

Mayor Gonzalez  
Introduced by

Planning  
Prepared by

Plan Commission  
Referred to

November 13, 2018  
Date

## RESOLUTION R-214-18

**COMPREHENSIVE DEVELOPMENT PLAN REQUEST CDP-2257-18, BY BILL BUGLASS, REPRESENTING PAYNE AND DOLAN, FOR A COMPREHENSIVE DEVELOPMENT PLAN FOR APPROXIMATELY 131 ACRES OF LANDS CONTROLLED BY PAYNE AND DOLAN, GENERALLY LOCATED WEST OF THE BADGER STATE TRAIL BETWEEN LACY ROAD, SUB-ZERO PARKWAY, AND QUARRY VISTA.**

**WHEREAS**, Bill Buglass, representing Payne and Dolan, has submitted a Comprehensive Development Plan for approximately 131 acres of lands controlled by Payne and Dolan, generally located west of the Badger State Trail between Lacy Road, Sub-Zero Parkway, and Quarry Vista; and

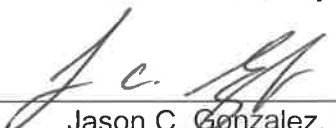
**WHEREAS**, the Plan Commission has reviewed and recommends approval of the CDP, with conditions; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the City Council of the City of Fitchburg, Dane County, Wisconsin herewith approves CDP-2257-18 with the following conditions:

1. No other approval or permit is waived or deemed satisfied except for the approval provided herein.
2. Lot layout shall be clearly defined, with the CDP-2257-18 document to be revised and resubmitted for staff approval.
3. A westerly extension of Sub-Zero Parkway shall be shown on the plan and resubmitted for staff approval.
4. A subdivision improvement agreement will be required for public improvements.
5. MMSD and Seminole Highway Interceptor fees shall be paid prior to start of construction on public improvements.
6. Water impact fees shall be paid prior to issuance of any permits.

Adopted this 27<sup>th</sup> day of November, 2018.

  
\_\_\_\_\_  
Patti Anderson, City Clerk

  
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Jason C. Gonzalez, Mayor

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# Request Details

*Print Date: Wed 01/09/2019*

**Category:** CDP

**Location:**

**Request ID:** CDP-2257-18

**Metes and Bounds:**

**Decision Date:** 11/20/2018

**Section:** 7

**House Number:**

**Project Name:** Payne & Dolan Site

**Street:** SubZero Parkway

**Comments:**

**Lot:**

## Zoning Conditions

- 1 No other approval or permit is waived or deemed satisfied except for the approval provided herein.
  - 2 Lot layout shall be clearly defined, with CDP-2257-18 document to be revised and resubmitted for staff approval.
  - 3 A westerly extension of Sub-Zero Parkway shall be shown on the plan and resubmitted for staff approval.
  - 4 A subdivision improvement agreement will be required for public improvements.
  - 5 MMSD and Seminole Highway Interceptor fees shall be paid prior to start of construction on public improvements.
  - 6 Water impact fees shall be paid prior to issuance of any permits.
-

Rec # 1-017946

TO: 11.2.18



City of Fitchburg  
Planning/Zoning Department  
5520 Lacy Road  
Fitchburg, WI 53711  
(608-270-4200)

## LAND DIVISION APPLICATION

The undersigned owner, or owner's authorized agent, of property herein described hereby submits ten (10) copies of the attached maps, one (1) copy no larger than 11" x 17", and one (1) pdf document of the complete submittal (planning@fitchburgwi.gov) for approval under the rules and requirements of the Fitchburg Land Division Ordinance.

1. Type of Action Requested:
- ☐ Certified Survey Map Approval
  - ☐ Preliminary Plat Approval
  - ☐ Final Plat Approval
  - ☐ Replat
  - ☒ Comprehensive Development Plan Approval

2. Proposed Land Use (Check all that Apply):

- ☐ Single Family Residential
- ☐ Two-Family Residential
- ☐ Multi-Family Residential
- ☒ Commercial/Industrial

3. No. of Parcels Proposed: Four

4. No. Of Buildable Lots Proposed: One

5. Zoning District: I-G Industrial-General

6. Current Owner of Property: Payne and Dolan

Address: P.O. Box 781, Waukesha, WI 53187

Phone No: \_\_\_\_\_

7. Contact Person: Bill Buglass

Email: wbuglass@payneanddolan.com

Address: \_\_\_\_\_

Phone No: 608.445.0925

8. Submission of legal description in electronic format (MS Word or plain text) by email to: planning@fitchburgwi.gov

Pursuant to Section 24-2 (4) of the Fitchburg Land Division Ordinance, all Land Divisions shall be consistent with the currently adopted City of Fitchburg Comprehensive Plan

Respectfully Submitted By: William A. Buglass Bill Buglass  
Owner's or Authorized Agent's Signature Print Owner's or Authorized Agent's Name

PLEASE NOTE - Applicants shall be responsible for legal or outside consultant costs incurred by the City. Submissions shall be made at least four (4) weeks prior to desired plan commission meeting.

For City Use Only: Date Received: 10-23-18

Ordinance Section No. \_\_\_\_\_ Fee Paid: \$665.00

Permit Request No. COP-2257-18

APPROVED  
By Plan Commission  
11/20/18  
w/ conditions

# Payne and Dolan – O'Brien Site Comprehensive Development Plan Commerce Park Drive, Fitchburg, WI



JSD 18-8763  
October 23, 2018  
Rev. November 9, 2018

**JSD** *Professional Services, Inc.*  
• **Engineers** • **Surveyors** • **Planners**

## OVERVIEW

The Payne and Dolan-O'Brien Site Comprehensive Development Plan (P-D CDP) provides a framework for the continued implementation of the 2013 North Stoner Prairie Neighborhood Plan. The P-D CDP Planning Area encompasses approximately 131 acres generally located west of the Badger State Trail between Lacy Road, Sub-Zero Parkway (extended) and the Quarry Vista neighborhood. Serving as a decision-making framework, the P-D CDP is intended to aid in private and public decisions regarding land division, zoning, and infrastructure investment.

