

**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 April 22, 2021.

Present were:           Larry Berg, Chairman  
                              Al Bromberg  
                              Elaine Jacoby  
                              Bill Keefe  
                              Blake Schulman  
                              Kenneth Stolman

Absent were:           Jennifer Goldstone

Also present:           Jeff Ryckaert, Principal Planner  
                              Dan Nakahara, Planner  
                              Benjamin Schuster, Associate Village Attorney  
                              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](mailto: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 is 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](http://www.deerfield.il.us/agendacenter).

### **Public Comment on a Non-Agenda Item**

Mr. Ryckaert reported that there were no emails received from the public on a non-agenda item. Mr. Nakahara reported that there was no one requesting 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 a Rezoning of the 525 Lake Cook Road Property; Text Amendments to the Deerfield Zoning Ordinance; a Special Use for an Essential Services Antenna Support Structure and a Front Yard Fence Over 3 Feet; and an Amendment to the ComEd Special Use for Other Improvements to the Property Located at 525 Lake Cook Road (Commonwealth Edison)**

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

Mr. Ryckaert reported that the legal notice for this matter was published in the Deerfield Review on April 1, 2021 and that proof of certified mailing has been received.

Darren Boundy, ComEd External Affairs Manager for Village of Deerfield presented improvement plans for the substation at 525 Lake Cook Road. He introduced Scott Saef, Attorney with Sidley Austin, Douglas Gotham, Landscape Architect, and Chris Collins, ComEd Project Manager.

Mr. Saef provided an overview of the plans. The substation enhancement program has several components which include the antenna support structure, the fence and fiber enclosures, as well as landscaping. None of the new structures will face north.

Mr. Saef stated that the antenna support structure will be 100 feet tall with a four foot lighting rod top for a total height of 104 feet. There are five small antennas attached to the sides of the pole. The antennas will communicate with radio sensors that are being deployed throughout the system around the Deerfield area. The structure communicates wirelessly to determine faults and improper variations in voltage.

Mr. Saef explained that the exterior fence upgrade is part of a national initiative to upgrade security at critical infrastructure sites including electrical substations. The national initiative comes out of presidential directive and is being implemented by electrical utilities across the country. It is further explained in the submitted written materials. The current fence is six feet in height with barbed wire on top. It will be upgraded to be a seven foot high chain link fence with Y shaped barbed wire on top. The eastern portion of the fence will have a bump out for the fiber enclosures. The fiber enclosures are located on the east side of the substation at a substantial setback distance. There will be three 240 square foot enclosures that house fiber optic equipment. These are being installed to implement the ComEd smart grid initiative. The enclosures support the fiber optic equipment for real time monitoring of circuits and to isolate faults in the system. There will also be a small battery enclosure added to provide backup power to run microprocessors and transformers. The backup battery is needed to keep the substation running in an outage. Although the historic setback will remain the same, a setback variation with the BZA is being requested for this enclosure and fencing due to the dedication of right of way for Lake Cook Road.

Next Mr. Saef displayed the site plan and pointed out the antenna, fencing and enclosures. He stated that the antenna maintains the required setback to the north and will be located 10 feet to the west of the existing control building. The fence will follow the existing fence line except for the bump out to the east for the battery enclosure with a 45 foot setback to the eastern property line.

Mr. Saef explained that they are also requesting rezoning of the site at this time. It is currently zoned R-1 which is a legacy zoning that results from an annexation of the site into Deerfield many years ago. They are proposing to rezone it via a text amendment to C-2 which is consistent with the surrounding property and the Village's Comprehensive Plan. Additionally, they are proposing a text amendment for a public utility structure for poles that relate to communications. It creates a definition for a free standing structure as a special use in the C-2 district. The text amendment would state that a public utility pole that relates to communications can exceed 35 feet and the exact height can be established in the approved Special Use for the specific site.

