

**VILLAGE OF DEERFIELD
LAKE AND COOK COUNTIES, ILLINOIS**

ORDINANCE NO. 0-13-45

**AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN
FOR A MULTI-FAMILY RESIDENTIAL APARTMENT DEVELOPMENT
AT 1525 LAKE COOK ROAD AS AN AMENDMENT TO THE WEINBERG
COMMUNITY PLANNED UNIT DEVELOPMENT
(AMLI DEERFIELD)**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this**

7th day of October, 2013.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
7th day of October, 2013.**

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WHEREAS, PPF AMLI Lake Cook Road, LLC (the “Petitioner”), the future owner and developer, and JFMC Facilities Corporation, the current owner, of a 6.069 acre tract of property legally described on Exhibit A attached hereto and commonly known as 1525 Lake Cook Road (the “Subject Property”), has petitioned the Plan Commission of the Village of Deerfield for: (1) a text amendment to allow a multi-family apartment development as part of an industrial planned unit development in the I-1 Office, Research and Restricted Industrial District; (2) an amendment to Sections 4.3 and 4.8 of the Comprehensive Plan of the Village of Deerfield to allow for multi-family rental apartments south of Lake Cook Road; and, (3) approval of a Special Use authorizing the AMLI Deerfield multi-family apartment planned unit development on the Subject Property as an amendment to the Weinberg Community Planned Unit Development comprising the Subject Property and other property described on Exhibit C, all in the I-1 Office, Research and Restricted Industrial District, (i) a modification to the requirements of the Zoning Ordinance to allow a building height of 48 feet, (ii) a modification to reduce the front yard parking lot setback from 100 feet to 60 feet, (iii) a modification to reduce the side yard parking lot setback from 50 feet to 5.5 feet from the east side property line, (iv) a modification to reduce required length of the exterior parking stalls on the east, north and west sides of the building

from 19 feet to 18 feet, (v) a modification to reduce the required width of the garage parking stalls from 9 feet to 8.5 feet, (vi) a modification to allow a second building identification sign; (vii) a modification to allow ground signage within the north perimeter setback of the planned unit development as shown on the Final Development Plan documents listed on Exhibit B; (ix) a modification to waive the requirement of wheel stops for parking spaces; and (x) a modification to allow users of 1627 Lake Cook Road to use up to 35 parking spaces on the west row of parking during daytime working hours; and

WHEREAS, the Plan Commission of the Village of Deerfield held a public hearing on March 14, 2013 to consider said Zoning Ordinance text amendment, Comprehensive Plan amendments and Preliminary Development Plan for the AMLI Deerfield multi-family apartment planned unit development, said hearing being held pursuant to public notice and conforming in all respects, in both manner and form, with the requirements of the statutes of the State of Illinois and the Zoning Ordinance of the Village of Deerfield, and submitted its written report to the Board of Trustees of the Village of Deerfield recommending approval of: (1) a text amendment to allow a multi-family apartment development as part of an industrial planned unit development in the I-1 Office, Research and Restricted Industrial District; (2) amendments to Sections 4.3 and 4.8 of the Comprehensive Plan of the Village of Deerfield to allow for multi-family rental apartments south of Lake Cook Road; and, (3) approval of a Special Use authorizing the AMLI Deerfield multi-family apartment planned unit development on the Subject Property as an amendment to the Weinberg Community Planned Unit Development comprising the Subject Property and other property described on Exhibit C, all in the I-1 Office, Research and Restricted Industrial District, including modifications to the requirements of the Zoning Ordinance to allow: (i) a building height of 48 feet, (ii) reduction of the front yard parking lot setback from 100 feet

to 60 feet, (iii) reduction of the side yard parking lot setback from 50 feet to 5.5 feet from the east side property line, (iv) reduction of the required length of the parking stalls on the east, north and west sides of the building from 19 feet to 18 feet, (v) a modification to reduce the required width of the garage parking stalls from 9 feet to 8.5 feet, (vi) a modification to allow a second building identification sign; (vii) a modification to allow ground signage within the north perimeter setback of the planned unit development as shown on the Final Development Plan documents listed on Exhibit B; (ix) a modification to waive the requirement of wheel stops for parking spaces; and (x) allowing users of 1627 Lake Cook Road to use up to 35 parking spaces on the west row of parking during daytime working hours; and

WHEREAS, the President and Board of Trustees of the Village of Deerfield concurred with the recommendation of the Plan Commission to approve the Preliminary Development Plan submitted by the Petitioner for approval of the AMLI Deerfield multi-family apartment development as an amendment to the Weinberg Community Planned Unit Development in the I-I Office, Research and Restricted Industrial District, including said Zoning Ordinance text amendment, Comprehensive Plan amendments and zoning modifications; and

