

**PLAN COMMISSION
VILLAGE OF DEERFIELD
Minutes**

The Plan Commission of the Village of Deerfield called to order a Public Hearing at 7:30 P.M. on June 28, 2018 at the Village Hall, 850 Waukegan Road, Deerfield, Illinois.

Present were: Larry Berg, Chairman
 Al Bromberg
 Sean Forrest
 Jennifer Goldstone
 Elaine Jacoby
 Justin Silva

Absent were: Stuart Shayman

Also present: Jeff Ryckaert, Principal Planner
 Daniel Nakahara, Planner
 Ben Schuster, Village Attorney

Chairman Berg swore in all who plan to testify before the Commission. He stated that all public comment speakers will be limited to three minutes of testimony so that can they can get to every person who wishes to speak. Chairman Berg also asked that if comments are repetitive to state agreement with testimony already given instead of repeating similar comments.

Public Comment on a Non-Agenda Item

Andrew Marwick of 442 Kelburn commented that after traveling to other countries, he sees a lack of planning and level of corruption in planning in this country. He commented about a fraudulent environmental impact statement related to the construction of a new freeway in Arizona. Mr. Marwick stated that Deerfield has a potential railway project with the addition of a stop between Glenview and Milwaukee on the Amtrak line. He noted that freight traffic has increased but there has not been an increase in Amtrak traffic even though there is plenty of capacity. Mr. Marwick also commented that he believes the Deerfield Village Board and Plan Commission are dragging their heels in planning around Lake Cook Road near the Home Depot location. He commented that many buildings in this area are obsolete and not viable for the long-term. He believes one to two thousand housing units should be planned by the Village to go there and there should be a long-term plan created for housing including workforce housing to address this. He commented that tonight's agenda item is a waste of time.

Bill Owen of 885 Heather stated that he would like to address the recent Elm Street proposal. He attended these meetings and was shocked to hear the developer call it a decaying neighborhood. He commented that there were people in the audience who were deeply saddened by this comment. Mr. Owen stated that at these meetings, Bill Vaananen and his wife and son spoke out against the proposal and he found their presentations compelling. He was also surprised that a developer from outside Deerfield wanted to take small parcel and cram so many housing units onto it. Mr. Owen commented that after this meeting, a lead news story was Bill Vaananen retiring as teacher in Northbrook and he was surrounded by kids. Mr. Owen commented that this is the type of person we should want to retain in Deerfield. The developer in this proposal then went before the Village Board and the Mayor with a new plan that was sent

back to the Plan Commission due to revisions to the plans. Mr. Owen commended the Village Board for their actions for agreeing not to approve any variances for this project.

PUBLIC HEARING

(1) **Public Hearing: Request for a Residential Planned Unit Development (PUD) with Necessary Exceptions: a Rezoning of 10 Deerfield Road from R-1 Single Family Residential to R-5 General Residence District; an Amendment to the Comprehensive Plan Future Land Use Map to Permit a Workforce Housing Development at 10 Deerfield Road (Zion Lutheran Evangelical Church, Brinshore Development LLC, and Housing Opportunity Development Corporation)**

Commissioner Silva reported that he is recusing himself in this matter due to a conflict related to prior business dealings with the Petitioner.

Chairman Berg asked for proof of publication from the petitioners. The petitioners provided the certified mailing receipts to the Commission. Mr. Ryckaert reported that the legal notice was published in the Deerfield Review on June 7, 2018.

Steve Friedland, Attorney with Applegate and Thorne-Thomsen stated that he is representing the petitioner in this matter. Zion Woods is a proposed 25 unit new construction, affordable housing development for families and disabled adults. The development is located on eight acres of vacant land owned by Zion Lutheran Church at 10 Deerfield Road. Half of the units will be marketed as workforce housing to target people who work in the area but cannot afford to live in Deerfield. The other half will be available for people with a disability who can live independently. It will be developed by Brinshore Development and Housing Opportunity Development Corporation (HODC), which is a not for profit organization. Brinshore has been developing affordable housing for 25 years and HODC has 30 years of experience in development as well as experience operating and managing this type of housing.

The development will consist of two, 2-story buildings around central landscaping and parking areas. One building will be 12 units and the other will be 13 units. There will be 13 one bedroom units, 7 two bedroom units and 5 three bedrooms. Mr. Friedland stated that they are requesting a rezoning of the subject property from R-1 Single Family to R-5 General Residential as well as a Residential PUD with certain exceptions and an amendment to the Village's Comprehensive Plan Future Land Use Map.

Mr. Friedland introduced Richard Koenig of HODC, Scott Goldstein of Teska Associates who prepared the property impact analysis, Mark Parrucci Architect with Eckenhoff Saunders, and Engineer Laura Shafer. Mr. Friedland reported that the petitioners presented the Village with their full zoning application materials including architectural plans, drainage and utility proposals, and studies including traffic impact study, fiscal impact report, market study, and property impact analysis, and are available to answer any questions from the Commission on these materials. They also provided detailed responses to the various standards.

Richard Koenig, Executive Director of Housing at HODC, reported that they were contacted by Zion Lutheran Church who asked them for a proposal after they had undergone a planning process and determined that they wanted to use the land that was currently unutilized to create a benefit to the community. They were seeking to find a developer to come in and build affordable housing for people from the community. The Church selected HODC and Brinshore

to work together on this development to help the church meet its needs and serve the community. Mr. Koenig indicated that the site, which is just over eight acres, has been unused. Mr. Koenig reported that their development process began several years ago and after an initial proposal, they underwent a long process of getting input from the neighborhood and revising the proposal several times. Mr. Koenig reported that they have had a great deal of communication with the neighbors and the pastor of the church has met one on one with many of the neighbors. After concerns about the development being too dense and too large, it was reduced from 48 to 25 units and from three to two buildings. They also lowered the rooflines, reduced the mass, added landscaped islands, changed the orientation of parking to be away from the neighbors, and added compensatory water storage to account for the river overflowing after excess rain, which will change what the flood plain looks like. Most of the site will continue to be open space except where the buildings will be placed. He added that they also changed the lighting and the trash enclosures in response to community input.

Mr. Koenig showed the proposed site plan pointing out the two proposed buildings and commenting that they wanted to reduce the impact on the neighbors and meet the goals of the Village's Comprehensive Plan. The Comprehensive Plan calls for high-quality construction and low-density housing to create a stable residential neighborhood with open space. Mr. Koenig stated that this is exactly what this development does. Mr. Koenig reported that they would use a local contractor that they have worked with before to ensure high-quality construction. He added that housing stock in the community costs much in excess of what this development will cost and they are trying to meet the Comprehensive Plan goal of providing varied housing stock while still being compatible with the neighborhood in density, scale and character.

Mr. Koenig reported that the architectural style has been revised significantly, there is now a mix of one, and two-story buildings that are not as dense and will have further setbacks. The proposed buildings will be 33 feet high even though 35 feet is allowed in R-5. He commented that typical developers ask to push the boundaries with height, setbacks and density and they are well within all requirements in their proposal. Mr. Koenig commented that in R-5 zoning, a site this size could fit over 100 units, however they are only seeking to build 25 units. He commented that their density would be between R-1 and R-2; however, they need to request R-5 because it is multi-family housing and this is the only zone, which allows this. He added that there will not be anything else additional asked for. Total floor area allowed with the existing zoning in R-1 would be 3,500 square feet house. He commented that by right on an 8 acre site, 19 units could be built, in which you would have almost 70,000 square feet of residential units, which goes up with R-2 and other categories. They are asking for a fraction of the floor area and square footage under any other zoning district.

