

PLAN COMMISSION
Village of Deerfield
Agenda
July 8, 2021 5:00 PM
Workshop Videoconference Meeting Via Zoom

Please click the link below to join the meeting via Zoom video:

<https://deerfieldil.zoom.us/j/89540116962?pwd=d0hvTk9WVTFvOWxtSDBrUDRZWFBQQT09>

Passcode: q807R5.E

or follow the dial-in instructions below to join for audio only:

Dial: 1-312-626-6799 or 1-646-558-8656

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Public hearings and meetings are currently being held virtually due to Section 7(e) of the Open Meetings Act. Please be advised that if, prior to the scheduled public hearing date, Governor Pritzker rescinds, or does not extend, his current disaster declaration, the Village will be required to conduct the public hearing in the traditional in-person format only, at Village Hall, 850 Waukegan Road, Deerfield, IL 60015. This will be the only notice of the hearing, and where and how the hearing will be conducted. Information regarding the location of the public hearing and instructions for participating in the public hearing will be posted on the Village's website (www.deerfield.il.us) and will include updates as needed. Please contact the Community Development at (847) 719-7484 for confirmation of meeting location.

Anyone wishing to share thoughts about 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 e-mails received during the meeting will be read during the second public comment period before the end of the meeting. We ask that you keep your emailed response 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." The Plan Commission typically does not immediately respond to public comments or engage in open dialogue, but we are actively listening to your comments. Thank you for your understanding of these guidelines.

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 Executive Order 2020-59 issued by the Governor, the number of attendees that may attend the meeting at Village Hall is limited. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a "first come, first-served" basis.

Public Comment on a Non-Agenda Item

WORKSHOP

Document Approval

1. 740 Waukegan Road, Suite 103 Egg Harbor Special Use Recommendation
2. 405 Lake Cook Road Suite A1 Jimmy Thai Restaurant Outdoor Eating Area Recommendation
3. June 24, 2021 Plan Commission Meeting Minutes

Items from the Commission

Items from the Staff

Designation of Representative for the next Board of Trustees Meeting

Public Comment

Adjournment

RECOMMENDATION

TO: Mayor and Board of Trustees

FROM: Plan Commission

DATE: June 24, 2021

RE: Request for Approval of a Special Use to Permit the Establishment of a Restaurant in Suite 103 (former Josh's Hot Dogs space) at 740 Waukegan Road (Kirby Limited Partners and Egg Harbor Cafe)



VILLAGE OF DEERFIELD

Application History

Public Hearing Publication Date: June 3, 2021

Planning Commission Public Hearing Date: June 24, 2021

Zoning Actions

The Deerfield Plan Commission is conducting a Public Hearing to consider an application from Kirby Limited Partnership, applicant and owner of Suite 103 (former Josh's Hot Dogs space) in the 740 Waukegan Road building in the Shops at Deerfield Square. Kirby Limited Partnership is seeking the following zoning actions

1. A Class B Special Use to allow a 3,900 square foot restaurant plus approximately 300 square foot outdoor dining area to be located in Suite 103 at 740 Waukegan Road.

We transmit for your consideration a recommendation adopted by the Plan Commission of the Village of Deerfield on the request of the petitioners for a Special Use to permit the establishment of a restaurant located at 740 Waukegan Road, Suite 103. The Plan Commission held a public hearing on June 24, 2021. At that public hearing, the petitioners presented testimony and documentary evidence in support of the request. A copy of the public hearing minutes is

attached. In support of its request, the Plan Commission makes the following findings of fact and conclusions:

FINDINGS OF FACT

Subject Property

The subject property consists of the Deerfield Square Development which is bounded by Deerfield Road to the north, Waukegan Road to the east, Osterman Avenue to the south and the railroad tracks to the west, specifically building # 4, the four story office building with commercial space on the first floor and offices above. The proposed location is the former Josh's Hot Dog restaurant space on the first floor of the west end of the four story office building. The property is zoned C-1 Village Center District and was approved as a commercial PUD. Ten (10) buildings make up the Deerfield Square development. Vehicular access to the subject property is at three signalized intersections (two on Deerfield Road and one on Waukegan Road) and at the Robert York Avenue and Osterman Avenue intersection, and at secondary access points along Osterman Avenue. The setbacks, access points, lot coverage, open space, site landscaping, parking lot lighting, sign criteria, and storm water management for this Planned Unit Development were previously approved.

