



Lake County Central Permit Facility
500 West Winchester Road
Libertyville, Illinois 60048-1331
Phone: 847.377.2600
E-mail lcpermits@lakecountyil.gov

April 8, 2024

To: Lake County Public Works

From: Eric Waggoner, Director, Lake County Planning, Building & Development

Re: Request to Amend the Lake County/Village of Kildeer Sewer Services Agreement to provide sewer services to Casa Bella Subdivision consisting of 19.25 acres and including 44 single-family detached homes.

In 2008 and as amended in 2015, the Public Works and Transportation Committee adopted a policy (“Considerations and Principles”) that requires changes in sewer agreements be evaluated for “both direct and indirect effects from both a policy and practical perspective”. The policy identifies several factors when evaluating the revisions to retail sewer service agreements.

The Considerations and Principles policy requires that the project be evaluated for consistency with the Regional Framework Plan and consistency with relevant local plans. The Framework Plan contains visions, goals, and policies that can be summarized into general objectives, which are outlined below. Following are staff’s comments regarding the Village of Kildeer’s proposed sanitary sewer extension to serve a new residential development (the “Casa Bella Subdivision”).

Subject Area Description

The subject area consists of a 19.25-acre property located at 20660 and 20672 N. Quentin Road in the Village of Kildeer where there is a proposal to construct a “cluster” subdivision planned development that will connect to the recently completed sanitary sewer extension running south along the west side of Quentin Road from Rand Road.

The property is located on the west side of Quentin Road approximately 550’ south of Rand Road and is bounded by Concorde Subdivision to the north. The property is north of Rue Vallee Subdivision and east of Briargate Subdivision. All adjacent subdivisions are residential. The new proposed subdivision would consist of 44 single-family residential lots (approximately 20 acres). A new road will be constructed to gain access from N Quentin Road, with a detention pond proposed on the east side of the subdivision.

Surrounding land uses include residential to the east and south, a day care center and residential to the north, with nonresidential (plant nursery and Lake County detention pond) to the west.

The subject property is located in the Lake Zurich Community Unit School District 95.

Consistency with County and Local Land Use Designations

On the County’s Future Land Use Map, the subject property is designated as Single Family Residential (1-to-3-acre lot density), with the same land use to the north and Residential Single Family (0.25 to 1

acre lot density) to the west and south. There is a small portion of Retail/Commercial to the northeast along the Quentin Road and Rand Road intersection.

The Village of Kildeer's 2023 Zoning Map identifies the parcel's existing zoning as R1, Single Family Residence District. This designation is intended to accommodate low density residential lots with a minimum size of one acre. Per the Village, the Comprehensive Plan has been amended in a series of updates, the most recent in 2009.

The proposed subdivision is the subject of a Planned Unit Development request that would allow for a higher density and smaller lots than what would typically be allowed by Kildeer's zoning ordinance for the Village's R1 zoning district. It is proposed to be developed as a "cluster subdivision" and the standards for Cluster and Townhome Planned Developments are applicable. A density of 2.68 dwelling units per acre is proposed through this Planned Development whereas the Village ordinance would allow 1 unit per acre with conventional R1 residential development.

The Casa Bella project, which has received the Kildeer Village Board's preliminary approval, supports the Village's long-term housing goals. Specifically, Kildeer's Village Board has recently passed a resolution in 2023 promoting the incorporation of more affordable housing within the Village and is working to revise their comprehensive plan to include mixed-use developments in response to the Village's current status and its' obligations under the Illinois Affordable Housing Planning and Appeals Act ("the Act"). The Village recognizes that the Act will necessitate an active and ongoing effort by the Village to increase the diversity of its housing stock to ensure that 10% of the total housing stock consists of affordable housing units. To meet this statutory threshold, the Village's newly adopted Affordable Housing Plan explicitly provides a goal of increasing the minimum overall percentage of affordable housing units within the Village by 15% for all new housing.

This specific project, although not per se an "affordable" development as defined by the State statute, would support the Village's effort to begin diversifying local housing opportunities and to incrementally increase the supply of more affordable housing within the Village. The Village's planning goal of increasing the diversity of housing stock and creating more housing affordability within the community through higher density residential development is exemplified by a number of new approved and proposed residential projects within the Village's jurisdiction at a comparable or greater density in dwelling units ("DU") than the Casa Bella proposal: Kildeer Crossings (3.18 DU/acre, proposed), Preserves (2.88 DU/acre single family, approved), Wentworth (2.49 DU/acre single family, approved), Westbury (3.58 DU/acre single family & duplex, approved).