Chairman Berg confirmed that they are utilizing the entire property in these calculations and not just the back part to be developed. Mr. Koenig added that they are requesting 7% lot coverage even though 35% lot coverage would be allowed, and although required setbacks would be 29 feet, their setbacks will be 150 feet from the west, 100 from the east, 350 feet from the south and 500 feet from the north.

Mr. Koenig reviewed the potential benefits of the proposal. He stated that a benefit of this development includes achieving the Comprehensive Plan goal of creating a diverse housing stock for the long-term, as their affordable housing financing has a requirement of 30 years. He commented that there is a huge need for affordable housing as shown in their market study. Another benefit includes improving storm water management and reducing flooding in the area and giving a place for the water to go. Their plan will take water from the west and put it in

retention or detention, thereby reducing flooding throughout the area. Rental units will also increase the tax base and the permit impact fees to the Village for construction will be over \$200,000. He added that the traffic impact is negligible per the traffic study, and the fiscal impact study showed no net fiscal impact on the Village and the schools and a completed property impact study.

Scott Goldstein, Principal at Teska Associates, reported that he was asked to address two questions in completing the property impact study. He was seeking to determine if there is evidence that homes closer to existing affordable housing developments in Highland Park and Deerfield have less value than properties further away and if there is evidence that homes sales close to affordable housing are valued less than homes further away. Mr. Goldstein stated that he looked at existing conditions of the site and homes around site and then looked at the sale prices of the adjacent homes then compared this to the assessed values closer to the site versus further away. Mr. Goldstein reviewed the process stating that they looked at conditions around the site, homes around the site, and sale prices of homes along the site and then compared the assessed values of properties closer versus further away. He noted that from a market analysis perspective, there are buffers between the development and the properties to the west and to the east in Highland Park and across Deerfield Road. These buffers include the church building, green space, and the river. Mr. Goldstein reported that recent sales showed a consistent price close to the site with an average value of \$210 per square foot. Mr. Goldstein added that they then looked at home sales in the area in close proximity to affordable housing to compare. They looked at homes in 1,000 feet of affordable housing and compared them to homes within 1,000 and 2,500 square feet way to have the same market area and same neighborhood. They looked Hyacinth Place in Highland Park and found that homes had a higher average value closer to the affordable housing property than those did further away. They also found that assessed values were slightly higher. They found that the value of the property is primarily due to the quality, age and size and there is no relation between value and distance to affordable housing, all differences were attributed to other characteristics of the properties. They next looked at Walnut Place and again found that the average sale prices were higher closer to the development as well as the assessed values. There was no evidence that homes closer were selling for lower values. Mr. Goldstein continued that Ravinia Place in Highland Park also had the same conclusion that there was no impact on value from affordable housing and values were found to be the same closer versus further. In addition, at 1 Deerfield Place, senior affordable housing, they found that average sale prices and assessed values were higher closer to the development than further away. He stated that the findings of the study report that there is no evidence that sale prices are lower close to affordable housing compared to those further away. There is also no reduction in assessed values and therefore has been no reduction in property taxes generated by homes closer to affordable housing versus further away.

Mr. Friedland reviewed the zoning standards related to their proposal. He stated that the petitioners understand that public commenters will bring up points about zoning rules, property values, reliance on existing zoning, and other things, but that despite these points, they feel that when the Plan Commission looks at their development that they have met the various zoning standards when considered all together. He stated that zoning is the regulation of physical development of land as well as a mechanism by which goals and objectives of a community are met. The petitioners are confident that they satisfy the zoning standards and achieve an objective of the community to provide needed housing in Deerfield.

Mr. Friedland stated that to rezone the property, the Commission needs to consider the existing uses on the site. Zion Lutheran Church has occupied a portion of the land for years with the

church, parking lot and parsonage and a significant portion of the land has remained undeveloped. The site is bounded by Deerfield Road, the Chicago River North Branch, and landscaping on the west and north. It exists as a separate and distinct parcel and is isolated from neighboring properties and not connected to pedestrian or vehicular flow, which would not change with their development. There will be no new access or curb cuts. Mr. Friedland stated that the site presents an opportunity to develop multi-family housing that will not impact neighboring existing single-family uses. Based on this suitability, they are requesting rezoning to R-5, which is the only category that allows multi-family housing, although the proposed density falls between R-1 and R-2. They are also requesting a Residential PUD and through the PUD the Village would have the ability to limit density that would otherwise be possible in R-5. Mr. Friedland stated that they are proposing 25 units and are not seeking to develop anything in excess of that.

Mr. Friedland commented that regarding the zoning standard of effect on the community, they believe there will not be any significant detrimental impact on the health, safety, and welfare of the community. They feel it will create needed affordable housing and meet a goal of the Village. Mr. Friedland pointed out that the fiscal impact study presented to the Village notes that because the property will go from exempt to taxable, there will be a positive net fiscal impact on Deerfield. Moreover, based on the property market analysis that Mr. Goldstein presented, the neighborhood will not be affected and will not diminish property values.

Mr. Friedland stated that regarding the adequacy of utilities and ingress and egress, they have met with Village staff and have been informed by fire and police that there is adequate capacity to service the property and all utilities are available. Additionally, the traffic impact study concluded that the existing roadway system could handle any additional traffic generated by the development and that all adequate rights of way and intersections will operate at an acceptable level of service.

Mr. Friedland reviewed the exceptions requested under the PUD. The first is to allow an existing service drive along the perimeter that is 13 feet and within the required setback from the west property line. The second exception is to allow the existing church building to remain 25 feet from the west property line in lieu of the required 28-foot setback. Both of these requested exceptions were existing conditions not created by the petitioners, but need exceptions granted under the PUD. In addition, the PUD guidelines permit one sign and there is one existing sign for the church. They are proposing a second ground sign identifying the residential development. The petitioners feel it is necessary to identify both uses and will not create sign clutter with the 428 feet of frontage along Deerfield Road. Mr. Friedland stated that they are also asking for an amendment to the Comprehensive Plan. The Future Land Use Map calls for this site to remain an institutional use as it has been for many years. They believe the proposed change to a residential use is consistent with the Comprehensive Plan's goal to provide a more diverse housing stock in the Village. Mr. Friedland pointed out that another section of the Comprehensive Plan points out the need for affordable housing in the Village. It also states that less than 1% of land in Deerfield is vacant and available for development. Therefore, to achieve the goal to develop affordable housing, existing sites must be redeveloped. Mr. Friedland then read a statement from the Comprehensive Plan stating that the Village recognizes the need for affordable housing in the Village and will give due consideration to accommodate new affordable housing options within the Village when opportunities are presented to develop or redevelop significant parcels for residential uses in Deerfield. Mr. Friedland commented that the Zion Woods site is an opportunity to develop affordable housing on a site that is basically

isolated from the surrounding homes and can be developed without detriment to the surrounding area. Mr. Friedland reported that their formal presentation is over.

