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# Request Details

*Print Date: Wed 06/16/2021*

**Category:** CDP Amendment

**Location:** CSM 10317

**Request ID:** CDP(A)-2387-21

**Metes and Bounds:**

**Decision Date:** 6/15/2021

**Section:**

**House Number:** 6220

**Project Name:** Orchard Pointe CDP

**Street:** Nesbitt Road

**Comments:**

**Lot:** 1

## Zoning Conditions

- 1 No other permit or approval is waived or deemed satisfied except for the approval provided herein.

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- 2 The CDP shall be recorded within three months after it has been approved by the Common Council. Unless recorded within the required time, the CDP approval shall be deemed withdrawn.

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- 3 No major change in a recorded CDP or its exhibits can be made without the approval of the common council. Any proposed change shall be submitted and the Plan Commission shall determine whether the change is major and follow procedures identified in Sec 24-3 of the Land Division Ordinance.

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- 4 Future approvals will require and are not limited to: land division, rezoning, conditional use permit approval, architectural design review, signage permits, subdivision improvement agreements, and erosion control and stormwater management permit approval. Additional staff comments will be provided for these applications upon submittal.

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Rec. 16.004479 5/24/2021  
\$465.00 RB



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:** two (2)

**4. No. Of Buildable Lots Proposed:** two (2)

**5. Zoning District:** B-G General Business

**6. Current Owner of Property:** Charden Properties, LLC Representative: Chris Peterson

**Address:** 6220 Nesbitt Road Fitchburg, WI 53719 **Phone No:** (608) 338-5822

**7. Contact Person:** Matthew E. Hoglund, P.L.S. Quam Engineering, LLC

**Email:** mhoglund@quamengineering.com

**Address:** 4604 Siggelkow Road - Suite A McFarland, WI 53558 **Phone No:** (608)838-7750 (692-7220 Cell

**8. Submission of legal description** in electronic format (MS Word or plain text) by email to: [planning@fitchburgwi.gov](mailto: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:**  Matthew E. Hoglund  
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:** 5/18/21

**Ordinance Section No.** \_\_\_\_\_ **Fee Paid:** \$465

**Permit Request No.** COP(A)-2387-21

**ORCHARD POINTE**  
**COMPREHENSIVE DEVELOPMENT PLAN**  
**AMENDMENT 17**  
**LOT 1 OF CSM 10317 LAND USE**

*PREPARED FOR*  
Charden Properties, LLC  
Chris Peterson  
c/o Pancake Cafe  
6220 Nesbitt Road  
Fitchburg, WI 53719

*PREPARED BY*  
Quam Engineering, LLC  
4604 Siggelkow Road, Suite A  
McFarland, WI 53558  
608-838-7750

May 20<sup>th</sup>, 2021  
(Revised June 4<sup>th</sup>, 2021)

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## **INTRODUCTION AND BACKGROUND**

The Orchard Pointe Comprehensive Development Plan (CDP) was adopted by the City April 11, 2006 and amendment July 20, 2006. The CDP established the outline for the commercial development of approximately 110 acres located in the southwest quadrant of the McKee Road and Verona Road intersection.

The CDP addresses issues and set development guidelines and parameters for land use, zoning, public improvements, architectural character, traffic circulation, storm water management and open space preservation.

The City and Property owners have acknowledged that the sequence of development in this area would and has required revisions and amendments in order to incorporate property assembly, rezoning, land division, and use that had not been chosen for the future commercial needs of this region.

This amendment is the 17th of the CDP and focuses only on Lot #1 of the Certified Survey Map No. 10317 and the 10-foot strip of Lot 9 of Orchard Pointe owned by Charden Properties, LLC. This area of Orchard Pointe is currently occupied by a multi-use building which includes a restaurant, appliance retailer, karate studio, and swimming school. The existing business will remain on Lot 1 of the new CSM, with Lot 2 being left undeveloped at this and to be sold and/or developed in the future.

## **ORCHARD POINTE CHRONOLOGY**

- **April 2006** - Orchard Pointe Comprehensive Development Plan approved.
- **July 2006** - Rezoning of Orchard Pointe.
- **January 2007** - CDP Amendment #1 – Relating to lands east of Fitchrona Road, the re-alignment of Hardrock Road, rezoning of McKee Road frontage east of Fitchrona Road.
- **January 2008** - CDP Amendment #2 – Revised the uses for the open space for Phase One of The Shops at Orchard Pointe.
- **July 2008** - CDP Amendment #3 – Revised to uses and open space for Phase One of The Shops at Orchard Pointe.
- **September 2008** – CDP Amendment #4 – Changes to the gross floor area permitted on Lot 1.
- **December 2008** – CDP Amendment #5 – Changes to the uses and development of the Shops at Orchard Pointe on Lot 8.
- **October 2009** – CDP Amendment #6 – Changes to the uses and development of Lots 3, 4, 6, and 8.
- **March 2010** – CDP Amendment #7 – Revisions to zoning and conditional uses on Lot 6 and revising the site plan pertaining to Lots 3, 4, and 6.

- **July 2011 – March 2012** – CDP Amendment #8 – Revisions to the land use on Lot 1 from restaurant to a bank with drive-thru lanes and specialty retail center uses. This proposed amendment was denied by the City Plan Commission in order to maintain the opportunity for a restaurant use to be developed.
- **Fall 2011** – CDP Amendment #9 – Changes to the use of Lot 5 and Outlot 7 from retail to a Hy-Vee grocery store.
- **Fall 2012 – April 2013** – CDP Amendment #10 –Revisions to the permitted use on Lot 1 to allow retail in place of the single restaurant use restriction.
- **July 2013** – CDP Amendment #11 – Relating to increasing permitted residential densities to enable the development of an apartment complex on Lot 14.
- **January 2016** – CDP Amendment #12 –Revisions to the uses permitted on Lot 9 to allow the development of the Staybridge Suites Hotel.
- **June 2017** CDP Amendment #13 – Related to the expansion of the type and size of the uses on Lot 8 to include a fast food restaurant & drive thru lane, as well as an increase in the retail space.
- **November 2018** – CDP Amendment #14 – Related to a two-phase development of the Limestone Ridge Apartments to provide 136 units of workforce housing.
- **January 2019** – CDP Amendment #15 – Related to a 130 unit independent senior living facility on Lot 12 of Orchard Pointe.
- **March 2019** – CDP Amendment #16 – Related to allowing a 3-lot Certified Survey Map on the site that is the subject of this Amendment.

