

CITY OF MADISON

Proposed Plat & Rezoning

Plat Name: Owl Creek Subdivision

Location: 4949 Meinders Road

Applicant: Doug M Nelson - The Nelson Group/
Michael S Marty - Burse Surveying &
Engineering Inc

- Preliminary Within City
 Final Outside City

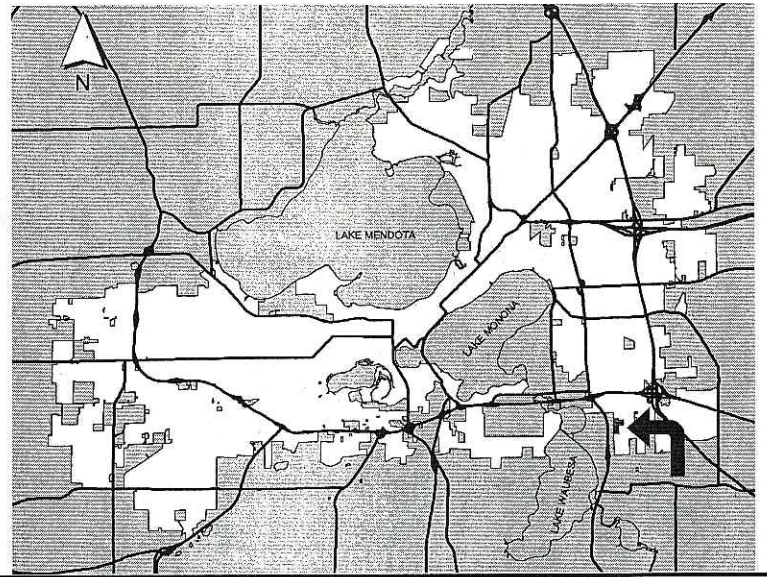
From Temp A To: R2S, R3 & R4

Proposed Use: 108 Residential Lots and 6 Outlots

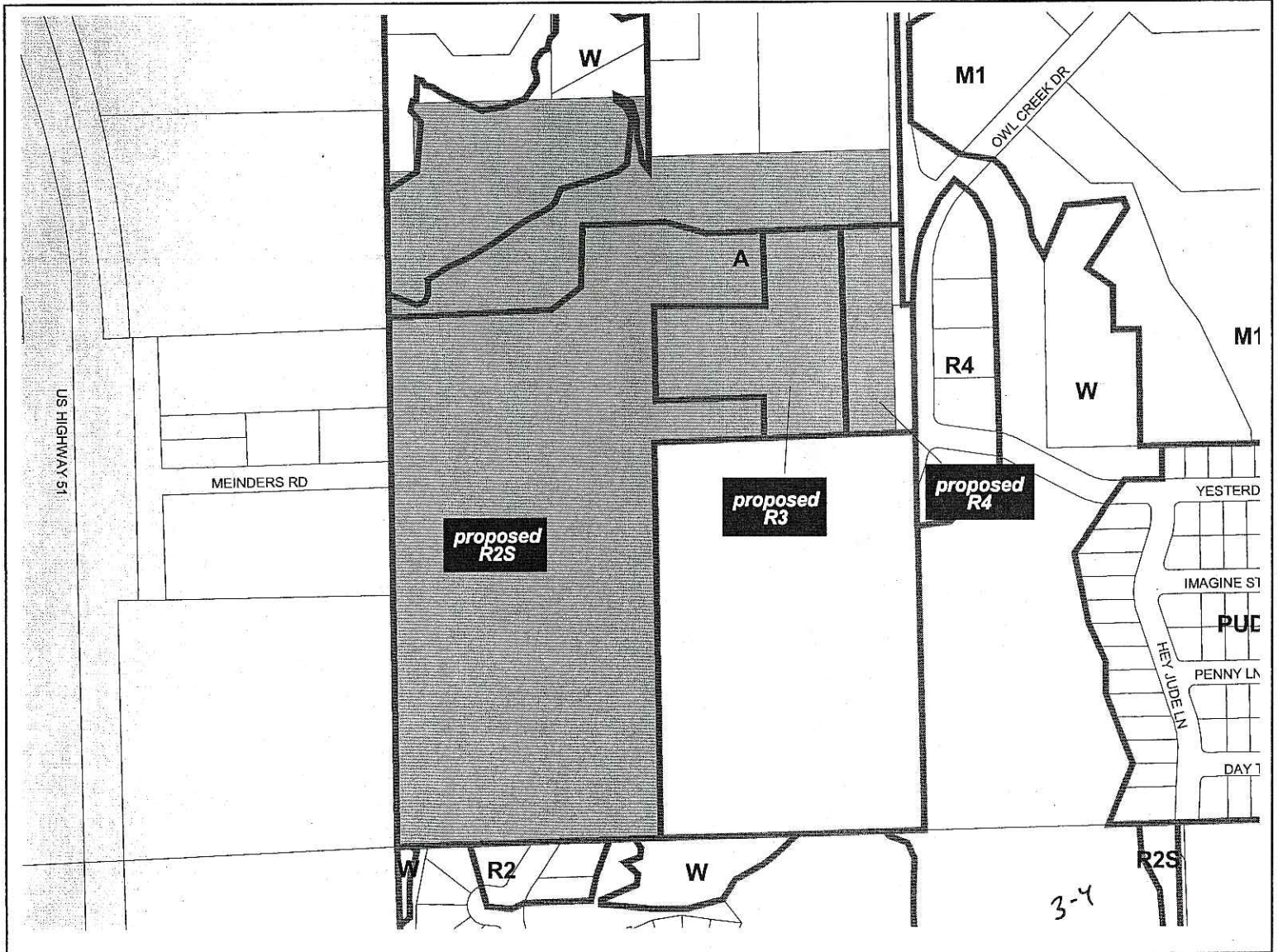
Public Hearing Dates:

Plan Commission 18 April 2005

Common Council 03 May 2005



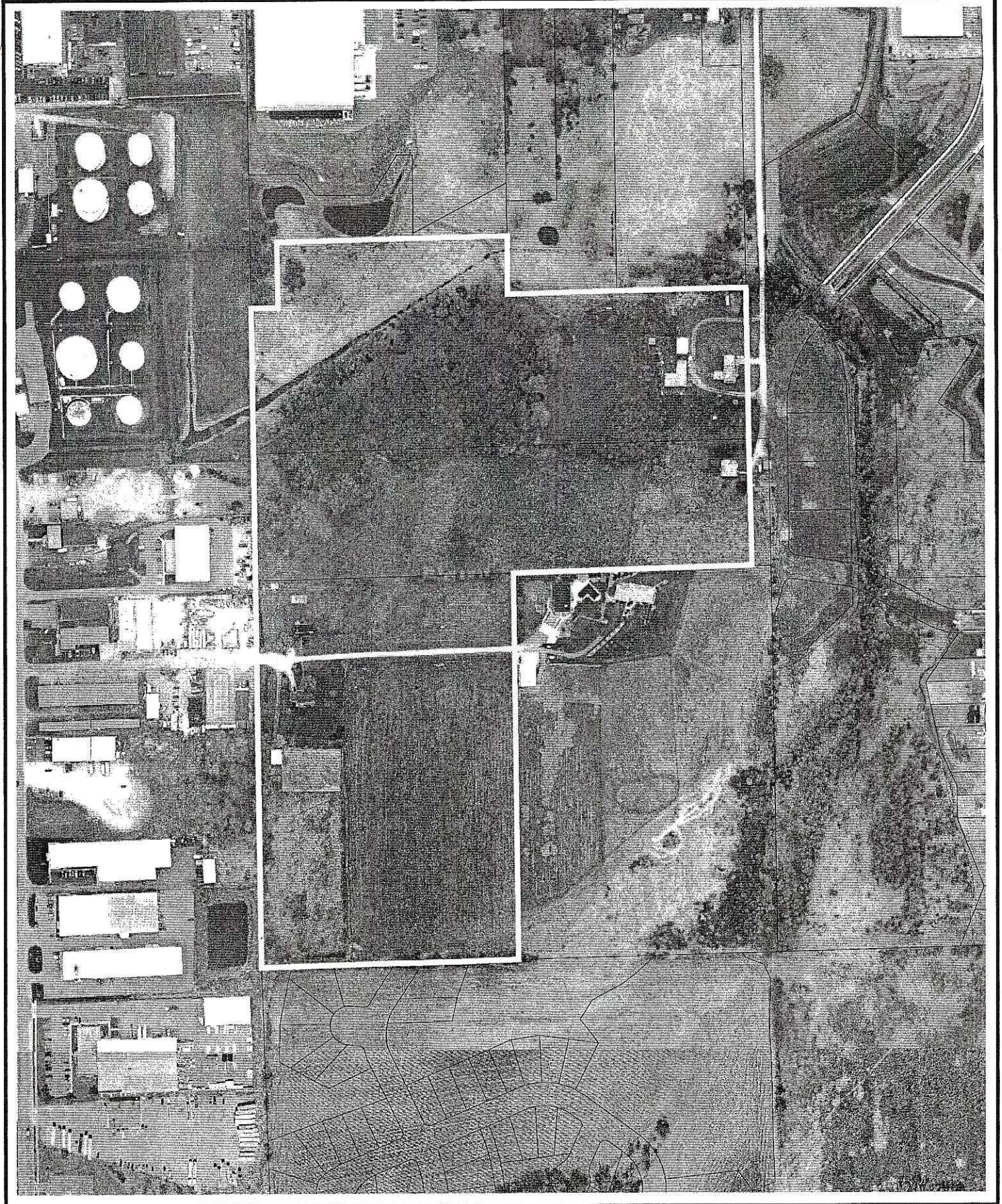
For Questions contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Owl Creek Subdivision

0 100 Feet

Date of Aerial Photography - April 2003



PART A

Occupant Notification Fee: \$50
 Rezoning and Conditional Use application fees see attached.