WHEREAS, the Plan Commission of the Village of Deerfield has considered Petitioner's proposed Final Development Plan for the AMLI Deerfield multi-family apartment development of the Subject Property pursuant to Article 12.09-F, Paragraph 3, of the Zoning Ordinance of the Village of Deerfield, including a final plat of subdivision for said development; and,

WHEREAS, the Plan Commission of the Village of Deerfield, after considering Petitioner's proposed Final Development Plan for the Subject Property, including Petitioner's proposed final plat of subdivision, has submitted its written report to the Board of Trustees of the

Village of Deerfield finding that the Final Development Plan is in substantial conformance with the previously approved Preliminary Development Plan and recommending that said Final Development Plan and final plat of subdivision be approved to permit the AMLI Deerfield multi-family apartment development as an amendment to the Weinberg Community Special Use Industrial Planned Unit Development of the Subject Property in the I-1 Office, Research and Restricted Industrial District in accordance with the documents comprising the AMLI Deerfield Final Development Plan listed on Exhibit B attached hereto, which Exhibit B is hereby incorporated and made a part of this Ordinance as if fully set forth herein; and,

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in the recommendation of the Plan Commission and have determined that it is in the best interests of the Village of Deerfield that the text of the Zoning Ordinance be amended as provided hereinto allow a multi-family apartment development as part of an industrial planned unit development in the I-1 Office, Research and Restricted Industrial District;

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in the recommendation of the Plan Commission and have determined that it is in the best interests of the Village of Deerfield that Sections 4.3 and 4.8 of the Comprehensive Plan of the Village of Deerfield be amended as provided herein to allow for multi-family rental apartments south of Lake Cook Road; and,

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in the recommendation of the Plan Commission and are of the opinion that said Final Development Plan and final plat of subdivision for the AMLI Deerfield multi-family apartment development is in substantial conformance with the previously approved Preliminary Development Plan and preliminary plat of subdivision and should be approved as an amendment to the Weinberg

Community Special Use Industrial Planned Unit Development of the Subject Property in the I-1 Office, Research and Restricted Industrial District to authorize and permit the construction, development and use of the AMLI Deerfield multi-family apartment development in accordance with the documents comprising the AMLI Deerfield Final Development Plan listed on Exhibit B attached hereto, and in accordance with the evidence and supporting materials submitted by the Petitioners, which are incorporated herein and made a part hereof by this reference, including certain modifications to the requirements of the Deerfield Zoning Ordinance as specified herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DEERFIELD, LAKE AND COOK COUNTIES, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION 1: That the above and foregoing recitals, being material to this Ordinance, are hereby incorporated by this reference and made a part of this Ordinance as if fully set forth herein.

SECTION 2: That Article 6.01-C (Special Uses) of Article 6 of the Zoning Ordinance of the Village of Deerfield, as amended, be and the same is hereby further amended to add the following as Paragraph 22 thereof:

22. Multi-Family Rental Apartment Community.

A multi-family rental apartment community as part of an Industrial Planned Unit Development of 20 acres or more which contains assisted living units and is located south of Lake Cook Road on a parcel of 5 acres or more, which may include the following accessory and ancillary uses operated primarily for the benefit of the community residents.

- a. Clubhouse
- b. Fitness center
- c. Business center/internet café
- d. Multipurpose party/meeting rooms
- e. Management office
- f. Swimming pool
- g. Parking structure

h. Similar uses

SECTION 3: That the third paragraph of Section 4.3 (“Lake Cook Road Corridor”) of the Comprehensive Plan of the Village of Deerfield heretofore adopted on October 4, 2004 be and the same is hereby amended to read as follows:

4.3 Lake Cook Road Corridor

The land uses along the Lake Cook Road corridor are primarily office and commercial in nature. Most of the parcels along the south side of the corridor are large-scale retail or office developments that serve the region as major employment centers. These developments are set back from Lake Cook Road, allowing substantial landscaping along the Lake Cook Road frontage. The Village’s development policy is to reserve land south of Lake Cook Road for non-residential uses. The primary rationale for this policy is to promote a sense of community among residents through the sharing of common school districts. However, certain institutional and non-traditional residential uses that are not expected to generate a significant number of school children may be compatible with non-residential uses in the area. Examples of such uses include hotels, extended stay lodging facilities, residential assisted living facilities for the elderly, continuing care retirement communities, and luxury multi-family rental apartment communities. Such uses may be considered on a case by case basis as Special Uses in a Planned Unit Development where the compatibility of such uses with surrounding uses can be evaluated under Planned Unit Development approval criteria.

