

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
May 2, 2005

RE: ID# 00578: [Proposed Substitute] Zoning Map Amendment I.Ds 3070, 3071 and 3072, rezoning 4610 Rustic Drive from Temp. A to R2S and PUD-GDP-SIP and ID# 01103, approval of the preliminary and final plat of "Nelson Addition to Rustic Acres"

1. Requested Actions: Approval of a request to rezone 9.8 acres generally located at 4610 Rustic Drive from Temporary A (Agriculture District) to R2S (Single-Family Residence District) and PUD-GDP-SIP (Planned Unit Development, General Development Plan/ Specific Implementation Plan) and approval of a preliminary plat and final plat creating 18 single-family lots, seven two-family lots and seven lots for four-unit townhomes.
2. Applicable Regulations: Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12 (9) provides the process for zoning map amendments; the subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.
3. Report Drafted By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant & Property owner: Starkweather Square, LLC; 2134 Atwood Avenue; Madison, Wisconsin 53704; Doug Nelson, representative.

Surveyor: Burse Surveying & Engineering, Inc.; 1400 E. Washington Avenue, Suite 158; Madison, Wisconsin 53703
2. Development Schedule: Development of the subdivision will commence in summer 2005.
3. Parcel Location: Approximately 9.8 acres located at the southwestern and southeastern corners of Rustic Drive at Milwaukee Street in Aldermanic District 3; Madison Metropolitan School District.
4. Existing Conditions: Undeveloped lands located in the City of Madison in Temp. A zoning.
5. Proposed Land Use: 18 single-family lots, zoned R2S, and 14 two-family units on seven lots and 28 townhouse units in eight four-unit buildings, both zoned PUD-GDP-SIP.
6. Surrounding Land Use and Zoning:
North: Future Metrotech mixed office-retail development, apartments, zoned PUD-SIP;
South: Single-family residences on large tracts in the Town of Blooming Grove and City of Madison (City tracts zoned Temp. A);

West: Single-family residence in the Town of Blooming Grove; undeveloped lands and City of Madison stormwater management pond, zoned Temp. A (Agriculture);

East: Single-family residences on large tracts in the Town of Blooming Grove.

7. Adopted Land Use Plan: An amendment to the Sprecher Neighborhood Development Plan was reviewed by the Plan Commission on March 21 and was adopted by resolution of the Common Council on March 29, 2005. The amendment, which addresses future annexations to the City of the Rustic Acres county subdivision as provided by the recently enacted boundary agreement with the Town of Blooming Grove, recommends “low density residential” for most of the Rustic Acres subdivision with the exception of Milwaukee Street frontage, which is recommended for “low-medium density” uses west of Rustic Drive and “medium density residential” between Rustic Drive and Sprecher Road.
8. Environmental Corridor Status: The subject property is not located in an environmental corridor. However, a corridor has been mapped to correspond to the City-owned greenway and stormwater management pond immediately adjacent to this parcel on the south.
9. Public Utilities & Services: The property will be served by a full range of urban services. The site, however, is not currently located in the Madison Central Urban Service Area (CUSA). An application by the City to include this in the CUSA was submitted in early March and is expected to be approved by the Wisconsin Department of Natural Resources in the next six months. A condition withholding release of the final plat for recording until the CUSA amendment is approved is included.

STANDARDS FOR REVIEW

This application is subject to the standards for zoning map amendments and planned unit developments, and the standards for preliminary plats.

ANALYSIS AND EVALUATION

The applicants are requesting approval of a zoning map amendment to rezone two parcels containing a total of 9.8 acres of area from Temp. A (Agriculture District) to R2S (Single-Family Residence District) and PUD-GDP-SIP, and approval of the preliminary plat and final plat of “Nelson Addition to Rustic Acres.” The proposed subdivision will contain a total of 60 dwelling units consisting of 18 single-family lots in R2S zoning, and seven two-family lots and seven four-unit townhouse lots in the planned unit development zoning.

Background

The two parcels are located at the southwestern and southeastern corners of Rustic Drive and Milwaukee Street, with approximately 1,020 feet of frontage along Milwaukee Street and 700 feet of frontage along Rustic Drive. Both properties were annexed into the City of Madison on

February 1, 2005, and each contains a single-family residence with driveway leading to Rustic Drive.

The topography of the 9.8-acre site falls gradually from west to east from a ridge along the western property line. Vegetation on the site is minimal, with mature trees primarily located in modest rows along the western southern property lines. The southern and eastern boundaries of the property are formed by a City of Madison greenway that drains southeasterly and under S. Sprecher Road to a stormwater detention pond near Door Creek. A 50-foot wide strip of the greenway that extends north to south along the eastern property line has been added to the site under an agreement between the City and developer to sell a portion of that greenway to the applicant in exchange for a 20-foot wide stormwater drainage easement along the easternmost twenty feet.