Commissioner Bromberg confirmed that the church will continue to own the entire property and will lease this portion to the developer. Mr. Koenig replied that there would be a 99-year ground lease and a 30-year agreement for affordable housing per their financing. Commissioner Bromberg asked what will happen if the church ceases to exist during this time. Mr. Koenig replied that the lease would continue, and the future landowner would take it over. Commissioner Bromberg confirmed that if approved nothing else can be done on the site for 99 years. Commissioner Bromberg confirmed that there are currently no property taxes paid on this portion of the site and commented that this use would generate property taxes as a rental property.

Commissioner Bromberg asked the petitioners to explain how the storm water management system will work. Civil Engineer Laura Shafer stated that there are two ways in which storm water will be managed on the property. There will be water detention basin to capture day-to-day rainfall at the south end of the site just north of Deerfield Road. All water from the site will be captured through pipes and discharged to the river from this detention basin. There will also be a compensatory storage basin added for when the river overflows after very heavy rains. Because the site is in the flood plain, they are required to provide compensatory storage at the ratio of 1.2 to 1. Ms. Shafer stated that they would provide this extra area for water collection that will only be used during and after heavy storms; where there is standing water on the site today. The majority of the time this will be a dry basin planted with native grasses; there will be no wet pond on the site.

Commissioner Jacoby asked for additional details on the process of pumping water back into the river after heavy rains. Ms. Shafer replied that it is a gravity facility that is not pumped, and will not flow back into the river until the river is low enough to accept it. The basin is large enough to accommodate any overflow due to this timing issue; about twice as large as if it were going back into a municipal system. This system design will be approved by the Village. Commissioner Jacoby asked how long it could take for river to be low enough. Ms. Shafer replied that it could be up to around three days, sometimes sooner.

Commissioner Bromberg confirmed that there is no water engineering on the site today and that when the river overflows it sits there until it soaks in naturally. Ms. Shafer added that the overflow creates standing water on the site and in some areas makes its way back to the river naturally, and that their plan maintains this flow while actively collecting the water and directing it back to the river.

Chairman Berg asked the petitioners to compare the existing conditions to the proposed improvement and review the net affects. Ms. Shafer stated that there is no water engineering now and that their plan captures and significantly slows down excess rain as well as river water overflow. The plan will then slow the water down and release it into the river. She added that this plan would benefit the surrounding area that is downstream and have a positive net effect.

Commissioner Bromberg asked the petitioners how the access drive is used today by the church and how it will be used. Mr. Koenig replied that the service road behind the church is used for accessibility for handicapped and for deliveries as the front entrance has steps. It is not used as a regular entrance and exit and is not used frequently. Mr. Koenig stated that it would absolutely not be used by apartment buildings residents. They will use the main drive only. He

added that the access drive is not an active road and would not be mistaken for one, and additionally residents will be prohibited from using it.

Commissioner Bromberg asked how residents will qualify for disabled housing. Mr. Koenig replied that residents for all units must meet the income qualification, which for a single person is making no more than \$35,000 per year, for two people it is about \$40,000 and for three people it's about \$45,000. Half of the units will be for residents who meet this requirement and are also disabled and able to live independently.

Commissioner Bromberg commented that several emails from neighbors' question whether the church is getting enriched by this project and asked the petitioners to address this. Mr. Koenig replied that the church will not be enriched. They have been offered money for the land and they are donating the property to the developers and they will pay a nominal amount for the land lease, however there will be no direct enrichment to the church.

Commissioner Jacoby asked the petitioners to review the highlights of the traffic study. Ms. Shafer stated that they listened to comments and concerns from neighbors about adding traffic count locations to study the traffic impact. She stated that in the first study they looked at the Zion Woods driveway and Heather Drive to the west. Ms. Shafer reported that updated counts were then also done to the east at Villas Court, Evergreen Way, and Carriage Way. They also added times of day for counts at peak morning, peak afternoon and evening. Ms. Shafer stated that for the purposes of the traffic study they assumed that all residents will drive even though there is access to public transportation. Ms. Shafer reported that at each intersection they found there will be less than a half of a second of additional delay to an already busy Deerfield Road. Between the existing delay and five years out after the development, they predict a five-second delay, which is not an impact.

Commissioner Jacoby commented that per the study around 2,200 cars pass on Deerfield Road each hour with 7,900 cars per day in March and 12,100 per day in June. She asked how many additional cars would be added from the development. Ms. Shafer replied that there would be an additional 13 to 16 cars at peak times.

Regarding the market study, Commissioner Forrest asked where the affordable housing is today in Deerfield. Mr. Ryckaert stated that about 4% of housing in Deerfield is affordable housing according to the State definition of affordable housing, with around 255 units total. Mr. Koenig added that the 1 Deerfield Place senior living building is the largest with 99 units and the only officially designated as affordable housing. The rest are scattered locations and are lower-cost apartments. Commissioner Forrest asked the petitioners if they have a quantity of need or a comparison of people in Deerfield who would qualify for affordable housing versus the number of affordable housing units available in Deerfield. Mr. Koenig replied that they would look into this.

Commissioner Jacoby asked for more details to clarify the 99-year lease and the 30-year time frame for affordable housing. Mr. Koenig replied that it is a 99-year land lease for the property and 30 years is the timeframe required for affordable housing financing. The financing comes from a variety of government sources that is intended for developments like this. When the 30-year timeframe for financing ends, the property would not be required to officially remain affordable housing. Mr. Koenig stated that as a non-profit with an organizational mission, they plan to maintain the site as affordable housing after the 30 years for the long-term. The 99-year ground lease gives them the ability to do this as long as possible, which is their goal. Mr.

Friedland added that when the 30-year period is over, they could secure additional affordable housing financing.

Commissioner Jacoby asked how they plan to market the units to Deerfield residents or Deerfield workers such as police and teachers. Mr. Koenig replied that their goal is to serve the community and the marketing is done locally describing the marketing as a series of concentric circles. They will first market through local resources including newsletters, websites and contacts at local organizations, and then move further out to neighboring communities. Mr. Koenig added that Federal Fair Housing laws do not allow preference to be given based on where potential residents live or work.

Commissioner Goldstone asked how Thresholds is involved with the disabled housing. Mr. Koenig replied that 12 units are special needs housing for people with any type of disability; physical, developmental, or mental. Thresholds is typically an organization that provides services to people with mental illness and is one of several agencies that they work with to arrange services and place residents in disabled housing. Commissioner Goldstone confirmed that they market to these agencies to get residents in the disabled housing units. Commissioner Goldstone also confirmed that the workforce housing units and disabled units would be interspersed.

Commissioner Goldstone commented that one of the neighbor letters received expressed concern about water retention in the back of the site being close to homes where children play. She asked what type of buffer will be in place to prevent a child or someone else from falling into the retention area when it has water. Ms. Shafer stated that they raised the edge of the compensatory storage further away from neighbors to have an additional setback. She also noted that the storage area slopes are similar to a sledding hill and does not have a drop off and is not typically wet. She showed images of the tall native grasses that will grow there commenting that it would not be inviting to walk through even when dry as the grasses will be tall. She stated that there is no real physical barrier or fence, but there is a small berm.