The following information is **REQUIRED** for ALL applications for Plan Commission review:

FOR OFFICE USE ONLY:	
Amt. Paid	Receipt #
Date Received	1-26-05
Parcel No.	
Aldermanic District	Ald.
GQ	OK
Zoning District	Appl 16 - Judy Sampson
For complete submittal:	
Application	<input checked="" type="checkbox"/>
Legal Description	<input checked="" type="checkbox"/>
Letter of Intent	<input checked="" type="checkbox"/>
Plans	<input checked="" type="checkbox"/>
Zoning Text	N/A
Received By	KSW
Alder Notif.	12-26-05 Waiver
Nbr. Assn. Notif.	Waiver
Issued Sign	

- Address of Site: 4204 Tormey Lane and 4949 Meinder Road
 Name of Project: Owls Creek
 Acreage of Site: 38.86
- This is an application for (check at least one):
 Rezoning from A-1 to R2S, R3 and R4
 Conditional Use
 Demolition Permit (Please provide age, City assessment, and the condition of the building(s) to be demolished. Provide photos.)
 Other (Describe) _____
- You must include or attach a **legal description**—Lot and block number of recorded certified survey map or plat, or metes and bounds by surveyor, engineer, title company, etc., (Note: A “Plat of Survey” or “Site Plan” is **NOT** a legal description). Any extra costs to the City, because of legal description problems, are to be paid by the applicant. **(Any application, without a proper, complete and appropriate legal description, will NOT be processed).** See attached instruction sheet regarding submittal of legal descriptions on computer diskette.
See Attached
- General description of the project or intended use(s) of this property.**
Preliminary and Final Plat over largely undeveloped Land for a Residential Development
- Are there existing buildings on this site? Yes
 What is the present zoning of this site? _____
 What are the present uses of this site? Large Homesteads
- Do you intend to use the existing building(s)? Yes

7. What exterior changes are proposed to the existing building(s)? NONE

8. What interior changes are proposed to the existing building(s)? NONE

9. Are you proposing to add or build new dwelling units? Add
How many units? 123
Owner occupied 99 selling price, from \$ 180,000 to \$ 325,000
Rental 24 rent levels, from \$ 750 to \$ 1200

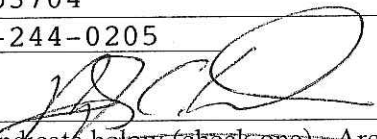
10. For rental housing will you be accepting Section 8 housing vouchers? _____

11. When do you wish to occupy this site or building? Summer 2005

12. Does this proposal involve any development in the public right-of-way? _____
No _____ Yes x Explain: Public Utilities and streets

13. Please print (or type) name and mailing address of the **property owner**. (Please include all owners involved in partnerships) The Nelson Group
C/O Doug Nelson, The Nelson Group
2134 Atwood Ave. Madison, WI 53704
Phone: 608-244-4990 Fax: 608-244-0205

Please print (or type) name and mailing address of **contact person** for this project [the person that can answer any questions regarding this application or project plans and will appear at the public hearing(s)]. Doug Nelson, The Nelson Group
C/O Dough Nelson
2134 Atwood Ave. Madison, WI 53704
Phone: 608-244-4990 Fax: 608-244-0205

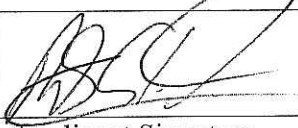
14. **Property owner's** authorization signature: 
[If offer to purchase or contract owner, please indicate below (check one): Architect's, real estate agent's, contractor's or tenant's signature is **NOT** adequate].
Owner Offer to Purchase Other (Explain _____)

15. It is extremely important that you inform the **ALDERPERSON** and **NEIGHBORHOOD ASSOCIATION** of this district about your proposal as soon as possible. As required by Section 28.12(10)(c) and (d), I have notified Alderperson Judy Compton and _____ of the _____ Neighborhood Association in writing by mail no less than thirty (30) days prior to this submittal.
Yes _____ No _____
Date that the alderperson was notified: 12-26-05
Date that the Neighborhood Association was notified: No Neighborhood

9. That when applying the above standards to any new construction of a building or an addition to an existing building the City Plan Commission:
- Shall bear in mind the statement of purpose for the zoning district such that the proposed building or addition at its location does not defeat the purposes and objective of the zoning district, and
 - May require the applicant to submit plans to the Urban Design Commission for comments and recommendations, and
 - May consider the use of the proposed building as it relates to the City's Land Use Plan. When a conditional use application is denied, the Plan Commission shall furnish the applicant in writing those standards that are not met and enumerate reasons the Commission has used in determining that each standard was not met.
- [Sec. 28.12(10)(g)8., Cr. by Ord. 5869, 6-1-77]

The undersigned applicant or authorized agent of the applicant **hereby certifies that he or she has read all of the information contained in this application and that the same is true and correct.**

The undersigned further understands and agrees that any review, recommendation, approval, or permit, based upon any statement, drawings, plans, evidence or information furnished by the applicant or any agent of the applicant to the Plan Commission or Common Council with respect to the project which is the subject of this application and which at the time made is misleading, inaccurate, untrue or incorrect in any material respect, shall be declared null and void by the Commission, issuing written notice thereof to the applicant or designated agent without further public hearing.

