

PLAN COMMISSION
Village of Deerfield
Agenda
February 11, 2021 7:30 PM
Workshop Videoconference Meeting Via Zoom

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

<https://deerfieldil.zoom.us/j/86494095294?pwd=U3owZElaUUw5NUhXS25mN1NzeGppZz09>

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

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

Webinar ID: 864 9409 5294 Passcode: 24126736

Anyone wishing to share thoughts about any matter concerning the Village may do so by submitting an email to **plancommissioncomment@deerfield.il.us** prior to the meeting. Emails received will be read aloud during Public Comment. Any e-mails received during the meeting will be read during the second public comment period before the end of the meeting. We ask that you keep your emailed response to under 200 words to allow time for others to be heard and for the Plan Commission to progress through the public meeting agenda. In addition to written Public Comment, oral comments will also be permitted. Members of the public desiring to make an oral comment should click the “raise hand” button on Zoom or dial “*9” if participating by phone to indicate you wish to speak.” The Plan Commission typically does not immediately respond to public comments or engage in open dialogue, but we are actively listening to your comments. Thank you for your understanding of these guidelines.

In accordance with the Open Meetings Act, at least one representative from the Village will be present at Village Hall and the virtual meeting will be simulcast at Village Hall for members of the public who do not wish to view the virtual meeting from another location. Pursuant to Executive Order 2020-59 issued by the Governor, the number of attendees that may attend the meeting at Village Hall is limited. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a “first come, first-served” basis.

Public Comment on a Non-Agenda Item

WORKSHOP MEETING

1. Continued Workshop Meeting to Discuss an Affordable Housing Inclusionary Zoning Ordinance

Document Approval

1. 2021 Zoning Map Recommendation
2. January 28, 2021 Plan Commission Minutes

Items from the Commission

Items from the Staff

Designation of Representative for the next Board of Trustees Meeting

Public Comment

Adjournment

MEMORANDUM



VILLAGE OF DEERFIELD

TO: Plan Commission
FROM: Andrew Lichterman, Assistant Village Manager/Director of Community Development, Jeff Ryckaert, Principal Planner and Dan Nakahara, Planner
DATE: February 5, 2021
RE: Inclusionary Housing Ordinance Discussion

The Plan Commission is continuing the discussion of an inclusionary housing ordinance for the Village. To aid in this discussion, staff has provided a worksheet to summarize the October 22, 2020 meeting with areas where consensus was reached as well as areas that need further discussion.

At the October 22, 2020 meeting, consensus was reached on the following threshold of affordable units that would need to be provided in a residential development:

- 1-10 unit development = no affordable units
- 11 – 29 unit development = 1 affordable unit
- 30- 49 unit development = 5% of units affordable
- 50+ unit development = 10% of units affordable.

At the meeting, it was noted that under this threshold, if a developer were to build 49-unit development, they would need to provide 5% of the units to be affordable or 2.45 affordable units. If the same developer were to build a 50-unit development, that developer would have to provide 10% affordable units or 5 affordable units. The increase of 1 unit from a 49-unit development to a 50-unit development could have unintended consequences. Staff further discussed this observation and suggests a modification to the threshold of affordable units that would need to be provided in a residential development. The following charts compares both thresholds.

Plan Commission Consensus	Proposed Modification
Development = Affordable Units	Development = Affordable Units
1-10 unit development = no affordable units	1-10 unit development = no affordable units
11-20 unit development = 1 affordable unit	11-30 unit development = 1 affordable unit
30-49 unit development = 5%	31-40 unit development = 2 affordable units
50+ unit development = 10 %	41-49 unit development = 3 affordable units
	50+ unit development = 10% (5+ affordable units)

Fractions up to 0.49 would be rounded down and fractions at 0.5 and above would be round up.



VILLAGE OF DEERFIELD

Inclusionary Housing Ordinance Worksheet

Part 1: Defining the Need

Reached Consensus

1. Primary reason for adopting an inclusionary housing ordinance in Deerfield

- Affordable housing needs
- Socioeconomic integration
- Workforce Retention and Attraction

There is a need to adopt inclusionary housing ordinance to address lack of housing for low and moderate-income households. Proceeding with an ordinance brings consistency and equitable application in a uniform manner to residential development in the Village.

Part 2: Program Structure

Reached Consensus

1. Type of Program

- Mandatory

Mandatory ordinance requiring developers to provide specified number/ percentage of affordable units in all new development covered by ordinance.

2. Type of Development

- Ownership
- Rental

Both types of development are included in the ordinance.

