

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

**RE: ID# 00846: Zoning Map Amendment I.D. 3091, rezoning 202 and 302 Rustic Drive from Temp. A to R2S and ID# 00xxx, approval of the preliminary plat of "First Addition to Nelson Addition to Rustic Acres."**

1. Requested Actions: Approval of a request to rezone 9.77 acres located at 202 and 302 Rustic Drive from Temporary A (Agriculture District) to R2S (Single-Family Residence District) and approval of a preliminary plat creating lots 32 single-family lots and two outlots for public stormwater detention.
2. Applicable Regulations: 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. The plat proposes creation of a deep residential lot, which is governed by Section 28.04 (11) and requires conformance with the standards for the approval of conditional uses under Section 28.12 (11).
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 9.77 acres located 1,000 feet south of Milwaukee Street on the west side of Rustic Drive, 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: 32 single-family lots, zoned R2S.
6. Surrounding Land Use and Zoning:  
North: Undeveloped lands and a City of Madison greenway, zoned Temp. A (Agriculture), future Nelson Addition to Rustic Acres subdivision [see tonight's agenda];  
  
South: Single-family residences on large tracts, Covered Bridge subdivision, zoned R1 (Single-Family Residence District);

West: Undeveloped lands and a City of Madison stormwater management pond, zoned Temp. A (Agriculture); Grandview Commons subdivision, zoned PUD-SIP;

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 site is not located in a mapped environmental corridor. The City-owned greenway and stormwater management pond located adjacent to the north and northwest of the site are located in an environmental corridor.
9. Public Utilities & Services: The property will be served by a full range of urban services.

### **STANDARDS FOR REVIEW**

This application is subject to the standards for zoning map amendments and the standards for preliminary plats. The deep residential lot is subject to the design standards for such lots and for conditional uses.

### **ANALYSIS AND EVALUATION**

The applicants are requesting approval of a zoning map amendment to rezone 9.77 acres from Temp. A (Agriculture District) to R2S (Single-Family Residence District) and approval of a preliminary plat consisting of 32 single-family lots and three outlots for stormwater detention. [The lots and outlots in this plat have been numbered by the surveyor as an extension of the lot numbering begun in the Nelson Addition to Rustic Acres subdivision to the north, hence the lot numbers on the preliminary plat begin at Lot 33 and the outlots at OL2.]

### ***Background***

The site is comprised of two parcels – 202 and 302 Rustic Drive – containing approximately five acres each and located on the west side of Rustic Drive, approximately midway along the road’s length between Milwaukee Street on the north and S. Sprecher Road on the east. Both parcels are developed with single-family residences that will remain on new large lots following development of the proposed subdivision. A detached garage for 302 Rustic Drive is located northeast of the residence and will be demolished as part of the development. The rest of the site is otherwise undeveloped.

While the subject site is approximately a quarter-mile from north to south, it varies in width from 228 feet to about 400 feet, resulting in a narrow development envelope. The property generally falls from a ridge that extends along the western property line and through the center of the site towards the east, southeast and north. The northern property line is formed by a City-owned greenway that extends easterly from a City of Madison stormwater pond located off the northwest corner of the site. Both residences on the site are located near the top of the ridge. The site is mostly devoid of vegetation, although modest stands of mature trees extend along the northern property line and along the common property line between the two residences. A narrow hedgerow extends along the western boundary of the overall site.

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 located northwest of the site is currently in agricultural use in the City of Madison and is recommended in the neighborhood plan to be developed with low-density residential uses in the future. The Grandview Commons planned unit development is located directly west of the site, with single-family housing in that project proposed to abut the subject property. Similar low-density residential development is recommended for lands further south and east of the subject site along Rustic Drive and the west side of Sprecher Road, which are currently developed with single-family residences on large tracts of approximately five acres each in the Rustic Acres county subdivision. It is envisioned that many of these larger parcels will eventually be subdivided into smaller tracts for single-family development at densities not exceeding eight units per acre. Land north of the City-owned greenway is currently undeveloped. Approximately 9.77 acres located on both sides of Rustic Drive at Milwaukee Street are proposed to be subdivided into 18 single-family lots, zoned R2S, and 14 two-family units on seven lots and 28 townhouse units in eight four-unit buildings, zoned PUD-GDP-SIP. [See the rezoning, preliminary and final plats of "Nelson Addition to Rustic Acres" also on the Plan Commission's May 2, 2005 agenda.]

### *Zoning Map Amendment and Plat Review*

Primary access to the subdivision will be provided from Rustic Drive, which will be fronted by 13 lots, including a lot containing the northern of the two existing single-family residences. Access into the interior of the development will be provided by the extension of three streets west from Rustic Drive, including the continuation of platted Saturn Drive east from the edge of the adjacent Grandview Commons development. A second east-west street, Venus Way, will generally parallel the northern boundary of the site and City greenway and will eventually connect across the Homburg property with the segment of Venus Way platted as a north-south street in Grandview Commons. The third street to be constructed with this plat will begin at Rustic Drive and curve due north to parallel the western property line before ending at proposed Venus Way.