Proposed Plan

The petitioners are proposing to establish a restaurant known as Egg Harbor Cafe at 740 Waukegan Road, Suite 103 (former Josh's Hot Dog restaurant space). The proposed Egg Harbor Cafe table service restaurant will serve breakfast and lunch only and will be approximately 3,900 square feet, plus an approximately 300 square foot outdoor dining patio. The existing outdoor patio is located northwest of the restaurant building and is fully enclosed by 3' 6" high removable railings that match the other railing in Deerfield Square. The petitioner will make any necessary repairs and paint the existing railing used to enclose the outdoor seating area. The railing will match the existing table and chairs in the outdoor seating area. Any umbrellas used in the outdoor seating area cannot contain signage.

The restaurant will be open from 7:00AM to 2:00PM daily with the restaurant's peak hours of operation from 10:00AM to 1:00PM on Saturdays and Sundays. The restaurant will have 20-25 employees present at any given time and employ a total of 35-40 persons. The restaurant is closed on Thanksgiving and Christmas Day.

Please see the petitioner's material for a detailed description of the proposed Egg Harbor Cafe to be located at 740 Waukegan Road, Suite 103.

Zoning Conformance

The proposed use is a Special Use in the C-1 Village Center District pursuant to Article 5.01-C,2,a,(3). Attached are the Special Use criteria.

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 (1) parking space for each 60 square feet of gross floor area and carry-out restaurants require one (1) parking space for each 120 square feet of gross floor area. The proposed restaurant would require a

total of 69 parking spaces based on the projected 95% dine-in and 5% carry-out and proposed outdoor seating area (61.75 parking spaces for the sit-down: $3,900 \text{ square feet} \times .95 = 3,705 / 60 = 61.75 \text{ spaces}$, plus 1.625 parking spaces for the carry out: $3,900 \times .05 = 195 / 120 = 1.625 \text{ spaces}$ for the carry out, $61.75 \text{ sit-down} + 1.625 \text{ carry-out} = 63.375 = 64 \text{ spaces}$ for the sit-down and carry-out). Outdoor seating areas are counted in the parking requirement unless it is determined that outdoor seating areas should not be included in the parking requirement. When the 300 s.f. outdoor seating area is including in the area of the restaurant, then 5 parking spaces ($300/60 = 5 \text{ parking spaces}$) would be required for a total of 69 spaces for the property (64 for the interior restaurant and 5 for the outdoor seating area = 69 spaces). If the space were all retail, then a total of 20 spaces would be required ($3,900/200 = 19.5 = 20 \text{ spaces}$) as retail requires one (1) parking space per 200 square feet of gross floor area.

The petitioner's consultant (KLOA) conducted a parking study for the proposed Egg Harbor Cafe restaurant (dated June 9, 2010). The parking survey was conducted on Friday, May 21, 2021 and Saturday, May 22, 2021 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 tables indicate that the parking lots peak at 12:30 PM on a Friday with 404 parking spaces occupied, which is approximately 46 percent of the available parking supply, not including the underground parking spaces. Peak parking demand on Saturday at Deerfield Square occurred at 1:00 PM with 364 parking spaces occupied or 42 percent of the available parking supply. The study notes that the results of the parking occupancy survey were compared to previous counts conducted in 2016.

The study took a conservative approach by opting to use the required 70 parking spaces as determined by the Village ordinance for peak parking demand versus the Institute of Transportation Engineers (ITE) Parking Manual, 5th Edition which would calculate peak demand at 48 parking spaces on a Friday and 52 parking spaces on a Saturday. Table 3 on page 6 summarizes the half-hourly distribution of parking demand for the Egg Harbor Café restaurant. Tables 5A (page 11) and 5B

(page 12) show the hourly distribution of parking demand for Deerfield Square, taking into account the existing demand as determined from parking counts and adjustments to the existing parking demand to account for normal (non-COVID) conditions as well as existing vacant retail space and the proposed Egg Harbor Café restaurant. The study concludes that the peak parking demand at Deerfield Square did not exceed 46 percent of the available parking and the parking supply will be adequate in accommodating the total projected parking demand generated by full occupancy of Deerfield Square and parking projected to be generated by the Egg Harbor Café restaurant.

The owners of Deerfield Square have implemented a parking plan that requires all Deerfield Square employees to park in designated areas to the west of 711 Deerfield Road building and the middle portion of the main parking lot of the shopping center. The Egg Harbor Café employees would be required to park in the designated employee parking areas. The office building employees currently park in the underground garage to allow as much surface parking for customers as possible.

