

**PLAN COMMISSION  
VILLAGE OF DEERFIELD  
Minutes**

The Plan Commission of the Village of Deerfield called to order a Remote Public Hearing and Workshop Meeting via Zoom at 7:30 P.M. on January 13, 2022.

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

Also present:           Jeff Ryckaert, Principal Planner  
                              Dan Nakahara, Planner  
                              Benjamin Schuster, Village Attorney

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 on any matter concerning the Village may do so by submitting an email to [plancommissioncomment@deerfield.il.us](mailto:plancommissioncomment@deerfield.il.us) prior to the meeting. Emails received will be read aloud during Public Comment. Any emails received during the meeting will be read during the second public comment before the end of the meeting. Chairman Berg asked that emailed response is limited to under 200 words to allow time for others to be heard and for the Plan Commission to progress through the public meeting agenda. In addition to written Public Comment, oral comments will also be permitted. Members of the public desiring to make an oral comment should click the “raise hand” button on Zoom or dial “\*9” if participating by phone to indicate you wish to speak.” Chairman Berg stated that the Plan Commission typically does not immediately respond to public comments or engage in open dialogue, but they will actively listen to comments.

In accordance with the Open Meetings Act, at least one representative from the Village will be present at Village Hall and the virtual meeting will be simulcast at Village Hall for members of the public who do not wish to view the virtual meeting from another location. Pursuant to the Executive Order issued by the Governor, a limited number of people may gather at Village Hall for the meeting. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a first come, first-served basis. The Plan Commission will comply will all other requirements including public comment and posting the meeting agenda, which can be found on the Village website at [www.deerfield.il/us/agendacenter](http://www.deerfield.il/us/agendacenter).

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

There was no public comment on a non-agenda item via email, Zoom or in person.

**PUBLIC HEARING**

**1) Public Hearing on the Request for an Amendment to the Walgreens Planned Unit Development to Allow a Building Addition to the 100 Wilmot Road Building for an Innovation Center and the Necessary Site Changes at the Walgreens Corporate Campus Located at 100, 102, 104, 106, 108, 200, 300, 302 and 304 Wilmot Road (Walgreens Co.)**

Chairman Berg reported that it is requested that this matter be continued to February 10, 2022, due to the newspaper not publishing the public notice.

Commissioner Crist moved, seconded by Commissioner Bromberg to continue this agenda item to February 10, 2022. The motion passed with the following vote.

Ayes: Bromberg, Crist, Goldstone, Schulman, Stolman, Keefe, Berg (7)  
Nays: None (0)

Mr. Nakahara reported that the Public Hearing will be continued to February 10, 2022.

## **WORKSHOP MEETING**

**1) Prefiling Conference on the Request for a Text Amendment to the I-1 Office Research and Restricted Industrial District to Allow an Assisted Living Facility as a Special Use in this District; Approval of a Special Use for the Proposed Assisted Living Facility at 1101 and 1121 Lake Cook Road including Necessary Exceptions; and an amendment to the Deerfield Business Center Planned Unit Development (Deerfield Supportive Living LLC and Heritage Woods Northwest LLC)**

Commissioner Bromberg reported that at his previous place of employment he was partial owner with Heritage Woods Project Owner Bob Helle as partial owner and they were business partners. He reported that they left on friendly terms and are no longer business partners and unless the petitioner objects he will not recuse himself from this matter. He just wanted to let the previous relationship be known. Mr. Helle replied that they do not object.

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

Bernard Citron, Attorney with Thompson Coburn LLP reported that he is representing the development team for this project. He stated that he believes this project will fill a need in the community for affordable senior housing under a specific program.

Heritage Woods Project Owner Bob Helle provided an overview of the project. They are proposing a 150 unit supportive living facility on Lake Cook Road in Deerfield. He stated that he will describe how supportive living varies from assisted living. Examples of assisted living include Sunrise Senior Living and Weinberg Community for Senior Living on Lake Cook Road. Assisted living and supportive living are residential instead of healthcare environments. They offer independence and dignity for those who are not able to live completely on their own. They also provide a community in addition to a place to live. They offer communal dining, a bistro, hair salon, activities, physical therapy, and more all on site. Assisted living and supportive living provide a community and individual apartments for residents. Residents of assisted and supportive living are older individuals who require assistance with activities and daily living. Residents move into these facilities around the age of 85 and they truly serve the frail elderly.