3. Project Threshold Size*

- 11-29 Unit Project = 1 Affordable Unit
- 30-49 Unit Project = 5% Affordable Units
- 50+ Unit Project = 10% Affordable Units

Also known as the “trigger,” this is the minimum size project that is covered by the ordinance for rental and ownership types. The affordable units within an otherwise market-rate development must be affordable to households earning at or below a defined income level.

*See proposed modification in Staff memo.

Part 3: Detailed Ordinance Changes

Reached Consensus

1. Affordability Thresholds for Rental Units

- 0-49 Unit Project = 120% AMI
- 50+ Unit Project = 1/2 units at 100% AMI and 1/2 units at 120% AMI

An affordable unit is an owner-occupied or rental unit that is available to households with incomes that do not exceed a percentage of the Chicago-Joliet-Naperville, IL HUD Metro Fair Market Rate Area Median Income (AMI), as established and defined in the annual schedule published by HUD, and adjusted for household size. The ordinance determines the affordability as a percentage of Area Median Income (AMI).

2. Affordability Threshold for Ownership Units

- All units at 120% AMI

3. Priority Eligibility Requirements

- Work in private or public corporation within the Village limits
- Lives in Village

Priority to people who work OR live in the Village limits. No priority given to age. This is for the initial waitlist. Once a person is in an affordable unit, they may stay as long as their income qualifies.



VILLAGE OF DEERFIELD

Inclusionary Housing Ordinance Worksheet

Part 3: Detailed Ordinance Changes

Needs Discussion

4. Application of Structure Type in Development

- Attached
- Detached

Should ordinance apply to detached, attached or both structure types in all new development?

5. Duration of Affordability Requirements

- In-Perpetuity
- _____ Years

This is the period during which inclusionary units must be maintained as affordable through deed restrictions or affordability covenants.

6. Application of Affordable Units in Development

- Flexibility
- Equal Application Among All Housing Types

Ordinance can define how the affordable units are provided within a development. The ordinance can define that affordable units are provided equally to all housing types in a development or there could be flexibility to allow the developer to decide which units will be affordable among housing types.

7. Design Standards

- Exact Comparability
- Flexibility
- Different Standards Market and Affordable Units

Many communities require units be indistinguishable between market-rate units and inclusionary units. Other communities have found it practical to allow some flexibility, particularly in cases where luxury unit finishes would result in extraordinary spending on inclusionary units that could be better leveraged in other ways.

Part 4: Incentives

Needs Discussion

Select as Appropriate

- Density Bonus Increase (DU/ACRE)
- Parking Ratio Reduction
- Expedited Processing
- Fee Reduction/Waiver

A commonly used incentive is a density bonus to allow developers to build additional market-rate units to offset the reduced revenues from inclusionary units. Density bonuses are typically given as an increase in allowed dwelling units per acre (DU/A).

Part 5: Compliance Alternatives (YES or NO)

Needs Discussion

- In-Lieu Fees

Off-Site Performance

- Partnership with Nonprofits
- Land Dedication

For practical and legal reasons, many communities allow developers to pay fees in-lieu of building inclusionary units on-site. These in-lieu fees can be leveraged by local jurisdictions and nonprofit developers to build affordable housing. Off-site performance is another alternative where developers arrange for units to be built off-site, typically by either partnering with another developer by dedicating or donating land.

RECOMMENDATION



VILLAGE OF DEERFIELD

TO: Mayor and Board of Trustees

FROM: Plan Commission

DATE: January 28, 2021

RE: Approval of 2021 Zoning Map

Each year the Village must publish a new zoning map by March 31 reflecting the changes for the preceding calendar year. This year's zoning map will show the following change:

- The name change from Takeda Parkway to Horizon Way.

Attached is the 2021 Zoning Map reflecting the change.

Note: Zion Woods finished their second reading of the ordinance on January 19, 2021 and this rezoning of 10 Deerfield Road will be reflected on next year's zoning map.

RECOMMENDATION

Accordingly, it is the recommendation of the Plan Commission that the 2021 Zoning Map be published to reflect the change noted above.

Ayes: (7) Bromberg, Goldstone, Jacoby, Keefe, Schulman, Stolman, Berg

Nays: (0) None

Abstain: (0) None

Respectfully submitted,
Larry Berg, Chairman
Deerfield Plan Commission

**PLAN COMMISSION
VILLAGE OF DEERFIELD
Minutes**

The Plan Commission of the Village of Deerfield called to order a Remote Workshop Meeting via Zoom at 7:30 P.M. on January 28, 2021.

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

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

Chairman Berg reported that pursuant to amendments to the Illinois Open Meetings Act included in Public Act 101-0640, public bodies may hold virtual public meetings without a quorum physically present.