Wall Signage

Deerfield Square has an approved sign criteria (attached) that the petitioners are required to follow. The petitioners propose to follow the sign criteria for Deerfield Square. The Appearance Review Commission (ARC) will have to approve the exterior wall signs, and the other proposed exterior changes to the building for Egg Harbor Cafe.

Following the June 24, 2021, the petitioner indicated that they plan to change the signage for all the first floor tenants of the 740 building and Egg Harbor's signage will be part of this future package. The property owner will hold a separate public hearing on this matter.

Municipal Code

Since the June 24, 2021 Plan Commission meeting, the petitioner has indicated that Egg Harbor will seek a liquor license to serve alcohol in the restaurant and in the outdoor seating area.

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 access to outdoor seating areas are gained from the interior of the restaurant. The petitioner's floor plan indicates that access to the outdoor seating area will be from the interior of the restaurant and the outdoor seating areas will be fully enclosed. The petitioner has indicated that they will comply with the Village's Liquor Control Ordinance.

CONCLUSIONS

Compatible with Existing Development

The Plan Commission finds that the proposed Egg Harbor restaurant will be compatible with existing development and should not impede the orderly development and improvement of surrounding properties. The Plan Commission finds that the restaurant will be an amenity to the shopping center and to the Village. They find that the restaurant is a good and appropriate use of the property and will be compatible with the existing development in the area. The Plan Commission finds the restaurant will not have an adverse impact on surrounding properties. The Plan Commission believes that the use of this space with a restaurant use is appropriate especially since this space has previously operated as a restaurant.

The Plan Commission does not find traffic and parking will be adversely impacted by the proposed restaurant as discussed in the parking and traffic sections of the recommendation below. The Plan Commission has not reviewed the petitioner's sign plan, but believes the property owner has a pretty good track record regarding the appearance of this property and would bring forth an appropriate

proposal for the Egg Harbor just as they had done for the previous tenant in this building.

Lot of Sufficient Size

The Plan Commission finds the subject property is of sufficient size for the proposed use. The Plan Commission finds the property is suitable for the proposed use and will not create a negative impact on surrounding properties.

Traffic

The Plan Commission finds that the proposed use should not create traffic problems on the subject property and should not have an adverse impact on surrounding properties. They find the traffic generated by the proposed restaurant will not have an adverse impact on traffic in the area. The proposed use should not significantly increase traffic volumes in the area. No changes to the parking lot layout will be made for the proposed Egg Harbor Cafe restaurant.

Parking and Access

The Plan Commission finds that parking will be adequate for the proposed restaurant and they believe the proposed restaurant should not create a parking problem in the area. The petitioners have conducted a parking study for the proposed restaurant that demonstrates there is adequate parking available at Deerfield Square during a weekday and weekend peak time. The study indicated the peak parking demand is at 12:30 PM on a Friday with 404 parking spaces occupied, which is approximately 46 percent of the available parking supply, not including the underground parking spaces. Peak parking demand on Saturday occurred at 1:00 PM with 364 parking spaces occupied or 42 percent of the available parking supply. The access points to the existing parking lots at Deerfield Square will not be changed for the proposed restaurant.

Effect on Neighborhood

The Plan Commission finds the proposed restaurant should not be significantly or materially detrimental to the health, safety, or welfare of the public or injurious to the other property or improvements in the neighborhood nor should it diminish or impair property values in the surrounding area. The Plan Commission finds the proposed use will not have an adverse impact on surrounding properties. The Plan Commission finds that the restaurant will be a good use for this space and will be an asset to the shopping center and the Village. The Plan Commission finds that the outdoor seating area planned for this restaurant is appropriate and well planned.

Adequate Facilities

Adequate facilities (utilities, access roads) will be provided on the subject property.

Adequate Buffering

The Plan Commission finds that the existing buffering on the subject property is adequate.

Not Injurious to the Character of the C-1 Village Center District as a Retail Center

The Plan Commission finds the proposed Egg Harbor restaurant should not be injurious to the character of the C-1 Village Center District as retail center. The Plan Commission finds the proposed location is a good location for the proposed restaurant use. The restaurant will also generate sales tax for the Village. The Plan Commission finds the restaurant fits well in this location.