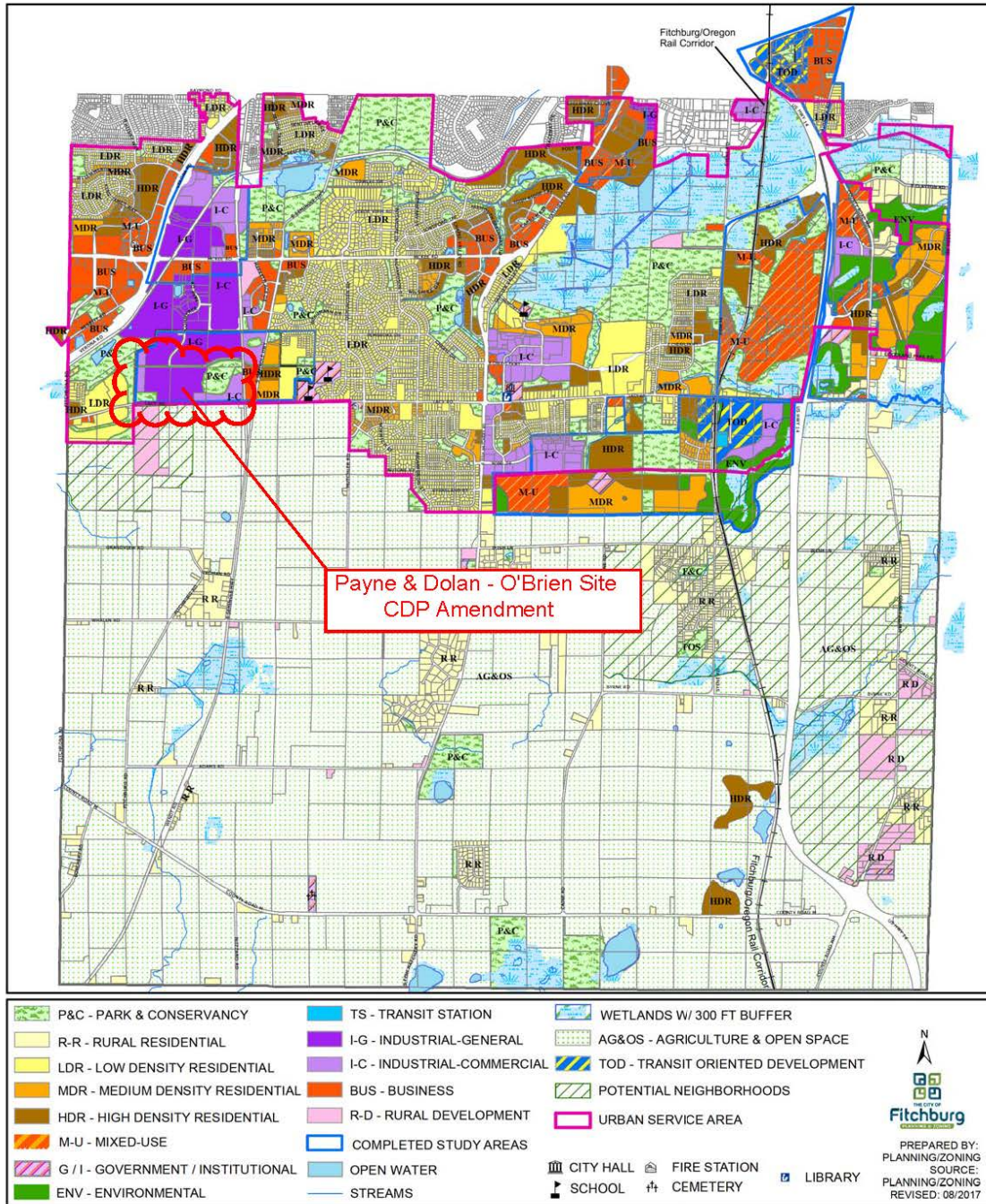
As Payne and Dolan winds down their quarrying and materials processing operations within the P-D CDP planning area, it is their intention to advocate the transition and development of the area into large and medium scale general industrial land use consistent with this CDP, the North Stoner Prairie Neighborhood Land Use Plan and the City's Comprehensive Plan Future Land Use Plan Map.

Based on topographic, hydrologic, and geologic conditions within the planning area, and with consideration given to the land use patterns and development expectations expressed by City policies, Payne and Dolan forecast that implementing the CDP will create opportunities for developing approximately 98 acres for new industrial investment and will protect approximately 28 acres of lowland and wooded upland habitat.