Mr. Saef showed a map image of the ComEd mesh network in the area. It conveys through dots on a map the existing radio sensors which communicate with antenna support structures. The antennas are connected by coaxial cable to control buildings where IT infrastructure is housed. This connects them to the ComEd command and control facility and creates a seamless network so that faults can be identified, and power can be rerouted when needed. For example, if a lightning strike takes a line segment out of service, this network can isolate this and reroute the power with a flicker. This is the central purpose of creating this seamless network. Mr. Saef pointed out the existing antenna facilities in the area. Each antenna has capacity to communicate with 40 to 50 sensors and ComEd is currently adding more sensors to the network. The purpose is to create the capacity so that the radio signals can all be received which will allow the system to function optimally. Mr. Saef stated that antenna structure will be a pole and will not have a rectangular style antenna like cell phone towers do.

Mr. Saef stated that at the Prefiling Conference the Commission had questions on the antenna height and asked for comparison heights of other structures in the area. Mr. Saef showed a slide to convey the location of the substation and the antenna along with equipment nearby and other tall structures. There are other ComEd distribution poles in the area that are 60 to 65 feet in height. Additionally, the water tower is 175 and a local cell tower 176 feet. Mr. Saef showed renderings of the antenna structure pointing out that it will be tapered and gray colored. The petitioners believe its visual impact is minimal compared to a building, water tower or cell tower. Mr. Saef added that ComEd is establishing a standardized antenna height of 104 feet with five antennas attached to it. Several of these antenna support structures are currently being implemented in the south and southwest suburbs and many more are being proposed throughout the north and northwest suburbs as well. He added that Northbrook has a different type of ComEd antenna that is 120 feet in height.

Mr. Saef reviewed the landscape plan. They plan to add screening along the north and east sides. It will be a two phase plan with the north side planted first. The landscaping provides a 10 foot buffer on this side. On the east side the Commission requested more year-round screening and they are now proposing a row of arborvitae trees. Mr. Gotham added that they are also proposing a hedge that would be 10 feet from the north side fence with mixed varieties of plantings which is best practice to protect against pests and diseases. He stated that all plantings will be 3 to 4 feet in height at the time of planting with a mature height of 8 to 10 feet which will be reached three to four years with the exception of the arborvitae which will exceed

10 feet and will provide a dense evergreen screening. They will also be preserving a grove of cottonwood trees and a row of trees on the south edge of the property. Mr. Gotham added that they will relocate the drainage swale that currently runs parallel to the east fence. The new storm water detention will be to the northeast of the fiber enclosures. And there will be one tree removed for the equipment being added.

Mr. Gotham showed images of the plants and renderings of the site with landscaping added from different perspectives. He pointed out the new row of arborvitaes and the antenna in the rear. He also pointed out that the top of the fiber enclosures would be visible past the landscape screening. Mr. Gotham stated that they will work with the Appearance Review Commission (ARC) to determine the color of the enclosures which will likely be a gray or green. Lastly, Mr. Gotham shared that they have been in contact with the neighboring shopping center co-owner who is concerned about the impact the landscaping might have on the driver visibility from Lake Cook Road of the shopping center's Dunkin Donuts. To address this concern they have developed an alternate landscaping plan to open up visibility for the Dunkin Donuts. They will take the Plan Commission's recommendation on the landscape plan submitted in the packet or this alternate plan. This concluded the petitioners' presentation.

Chairman Berg asked the Commissioners for their questions for the petitioners. Commissioner Stolman asked if the presentation was done with the assumption that the site would be rezoned to from R-1 to C-2. Mr. Saef replied that yes, they did anticipate this and followed C-2 setbacks and regulations. Commissioner Stolman asked why this site has maintained an R-1 zoning. Mr. Schuster replied that there has not been any occurrence over the years that has triggered a need for rezoning and that at this time the Village's legal counsel and staff recommended that the petitioners request rezoning as these types of facilities are not in the R-1 Single Family district. They want the site to be consistent with the property around it and with the zoning district. Mr. Schuster explained that it is currently R-1 because it was annexed into the Village and put into this district. The rezoning would be beneficial for the Village and it makes sense to do it at this time. Mr. Nakahara added that when an annexation takes place the land always comes into the Village zoned as R-1, the Village's most restrictive district. Commissioner Stolman added that he appreciates that the petitioners met with their neighbor from the shopping center next door. There were no further questions from the Commission.

