



**VILLAGE OF DEERFIELD**

DATE: December 11, 2023  
TO: Mayor and Board of Trustees  
CC: Kent Street, Village Manager  
FROM: Andrew Lichterman, Asst. Vil. Mgr. / Dir. of Community Development  
**SUBJECT: Community Development Department Report  
January 1 – November 30, 2023**

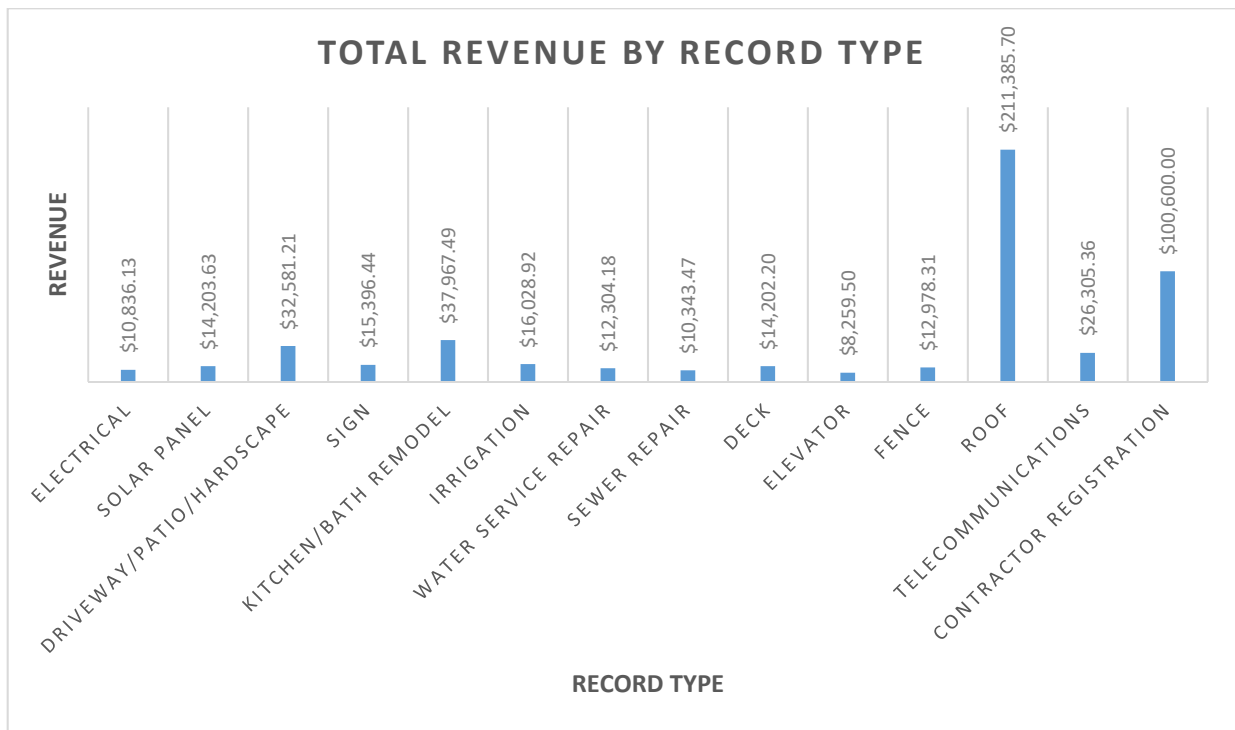
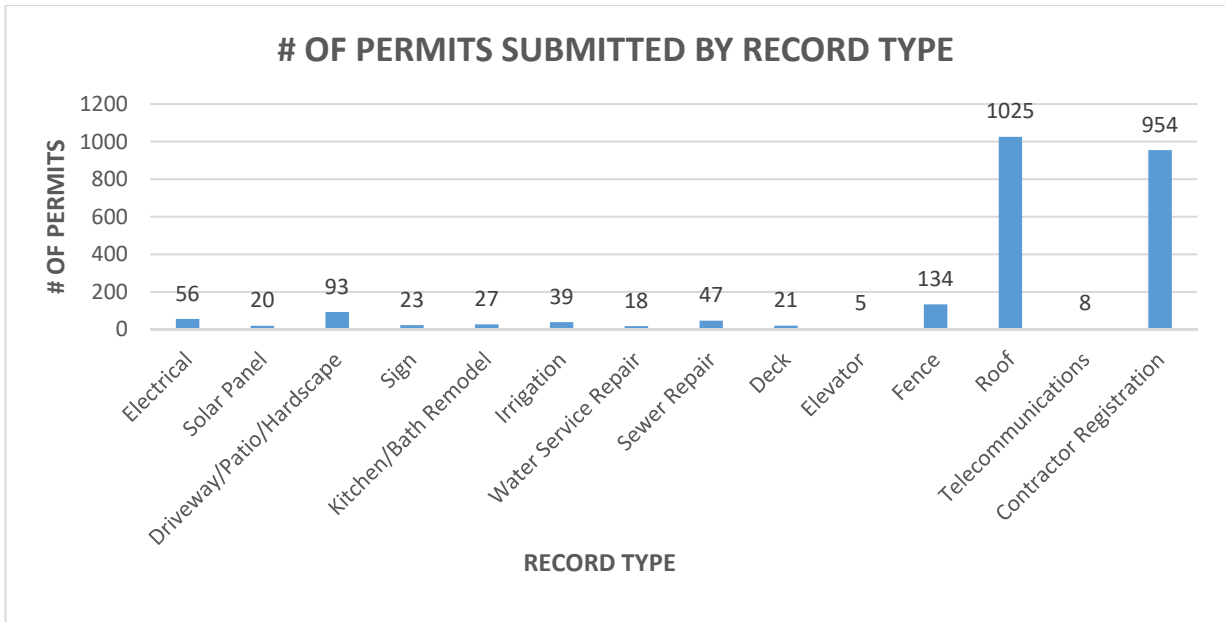
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**Purpose**