Mr. Helle reported that the average monthly rent in assisted living is \$7,000 a month, \$84,000 a year. This covers all expenses including meals, rent and activities. The cost is expensive and unaffordable for many people and assisted living facilities in Illinois cannot accept Medicaid. Supportive living is a type of assisted living created under the Supportive Living Act which allows for facilities to accept Medicaid. At least 25% of units in supportive living must be Medicaid eligible residents. This has been an enormous benefit to residents and their adult children knowing their parents won't have to leave if they run out of money. This difference brings an advantage over their colleagues and competitors. Supportive living needs to be indistinguishable from assisted living and of the same quality. Supportive living targets a more middle market resident who cannot afford assisted living or rely on family to pay for it. Supportive living uses affordable housing finance programs that allows them to reduce debt servicing so that the private pay rate is \$4,500 to \$5,000 a month for the same level of services and property as assisted living.

Mr. Helle reported that the Deerfield area is well served by high quality assisted living operators but there is no supportive living facility. And there are a large number of residents in the community and surrounding communities who are age and income qualified for supportive living. Supportive living residents are typically making \$50,000 to \$55,000 a year or less and it would be a significant burden to commit to an assisted living facility. Supportive living is a middle market alternative.

Jane Sloss, Project Architect with WJW Architects provided an overview of the plans. Ms. Sloss stated that the proposed site is located in the Deerfield Business Center Planned Unit Development on Lake Cook Road. This PUD also includes Guidepost Montessori, BJBE Synagogue, and Rochelle Zell Jewish High School. And neighbors Oracle and Walgreens as well as a large multifamily apartment building and Weinberg Assisted Living. The site is oriented with the entry facing east and with a 100 foot setback from Lake Cook Road. The proposed building will be 10,000 square feet less than the existing lot coverage on the site. Parking and traffic will be similar to the existing conditions with minor adjustments. The two existing access points off of Frontage Road will remain. Ms. Sloss reported that there are 125 parking spaces on the site with 20 dedicated to BJBE. They are proposing parking spaces of 9 feet by 18 feet which is one foot less than the standard and is the current dimension of the parking spaces. They are also proposing two ground signs, one at each access point. The road frontage is 446 feet which is short of the 500 feet required for two signs. They are requesting the second sign as an accommodation to the neighbor and the sign will be dedicated to them as they do not have a dedicated ground sign. Ms. Sloss added that they are planning to maintain much of the existing landscape and add to it especially at the perimeter. They will also add a courtyard, patio and additional resident green spaces. The total green space will be 36,000 square feet which is 18% lot coverage and an increase from the current 12%, and requirement is 10%. Ms. Sloss stated that the goal is to create comfort in outdoor spaces for residents and also to be good neighbors.

Ms. Sloss reported that the overall size of the proposed building is 124,000 square feet. The first floor will have several common areas including a dining room and bistro, library and media center, hair salon, physical therapy suite and others. Residents will have access to a generous south facing courtyard and a green space on the north side off the dining room. Most resident units will be on floors two through four with some common areas on each floor. There will be 150 units total all one bedrooms and studios with private baths, sitting areas and sleeping areas.

Ms. Sloss stated that the building design is intended to be contemporary and have a residential character. The pitched roof and variety of materials used on the elevations help give it a residential feel. They will use durable, low maintenance materials of brick and fiber cement with wood accents for warmth. Ms. Sloss added that they are proposing a building height of 57 feet to the highest portion of the pitched roof which is 12 feet above what is allowed in the PUD. The highest portion of the walls will be 42 to 45 feet which is within standard. The pitched roof will make the total height 57 feet. She commented that they believe the pitched roof contributes to giving the building a residential feel and that the building height is in character with many neighboring office and residential buildings in the area. Ms. Sloss summarized that they are seeking exceptions for building height, the size of parking spaces and having two ground signs.

Dan Brinkman, Traffic Engineer with Gewalt Hamilton reported that he completed the traffic and impact study for this development. He stated that he is very familiar with the PUD and the intersection at Lake Cook Road. Village Attorney Ben Schuster reported that per the Village's new ethics ordinance, Mr. Brinkman was granted a waiver by the Village Manager to appear before the Plan Commission a condition of this waiver is to disclosure that his company Gewalt Hamilton is under contract with the Village. Mr. Schuster asked Mr. Brinkman to provide the disclosure required by the waiver. Mr. Brinkman stated that Gewalt Hamilton is under contract for two projects with the Village of Deerfield and that he was granted a waiver per the Village code which allows him to represent private entities before the Village. The waiver was granted by Village Manager Kent Street who determined that there is no conflict of interest. Mr. Schuster added that the Village Board adopted a new ethics ordinance and if someone is under contract with the Village and wishes to also appear before a Village Commission representing a private entity, they must obtain a waiver and disclose their work.