	<i>offer to Purchase</i>	<i>1-26-05</i>
Applicant Signature	Relationship to Owner	Date

Please print (or type) name and mailing address of above applicant: The Nelson Group
C/O Doug Nelson
2134 Atwiid Ave, Nadusibm WU 53704
 Phone 608-244-4990 Fax 608-244-0205

The following material is REQUIRED for all applications:

- Twelve (12) copies of a Letter of Intent describing this application in detail, including: Construction schedules, names of people involved (contractor, architect, landscaper, business manager, etc.), types of businesses, hours of operation, square footage or acreage of the site, number of dwelling units, number of employees, gross square footage of building, number of parking stalls, etc.
- Seven (7) copies of "Full Size" scaled site plans and seven (7) copies of reduced site plans on 11 inch by 17-inch paper. Scaled site plans to be drawn at a scale of one-inch equals 20 feet. All plan sets must include: A site plan showing all lot lines, building locations, building additions, demolitions, or changes, parking areas, driveways, sidewalks, location of any new signs, existing and proposed utility locations, and landscaping. Also include building elevations and floor plans. Plans must be drawn to scale and include all dimensions.



**Madison Planning Commission
SUBDIVISION APPLICATION**

215 Martin Luther King Jr. Blvd; Room LL-100
PO Box 2985; Madison, Wisconsin 53701-2985
Phone: 608.266.4635 | Facsimile: 608.267.8739

Date Stamp

**** Please read both pages of the application completely and fill in all required fields****
For your convenience, this application form may be completed online at www.cityofmadison.com.

1a. Application Type. (Choose ONE)

Preliminary Subdivision Plat Final Subdivision Plat Land Division/ Certified Survey Map (CSM)

If a Plat, Proposed Subdivision Name: Preliminary Plat of Owl Creek Subdivision

1b. Review Fees. Make checks payable to "City Treasurer."

For Preliminary and Final Plats, an application fee of \$200, plus \$35 per lot and outlot contained on the plat drawing.
 For Certified Survey Maps, an application fee of \$200 plus \$150 per lot and outlot contained on the certified survey map.

2. Applicant Information.

Name of Property Owner: The Nelson Group Representative, if any: Doug M. Nelson
Street Address: 2134 Atwood Avenue City/State: Madison, WI Zip: 53714
Telephone: (608) 244-4990 Fax: (608) 244-0205 Email: doug@thenelsongroup.org

Firm Preparing Survey: Burse Surveying and Engineering, Inc. Contact: Michael S. Marty
Street Address: 1400 E. Washington Ave., Suite 158 City/State: Madison, WI Zip: 53703
Telephone: (608) 250-9263 Fax: (608) 250-9266 Email: burse@chorus.net

Check only ONE – ALL Correspondence on this application should be sent to: Property Owner Survey Firm

3a. Project Information.

Parcel Address: 4949 Meinders Road in the City or Town of: City of Madison
Tax Parcel Number(s): 251/0710-274-0087-0, 251/0710-274-0088-8, 251/0710-274-0092-9 School District: Madison Metro
Existing Zoning District(s): A1 Development Schedule: Summer 2005
Proposed Zoning District(s) (if any): R-3, R-4, R2S Provide a Legal Description of Site on Reverse Side

3b. For Surveys Located Outside the Madison City Limits and in the City's Extraterritorial Jurisdiction:

Date of Approval by Dane County: _____ Date of Approval by Town: _____

In order for an extraterritorial request to be accepted, a copy of the approval letters from both the town and Dane County must be submitted.

Is the subject site proposed for annexation? No Yes If YES, approximate timeframe: _____

4. Survey Contents and Description. Complete table as it pertains to the survey; do not complete gray areas.

Land Use	Lots	Outlots	Acres
Residential	108		29.78
Retail/Office			
Industrial			
Public Parklands		1	0.59
Home's Association Tracts			
Other (state use)		5	8.49
TOTAL	108	6	38.86

Describe the use of the lots and outlots on the survey
Single and multi-family
Park
Storm water management & greenway

OVER →

3/1

5. **Required Submittals.** Your application is required to include the following (check all that apply):

X **Surveys** (prepared by a Registered Land Surveyor):

- For Preliminary Plats, **eighteen (18) copies** of the drawing drawn to scale are required. The drawing is required to provide all information as it pertains to the proposed subdivision as set forth in Section 16.23 (7)(a) of the Madison General Ordinances. The drawings shall include, but are not limited to, a description of existing site conditions and natural features, delineation of all public and private utilities that serve the site (denote field located versus record drawings), the general layout of the proposed subdivision, the dimensions of lots and outlots, widths of existing and proposed rights of way, topographic information, and any other information necessary for the review of the proposed subdivision.
- For Final Plats, **sixteen (16) copies** of the drawing are required to be submitted. The final plat shall be drawn to the specifications of Section 236.20 of the Wisconsin Statutes.
- For Certified Survey Maps (CSM), **sixteen (16) copies** of the drawing are required. The drawings shall include all of the information set forth in Sections 16.23 (7)(a) and (d) of the Madison General Ordinances, including existing site conditions, the nature of the proposed land division and any other necessary data. Utility data (field located or from utility maps) may be provided on a separate map submitted with application.
- All surveys submitted with this application are required to be collated, stapled and folded so as to fit within an 8 1/2" X 14" case file. In addition, an 8-1/2" X 11 inch **reduction of each sheet** must also be submitted.