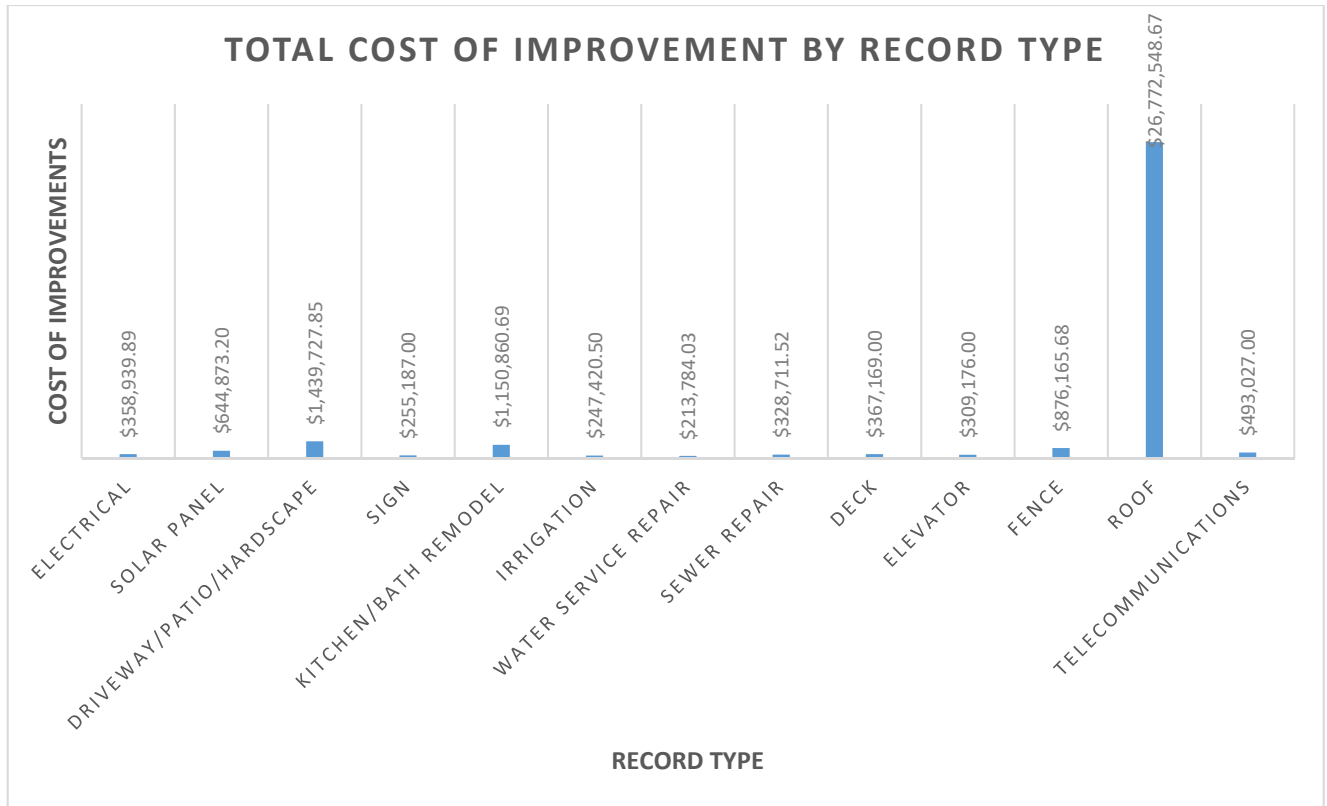
This memo outlines notable activities undertaken by the Community Development Department from the period of January 1, through November 30, 2023. The Community Development Department is comprised of a Building Division and Planning Division. The Department administers and enforces the Zoning Ordinance, Subdivision Ordinance and Building Codes. The Departments provides analysis and technical assistance on all items that come before the Plan Commission, Board of Zoning Appeals, Appearance Review Commission, and various task forces.