The area surrounding the site features a diverse array of existing and proposed land uses. As noted under the "General Information" section, the subject site is located within the limits of the Sprecher Neighborhood Development Plan. The Homburg property west of the site are currently in agricultural use in the City of Madison, with the exception of a single-family residence on an individual 1.3-acre parcel located adjacent to the northwestern corner of the subject site in the Town of Blooming Grove. The neighborhood plan recommends that these properties be developed with low-density residential uses in the future. Similar low-density residential development is planned south and east of the subject site along Rustic Drive and the west side of Sprecher Road, which are currently developed with a scattering of single-family residences on large tracts in the Rustic Acres county subdivision. It is envisioned that these larger parcels will be subdivided into smaller tracts for single-family development at densities not exceeding eight units per acre. Across Milwaukee Street, Metro Terrace has been constructed opposite Rustic Drive to provide access to the Metrotech mixed retail-office development located in the northwestern quadrant of Milwaukee Street and Sprecher Road. An apartment building has been constructed fronting Milwaukee Street at the northeastern corner of Metro Terrace. Land west of Metro Terrace on the north side of Milwaukee Street is currently developed with a single-family residence. In the future, the Sprecher NDP recommends this property for low-medium density residential development.

Plan Review

The seven townhouse lots proposed will be located between the Milwaukee Street frontage and a new residential street that will be constructed generally parallel to Milwaukee Street across the development site (Street A). The street will contain 60 feet of right of way and will provide connections on both the east and west ends to facilitate future development. The proposed townhouses will each contain four dwelling units and will include side entry lower-level garages with driveway access from the residential street. No vehicular access to Milwaukee Street is proposed. The buildings will be set back a minimum of 30 feet from Milwaukee Street to provide an adequate front yard adjacent to that future arterial roadway. Ten-foot front yards are proposed adjacent to Street A.

The seven townhouse buildings have been designed with front elevations that include entrances and stoops facing both Milwaukee Street and Street A to provide street-oriented facades on both streets per the direction of Planning Unit staff, who expressed concerns that the buildings not back onto Milwaukee Street. Buildings north and east of the site do or will face and engage Milwaukee Street as part of an urban development pattern envisioned by the Sprecher NDP. The appearance of the seven townhouse buildings will be varied through the use of various roof and front porch designs, window styles, individual material palettes and façade ornamentation to provide a diverse street wall along Milwaukee Street.

The fourteen two-family units will be organized around a cul-de-sac (Street B) that will extend south from Street A parallel to the eastern property line and greenway. The seven two-family buildings will be two-story structures that include a mix of front and side-loaded garage models, with the front entrances of at least one unit per building oriented towards the street. The zoning text indicates that the seven duplexes will be set back 15 feet in the front and 20 feet in the rear, with usable open space to be provided in the required yards.

Both the two and four-family lots will be developed in planned unit development (PUD-SIP) zoning. The Urban Design Commission reviewed the PUD-GDP-SIP on April 6, 2005 and granted initial approval (see attached report).

The remainder of the site will be developed with 18 single-family lots zoned R2S. Five of the lots will be located on the east side of Rustic Drive between Street A and the City greenway, with six lots proposed on the south side of Street A opposite the townhouses between Rustic Drive and the western property line. The remaining seven lots will be located on a cul-de-sac extending west from Rustic Drive north of the greenway. The single-family lots will contain an average of approximately 8,850 square feet of lot area, with the largest lots located around the cul-de-sac. All of the lots appear to comply provide the 40 feet of lot width and 5,000 square feet of lot area required under R2S zoning. R2S zoning also includes design standards that require that a ground-floor entry face the street and that garages either be located in the rear yard of the residence, or if attached, recessed two feet from the front façade. An attached garage may occupy no more than 50% of the front facade.

Of the two existing residences located on the development property, the residence located west of Rustic Drive will remain on an R2S zoned lot on the "Street C" cul-de-sac, while the residence on the east side of Rustic Drive will be located elsewhere in the development on an undisclosed lot.

With the exception of a 0.12-acre outlot being added to the adjacent City-owned stormwater management tract at the rear of proposed Lots 14 and 15, no other public lands will be dedicated with this plat.

Inclusionary Zoning

The applicant has submitted an Inclusionary Dwelling Unit Plan indicating intent to comply with

the inclusionary zoning provisions of the Zoning Ordinance. The IDUP indicates that three of the 18 single-family units, two of the 14 two-family units and four of the 28 four-unit dwellings proposed will be constructed to meet the affordability criteria. All of the affordable units will be made available to families earning 80 percent of the Area Median Income (AMI). The IDUP indicates that all 60 dwelling units will be owner-occupied three-bedroom units.

The nine total affordable housing units proposed equals the 15 percent required overall for owner-occupied developments. The Planning Unit believes the affordable units to be adequately dispersed throughout the development site.