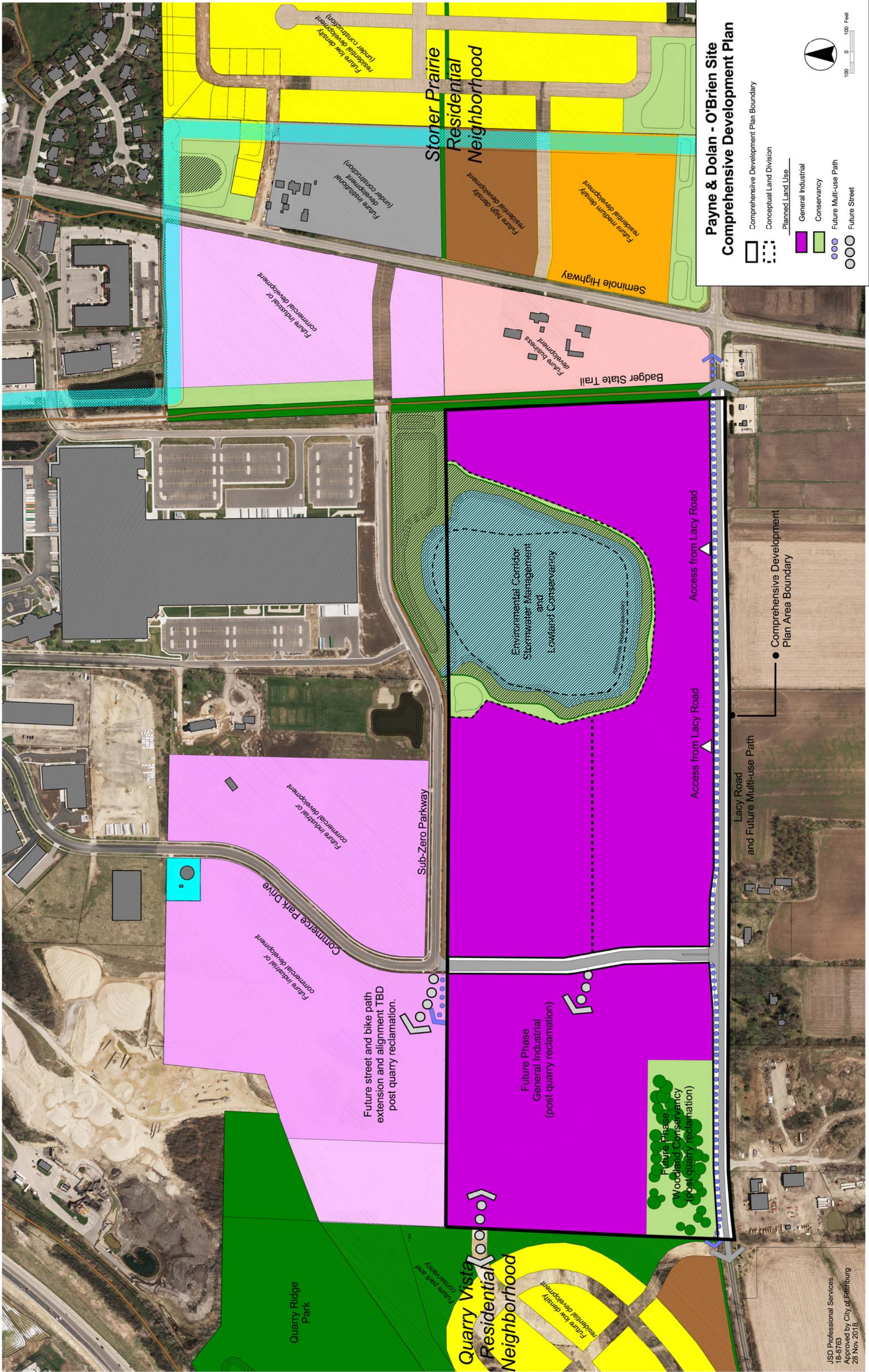
[Note: November 9, 2018. The following text and plan map have been revised in response to City staff commentary]



# FUTURE LAND USE PLAN MAP







### Payne & Dolan - O'Brien Site

## Comprehensive Development Plan

Comprehensive Development Plan Boundary

Conceptual Land Division

General Industrial

Conservancy

Future Multi-use Path

Future Street

Planned Land Use

Comprehensive Development Plan Area Boundary

100

0

100 Feet



## **BACKGROUND AND RELEVANT HISTORIC PLANNING AND POLICY APPROVALS**

In the northwest corner of the City, a significant portion of the glaciated valley along either side of Verona Road between Lacy Road and Williamsburg Way had been mined for sands and aggregates (in fact, three quarries are still in operation). As the sand and aggregate resources depleted, these lands transitioned from quarrying and material processing to industrial and commercial uses.

This general area has become, and remains, a significant portion of the City's non-residential tax base that includes, for example: the Orchard Pointe commercial development (Super Target and Hy-Vee), the Arrowhead Planning Area (Thermo-Fisher, Certco, and Placon), the Fitchburg Commerce Park (Sub-Zero/Wolf, Benjamin Plumbing, Hammersley Stone, and Payne and Dolan). This industrial area represents continued private investment confidence and is supported by substantial public infrastructure investments in transportation and utility infrastructure.

Recognizing the importance of a firm commitment to articulating and utilizing a long-term vision in effectively managing growth and development, in 2013 the City adopted the North Stoner Prairie Neighborhood Plan. This plan was adopted as a guide for developing the general area north of Lacy Road and west of the Savannah Oaks School campus into a mixed residential neighborhood and for expanding business and industrial development opportunities along and to the west of Seminole Highway. The neighborhood plan was considered in the establishment of Tax Increment District (TID) #9, and guided land divisions and infrastructure investments supporting development of the Stoner Prairie residential neighborhood east of Seminole Highway and the construction of Sub-Zero Parkway and the expansion of the Sub-Zero/Wolf industrial site west of Seminole Highway.

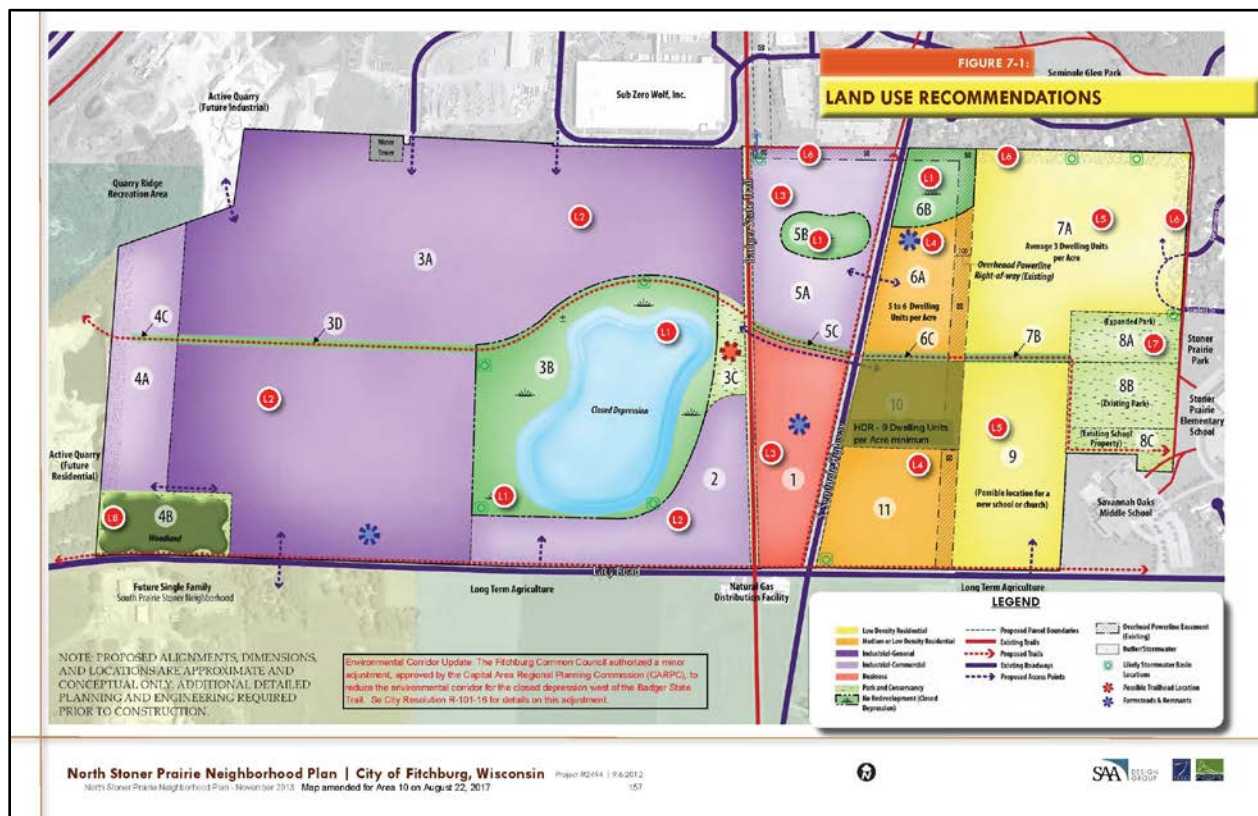
As to the lands west of the Badger State Trail, the neighborhood plan outlined several recommendations (paraphrased below) to capitalize opportunities and reconcile issues relating to development:

- Protect and buffer existing hydrologic resources and features.
- Support the development of employment areas west of the Badger State Trail that complement the existing industrial uses in and around the existing Fitchburg Business Park and Fitchburg Commerce Park and stringently follow I-G (Industrial – General zoning ordinance).
- Reconstruct Lacy Road as a two lane section with paved shoulders/bike lanes for bicycle travel.
- Consider opportunities to re-align (or otherwise improve Lacy Road to address grade and site distance issues.
- Concurrent with future business park development, extend Commerce Park Drive to Lacy Road in logical phases.
- Concurrent with future improvements to Lacy Road, develop a multi-use path on the north side of Lacy Road for future bike and pedestrian connectivity to the elementary/middle school campus.
- Construct 12" water mains along Lacy Road and Commerce Park Drive
- Extend sanitary sewer west along Lacy Road.



- To the extent practical, implement management practices to attain 100% infiltration of pre-development stormwater volumes to the extent permissible under Wisconsin Administrative Code.
- Establish and manage water levels in the closed depression stormwater pond to reduce the potential for flood damage on adjoining property.
- Preserve the closed depression as undeveloped open space
- Preserve the remnant woodland south of the active quarry area and evaluate its potential development as a passive park area.
- Assess the feasibility of incorporating historic and legacy farmstead sites into new development as amenity features.

The P-D CDP planning area is immediately south and adjacent to the Fitchburg Commerce Park and encompasses approximately half of the industrial area proposed in the North Stoner Prairie Neighborhood west of the Badger State Trail.



## PLANNING CONSIDERATIONS

[Note: The following brief narrative describes specific conditions within the planning area that have been identified to potentially affect various critical aspects of construction and industrial operation within the P-D CDP Planning Area. More information is presented and described from an area-wide context in the North Stoner Prairie Neighborhood Plan.]

### **Community and Neighborhood Context**

The North Stoner Prairie Neighborhood Plan which articulated the following vision for the area:

*North Stoner Prairie will be a vibrant, stable, and economically, environmentally, and socially sustainable neighborhood that is home to a diverse range of uses, from an employment center to housing to neighborhood schools. Through protecting natural resources, bikeways and open spaces, North Stoner Prairie will set an example for respecting water resources and the environment while promoting jobs and economic development. The North Stoner Prairie Neighborhood offers a transition between the urbanized area of the City of Fitchburg and the agricultural resources to the south. It will offer a connection to nature, community gardens and agriculture, while creating a safe, walkable neighborhood to enjoy access to schools, parks, neighborhood services and employment.*

Pertaining specifically to the sub-area west of the Badger State Trail, the plan envisions “an expanded business park for large-footprint, clean industrial uses...”. The land use plan for this area is designated primarily as Industrial-General (to accommodate manufacturing, transportation, assembly and wholesaling operations and a limited number of retail and service establishments), but also with Industrial-Commercial locations that transition to adjoining agricultural and residential areas (and would accommodate sites for offices, research and development institutions, specialized manufacturing, biotechnology businesses and related business tailored to serve workers within the area).

As noted in the neighborhood plan, “... The ability to have truck access to Verona Road intersection improvements at McKee Road and adjacent, and adjacent complimentary uses in the business park north of the North Stoner Prairie makes the western portion of the North Stoner Prairie Neighborhood (e.g. the P-D CDP area) ideal for industrial uses.”

*Planning Considerations. City planning policy indicates that the Industrial-Commercial and Industrial-General land use planning categories are implemented through a variety of zoning districts including: I-S Specialized Industrial, B-P Professional Office, I-G General Industrial, and, in some instances, B-G General Business and B-H Highway Business. Additionally, use of PDD Planned Development Zoning may also be appropriate. Consideration should be given to establishing development parameters that provide the most flexibility for site development.*

### **Physical Setting**

**Topography and Landform:** The terrain in the P-D CDP area rises from elevation 1025 feet above mean sea level (MSL) at the intersection of the Badger State Trail and Lacy Road to approximately 1100 MSL along the bedrock ridge that demarks segments of the westerly boundary line. The terrain within the easterly two-thirds of the planning area is relatively level ground dominated by a 22 acre closed depression and wetland pond. The westerly third of the planning area rises steeply to the west and southwest from elevation 1041 MSL at the intersection of Commerce Park Drive and Sub-Zero Parkway. Elevation along the south boundary of the planning area (Lacy Road) rises from 1025 MSL at the Badger State Trail