**Building Division**

- The Building Division implemented a number of new online building permits throughout the year. In total, there are 16 different types of online permits or applications available for the Division at this time. Permits for most types of property improvements can be applied for online. The notable exceptions at this time are new home construction and additions. Due to the creation of new building permit record types certain year-over-year data comparisons will have anomalies in 2023. This will be resolved in future years, as the data comparison will be more consistent going forward.
- 2,470 online construction building permits were received by the Building Division in 2023. Notably, this included 954 contractor registrations, 1,025 re-roof permits (*198 in 2022*), 93 driveway/patio/hardscape permits (*254 in 2022*), 134 fence permits (*157 in 2022*), 56 electrical permits, 47 sewer repair permits, and 21 deck permits. This represents a private investment and total value of construction of more than \$33 million. This represents total revenue to the Village of \$523,392. Note that not all of these permit types were available on January 1, 2023 of this year so that will impact the data shown below.



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- Total Permit fees through November 30, 2023 (including online and over-the-counter permits), total \$985,631 and are on track to outperform budgeted revenue of \$1.1 million. This includes a \$7.3 million investment at Zion Woods, \$4.5 million investment at Floor & Décor, over \$2 million at Shake Shack, \$1.175 million at Kids Empire, and \$576,000 at Brick & Mortar.
- The estimated construction cost of all permits issued totals over \$70 million (\$60 million in 2022). Of the total construction related permits issued, approximately 89% of the permits are for residential improvements.
- Staff completed 1,975 building inspections (or -7.9%) compared to 2,146 inspections for 2022 and 2,207 inspections in 2021. In the spring, plan review staff attended a four month long continuing education class related to electrical code updates. In the fall, building inspectors attended the fall training session held by the Northwest Building Officials and Code Administrators on the topic of solar panels, electric vehicle chargers and battery storage.
- Nearly every permit submission is accompanied by at least one plan review. Staff has set key performance metrics for plan reviews and has been able to overperform the standard three-week turnaround time for the majority of the year. Staff was also able to establish a relationship with Safebuilt, LLC., a construction engineering company, for outsourced plan review services, as needed. This has provided the Village with flexibility to bring on more

plan review resources in response to the number of permit submissions received by the department.

