

VILLAGE OF DEERFIELD  
LAKE AND COOK COUNTIES, ILLINOIS

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ORDINANCE NO. 0-15-16

AN ORDINANCE APPROVING THE TAYLOR JUNCTION TOWNHOMES  
RESIDENTIAL PLANNED UNIT DEVELOPMENT, THE REZONING OF  
PROPERTY AT 836 CHESTNUT STREET TO THE R-5 GENERAL  
RESIDENCE DISTRICT, A ZONING TEXT AMENDMENT TO ALLOW  
A RESIDENTIAL PUD OF LESS THAN ONE ACRE AND AN  
AMENDMENT TO THE VILLAGE COMPREHENSIVE PLAN

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

15th day of June, 2015.

Published in pamphlet form  
by authority of the President  
and Board of Trustees of the  
Village of Deerfield, Lake and  
Cook Counties, Illinois, this  
15th day of June, 2015.

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LAKE AND COOK COUNTIES, ILLINOIS**

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**WHEREAS**, Jacobs Venture II, LLC (the “Petitioner”), the owner and developer of a 0.9 acre parcel of property legally described on Exhibit A attached hereto and commonly known as 824-836 Chestnut Street (the “Subject Property”), has petitioned the Plan Commission of the Village of Deerfield for: (i) an amendment to Article 12.02-D of the Zoning Ordinance of the Village of Deerfield to allow a residential planned unit development of less than one (1) acre in size in the R-5 General Residence District; (ii) an amendment to the Village Comprehensive Plan to designate a portion of the Subject Property (836 Chestnut Street) for multi-family development; (iii) rezoning of a portion of the Subject Property (836 Chestnut Street) to the R-5 General Residence District; (iv) approval of a special use authorizing the proposed Taylor Junction townhome development as Residential Planned Unit Development of the Subject Property in the R-5 General Residence District, including certain modifications of the regulations established in the Zoning Ordinance of the Village of Deerfield; and (v) approval of a Final Development Plan for the Taylor Junction townhome Residential Planned Unit Development (the “Project”), in accordance with the Final Development Plan authorized pursuant to this Ordinance; and

**WHEREAS**, the Plan Commission of the Village of Deerfield held a public hearing on February 12, 2015 and February 26, 2015 to consider Petitioner's application for said zoning ordinance text amendment to allow a residential planned unit development of less than one (1) acre in size in the R-5 General Residence District, to rezone a portion of the Subject Property as R-5 General Residence District, to approve a special use authorizing the proposed Taylor Junction townhome development as Residential Planned Unit Development of the Subject Property, to approve an amendment to the Village Comprehensive Plan designating a portion of the Subject Property for multi-family development, and to approve a preliminary development plan for the Project as Special Use Residential 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

**WHEREAS**, the Plan Commission previously submitted its written report to the Board of Trustees of the Village of Deerfield recommending approval of: (i) a text amendment to Article 12.02-D of the Zoning Ordinance of the Village of Deerfield allowing a residential planned unit development of less than one (1) acre in size in that part of the R-5 General Residence District bounded by Deerfield Road, Forest Avenue, Walnut Street and Chestnut Street; (ii) an amendment to the Village Comprehensive Plan to designate a portion of the Subject Property for multi-family development; (iii) rezoning a portion of the Subject Property to the R-5 General Residence District; (iv) approval of a special use authorizing the proposed Taylor Junction townhome development as Residential Planned Unit Development of the Subject Property in the R-5 General Residence District, including certain modifications of the regulations established in the Zoning Ordinance of the Village of Deerfield; and, (v) approval of a the preliminary development plan for

the Project as a Residential Planned Unit Development, subject to presentation and approval of a final development plan in substantial conformance therewith; and

**WHEREAS**, the President and Board of Trustees of the Village of Deerfield concurred in the recommendation of the Plan Commission and determined that it is in the best interests of the Village of Deerfield that the Comprehensive Plan of the Village of Deerfield be amended as provided herein to designate a portion of the Subject Property (836 Chestnut Street) for multi-family development so that the entire Subject Property is designated for multi-family development pursuant to the Comprehensive Plan of the Village of Deerfield; and,

**WHEREAS**, the President and Board of Trustees of the Village of Deerfield concurred in the recommendation of the Plan Commission and determined that it is in the best interests of the Village of Deerfield that the text of Article 12.02-D of the Zoning Ordinance of the Village of Deerfield be amended to allow a residential planned unit development of less than one (1) acre in size in that portion of the R-5 General Residence District bounded by Deerfield Road, Forest Avenue, Walnut Street and Chestnut Street; and

**WHEREAS**, the President and Board of Trustees of the Village of Deerfield concurred in the recommendation of the Plan Commission and determined that it is in the best interests of the Village of Deerfield that a portion of the Subject Property (836 Chestnut Street) be rezoned to the R-5 General Residence District; and,