Chairman Berg stated that anyone wishing to share public comment any matter concerning the Village may do so by submitting an email to plancommissioncomment@deerfield.il.us prior to the meeting. Emails received would be read aloud during Public Comment. Any emails received during the meeting would 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, no more than 10 people may gather at Village Hall for the meeting. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a first come, first-served basis. The Plan Commission will comply will all other requirements including public comment and posting the meeting agenda, which can be found on the Village website at www.deerfield.il.us/agendacenter.

Public Comment on a Non-Agenda Item

Mr. Nakahara read aloud a public comment email comment email received on January 18, 2021.

“Dear Chairman Berg and Plan Commission Members,

Many of us in the Deerfield High School (DHS) Community were happy to see that The Plan Commission unanimously approved on 1/14/2021, the recommendation for the request for an Amendment to the Deerfield High School Special Use and a Text Amendment for a Digital Scoreboard on Adams Field. On behalf of The DHS Athletic Booster Club who has been working closely with District 113 School Board, Dr. Katherine Andersen (Principal), and The Athletic Directors, I wanted to thank all of you for your continued support of this project as it was clear early on (back in February 2019) and again last week that the DHS Community has The Plan Commission's support. In addition, I know I speak for many when I say thank you for your kind words and positive feedback included in your Recommendation to the Mayor and Board of Trustees acknowledging all of the collaborative work that has been done by The Petitioner. The DHS Athletic Booster Club along with District 113/Petitioner is looking forward for the approval process to begin by The Village of Deerfield Board of Trustees.

Warm Regards,
Larry Letwat
President, DHS Athletic Booster Club"

Mr. Lichterman reported that there was no one present at Village Hall for public comment. Mr. Nakahara reported that there was no public comment on Zoom.

WORKSHOP MEETING

Chairman Berg explained that he is switching the order of agenda items due to Commissioner Keefe's plan to recuse himself from the Prefiling Conference for a resubdivision of the property at 755 Kipling Place. Commissioner Keefe stated that he lives at the property adjacent to the south of 755 Kipling Place. After discussing this with Village staff and legal counsel, he felt it would be best to recuse himself from the proposed 755 Kipling Resubdivision.

Chairman Berg stated that they will taking the second item on the agenda first.

2) Approval 2021 Zoning Map

Mr. Ryckaert reported that each year the Village publishes a new Zoning Map by March 31 reflecting changes from the past year. This year there was one change; the street name change from Takeda Parkway to Horizon Way as the commercial buildings on this site changed ownership from Takeda to Horizon.

Commissioner Bromberg moved, seconded by Commissioner Schulman to approve the 2021 Zoning Map. The motion passed with the following vote.

Ayes: Bromberg, Goldston, Jacoby, Keefe, Schulman, Stolman, Berg (7)
Nays: None (0)

Mr. Ryckaert reported that this item will be back for document approval at the February 11, 2021 Plan Commission meeting and will be on the March 1, 2021 Board of Trustees meeting agenda.

Commissioner Keefe recused himself from the meeting.

1) Prefiling Conference for a Resubdivision of the Property at 755 Kipling Place

Chairman Berg swore in all who plan to testify before the Commission on this agenda item.

The Petitioners for this matter included developers and property owners Kenneth Andre and John Klytta as well as Jason Doland of Doland Engineering.

Mr. Klytta stated that they are proposing a subdivision of the lot at 755 Kipling Place from one lot to two lots. Currently there is a single family home on the site. The current lot dimensions are 160 feet of frontage by 200 feet deep. They are proposing splitting it into two lots down the middle so that each lot would be 80 feet wide by 200 feet deep. They plan to build two new single family homes on each lot. The new homes will be around 3,500 to 4,000 square feet.

Chairman Berg confirmed that the petitioners plan to remove and demolish the existing home on the site. Chairman Berg asked the petitioners to review the requirements they will be meeting and if any exceptions will be requested. Mr. Andre replied that there will be no exceptions requested and they will build in conformance with all R-3 Zoning requirements. They are not asking for any relief on setbacks or anything else.

Chairman Berg asked when they anticipate commencing the project if they gain approval. Mr. Andre replied that they are still in the design phase on the homes and they expect that once approval is received they will begin building the homes as soon as possible and hope to have them built and on the market by the start of 2022.

Commissioner Bromberg asked if they anticipate any pushback from the neighbors. Mr. Andre replied that he does not anticipate any pushback. He stated that the house is old and interesting architecturally. However, it is a disaster on the inside and is not fit for occupancy. He added that their plans are well within the parameters of the underlying zoning. Their desire is to build two fairly typical and reasonable homes that appeal to the mass market today and are in character with the neighborhood.

Mr. Ryckaert suggested that the petitioners review the storm water plans as the project engineer is in attendance.