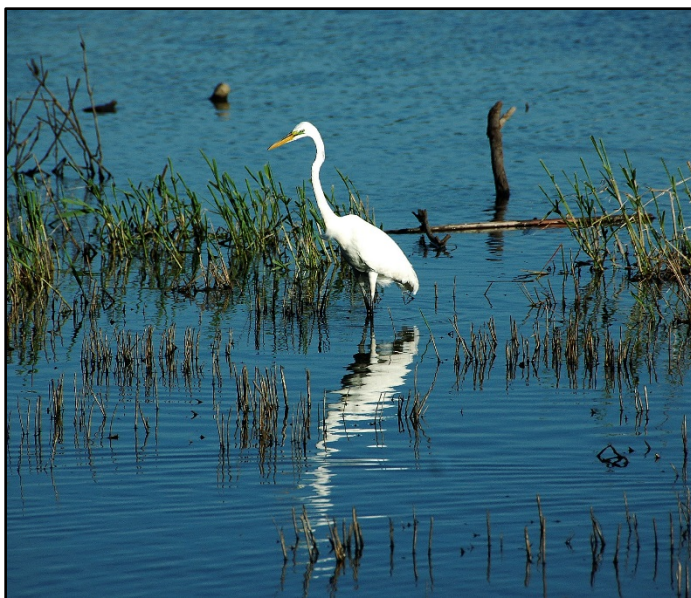
intersection to 1040 at the southwest corner of the planning area. Lacy Road crests at 1068 MSL approximately 1000 feet east of the southwest corner.

The westerly portion of the planning area is currently an active limestone quarry producing construction aggregates. As described in the reclamation plan for the quarry, post quarrying the typical elevation along the westerly boundary will be between 1065 and 1075 MSL with the exception of an undisturbed wooded tract that will remain between the south edge of the quarry and Lacy Road. The highpoint in this wooded tract, which is being preserved through a prior commitment with the City, will be approximately 1100 MSL. The general east to west gradient through the westerly third of the planning area will be reduced to approximately 3% when the existing screening berm is removed and the quarry area is reclaimed.

*Planning Considerations. Post quarry reclamation will result in terrain and gradients that are generally compatible with industrial and commercial development sites. The preserved woodland feature also will contribute to the overall aesthetic of the area. The flat gradients and low terrain in the easterly two thirds of the planning area will likely require placement of substantial fill material to effectuate positive site grades for stormwater management.*

Surface Water and Drainage. The planning area is generally situated at the northern edge of a series of closed depressions formed in glacial outwash, till, and lakebed deposits that formed behind the terminal moraine in the Wisconsin Glaciation. This drainage system includes Lake Harriet which is located approximately six miles to the south. The general landform characteristics within this sub-watershed feature undulating nearly level terrain with many shallow closed depressions and isolated ponds and few, if any, naturally defined drainage channels. In very wet conditions, run-off could overflow from one closed depression to the next on to the south, eventually discharging to Lake Harriet and ultimately, to the Sugar River.

Other than the 21 acre wetland pond located in the easterly third of the planning area there are no other permanent surface water features or ephemeral drainage-ways in the CDP planning area. The pond forms from both surface run-off from the surrounding 214 acre closed drainage basin and from changes in shallow ground water conditions. Currently (2018) the water surface elevation is at approximately 1022. The pond size and depth fluctuates drastically and in fact was essentially dry and cultivated as recently as 2012.



In 2016-17, the current pond shoreline and depths were created by the “wetland scrape” feature constructed in conjunction with the development of the Sub-Zero industrial expansion. This initial site development improvement was completed to complement eventual use of adjacent lands for industrial development as envisioned by the North Stoner Prairie Neighborhood Plan. The scrape was defined with a low berm and excavation designed to provide stormwater

storage capacity for back-to-back 100 year rainstorm events in the drainage basin. Stormwater run-off flowing into this wetland pond is managed through nearby upstream storm water ponds that provide run-off rate and reduce sediment and oil and grease contamination loads from streets and parking lots. Since this area is a closed watershed (with no natural outfall), the city and county have required an operations pumping plan to maintain the water level in the pond below elevation 1022.8 MSL to reduce potential flood hazards on adjacent lands.

Additionally, the wetland scrape pond and adjacent stormwater management ponds provide opportunity to enhance the visual aesthetic of the area – especially with its location adjacent to the Badger State Trail. It is anticipated the wetland scrape with periodic shallow inundation will evolve to provide additional naturalized habitat supporting local wildlife and migratory waterfowl.

*Planning Considerations. Though managed so water levels do not exceed 1022.8 MSL, the pond never-the-less influences the development of nearby properties as well as development sites located within the drainage basin. Without pumping, very extreme flood conditions would flow southerly. Good engineering practice will likely set lowest building openings and/or lowest floor elevations at or above 1032 in order to attain “free board” to reduce potential damage from excessive flood conditions and to provide for positive site drainage to stormwater management facilities. Additionally, the development sites upstream from the pond will need to consider best management practices to reduce storm water run-off (on-site retention and infiltration).*

Subsurface Conditions and Hydrology. Soils within undeveloped portions of the planning area (and western Fitchburg in general) range from relatively thin formations of loamy sands and clay over bedrock (in the quarry area) to poorly drained silt loams formed over a clay lens deposited over deep sands and gravels (in the wetland scrape area). As noted in the North Stoner Prairie Neighborhood Plan, with the exception of the soils formerly within the quarry area, virtually all of the soils are classified as Prime Soil for agricultural productivity.

Underlying geology in the planning area is characterized by limestone, sandstone and shale formations of various thicknesses, depths, and characteristics. The bedrock in the quarry area for example is relatively competent (hard) and hence its use for construction aggregate, the underlying sandstones range from hard to loose, and the dense shale provides a hydraulic barrier to underlying aquifers in deeper sandstone formations.

Very shallow groundwater feeds wetland features that have formed over low permeability clay lenses in the glacial till deposits above the bedrock. The subsurface conditions in the easterly two thirds of the planning area appear to result in a seasonally fluctuating ground water mounding situation. From observations derived from several test pit excavations immediately west of the pond, the thickness of the clay lens is variable (from 1.5 to 10 feet), is encountered at zero to two feet below the ground surface (BGS), and has low bearing capacity.

In this area of Dane County, the glacial aquifer is underlain by the upper sandstone aquifer. In this area of the City of Fitchburg, groundwater movement in this strata flows toward Nine Springs Creek.