## **GENERAL DESCRIPTION and LAND USE**

The current property will be split into two proposed lots (Lots 1 & 2) with the existing building and businesses remaining on the proposed Lot 1 and the proposed Lot 2 will remain undeveloped until sold and/or developed.

## **ZONING**

The current property zoning is B-G (General Business District). The proposed Lots 1 and 2 will remain B-G (General Business District) as currently zoned.

## **OPEN SPACE PRESERVATION - CDP PARAMETERS**

### **Lot 1**

LOT SIZE = 3.623 ACRES- 157,837 SQUARE FEET  
EX BUILDING FOOTPRINT~ 31,120 SF  
GREEN SPACE- PERVIOUS= 35.01%  
PARKING= 116 CARS

### **Lot 2 (Vacant sale Lot)**

LOT SIZE = 1.282 ACRES- 55,844 SQUARE FEET  
BUILDING FOOTPRINT= 0 SF  
GREEN SPACE- PERVIOUS= 81.89%  
PARKING = 4 to10 CARS on typical day (gravel behind building for optional employee parking)

## **STORM WATER MANAGEMENT**

### **Lot 1**

The existing storm water management of the proposed Lot 1 will remain undisturbed as the current drainage will not be modified as no construction or design activities are outlined in this Amendment. The stormwater will continue to drain in an Easterly direction to the large ditch in the stormwater easement along the Easterly lot line and flow Southeasterly toward/under Nesbitt Road to the regional stormwater pond.

### **Lot 2**

The existing storm water management of the proposed Lot 2 will remain undisturbed as the current drainage will not be modified as no construction or design activities are outlined in this Amendment or being done at this time. Stormwater from proposed Lot 2 and the portion of Lot 1 westerly of the rear of the building (Limestone Lane side) will continue to drain to the retention pond at the Southerly corner of Lot 2 at the intersection of Nesbitt Road and Limestone Lane. During storm events, overflow enters the standpipe in the retention pond and then flows into the existing City stormwater system under Nesbitt Road to the regional stormwater pond.

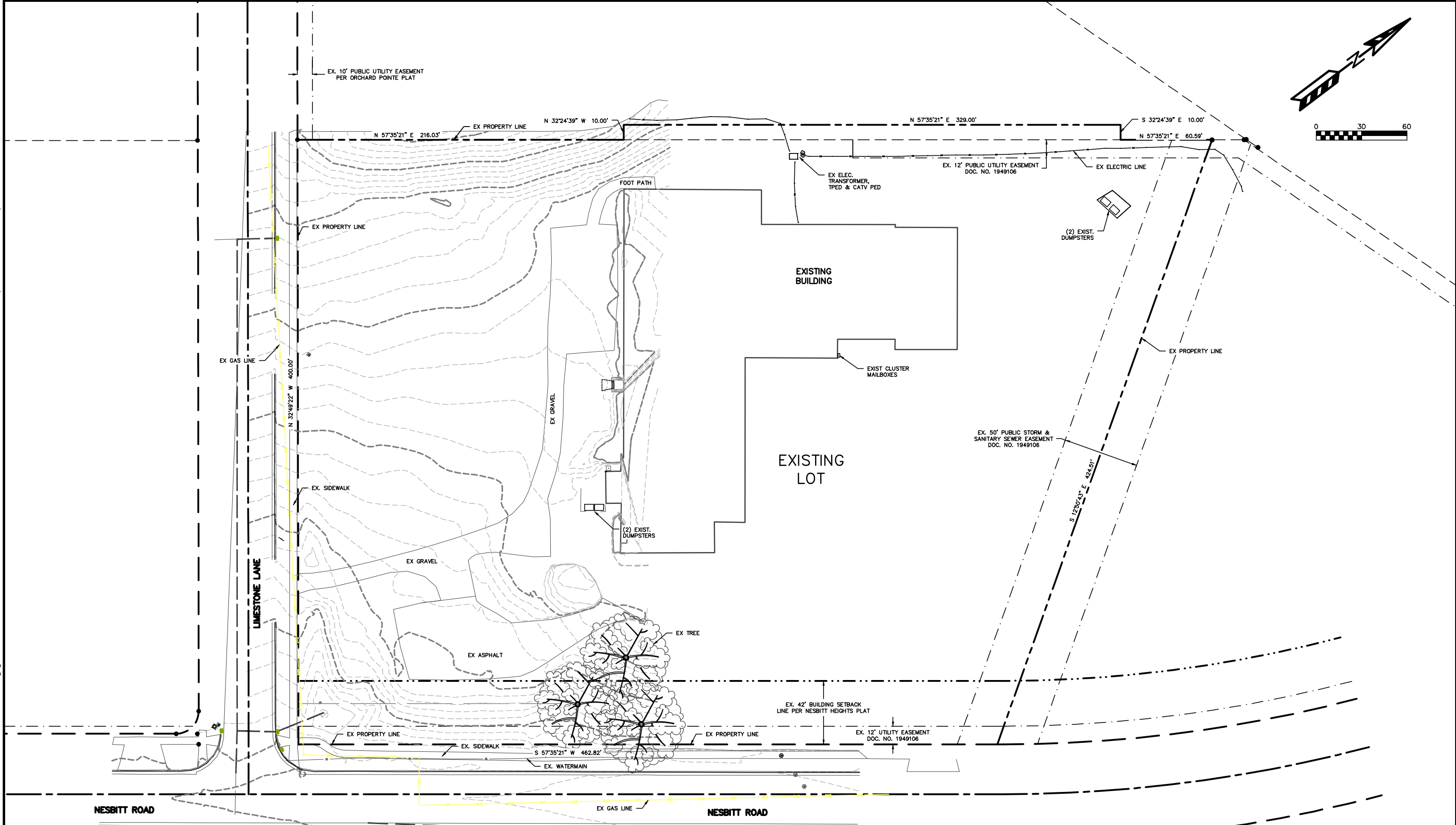
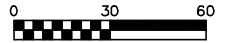
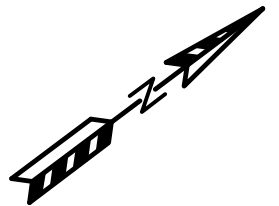
## **TRAFFIC IMPACTS**

### **Lot 1**

Lot 1 includes all the existing buildings, businesses, parking and driveways and will remain unchanged. Due to this, no changes in traffic impacts from the original CDP are anticipated.

