

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
Of August 13, 2008**

**RE: L.D. # 11427: Zoning Map Amendment ID 3378, Rezoning 4409-4441 Bellgrove Lane from R4 (General Residence District) to R2 (Single-Family Residence District), and; L.D. #11600, Approval of the Preliminary Plat and Final Plat of Churchill Heights Replat**

1. Requested Actions: Approval of a request to rezone approximately 1.49 acres generally located at 4409-4441 Bellgrove Lane from R4 (General Residence District) to R2 (Single-Family Residence Districts) and; approval of the preliminary and final plats of Churchill Heights Replat, replatting 5 multi-family lots into 7 single-family lots.
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.
3. Report Prepared By: Timothy M. Parks, Planner.

**GENERAL INFORMATION**

1. Applicant & Property Owner: Blayde Elert, Churchill Homes, LLC; PO Box 448; DeForest.  
  
Agent: Ron Trachtenberg, Murphy Desmond, SC; PO Box 2038; Madison.  
  
Surveyor: Jim Grothman, Grothman & Associates, Inc.; PO Box 373; Portage.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted.
3. Location: Approximately 1.5 acres bordered by Portage Road on the east, Diloretto Avenue on the north, Bellgrove Lane on the west and Hayes Road on the south, Aldermanic District 17; DeForest Area School District.
4. Existing Conditions: The 5 lots to be replatted are currently undeveloped in R4 (General Residence District) zoning.
5. Proposed Land Use: 7 single-family lots, zoned R2 (Single-Family Residence District).
6. Surrounding Land Use and Zoning:  
North: Churchill Heights Park;  
  
South: Single-family residence, zoned R2 (Single-Family Residence District);

East: Undeveloped lands in the Town of Burke; multi-family residences in the Village Green Woods subdivision, zoned R4 (General Residence District);

West: Single-family residences in the Churchill Heights subdivision, zoned R2.

7. Adopted Land Use Plan: The Hanson Neighborhood Development Plan identifies the replat area for medium-density residential uses while identifying the rest of the Churchill Heights subdivision for low-density residential uses.
8. Environmental Corridor Status: The property is not located within a mapped environmental corridor.
9. Public Utilities & Services: The proposed development is served by a full range of urban services.

### **STANDARDS FOR REVIEW**

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

### **PLAT REVIEW, EVALUATION & CONCLUSION**

The applicant and property owner, Blayde Elert, is requesting approval to replat 5 undeveloped R4-zoned lots in the Churchill Heights subdivision into 7 R2-zoned lots to facilitate construction of single-family homes. The five existing parcels are addressed as 4409-4441 Bellgrove Lane and are located on 1.5 acres of land bordered by Portage Road on the east, Diloretto Avenue on the north, Bellgrove Lane on the west and Hayes Road on the south. The lots were originally zoned and platted to allow development of four-unit townhouse structures in part to serve as a transition from Portage Road into the otherwise single-family neighborhood. However, the applicant indicates that market conditions do not support the development of multi-family residences at this location. The final plat of Churchill Heights, which received approval by the Common Council on October 1, 2002, was recorded on January 17, 2003.

The 7 single-family lots proposed will range in size from 8,013 square feet to 10,285 square feet, which exceeds the 6,000 square-foot minimum lot area required in the requested R2 zoning. In addition, all of the lots proposed appear to meet the R2 minimum lot frontage of 50 feet along Bellgrove Lane, which will continue to serve as the front yard for the lots. A 30-foot platted building line will be established along Bellgrove Lane, while a 40-foot rear yard building line is proposed parallel to Portage Road. The applicant has submitted a rear yard screening plan for the

single-family lots that calls for the installation of three berms and additional trees to supplement existing evergreen trees on the eastern portion of the replat area adjacent to Portage Road. The rear yard landscaping and screening plan proposes a nearly continuous line of vegetation along Portage Road that should adequately limit visual impacts on this development from the road subject to some additional details being provided for administrative approval prior to recording of the final plat.