Commissioner Bromberg asked if there is anything in the proposed plan that has any impact on the neighbors in Highland Park to the east of the river. Ms. Shafer said no, not to her knowledge and if anything, the water flow would be slowed down for downstream neighbors.

Commissioner Forrest asked Mr. Goldstein if there is any data regarding the impact of new multi-family housing adjacent to existing single-family homes. Mr. Goldstein stated that all examples in his study were multi-family with single-family homes nearby. He stated that they found the highest single-family home prices were across the street from section 8 housing, which is lower income than workforce housing proposed here. He added that they also studied the market area of the surrounding communities and found that there is .3% of affordable housing units available out of all housing for those who meet the income requirements, which is 11,000 households. He added that there is also a need for more rental units to be available.

Commissioner Forrest asked Mr. Koenig about his organization's other developments in Glenview and Wilmette and how they compare to this location. Mr. Koenig replied that they are all very different. HODC has 20 affordable housing developments in the North Shore suburbs including some single-family homes. In Deerfield, they manage two single-family homes and the 1 Deerfield Place senior living building. Their recent developments include a 13-unit development in Glenview, as well as others in Evanston, Arlington Heights, and one just approved in Wilmette, which is also surrounded by single-family homes. They are of a variety of

sizes and styles. He added that Brinshore has many more housing developments as well. Commissioner Forrest asked about access to public transportation from the site. Mr. Koenig replied that the bus on Deerfield Road is a huge asset and the Metra station is one mile to the west.

Commissioner Jacoby commented that in letters received there were concerns expressed about overcrowding in the schools and asked the petitioners to address this. Mr. Koenig replied that they predict the number of students based on the bedrooms available would be 10 to 20 total, and they will reach out to the school Superintendent to confirm this prediction and the impact. At the time of the initial larger proposal, the Superintendent commented that they do not predict an impact on the schools from the development.

Chairman Berg opened public comment on this matter.

Daniel Fletcher of Grayslake commented that he is not a Deerfield resident but has been a member of Zion Lutheran Church for 37 years. He stated that he was married there and both of his children were baptized there, and it is an amazing place in an amazing city. He commented that at a prior meeting there was a young man who was a child of a Deerfield resident but could not afford to live here, and it struck him that this project could give him that opportunity. In addition, that even if you only touch one person or one family that is amazing. He commented that as a career military officer, he has heard of young airmen struggling to find a place to live while defending this country. He hopes this kind of proposal will make a difference in people's lives.

Jeff Rothbart stated that he is one of developers of Elysian Way across the street from the site. He commented that the church pays taxes on the church portion but not on all of the land and that this proposal will increase the density as an R-5 property, which makes it more valuable. He stated that this increment of property taxes is being given away by the Village based on the structure of the transaction as proposed, and that there is a better way to do this to benefit the Village. If the land and the buildings were assessed the Village would receive this as property taxes. He commented that relative to the land lease, there are no deed restrictions or covenants on future use of the land, and after 30 years it could revert to market forces and change to very valuable multi-family units that could be worth millions of dollars being zoned R-5, the most dense multi-family. And this makes the parcel very valuable and this is what could enrich the church in the future. He commented that he finds the density presentation by the petitioners to be very misleading. The density of 2.8 units per acre on the 8 acres excludes and ignores the fact that the land is already improved with the church and does not accurately reflect the density as one property with one PIN. This means property density would be 4.15 units per acre, which includes being evaluated as one single PIN number. Their density was not accurate.

Commissioner Bromberg asked when approving the rezoning they can put a stipulation that the site has to remain affordable housing beyond the 30 years. Attorney Ben Schuster replied that as a PUD, any changes to the use of the land and the buildings on the land, it will have to come back for approval as amendments to the PUD. So even if the zoning is changed to R-5, at the end of the 30 years they could not add more units without getting an amendment to the PUD approved by the Plan Commission and the Village Board. He added that in terms of a condition on the length of time for affordable housing, zoning is about the use of land as residential, and can stipulate residential use but not whether the property is used for somebody who meets affordable requirements or not. According to zoning, the use of the property is in the same manner no matter their income.

Jodi Shapira of 630 Carriage Way commented that when she first saw this proposal she was one of the few excited about it. Until she looked further into the studies and had doubts. The first traffic counts for the traffic study were done on the first day of spring break. And the second counts were done on the Wednesday after Deerfield High School classes were over and the day of 8th grade graduation. That makes her question the integrity of the study and of all studies in the proposal. She commented that in the housing impact study, the areas being compared were closer to downtown Highland Park and downtown Deerfield which make them more desirable. She also questions the number of cars projected in the traffic study, as well as the water study. She commented that there are times she cannot drive out of her neighborhood because of flooding. She added that she likes the idea of bringing affordable housing to Deerfield; however, Deerfield teachers would not qualify as they have a starting salary of \$40,000 per year.

Renee Schickles of 750 Carriage Way stated that she has lived in King's Cove in Deerfield since 1991 and she was excited to learn affordable housing may come to her neighborhood. She stated that she came to this country as an immigrant at the age of five and her family's first apartment was a one-bedroom unit for five of them with rodents. She commented that it was a horrible apartment, and she was embarrassed to bring anyone there. And then when she was 12, she helped her parents fill out the forms to apply for city housing in New York that required one parent to have a job. She lived in that apartment until she got married. She stated that affordable housing made a huge difference in her life. It was a clean apartment and a good place to live, helped her make new friends, and offered her many opportunities. It afforded her good education and she is happy that Deerfield may have affordable housing. She stated that her experience in affordable housing was excellent and she is excited to see this be offered to others in Deerfield who may not be fortunate enough to have a nice place to live.

Gerry Saltarelli of 935 Heather reported that he lives directly across from the project to the north. He commented that when he first spoke to the Commission about this proposal, his issue was the integrity of the zoning classifications and this has not changed even though the project scope is reduced. It is still multi-family housing dropped into an area that is exclusively single-family homes 360 degrees around, which makes this spot zoning. His opposition has nothing to do with the use as affordable housing. He commented that it is a worthy objective and this is a difficult task for the Plan Commission to weigh and his objection is that he feels this is not an appropriate development for this location on this site. It is too dense and will negatively affect their properties. He is opposed to more people, more cars, and more lights. He stated that it is common sense that houses next to busy roads or high-density housing are less valuable. He stated that he feels his home and his neighbors are not isolated from the development and it is not open with the parking lot and turn circle. He added that he wanted to live there with a quiet neighborhood and lots of green views and this will change that. He stated that zoning is a statement by the Village of what you can use your property for now and in the future, and to change this now is a breach of trust with residents. He added that he is concerned flooding will also be made worse by this project. He entered into the record a petition opposing this proposal with the signatures of 309 Deerfield residents along with a map of where they reside, and it is not all immediate neighbors.