The applicant is requesting reductions in park dedication and park development fees as incentives for this development. A report from the Community Development Block Grant Office regarding this project's compliance with the affordable housing program is attached, as is a report from the Parks Division about this project's eligibility for the requested fee reductions.

CONCLUSION

The Planning Unit believes that the proposed development represents appropriate infill development consistent with City plans for further development of the Rustic Acres county subdivision. The average density of the four-unit townhomes is approximately 11 units per acre west of Rustic Drive and approximately 16 units per acre east of Rustic Drive. The duplex lots average little more than 9 units per acre, while the density of the single-family lots ranges from 2.7 units per acre to 6.6 units per acre. These densities are consistent with the recommended density for lands south of Milwaukee Street in Rustic Acres. The location of the townhouses along Milwaukee Street provides a proper transition into the site from higher densities and more intensive uses generally located north of the property, and provides a suitable buffer for the proposed single-family lots to the south from what is anticipated to be a heavily trafficked road in the future.

RECOMMENDATION

The Planning Unit recommends that the Plan Commission forward the following three items to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following condition(s):

- [Proposed Substitute] **Zoning Map Amendment LDs. 3070, 3071 and 3072**, rezoning 4610 Rustic Drive from Temp. A (Agriculture) to R2S (Single-Family Residence District) and PUD-GDP-SIP;
- **The Preliminary Plat of Nelson Addition to Rustic Acres**; and
- **The Final Plat of Nelson Addition to Rustic Acres**;

1. Comments from reviewing agencies.

2. That the PUD-GDP-SIP be revised as follows:
 - a.) that the zoning text for both the GDP and SIP be revised to note that landscaping will be as shown on the site plans, not as provided in the private covenants as currently indicated;
 - b.) that the zoning text for both the GDP and SIP be revised to revise references to "PUD-GDP Duplex" and "PUD-GDP 4-UNIT" to simply "Duplex" and "Four-plex;"
 - c.) the requested zoning in the SIP should reference a requested zoning of PUD-SIP.
3. That the final plat be revised to include the following notes:
 - a.) "There shall be no direct vehicular access to Milwaukee Street for Lots 1-3 and 29-32."
 - b.) "There shall be no direct vehicular access to Rustic Drive for Lots 3 and 32."
4. The final plat and PUD-GDP-SIP will not be released for recording until the subject property is incorporated into the Central Urban Service Area following approval of an amendment by the Wisconsin Department of Natural Resources.

AGENDA # VII.C.

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: April 6, 2005	
TITLE: 4609 & 4610 Rustic Drive - PUD(GDP-SIP), Subdivision with Seven Duplex Lots, and Seven Four-Unit Lots	REFERRED:	
	REREFERRED:	
	REPORTED BACK:	
AUTHOR: Alan J. Martin, Secretary	ADOPTED:	POF:
DATED: April 6, 2005	ID NUMBER:	

Members present were: Lou Host-Jablonski, Acting as Chair, Todd Barnett, Robert March, Michael Barrett, Lisa Geer, Bruce Woods, and Ald. Steve Holtzman.

SUMMARY:

At its meeting of April 6, 2005, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a PUD(GDP-SIP) located at 4609 and 4610 Rustic Drive. Appearing on behalf of the project was Doug Nelson. Nelson informed the Commission that the development of seven duplex lots and seven single-family lots as part of his subdivision plat called Nelson's "Addition to Rustic Acres" under a proposed PUD(GDP-SIP) zoning was necessitated by the duplex lots' double street frontage requiring the buildings to have two front facades facing each street and a concentration of "down-sized" single-family lots centered around a cul-de-sac. The utilization of the PUD zoning for the development of these lots was a follow-up to Planning staff's suggestion based on the lots' unique circumstances. Outside of the seven duplex and seven single-family lots developed under the PUD zoning, the remainder of the subdivision plat will consist of single-family lots zoned R2S. Nelson provided an overview of the proposed site plan layout of both the duplex and single-family lots in combination with prototypical building elevations and emphasizing architectural detailing. Following the presentation, Nelson noted that his formal request for final approval was withdrawn in favor of a request for initial approval based on the lack of a fully detailed landscape plan for the development PUD lots. Following the presentation, the Commission expressed concerns on the following:

- The development of "snout garages" on Lots 23, 24, 26, 27, and 29 are inappropriate and emphasizing the garage as the main feature of the front facade of the building. The architecture of the structures proposed on Lots 25 and 28 is not consistent with the remainder of the architecture proposed on the other PUD lots.