Deep groundwater, the resource used by many municipal wells in the region, is located in deeper sandstone formations below the shale strata. As noted, the shale acts as a hydraulic barrier between the aquifers and offers some protection from contamination originating on or near the land surface from migrating towards municipal water supplies.

*Planning Considerations. Though the soils in the general area are relatively stable and have sufficient strength for building and street construction, locations that have a higher percentage of clays and silts, and that have clay deposits (and correspondingly are highly saturated with perched groundwater) require some form of extra-ordinary construction practice to increase suitability to support building foundations and infrastructure. Such practices include, but are not limited to: removal and import of suitable fill material, surcharging, or use of specialized foundation and footing design. This appears to be the hydraulic and geotechnical situation in the immediate vicinity of the wetland scrape within the easterly two-thirds of planning area.*

*Additionally, the North Stoner Prairie Neighborhood Plan articulates an expectation that development practices aim to achieve 100% of predevelopment infiltration volumes. Given that some subsurface conditions (dense soils, and shallow bedrock) and some industrial practices limit or preclude infiltration, stormwater management engineering will need to be considered on a site-by-site and case-by-case basis. It is recognized that some locations within the planning area have highly permeable subsoil characteristics which, with good design practice to manage run-off water quality, provide opportunities to reduce stormwater run-off by encouraging more than typical infiltration and/or evapo-transpiration (green roofs on buildings).*

Landcover and Land Use. Existing landcover within the planning area includes cultivation, open and fallow fields, active quarry operations (bedrock surfaces), wetland habitat, and old growth upland woodland. Current City planning and development policy(ies) include provisions to maintain and/or enhance the character of the natural and naturalized areas (the 21 acre wetland scrape and stormwater area which is designated as Environmental Corridor and the five to six acre remnant woodland site which will be un-disturbed by the quarry operations and installation of adjacent public and private improvements). As articulated in the City's Comprehensive Plan and the North Stoner Prairie Neighborhood Plan the balance of the planning area is envisioned to transition to a developed urban form with fully improved industrial and business lots, "Complete Streets", and appropriate site and architectural amenities and aesthetics.

*Planning Considerations. The feasibility of potentially incorporating the remnant of the heritage farmstead as a site amenity within future industrial development will be assessed by prospective lot purchasers in future development phases. As a practical matter, the focus of this CDP is to create possible building sites and install the necessary infrastructure to expand potential economic opportunities for the City.*

## **Infrastructure**

Water System. Preliminary infrastructure design indicates that the P-D CDP planning area will ultimately be served by the completion of a 12" water main loop extending around the perimeter of the planning area along Lacy Road between the existing main at the Badger State Trail and Lacy Road intersection and the main at Lacy Road serving the Quarry Vista neighborhood to the west. A 12" water main will also traverse the planning area along the extension of Commerce Park Drive connecting the main in Sub-Zero Parkway with the new Lacy Road main. Portions of this system will benefit as well as stabilize water service to adjacent properties located outside of the planning area. In the future, a 10" water main will be installed as part of a westerly extension of Sub-Zero Parkway into lands adjoining the P-D CDP area.

The construction and phasing of the water system improvements are being coordinated with the City Public Works Department.



Sanitary Sewer. Preliminary infrastructure design indicates that the recent sanitary sewer interceptor improvements installed along the Badger State Trail and Sub-Zero Parkway are sufficient to accommodate the entire planning area. Sewer main will be installed along the Commerce Park Drive extension, Sub-Zero Drive extension (future), and along Lacy Road. Portions of this system will also benefit unserved locations outside of the planning area.

The construction and phasing of the sanitary sewerage improvements are being coordinated with the City Public Works Department.

Power and Communication Infrastructure. The P-D CDP area is served by the Madison Gas and Electric (MG&E) gas distribution station located at the corner of Lacy Road and the Badger State Trail. This distribution station is supplied by two transmission pipelines. Gas distribution lines will be coordinated with MG&E and installed in the streets serving development sites within the planning area.

There is a 138 KvH overhead transmission line located approximately 500 feet east and parallel to Seminole Highway. This transmission line feeds the MG&E substation located one mile north at the corner of McKee Road and the Badger State Trail. The installation of the electric distribution system will be coordinated with MG&E.

Communication and data fiber optic cable is located along Seminole Highway. Extension of the cable network will be coordinated with AT&T.

Transportation. The P-D CDP planning area is situated at the confluence of three streets: Lacy Road, Seminole Highway, and Commerce Park Drive. Each are classified as Minor Collectors and are capable of efficiently carrying substantial volumes of traffic. Lacy Road is a significant cross-town route connecting the adjacent Fitchburg Commercial Park area with the City's other business parks (Fitchburg Technology Park and Fitchburg Center) and the new US Highway (USH)14 interchange all of which are located on the east side of the City. Commerce Park Drive and Seminole Highway are north-south linkages connecting to McKee Road and the new USH 18/151 and McKee Road interchange approximately one mile to the north. Commerce Park Drive is intended to be the primary commercial/industrial route serving the planning area.

Initial traffic analyses conducted during the North Stoner Prairie Neighborhood Planning process indicated that projected traffic from the future mixed-use neighborhood will be below the forecasted capacities of the adjacent streets and intersections.



The right-of-way and street design of Lacy Road and Commerce Park Drive improvements has been coordinated with City Public Works. Preliminary plans for these streets and intersection improvements include:

- Commerce Park Drive Extended: 80 foot right-of-way with a 44 foot wide street and dual sidewalks similar to the existing Commerce Park Drive and Sub-Zero Parkway cross-section. This street width is sufficient to accommodate two travel lanes, two on-street bike lanes, and on-street vehicle parking on one side. Per City Public Works, the Commerce Park Drive extension aligns to the high point on Lacy Road.
- Lacy Road: Dedication of 40 feet of right-of-way north of the existing center line and reconstruction of the roadway to provide for two travel lanes and paved shoulder/bike lanes. Additionally, the right-of-way cross-section will accommodate a ten foot wide multi-use path on the north side which will extend between the Badger State Trail and the existing path in the Quarry Vista neighborhood. Additional right-of-way and lane improvements may be necessary at the intersection with Commerce Park Drive (extended). Pavement and stormwater management design coordination with City Public Works is continuing.