RECOMMENDATION

Accordingly, it is the recommendation of the Plan Commission that the petitioner's request for a Special Use to permit the establishment of an Egg Harbor Cafe restaurant in Suite 103 at 740 Waukegan Road, be approved.

Ayes: (5) Bromberg, Goldstone, Keefe, Stolman, Berg

Nays: (0) None

Respectfully submitted,
Larry Berg, Chairman
Deerfield Plan Commission

RECOMMENDATION

TO: Mayor and Board of Trustees

FROM: Plan Commission

DATE: June 24, 2021

RE: Request for Approval of an Amendment to the Deerfield Park Plaza Planned Unit Development and a Special Use to establish an outdoor seating area for Jimmy Thai Restaurant at 405 Lake Cook Road, Suite A1 in Deerfield Park Plaza Shopping Center



VILLAGE OF DEERFIELD

Application History

Public Hearing Publication Date: June 3, 2021

Planning Commission Public Hearing Date: June 24, 2021

Zoning Actions

The Deerfield Plan Commission is conducting a Public Hearing to consider the following zoning action from Mosaic Properties and Development LLC, applicant and property owner of 405 Lake Cook Road, Suite A1 and Jim Seriruk (Jimmy Thai restaurant business owner) for:

1. An amendment to the Deerfield Park Plaza Planned Unit development to allow for site plan changes and a Special Use for an outdoor seating area.
-

We transmit for your consideration a recommendation adopted by the Plan Commission of the Village of Deerfield on the request of the petitioners for an amendment to the Deerfield Park Plaza Planned Unit Development and a Special Use to permit the establishment of an outdoor patio at Suite A1 at 405 Lake Cook Road. The Plan Commission held a public hearing on June 24, 2021. At that public hearing, the petitioners presented testimony and documentary evidence in support of the request. A copy of the public hearing and pre-filing conference minutes is attached. In support of its request, the Plan Commission makes the following findings of fact and conclusions:

FINDINGS OF FACT

Subject Property

The subject property is known as Deerfield Park Plaza Shopping Center. It is zoned C-2 Outlying Commercial District and is a commercial Planned Unit Development.

Surrounding Land Use and Zoning

North: (across Lake Cook Road) C-2 Outlying Commercial District and I-2B Limited Industrial District, Kleinschmidt and 420 Building

South and East: C-2 Outlying Commercial District, Deerbrook Shopping Center

West: (across railroad tracks) P-1 Public Lands District and C-2 Outlying Commercial District - Metra commuter rail station, Home Depot, McAlister's Deli Restaurant, and the former Peapod.

Proposed Plan

The petitioners are requesting approval of a permanent 800 square foot outdoor seating area for the Jimmy Thai restaurant located at 405 Waukegan Road, Suite A1 in Deerfield Park Plaza Shopping Center. The existing 3,800 square foot restaurant is located at the north end of the 405 Lake Cook Road building along the internal westbound cross access road that connects Deerfield Park Plaza and Deerbrook Shopping Center. The petitioner received approval of a 800 square foot temporary outdoor seating area pursuant to Resolution No. 2020-R-20-15 which authorized and directed Village personnel to temporarily permit Food and Beverage Establishments additional flexibility and not necessarily strictly enforce otherwise-applicable provisions of the Municipal Code and the Zoning Code to facilitate Food and Beverage Service Establishments to more easily provide Outdoor Service during the COVID-19 emergency. The resolution is in effect and has been extended through resolution R-21-14 (approved June 8, 2021) until the end of the year 2021.

The temporary outdoor eating area is at the north building wall and constructed with brick pavers and enclosed with alternating planters and layers of brick (to form a wall). The outdoor seating area is seasonal and open during the restaurant's operating hours when the weather is ideal. The petitioner would like to make the temporary outdoor seating area a permanent amenity for the

restaurant. The temporary outdoor seating area has 6 black wrought iron tables (with black wrought iron chairs) and will seat approximately 15 people. The petitioner's material indicates that planters and brick layers serve as a visual safety feature that delineates the customer eating area from vehicular traffic. The proposed outdoor seating area would remain in its current location, adjacent to the north building wall of the restaurant. No umbrellas are being proposed for the outdoor seating area.

The petitioners have indicated that in late fall, winter, the outdoor furniture will be removed from the patio and stored in the vacant suite next to the petitioner's space. The furniture displayed in the pictures submitted by the petitioners is the furniture that they are currently utilizing and will continue to use if this Special Use is approved. There will be a trash receptacle in the outdoor seating area.