- Three single-family homes were owner/developer demolished, year to date, compared to five last year. Three new single-family homes are currently under construction, compared to eight in 2022 and nine in 2021.
- Staff has received official court mailed property notifications for 4 properties in the Village this year, compared to 14 notices of foreclosure (lis pendens) in 2022, two in 2021, eight notifications in 2020 and 20 notifications in 2019. Staff regularly monitors nuisance properties and spends significant time pursuing code compliance with occupied and uninhabited properties. At times this requires court action in coordination with the Village Attorney.
- Staff has responded to 105 FOIA requests (+11%) compared to 185 requests last year and 167 requests in 2020.
- Over the course of four months, staff worked with GovHR USA to perform an organizational analysis of the Building Division. The main purpose of the assessment was to:
  - Perform a peer comparison
  - Analyze the division structure
  - Review performance metrics and staffing levels
  - Provide feedback on current technological changes
  - Analyze staffing needs
  - Document and memorialize current job descriptions
  - Create future job descriptions
  - Prepare a succession plan to ensure continuity

GovHR completed their report in September and included 22 recommendations that staff has begun to implement. The recommendations will serve to help enhance customer service, reduce process times, provide additional oversight and enhance operations. As part of the study, GovHR reviewed several of the Village's governing documents, conducted interviews with staff members, peer organizations and several customers that frequently use the Building Division services. GovHR also conducted peer comparisons and a financial analysis that was incorporated into their recommendations. Just this year, staff has implemented seven new departmental operating procedures to enhance the Building Division's service delivery; many of which are consistent with the recommendations in the report.

- The Board of Zoning Appeals met on three occasions in 2023 and held Public Hearings on May 16, July 18 and October 17. One meeting was recently continued and is rescheduled for January 16, 2024. One BZA meeting was held in 2022 and eight BZA meetings were held in 2021. Meetings are scheduled as-needed, and often in response to requests for

relief for property improvements, such as the addition of a three-season room, carport/garage or fence modification.

- On January 17, the Village Board adopted a resolution approving an agreement with Elevator Inspection Services Company, Inc. (EIS) to continue providing contractual elevator inspection services for the Village of Deerfield. EIS provides annual inspections and plan review services for the 225 elevators in the Village. All charges are pass-through costs that are reimbursed to the Village by the elevator owner.
- Following discussion and Board direction at the May 22 Committee of the Whole meeting, the Board of Trustees adopted an ordinance on July 17 amending the annual fee schedule to establish solar panel installation fees of \$9.00 per \$1,000 of estimated construction costs, which represents a 50% reduction. The reduction in solar permit fees will help the Village obtain a SolSmart Gold designation and further the goals of the Climate Action Report.
- On July 17, the Village Board also amended the fee schedule to establish a flat permit fee of \$100 for patios/walkways and other miscellaneous slabs, to be consistent with driveway permits and fees for other similar types work.
- Staff worked closely with the Village Board to establish clear regulations for when work requires a permit. On August 21, the Village Board adopted an ordinance amending Section 6-1 of the Municipal Code to bring greater clarity to when permits are required. This ordinance change was accompanied by a public information campaign that included new diagrams and discussed the benefits associated with obtaining permits. The information campaign and ordinance change has been well received by the public.
- At the August 28 Committee of the Whole meeting, staff and the Village Board discussed policy options related to residential lighting regulations. There is very limited authority in the Municipal Code for staff to regulate residential lighting. In response to two specific residential lighting complaints, staff has been working directly with homeowners to identify a compromise and find solutions to abate an alleged light nuisance without the need to establish formal government regulations. These types of complaints come up from time to time and staff has been able to successfully negotiate solutions, in most cases.
- On September 5, the Village Board adopted an ordinance amending Sections 6-1 and 6-10 of the Municipal Code regarding work without a valid permit. The ordinance further clarified that a building permit must be properly displayed when engaging in construction or demolition work and that it is a violation to falsify or alter a building permit document.
- On September 18, the Village Board adopted an ordinance amending Section 15-16 of the Municipal Code regarding snow removal activities. The ordinance clarified that snow removal activities are exempt from the Village's noise regulations. This ordinance matches