It is anticipated that a future amendment to this CDP will be developed in conjunction with the final closure and reclamation of the quarry. It is likely that a future street extension will be necessary to provide and infrastructure and vehicle circulation to the north to support future industrial use of the lands west of Commerce Park Drive.

Transit. All proposed streets will be designed to accommodate transit stops when routes are implemented by Madison Metro.

Pedestrian and Bicycling. Local segments of the City's planned pedestrian and bicycling network will be advanced through the P-D CDP planning area by the multi-use path constructed in conjunction with the Lacy Road improvements. The P-D CDP does impact the westerly extension of the recently constructed Sub-Zero Parkway multi-use path which is located on the adjoining property to the north. Extension of this path will necessarily be a component of the final closure and reclamation of the quarry.

*Planning Considerations. There do not appear to be any significant deficiencies in existing infrastructure that would have the potential to constrain industrial development within the P-D CDP planning area. Infrastructure construction sequencing however will need to be coordinated to complement existing businesses, the continued operation of the quarry (anticipated by 2030), and to effectively support industrial development proposals and other demands for public services.*

## **GENERAL DESCRIPTION OF THE PAYNE AND DOLAN-O'BRIEN SITE WHEN DEVELOPED**

When ultimately developed, the P-D CDP will create an estimated 98 acres of industrial development property and preserve and estimated 28 acres of open space.



The development will be pursued through a minimum of two phases:

### **First Phase:**

- Creation of a developable 17 acre lot at the corner of Sub-Zero Parkway and the extension of Commerce Park Drive.
- Creation of Three Outlots:
  - o An outlot encompassing the 22 acre environmental corridor/wetland scrape pond
  - o A 53 acre outlot south of the developable lot and environmental corridor outlot which would be subsequently divided depending upon market demands and stormwater engineering design requirements. It is anticipated that this outlot may potentially accommodate three developable parcels (one accessing Commerce Park Drive, and two with individual access drives to Lacy Road); and
  - o A 36 acre outlot encompassing the area west of the Commerce Park Drive extension which would be the subject of a future CDP amend prepared in conjunction with the closure and reclamation of the quarry (and addressing: future parcelization for industrial development, a future public street connection to the north and the transfer and management plan for the upland woods conservancy area)
- Design and installation of street and underground infrastructure along Commerce Park Drive and Lacy Road (encompassing approximately 3 acres of right-of-way dedication).



The phasing and extents of Lacy Road improvements are currently being coordinated with City Public Works.

**Future Phase:**

- Creation of developable lots in conjunction with the closure and reclamation of the quarry. Future parcelization of this tract is estimated to yield 28 acres of industrial development land.

**ZONING AND PARCELIZATION**

- I-G Industrial General is proposed for the all of the developable lands (lot and outlot) located east of the Commerce Park Drive extension.
- P-R Park and Open Space is proposed for the Environmental Corridor outlot.
- The existing R-D Rural Development zoning is proposed to remain in place, along with the Non-metallic mining Conditional Use Permit for the quarry, for the outlot west of the Commerce Park Drive extension.

**Payne and Dolan O'Brien Site  
Lands west of Badger State Trail, North of Lacy Road  
Planning and Public Works Review #1**

Responses added by Jim Bricker and Debbie Hatfield on November 9, 2018

*Planning Staff Review #1*

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Planning staff has reviewed your submitted Comprehensive Development Plan for the Payne and Dolan lands west of Seminole Hwy and north of Lacy Road. The following comments are based on this review. Please respond to each item with a detailed written response, along with appropriate updated plans by 4:00 p.m. on November 9, 2018. Further comments or questions may arise as additional review occurs.

1. A comprehensive development plan map is provided on page 3 of the submitted materials. Sec. 25-7 of the land division ordinance requires that the plan show an approximate number of and layout of lots. The application form indicated that four lots are included in the CDP however the approximate lot lines and layout are not discernable on the plan submitted. Please revise.

The CDP Land Use Plan Map has been revised to make the potential land division parcels more legible and to annotate the generalized locations for possible future public street extensions mentioned in the following PW comments. Future street linkages would be an element of a subsequent CDP amendment to be considered when the quarry is closed and reclaimed.

*Public Works Staff Review #1*

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The following comments are based on the request for a new Comprehensive Development Plan (CDP-2257-18) submitted by Bill Buglass dated 10/23/18 for lands west of the Badger State Trail north of Lacy Road. TF 10-31-18; BB 10-30-18; GV 10-30-18; CG 10-30-18; LC 10-31-18. Additional comments beyond these may be required on future reviews..

**General Comments**

1. A developer agreement will be needed for the public improvements.  
Understood
2. Concurrence from utilities (gas, electric, cable, phone) will need to be provided with regards to the utility easement locations shown on any future plat/CSM. A letter from the utilities will be required.  
Understood. Concurrence from the utilities will be requested for the CSM.

**Payne and Dolan O'Brien Site**  
**Lands west of Badger State Trail, North of Lacy Road**  
**Planning and Public Works Review #1**

**Transportation Comments**

1. The CDP matches with the proposed planning documents with the exception of the Sub-Zero Parkway extension between the Payne and Dolan site and Quarry Vista. This is a desirable connection to provide an alternate East-West connection to Fitchrona Road. It is also desirable from a utility standpoint. (BB LC)

The CDP land use plan map has been revised to illustrate the possibility of the future westerly extension of Sub-Zero Parkway across the majority of the quarry area and the possibility of extending a public street westerly from a mid-block location along the new segment of Commerce Park Drive (between Sub-zero Parkway and Lacy Road). The alignment of a future street through the reclaimed quarry area is not something that should be determined at this time. Such future street, if determined to be necessary, should be laid-out after evaluating terrain conditions, demand for size and configuration of industrial property, and traffic circulation linkages north to the Verona Road frontage area. Additionally, the westerly extension of Sub-Zero Parkway is on property owned by Sub-Zero and not within the scope of the Payne & Dolan CDP area.