The petitioner has indicated that no alcohol will be served in the outdoor seating area. The petitioner has provided pictures of the temporary outdoor seating area in their materials.

Zoning Conformance

The petitioners are requesting an amendment to the Deerfield Park Plaza Planned Unit development to allow for site plan changes and a Special Use for an outdoor seating area. The petitioners are seeking approval to permanently close a portion of a landscaped area at their north building wall and repurpose the area for the installation of a permanent outdoor seating area. The Special Use Criteria is attached.

Outdoor seating areas require Special Use approval when the restaurant is over 3,000 square feet in area (the existing restaurant is 3,800 square feet). Other restaurants with outdoor seating areas (with no alcohol sales) approved by the Village include Menchies, MOD Pizza and Baja Fresh(now Noodles and Company). The petitioners are seeking approval of a Special Use for the proposed outdoor seating area for Jimmy Thai Restaurant at 405 Lake Cook Road, Suite A1.

The Following Parking Section Is For Background Information Only

Parking for Deerfield Park Plaza is shared among all the users of the shopping center. A total of 554 spaces are required for the various uses in the shopping center.

Proposed Jimmy Thai Outdoor Eating Area: 800 s.f. = 14 spaces.

Jimmy Thai Restaurant: 3,800 s.f. = 63.33 spaces.

Goddard School (10,325 s.f.): 33 parking spaces required when using the parking requirement of one parking space for each 10 students and one parking space for each teacher/employee.

Retail Uses: $46,172/200 = 230.86$ spaces.

Deerfield Park District Sachs Rec Center: Requires 49.3 parking spaces ($148/3 = 49.3$).

Barking Lot Facility (15,814 square feet): 24 spaces required when using the parking requirement of one (1) parking space per employee on the premises plus one (1) parking space for each ten (10) animals boarded.

PNC Bank: $3,475/200 = 17.37$ spaces.

Office Uses: $19,667/250 = 78.66$ spaces (includes 8,000 s.f. Secretary of State office use).

Taco Vida Restaurant: 1,068 s.f. = 13.35 spaces.

Dunkin Donuts & Baskin Robbins Restaurant: 3,396 s.f. = 29.71 spaces.

Total Required Spaces: 554 (553.58) spaces are required for Deerfield Park Plaza. Outdoor seating areas are counted in the parking requirement unless it is determined that outdoor seating areas should not be included in the parking requirement. Staff has estimated that approximately 14 parking spaces would be required if the outdoor seating area is included in the parking count.

Parking provided at Deerfield Park Plaza: The Deerfield Park Plaza PUD property currently has a total of 668 parking spaces including 27 handicapped parking spaces.

Access

The existing vehicular access points to the Deerfield Park Plaza PUD will not change as a result of the proposed outdoor seating area. The main signalized

access point is on Lake Cook Road and there are two access points to Deerbrook Shopping Center, one at the north end by Jewel and the Panera restaurant for westbound traffic only and one at the south end near the Goddard School that has full cross-access between both properties.

Signage

The petitioner is not proposing any signage for the outdoor seating area.

Appearance Review Commission

The Appearance Review Commission (ARC) will review the outdoor seating area and any other exterior modifications at their June 28, 2021 meeting.

CONCLUSIONS

Compatible with Existing Development

The Plan Commission finds that the proposed outdoor seating patio will be compatible with existing development and should not impede the orderly development and improvement of surrounding properties. The Plan Commission finds that the proposed outdoor seating area will be a nice amenity to the shopping center. It will help to activate this area of the shopping center. They find the proposed outdoor seating area is a good and appropriate use of the property and will be compatible with the existing development in the area. The combined sidewalk and landscaped area used for this outdoor eating area are wide enough to adequately accommodate an outside seating area for the restaurant and not impact other pedestrians at this area of the center.

Lot of Sufficient Size

The Plan Commission finds the subject property is of sufficient size for the proposed use. The Plan Commission finds that the property is suitable for the proposed use and will not create a negative impact on surrounding properties.

Traffic

The Plan Commission finds that the proposed use will not create any traffic problems on the subject property and should not have an adverse impact on surrounding properties. The outdoor seating area will be an amenity for the customers who are coming to the store. The proposed outdoor seating area should not significantly increase traffic volumes in the area. The Plan Commission did raise the comment to the petitioner to be diligent on keeping adequate signage in place to let vehicular traffic know that the cross-access is only for westbound traffic coming from Deerbrook shopping center and not for vehicular traffic going east from the Deerfield Park Plaza shopping center into Deerbrook shopping center. Proper signage will keep vehicular traffic to a minimum at this area of the shopping center adjacent to the Jimmy Thai restaurant outdoor eating area.