the Village's past practice to allow individuals and businesses to engage in snow removal activities, including conducting those activities at night, to allow for safe and easy access to a property. This ordinance should help to reduce complaints of this nature and allows staff to better respond to this type of alleged code violation.

- Also, on September 18, the Village Board adopted an ordinance amending Chapter 22 of the Municipal Code to establish a nuisance provision and prohibit vehicles weighing more than 10,000 pounds from idling for more than 10 minutes, with some exceptions. This ordinance was a proactive step to address truck nuisances and supports anti-idling pollution efforts in the Village's Climate Action Report.
- Staff has undergone additional code enforcement training and implemented new methods and procedures to conduct enforcement activity. During this reporting period, 48 stop work orders or "Work Without A Permit" violations have been issued. This equates to \$38,040 in fines, and \$57,973 in permit fees for total revenue of \$96,013. However, more important than the revenue, these efforts are often ensuring that properties are meeting minimum life safety standards and sending a message to the public that permits are required for construction and demolition work in the Village of Deerfield.
- Related to the Village's new code enforcement efforts, staff has been investigating the feasibility of implementing a local administrative hearing court. This type of court is commonly used by municipalities to address code violations. Staff has observed court hearings at Northbrook, Vernon Hills and Glen Ellyn and met with the Village's Corporation Counsel and Prosecuting Attorney to discuss this matter. Staff is inclined to move forward with the hearing process, but that will require several critical tasks to be completed. Implementation of an administrative hearing court will require amendments to the Municipal Code, selection of an administrative hearing judge, implementation of one or possibly two software updates and allocation of existing staff duties to support the court room logistics. For these reasons, it is likely that an administrative hearing court would be implemented no sooner than January 2025.

### **Planning Division**

The Planning Division facilitated review and approval of numerous land use and economic development initiatives. Below are some of those highlights:

- In total, the Plan Commission reviewed 7 Special Use or amended Special Use applications, 6 Planned Unit Developments, 5 text amendments, 1 petition for annexation, 10 public hearings and 10 workshop meetings.
- In January, the Village completed a downtown Tax Increment Financing (TIF) District for the area primarily located between Hazel Avenue to the north and Deerfield Road to the south, and between Chestnut Street and Rosemary Terrace. Planning Division staff assisted the Mayor and Village Manager's Office throughout the TIF qualification and study process and the drafting of the Redevelopment Plan.