Mr. Brinkman summarized the completed traffic and impact study for this project. He shared that traffic flow was observed and parking counts were made when Rochelle Zell High School was in session to reflect their traffic volume. He commented that the ongoing pandemic is still affecting traffic volumes and they made every effort to adjust to pre-pandemic levels to the extent possible. He stated that a key factor is that the 150 unit supportive living facility will be replacing a 42,000 square foot office building and this new use on the site will generate half the amount of traffic in peak hours which is a significant difference and a very favorable comparison when looking at traffic volumes. Mr. Brinkman stated that very few residents of the new facility will have a car. Mr. Brinkman stated that although there are some moving pieces regarding the neighboring parking situations, he determined that there is more than sufficient parking for the demand for this use and for the requirement in the Village code.

Mr. Citron reported that there is an existing agreement to provide an additional 20 parking spaces to BJBE at all times and an additional 40 making it 60 total on weekends and evenings. Mr. Brinkman reported that even with this agreement and BJBE using spaces there is sufficient parking. Based of shifts, there will be around 30 employees at a time and very few residents will have cars. The 125 parking spaces proposed will be more than sufficient for visitors, staff and overflow for neighbors in the Deerfield Business Center PUD.

Mr. Helle added that one of the main reasons they are proposing the second pylon sign is to allow signage and wayfinding for the autism school to the south, as this building is currently accessed through BJBE and does not have a dedicated sign. This would be to clarify traffic flow to the autism school and reduce some traffic that now goes around the synagogue unnecessarily.

Tim Brown of Eriksson Engineering reported that his firm is engaged in this project to compete the civil engineering and landscaping. Mr. Brown commented that he has been working with the Village engineering department to review plans as well as had conversations with the Fire Marshal for the Northbrook Fire Protection District which services this site, to ensure that the project has adequate access for fire and EMS services. Mr. Brown reported that they will be relocating some water mains on the site to provide construction access and still have water flow around the site. He stated that there is an existing storm water detention basin on the site that dates back to 1983 based on an intergovernmental agreement with the Metropolitan Water Reclamation District (MWRD) and that this storage will sufficiently maintain existing volumes and there is no additional detention required.

Heritage Woods project owner Stephen Barron shared that he would like to comment on the size and impact of this project. He stated that this will be a \$42 million project with \$11 million of equity invested and a first mortgage of around \$31 million. The facility will be one of approximately 150 supportive living facilities in Illinois, 50 of which are managed by their team. Mr. Helle added that out of the 150 supportive living facilities in Illinois, there are none in northeast Cook or Southeast Lake Counties. And despite the image of the North Shore there is significant demand and a lack of supply.

Chairman Berg asked for questions and comments from the Commission.

Commissioner Bromberg commented that he has no concerns about the height and the two signs. And he agrees that there is a need for supportive living in the area. Commissioner Bromberg confirmed that the facility will not serve dementia or mental illness patients. Commissioner Bromberg asked if they foresee challenges in staffing for the new facility. Mr. Helle replied that while staffing is currently a challenge in the industry, he does believe things will return to the mean over the course of time. The opening of this facility would be about two years down the road and staffing could be less challenging by then. Additionally, they see the bus service from the Deerfield Metra station to the Lake Cook Road business corridor as a valuable asset and will make transportation for staff much easier. Commissioner Bromberg asked what impact the nearby Weinberg Senior Living building will have on this facility and vice versa. Mr. Helle stated that typically supportive living competes with assistive living, but assisted living can't compete with them because of the Medicaid safety net. Also Weinberg offers memory care and some options that Heritage Woods will not offer. However, Weinberg costs \$7,000 or more a month and targets a higher income demographic. Heritage Woods will target a \$55,000 or less income a year demographic as their niche. Mr. Helle added that in his experience he has seen that conventional assisted living finds supportive living to be a good complement. And assisted living facilities often feel bad for turning people away due to cost and this offers an alternative.

