

## MEMORANDUM

**TO:** William T. Lichter, Village Manager  
**FROM:** David A. Hulseberg, AICP, Director of Community Development  
**DATE:** February 19, 2004  
**SUBJECT:** **PC 04-04: 19W416 and 312 E. 18<sup>th</sup> Street (Regency Estates Subdivision)**

Attached please find the following items for Village Board consideration as part of the February 19, 2004 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 04-04;
3. A draft Ordinance granting approval of an annexation agreement for the subject property (the draft agreement is attached to the draft Ordinance).
4. A draft Ordinance granting approval of the annexation of the subject property.
5. A draft Ordinance granting approval of a map amendment rezoning the property from the R1 to the R2 District.
6. A draft Ordinance granting approval of a conditional use for a planned development with deviations for lot width, subject to conditions.
7. Plans associated with the petition.

As you will find in the referral letter and draft Ordinance, the Plan Commission recommends that a solid fence be placed along the west property line and landscape planting be placed along the north and east property lines. After the public hearing with the Plan Commission was held, the petitioner met with staff, the Trustee of the District to discuss the buffering issue in greater detail. In lieu of providing the landscaping as proposed, the petitioner is requesting that an alternate screening plan be approved. Specifically, the petitioner is requesting that the Village Board allow him to install snow/construction fencing along the north, west and east perimeter of the subject property to prevent or minimize damage to the existing vegetation located along the perimeter of the subject property. The fencing would be located at least fifteen (15) off of the property line and shall remain in place until such time that all construction has been completed on the lot in which the fencing is erected. Additionally, he would provide additional landscaping, consisting of at least one tree every forty (40)

feet along the north, west and east property lines with any deciduous trees being of at least a 2 ½ inch caliper and any coniferous trees being at least six (6) feet in height.

An alternate draft Ordinance granting approval of a conditional use for a planned development with deviations for lot width, but with revisions to the landscape conditions of approval is also attached should the Board choose to adopt this amended language. For ease of reference, the proposed changes are shown as underline or strikeout.

One item staff would like to note to the Village Board pertains to Section 15 of the Annexation Agreement pertaining to Special Assessments. The proposed three-year provision that the Village agrees to hold off on establishing any special assessments for the Subject Property is being requested so that the Developer is aware of the full development costs associated with the project. As the developer is obligated to complete all requisite public improvements for the new cul-de-sac and is obligated to fully improve sections of 18th Street east of Stewart Avenue, staff does not foresee any problems with this provision.

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