Chairman Berg opened public comment on this matter. Mr. Nakahara read aloud a public comment email received.

#### Public Comment Email

"Darren, from ComEd met me at the site last week. I explained to him my concern about the planned landscaping obscuring the line of site to Dunkin Donuts for cars driving east on Lake Cook. As you know, Dunkin is very much an impulse purchase and the more visibility the better. This new landscaping plan addresses my concerns very well and as the only commercial owner affected by ComEd's project I support the project with this new plan. All my tenants suffered through a miserable period which is not yet over and only one of my tenants went out of business. I would like to keep that string going. I do appreciate Darren addressing my concerns so quickly and Dan walking me through this variance. I hope the Commission can understand my position as well.

Sincerely,

Sherwood Blitstein, Manager Lake Cook Plaza LLC"

Sherwood Blitstein also addressed the Commission from Village Hall. He stated that he is one of the owners of Deerfield Park Plaza shopping center next door to the ComEd site. He stated that he met with ComEd and the landscape architect at the site. He feels that the first landscape plan, as proposed, obscures the line of site going east under the Lake Cook Road viaduct and the height of the shrubbery will obscure the view of Dunkin Donuts while driving east. He is glad that ComEd put together an alternative landscape plan to address this and open up this area to make Dunkin Donuts more visible. He added that in all other aspects it is a great plan, and he likes the landscape density everywhere except for that corner because the more visible Dunkin Donuts is, the better it will do. He stated that Dunkin Donuts is the only neighbor of the site and the only commercial property affected and he would very much like for this corner to be opened up for visibility. Chairman Berg confirmed that Mr. Blitstein would support the modified landscape plan.

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 Jacoby stated that she is pleased that the neighboring property supports the revised landscape plan and is in favor of this plan. Commissioners Stolman and Bromberg agreed that they also support the alternative landscape plan.

Commissioner Schulman thanked the petitioners for addressing all previous questions from the Prefiling Conference in their presentation. He is also in favor of the alternative landscape plan.

Commissioner Keefe stated that it is very important to improve the electrical system in Deerfield he is also in favor of this project with the alternative landscape plan.

Commissioner Jacoby, seconded by Commissioner Bromberg moved to approve the request for a rezoning of the 525 Lake Cook Road Property; text amendments to the Deerfield Zoning Ordinance; a Special Use for an essential services antenna support structure and a front yard fence over three feet; and an amendment to the ComEd Special Use for other improvements to the property located at 525 Lake Cook Road (Commonwealth Edison), with the revised landscape plan presented. The motion passed with the following vote.

Ayes: Stolman, Bromberg, Jacoby, Keefe, Schulman, Berg (6)  
Nays: None (0)

Mr. Ryckaert reported that the documents come back to the commission for approval in May and this matter will go before the Board of Trustees on June 7, 2021.

**2) Public Hearing on the Request for a Text Amendment and Special Use to the I-1 Office Research Restricted Industrial District and an Amendment to a Special Use for 550 Lake Cook Road to Allow a Carryout Food Service (North Shore Sports and Wellness)**

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

Mr. Ryckaert reported that the legal notice for this matter was published in the Deerfield Review on April 1, 2021 and that proof of certified mailing has been received.

The petitioners for this matter were Mike Nekritz and Kent Sullens of The Felicity School and Tim Shepardson of ROCKS Restaurant Group.