Report of Title and Supporting Documents: All plats and certified surveys submitted to the City of Madison for approval shall include a Report of Title satisfactory to the Real Estate Division as required in Section 16.23 of the Madison General Ordinances. A minimum of **two (2) copies** of the City of Madison standard 60/30 year Report of Title shall be obtained from a local, reputable title insurance company. **Title insurance or a title commitment policy is NOT acceptable** (i.e. a Preliminary Title Report or a Record Information Certificate). The owner or applicant must deliver a **third copy** of the Report of Title to the survey firm preparing the plat or CSM. The applicant shall submit a copy of all documents listed in the Report of Title for each copy of the report submitted.

X **Legal Description of Property:** See enclosed Preliminary Plat
OR Check here if attached → X

X **For Residential Preliminary Plats ONLY:** If the proposed project will result in **ten (10) or more dwelling units**, it is required to comply with the City's Inclusionary Zoning requirements under Section 28.04 (25) of the Zoning Ordinance. A separate *INCLUSIONARY ZONING DWELLING UNIT PLAN APPLICATION* explaining the project's conformance with these ordinance requirements shall be submitted with your application.

For Surveys Creating Residential Lots: The applicant shall include a certified copy of the accepted option or offer, including all terms of the purchase and any other information that may be deemed necessary by the Real Estate Division to assist them in determining Fair Market Value for the purpose of establishing park fees.

For Surveys Outside the Madison City Limits: A copy of the approval letters from both the town in which the property is located and Dane County must be submitted with your request. The City of Madison may not consider a survey within its extraterritorial jurisdiction without the same request first having been approved by the town and county.

For Surveys Conveying Land to the Public: A Phase I Environmental Site Assessment Report may be required if any interest in these lands are to be conveyed to the public. Please contact the City's Real Estate Division at 267-8719, ext. 305 for a determination as soon as possible.

X **Required Fee (from Section 1b on front):** \$4,190 Make all checks payable to "City Treasurer."

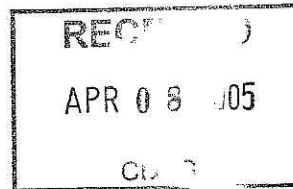
X **Completed application**

The signer attests that this application has been completed accurately and all required materials have been submitted:

Applicant's Printed Name Doug M. Nelson Signature 
Date January 25, 2005 Interest In Property On This Date offer to purchase

For Office Use Only	Aldermanic District: _____	PC Date _____	Date Distributed _____	Returned _____
File Tracking Number _____	Amount Paid \$ _____	Receipt Number: _____		

April 8, 2005



To: Hickory Hurie
City of Madison CDBG Office

RE: IZ Plan

Dear Hickory:

Enclosed please find my Inclusionary Zoning (IZ) plan for Owls Creek subdivision. The Development consists of 38.4 acres in which we are proposing 121 units on 93 lots of which 19 unit fall into the IZ plan. All units will be Owner occupied at this time. 11 Single Family homes of which 2 will be at 70% of the AMI and 7 duplex and Multi unit IZ units of which 4 will be at 70% of the AMI.

Questions may arise from Plan Commission Members on Lots 4-22 as why we have no IZ units on these lots. A high water table exists in this area and a special foundation application may be required to put basements on these lots. This foundation application can become costly depending on the depth of the water table. I hope this will explain my disbursement of the IZ units.

If you have any questions of me please feel free to call me at 608-244-4990 at your convenience.

Sincerely,

Douglas Nelson

PART 1 - DEVELOPMENT INFORMATION:

4/8/05

Project or Plat owl's creek

Project Address: 4949 meinders rd **Project Area (in acres):** 38.4

Developer: The Nelson Group Development Corp. **Representative:** Douglas Nelson

Street Address: 2134 Atwood ave **City/State:** Madison, WI **Zip:** 53704q

Telephone: 608-244-4990 **Fax:** 608-244-0205 **Email:** doug@thenelsongroup

Agent, If Any: _____ **Company:** _____

Street Address: _____ **City/State:** _____ **Zip:** _____

Telephone: _____ **Fax:** _____ **Email:** _____

PART 2 - PROJECT CONTENTS:

Complete the following table as it pertains to this project:

Residential Use	MARKET-RATE UNITS		INCLUSIONARY UNITS		Total Units	Acres
	Owner-Occupied Units	Renter-Occupied Units	Owner-Occupied Units	Renter-Occupied Units		
Single-Family	62		11		73	18
Duplexes	27		5		32	5
Multi-Family	13		3		16	1.5
TOTAL	102		19		121	24.5

PART 3 - AFFORDABLE HOUSING DATA:

Number of Inclusionary Dwelling Units Proposed by Area Median Income (AMI) Level and Minimum Sale/Rent Price							
Owner-Occupied Units	30%	40%	50%	60%	70%	80%	Total
Number at Percent of AMI					6	13	19
Anticipated Sale Price					160000	180000	
Rental Units	30%	40%	50%	60%	70%	80%	Total
Number at Percent of AMI							
Maximum Monthly Rent Price							

PART 4 - DWELLING UNIT COMPARISON:

Complete the following table as it pertains to this project:

	MARKET-RATE UNITS					INCLUSIONARY UNITS				
	Studio / Effcy	1 Bdrm	2 Bdrms	3 Bdrms	4/More Bdrms	Studio / Effcy	1 Bdrm	2 Bdrms	3 Bdrms	4/More Bdrms
Owner-Occupied Units with:				102					19	
Minimum Floor Area:				1300					1300	
Rental Units With:										
Minimum Floor Area:										

