

**PLAN COMMISSION
VILLAGE OF DEERFIELD
Minutes**

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

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

Absent were: Blake Schulman

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

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

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

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

Public Comment on a Non-Agenda Item

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

PUBLIC HEARING

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

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

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

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

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

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

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

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

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

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

There was no public comment on this matter.

Chairman Berg stated that the Plan Commission has concluded public testimony and will deliberate their recommendation on this matter. He stated that this portion of the meeting is open to the public, but no new testimony will be taken unless requested by the Commission. He stated that the Plan Commission is a recommending body, a written recommendation will be forwarded to the Village Board of Trustees who will take final action on this matter.

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

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

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

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

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

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

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

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

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

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

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

There was no public comment on this matter.

Chairman Berg stated that the Plan Commission has concluded public testimony and will deliberate their recommendation on this matter. He stated that this portion of the meeting is open to the public, but no new testimony will be taken unless requested by the Commission. He stated that the Plan Commission is a recommending body, a written recommendation will be forwarded to the Village Board of Trustees who will take final action on this matter.

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

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

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

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

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

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

WORKSHOP MEETING

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

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

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

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

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

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

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

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

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

Document Approval

1. May 27, 2021 Plan Commission Meeting Minutes

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

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

Items from the Staff

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

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

Public Comment

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

Adjournment

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

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

Nays: None (0)

Respectfully Submitted,
Laura Boll