ACTION:

On a motion by March, seconded by Barrett, the Urban Design Commission **GRANTED INITIAL APPROVAL** of the project. The motion was passed on a vote of (6-0-1) with Host-Jablonski abstaining. The motion required that all front building elevations containing snout garages be redesigned and the following:

- The architecture of all proposed residences shall be designed to be architecturally consistent developed.
- A fully detailed typical site / landscape plans shall be provided for each of the lots for review which shall include driveway locations.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 6, 6, 6, and 6.5.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 4609 & 4610 Rustic Drive

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	6	7 – Isthmus 4 – others	-	-	-	6	6	6
	6	7	-	-	-	6	6	6
	6	6	-	-	-	-	7	6.5
	5	5	-	-	-	5	5	5
	6	6	-	-	-	6	6	6
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-

General Comments:

- Suggest all buildings be design by Isthmus Architecture.
- Why aren't the multi-units interspersed with the single family?
- Shared drives and underground parking for the four-units are appropriate density.
- Need to develop architecture so that there are no snout houses.
- OK for this site.

6-7

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: April 4, 2005

To: Bill Roberts, Planner III

From: Kathy Voeck, Assistant Zoning Administrator

Subject: 4610 Rustic Dr., Rezoning and NELSON'S ADDITION TO RUSTIC ACRES

Present Zoning District: A

Proposed Use: Plat into 32 residential lots. (18 R-2 lots, 3 R-3 lots, 4 R-4 lots and 7 PUDSIP lots)

Requested Zoning District: R-2S, R-3, R-4, and PUD(GDP-SIP)

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project).

GENERAL OR STANDARD REVIEW COMMENTS

1. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning, a copy of the approved plan for recording prior to zoning sign off of the plat.
2. Provide a zoning text for the PUD(SIP) portion of the plat. Work with zoning and planning on the content.

R-2S ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	4,000 sq. ft.	6,598 sq. ft. +
Lot width	40'	40' at front setback line
Usable open space	800 sq. ft.	adequate
Front yard	15' or 18' (dep. on loc. of gar)	
Side yards	5' each side	
Rear yard	20'	
Building height	2 stories/35'	

Site Design	Required	Proposed
Number parking stalls	1	

Nelson's Addn. to Rustic Acres

April 4, 2005

Page 2

R-3

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	4,000 sf per unit Min. 6,000 sf	13,359 sq. ft. +
Lot width	50'	96' +
Usable open space	750 sq. ft. per unit	adequate
Front yard	25'	
Side yards	5' 1 story, 6' 2 story	
Rear yard	40'	
Building height	2 stories/35'	

Site Design	Required	Proposed
Number parking stalls	Depends on # bdrms per unit	

R-4

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	2,000 sf per 1-2 bdrm unit Min. 6,000 sf	10,152 sq. ft. +
Lot width	50'	94' +
Usable open space	500 sq. ft. per unit	adequate
Front yard	25'	
Side yards	5' 1 story, 6' 2 story	
Rear yard	35'	
Building height	2 stories/35'	

Site Design	Required	Proposed
Number parking stalls	Depends on # bdrms per unit	

PUD (SIP) (R-2S comparison)

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	4,000 sf	7,240 sq. ft. +
Lot width	40'	48' +
Usable open space	800 sq. ft. per unit	adequate
Front yard	15' or 18' (dep. on loc. of gar)	
Side yards	5' each side	
Rear yard	20'	
Building height	2 stories/35'	

Site Design	Required	Proposed
Number parking stalls	1	

Nelson's Addition to Rustic Acres

April 4, 2005

Page 3

Other Critical Zoning Items	
Urban Design	No (PUD=yes)
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	Yes
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	No (Multi-family possibly)

With the above conditions, the proposed project **does** comply with all of the above requirements.

* Since this project is being rezoned to the **(PUD)** district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the **R-2S** district, because of the surrounding land uses.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dalley, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: March 21, 2005
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer *[Signature]*
SUBJECT: Nelson's Addition to Rustic Acres Preliminary & Final Plat

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. ~~The applicant shall move "A" Street south such that the street can be extended without impacting Lot 2 of CSM No. 814, or purchase said Lot 2 portion and include in plat with dedication supporting the current "A" street alignment.~~ *[Signature]*
2. Prior to plat approval, the applicant shall pay the Door Creek North Phase 2 Impact Fees for sanitary sewer conveyance, storm conveyance, and possibly storm pond outlet structures. Contact the City Engineer for further information.
3. The applicant shall be responsible for the cost of constructing "A" Street to the eastern plat boundary, along with 1/2 the cost of extending the storm sewer from Milwaukee Street to the south of "A" Street. This construction must be coordinated with the City Engineer.
4. All street names are subject to approval of the City Engineer.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Plats (Pre-Preliminary, Preliminary, Final)
and Certified Survey Maps**

Name: Nelson's Addition to Rustic Acres Preliminary and Final Plat

General

- 1.1 The Developer shall enter into a City / Developer agreement for the installation of public improvements required to serve this plat/csm. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat/csm without the agreement executed by the developer.
- 1.2 Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be

6-7



submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

Right of Way / Easements

- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.3 It is anticipated that the improvements on [roadway name] _____ required to facilitate ingress and egress to the plat/csm will require additional right of way and/or grading easements located outside the plat/csm boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition.
- 2.4 The Developer shall petition for the street vacation of (roadway name) _____ and provide a legal description and sketch of the right of way to be vacated after consultation with the City Engineer.