Lots in the subdivision range in size from 5,898 square feet adjacent to the greenway to 24,635 square feet, where one of the two residences will be sited. The average lot size in the development is approximately 9,135 square feet exclusive of the two lots that will contain the existing residences, and a deep residential lot located in the southwestern corner of the site. The two residences will be retained on lots of 20,532 square feet and 24,635 square feet. The deep lot

provides the 21,724 square feet of lot area, including the requisite 30 feet of frontage along Rustic Drive required by the Zoning Ordinance for such lots and is located behind one of two outlots that will be dedicated to the City for stormwater management purposes. The deep lot will consist primarily of land located at the top of the ridge that extends along the western property line, with the proposed outlot occupying lower-lying lands located to the east next to Rustic Drive.

In all cases, the lots proposed appear to exceed the minimum R2S requirements that call for a minimum of 4,000 square feet of lot area and 40 feet of lot width. The R2S zoning district also includes design standards that stipulate 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, with no more than 50% of the front facade occupied by the garage.

In addition to the outlot that will be located in front of the proposed deep residential lot, a second outlot will be dedicated for stormwater management purposes in the northwest corner of the property adjacent to the City-owned greenway.

### ***Inclusionary Zoning***

The applicant has submitted an Inclusionary Dwelling Unit Plan (IDUP) indicating his intent to comply with the inclusionary zoning provisions of the Zoning Ordinance. The IDUP indicates that five of the 32 single-family units will be constructed to meet the affordability criteria, with all five units to be provided to families earning 80 percent of the area median income (AMI). All 32 units in the subdivision will be owner-occupied and all newly constructed units will contain three-bedrooms.

The five affordable housing units proposed satisfies the requirement that at least 15 percent of the dwelling units are affordable under the Zoning Ordinance provisions. The five lots will be located in the northern half of the subdivision, with one lot fronting Rustic Drive adjacent to the City greenway. Two of the affordable units will be located back to back immediately north of the residence at 202 Rustic Drive. Both units will be built by the applicant and will include 1.75 baths and 1,400 square feet of floor area in an effort to preserve the value of the existing 3,500 square-foot residence. The applicant indicates that no affordable units are proposed on the southern half of the site under an agreement he has with the current property owners, who have an option on the southern four lots for future home construction by the current owners. The Plan Commission should determine whether an affordable dwelling unit should be provided in the southern half of the subdivision.

With the two incentive points this project earned, the applicant is requesting reductions in park dedication and park development fees, and a cash reimbursement from the Inclusionary Unit Reserve Fund 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. At this time, the reserve fund contains no funds, and as such, that incentive cannot be provided.

## **CONCLUSION**

The Planning Unit believes that the proposed subdivision is in substantial conformance with the land use and street pattern recommended for the surrounding area by the Sprecher Neighborhood Development Plan. The net density of the development is 3.44 units per acre, which is in the lower half of the range of 0-8 units per acre recommended for low-density residential development in the neighborhood plan, but the average is reduced by the large lots created to accommodate the two existing residences and the deep residential lot. The project proposes an appropriate density for infill development within this rural subdivision and will continue the development pattern emerging on nearby properties.

Staff believes that the proposed deep residential lot conforms to the requirements stipulated for such lots in the Zoning Ordinance, including the conditional use standards, and that the deep lot shall cause no negative impact on the development of other parcels in the proposed subdivision or on neighboring properties.

## **RECOMMENDATIONS**

The Planning Unit recommends that the Plan Commission forward **Zoning Map Amendment I.D. 3091**, rezoning 202 and 302 Rustic Drive from Temp. A (Agriculture) to R2S (Single-Family Residence District) to the Common Council with a recommendation of **approval**, subject to input at the public hearing and comments from reviewing agencies.

The Planning Unit also recommends that the Plan Commission forward **The Preliminary Plat of First Addition to Nelson Addition to Rustic Acres** to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions below, and that the Commission find that the conditional use standards are met and grant **approval** of a deep residential lot [proposed Lot 64].

1. Comments from reviewing agencies.
2. That the preliminary plat be revised per Planning Unit approval prior to submittal of a final plat as follows:
  - a.) adjust the southern line of proposed Lot 45 and the northern line of proposed Lot 58 to remove the bends in those property lines;
  - b.) renumber the lots and outlots in this plat independent of the subdivision to the north, as both subdivisions will be considered separately since they non-contiguous;
  - c.) revise the preliminary plat to identify the proposed affordable dwelling lots.
3. That the developer submit a final plat for approval in accordance with the Section 16.23 (5)(c) of the Subdivision Regulations.
4. That the applicant submit a completed Inclusionary Dwelling Unit Plan for approval and recording with the final plat of the subdivision.