Mr. Nekritz shared that he is the co-founder The Felicity School and North Shore Sports and Wellness which share use of the former Berto Center. They have been partners and been in Deerfield for almost ten years which has been a great home. Mr. Nekritz commented that one of the things that has made North Shore Sports and Wellness successful is the partnerships made with athletic teams and other groups. They would now like to add ROCKS Restaurant Group to that list of partners, and they see lots of synergy in this partnership. The owners of ROCKS have become friends and partners to The Felicity School and have volunteered and worked with students in the kitchen. Mr. Nekritz shared that the Berto Center facility was previously used as an event venue and the kitchen and supplies were left behind and the students have thoroughly enjoyed it. Almost all students have taken a culinary course and it has become a robust program. They would now like to offer carryout food for clients in the building and also prepare food for their other building, the Athletico Center in Northbrook. Mr. Nekritz stated that they see this as a very positive opportunity for their students to make money and feel confident in a safe environment. The students have been working to plan for this business opportunity and have come up with great marketing slogans including "Your Neighborhood ROCKS at Felicity" and "No Bull, Our Food ROCKS". Mr. Nekritz stated that there will be no changes to building and no signage. There will only be internal signs and signs to direct traffic flow. There will be no substantive change to kitchen area, but they will add food storage areas in low traffic areas. Mr. Nekritz added that the school day ends at 3 P.M. and some students will stay to work, and ROCKS staff will arrive at 3:30 P.M.. Students not working will not stay in the building. Regarding garbage, Mr. Nekritz stated that the building has two commercial-sized bins which are currently emptied once a week and they can easily add two or three pickups per week as needed. Lastly, there will no alcohol at all with the new food service business.

Mr. Nekritz displayed images of the new signs for the parking lot to specify parking for ROCKS carryout in the back of the building which usually remains fairly empty. He showed an image of the site and pointed out where food carryout as well as deliveries will take place. This entrance is also used during the day by students. Mr. Nekritz reported that they have changed the way people leave and enter the building during the Covid pandemic which has also improved traffic flow. People enter into gym through one entrance and exit out a side door, so that there is only one entrance and one exit. They will keep this process for food carryout. This has also helped clients to learn where to park and what the most efficient flow of traffic should be in the parking lot. Mr. Nekritz showed the inside floor plan and pointed out where the new food staging area and food storage area will be. There will no major changes to their building. Mr. Nekritz shared an image of the menu and concluded his remarks.

Tim Shepardson of ROCKS Restaurant Group shared that he started ROCKS in 2005 and has owned many restaurants. He commented that when this opportunity came to them they were very excited to embark on a new challenge while being able to help students learn new skills and prepare for life. He shared that the restaurant industry is one of the biggest employers in the country and this partnership can give the students experience in the industry before they go out into the world.

Commissioner Stolman commented that he supports this new venture as he is committed to the special needs community and believes that vocational services and programming is important in teaching life skills. He thanked them for providing this opportunity. All commissioners agreed. Chairman Berg added that it is truly exciting concept, and he also commends them.

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 Stolman to approve the request for a text amendment and Special Use to the I-1 Office Research Restricted Industrial District and an amendment to a Special Use for 550 Lake Cook Road to allow a carryout food service (North Shore Sports and Wellness). The motion passed with the following vote.

Ayes: Stolman, Bromberg, Jacoby, Keefe, Schulman, Berg (6)  
Nays: None (0)

Mr. Ryckaert reported that this matter will go before the Board of Trustees on June 7, 2021.

### **3) Public Hearing on the Request for a Special Use to Permit a Coworking Office Use at 807-811 Waukegan Road (Brick and Mortar)**

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

Mr. Ryckaert reported that the legal notice for this matter was published in the Deerfield Review on April 1, 2021 and that proof of notification has been received.

The petitioners for this matter were Andrew Nast and Adam Clabaugh, co-owners of Brick Mortar.

Mr. Nast provided an overview of coworking. Coworking is providing truly flexible office space that caters to many types of professionals. Pre-Covid their clients were lots of entrepreneurs and freelancers, but during and post-Covid they will cater to the masses of white collar professionals who do not frequent offices as often, and they believe they will be a staple in the community. Mr. Nast shared that they have one location in Park Ridge, and they would like for Deerfield to be the home of the second location of Brick and Mortar.