- The Village is currently in the process of evaluating a TIF District for 44.5 acres of property located on the south side of Lake Cook Road, which includes six office buildings previously occupied by Walgreens (1411, 1415, 1417, 1419, 1425, and 1435 Lake Cook Road), and the Embassy Suites Hotel at 1445 Lake Cook Road. Planning Division staff continues to assist in the review and evaluation of the redevelopment project area and the TIF qualifying factors with TIF consultant Ryan, LLC. Public meetings with appropriate taxing districts and a public hearing with the Village Board are scheduled for early 2024.
- The Plan Commission considered the zoning approval process for the annexation, rezoning and establishment of an industrial planned unit development for a warehouse and distribution center on the 101-acre Baxter office property in unincorporated Lake County. Although the petition was withdrawn, proposals for such industrial uses have forced suburban municipalities to weigh the impact that large-scale industrial developments would have on their communities. The Village Manager's Office and Planning Division staff are in the process of proposing text amendments to further clarify the prohibition of distribution centers and to minimize impacts from other types of industrial development. In December, the Plan Commission will consider these text amendments with a recommendation to the Village Board anticipated in early 2024.
- Notable Zoning Ordinance changes or land use reviews included approval of a Shake Shack restaurant with a drive-thru and outdoor seating in the C-1 Village Center District located at 560 Waukegan Road (former Rosebud Restaurant); the expansion of the Rosebud Restaurant into the adjacent tenant space in the 711 Deerfield Road building in the Deerfield Square Shopping Center; Phase 2 renovations to Jewett Park at 836 Jewett Park Drive; changes to the approved master plan for renovations to the Tennaqua Club at 1 Tennaqua Lane; amendments to the Deerfield Comprehensive Plan and Zoning Ordinance and a rezoning to create a new entertainment and retail zoning district south of Lake Cook Road in the same area being considered for the Lake Cook Road TIF District and exterior modification approval by the Appearance Review Commission; the establishment of a 57,000 square foot Floor and Decor Store in the Deerbrook Shopping Center in the former Bed Bath & Beyond, Men's Warehouse and Carters Tenant Spaces with an Address of 96, 114 and 118 S. Waukegan Road; an amendment to the previously approved second floor plans of the 728 Waukegan Road space (formerly Barnes & Noble) from office use to ten residential apartment units in Deerfield Square Shopping Center; a new digital drive-thru menu board for Portillo's restaurant at 700 Lake Cook Road; and a preliminary review of a proposed multi-family, transit oriented residential development of the rear 10.57 acres of Deerbrook Shopping Center.
- As staff liaisons to several boards and commissions, staff participated in 20 public meetings with the Plan Commission, four meetings with the Board of Zoning Appeals, 11 meetings with the Appearance Review Commission and two meetings with the Greenhouse Gas Ad Hoc Working Group.

- During the 11 meetings with the Appearance Review Commission, 17 petitions were reviewed in the C-1 and C-2 Commercial Zoning Districts. Some of the notable petitions included: signage and/or architectural reviews for Floor & Decor, 96 S. Waukegan Road; Shake Shack, 560 Waukegan Road; Deerfield Square Residential Apartments, 728 Waukegan Road (former Barnes & Noble); Garfield's Beverage Warehouse, 57 Waukegan Road; Jewett Park Renovations, Phase 2; Office of State Senator Julie Morrison, 400 Lake Cook Road; Doctors of Physical Therapy, 190 Waukegan Road; and Lake Cook Crossing by Continental Properties (former REVA Development). Five additional sign packages were approved administratively under the new procedures during this reporting period.
- Staff assisted Kirby Limited Partnership (728 Waukegan Road) in becoming the second grant recipients of the Village's Business Facade Rebate Program. In June, the Village Board approved their proposal to receive a 50% rebate for their building and site improvements. Later, Staff assisted the Owners of 806-808 Waukegan Road (Walter Tailor & Cherry Pit Cafe) in becoming the third grant recipients of the Program. They received an approval from the Village Board for 50% of their building improvements in August. Both projects are currently under construction and will receive funding upon completion. Staff is currently working with other interested businesses, including Marshall Mall, and will continue administering the Program in 2024.
- Staff managed the scheduling of two downtown banner poles, including the addition of four new designs. The Harvest Fest and DAHS Fall Fest banners were updated to reflect changes in the events. New Family Days and spring banners were created by staff and will be on display in 2024.

### **Conclusion**

Enclosed with this memo are additional work statistics for the Planning Division and a summary of the Deerfield single-family residential real estate market compared to Highland Park and Northbrook. A complete listing of the Plan Commission petitions is also attached as Appendix A.