Chairman Berg asked legal counsel to address spot zoning. Mr. Schuster explained the concept of spot zoning under Illinois law. He stated that it is not whether there is contiguous zoning or that the size of a site matters, as there are many sites that do not have the same zoning as neighbors. For example, institutional zoning or single-family neighborhoods with parks or churches in the middle. The change in zoning of one parcel is not spot zoning. Spot zoning

looks at a series of factors. Such as the lack of connection of rezoning for a legitimate power or purpose, and Comprehensive Plan compatibility and conformity. He stated that as the petitioners have an amendment to the Comprehensive Plan proposed, it is up to the Plan Commission and the Village Board to determine if it is out of harmony with the general area or with the Comprehensive Plan. Spot zoning law along with the Plan Commission and the Village Board also decides if the rezoning represents an unreasonable or unequal treatment of similar properties.

Richard Sacks of 510 Brierhill commented that he is already suffocating under oppressive Lake County property taxes even as their home values ebb down. This is the product of a state with net outward migration for the last decade after years of reckless and poor decisions in Springfield continue to plunge this state into a financial abyss. The state ranks 50 out of 50 in financial distress. He stated that the Chicago Federal Reserve proposed an additional 1% property tax based on the value of their home to bail out the state, which would be an extra \$15,000 a year on his home. He commented that after years of being disappointed in state government, he looks to his local municipality to make better decisions. He commented that it is insulting to say that those gaining from this proposal are selfish. He understands that doing good only occurs if the process of doing good will not have a negative effect on another party. He believes this proposal does not fall under the classification of doing good as the aggrieved are some of the longest residents of Deerfield. These residents believed they could rely on the integrity and durability of Deerfield's zoning ordinances. He believes the community is not against low-income housing provided it is built in the proper location and that the Village and the petitioners should try to find an appropriate location. He added that the Deerfield Police are on the record stating that ingress and egress from the home development on the south side of Deerfield Road would be a significant safety hazard, so this should also be considered a danger as it is a blind corner from the east. He stated that the project should not be approved and rezoning from R-1 to R-5 is wrong and unfair. He asked the Plan Commission to good by doing the right thing and recommending against this project.

Martha Gray of 600 Carriage Way reported that she is a 38-year resident of Deerfield. She remembers when they were building a home for troubled teenagers across from Sherwood School and neighbors were concerned. And not one time in all these years has there ever been one incident of trouble. She feels Deerfield needs more diversity and that disabled adults who have relatives and family in the community, or adults who work in the community should be able to live in the community. She believes that retired schoolteachers and those with lower retirements would also benefit and that this is an honorable and a necessary project. She reported that she has been selling real estate for 32 years in Highland Park and has sold property around all affordable housing areas in Highland Park, and not one has been affected in value to the best of her knowledge. She also noted that in the last year Lake Forest has put aside \$300,000 for affordable housing. Highland Park has five units including senior housing surrounded by million-dollar homes and no one has ever complained about it. She applauds the Commission for considering changing the zoning of this site to allow affordable housing.

Russel Krochock of 1640 Montgomery Road commented that he supports Martha Gray's testimony and agrees that Deerfield needs this. He feels that there are many people who work here but cannot afford to live here and it is important to do the right thing and help them.

Bill Owen of 885 Heather commented that he and his adjoining neighbors ask that the petitioners and the Village respect the law and the integrity of the Deerfield zoning system. He commented that he was taken by a statement of a Village Trustee as reported in the Deerfield

Review. The Trustee said that people who have purchased homes in areas with no multi-family developments have a right to expect it to stay this way and zoning is like a contract. Mr. Owen stated that changing the zoning is a slippery slope and would like to rely on the existing R-1 zoning and expects it to be enforced fairly. He questions what he can rely on these days. He relied on this in making the most important decisions in his life. He stated that he is opposed to the rezoning of the proposed site. It would be a huge and unjustified change and they are not a charitable organization as his taxes have gone up enormously. He has spent his time helping other people and he knows the issues. But if this enormous change is made, where would it end. His major decisions were to purchase his property, to remain at his property, and to add on to his property. He would not have made these decisions if he did not think he could rely on the Deerfield zoning code. Lastly, he showed a picture of his property pointing out that there is no buffering from the yard of his property to the site.

Jonathan Dien of 915 Heather commented that he is not opposed to workforce housing, however he is opposed to the rezoning of this property and is also opposed to what is required to make this development work. He commented that he has lived in Deerfield for four years and he loves his home and his neighborhood. He knew when he purchased his home that the land behind it could be developed. But he believed that it would be single-family homes because of the R-1 zoning and the Comprehensive Plan. Because of what he was told and the contract he signed between him and the Village. He questions why it cannot be developed as affordable housing single-family homes and why it has to be apartment buildings. He and his wife moved out of the city to be around less dense housing and leave the congestion and noise. He is opposed to the zoning change and to multi-family housing. He wants the Village to uphold the Comprehensive Plan. He commented that the work needed to develop this land is significant and that the Village Engineer stated that it appears that all engineering requirements can be met, and this does not sound confident. He wants assurance that the plan will work. He commented that his promise to the Village is to take care of his home and neighborhood and the Village needs to uphold their promise to him to keep this site zoned R-1.

Karl Abraugh at 836 Holmes Avenue reported that he is a Deerfield resident and a member of Zion Lutheran Church and he supports the proposal. He commented that he appreciates the understanding of the need for disabled and workforce housing and that it would be nice to go to the supermarket or a restaurant in Deerfield and know that the person helping you is a neighbor. He commented that he is sorry to those who feel this development is an imposition. He feels this is a move in the right direction for affordable housing in Deerfield and hopes other opportunities will be considered in the future. He thanked the Commission for their careful consideration.

Herb Brenner of Northbrook commented that there is an affordable housing crisis in this country. He stated that there are many college educated adult livings with their parents, which was unheard of 20 or 30 years ago. And many people are overburdened by spending more than 30% of their income on housing. He commented that according to statistics 13% of Deerfield households are renters and over 56% of those individuals are considered overburdened. Meaning they spend over 30% of income on housing. He commented that anecdotal information shared about single-family home property values in close proximity to affordable housing is not supported by research. Cross-sectional studies have found that proximity to affordable housing does not significantly affect single-family housing values. The attribution is that it was an effort of builders to design affordable housing o match neighborhoods in size, scale, design and amenities, which is exactly what we have here. Mr. Brenner commented that a key finding of recent studies is that a sufficient supply of workforce housing is essential to the future economic vitality of the area. He commented that we see help wanted signs in Deerfield and this project

would provide housing for those seeking these jobs per the church's mission and their willingness to donate the land. He asked the Plan Commission members to take a big picture approach and look at the needs of the community that this development would fulfill.

Sharon Kessel of 834 Smoke Tree Road stated that she has been a Deerfield resident for 39 years and has been very active in the community. She has also been a realtor for 38 years, has read all of the information, and feels that most people support affordable housing in Deerfield but "not in my backyard". They agree with the philosophy but do not want this development in their backyard. She feels that people do not want to buy homes near multiple family dwellings. Which is why most villages have townhouses between single-family and apartments. And she agrees that neighbors can assume zoning in their neighborhoods will not be changed. She feels affordable housing in Deerfield is a noble cause but that this should be in a better location in Deerfield and this site should be developed with single-family homes and this proposal is not a good use for this land. Additionally, she assumes each unit will need two parking spaces which is a lot of cars and traffic is already heavy. She concluded that she feels the Village is letting her down if they approve this project. The Village should find other places in Deerfield for this. She was also disappointed with charts shown by the petitioners that show new construction adjacent to affordable housing. This cannot be compared because buyers want new construction and will pay more for it.