CONTINUE →

PART 5 – INCENTIVES: Section 28.04 (25) of the Zoning Ordinance provides the opportunity for applicants in projects where affordable dwelling units are required or where the developer has agreed to pay money in lieu of inclusionary dwelling units, to receive one or more incentives as compensation for complying with the Inclusionary Zoning requirements. Each of the eleven incentives listed below are affixed a point value. The incentive points available to an applicant is dependent upon the number of affordable dwelling units proposed at the various area median income (AMI) levels. The program rewards projects both for having a higher number of affordable dwelling units provided at lower AMI levels, and for having a higher percentage of affordable dwelling units incorporated into the development. The incentive and the corresponding number of points available are listed below. (MAP=Maximum Available Points) Please mark the box next to the incentives requested.

Incentive	MAP	Incentive	MAP
<input type="checkbox"/> Density Bonus (varies by project)	3	<input checked="" type="checkbox"/> Cash subsidy from <u>Inclusionary Unit Reserve Fund</u> up to \$10,000 per unit for up to 50% of the affordable units provided.	2
<input type="checkbox"/> Parkland Development Fee Reduction	1	<input type="checkbox"/> Cash subsidy from <u>Inclusionary Unit Reserve Fund</u> of \$5000 for up to 50% of on-site affordable units in projects with 49 or fewer detached units or projects with four or more stories and 75% of parking provided underground.	2
<input type="checkbox"/> Parkland Dedication Reduction	1	<input type="checkbox"/> Neighborhood Plan preparation assistance	1
<input type="checkbox"/> Off-street Parking Reduction up to 25%	1	<input type="checkbox"/> Assistance obtaining housing funding information	1
<input checked="" type="checkbox"/> Non-City provision of street tree planting	1		
<input type="checkbox"/> One addl. story in Downtown Design Zones	1		
<input type="checkbox"/> Residential parking permits in a PUD/PCD	1		
<input type="checkbox"/> Incentives Not Assigned a Point Value by Ordinance (Explain): _____			

PART 6 – WAIVER: The Plan Commission may waive the requirement to provide inclusionary dwelling units in the development if the applicant can present clear and convincing financial evidence that providing the required number of inclusionary dwelling units on-site renders providing the required number of inclusionary units financially infeasible. In such a case, a developer may request a waiver to provide the units off-site, assign the obligation to provide the units to another party, or pay cash in lieu of the units, or any combination of the above. If the waiver is granted, the required units may be provided as new construction off-site in another development within **one mile** of the subject development; off-site units shall be provided at least 1.25 times the number of units if provided within the subject development. Off-site units must be constructed within one year of the time that they would have been constructed within the subject development. The applicant may opt to pay money into the Inclusionary Unit Reserve Fund based on contribution rates established in Section 28.04 (25) of the Zoning Ordinance. If provision of the inclusionary dwelling units through the waiver is still financially infeasible, the developer may seek a reduction in the percent of units to the point where the project becomes financially feasible. If such a waiver is requested, a detailed explanation shall be provided in the required project narrative demonstrating the financial infeasibility of complying with the ordinance requirements and the rationale for the alternative proposed.

- If a waiver is requested, **please mark this box** and include all of the necessary information required by the Zoning Ordinance and IZ Program Policy & Protocols to support your request.

PART 7 – APPLICANT’S DECLARATION:

The signer shall attest that this application has been completed accurately and includes all requests for incentives or waivers; that they have attended both required pre-application staff meetings and given the required notice to the district alderperson and neighborhood association(s) prior to filing this application; and that all required information will be submitted on the corresponding application for zoning and/or subdivision approval by the Plan Commission. The applicant shall begin the declaration by stating below whether or not the project complies with the various requirements of the inclusionary zoning ordinance. Check the applicable box and provide any supporting comments.

Standards for Inclusionary Dwelling Units (IDUs)	Will Comply	Will <u>not</u> comply	Additional comments
Exterior Appearance of IDUs are similar to Market rate.	yes		all units in subdivision will have to comply with deed restrictions
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		

CONTINUE →

3/8/05

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<input checked="" type="checkbox"/> Parkland Development Fee Reduction	1	<input type="checkbox"/> Cash subsidy from Inclusionary Unit Reserve Fund of \$5000 for up to 50% of on-site afford-able units in projects with 49 or fewer detached units or projects with four or more stories and 75% of parking provided underground.	2
<input checked="" type="checkbox"/> Parkland Dedication Reduction	1	<input type="checkbox"/> Neighborhood Plan preparation assistance	1
<input type="checkbox"/> Off-street Parking Reduction up to 25%	1	<input type="checkbox"/> Assistance obtaining housing funding information	1
<input checked="" type="checkbox"/> Non-City provision of street tree planting	1		
<input type="checkbox"/> One addl. story in Downtown Design Zones	1		
<input type="checkbox"/> Residential parking permits in a PUD/PCD	1		
<input checked="" type="checkbox"/> Incentives Not Assigned a Point Value by Ordinance (Explain): expediated engineering design process			