### **Lot 2**

Lot 2 is not being developed at this time and is for possible future sale/development and will not provide any increase in traffic at this time. While future traffic generation from this lot is unknown, the City will have the opportunity to review the traffic impacts for this lot once the future development type, size and use are known.



**CHARDEN PROPERTIES, LLC - FITCHBURG, WI**  
**EXISTING SITE PLAN** **Page 4**  
 SHEET: C-1  
 DATED: JUNE 4, 2021  
**QUAM ENGINEERING, LLC**  
 Residential and Commercial Site Design Consultants  
 www.quamengineering.com  
 4604 Siggelkow Road, Suite A - McFarland, Wisconsin 53558  
 Phone (608) 838-7750; Fax (608) 838-7752





**DRAFT**

**PRELIMINARY DANE COUNTY  
CERTIFIED SURVEY MAP #**

C.S.M. No. \_\_\_\_\_

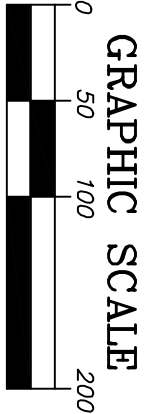
Doc. No. \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_

**Part of Lot 1 of Certified Survey Map No. 10317 and a part of Lot 9 of Orchard Pointe, being located in the NE 1/4 of the NW 1/4 and the SE 1/4 of the NW 1/4 of Section 7, T.6N., R.9E., City of Fitchburg, Dane County, Wisconsin**

SEE SHEET 2 FOR NOTES.

**CURVE DATA:**  
C-1 Radius=15.00'  
Delta=89°54'30"  
L=23.54'  
CH=N77°27'24"W  
21.20'



**R/W Dedication**  
3,297 Sq. Ft.  
0.075 Acres

**EASEMENT NOTES:**

- (A) Existing 12' Wide Utility Easement per Doc. 1949106
  - (B) Existing 50' Wide Public Storm & Sanitary Esmt. per Doc. 1949106
  - (C) 12' Wide Public Utility Easement dedicated hereon. (See Note #2)
  - (D) 20' Non-exclusive Emergency Access Easement to be granted by separate instrument. Easement centerline Course & Curve Data shown on Sheet 2 hereof.
- Easement areas, excluding R/W Dedication hereon, are as follows:  
 (A) 5,124 sq. ft. (B) 10,427 sq. ft. (C) 5,132 sq. ft. (D) 9,710 sq. ft.

**LEGEND**

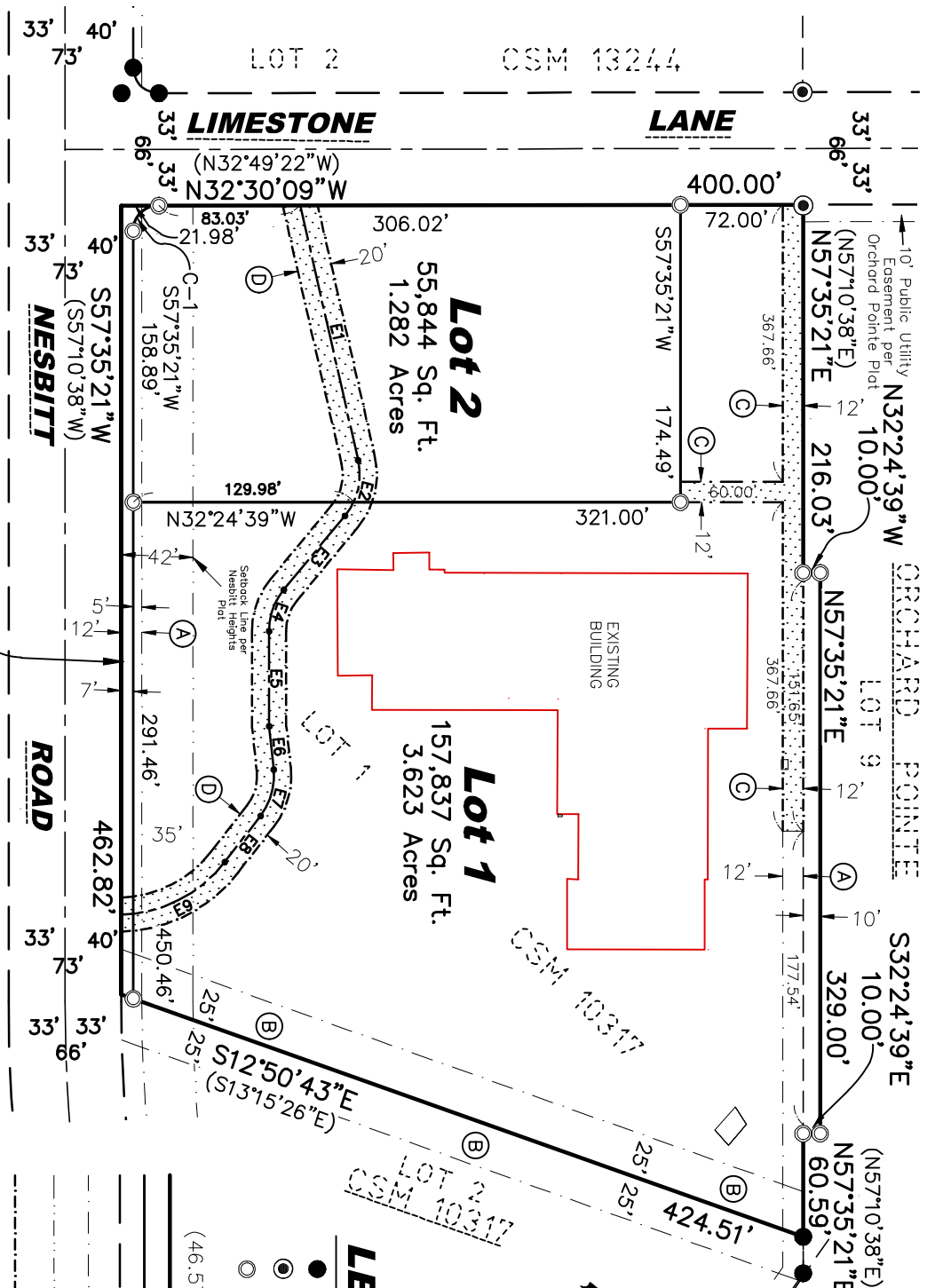
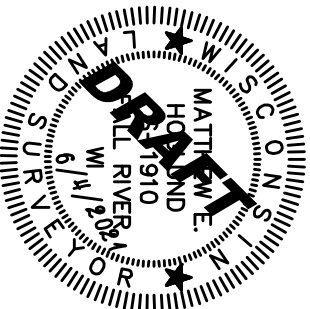
- 3/4" Rebar Found (Unless Noted)
- 1-1/4" Rebar Found
- 3/4" by 24" Iron Rebar Set Weighing 1.5 lbs./ft.
- (46.57') Record Data (if different)
- Boundary Line
- Lot Line
- Existing R/W Line
- Existing Easement Line
- Platted Building Setback Line
- New Easement Line
- (Easement Area Hatched)