Commissioner Bromberg asked about the projection that 80 percent of residents would come from an area of roughly three miles around the new facility which would mean that 120 people are 85 and older within a three mile area. He asked if it is more likely that the adult children of potential residents would live within three miles. Valerie Kretchmer of Kretchmer Associates reported that she specializes in senior housing research, and she completed the market study for this project. She has also worked with Weinberg Senior Living and has a good understanding of their operations. She pointed out that a major differentiator for Weinberg is that the large majority of Weinberg residents are Jewish as their facilities offer kosher food. Ms. Kretchmer stated that the primary market area for this project would be from Old Elm Road in Lake Forest on the north to Lake Street in Glenview on the south, and Milwaukee Avenue on

the west to the lake on the east. This includes Deerfield, Northbrook, Highland Park, Glenview, Northfield, Glencoe, and other areas. She added that residents must be at least 65 and most are over 85. There are about 1100 people in that geography in this category who also qualify with income. And some potential residents could have adult children in the area, as well. Additionally, there could be up to 15 to 20 percent of residents from areas like Skokie and Evanston who have nowhere else to go as there are no supportive living facilities in those areas. She concluded that there is a need and a large target market in the area for this project.

Commissioner Bromberg asked if the petitioners have data on projected fire and EMS service calls for the facility and whether these calls would cost extra or are included in their taxes. Mr. Helle replied that they estimate six 911 calls per month or around 72 calls per year. The building will have a contract with a private ambulance service, but in a true emergency, 911 will be called. He reported that if the facility residents had stayed in the community their 911 calls would likely be more frequent than the estimated calls from the facility as many would not be true emergencies and can be handled by staff and the private ambulance service. They expect that the facility will eliminate an estimated two thirds of calls from the community that are not true emergencies and can be handled internally. They believe there will be an overall net reduction in 911 calls to the community. Mr. Citron replied that their emergency services responses would be included in their taxes.

Regarding traffic, Commissioner Bromberg commented that he lives just north of Pine and Lake Cook Road and this intersection has changed quite a bit over the years. He pointed out that the traffic impact study states that this intersection is operating at a D and E level because the traffic light on Pine is very long and there is some confusion when trying to turn right to head east on Lake Cook Road. He asked what the chances are that Cook County will ever improve this intersection. Mr. Brinkman agreed that there are long wait times and no left turn arrow from the side street. He stated that Cook County has offered that the Village of Deerfield can add left turn arrows, but no more time will be given for them on the signal cycle, so to do this would be very costly and will not give any more time on the lights making delays from the side streets the same or worse. He stated that the only other solution would be to add more capacity by widening the north and south approach to get more cars through the intersection. He added that the long delays are consistent with many side streets off Lake Cook Road as Cook County's priority is to keep the high volume of traffic on Lake Cook Road moving.

Commissioner Goldstone asked the petitioners about the construction process and whether they have spoken to the neighboring businesses about it. Mr. Helle replied that they have met with the Rochelle Zell High School, the autism service agency and the synagogue. He explained that they will have a comfortable sized building site in a fenced-in area that will not impede any traffic. The only potential issues would be deliveries which can be coordinated around peak times for the synagogue and the school. Mr. Barron added that they have received great support from all neighbors and that they will make sure that 40 extra parking spaces are always still available to BJBE throughout the construction process.

Mr. Helle showed the site plan pointing out that the west side parking spaces will remain accessible as the construction fence will go on the edge of the east side of parking spaces. There will be sufficient parking for the autism school, the high school and the synagogue to use throughout construction. He commented that it is a relatively easy site to work in without impacting the neighbors. Commissioner Goldstone confirmed that all potential staff and medical professionals at the facility were accounted for in the parking study.

Commissioner Goldstone asked the petitioners how long they foresee it taking to fill the building. Mr. Helle replied that it could be two years to come to stabilization on this property. Commissioner Goldstone commented that she is supportive of this project, and it is interesting contrast to what is currently available in the area for senior housing.

Commissioner Stolman commented that architectural renderings are beautiful, and as mentioned the Pine and Lake Cook intersection can get very backed up, especially Sunday mornings for Sunday school. He asked if Sundays and high holidays were reviewed in the traffic impact study. Mr. Brinkman replied that they did not look at high holidays as they focused on the everyday arrival and departure of high school students which coincides with traditional work rush hours, and this is the peak time for this PUD which impacts traffic. Their goal was to study a typical day.

Commissioner Crist commented that she supports this project and has no problem with the building height and agrees that it makes it appear more residential in nature. She added that the signage is fine, and she also has no problem with the size of the parking spaces considering that this is already in use at the property.

Commissioner Schulman asked about the real estate tax projections for this project. He commented that he does not have a huge concern about the building height. However, given that the lot coverage is well below the requirement, he asked why the plans would be so high instead of one less story and more spread out. Mr. Helle replied that this is because of the required 100 foot setback from the property line and fitting the building on the site with this constraint required a four-story building.