Parking and Access

The Plan Commission finds that parking will be adequate for the outdoor seating area. They find the addition of an outdoor seating for this restaurant will not create a parking problem in the area.

The access points to this commercial PUD development will not be changed as a result of the proposed outdoor seating area.

Effect on Neighborhood

The Plan Commission finds the proposed outdoor seating should not be significantly or materially detrimental to the health, safety, or welfare of the public or injurious to the other property or improvements in the neighborhood nor should it diminish or impair property values in the surrounding area. The Plan Commission finds the proposed use will not have an adverse impact on surrounding properties. The Plan Commission finds that the patrons of the restaurant will find the outdoor seating area a nice amenity to the restaurant and bring activity to this area of the shopping center.

Adequate Facilities

Adequate facilities (utilities, access roads) will be provided on the subject property.

Adequate Buffering

The Plan Commission believes that the existing buffering on the subject property is adequate.

RECOMMENDATION

Accordingly, it is the recommendation of the Plan Commission that the Jimmy Thai restaurant's request for a Special Use to permit the establishment of an outdoor seating area and an amendment to the Planned Unit Development, be approved.

Ayes: (5) Bromberg, Goldstone, Keefe, Stolman, Berg

Nays: (0) None

Respectfully submitted,
Larry Berg, Chairman
Deerfield Plan Commission

**PLAN COMMISSION
VILLAGE OF DEERFIELD
Minutes**

The Plan Commission of the Village of Deerfield called to order a Remote Public Hearing and Workshop Meeting via Zoom at 7:30 P.M. on June 24, 2021.

Present were: Larry Berg, Chairman
 Al Bromberg
 Jennifer Goldstone
 Bill Keefe
 Kenneth Stolman

Absent were: Blake Schulman

Also present: Jeff Ryckaert, Principal Planner
 Dan Nakahara, Planner
 Andrew Lichterman, Assistant Village Manager/Director of Community
 Development

Chairman Berg reported that pursuant to 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.

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 be 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; a limited number of 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 will 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. Ryckaert reported that there were no emails received on a non-agenda item. Mr. Nakahara reported that there were no requests for public comment on Zoom. Mr. Lichterman reported that there was no one present at Village Hall for public comment.

PUBLIC HEARING

1) Public Hearing on the Request for Approval of a Special Use to Establish a Restaurant in Suite 103 at 740 Waukegan Road (Kirby Limited Partners and Egg Harbor Cafe)

Chairman Berg swore in all who plan to testify before the Commission.

Mr. Ryckaert reported that the legal notice for this matter was published in the Deerfield Review on June 3, 2021, and that proof of certified mailing has been received.

The petitioners included Chris Siavelis of Kirby Limited Partners representing Deerfield Square Shopping Center, Luay Aboona with KLOA and Graham Hallen with Egg Harbor.

Mr. Siavelis reported that they are requesting a Class A Special Use for a 3500 square foot table service restaurant, Egg Harbor Café, in the former Josh's Hot Dogs space. He shared the site plan and pointed out the space in the shopping center. He stated that the space has been leased by Egg Harbor subject to zoning and preliminary floor plan approval. Egg Harbor is an established local based restaurant founded in 1985. There are 20 locations in three states including Illinois, Wisconsin and Georgia. Egg Harbor is open 7 A.M. to 2 P.M. seven days a week serving breakfast and lunch only and peak time is 11 A.M. to 1 P.M. Mr. Siavelis stated that all signage will comply with the requirements. Mr. Siavelis reported that based on the most recent parking counts for the center, the projected parking demand for Egg Harbor can easily be accommodated. He added that this space has been a restaurant in the past and Egg Harbor being in this location will help activate the plaza and the center as a whole. He stated that all Special Use criteria have been met and satisfied and this use is not harmful in any way.