An interconnecting street westerly from the Payne & Dolan parcel into and through the Quarry Vista neighborhood was discussed with City staff and deemed to be not appropriate as it could encourage/enable industrial traffic through a residential neighborhood as well as encouraging residential traffic through a general industrial area. The Quarry Vista neighborhood already has three public street access points connecting directly to minor collector streets.

The primary traffic routes supporting the industrial area implemented by this proposed CDP are Commerce Park Drive and Seminole Highway both of which are minor collector streets connecting to McKee Road (and regional arterial highways via the Verona Road interchange) and Lacy Road (extending easterly to the City's other employment centers and the USH 14 interchange).

If future utility interconnection to the west is determined to be needed after the quarry is closed and reclaimed, such extension could be addressed with future land division and infrastructure planning related to quarry reclamation.

**Water Main and Sanitary Sewer Comments**

1. MMSD and Seminole Hwy Interceptor fees shall be paid prior to development. **Understood.**
2. Water impact fees will be required to be paid for each lot prior to the release of each building permit. This fee will be included with each lots building permit fee. **Understood.**



**Payne and Dolan O'Brien Site  
Lands west of Badger State Trail, North of Lacy Road  
Planning and Public Works Review #1**

3. In the first paragraph under Sanitary Sewer (Page 10) remove and replace the second sentence with "Sewer main will be installed along the Commerce Park Drive Extension, Sub-Zero Parkway extension and along Lacy Road."  
Text has been updated.
4. Under Water System note that 10" main will be required along future Sub-Zero extension.  
Text has been updated.
5. Provide anticipated water and sewer daily usage for the planning area.  
Anticipated water and sewer daily usage for the planning area is unknown at this time. The prospective investment by Promega for an industrial building at the southeast quadrant of the Sub-Zero/Commerce Park intersection is in the initial planning stage. Projections for anticipated water and sewer daily usage for the prospective Promega building will be provided after the design of the building and equipment has progressed to a point where such information can be quantified.
6. Designer shall meet with the Utility Engineer prior to generating plan and profile drawings.  
Understood. We will set up a meeting soon.

**Erosion Control and Stormwater Management (ECSWM) Comments**

1. The plan states that the current pond elevation is 1022, and that "good engineering practice will likely set lowest building openings and/or lowest floor elevations at or above 1032 in order to attain "free board." Please clarify the rationale behind that elevation. (CG)  
The conceptual designs for the stormwater management facilities to be installed on the prospective Promega site currently anticipate a pond with a permanent water elevation at about elevation 1024 to allow the pond to discharge to the wetland area. In order to provide positive drainage in storm sewer, and overland swales, to convey onsite stormwater from the buildings and pavement areas into the stormwater pond, we currently anticipate the building/parking FFE will need to be about elevation 1035.5.
2. Stormwater design in this area will be critical as the area is an enclosed depression. Give that some industrial practices may limit or preclude infiltration, how will stormwater be managed?  
The current conceptual design anticipates maximizing the re-use of the runoff from the building roof (clean water). Similar to Promega's R & D building, this water will be stored in underground cisterns subsequently treated and used as "make-up" water to replenish the chiller water in the building HVAC and manufacturing processes. The runoff will be reused

**Payne and Dolan O'Brien Site  
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Planning and Public Works Review #1**

during the eight to nine months of the year (spring, summer, and fall) when runoff occurs.

As the building and site design progress, other opportunities for run-off water reuse will be investigated and augmented to also permit limited infiltration if needed. Depending on the industrial classification of the building, DNR regulations may prohibit infiltration from site areas other than rooftop.

Our objectives are to implement practicable water management practices that both maximize operational efficiencies and mitigate excess discharge of water into the local surface water features and hydraulically connected shallow ground water systems. We recognize that the geology of the immediate locality of this site, in this closed basin, is characterized by extremely saturated soil conditions during seasonal rain events.

3. Note that the pond water level is not managed, as stated in the text, and at this time there is not a workable emergency pumping plan.  
Understood. We anticipate coordinating and collaborating with the City and Sub-Zero on appropriate responsibilities and improvements for effectively managing the water levels within the "wetland scrape" that was approved as part of the Sub-Zero project.



CITY OF FITCHBURG  
PLANNING DEPARTMENT  
5520 LACY ROAD  
FITCHBURG, WI 53711  
(608) 270-4200  
FAX: (608) 270-4275  
EMAIL: [planning@fitchburgwi.gov](mailto:planning@fitchburgwi.gov)

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Application: CDP-2257-18  
Property Location: Payne and Dolan Lands  
Review Date: January 9, 2019  
*Planning Staff Review #1*

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Planning staff has reviewed your submitted Comprehensive Development Plan for the Payne and Dolan lands west of Seminole Hwy and north of Lacy Road. The following comments are based on this review. Please respond to each item with a detailed written response, along with appropriate updated plans by 4:00 p.m. on November 9, 2018. Further comments or questions may arise as additional review occurs.

1. A comprehensive development plan map is provided on page 3 of the submitted materials. Sec. 25-7 of the land division ordinance requires that the plan show an approximate number of and layout of lots. The application form indicated that four lots are included in the CDP however the approximate lot lines and layout are not discernable on the plan submitted. Please revise.

**Payne and Dolan O'Brien Site**  
**Lands west of Badger State Trail, North of Lacy Road**  
**Public Works Review #1**

The following comments are based on the request for a new Comprehensive Development Plan (CDP-2257-18) submitted by Bill Buglass dated 10/23/18 for lands west of the Badger State Trail north of Lacy Road. TF 10-31-18; BB 10-30-18; GV 10-30-18; CG 10-30-18; LC 10-31-18. Additional comments beyond these may be required on future reviews.

**General Comments**

1. A developer agreement will be needed for the public improvements.
2. Concurrence from utilities (gas, electric, cable, phone) will need to be provided with regards to the utility easement locations shown on any future plat/CSM. A letter from the utilities will be required.

**Transportation Comments**

1. The CDP matches with the proposed planning documents with the exception of the Sub-Zero Parkway extension between the Payne and Dolan site and Quarry Vista. This is a desirable connection to provide an alternate East-West connection to Fitchrona Road. It is also desirable from a utility standpoint. (BB LC)

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