Mr. Nast walked through the layout and set up of the Park Ridge space stating that Deerfield's location will be similar. He stated that clients must purchase monthly or daily memberships to enter. Once a membership is purchased an electronic key card on a phone is used to enter. Clients enter into a vestibule and where there are mailboxes which are available for rent. Memberships include coffee, printing, and access to sit at a variety of desks, chairs, front windows which have café lounge style seating, conference rooms and offices throughout the space. Mr. Nast stated that they anticipate a tremendous amount of day passes to be used and fewer monthly memberships. Their space will bring people in from surrounding areas who will

patronize other downtown Deerfield businesses and services. Their members have a sense of community and like working among other people. Their members include entrepreneurs, real estate investors, attorneys, logistics professionals and more. They have also hosted business events including attorney meetings and a group of nurses completing continuing education. They believe this business will benefit other Deerfield businesses and be an asset to the community.

Commissioner Keefe asked if, given their 24 hour access for members, first responders have access to the facility in case a member had an emergency in the middle of the night in the space and it was locked. Mr. Nast replied that yes, there is a key box on the outside of the building that only first responders have access to. Members have electronic access only.

Commissioner Bromberg asked if there will be any bicycle storage equipment or bike racks for clients who wish to bike to the space. Mr. Nast replied that currently there is not, and it will depend on the final layout, but they hope add a bike rack near the back entrance.

Commissioner Bromberg commented that Deerfield has approved other 24 hour businesses including Planet Fitness, Dunkin Donuts and Walgreens and there have been no issues or problems with these.

Commissioner Bromberg commented that the Board of Trustees may have comments about not having a sales tax generating business on a first floor, but he thinks this is a good use and he supports the request.

Commissioner Stolman asked staff if there are other coworking office spaces in Deerfield. Mr. Ryckaert replied that there is one other called Regus located in the Corporate 500 Center.

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 Keefe to approve the request for a Special Use to permit a coworking office use at 807-811 Waukegan Road (Brick and Mortar). The motion passed with the following vote.

Ayes: Stolman, Jacoby, Keefe, Bromberg, Schulman, Berg (6)

Nays: None (0)

Mr. Ryckaert reported that this matter will go before the Board of Trustees on June 7, 2021.

## **WORKSHOP MEETING**

### **1) Final Plat of Resubdivision for 755 Kipling Place**

Commissioner Keefe recused himself from this matter.



Mr. Ryckaert explained that this agenda item is to approve the final plat for resubdivision which is the typical two-step process for resubdivisions including preliminary plat and final plat.

Property owner John Klytta stated that he would like to thank the Commission for their efforts in this process. He stated that there are no changes to the plat. The property will be divided down the middle to create two lots, each with a single-family home. They are not requesting any zoning relief and look forward to building two houses for two families on what is currently one lot. The home there is great looking, and he had high hopes to save it, but it has been so ravaged by the elements that it is too far beyond saving. He stated that this will be the best result for this parcel.

Commissioner Bromberg moved, seconded by Commissioner Jacoby to approve the final plat of resubdivision for 755 Kipling Place. The motion passed with the following vote.

Ayes: Schulman, Jacoby, Stolman, Bromberg, Berg (5)  
Nays: None (0)

### **Document Approval**

Commissioner Keefe returned to the meeting.

1. Short Term Rental Text Amendment Recommendation
2. April 8, 2021 Plan Commission Meeting Minutes

Commissioner Schulman moved, seconded by Commissioner Bromberg to approve the documents. The motion passed with the following vote.

Ayes: Jacoby, Stolman, Bromberg, Keefe, Schulman, Berg (6)  
Nays: None (0)

### **Items from the Staff**

Mr. Ryckaert reported on upcoming Plan Commission agenda items. The next meeting will be May 13, 2021.

### **Designation of Representative for the next Board of Trustees Meeting**

Commissioners Jacoby, Bromberg, Schulman and Chairman Berg will attend the Board of Trustees meeting on Monday, May 3, 2021.

### **Public Comment**

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

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### **Adjournment**

There being no further discussion, Commissioner Bromberg moved, seconded by Commissioner Jacoby to adjourn the meeting at 8:53 P.M. The motion passed the following vote.

Ayes: Bromberg, Schulman, Jacoby, Keefe, Stolman, Berg (6)

Nays: None (0)

Respectfully Submitted,  
Laura Boll