case, the Code Enforcement Supervisor at (847) 719-7472, to determine if filters or scrubbers will need to be put on the restaurant's ventilation system.

- If there are any changes to the landscaping plan, a please provide a detailed landscaping plan including a table with the type of planting materials, location, quantity and size at the time of planting. If any existing trees are to be removed, that needs to be shown on the site plan and mitigated.
- If there are any changes to the rooftop mechanical equipment, all new rooftop mechanical equipment must be screened from view. Show all roof screening on the elevation drawings. Also, a roof plan showing the location of the rooftop mechanical equipment will need to be submitted.
- If there are any changes to the trash/refuse area, the trash/refuse areas must be fully screened from view. An elevation drawing must be submitted and the trash/refuse area must be shown on the site plan. The trash/refuse area needs to be big enough to hold all the trash containers inside the screened area, including any recycling containers and bins.
- If new parking lot lighting is proposed, a lighting plan will need to be submitted. Detailed information has to be submitted including: a photometrics plans showing lighting output on the property (including at the property lines where the output needs to be zero -, i.e., lighting cannot spill over the property lines), the location, height, and color of the proposed light poles, a drawing of the proposed light fixture, and the output of the proposed lights. The location of any lighting on the building itself must be shown on the elevation drawings. The hours of the parking lot light/timing of the lighting needs to be indicated on the plans.
- Please include any sustainable (green) elements in your written materials and on the plans. The Village encourages the use of green design elements in your plans to lessen the impact of the development on the environment.
- If there are any changes to the site plan, the Deerfield Bannockburn Riverwoods Fire Protection District must approve the site plan for emergency vehicle accessibility as they have jurisdiction. Submit a site plan directly to the Fire Marshal for approval. The Plan Commission will need a letter in their submittal packet from the Fire Department approving the site plan for emergency vehicle accessibility.

- The Village contracts with the Lake County Health Department (for the entire Village) for restaurant health inspections. You should contact the Lake County Health Department at (847) 360-6760 directly for their requirements for restaurants, including any outdoor seating area.

The Plan Commission is a recommending body of the Village Board of Trustees. The Village Board of Trustees will consider the recommendation and has a final decision on the matter. If the Village Board approves the Special Use for the restaurant, an ordinance is prepared by the Village Attorney that goes through a reading at the next Board meeting. Only after the reading of the ordinance is passed, is the Special Use approved. In addition to being present at the Board of Trustees meeting where the Plan Commission recommendation is considered, representatives for your proposal must also be present at the reading of the ordinance to answer any additional questions that might come up. After approval of the reading of the ordinance, a building permit can be turned into the Building Department for review. Review time varies depending on the time of the year but sometimes the building review time can run up to four to six weeks.

The Appearance Review Commission (ARC) must approve exterior changes to the building or site that are part of this project, this includes any signage, changes to the building elevations, and changes to the landscaping or site lighting. The contact for the ARC is Liz Delevitt at (847) 719-7483. The Village's Appearance Code is online and needs to be reviewed and consulted as you design the facade and signage as well as any changes to the site plan. Please start the ARC review early in this process.

Please provide this list of submittals to all of your consultants so they are aware of the level of detail needed.

Questions regarding building permits and building codes, can be directed to Clint Case, Code Enforcement Supervisor, at (847) 719-7472.

If you have any questions, please contact us:

Sincerely,

Jeff Ryckaert, Principal Planner

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