**Owner/Subdivider:**  
Chris Peterson  
Charden Peterson Properties, LLC  
6220 Nesbitt Road  
Fitchburg, WI 53719

Bearings are referenced to the Northwest line of Lot 1 of CSM 13017, which bears N57°35'21"E on the Dane County Coordinate System

**QUAM ENGINEERING, LLC**

4604 SIGGLEKOW ROAD - SUITE A McFARLAND, WI 53558  
(608) 838-7750 www.quamengineering.com  
Project # CP-08-18 Date: 3/14/19



# DANE COUNTY CERTIFIED SURVEY MAP # \_\_\_\_\_

**Part of Lot 1 of Certified Survey Map No. 10317 and a part of Lot 9 of Orchard  
Pointe, being located in the NE 1/4 of the NW 1/4 and the SE 1/4 of the NW 1/4  
of Section 7, T.6N., R.9E., City of Fitchburg, Dane County, Wisconsin**

**SURVEYOR'S CERTIFICATE:**

I, Matthew E. Hognlund, Professional Land Surveyor, do hereby certify to the best of my knowledge and belief that I have surveyed, divided, and mapped the following Certified Survey, being a part of Lot 1 of Certified Survey Map No. 10317, recorded as Document No. 3443224 of Dane County Records and a part of Lot 9 of Orchard Pointe, recorded as Document No. 4429294 of Dane County Records, being located in the Northeast 1/4 of the Northwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 7, Township 6 North, Range 9 East, City of Fitchburg, Dane County, Wisconsin, being more particularly described as follows:

**BEGINNING** at the corner common to said Lot 1 and Lot 2 of said Certified Survey Map No. 10317, lying on the Northwesterly right-of-way line of Nesbitt Road; thence, along said Northwesterly right-of-way line, South 57°35'21" West, 462.82 feet to its intersection with the Northeasterly right-of-way line of Limestone Lane; thence, along said Northeasterly right-of-way line, North 32°30'09" West, 400.00 feet to the most Southerly corner of aforesaid Lot 9; thence, along the line common to said Lot 9 and said Lot 1, North 57°35'21" East, 216.03 feet; thence North 32°24'39" West, 10.00 feet; thence North 57°35'21" East, 329.00 feet; thence South 32°24'39" East, 10.00 feet to said common line; thence, along said common line, North 57°35'21" East, 60.59 feet to the most Northerly corner of said Lot 1; thence, along the Easterly line of Lot 1, South 12°50'43" East, 424.51 feet to the **POINT OF BEGINNING**.

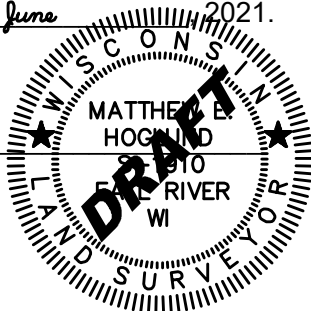
Said parcel contains 213,680 square feet or 4.905 acres, more or less.

**BEING SUBJECT TO** any other easements or agreements, if any, of record and/or fact.

I further certify, to the best of my knowledge and belief, that this map is a correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made; that I have made such survey, land division, and map by the direction of Chris Peterson of Charden Properties LLC, the owner of said land; that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and Chapter 24 of the City of Fitchburg Land Division Regulations in surveying, dividing, and mapping the same.

Dated this 4th day of June, 2021.

Quam Engineering, LLC  
By: Matthew E. Hognlund  
P.L.S. S-1910



**NOTES:**

1. Lot 2 is undeveloped at this time, except for the gravel driveways and parking areas. Note that future development of Lot 2 must comply with all applicable City of Fitchburg Codes and requirements for the use intended.
2. Public utility easements shown are granted to those utility entities that provide service to the Lots hereof. For underground electric and communication facilities, the final grade shall not be altered by more than six (6) inches without written consent of the utilities involved.
3. Existing stormwater drainage patterns and facilities on and across Lots 1 and 2 shall continue unimpeded. Upon development of Lot 2, the appropriate stormwater management facilities and methods shall be constructed meeting the City of Fitchburg Redevelopment Standards.