The Planning Division does not object to the proposed replat, which will create lots of a similar design and residences of a similar character to the rest of the Churchill Heights subdivision. While the replat will result in slightly less housing choice within the overall development, staff feels that there is still sufficient housing choice both existing and proposed in the surrounding area to support approval of the 7 additional single-family lots proposed. Existing non-single-family options nearby include duplexes, townhomes and garden apartments in the Village Green development southeast of the site across Portage Road. Additional medium-density residential development is also envisioned nearby in the Hanson Neighborhood Development Plan, including to the east of the subject site across Portage Road north of Village Green and along the south side of Bellgrove Lane on lands just outside the Churchill Heights neighborhood.

### **RECOMMENDATIONS**

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3378, rezoning 4409-4441 Bellgrove Lane from R4 (General Residence District) to R2 (Single-Family Residence Districts), and the preliminary and final plats of Churchill Heights Replat to the Common Council with recommendations of **approval** subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the planting and berm plan for the rear yards of the proposed single-family lots be revised per Planning Division approval prior to recording of the final plat as follows:
  - a.) provide sections of the rear yard strip showing the height of the proposed berms and generalized massing of proposed tree line;
  - b.) identify the existing trees to remain following construction, including trees outside the 40-foot buffer strip, and note the size and species of those trees;
  - c.) identify the size and species of new trees to be planted per staff approval.
3. The applicant shall subject the proposed lots to a restrictive covenant requiring installation of screening and landscaping in accordance with the approved planting and berm plan at the time the residences on those lots are built. The restrictive covenant shall

ID #11427 & 11600:  
Churchill Heights Replat  
4409-4441 Bellgrove Lane  
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be submitted to the City Attorney's Office and Planning Division for approval prior to recording of the final plat. In the event a Subdivision Improvement Contract is required for the replat, the planting plan implementation requirement can be included in the contract in the alternative.

4. That the final plat be revised per Planning Division approval to include the following note: "The 40-foot buffer strip is reserved for the planting of trees or shrubs by the owner; the building of buildings hereon is prohibited. Maintenance of this strip after installation is the responsibility of the lot owner."



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  
1 866 704 2315 Textnet

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

**Principal Engineers**  
Michael R. Dailey, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
Gregory T. Fries, P.E.

**Facilities & Sustainability**  
Jeanne E. Hoffman, Manager  
James C. Whitney, A.I.A.

**Operations Manager**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

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

**Financial Officer**  
Steven B. Danner-Rivers

DATE: July 23, 2008

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 4409-4441 Bellgrove Lane – Churchill Heights Replat and Rezoning

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. Lots 1-7 shall have lowest entrance elevations of 882.50 or higher. Building permits will be held until a foundation plan showing this is submitted and approved by City Engineering.
2. Each lot shall have a separate sanitary sewer lateral. Existing sanitary sewer laterals may be utilized provided that the laterals do not cross neighboring lots. If the replatting results in laterals crossing neighboring lots, sanitary sewer easements (private) will be required. Prior to approval, provide proposed lateral plan to City Engineer for review.
3. The developer shall note that the city's patching policy shall require that Bellgrove Lane be resurfaced for any new utility laterals.

**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: 4409-4441 Bellgrove Lane Plat and Rezoning

**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.

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1.3 The Developer is required to pay Impact Fees for this development. The Developer shall indicate the method of payment as provided below:

- 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
- 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall receive the invoices to pay the outstanding impact fees at the time of permit issuance. The following shall be required prior to plat sign off;
  - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
  - b) All information shall transmitted to Janet Dailey by e-mail at [Jdailey@cityofmadison.com](mailto:Jdailey@cityofmadison.com), or on a CD to:
 

Janet Dailey  
City of Madison Engineering Division  
210 Martin Luther King Jr. Blvd  
Room 115  
Madison, WI 53703
  - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

**LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.**

**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.

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- 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.
- 2.16 Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
  - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.17 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
  - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.18 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
  - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)

- c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.  
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.19 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
- b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. **(Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)**
- c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

**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] \_\_\_\_\_. The Developer shall construct sidewalk and \_\_\_\_\_ feet of a future \_\_\_\_\_ foot roadway including curb and gutter on the \_\_\_\_\_ 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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.
- 3.17 All proposed street names shall be approved by the City Engineer. Applicant shall contact Lori Zenchenko (608-266-5952) with street name requests.
- 3.18 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.19 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) or (608) 266-5952

#### 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.
- NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.**
- 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.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

- 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.

**NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.**

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

- 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 management at the time they develop."
- 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 the plat/csm, the applicant shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
- Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 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 dedicated 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.

- 4.12 A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

#### 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 Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 5.2 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 5.3 This land division contains or is adjacent to facilities of MMSD. Prior to approval, applicant shall provide evidence that MMSD has reviewed and approved the proposed land division.

#### 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 WCCS Dane Zone, 1997 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 WCCS, Dane Zone 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](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 WCCS Dane Zone 1997 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 Engineering Streets Section 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 (cite 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.

- 6.5 Prior to Engineering final sign-off by main office for Certified Survey Maps (CSM), final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the FINAL CSM in PDF form is preferred. Transmit to [epederson@cityofmadison.com](mailto:epederson@cityofmadison.com)



## Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2986  
Madison, Wisconsin 53701-2986  
PH 608 266 4761  
TTY 866-704-2315  
FAX 608 267 1158

August 7, 2008

TO: Plan Commission

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

SUBJECT: **4409 to 4441 Billgrove Road – Preliminary & Final Plat / Rezoning – Churchill Heights Replat: Town of Burke Sec. 21 / 5 Multi-Family Lots to 7 Single Family Lots**

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 Developer shall put the following note on the face of the plat: "ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE ISSUANCE OF BUILDING PERMIT(S)." Note: The final sign-off may be delayed until the transportation impact fees are negotiated or approved by the Council.
2. The applicant shall graphically show the "No Access Restriction" on the face of the plat map. In addition, the applicant shall modify shall have no access onto Portage r Road."
3. There will be access restrictions for Churchill Heights Replat 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 Westerly right-of-way line of Portage Road.

### PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

4. None

### GENERAL OR STANDARD REVIEW COMMENTS

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

5. 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 traffic signal costs.

6. Utility easements shall be provided as follows:

Between Lots	Between Lots	Between Lots

7. The applicant shall show a detail drawing of the 12 ft. utility easement dimensions and lot lines on the face of the plat.
8. 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: Jim Grothman  
Fax: 608-742-0434  
Email: [surveying@grothman.com](mailto:surveying@grothman.com)

DCD:DJM:dm



Department of Planning & Community & Economic Development  
 Planning/Neighborhood Preservation & Inspection/Economic & Community Development  
 Mark A. Olinger, Director

*CANNICLAY*

Bradley J. Murphy  
 Planning Division  
 215 Martin Luther King, Jr. Boulevard  
 P.O. Box 2985  
 Madison, WI 53701-2985  
 (608) 266-4635

**REVIEW REQUEST FOR:**

- PRELIMINARY PLAT
- FINAL PLAT
- LOT DIVISION/CSM
- CONDITIONAL USE
- DEMOLITION
- REZONING
- INCLUSIONARY ZONING
- OTHER

5110 High Crossing Boulevard  
 Demolish Former Motorsports Shop and Construct Fitness Center  
 Tim Neitzel/Jerry Bourquin - Dimension IV - Madison