Are the following requirements met?

- * Streets Intersect at right angles.
- * A 15 foot minimum tangent at intersections from PC of curve to property line.
- * Arterial intersection spacing generally greater than 1200 feet.
- * Jogs are avoided at intersections. Arterial streets shall be adjusted to align if spacing less than 300 feet.
- * Spacing of intersections on local streets shall be greater than 300 feet.
- * Cul-de-sacs shall be less than 1000 feet long.
- * 100 foot tangents between curves.

- 2.5 _____
- 2.6 Property lines at intersections shall be rounded with a 15 foot radius on _____
- 2.7 Property lines at intersections shall be rounded with a 25 foot radius on _____
- 2.8 The right of way width on _____ shall be _____ feet, on _____ shall be _____ feet and on _____ shall be _____ feet.
- 2.9 _____ shall have a minimum centerline radius of _____ feet and _____ shall have a minimum centerline radius of _____ feet.
- 2.10 The cul-de-sac on _____ shall have a minimum radius of _____ feet with a minimum reverse curve radius of _____ feet.
- 2.11 The plat/csm shall show a temporary limited easement for a temporary cul-de-sac on _____ having a radius of _____ feet and a reverse curve radius of _____ feet. The easement(s) shall expire when the streets are extended.
- 2.12 The developer shall show on the plat/csm a 40 foot utility easement adjacent to [roadway name] _____. The easement wording shall be approved by the City Engineer. The intent of the easement is to allow for the relocation of a major transmission line. The actual poles would remain on the right of way however major transmission lines require an easement beyond the space occupied by the poles for safety.
- 2.13 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.14 The Developer shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.15 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____. The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be

67

limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

Streets and Sidewalks

- 3.1 The Developer shall construct Madison Standard street improvements for all streets within the plat/csm.
- 3.2 The developer shall show a 30 40 (*Strike one, 30 collector, 40 Arterial*) foot building setback line on the plat/csm adjacent to [Roadway Name] _____ for all lots in the plat/csm adjacent to said roadway.
- Note: No buffer strip shall be dedicated to the City as the City does not want the maintenance.*
- 3.3 Extensive grading may be required due to steep roadway grades.
- 3.4 The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.
- 3.5 The developer shall construct sidewalk and record a waiver of their right to notice and hearings for the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. Said sidewalk constructed in front of and waiver recorded to Lot(s) _____.
- 3.6 The Developer shall make the following improvement to [Roadway Name] Milwaukee Street. The Developer shall construct sidewalk and 16- feet of a future 29- foot roadway including curb and gutter on the south side of the roadway.
- 3.7 The Developer shall construct sidewalk to a plan approved by the City Engineer and complete ditching as required by the City Engineer along [Roadway Name] _____.
- 3.8 The Developer shall grade the right of way line to a grade established by the City Engineer and complete ditching along the roadway as specified by the city engineer along [Roadway Name] _____.
- 3.9 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____. (*Also require the City / Developer agreement line 1.1*)
- 3.10 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.11 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] ___ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and section 4.09 of the MGO.
- 3.12 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.13 Developer shall make improvements to [Roadway Name] _____ considered temporary to facilitate ingress and egress to the plat/csm until such time as the ultimate improvement of the roadway is undertaken by the city.
- 3.14 The Developer shall make improvements to [Roadway Name] _____ to facilitate ingress and egress to the plat/csm.

[Select one of the below comments for either of the above or leave general]

- The above improvement will consist of acceleration and deceleration tapers.
- The above improvement consists of rights turn lanes.
- The above improvement will consist of passing lanes.
- The above improvement will consist of median openings.

Caution – The improvements indicated above may require right of way outside of the plat/csm. See comment 2.3 to require additional right of way for this purpose.

- 3.15 The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat/csm.
- 3.16 The developer shall confirm that adequate sight distance exists on _____ where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as

required by the City.

Storm Water Management

- 4.1 An erosion control plan and land disturbing activity permit shall be submitted to the Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
- 4.2 The following notes shall be included on the final plat:
- a. All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
 - b. The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.
- 4.3 Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
- a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b. All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.
- 4.4 Prior to the issuance of building permits, the Developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage.

The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27.

The following note shall accompany the master storm water drainage plan:

- a. For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows.

No building permits shall be issued prior to City Engineering's approval of this plan.

- 4.5 If the lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane Co Register of Deeds.
- 4.6 The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water detention at the time they develop." 67
- 4.7 This plat/csm could affect a flood plain, wetland or other sensitive areas. As such, it shall be reviewed by the Commission on the Environment. Contact Mike Dailey at 266-4058 for further details. The proposed plat/csm may be considered a major change to the environmental corridor and be subject to a public hearing and approval of the Dane County Regional Plan Commission.