**Traffic Engineering Division**

David 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

April 25, 2005

TO: Plan Commission  
 FROM: David C. Dryer, P.E., City Traffic Engineer  
 SUBJECT: **202 & 302 Rustic Drive – Preliminary Plat / Rezoning – First Addition to Nelson's Addition to Rustic Acres / Temp A to R2S /32 Single Family Homes**

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.)

1. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of future area traffic signals and associated intersection changes.

**GENERAL OR STANDARD REVIEW COMMENTS**

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

1. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off.
2. Utility easements shall be provided as follows:

Between Lots	Between Lots	Between Lots
33 & 34	43 & 44	58 & 59
36 & 37	51 & 52	Along South line of O.L. 6 ft. easement
40 & 41	55 & 56	

3. The applicant shall show a detail drawing of the 12 ft. utility easement dimensions and lot lines on the face of the plat.
4. The internal streets may include special design or traffic calming treatments, at key locations. The developer shall execute some type of covenants and restrictions for the maintenance of such devices. The applicant shall modify the right-of-way at key locations to accommodate traffic calming treatments as determined by the City Traffic

Engineer.

5. 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: Michelle L. Burse  
Fax: 608-250-9266  
Email: burse@chorus.net

DCD:DJM:dm

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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 *S.W.*  
SUBJECT: **First Addition to Nelson Addition to Rustic Acres - Revised**

1. **Park Fees estimated at \$83,024 are required.**
2. **Current plans do not indicate any recreational facilities or improvements that would qualify for IZ credits.**
3. **In the future, the City may install bicycle paths in the greenway along the north line of lots 33-37.**

Dedication / Fee Calculations

Dedication = 32 @ 1100 square feet = 35,200 square feet. A fee in lieu of dedication will be required for this amount. Fees in lieu of dedication are 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 \$58,080.00

The Park Development Fee is 32 @ \$779.50 = \$24,944.00

**TOTAL PARK FEES ARE ESTIMATED AT \$83,024.00**

Half of the fees shall be paid prior to signoff on the Final Plat, with a letter of credit provided to cover the other half. Or fee payments may be phased with plat construction phases.

If you have questions regarding the above items, please contact Simon Widstrand at 266-4714 or [awidstrand@cityofmadison.com](mailto:awidstrand@cityofmadison.com)



DATE: April 22, 2005  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer  
SUBJECT: First Addition to Nelson Addition to Rustic Acres Preliminary Plat (Revised)

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. Prior to plat approval, applicant shall pay Door Creek North Phase 2 Impact Fees for sanitary sewer conveyance, storm conveyance, and possibly storm pond outlet structures. Contact City Engineer for further information.
2. Storm sewer management required includes detention, 80% sediment control and infiltration meeting the requirements on NR-151.
3. Presently these lands are not within the Central Urban Service Area. Development cannot proceed until these lands have been incorporated into the CUSA by the WDNR.
4. Owner of these lands has denied access to complete the regional storm and sanitary sewer infrastructure to facilitate development of these lands. Therefore, City Engineering recommends rejection of this Preliminary Plat until such time that the owner allows completion of the infrastructure to serve this plat.

#### 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: First Addition to Nelson Addition to Rustic Acres Preliminary Plat (Revised)

#### 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 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 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 \_\_\_\_\_ 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 Rustic Drive. The Developer shall construct sidewalk and 14-feet of a future 32-foot roadway including curb and gutter on the west 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 Rustic Drive 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.

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

Name of Development	First Addition to Nelson's Addition to Rustic Acres
Address	202 and 302 Rustic Dr.
Developer/owner	Starkweather Square LLC
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 32 single family lots on 10 acres. There are 2 existing homes within the development, which will be included in the development. 15% of the for-sale total units or 5 will be designated as IZ units

The developer requests specific incentives for this project including funds from the IZ Reserve which are currently unavailable and would not be available in the amount requested if there were funds in the IZ Reserve fund.

**CONCLUSIONS AND SUGGESTED CONDITIONS:**

<b>The project as proposed, based upon the available information furnished by the developer,</b>	
	Will comply with MGO 28.04 (25)
X	<b>Will comply with MGO 28.04 (25) if the following conditions or changes are met:</b>
	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	27	5			

**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%					
<b>TOTAL for project</b>					<b>2</b>

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:
- M) Other

**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 <u>Concept</u> to City's Development Review Staff Team	Presented	None identified
Submission of Zoning Application and <u>IZ Dwelling Unit Plan</u>	IDUP submitted March 8, 2005 Revised and re-submitted IZ Plan April 8, 2005	None identified
<u>Formal Review</u> by City's Development Review Staff Team	Complete	None identified
Formal Review by <u>Plan Commission</u>	Pending	None identified
<u>Appeal</u> 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
<u>Construction</u> 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