Mr. Aboona reported that KLOA conducted a parking study for the shopping center which included parking counts every 30 minutes from 7 A.M. to 5 P.M. for the entire parking lot on a Friday and Saturday. The restaurant serves breakfast and lunch only and there is no impact past 4 P.M. Mr. Aboona stated that they compared new data to data from previous parking studies in the center to ensure that the data was representative given the ongoing pandemic and they made necessary adjustments to reflect this. They also considered vacancies in the shopping center and the soon to be opened One Medical office. They made projections for the generated parking for those spaces. Overlaying this with the Village parking requirements, results show that parking will be adequate for Egg Harbor and there will be around 30 percent of parking available during the peak hour of 12:30 P.M.

Commissioner Bromberg commented that he thinks this is a good use and asked if this means that Rhapsody will be leaving the center. Mr. Siavelis replied that Rhapsody has been searching for a new space and they have not made a final decision. He added that this is a perfect location for Egg Harbor which is a well-established locally based concept with a very low risk of failure. The space has restaurant infrastructure in place and has been vacant for over two years. This use will also help other tenants of the center and will generate more foot traffic.

Mr. Nakahara reported that the petitioners have been working with the Appearance Review Commission (ARC) on signage and will meet the ARC at a future date.

Commissioner Goldstone asked if they plan to add benches outside for wait times. Mr. Siavelis replied that there are currently 12 benches on the plaza as well as a 300 square foot outdoor

seating area. Mr. Hallen added that Egg Harbor has implemented a new waiting system in the past year that has successfully reduced the amount of people waiting for tables. In the new system patrons can join the wait list from home and see their projected seating time. This has enabled Egg Harbor locations to reduce the amount of people waiting.

There was no public comment on this matter.

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 Goldstone to approve the request for approval of a Special Use to establish a restaurant in Suite 103 at 740 Waukegan Road (Kirby Limited Partners and Egg Harbor Cafe). The motion passed with the following vote.

Ayes: Bromberg, Goldstone, Keefe, Stolman, Berg (5)

Nays: None (0)

Mr. Ryckaert reported that this matter will go before the Board of Trustees on July 19, 2021.

2) Public Hearing on the Request for Approval of an Amendment to the Deerfield Park Plaza Planned Unit Development and a Special Use to Establish an Outdoor Seating Area for Jimmy Thai Restaurant at 405 Lake Cook Road, Suite A1 in Deerfield Park Plaza Shopping Center (Mosaic Properties and Jimmy Thai Restaurant)

Chairman Berg swore in all who plan to testify before the Commission.

Mr. Ryckaert reported that the legal notice for this matter was published in the Deerfield Review on June 3, 2021, and that proof of certified mailing has been received.

The petitioners for this matter were Jimmy Thai owner Jim Seriruk and Deerfield Park Plaza co-owner David Dresdner.

Mr. Dresdner reported that they are seeking approval for a Special Use for an outdoor picnic area outside of Jimmy Thai restaurant in Deerfield Park Plaza. Mr. Seriruk stated that the picnic area is used in addition to the current dine-in area. It is a small outdoor area with seating for 15 and is used for carryout only. It has not been very busy so far this year and has been used primarily by families with children. He added that they are meeting with the ARC the following week (June 28th). Mr. Dresdner stated that the outdoor seating area is a nice amenity for the center and the community. It is an improvement over the small plot of grass that was there previously. He stated that the parking lot traffic adjacent to the patio is one way traffic heading west which makes the patio a safe and user friendly amenity.

Commissioner Bromberg confirmed that there have been no changes to the plans since the Prefiling Conference and that the picnic area has been working out well so far.

Commissioner Goldstone asked about how they plan to ensure that the outdoor area is kept clean. Mr. Seriruk reported that he has a staff member who brings food out for curbside pickup and is also responsible for cleaning the outdoor tables and making sure garbage is removed and sanitizer is available. This staff member frequently checks on the customers as well even though it is intended for picnicking and carryout service. He stated that the business tries to be service oriented. Mr. Seriruk stated that there is an existing large garbage can there and they are working with the ARC on the aesthetics of the outdoor area.

Chairman Berg confirmed that traffic in that area of the parking lot is westbound only and asked if there is signage indicating this because some cars seem to still cut through and head east. Mr. Dresdner replied that there is signage there and at the access to Deerbrook Mall and that anyone going east would know they are violating the protocol.

There was no public comment on this matter.

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 stated that she supports the outdoor seating area. All commissioners agreed. Commissioner Bromberg stated that he will defer to the ARC in terms of the barrier between the patio area and the parking lot. He commented that people who drive the wrong way in the parking lot know exactly what they are doing.