EASEMENT CURVE DATA				
CURVE	RADIUS	DELTA	LENGTH	CHORD
E2	38.00'	52°20'31"	34.71'	N70°58'29"E - 33.52'
LOT 2		37°53'04"	25.12'	N63°44'46"E - 24.67'
LOT 1		14°27'27"	9.59'	N89°55'01"E - 9.56'
E4	38.00'	39°43'50"	26.35'	N77°16'50"E - 25.83'
E7	38.00'	43°40'20"	28.96'	N73°32'32"E - 28.27'
E9	80.00'	50°24'04"	70.37'	S59°25'16"E - 68.13'

EASEMENT COURSE DATA	
LINE	COURSE
E1	N44°48'14"E - 153.29'
E3	S82°51'15"E - 56.28'
E5	N57°24'55"E - 55.77'
E6	N51°42'22"E - 25.56'
E8	S84°37'18"E - 34.18'

C.S.M. No. \_\_\_\_\_

Doc. No. \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_

SHEET 2 OF 4

**DANE COUNTY  
CERTIFIED SURVEY MAP # \_\_\_\_\_**

**Part of Lot 1 of Certified Survey Map No. 10317 and a part of Lot 9 of Orchard  
Pointe, being located in the NE 1/4 of the NW 1/4 and the SE 1/4 of the NW 1/4  
of Section 7, T.6N., R.9E., City of Fitchburg, Dane County, Wisconsin**

**CORPORATE OWNERS CERTIFICATE:**

Charden Properties, LLC, a Limited Liability Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented on this map. Charden Properties, LLC does further certify that this map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

City of Fitchburg

IN WITNESS WHEREOF, the said Charden Properties, LLC has caused these presents to be signed by Chris Peterson, Managing Member at \_\_\_\_\_, Wisconsin, and its corporate seal to be hereunto affixed on this \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_.

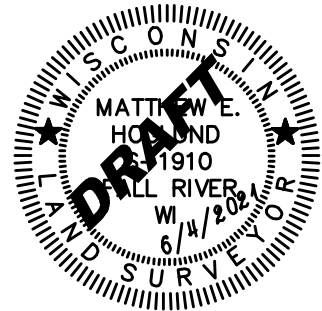
In the presence of: \_\_\_\_\_  
Chris Peterson

STATE OF WISCONSIN)  
COUNTY DANE) SS

Personally came before me this \_\_\_ day of \_\_\_\_\_, 20\_\_, Chris Peterson, Managing Member of the above named Limited Liability Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be Members of said Limited Liability Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) \_\_\_\_\_ Notary Public, \_\_\_\_\_, Wisconsin

My commission expires \_\_\_\_\_.



**CITY OF FITCHBURG APPROVAL CERTIFICATE:**

This Certified Survey, including any dedications shown hereon, has been duly filed with and approved by the Common Council of the City of Fitchburg, Dane County, Wisconsin.

Date: \_\_\_\_\_ Signed \_\_\_\_\_  
Tracy Oldenburg - City Clerk

C.S.M. No. \_\_\_\_\_  
Doc. No. \_\_\_\_\_  
Vol. \_\_\_\_\_ Page \_\_\_\_\_

**DANE COUNTY  
CERTIFIED SURVEY MAP # \_\_\_\_\_**

**Part of Lot 1 of Certified Survey Map No. 10317 and a part of Lot 9 of Orchard  
Pointe, being located in the NE 1/4 of the NW 1/4 and the SE 1/4 of the NW 1/4  
of Section 7, T.6N., R.9E., City of Fitchburg, Dane County, Wisconsin**

**CONSENT OF CORPORATE MORTGAGEE:**

\_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping, and dedication of the land described on this map, and does hereby consent to the above certificate of Charden Properties, LLC, owner.

IN WITNESS WHEREOF, the said \_\_\_\_\_ has caused these presents to be signed by \_\_\_\_\_, its President, and countersigned by \_\_\_\_\_, its Secretary (cashier), at \_\_\_\_\_, Wisconsin, and its corporate seal to be hereunto affixed on this \_\_\_\_\_, day of \_\_\_\_\_, 20\_\_.

In the presence of:

\_\_\_\_\_ (Corporate Seal)

\_\_\_\_\_, Date: \_\_\_\_\_  
By: \_\_\_\_\_ President

\_\_\_\_\_, Date: \_\_\_\_\_  
By: \_\_\_\_\_ Secretary (Cashier)

STATE OF WISCONSIN)  
\_\_\_\_\_ COUNTY) SS

Personally came before me this \_\_\_ day of \_\_\_\_\_, 20\_\_, \_\_\_\_\_, its President, and countersigned by \_\_\_\_\_, its Secretary (cashier) of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary(cashier) of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) \_\_\_\_\_ Notary Public, \_\_\_\_\_, Wisconsin

My commission expires \_\_\_\_\_.



**REGISTER OF DEEDS CERTIFICATE:**

Received for recording this \_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock \_\_ M. and recorded in Volume \_\_\_\_\_ of Certified Survey Maps on Pages \_\_\_\_\_ as Document No. \_\_\_\_\_.