**WHEREAS**, the President and Board of Trustees of the Village of Deerfield concurred in the Plan Commission recommendation and approved the preliminary development plan for the Taylor Junction townhome development on March 16, 2015, including certain modifications of the regulations established in the Zoning Ordinance of the Village of Deerfield, subject to the subsequent presentation and approval of a final development plan in substantial conformance with

the approved preliminary development plan; and

**WHEREAS**, the Petitioner has now petitioned the Plan Commission for approval of a final development plan for the Project pursuant to Article 12.09-F, Paragraph 3, of the Zoning Ordinance of the Village of Deerfield, and

**WHEREAS**, the Plan Commission has submitted its written report to the Board of Trustees of the Village of Deerfield finding that the final development plan for the Project is in substantial conformance with the preliminary development plan heretofore approved by the Board of Trustees and recommending that the Board of Trustees approve the final development plan for the Taylor Junction townhome development project pursuant to Article 12.09-F, Paragraph 3, of the Zoning Ordinance of the Village of Deerfield, as a Special Use Residential Planned Unit Development of the Subject Property; and

**WHEREAS**, the President and Board of Trustees of the Village of Deerfield concur with the finding and recommendation of the Plan Commission that the final development plan for the Project is in substantial conformance with the preliminary development plan heretofore approved by the Board of Trustees and should be approved pursuant to Article 12.09-F, Paragraph 3, of the Zoning Ordinance of the Village of Deerfield, as a Special Use Residential Planned Unit Development of the Subject Property in the R-5 General Residence District;

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 12.09-D (Minimum Size of Site) of Article 12 of the Zoning

Ordinance of the Village of Deerfield, as amended, be and the same is hereby further amended to read as follows:

12.02-D Minimum Size of Site

1. Except as provided in subparagraph 2, the minimum gross area of one (1) acre shall be required of each site for consideration of a Planned Unit Development in the R-5 General Residence District.
2. The minimum gross area of 0.9 acre shall be required of each site for consideration of a Planned Unit Development in that part of the R-5 General Residence District bounded by Deerfield Road, Forest Avenue, Walnut Street and Chestnut Street.

**SECTION 3:** That the Future Land Use Plan contained as Figure 3.1 of the Comprehensive Plan of the Village of Deerfield adopted on October 4, 2004 be and the same is hereby amended to show the entire Subject Property as Multi-Family Residential.

**SECTION 4:** That the Zoning Map of the Village of Deerfield, as amended, be and the same is hereby further amended to reclassify and rezone that portion of the Subject Property commonly known as 836 Chestnut Street as R-5 General Residence District so that the entire Subject Property described shall be zoned as R-5 General Residence District.

**SECTION 5:** That the President and Board of Trustees do hereby find that the Taylor Junction Townhome Development fully complies with the requirements and standards set forth in Article 4.05-C, Paragraph 8, 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 Taylor Junction Townhome Development as a Special Use Residential Planned Unit Development of the Subject Property in the R-5 General Residence District, including certain modifications of the regulations established in the Zoning Ordinance of the Village of Deerfield as provided in Section 7 of this Ordinance, 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 R-5 General Residence District are hereby authorized for the construction, development, and use of the Taylor Junction townhome development as a Special Use Residential Planned Unit Development of the Subject Property in conformance with the Final Development Plan hereby authorized and approved:

- A. A modification to allow the following structures to be located in the north perimeter setbacks of this development including: the new building located 20.49 feet from the north property line, the new patio located 13.5 feet from the north property line, the new privacy screen 12.5 feet from the north property line, and one air conditioning unit as shown on the final site plan.
- B. A modification to allow the following structures to be located in the south perimeter setback of this development including: the new building located 20.5 feet from the south property line, the new patio located 13.5 feet from the south property line, the new privacy screen located 14.5 feet from the south property line, and two air conditioning unit as shown on the final site plan..
- C. A modification to allow the following structures to be located in the east perimeter setback of this development including: the new building located 25.0 feet from the east property line, the new balcony located 17.5 feet from the east property line, the new stairs located 15.0 feet from the east property line, and one air conditioning unit as shown on the final site plan.
- D. A modification to allow the following structures to be located in the west perimeter setback of this development including: the new building located 30.84 feet from the east property line, the new balcony and patio located 24.0 feet from the east property line and two air conditioning units as shown on the final site plan.
- E. A modification to allow a monument sign to located 3 feet from the front property line as shown on the site plan.

**SECTION 8:** That the approval and authorization of said Final Development Plan for the Taylor Junction Townhomes Development as a Special Use of the Subject Property in the R-5 General Residence District is granted subject to the following additional 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.

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.

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**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 15th day of June, 2015.

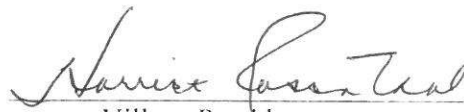
AYES: Farkas, Jester, Shapiro, Seiden, Struthers

NAYS: None

ABSENT: Nadler

ABSTAIN: None

APPROVED this 15th day of June, 2015.

  
Village President

ATTEST:

  
Village Clerk