- 4.8 A portion of this plat/csm may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland or flood plain issues or navigable waterway. A permit for those matters may be required prior to construction on any of the lots currently within the plat/csm. Contact the WDNR & USACOE for a jurisdictional determination.
- 4.9 Prior to recording, this plat/csm shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Contact Greg Fries at 267-1199 to discuss these requirements.
- 4.10 This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
- 4.11 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicate a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

Sanitary Sewer

- 5.1 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 5.2 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.

Mapping / Land Records

- 6.1 Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. **Note: Land tie to two PLS corners required.**
- 6.2 In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference **City of Madison NAD 1927 Coordinates** on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established NAD 1927 Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html for current tie sheets and control data. If a surveyor encounters an area without a published NAD 1927 value, contact Engineering Division for this information.
- 6.3. The Applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division. **The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number:**
 - a. Right-of-Way lines (public and private)
 - b. Lot lines
 - c. Lot numbers
 - d. Lot/Plat dimensions
 - e. Street names
 - f. Easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

NOTE: This transmittal is a separate requirement than the required submittals to Bob Arseneau for design purposes.

NOTE: New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

- 6.4 In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (site Register of Deeds recording data) and easements which are being conveyed

by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.

6-7



Department of Public Works
Parks Division

Madison Municipal Building, Room 120
215 Martin Luther King, Jr. Boulevard
P.O. Box 2987
Madison, Wisconsin 53701-2987
PH: 608 266 4711
TDD: 608 267 4980
FAX: 608 267 1162

April 28, 2005

TO: Plan Commission
FROM: Simon Widstrand, Parks Development Manager
SUBJECT: **Nelson's Addition to Rustic Acres - Revised**

S.W.

1. Total park fees of \$129,395.08 are required.

Dedication / Fee Calculations

Dedication = (32 @ 1100 square feet) plus (28 @ 700 square feet) = 54,800 square feet. Fees in lieu of Dedication shall be paid based on the actual value of the acreage otherwise required for dedication, with a maximum value of \$1.65 / square foot, adjusted January 1 of each year. The value is determined by the Planning Real Estate Unit and is based on the land value prior to development approval. The maximum land fee would be \$90,420.

The Park Development Fee is (32 @ \$779.50) + (28 @ \$501.11) = \$38,975.08

TOTAL PARK FEES ARE ESTIMATED AT \$129,395.08

At least half of the fees shall be paid prior to signoff on the Final Plat, with a letter of credit provided to cover the remaining fees.

There are no aspects of the plan that qualify for IZ park fee reductions.

If you have questions regarding the above items, please contact Simon Widstrand at 266-4714 or awidstrand@cityofmadison.com





Traffic Engineering Division

Dayid C. Dryer, City Traffic Engineer

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608/266-4761
TTY 608/267-9623
FAX 608/267-1158

March 29, 2005

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer

SUBJECT: **4610 Rustic Drive – Preliminary / Final Plat / Rezoning – Nelson’s Addition to Rustic Acres / Temp A to PUD (GDP-SIP), R2S, R3 & R4**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

- | |
|---|
| <ol style="list-style-type: none"> 1. The applicant shall execute a waiver of notice and hearing on special assessments for the future traffic signal and associated street improvements at the intersections the City plans to signalize. The traffic signal waiver shall also require a deposit for future area traffic signals and associated intersection changes. 2. The applicant shall enter into a subdivision contract for street and intersection improvements along Midtown Road to provide safe and adequate ingress and egress to the plat. The design, plans and specifications shall be reviewed and approved by the Traffic Engineer. |
|---|

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off.

4. Utility easements shall be provided as follows:

Between Lots	Between Lots	Between Lots
2 & 3	21 & 22	
12 & 13	24 & 25	
18 & 19	28 & 29	

5. The applicant shall show a detail drawing of the 12 ft. utility easement dimensions and lot lines on the face of the plat.

6. There will be access restrictions for Nelson's Addition to Rustic Acres plat for development of this final plat and shall be noted on the face of the plat as follows:
 - a. No Access shall be granted along the southerly right-of-way line of Milwaukee Street.
7. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Dan J. McCormick, P.E., City Traffic Engineering at 266-4761 if you have questions regarding the above items.

Contact Person: Starkweather Square LLC

Fax: 244-0205

Email:

DCD:DJM:dm

6-7



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: 3/16/05
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **4610 Rustic Dr.**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

1. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
2. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path **traveled by the fire truck as the hose lay's off the truck.** See MGO 34.20 for additional information.
3. All portions of the exterior walls of newly constructed one- and two-family dwellings shall be within 500-feet of at least one fire hydrant. Distances are measured along the path **traveled by the fire truck as the hose lay's off the truck.** See MGO 34.20 for additional information.