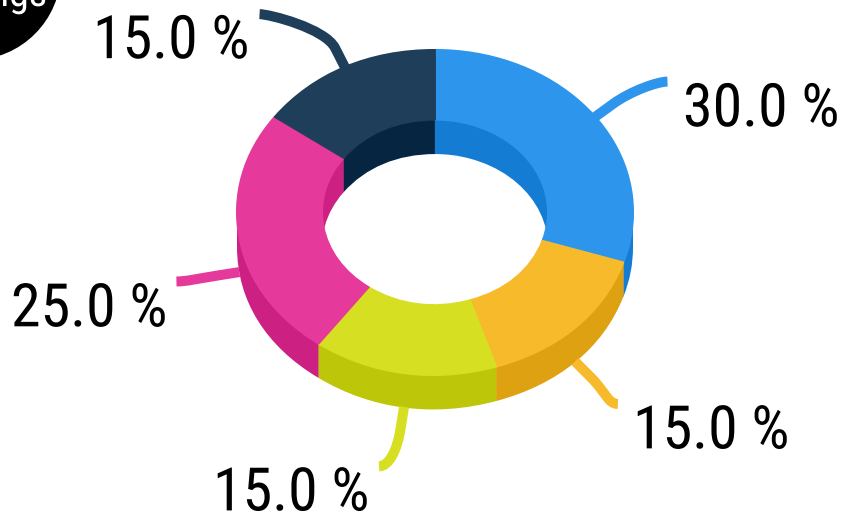
Andrew Lichterman, Assistant Village Manager / Director of Community Development, will be present at the December 18 Village Board meeting to summarize the report and answer questions.

# PLANNING DIVISION

Planning ties together the Village's growth with the goal of helping create a healthy, well developed community. The Planning Division reviews and analyzes all land development plans for the Village including subdivisions, special uses, annexations, re-zonings and planned unit developments. Planning staff members work with the public, including residents and developers, to help them understand the development process and the zoning rights associated with a specific parcel of land. In 2023 there were 20 public meetings.

## 2023 Plan Commission Petitions

20 Public Meetings

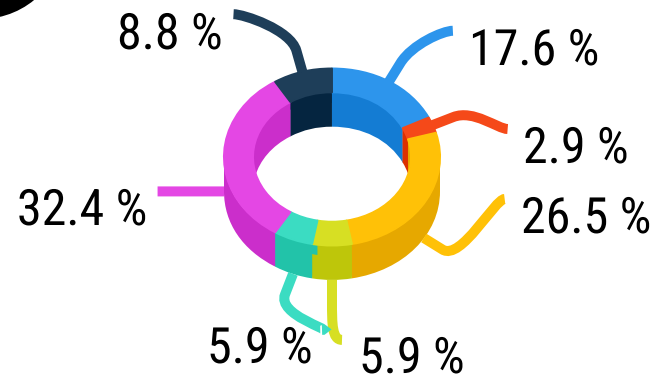


- Planned Unit Development/ Amendments
- Text Amendments
- Special Use
- Miscellaneous
- Special Use Amendments

Note: For a complete listing of Plan Commission petitions see Appendix A

## 2022 Plan Commission Petitions

20 Public Meetings



- Planned Unit Development/ Amendments
- Special Uses
- Substantial Conformance
- Miscellaneous
- Resubdivisions
- Special Use Amendments
- Text Amendments

# COMMISSIONS

## Appearance Review Commission



**The Appearance Review Commission (ARC) has jurisdiction within the Village Center boundaries (downtown Deerfield), C-2 Outlying Commercial District, and the newly created C-4 Entertainment and Limited Retail Business District.** Any exterior changes which would require a building permit or a deviation from an approved Planned Unit development need a certificate of approval issued by the ARC, including changes to building façades, sites, landscaping, and signs.