Mr. Doland stated that the topography on this site slopes down from south to north and there is a low spot at the north property line on the east third of the site. This spot is the biggest burden for storm water on the site. They plan to facilitate the new homes and leave the site in better condition for managing storm water than it is today. Mr. Doland stated that they will do this by adding several storm sewer inlets. On the south lot, they will intercept some of the storm water and add inlets to collect it in what is an impounded low area that will be connected into the Village storm sewer system which is large and adequate. This allows them to facilitate collection of storm water flow. This collection for storm water will be amply accommodating. Mr. Doland added that they have sanitary and water utilities close and the new homes can be served by all public utilities easily including allowing for the cleanup of the drainage spot.

Commissioner Bromberg asked where the storm water currently flows. Mr. Doland replied that it runs south to north. The natural flow accepts water from the south and it runs over and enters the property to the north. The benefit of producing inlets there is to collect the water and prevent this. Commissioner Bromberg confirmed that this should make it better than it is today for this site and the house to the north, as well. Mr. Doland stated that yes, the neighbor to the north will

also gain the secondary benefit of collection of existing rainwater and additional storage in the pipes, as well.

Commissioner Schulman commented that he has heard that new construction homes' gutter downspouts cannot connect directly to underground sewers and asked why they would spew out on the ground instead. Mr. Doland replied that the specific gutter design for these homes will be part of the home design stage. He stated that the storm water collected in the storm sewer system will be by pipe or overland flow, which includes water coming from gutter downspouts. He added that if the gutters discharge on grade, the water will be directed by overland flow directly to the new catch basins or inlets for storm water. The grading will divert or direct the water to the inlets and not onto an adjoining lot. Mr. Andre confirmed that they cannot connect gutter downspouts to the underground storm sewers. Mr. Doland explained that instead of the water going from roof to downspout to the storm sewer, it will add travel time by being filtered through the grass and then collected in the inlets and connected to the storm sewer. So it will take minutes instead of seconds for the water to reach the storm sewer and this is beneficial for the buffering of the system and slowing down how much is collected at once. It will still be collected on site and stay on site; it will just have a longer travel time to reduce the burden on the storm sewer system.

Commissioner Stolman commented that the home on the site built in 1928 is beautiful from the outside and asked how it deteriorated to this level on the inside. Mr. Andre replied that he is not sure how it came to be in such a level of disrepair. It was a foreclosure sale and looked like it had been abandoned for quite some time. He stated that it is in extremely poor shape and not safe to inhabit. Mr. Klytta added that there was a breach in the roof and water had been pouring in and now there is a great deal of mold as a result. He stated that there is no saving the home as is despite its tremendous beauty and curb appeal on the exterior. He commented that the home was at one time elegant, luxurious living and they wish to put up two homes to mirror that. Commissioner Stolman asked if there are any historic preservation regulations that they need to abide by. Mr. Andre replied that there is no historic designation to the property and nothing that they need to abide by.

Mr. Nakahara reported that the tree survey came in today and asked Mr. Doland to briefly review the tree mitigation estimates. Mr. Doland reported that many trees that will be removed are below the size threshold of requiring a permit. They will remove what is necessary to accommodate the houses and grading. He estimated that there was around 200 caliber inches of trees to be removed to accommodate both homes although this is a forecast at this time and will be specified in the landscape plans.

Mr. Nakahara reminded the petitioners that due to the age of the house; they will have to comply with any hazardous material waste removal requirements when they go to demolish the home.

Mr. Ryckaert reported that the Public Hearing on this matter will be February 25, 2021.

Document Approval

1. Report and Recommendation of the Plan Commission on the Request for a Finding of Substantial Conformance for a Final Development Plan for 833 Deerfield Road Apartment Development - Deerfield Square/Kirby Limited Partnership

2. Report and Recommendation of the Plan Commission on the Request for a Special Use to Permit the Establishment of a Drive-Thru for a Pharmacy at 95 S. Waukegan Road; A Request for Resubdivision of the 75 S. Waukegan (Chick-fil-A) and 95 S. Waukegan Road Property; and an Amendment to a Mixed Use Unified Development to Reduce the Previously Approved Retail Building Size from 8,000 to 6,000 Square Feet (Chick-Fil-A, Inc. and Walgreens Co.)
3. January 14, 2021 Plan Commission Minutes

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

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

Items from the Staff

Mr. Ryckaert reported on upcoming Plan Commission agenda items. The next meeting is February 11, 2021 and the Commission will continued their affordable housing discussion.

Public Comment

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

Adjournment

There being no further discussion, Commissioner Bromberg moved, seconded by Commissioner Goldstone to adjourn the meeting at 7:58 P.M. The motion passed the following vote.

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

Respectfully Submitted,
Laura Boll