Roger Dart of 1057 Camille reported that he is a clergy member in Deerfield and has been a Deerfield resident for 51 years. He is joined in support by his fellow clergy colleagues in the Village. 18 of them have signed a statement in support of the Zion Woods project, which they are providing to the Commission. He stated that they strongly support the moral compass of providing affordable workforce housing in Deerfield.

Matt Cohen of 1107 Prairie commented that he agrees with Daniel Fletcher and Herb Brenner's comments. Mr. Cohen read a statement from Arnold Hersh, a Chicago scholar, relative to Chicago's segregated neighborhoods. He stated that candor and rigor showed how Chicago's politicians and elite successfully divided the city by race engaging in resistance to racial equality. Not as a personal prejudice but through their choices motivated by profit, greed, and desperate efforts of homeowners to keep their property values and elude negro invasion. Mr. Cohen stated that apartheid Chicago has been a failure at every level and he supports the Zion Woods project.

Hillary Wolff of 238 Willow Avenue reported that she has been a lifelong resident of Deerfield and is now a student at Northwestern University. She commented that Zion Woods would provide housing for people who make between \$30,000 and \$50,000 per year. Those who are opposed have commented on the change in neighborhood and flooding concerns. She compared the Zion Woods project to the 1959 proposal where JC Mitchell Park is located. This proposal warranted visits from Martin Luther King Jr., Eleanor Roosevelt and critical acclaim from the KKK. In 1959, a contractor laid out a plan for several housing units, some of which were to be allocated for black residents. At that time Deerfield residents rose up to stop the project, built two parks in the locations instead, and kept diversity out of Deerfield. They had also previously that year defeated a referendum for parks, and upon hearing that these homes would be sold to black families, two parks were then approved. She stated that Deerfield is still over 90% white and has a very small minority population. Ms. Wolfe stated that she agrees that this project could change the character of the neighborhood as minorities are more likely to earn less income, but she argues that it will change for the better. She commented that diversity and equality are values she learned growing up in Deerfield schools, yet she cannot name a single

person who had a different background that she did growing up. She questions how children can be taught about acceptance and heterogeneity when their community will not allow this low-income housing project due to increased flooding. Regarding neighborhood character, Ms. Wolff asks if we are worried it will change to reflect values taught in schools. Deerfield has national notoriety for its liberal gun law but also received national notoriety in 1959 as well which needs to be acknowledged. She feels Deerfield should be more inclusive and approve this project. She feels Deerfield cannot send children out into the world to discover that the world they grew up is behind the times. Additionally, studies show that proximity to low-income housing does not lower property values. Studies also show that diversity in schools has also been shown to increase GPA and awareness of cultural, social and societal issues from exposure. She ended with a quote from an issue of the Deerfield High School newspaper in 1994 from the Principal at that time. He commented that for most people it is painful to discuss the 1959 housing opposition and they hope it is past us. She stated that approving this project is Deerfield's chance to move past it.

Paul Cohn of 1054 Springfield Avenue commented that he agrees with Ms. Wolfe and that he supports the project.

Rina Sirk of 75 Bent Creek Ridge commented that her home abuts the river and will be downstream from this development. She stated that she is not a racist and has a good moral compass. She commented that her concern is the impact this development will have on her property, which she bought in good faith. She stated that FEMA redrew the borders of the flood plain and she wants the boundaries to remain unchanged as this was integral in the purchase of her property. She questions how the slowing down of water and flowing back to river will work and stated that water is often still sitting in her yard five days after a storm from the river banks. And this may increase that amount of time with more water to be added back to the river. She stated that there is also flooding in the streets and the storm sewers do not have the capacity needed, and more water will only increase this problem. She added that more problems with water could mean increased insurance costs and a decrease in the value of her home. She added that she is also concerned about traffic and how hard it will be to make a left turn in or out of the site as it will be difficult without a turn lane. Lastly, she asked if there is a limit to how many residents can be allowed in each unit and how many cars each unit can have at the proposed development.

Alex Shkurenko of 670 Carriage Way commented that as a recent immigrant to this country he supports affordable workforce housing and knows how hard it can be to find this. He stated that he considers himself to be a neighbor of this development and although the developers reported that they spoke to the neighbors, nobody ever approached him or asked him his concerns, and he has several comments on the proposal. He commented that the petitioners reported that there will be zero fiscal impact on the Village, but that there will be additional taxes generated from the development which means something else must have less taxes generated, which means less valuation on existing homes. He commented that the value of homes around this development will be lowered and less taxes will be generated which is how there will be zero impact.

Ryan Osberg of 410 Carlisle Ave stated that he has comments for and against this development, logistical and philosophical. He stated that he heard concerns about the density, traffic impact, flooding, impact on schools and aesthetics, which he shared at first when he first opposed this project. However, after reviewing the revisions to the buildings and the petitioner's analysis as a whole, his initial objections seem to be addressed by the developers. He

commented that as residents they are not experts and should rely on the Plan Commission to validate the studies presented by the petitioners. He stated that it is common sense that if thousands of cars already drive on Deerfield Road each day, and a dozen or dozens added will not have an impact. And the traffic flow out of this site already exists with the driveway. Regarding the impact on schools, he would like the petitioners to confirm that the school district's previous assentation that this development would have no impact on schools is still accurate. He commented that Elysian Way will have a larger impact on the surrounding existing community than this proposal would, and that Zion Woods is an ideal location for this proposal because it has self-contained traffic. Elysian Way removed more trees and open space than Zion Woods will. And yet the neighborhood objections paled in comparison as Elysian Way is for millionaires and is not affordable housing. He added that he would like developers to keep in mind that Deerfield is a small community with a focus on young families and he encourages this development to support this and convert the property to family housing.

Stephen Jackson of 932 Fountain View Drive commented that he supports the zoning change and the changes the developers have made in the plans since the previous meetings. It seems there is a need for affordable housing in Deerfield and across the country. He feels this is a good use of property that would not be used well otherwise and that single-family homes on this site would not have the benefit of the storm water engineering improvements to direct, hold and slowly release the water. He stated that comments are heartfelt on both sides and he thinks this proposal is a very practical thing for the Village to approve and he supports it.

Michael Halpern of 1341 Gordon Terrace commented that there have been many changes in his 41 years in Deerfield. He stated that the development in 1959 was very real and the Village needs to take strides that are more positive and he is for this project. He stated that he was a member of a congregation at Wilmot and North Avenue and when they were first building at this location, there was a significant outcry of what it would do the neighborhood. The Village defended their right to build there and since then there has been no decreased home value or quality of life in that neighborhood. He also stated that for 20 years he has been on the board of 1 Deerfield Place, which is a very well managed senior affordable housing development in Deerfield. It is managed by HODC and he can attest to their ability to develop properties that meet all regulations and added that they have the heart to do this because it is a difficult job to accomplish. He sees this development as a step forward for Deerfield.