## Board of Zoning Appeals



## Greenhouse Gas Reduction Working Group



Appendix A

2023 Breakdown of Planning Petitions

Meeting Date	Petition	Special Use (SU)	Planned Unit Development/Amendment	Amend Special Use	Text Amendment (TA)	Resubdivision	Finding of Substantial Conformance	Miscellaneous	Public Hearing	Workshop Meeting
1/12/2023	Text Amend Drive-Thru in Village Ctr, Special Use Shake Shack, Outdoor Seating Area & Menu Board, 560 Waukegan Road	1			1				1	
1/12/2023	Amend Rosebud Restaurant Special Use			1					1	
1/26/2023	None-Document Approval									1
3/1/2023, 4/27/2023, 5/11/2023	Annexation, Rezoning, Planned Unit Development on Baxter Property		1		1			1	2	1
3/9/2023 4/20/23	New C-4 District Rezoning, Text Amendment to Comp. Plan and Zon. Ordinance				2			1	1	1
4/20/2023 5/25/2023	Amend Jewett Park Special Use - Phase 2 Renovations			1					1	1
4/20/2023 5/25/2023	Amend Tennaqua Special Use - Amend Master Plan			1					1	1
6/14/2023	None - Doc Approval									1
7/13/2023	None - Doc Approval									1
8/24/2023 9/28/2023	728 Waukegan - Amend Planned Unit Development, Special Use, PUD	1	2						1	1
9/14/2023	Floor Decor Special Use & Amend PUD	1	1						1	
9/28/2023	Continental Development, Planned Unit Development, Amend Deerbrook PUD			2	1					1
10/12/2023	Portillo's Drive-Thru Menu Board							1	1	
10/26/2023	None - Document Approval									1
Totals		3	6	3	5	0	0	3	10	10

# 2023 Residential Real Estate - At a Glance

The major attributes of the Deerfield housing market are consistent with those of Highland Park and Northbrook. Inventory remains extremely limited and market prices are relatively stable and strong. Deerfield has the shortest market time of all communities (35 day average). Similarly, Deerfield has the shortest amount of days that it takes for a seller to receive a contract from the time they place their home on the market (21 day average). This equates to 1.4 months of supply, which is similar and consistent among all three communities. Notably the inventory of homes is almost half of what it was two years ago and a sixth of what it was in 2020. **In conclusion**, it is my observation that the external forces affecting the housing market are hitting all three communities equally and there is nothing unique that is adversely impacting the Deerfield residential housing market. In summary, the residential housing market performed strongly over the last 12-months. Indicators include stable median sales prices and low inventory. External forces such as interest rates and inflation are expected to impact housing prices over the coming year but other factors such as low inventory will work to mitigate the downward price pressures.

	 <b>Deerfield</b>	 <b>Highland Park</b>	 <b>Northbrook</b>
<b>Sales Price (Median)</b> %Change	<b>\$519,500</b> -1.0%	<b>\$650,000</b> 2.4%	<b>\$540,000</b> 4.7%
<b>Homes for Sale</b> %Change	<b>37</b> -9.8%	<b>68</b> -19.0%	<b>82</b> -29.3%
<b>Market Time (Average Days)</b> %Change	<b>35</b> -2.8%	<b>57</b> 16.3%	<b>46</b> -4.2%
<b>Listing to Contract (Average Days)</b> %Change	<b>21</b> 0.0%	<b>40</b> 21.2%	<b>27</b> -3.6%
<b>Months Supply of Homes for Sale</b> % Change	<b>1.4</b> 27.3%	<b>2.0</b> 25.0%	<b>1.5</b> -11.8%
<b>Percent of Original Price (Average)</b> % Change	<b>98.9</b> 0.4%	<b>97.1</b> -2.2%	<b>97.9</b> -0.2%
<b>Price per Square Footage (Median)</b> % Change	<b>\$244</b> 5.2%	<b>\$250</b> -2.7%	<b>\$245</b> 3.4%

The above information is based on a twelve-month rolling average, where applicable, ending as of November 2023.

Source: Multiple Listing Service - Illinois