SECTION 4: That the paragraph 1 (“Limited Uses”) paragraph 2 (“Undesirable Uses”) of Section 4.8 (“South of Lake Cook Road”) of the Comprehensive Plan of the Village of Deerfield heretofore adopted on October 4, 2004 be and the same are hereby amended to read as follows:

4.8 South of Lake Cook Road

1. **Limited Uses.** The location of this property between a regional arterial and an expressway, bounded by a stormwater management facility and the Tollway, limits its development potential to those uses compatible with such physical barriers. These would include the following:

- Corporate offices
- Institutional uses
- Professional offices
- Light industrial uses

- Institutional and non-traditional residential uses that are not expected to generate a significant number of school children and which are otherwise found to be compatible with surrounding uses as indicated in Section 4.3 above of this Comprehensive Plan.

2. Undesirable Uses. The Village strongly desires to contain and strengthen the existing business districts and to prevent strip commercial development from occurring along Lake Cook Road. To protect the residential uses to the north, commercial or retail uses are not recommended. Traditional residential uses are not recommended because of the location of this area between two very heavily traveled routes. In addition, the residents of this area would be effectively isolated from the rest of the Village by Lake Cook Road and by the fact that they would be served by Northbrook schools, the Northbrook fire protection districts, and various Cook County agencies. However, institutional and non-traditional residential uses that are not expected to generate a significant number of school children, and which are otherwise found to be compatible with surrounding uses as indicated in Section 4.3 above, may be considered in this location as a means to revitalize and strengthen the Lake Cook Corridor.

SECTION 5: That the President and Board of Trustees do hereby find that the Final Development Plan for the AMLI Deerfield multi-family apartment development, including the final plat of subdivision, fully complies with the requirements and standards set forth in Article 6.01-C, Article 12.09 and Article 13.11 of the Zoning Ordinance of the Village of Deerfield, as amended.

SECTION 6: That the President and Board of Trustees do hereby authorize and approve the Final Development Plan for the AMLI Deerfield multi-family apartment development, including the final plat of subdivision, as a Special Use of the Subject Property in the I-1 Office, Research and Restricted Industrial District and as an amendment to the Weinberg Community Industrial Planned Unit Development, to the extent provided herein, including the modifications authorized in Section 7 of this Ordinance, and subject to the conditions, regulations and restrictions set forth in Section 8 of this Ordinance.

SECTION 7: The following modifications of the regulations established in the Zoning Ordinance of the Village of Deerfield for the I-1 Office, Research and Restricted Industrial

District are hereby authorized for the construction, development, and use of the AMLI Deerfield multi-family apartment as a Special Use Industrial Planned Unit Development of the Subject Property in conformance with the Final Development Plan hereby authorized and approved:

- (i) a modification to the requirements of the Zoning Ordinance to allow a building height of 48 feet,
- (ii) a modification to reduce the front yard parking lot setback from 100 feet to 60 feet,
- (iii) a modification to reduce the side yard parking lot setback from 50 feet to 5.5 feet from the east side property line,
- (iv) a modification to reduce required length of the parking stalls on the east, north and west sides of the building from 19 feet to 18 feet,
- (v) a modification to reduce the required width of the garage parking stalls from 9 feet to 8.5 feet,
- (vi) a modification to allow a second building identification sign;
- (vii) a modification to allow ground signage within the north perimeter setback of the planned unit development as shown on the Final Development Plan documents listed on Exhibit B;
- (ix) a modification to waive the requirement of wheel stops for parking spaces; and
- (x) a modification to allow users of 1627 Lake Cook Road to use up to 35 parking spaces on the west row of parking during daytime working hours.

SECTION 8: That the approval and authorization of said Final Development Plan and final plat of subdivision for the AMLI Deerfield multi-family apartment development as a Special Use of the Subject Property in the I-1 Office, Research and Restricted Industrial District, and as an amendment to the Weinberg Community Industrial Planned Unit Development heretofore approved as a Special Use of the Subject Property, is granted subject to the following conditions, regulations and restrictions:

- A. That the construction, development, maintenance and use of the Subject Property shall be substantially in accordance with the documents, materials and exhibits

comprising the Final Development Plan for the Subject Property attached hereto and made a part hereof as Exhibit B.

Compliance with all representations submitted and made by the Owner to the Plan Commission and to the President and Board of Trustees of the Village of Deerfield.

- C. Execution and delivery of a Development Agreement and an Impact Fee Agreement, each substantially in the form of the drafts of such documents listed on Exhibit B, and compliance with the terms and conditions thereof.

SECTION 9: That this Ordinance, and each of its terms, shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should: (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law; or, (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Deerfield that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 10: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 7th day of October, 2013.

AYES: Benton, Farkas, Jester, Nadler, Seiden, Struthers

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED this 7th day of October, 2013.



Village President

ATTEST:



Village Clerk