Please contact John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt

6-1

**Nelson's Addition to Rustic Acres
Inclusionary Dwelling Unit Plan:
Staff Review for the Plan Commission: (April 26, 2005)**

Name of Development	Nelson's Addition to Rustic Acres
Address	4609-4610 Rustic Dr.
Developer/owner	Nelson Group
Contact Person	Doug nelson
Contact Phone	608.244.4990
Contact-mail	doug@thenelsongroup.org

TEXT SUMMARY FOR PLANNING UNIT REPORT TO PLAN COMMISSION:

The developer proposes to develop lots to create a total of 60 dwelling units on 9.78 acres.

15% of the for-sale total units or 9 will be designated as IZ units.

CONCLUSIONS AND SUGGESTED CONDITIONS:

The project as proposed, based upon the available information furnished by the developer,	
	Will comply with MGO 28.04 (25)
X	Will comply with MGO 28.04 (25) if the following conditions or changes are met:
	Standard conditions: Developer must build the units such that they meet the terms of the ordinance, bedroom mix and minimum size, and dispersion, or arrange for builders purchasing the lots to meet those requirements.
	Project-specific conditions:
	Does not comply for the following reasons:

Reviewed by	Barbara Constans, Grants Administrator Hickory R. Hurie, CD Grants Supervisor
	Date: April 26, 2005

1. PROPOSED ALLOCATION OF AFFORDABLE UNITS

Number of units	At Market	At 80%	At 70%	At 60%	At 50%
Single Family	15	3			
Duplexes	12	2			
4 Units	24	4			

2. TABLE TO CALCULATE POINTS

This Project's points	At Market	Percentage of units at 80% of Area median income (AMI)	70%	60%	50%
5%					
10%					
15%		2			
20%					
TOTAL for project					2

6-7

Note: These tables are included in the Inclusionary ordinance and provided for information purposes:

For-sale: Per cent of dwelling units	At Market	At 80% of AMI	70%	60%	50%
Ord. points					
5%		0	1	2	3
10%		1	2	3	4
15%		2	3	4	5
20%		3	4	5	6

Rental: Per cent of dwelling units	At Market	At 60% of AMI	50%	40%	30%
Ord. points					
5%		0	1	2	3
10%		1	2	3	4
15%		2	3	4	5
20%		3	4	5	6

3. ISSUES RELATED TO DESIGN, PRICING, OR TERMS OF IZ UNITS

Standards for Inclusionary dwelling units (IDUs)	Complies	Does not comply	Additional comments
Exterior Appearance of IDUs are similar to Market rate	yes		Developer plans to comply
Proportion of attached and detached IDU units is similar to Market rate.	yes		
Mix of IDUs by bedroom size is similar to market rate	yes		Developer proposes IZ units bedroom mix proportional to market rate unit mix.
IDUs are dispersed throughout the project	yes		
IDUs are to be built in phasing similar to market rate	Yes		
Pricing fits within Ordinance standards	Yes		
Developer offers security during construction phase in form of deed restriction	Yes		City would require this as part of subdivision agreement
Developer offers enforcement for for-sale IDUs in form of option to purchase or for rental in form of deed restriction	Yes		City would require Land use restriction agreement, during development, and an option to purchase after sale.
Developer describes marketing plan for IDUs	Yes, in process		Presumption is that builder will market to target IZ households as part of general marketing campaign.
Developer acknowledges need to inform buyers/renters of IDU status, responsibilities for notification	Yes		Discussed.
Terms of sale or rent	Yes		
Additional areas of interest	Area of interest		Additional Comment
Developer has arranged to sell/rent IDUs to non-profit or CDA to meet IDU expectations	No		NA
Developer has requested waiver for off-site or cash payment	No		NA
Developer has requested waiver for reduction of number of units	No		NA
Other:	None identified		

4. INCENTIVES REQUESTED

- A) Density bonus of 10% (except developments of 4 or more stories and >75% of parking is underground, or has 30 or fewer detached du, then density of 20% per point) (limited to 3 points)
- B) Reduction in Park development fees (limit of 1 point)
- C) Reduction in Park Dedication requirements (limit of 1 point)
- D) 25% reduction in parking requirements (limit of 1 point)
- E) Non-city provision of street tree landscaping
- F) Cash subsidy from IZ fund, \$10,000/IZ unit for up to 50% of the on-site IZ units (Limit of 2 points)
- G) Cash subsidy from IZ fund, \$5,000/IZ unit for lower range column of households, up to 50% of on-site IZ units with 49 or fewer detached du or developments with 4 or more stories and at least 75% of parking is underground. (Limit of 2 points)
- H) One additional story in downtown design zones, not to exceed certain height requirements
- I) Eligibility for residential parking permits equal to number of IZ units in PUD
- J) Assistance in obtaining other funds related to housing
- K) Preparation of a neighborhood development plan from non-city sources (if development located in Central Services Area, is contiguous to existing development and no such plan exists.
- L) Expedited review: developer requested simultaneous approval of preliminary and final plats.
- M) Expedited engineering design process

5. ISSUES OF PROCESS

Are there issues in any of the following steps that should be identified now for closer attention?