Commissioner Schulman commented that it makes sense why a four-story building is being proposed with less lot coverage. He also confirmed that Heritage Woods would pay taxes to the Northbrook Fire Protection District as they would provide fire and EMS services to the site. Mr. Citron confirmed that as the property sits on the south side of Lake Cook Road it is serviced by the Northbrook Fire Protection District which is its own taxing body. Commissioner Schulman confirmed that it would still be serviced by the Deerfield Police Department. Mr. Citron commented that there is typical very little police service provided at these facilities, the majority of emergency services is EMS, and there would be little to no impact on Village services.

Commissioner Keefe asked the petitioners what construction materials they are proposing. Ms. Sloss replied that it would be metal, noncombustible exterior walls and combustible interior construction.

Chairman Berg commented that this is a positive development for the community and serves a need. He suggested that for the Public Hearing the petitioners compare the proposed building height to surrounding area building heights.

Mr. Nakahara reported that the Commission is acknowledging a public comment email received from Kenneth Smith, Trustee of the Northbrook Fire Protection District. The email stated: "I am attending the Deerfield Plan Commission meeting tonight via Zoom to hear the proposal from the Heritage Woods of Deerfield applicant. I reviewed the plans and noted the paragraph on the agenda page 163 addressing the EMS calls procedures. Thank you.  
Kenneth E. Smith, Trustee  
Northbrook Rural Fire Protection District"

Mr. Nakahara reported that the Public Hearing on this matter will be February 10, 2022.

**2) Prefiling Conference on the Request for a Resubdivision of the Property at 130 and 140 Kenmore Avenue**

Chairman Berg reported that the petitioner for this matter asked that it be continued to January 27, 2022.

Commissioner Bromberg moved, seconded by Commissioner Goldstone, to continue this matter to January 27, 2022.

Ayes: Bromberg, Crist, Keefe, Goldstone, Stolman, Schulman, Berg (7)  
Nays: None (0)

**Document Approval**

1. Deerfield High School Auditorium Addition and Renovation Special Use Recommendation

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

Ayes: Keefe, Goldstone, Crist, Bromberg, Stolman, Berg (6)  
Abstain: Schulman (1)  
Nays: None (0)

2. December 9, 2021 Plan Commission Minutes

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

Ayes: Keefe, Crist, Bromberg, Stolman, Goldstone, Berg (6)  
Abstain: Schulman (1)  
Nays: None (0)

**Items from the Staff**

Mr. Schuster clarified that a commissioner may still vote on approving minutes from a past meeting even if they were absent at that meeting. Their vote acknowledges that they read the minutes and approve of them.

Mr. Ryckaert reported on upcoming Plan Commission agenda items. The next meeting will be January 27, 2022.

Mr. Schuster provided a brief overview of the Village's new ethics ordinance. The Village Board of Trustees recently updated ethics regulations in the Village code. These regulations apply to all officers and commissioners, and some apply to contractors. As was done at this meeting, if any person is under contract with the Village, they are not allowed to appear in front of another body including the Plan Commission unless a waiver from the Village Manager is obtained

stating that there is no conflict of interest. Mr. Schuster stated that the Plan Commission may see this happen more often at the meetings going forward. Mr. Schuster stated that as officers of the Village of Deerfield much of the ethics ordinance applies to Plan Commissioners and he recommends they all review the ordinance. Some provisions apply to all officers of the Village including commissioners. And if a commissioner were asked to appear before another public body in the Village, for example if there were representing a petitioner before the ARC or BZA, they would be asked to obtain a waiver as this could be a potential conflict of interest. And anytime a waiver is obtained that individual must disclose the waiver before testifying.

Mr. Nakahara asked if the waiver must be part of the meeting record. Mr. Schuster replied that nothing in the code requires the waiver to be part of the meeting record. The waiver is granted by the Village Manager and can impose conditions. In the case of Gewalt Hamilton at this meeting the waiver stated that they were allowed to appear and must disclose that they have a contractual relationship with the Village. If a conflict of interest is determined they may not be permitted to appear. For example if a contractor for a Village project overlaps for a private sector project, they may not be permitted to appear before the Plan Commission.

### **Public Comment**

There was no public comment on a non-agenda item via email, Zoom or in person.

### **Adjournment**

There being no further discussion, Commissioner Goldstone moved, seconded by Commissioner Schulman to adjourn the meeting at 9:02 P.M. The motion passed the following vote.

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

Nays: None (0)

Respectfully Submitted,  
Laura Boll