



Department of Planning & Community & Economic Development
Planning Division

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September 3, 2008

Ron Trachtenberg
Murphy Desmond, SC
PO Box 2038
Madison, Wisconsin 53701

Jim Grothman
Grothman & Associates, Inc.
PO Box 373
Portage, Wisconsin 53532

RE: 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.

Gentlemen:

At its September 2, 2008 meeting, the Common Council **approved** the rezoning, preliminary plat and final plat of "Churchill Heights Replat" subject to the following conditions of approval from reviewing agencies:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following five items:

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 the 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.
4. 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 re-division 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.

Note: In addition to notes such as this, Wisconsin 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.

5. 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:

"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.

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following four items:

5. 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 within fourteen days of the issuance of building permit(s)."
Note: The development may be delayed until the Council approves the transportation impacts fees.
6. There will be access restrictions for Churchill Heights Replat plat for this final plat. The applicant shall graphically show the "No Access Restriction" on the face of the plat map and shall include the following note: "No Access shall be granted along the Westerly right-of-way line of Portage Road."

7. The applicant shall execute declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
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 Dennis Cawley, Madison Water Utility, at 261-9243 if you have any questions about the following item:

9. 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. The Water Utility will not need to sign off on the final plans, but will need a copy of the approved plans.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions about the following item:

10. Maintain landscaping or screening elements at a height no greater than 2 feet within 10 feet 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 Road and Hayes Road, Portage Road and Diloretto Rd.

Please contact my office at 261-9632 if you have questions about the following three items:

11. 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.
12. 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 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 as an alternative.
13. 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."

Please note that the City Real Estate Office is reviewing the report of title provided with this plat and may have comments. That office will send any comments to you by fax. If you have any questions, please contact Jeff Ekola at 267-8719 for more information.

Please contact Si Widstrand, Parks Division, at 266-4711 if you have questions about payment of park fees for this replat.

The City of Madison Forestry Division shall coordinate the installation of any street trees. For more information, please contact Marla Eddy, City Forester, at 266-4450.

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Specific questions regarding comments or conditions should be directed to the commenting agency. Any appeal regarding the plat, including the conditions of approval, must be filed with the Circuit Court within thirty (30) days from the date of this letter. If I may be of any further assistance, do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
John Leach, Traffic Engineering Division
Patrick Anderson, Asst. Zoning Administrator
Si Widstrand, Parks Division
Dennis Cawley, Madison Water Utility
Jeff Ekola, Office of Real Estate Services
Norb Scribner, Dane County Land Records and Regulations