Andrew Marwick of 442 Kelburn commented that he opposes this development and he also spoke out against a development on Elm Street for proposed \$600,000 houses, and that affordability has nothing to do with it for him. He commented that climate change is real and that there has been more rain and more flooding recently and the future is unpredictable. This month Deerfield has had eight inches of rain and last month it had more than eight inches of rain. This site is in a flood plain and he feels great amounts of rain could cause this whole project to be under water and be a disaster. He stated that this is not the right place for affordable housing in Deerfield. He feels that affordable housing should be better planned and should be closer to public transportation and to jobs. He commented that when Woodview and AMLI housing developments were proposed, there was no discussion at that time of any of these units being affordable housing. He commented that Deerbrook Mall and the surrounding area is zoned C-2 Commercial Outlying District. People ask where can you put affordable housing and he believes in this area around Deerbrook and Home Depot. In this area there are 70 acres zoned C-2 Commercial Outlying District and is a more appropriate site for affordable housing developments where there could be thousands of units proposed. 30 units times 70 acres is 2,100 units possible in this area. He would like to see a rezoning of the area around Deerbrook

to allow for mixed-use transit-oriented developments. It is close to transit and most of it is not in a flood plain.

Deb Singleton of 1135 Warrington commented that she supports Hillary Wolff's presentation and that she is in favor of this zoning change for affordable housing. She commented that her children and many people who live here already cannot afford to live here and that they need affordable housing; it is not only a logistical question but a moral question. They need affordable housing. And with regard to density, there are homes being built in R-1 zoning on the other side of her house, and the setbacks will only be 10 to 15 feet from her house. She commented that when she moved in it was a wooded ranch house community and that she did not move into a neighborhood with the kind of density being built now. She stated that there were never any guarantees that her community would not change, and this is true of all communities. She sees trees being taken down and three-story houses being put up. She is jealous of this development. In comparison, Zion Woods will have much larger setbacks from neighbors and lower building heights. She stated that it is a well-designed project with neighbor input, meanwhile the houses being built near her home did not ask for her input. Regarding zoning, she understands that the density and the design is designed for R-1 to R-2 and that legality requires to ask for R-5. And regrading water engineering, she is aware that the technology in this area has improved dramatically and the older retention ponds mentioned by some commenters are very different than the retention areas being given to this site. She totally agrees that single-family housing would not afford the kind of water protection that this design gives. The retention area on the south end will have a system that won't let water out until the river drops.

Len Bland of 506 Cambridge Circle commented that he is here because he decided that as a Deerfield resident near the recently proposed Elm Street development, he wants to pay attention to every zoning change request from R-1 to R-5. He is wondering what is happening in Deerfield that they are getting these requests so frequently. The Village has a plan and it is a wonderful community and outsiders are asking for changes to the plan. He also wants to know why water and flooding has become such a problem in Deerfield. He asked whether the Village is requesting an independent study to look at the storm water engineering system as they did for the Elm Street proposal. He added that he would like to see technologies like pervious pavement that can alleviate water problems be incorporated into these proposals that remove green space with asphalt. He stated that he agrees with Andrew Marwick's comments that the area around Deerbrook is a good location for affordable housing. He added that he sees developers come again and again with poorly proposed projects initially and it is a huge burden on residents and the Plan Commission. He would like the Village to reward developers who come with a good plan the first time.

Evan Nadler of 965 Heather commented that he recently purchased his home and can speak to the diminished value as he paid less for it with rumors of this development pending. He commented that reports and studies are only as good as their assumptions. He stated that he has three kids all under two and a half and that he is taking on risk with his kids playing behind their home. If this development is approved, he will have to spend money to ensure that his kids cannot get out of his backyard near the storm water retention. He commented that when he moved to Deerfield he rented for two years across from affordable housing and he has no issues with affordable housing in Deerfield. He asked why there was no consideration given to make any of the recently approved large housing developments in Deerfield have any affordable housing, as there has been over 600 new units added and this proposal is only for 25 units. He asks why on this piece of property on a small site with only 25 units.

Jason Cohen of 180 Millstone Road commented that he does not believe that this rezoning is a solution to getting low-income housing in Deerfield; it is an option but not the right option. He would like to see the Village be more proactive to plan for more low-income housing and to find more suitable locations like around Deerbrook. He commented that regarding this proposal there are two things that sit uneasy with him. The first is the monetary gain for the church through the land lease. In a simple sense, it is a mechanism for profit or monetary gain. It is perpetuity for the church and an outcome of the rezoning would be to enrich the church. And additionally, he sees gaps in the reports and studies completed by the petitioners and he is not confident that the storm water improvements will work as expected. He asks what the risk is that the Village will consider if they are wrong and the storm water system does not work as expected. If water overflows onto Deerfield Road, who will pay for that? And what about people who may get more water in their yard. He asked the Plan Commission to consider these risks and consequences.

Stephen Altschul of 615 Wicklow Road commented that he lives downstream from the proposed development and he is conflicted between doing a morally right thing while opposing the density and rezoning. He stated that he would like to reiterate that the traffic study was done before the neighboring Elysian Way development was built and does not factor this in. And he does not see how Zion Woods wouldn't create a safety hazard as six new houses was too much for the signalized intersection to bear on Deerfield Road. He asks why 25 units could have the parking and ingress and egress when the church is closer than the houses on Elysian Way. And additionally that street floods regularly from river overflow and a water study was done here. He commented that whether it was zoned R-1 or R-5, no developer for multi-family housing or single-family homes would purchase the land without planning for water engineering on the site. He commented that some workers at the Highland Park Jewel live in Deerfield and you can get to know them as neighbors. He stated that he believes that Deerfield needs more affordable housing and that there are many possible locations for workforce housing on Village owned land and parking lots in the downtown area. He stated that the Village can take a leadership role in doing this if they want affordable housing in Deerfield and partner with a developer, and that this would be in the spirit of what residents want, rather than rezoning a single-family neighborhood into a higher density.

Andy Stein of 970 Heather commented that he opposes the proposal for many of the reasons already shared including zoning and the Comprehensive Plan. He commented that the storm water detention and grading are in the flood plain and he wants the Village to ensure that IDNR would allow for these improvements in that location. He asked if the petitioners have provided detailed hydrological analysis from the North Branch of the Chicago River to determine the upstream and downstream affects. He also questions whether anything should be done in the flood plain on the site and asks if there is thought to design these outside of the flood plain to alleviate concerns.

Mr. Friedland stated that the petitioners feel comfortable with their presentation made and that they believe the proposal respects the zoning ordinances and meets the standards for rezoning as there are provisions for amending the ordinances.

Chairman Berg stated that the Plan Commission would now conclude public testimony and meet in an open workshop setting to consider their recommendation on this matter. He stated that a written recommendation would be made to the Village Board who will make the final binding decision on this matter.

Mr. Nakahara reported that public comment letters and other materials received from neighbors and residents regarding this matter be entered into the record. Chairman Berg confirmed that the Commission received these and they will be entered into the record.

(2) **Public Hearing: Request for a Special Use and Necessary Exceptions to Permit the Establishment of a Credit Union with a Drive-Thru at 99 S. Waukegan Road (Waukegan Lake Cook LLC and Consumers Credit Union).**

Chairman Berg reported that the petitioner in this matter has requested a continuance to the July 12, 2018 Plan Commission meeting. Commissioner Bromberg moved, seconded by Commissioner Forrest to approve this continuance. Said motion passed with the following vote:

Ayes: Bromberg, Forrest, Goldstone, Jacoby, Silva, Berg (6)

Nays: None (0)

There being no further discussion, the Public Hearing adjourned at 10:35 P.M.