\_\_\_\_\_  
Kristi Chlebowski, Dane County Register of Deeds





Comprehensive  
Development Plan

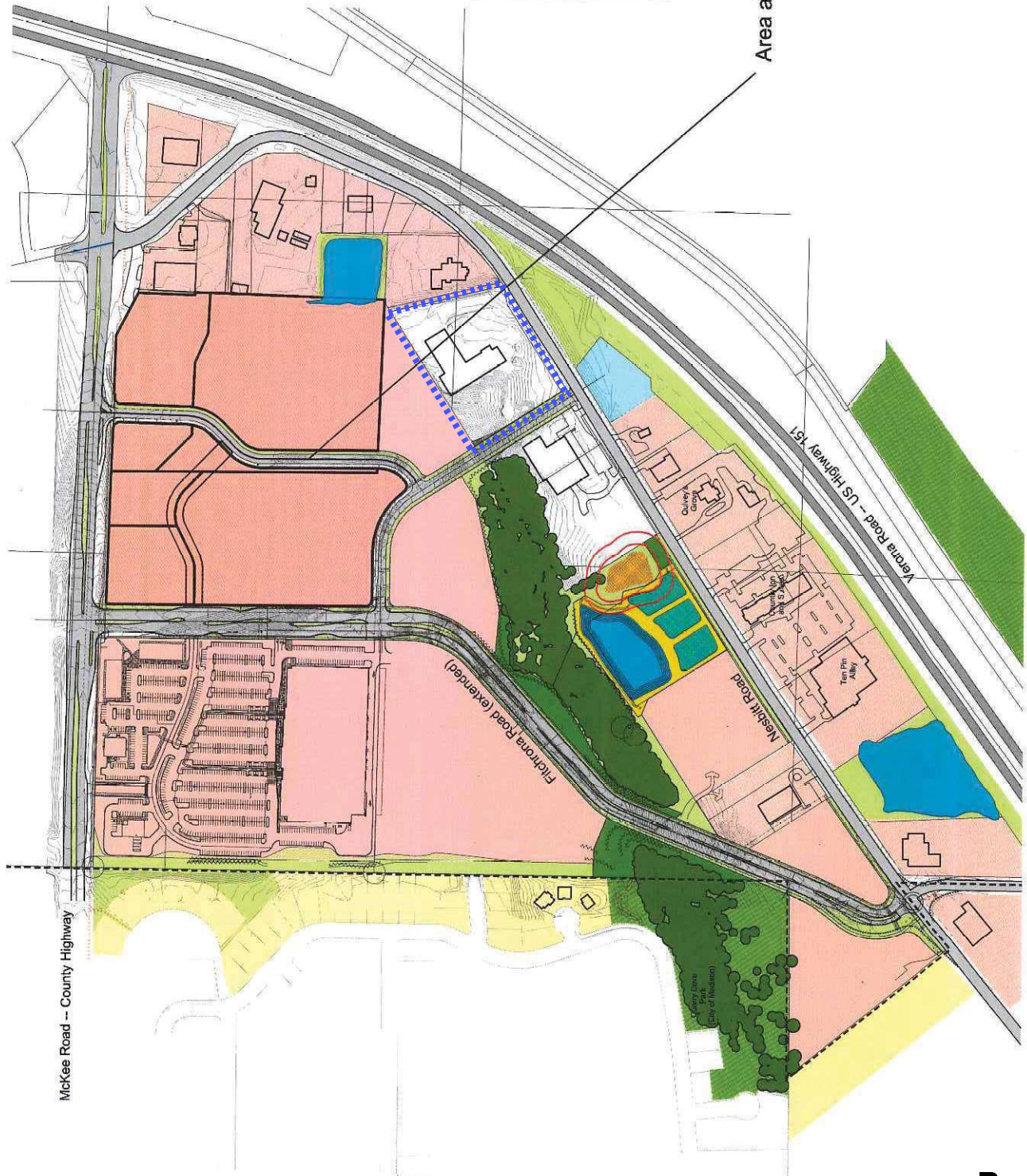
# Orchard Pointe

CDP Amendment One

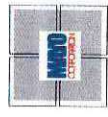
Map 1

**Legend**

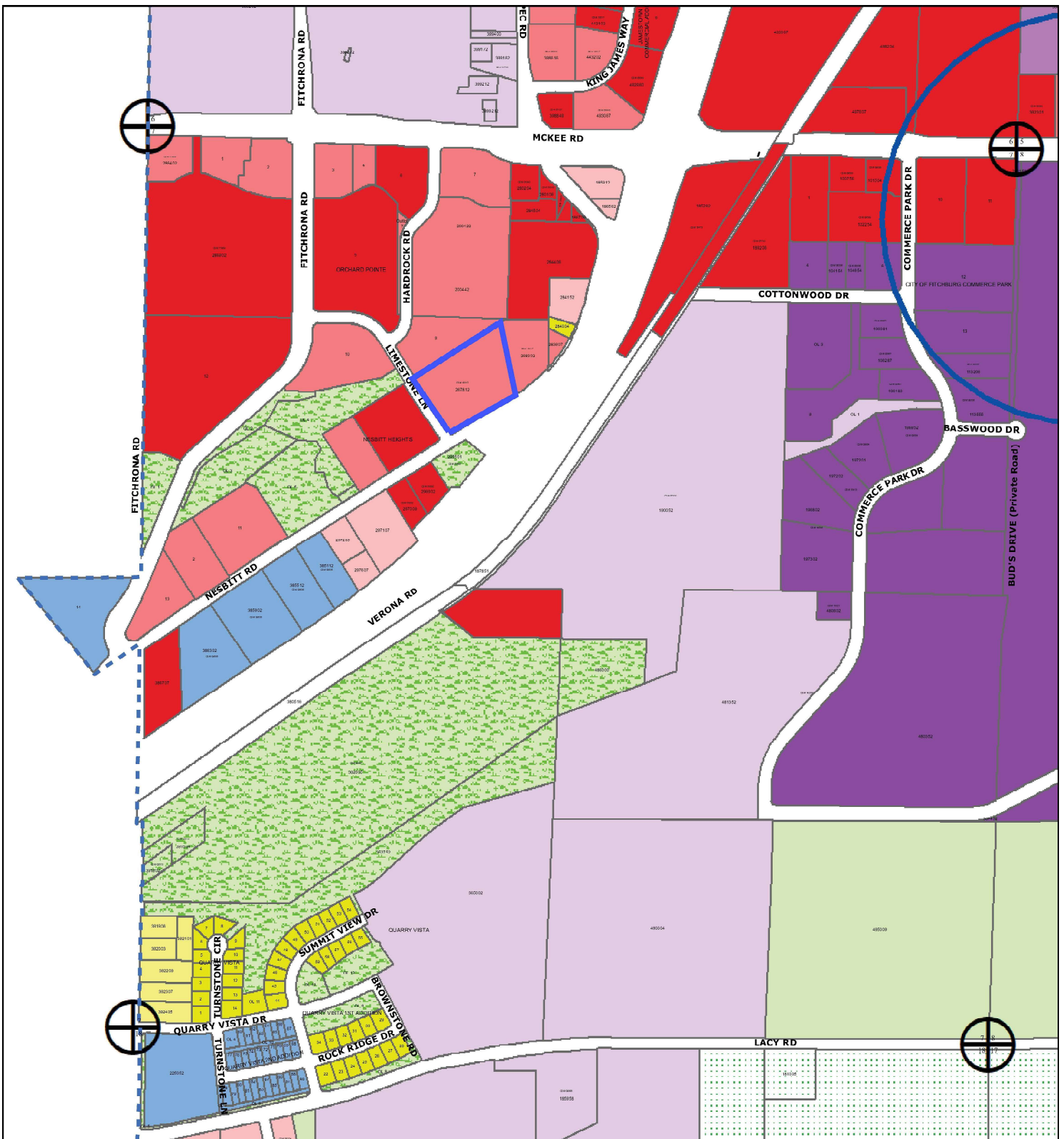
	Planned Land Use
	Commercial
	Parks & Open Space
	Storm Water Management