**PLANNING DIVISION CONTACT:** Kevin Firchow

**RETURN COMMENTS BY:** 07 August 2008

**PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:**

Applicant E-mail: jbourquin@dimensionivmadison.com Fax: 829-4445

Date Submitted: 16 July 2008 Plan Commission: 18 August 2008

Date Circulated: 21 July 2008 Common Council: \_\_\_\_\_

**CIRCULATED TO:**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> ZONING               | <input type="checkbox"/> DISABILITY RIGHTS                 | <input type="checkbox"/> ALD. _____ DIST. _____ |
| <input type="checkbox"/> FIRE DEPARTMENT      | <input checked="" type="checkbox"/> POLICE DEPT. - THURBER | <input type="checkbox"/> MADISON GAS & ELECTRIC |
| <input type="checkbox"/> PARKS DIVISION       | <input type="checkbox"/> CITY ASSESSOR - M. RICHARDS       | <input type="checkbox"/> ALLIANT ENERGY         |
| <input type="checkbox"/> TRAFFIC ENG.         | <input type="checkbox"/> MADISON METRO - SOBOTA            | <input type="checkbox"/> A T & T                |
| <input type="checkbox"/> CITY ENG. - DAILEY   | <input type="checkbox"/> MMSD BOARD, C/O SUPT.             | <input type="checkbox"/> T D S                  |
| <input type="checkbox"/> CITY ENG. - PEDERSON | <input type="checkbox"/> PUBLIC HEALTH - SCHLENKER         | <input type="checkbox"/> MT. VERNON TELE        |
| <input type="checkbox"/> WATER UTILITY        |  | _____   |
| <input type="checkbox"/> CDBG - CONSTANS      | <input type="checkbox"/> NEIGHBORHOOD ORGANIZATION         | _____   |
| <input type="checkbox"/> REAL ESTATE - EKOLA  |  |   |

Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.

One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.

The above is located in your district. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.

The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.

**RETURN COMMENTS TO: PLANNING DIVISION, DEPT. OF PLANNING & COMMUNITY & ECONOMIC DEVELOPMENT, ROOM LL100 MMB, 215 MARTIN LUTHER KING JR. BLVD.**

**NO COMMENTS / YOUR COMMENTS:**

*No Public Safety concerns.*

*Carl [Signature]*

**Date:** July 14, 2008

**To:** The Plan Commission

**From:** Larry D. Nelson P.E., Interim General Manager

**Subject:** FINAL PLAT, PRELIMINARY PLAT, REZONING  
Churchill Heights Replat, 4409-4441 Bellgrove Lane

The Madison Water Utility has reviewed this proposed final plat, preliminary plat, and rezoning, and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS**

None

**GENERAL OR STANDARD REVIEW COMMENTS**

Two additional water service laterals will need to be installed as each lot of record is required to have a separate water service lateral connection to a public water main.

All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

This property is not in a Wellhead Protection District.

The Water Utility will need to sign off the final plans, and will need a copy of the approved plans.

Larry D. Nelson, P.E.



**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** August 18, 2008

**To:** Plan Commission

**From:** Patrick Anderson, Assistant Zoning Administrator

**Subject:** 4409-4441 Bellgrove Lane

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**Present Zoning District:** R-4

**Proposed Use:** Replatting 5 Multi-Family lots into 7 Single-Family lots.

**Requested Zoning District:** R-2

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). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. Maintain landscaping or screening elements at a height no greater than 2' within 10' of a drive opening or vision clearance. No screening/landscaping shall be erected, placed, maintained, or grown between the heights of 30 inches and 10 feet above the curb level within the 25 foot vision triangle at the corners of Portage Rd and Hayes Rd and Portage Rd. and Diloretto Rd.
2. The installation of street trees shall be approved by the City of Madison Forestry Department. Contact Marla Eddy 266-4450.
3. Show addresses on the final plans. Contact Lori Zenchenko of City Engineering to obtain the addresses at 266-5952.

4409-4441 Bellgrove Lane

August 18, 2008

Page 2

**R2 ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	6,000 sq. ft.	8,013 sq. ft. +
Lot width	50'	133' – 169'
Usable open space	1,000 sq. ft.	TBD
Front yard	30'	TBD
Side yards	6' each side	TBD
Rear yard	40'	TBD
Building height	2 stories	TBD

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	1	TBD
Accessible stalls	n/a	n/a
Loading	n/a	n/a
Number bike parking stalls	n/a	n/a
Landscaping	Yes	(2)
Lighting	n/a	n/a

<b>Other Critical Zoning Items</b>	
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	Yes
Barrier free (ILHR 69)	No

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