PART 6 – WAIVER: The Plan Commission may waive the requirement to provide inclusionary dwelling units in the development if the applicant can present clear and convincing financial evidence that providing the required number of inclusionary dwelling units on-site renders providing the required number of inclusionary units financially infeasible. In such a case, a developer may request a waiver to provide the units off-site, assign the obligation to provide the units to another party, or pay cash in lieu of the units, or any combination of the above. If the waiver is granted, the required units may be provided as new construction off-site in another development within **one mile** of the subject development; off-site units shall be provided at least 1.25 times the number of units if provided within the subject development. Off-site units must be constructed within one year of the time that they would have been constructed within the subject development. The applicant may opt to pay money into the ~~Inclusionary Unit Reserve Fund~~ based on contribution rates established in Section 28.04 (25) of the Zoning Ordinance. If provision of the inclusionary dwelling units through the waiver is still financially infeasible, the developer may seek a reduction in the percent of units to the point where the project becomes financially feasible. If such a waiver is requested, a detailed explanation shall be provided in the required project narrative demonstrating the financial infeasibility of complying with the ordinance requirements and the rationale for the alternative proposed.

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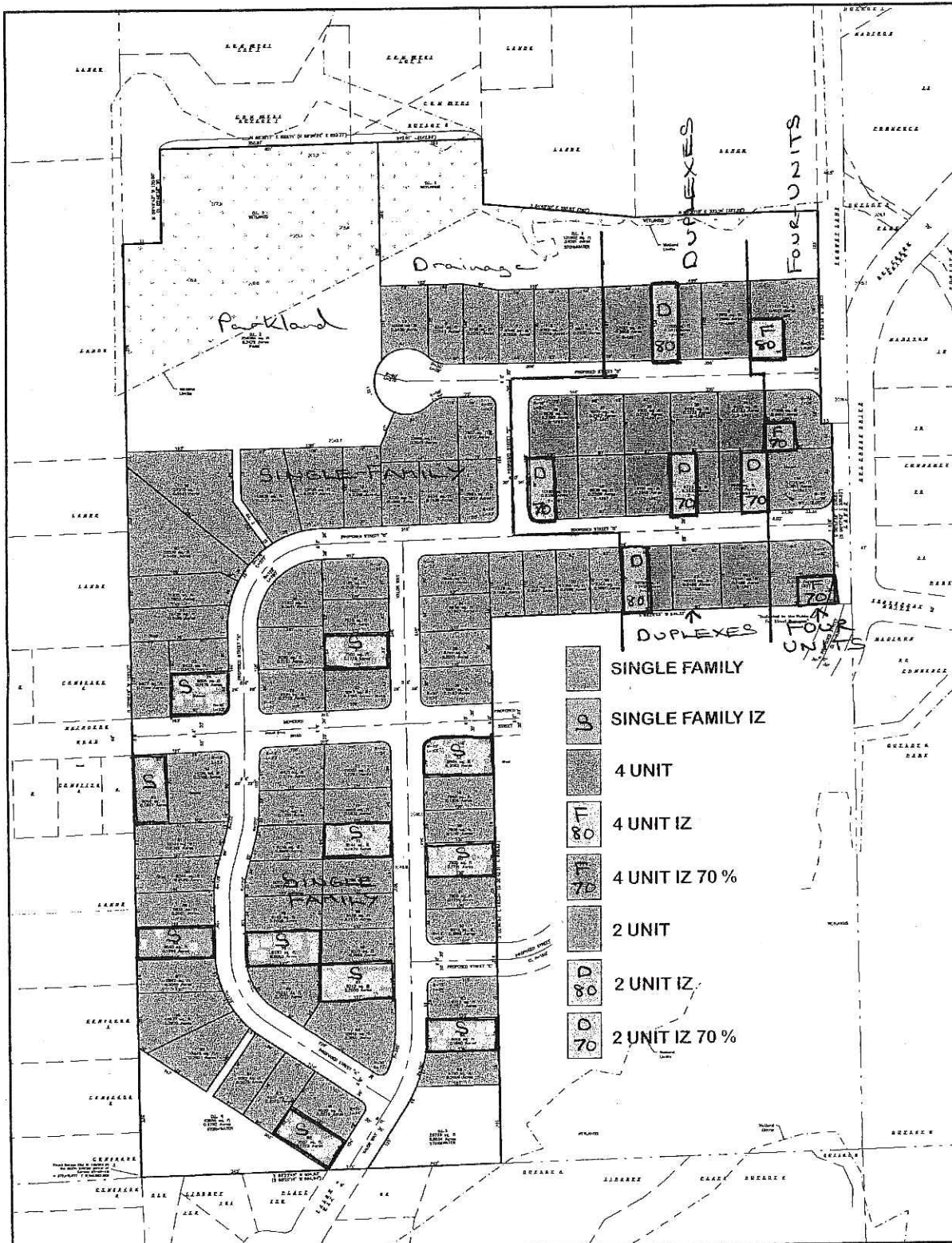
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Standards for Inclusionary Dwelling Units (IDUs)	Will Comply	Will <u>not</u> comply	Additional comments
Exterior Appearance of IDUs are similar to Market rate.	x		
Proportion of attached and detached IDU units is similar to Market rate.	x		
Mix of IDUs by bedroom size is similar to market rate.	x		