Area affected by Amendment 1



January 9, 2007



**CITY OF FITCHBURG**

**SECTION 7 TOWNSHIP 6N RANGE 9E**

**Zoning Districts**

	R-R; Rural Residential		R-D; Rural Development
	R-L; Low Density Residential		I-S; Specialized Industrial
	R-LM; Low to Medium Density Residential		I-G; General Industrial
	R-HA; Former R-4 Residential		PDD-GIP; Planned Development District - General Implementation Plan
	R-M; Medium Density Residential		PDD-SIP; Planned Development District - Specific Implementation Plan
	R-H; High Density Residential		P-R; Park and Recreation District
	B-P; Professional Business		A-T; Transitional Agriculture
	B-G; General Business		A-X; Exclusive Agriculture
	B-H; Highway Business		A-S; Small Lot Agriculture
			SC-NC; SmartCode - New Community

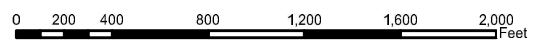


City Limits

Wellhead Protection Area



Section Corner



Prepared by: Planning and Zoning Department 8/18



# LEGAL DESCRIPTION

for

## Proposed Certified Survey Map and Comprehensive Development Plan Amendment

A part of Lot 1 of Certified Survey Map No. 10317, recorded as Document No. 3443224 of Dane County Records and a part of Lot 9 of Orchard Pointe, recorded as Document No. 4429294 of Dane County Records, being located in the Northeast 1/4 of the Northwest 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 7, Township 6 North, Range 9 East, City of Fitchburg, Dane County, Wisconsin, being more particularly described as follows:

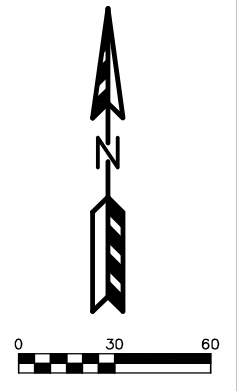
**BEGINNING** at the corner common to said Lot 1 and Lot 2 of said Certified Survey Map No. 10317, lying on the Northwesterly right-of-way line of Nesbitt Road; thence, along said Northwesterly right-of-way line, South 57°35'21" West, 462.82 feet to its intersection with the Northeasterly right-of-way line of Limestone Lane; thence, along said Northeasterly right-of-way line, North 32°30'09" West, 400.00 feet to the most Southerly corner of aforesaid Lot 9; thence, along the line common to said Lot 9 and said Lot 1, North 57°35'21" East, 216.03 feet; thence North 32°24'39" West, 10.00 feet; thence North 57°35'21" East, 329.00 feet; thence South 32°24'39" East, 10.00 feet to said common line; thence, along said common line, North 57°35'21" East, 60.59 feet to the most Northerly corner of said Lot 1; thence, along the Easterly line of Lot 1, South 12°50'43" East, 424.51 feet to the **POINT OF BEGINNING**, containing 213,680 square feet or 4.905 acres, more or less.

**BEING SUBJECT TO** to all easements and agreements, if any, of record and/or fact.

Project No. CP-08-18  
Date: May 18, 2021

- NOTES:
1. CONTRACTOR SHALL OBTAIN CITY OF FITCHBURG R/W PERMIT PRIOR TO INSTALLATION OF SANITARY LATERAL AND WATER SERVICE.
  2. ELEVATIONS SHOWN ARE BASED ON THE NAVD'88 (2011) DATUM-GEOD12B.


 TO OBTAIN LOCATION OF PARTICIPANTS' UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN  
**CALL DIGGERS HOTLINE**  
**1-800-242-8511**  
**TOLL FREE**  
 TDD(FOR THE HEARING IMPAIRED)(800)542-2289  
 WIS. STATUTE 182.0175 (1974)  
 REQUIRES MIN. OF 3 WORK DAYS  
 NOTICE BEFORE YOU EXCAVATE



STORM INLET  
 TOC=1013.88'  
 FLOOR STRUC.=1010.69'  
 15" RCP SW INV=1010.09'

STORM MH  
 RIM=1013.61'  
 15" RCP NE INV=1009.59'  
 24" RCP SE INV=1009.15'  
 15" RCP SW INV=1009.61'

64"-4" PVC SANITARY LATERAL @ 2.0%  
 APPROX. IE=977.44  
 (PLUMBER TO VERIFY SIZE AND IE)

STORM STAND PIPE  
 18" HDPE PERFORATED PIPE  
 TOP OF PIPE=992.38'  
 15" RCP SW INV=986.67'

STORM INLET  
 TOC=990.77'  
 15" RCP SW INV=986.21'  
 15" RCP NE INV=986.50'  
 15" RCP SE INV=986.52'  
 FLOOR STRUC=986.31'

STORM MH  
 RIM=990.70'  
 15" RCP NE INV=986.27'  
 24" RCP NW INV=986.08'  
 24" RCP SE INV=986.17'  
 FLOOR STRUC=986.14'

STORM MH  
 RIM=989.73'  
 24" RCP NW INV=985.00'  
 30" RCP SE INV=984.90'  
 FLOOR STRUC=984.96'

STORM INLET  
 TOC=990.16'  
 15" RCP NW INV=986.60'  
 FLOOR STRUC=986.72'