Commissioner Bromberg moved, seconded by Commissioner Stolman to approve the request for approval of an amendment to the Deerfield Park Plaza Planned Unit Development and a Special Use to establish an outdoor seating area for Jimmy Thai Restaurant at 405 Lake Cook Road, Suite A1 in Deerfield Park Plaza Shopping Center (Mosaic Properties and Jimmy Thai Restaurant). The motion passed with the following vote.

Ayes: Bromberg, Goldstone, Keefe, Stolman, Berg (5)
Nays: None (0)

Mr. Nakahara reported that this matter will go before the Board of Trustees on July 19, 2021.

3) Public Hearing on the Request for Approval of a Special Use for a Martial Arts Studio at 656 Deerfield Road (Bensenville Associates, LLC, owner and Premier Martial Arts)

Chairman Berg stated that the petitioners have requested a new Public Hearing date. Mr. Ryckaert stated that the new Public Hearing date will be July 22, 2021.

WORKSHOP MEETING

1) Prefiling Conference on the Request for a Preliminary Plat of Resubdivision located at 1210 Gordon Terrace in a Planned Residential Development

The petitioner for this matter was property developer Mike DeMar. Mr. DeMar stated that he is developer of Samantha's Way in Deerfield. He commented that he and his team had a great time developing Samantha's Way and it has afforded them a dozen other homes in Deerfield. He stated that they enjoy working with the Village building department. Mr. DeMar reported that they are under contract for the lot at the corner of Gordon and Willow. They would like to subdivide it into two lots of the same size which will match all of the lots around that whole block. They will cut the existing lot in half to subdivide it. To do this they will need to vacate an existing setback as it will become the side lot. The new lots will be 10,800 square foot lots, 90 feet wide by 120 feet deep.

Chairman Berg asked if they will be asking for any other relief in developing the lots. Mr. DeMar replied that no, they will conform to all requirements in building the new homes. Chairman Berg confirmed that the existing lot is under contract subject to approval of subdividing. Mr. DeMar replied that they will close on the property at preliminary approval.

Commissioner Bromberg commented that the memo states that there is a home on the existing lot that will be torn down, however it has already been torn down several months ago. He stated that he suspected that this lot would be subdivided into two lots, and he has no issues or concerns with it.

Commissioner Goldstone asked Mr. DeMar if he has discussed this plan with the neighbors. Mr. DeMar replied that the neighbor next door to the west has been informed and that a neighbor down the street plans to build on one of the lots. Commissioner Goldstone suggested that all neighbors be made aware of the plans and the changes in setbacks. Mr. DeMar added that this will make all four corners of that square block the same.

Chairman Berg suggested that Mr. DeMar have drawings or other visuals of the subdivision plan for the Public Hearing.

Commissioner Keefe asked if there any concerns about drainage on the lots. Mr. DeMar replied that they will add underground storm water storage for each home with overflow restrictors into the Village storm sewer. Mr. DeMar commented that Village staff has been very responsive, knowledgeable and great to work with on these plans.

Commissioner Stolman asked about tree removal for the new homes. Mr. DeMar replied that they will replace three trees that will be removed in the middle of the lot and are also able to save two large pine trees.

Mr. Ryckaert reported that the Public Hearing on this matter will be July 22, 2021.

Document Approval

1. May 27, 2021 Plan Commission Meeting Minutes

Commissioner Bromberg provided a correction to the minutes. Commissioner Bromberg moved, seconded by Commissioner Goldstone to approve the minutes with the correction provided. The motion passed with the following vote.

Ayes: Bromberg, Keefe, Goldstone, Stolman, Berg (5)
Nays: None (0)

Items from the Staff

Mr. Ryckaert reported on upcoming Plan Commission agenda items. The next meeting will be July 8, 2021 and will be document approval only.

Mr. Lichterman shared that the Village Board is discussing possibilities for meeting in-person for future meetings.

Public Comment

Mr. Ryckaert reported that there was no public comment received via email during the meeting. Mr. Nakahara reported that there were no requests for public comment on Zoom. Mr. Lichterman reported that there was no one present at Village Hall for public comment.

Adjournment

There being no further discussion, Commissioner Bromberg moved, seconded by Commissioner Goldstone to adjourn the meeting at 8:23 P.M. The motion passed the following vote.

Ayes: Keefe, Goldstone, Stolman, Bromberg, Berg (5)

Nays: None (0)

Respectfully Submitted,
Laura Boll