CONTINUE →

4/8/05



INCLUSIONARY ZONING FOR OWL'S CREEK SUBDIVISION

PART OF THE NORTHWEST QUARTER (¼) OF THE SOUTHEAST QUARTER (¼) AND THE SOUTHWEST QUARTER (¼) OF THE SOUTHEAST QUARTER (¼), ALL IN SECTION 27, TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

DIVISION OF PLANNING
 200 N. MONROE STREET
 MADISON, WISCONSIN 53703
 (608) 261-1000

Burse
 Surveying & Engineering, Inc.
 1400 S. MONROE STREET, SUITE 100
 MADISON, WISCONSIN 53704
 (608) 261-1000

January 28, 2005

Mr. Bradley J. Murphy, AICP
Director of Planning
Dept. of Planning & Development
215 Martin Luther King Jr., Blvd
PO Box 2985
Madison, WI 53701-2985

Re: Letter of Intent
OWLS CREEK
4204 Tormey Lane and 4949 Meinders Road
Preliminary Plat Rezoning Request

Dear Mr. Murphy:

The following is submitted together with the plat, application and rezoning application for plan commission and council consideration of approval of the proposed development.

Owners: The Nelson Group
2134 Atwood Avenue
Madison, WI 53704
Contact: Doug Nelson
(608) 244-4990
(608) 244-0205 Fax

Project: PRELIMINARY PLAT OF OWLS CREEK
4204 Tormey lane and 4949 Meinders Road
Madison, Wisconsin

Engineer: Burse Surveying and Engineering., Inc
1400 E. Washington Avenue, Suite 158
Madison, WI 53703
Contact: Michelle Burse
(608) 250-9263
(608) 250-9266 Fax

Site Development Statistics:

The proposed development consists of a total of 108 lots. Lots 4 – 44, and 51 – 108 are single family home sites. Lots 2, 3, 45, 46, 49 and 50 will be duplex lots and Lots 1, 47, and 48 will be 4-Unit Lots.

Project Schedule:

It is the developer's intent to obtain the necessary approvals for the preliminary plat on or before March 29, 2005. The subdivision contract covering the public infrastructure will then be finalized and construction of phase one of the plat improvements beginning in the late spring of 2005 with completion scheduled for the late summer of 2005. After completion of phase one of the plat improvements, individual lots will be available for building permit. It is anticipated that the lots in this development will be built-out by spring of 2009. Landscaping will be completed with the construction of each lot.

Service Management and Maintenance:

Each lot within this district will be privately owned and managed. Building and site maintenance will be the responsibility of the property owner. The City will provide typical public services such as snow and trash removal and public street maintenance. The maintenance of any private service driveways and walkways will be the responsibility of the individual lot owner.

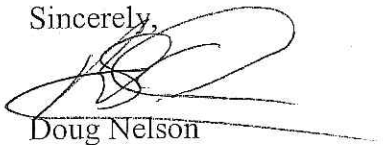
Social and Economic Impact:

The PRELIMINARY PLAT OF OWLS CREEK has been designed to meet the needs of the City. More specifically it implements the City's new Inclusionary Zoning. The development provides a diversity of housing for all income levels.

The development will have a positive economic impact. Significant tax increases will be generated from developing the property while the design minimizes public services.

Thank you for your time in reviewing our proposal.

Sincerely,



Doug Nelson

TITAN TREE CARE

The Nelson Group has hired myself Ron Ellenbolt, owner of Titan Tree Care and I certified arborist with International Society of Arboriculture # WI -0421 to survey and make recommendations for the Owl Creek subdivision which is going to encroach on a forest on the edge of some wetlands. I understand through talking to Doug Nelson that this portion of land represents approximately 10% of woodlands in this subdivision due to the fact that the Nelson Group has donated the remainder of the forest to City of Madison Parks Department. Upon surveying the donated portion of the forest, I concurred that by doing so it saved approximately 50-75 tree of substantial size with a D.B.H. (Diameter Breast Height) of 24"-30" mostly red & white oaks & approximately 400 trees of miscellaneous varieties and smaller D.B.H. that would be lost if the Nelsons didn't redesign the subdivision.

Surveying the portion of forest that is part of subdivision I found that there are 8 trees with a D.B.H. of 18"-24" that would have to be removed, these trees consist of 6 white oaks, 1 ash, 1 red oak and 1 multi stem cherry others smaller trees approximately 200 in all would have to be removed for services (roads, electric, gas, lighting, etc). There are many elms infected with Dutch elm disease in this area, which are pictured in photo. This area has of elm, boxelder and cherry, which the lower canopy is dead due to lack of sunlight.

Although trees will have to be removed, many in this area will be preserved. Many large oaks and cherry north of proposed street "B" will be saved due to the fact that this will be in the back of the lots. This will not be a clean cut in this area, there are also trees along fence line, south of street "B" that will be saved being they are in the back of the lots also.

I feel that the actions of the Nelson Group, by leaving 90% forest in it natural state will have minimizing effect on the area.

I also will be the consulting arborist in the removal of said trees and take measures (mulching, fencing, monitoring contractors) to insure that the trees are to be preserved.

Sincerely,

Ron Ellenbolt
Titan Tree Care