Step	Standard Step Activity	Special Issues
Pre-conference with City Planning Staff	Held January, 2005	None identified
Presentation of Concept to City's Development Review Staff Team	Presented	None identified
Submission of Zoning Application and IZ Dwelling Unit Plan	IDUP submitted February 9, 2005 Revised and re-submitted IZ Plan April 8, 2005	None identified
Formal Review by City's Development Review Staff Team	Complete	None identified
Formal Review by Plan Commission	Pending	None identified
Appeal Plan Commission Decision to Common Council (optional)	Developer has not requested waiver.	None identified
Compliance with Approved Inclusionary Dwelling Unit Plan (IDUP)	Deed restriction to be recorded for construction phase; Marketing Plan implemented	None identified
Construction of development according to IDUP	Developer is ready to begin in 2005.	None identified
Comply with any continuing requirements	Sample 5% of IDU annually for compliance review.	None identified



March 7, 2005

City of Madison Plan Commission
Attn: Tim Parks, Planning Unit
215 Martin Luther King Jr. Boulevard
P. O. Box 2985
Madison, WI 53701-2985

Re: Nelson's Addition to Rustic Acres

To Members of the City Plan Commission:

This letter constitutes the response of the McClellan Park Neighborhood Association (MPNA) to the proposed rezoning, and related requests, of Douglas Nelson, The Nelson Group, relating to the proposed development known as "Nelson's Addition to Rustic Acres." The affected area falls within the boundaries of the MPNA. We are sharing these comments, by copies of this letter, with Mr. Nelson and District 3 Alderperson Warren Onken.

The MPNA Development Committee met with Mr. Nelson on March 1, 2005 at the Pinney Branch Library. At that meeting, Mr. Nelson shared information related to his planned development and willingly answered the many questions we had.

The MPNA supports the planned development of "Nelson's Addition to Rustic Acres." We feel it is consistent with how we would like to see our neighborhood expand, offering a positive mix of single family homes and multiple unit dwellings, along with reflecting provisions for Inclusionary Zoning units.

We ask that you, along with Mr. Nelson, please take note of the following comments and concerns we have regarding this new development:

1. Street Lighting – We strongly support the inclusion of additional street lighting throughout this area. We are particularly concerned about illuminating Milwaukee Street. As you know, a tragedy occurred recently along Milwaukee Street when a young woman was hit and killed while walking along the side of the road at night.
2. Parking – Mr. Nelson indicated that he is uncertain about whether parking will be permitted along this stretch of Rustic Drive. Given the proposed width of this roadway, we do not support allowing parking, particularly in consideration of our concerns about children at play, nighttime visibility, and other safety issues.
3. Condominiums – We strongly prefer that the multiple unit buildings be condominiums rather than apartment rentals. To the extent that the PUD provisions can include such a requirement, we encourage that.
4. Lot sizes – Lots 5 – 10 on the unnamed "A Street" are relatively narrow compared to other lots in the Nelson's Addition. The narrow homes that will have to be built to fit on these lots will be inconsistent with the rest of the development. We support reducing the number of lots to increase the width of these lots.

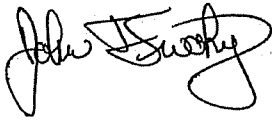
March 7, 2005

Page 2

5. Park Fees - Mr. Nelson indicated that he has reached an agreement with the City to pay a per-parcel "park fee" in lieu of offering land for a small neighborhood park. We support this decision; furthermore, we encourage an arrangement whereby the fees paid by Mr. Nelson be earmarked such that the full fee is used for development of the planned large park at the north end of Grandview Commons, located within the MPNA and closest to the Nelson's Addition area. We request that the Plan Commission go on record directing the parks fee for Nelson's Addition be dedicated to the large park. The MPNA is willing to work with the Parks Department to determine how the parks fee is used.
6. Green Areas, Trees, etc. - We were pleased to hear Mr. Nelson's pledge to preserve and protect existing trees in the area. We assume that he will, to the maximum extent possible, ensure that the natural areas will be preserved and enhanced.
7. Septic System Removal - We trust that the process of converting the area from septic systems to city water and sewer will be accomplished with appropriate regard for protecting the environment.

Thank you for your consideration of our comments. Please feel free to contact me or Alan Sweet, MPNA Development Committee Chair on any matters affecting development within the McClellan Park Neighborhood.

Sincerely,



John Tuohy, President
McClellan Park Neighborhood Association

506 Traveler Lane
Madison, WI 53718
tuohys@charter.net

Cc: Alan Sweet
6321 Buford Drive
Madison, WI 53718
2sweets@charter.net

Douglas Nelson, The Nelson Group
Starkweather Square LLC
2134 Atwood Avenue
Madison, WI 53704

Warren Onken, Alderperson
District 3