Respectfully Submitted,
Laura Boll

**PLAN COMMISSION
VILLAGE OF DEERFIELD
Minutes**

The Plan Commission of the Village of Deerfield called to order a Workshop Meeting on June 28, 2018 at the Village Hall, 850 Waukegan Road, Deerfield, Illinois.

Present were: Larry Berg, Chairman
 Al Bromberg
 Elaine Jacoby
 Jennifer Goldstone
 Sean Forrest

Absent were: Stuart Shayman
 Justin Silva

Also present: Jeff Ryckaert, Principal Planner
 Daniel Nakahara, Planner
 Ben Schuster, Village Attorney

WORKSHOP MEETING

(1) Discussion on Proposed Zion Woods Development at 10 Deerfield Road

Commissioner Jacoby commented that the petitioners did not address landscaping plans.

Project Architect Mark Parrucci reported that the landscaping design places an emphasis on using natural, sustainable plantings that do not require a huge amount of maintenance. The compensatory storm water storage facility on the north end and the storm water detention on the south end will have tall, colorful native grasses and plantings that bloom in the spring and summer. There will also be a variety of landscaping and plantings done around existing trees that will remain and additional trees will be added in an effort to keep the property green and attractive. There will also be taller grasses to be mowed closer to the buildings.

Commissioner Jacoby commented that she read that 37 trees will be taken down and 81 trees will be added. Mr. Parrucci confirmed this. Commissioner Jacoby asked what landscaping will be done to buffer the neighbors on Heather Road. Mr. Parrucci replied that there are existing shrubs and vegetation on the western border, which will remain, and a mix of evergreen and deciduous trees will be added. They intend to maintain the existing berm and create a nice screen to the west along the neighbors.

Commissioner Jacoby commented that the Village accepted the plans for storm water engineering and asked if at a certain point if it was deemed unacceptable by the Village, if the Village can put a stop to it. Mr. Ryckaert stated that the Village Engineering Department accepted the preliminary engineering plans and submitted a letter stating that the site requires a lot of work but the engineering requirements can be met. He reiterated that the final development plan would need to be approved by the Engineering Department, but that this complicated work in the flood plain can be done and the requirements can be met.

Commissioner Bromberg commented that some speakers raised points that there were answers to in the agenda packet materials. A question was asked about the limit of number of residents and the number of cars projected in the development. He stated that it will be limited to two people per bedroom. And that the number of cars projected was during the peak traffic hour and was not the total amount of cars projected from the development. He also clarified that the zero fiscal impact does not mean that residents will pay less or no (property) taxes, the zero fiscal impact in the fiscal impact study makes the assumptions that the increased costs to the school and police services will be offset by the (property) taxes paid by this development.

Commissioner Bromberg commented that the petitioners' materials were well put together and that he feels this is clearly not spot zoning. In addition to the studies that the petitioner completed on the impact on surrounding properties, he also spent time researching other studies that all conclude that there is no negative impact from affordable housing on surrounding property values. He also thinks that the storm water situation will be made better and not worse, and that there is already a traffic issue on Deerfield Road and this proposal will not have a significant impact. Regarding comments that approving this is a slippery slope, Commissioner Bromberg stated that the Plan Commission looks at every project on its own merits and each stands on its own. One decision does not have any implication on another project. He commented that he thinks this is a good project and good for Deerfield and that he supports it very much.

Commissioner Forrest noted that there were around 35 speakers; about half on each side of the issue, and that everyone was respectful and civic. He was happy to see how the issue was debated in this manner. He commented that he does not see this as issue about affordable housing; he thinks this is a question of appropriate land use and whether the site should be rezoned to R-5 on this site and should there be multi-family housing on this land. Commissioner Forrest stated that he concludes no, he does not think this is a multi-family site. He hopes the Commission and Board sees this issue as whether multi-family should be here and not. Whether the plan is for affordable housing or market-based housing is secondary and he does not support the land use of this site.

Commissioner Goldstone stated that she agrees that some emotion must be taken out of the concept of workforce housing and that the rezoning standards must be looked at and whether it meets these criteria. She commented that many emotional comments were made that do not apply to how the Plan Commission makes decisions. She commented that the property is currently difficult to get in and out of on a Sunday afternoon and she understands some of the traffic concerns and there is a blind corner and no left turn lane in. Elysian Way has a light, which is safer. She is confident that the petitioners' plans will improve storm water engineering on the site and she is not sure another use would be better than what they are proposing. And although it does seem drastic to go from R-1 to R-5, this is the only classification that this fits into and she supports the project.

Commissioner Jacoby commented that she agrees there will be no impact on traffic on an already busy road and an additional 16 cars at peak time is not bothersome. Regarding storm water, she is confident the Village will ensure that the engineering is a good plan and that it makes sense for the site. Regarding effect on the community and the neighborhood, she thinks the petitioner has met all of the standards and that affordable housing and housing for special needs is something wonderful for the community and would have a positive effect on the neighborhood. She commented that the site is somewhat isolated with the river, Deerfield Road,

and a lot of landscaping and buffering from neighbors who are already over 100 feet away. Commissioner Jacoby stated that the R-1 to R-5 rezoning makes sense in this case.

Chairman Berg stated that a key point is the zoning request to go from R-1 to R-5, which sounds and looks drastic but in this particular situation, it is not drastic and is needed because of how the Village Code is written. The use and density does not exceed that of R-2 zoning and there is a great deal of open space left which is consistent with the Comprehensive Plan. The nature of the project is something that, although it is not dealing with land use, is very much needed not only in Deerfield but in other towns as well. He continued that the water retention and standing water is not good now, and despite neighbor concerns, this proposal will significantly improve water retention and drainage from its current state. The petitioners have come quite a long way since the initial plan was brought before the Commission and the plans have reflected and addressed Plan Commission and neighbor comments and the petitioner has come back with something much more compatible. Chairman Berg commended the petitioners for this.

Commissioner Bromberg moved to approve a request for a Residential Planned Unit Development (PUD) with necessary exceptions: a rezoning of 10 Deerfield Road from R-1 Single Family Residential to R-5 General Residence District; an amendment to the Comprehensive Plan Future Land Use Map to permit a workforce housing development at 10 Deerfield Road (Zion Lutheran Evangelical Church, Brinshore Development LLC, and Housing Opportunity Development Corporation). The motion was seconded by Commissioner Goldstone. The motion passed with the following roll call:

Ayes: Jacoby, Bromberg, Goldstone, Berg (4)
Nays: Forrest (1)

Mr. Ryckaert reported that this matter will go before the Board of Trustees on Monday, August 6, 2018.

Document Approval

Commissioner Forrest made a correction to the minutes.

Items from the Staff

Mr. Ryckaert reported on upcoming Plan Commission agenda items as well as items going before the Village Board.

There being no further discussion, Commissioner Bromberg moved, seconded by Commissioner Forrest to adjourn the Workshop Meeting at 10:51 P.M. Said motion passed with a unanimous voice vote.

Respectfully Submitted,
Laura Boll