Consistency with the Framework Plan Objectives

1) *The Framework Plan encourages commercial development that meets the shopping, service, and employment needs of local residents.*

The proposal to add an approximately 20-acre residential subdivision will not have a commercial component.

2) *The Framework Plan encourages the protection of prime agricultural lands from premature development; and the protection of priority open space, natural and cultural resources and community character.*

The property is on prime agricultural land, as are all the subdivisions surrounding it. It has previously been used as a farm with pasture. This subdivision would not qualify as premature development as it is the last farm site remaining in the area and wholly surrounded by developed land. The proposed development will protect natural resources on site. As a cluster subdivision planned development, the site's development would provide for larger contiguous open spaces surrounding clustered housing on smaller lots than otherwise available through conventional residential development.

3) The Framework Plan encourages growth to be directed to locations where infrastructure capacity is available or committed to be available in the near future.

The subject property is located adjacent to existing subdivisions and can be served by an extension of sewer infrastructure.

This parcel now needs to be included in an amendment to the Agreement for Sewage Disposal between the County and the Village of Kildeer. The County currently has sanitary sewer capacity available to accommodate the proposed residential development, subject to final engineering review and comment.

Individual on-site wells shall comply with the requirements of the Lake County Health Department.

The proposed development is subject to the Watershed Development Ordinance's Bulletin 75 stormwater and stormwater detention regulations; these updated WDO stormwater regulations are designed, in part, to increase water quality protection and minimize off-site flooding impacts.

4) The Framework Plan supports the revitalization of residential, commercial and industrial areas.

The subject property is a new residential subdivision with 44 proposed lots. This would bring additional infill residential growth in a largely built-out portion of the community.

5) The Framework Plan supports the integration of mixed land uses and transportation systems to provide more choices in housing, shopping, communities, and transportation.

Although not characterized as a mixed-use or transit-oriented development, the proposed residential subdivision does accommodate a greater variety of housing choices in short supply within the Village, in support of the Village's new affordable housing policy.

6) The Framework Plan encourages an appropriate range of housing types.

The subject properties are proposed to be developed as Single-Family Detached housing which are adjacent to other residential uses and generally appropriate for the proposed locations.

The Village Board's recent adoption of an Affordable Housing Plan for Kildeer identifies the realistic challenges the Villages will likely encounter in meeting the State's goals and hence approaches its affordability target with an incremental strategy. The proposed subdivision represents an effort to strike a balance between maintaining the local community character (through an offering of single family detached lots, consisting with surrounding subdivisions) and increasing the diversity of housing stock at more affordable levels (given the project's higher density and smaller lot size than the

surrounding subdivisions). The project’s cluster design and designation of permanent open space near and along significant portions of the project’s exterior will serve to soften and mitigate any visual impacts of the higher density on the surrounding neighborhoods.

Impact on County Roads and Other Services

During the municipal development review process, both the Illinois and Lake County DOTs will have an opportunity to review the impacts of proposed development on County and State Road systems and require the Village and developers to fund any necessary roadway improvements.

Available and Committed Capacity of the Sewer System

Public Works has determined that capacity is available for development of the wholesale sewer agreement and the agreement would require the Village or developers to make or fund any infrastructure improvements necessary to serve new developments.

Alternative Proposals Put Forth by an Applicant or Government Entity

There are no proposed alternatives.

Impact on Other Affected Public Bodies

This residential subdivision is proposed to contain 44 single-family lots to replace existing farmland. Therefore, there may be additional students entering the Lake Zurich Community Unit School District 95 when the proposed subdivision is built out. Given the relevance of school impact within the context of infrastructure/service capacity, staff would typically need to review copies of school contribution agreements and a copy of the Village’s current impact fee ordinance to provide a complete review of school infrastructure capacity. Nonetheless, the approval of the development was subject to a condition that the applicant shall pay the school impact fees as a contribution in lieu of school land. In 2023, Casa Bella was identified by the school district as a residential subdivision that was likely to be developed, thereby facilitating any necessary school facility and operational planning.

Another condition of approval states that the applicant must pay the required impact fees to the Lake Zurich Rural Fire Protection District, as the Village does not have its own fire department.

Level of Support/Opposition to the Proposal

In the minutes from the Village of Kildeer’s Planning Commission meeting on December 12, 2023, several neighbor comments were provided regarding various anticipated project impacts and proposed conditions (topics generally included construction noise, security, traffic, tree protection and habitat preservation, stormwater management, adequate water supply, and density). These comments preceded the developer and staff presentations, both of which then addressed the comments. No other concerns were raised at the meeting. The Plan Commission recommended preliminary approval of the plans with conditions.

Specific Environmental Concerns

None that are known.