4"x8" WYE  
 APPROX. IE= 976.16 (CONTRACTOR VERIFY IE)  
 SANITARY MH  
 RIM=990.29'  
 8" PVC SW INV=976.17'  
 8" PVC NE INV=976.13'  
 INV FORMED CHANNEL=976.15'

BM1  
 TOP HYDRANT NUT  
 ELEV=993.51  
 NAVD88(2011)/  
 GEOD12B-WI DATUM

BM2  
 TOP HYDRANT NUT  
 ELEV=993.46  
 NAVD88(2011)/  
 GEOD12B-WI DATUM

**NESBITT ROAD/LIMESTONE LANE DEVELOPMENT**  
**SANITARY LATERAL AND WATER SERVICE**  
**PLAN**  
 EXHIBIT #1  
 DATE: JUNE 4, 2021  
**QUAM ENGINEERING, LLC**  
 Residential and Commercial Site Design Consultants  

[www.quamengineering.com](http://www.quamengineering.com)  
 4604 Siggelkow Road, Suite A - McFarland, Wisconsin 53558  
 Phone (608) 838-7750; Fax (608) 838-7752



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(A)-2387-21 & CS-2388-21  
Property Location: 6220 Nesbitt  
Review Date: May 26, 2021  
*Planning Staff Review #1*

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Planning staff has reviewed your submitted CDP Amendment and CSM request for property associated with 6220 Nesbitt Rd. 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 pm on Friday, June 4<sup>th</sup> or sooner. Further comments or questions may arise as additional review occurs.

1. Please be prepared to present the requested application and intent of the request at the Plan Commission meeting and to be available for questions. **(Representative(s) will attend the meeting. It is understood the meeting is on June 15<sup>th</sup>. Please provide the time of the meeting and if this is an in-person meeting or virtual on-line meeting?)**
2. Amendment 16 was approved in March 2019 to allow for a 3 lot CSM on this site. Please update materials to reflect that this is Amendment 17. **(Revised)**
3. Amendment 7 has a March 2001 date, it should be March 2010. **(Revised)**
4. Per the CDP, site 1100 (Pancake Café) shall have 35% minimum open space. **(While site 1100 includes both the proposed Lots 1 and 2 combined, lot areas have been adjusted so that Lot 1 meets 35% minimum open space requirement. When Lot 2 develops, it will be required to meet the 35% minimum open space requirement.)**
5. The subdivider shall record the CDP, together with the exhibits, within three months after it has been approved by the common council and shall file a certified copy of the CDP with the clerk after it has been recorded. **(Confirmed)**
6. What is the purpose of the jog in the proposed lot line? **(The jog was eliminated)**

**Charden Properties – Lot 1 CSM 10317**  
**6220 Nesbitt Road**  
**Public Works Review #1 (REVISED)**

The following comments are based on the Concept Development Plan (CDP(A) 2387) submitted by Charden Properties dated May 19, 2021 for Lot 1 CSM 10317. TF 5-28-21; AMc 5-25-21; TB 5-21-21; CG 5-28-21; BB 5-28-21. Additional comments beyond these may be required on future reviews.

**General Comments**

1. Please confirm the sizing and location of the refuse and recycling containers. **(There are 2 dumpsters behind the Pancake Café and 2 dumpsters in the Northeast corner of the property and the locations have been added to the Existing Site Plan and Proposed Site Plan and photos have enclosed also.)**
2. The applicant will need to submit a Construction & Demolition Reuse/Recycling (CDRR) Plan to Building Inspection. CDRR Plans are required both for new construction and for demolition. **(As stated, no construction or demolition is planned at this time. At such time Lot 2 develops, the required CDRR Plan will be provided.)**
3. Developer needs to provide a designated location for US Postal Service Centralized Mode of Delivery. **(The location of the existing Cluster mailbox has been added to the Existing Site Plan and Proposed Site Plan and a photo has been enclosed also.)**
4. The Subdivider shall confirm utility easement requirements with utility companies (MG&E, AT&T, and Charter) and show all necessary easements on the CSM. **(The utility lines currently serve the property from the East side of the property through the existing 12' easement per Document No. 1949106 and continue West to the existing transformer, CATV pedestal and telephone pedestal. We have extended the 12' easement West to Limestone Lane and provided a 12' easement South to serve Lot 2. The CSM, Existing Site Plan and Proposed Site Plan are being submitted to MG&E, AT&T, and Charter for their review and approval of the easement locations.)**

**Transportation Comments**

- 1.

**Water Main and Sanitary Sewer Comments**

1. The Subdivider shall provide water and sanitary laterals for Lot 2. **(As stated previously, Lot 2 is not being developed at this time. As requested we have provided a Sanitary Lateral and Water Service Plan as part of the CDP Amendment to show Lot 2 can be served from the existing lines in Nesbitt Road, but it is our understanding that these do not have to be constructed at this time as the actual lateral locations may change upon actual development of Lot 2).**
2. Any outstanding MMSD fees will need to be paid prior to the City executing the proposed CSM. **(Please provide the fee amount and it will be paid by Charden Properties, LLC)**

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

**Charden Properties – Lot 1 CSM 10317**  
**6220 Nesbitt Road**  
**Public Works Review #1 (REVISED)**

1. Based on discussions with Paul Woodard, a previous Director of Public Works for the City, and Rick Eilertson, a previous Environmental Engineer for the City, the City's policy for development in the Jamestown Basin (where this project is located) is shown below:

The original design criteria for the Quarry Ridge Basin (previously referred to as the Jamestown Basin) was never found or documented. Therefore, the City assumed that the basin was designed to allow developments for up to a 65% Impervious Surface Ratio threshold, without requiring on-site peak rate control. For developments proposing greater than a 65% ISR, the City required that the developer provide peak rate control for the difference between their proposed ISR and 65% ISR.

The City's current policy is below:

It is our understanding that the Jamestown Basin was originally designed to meet peak rate control standards via infiltration. As evidenced by the standing water in the basin, it is no longer operating as originally intended. Therefore, it cannot be used to meet regulatory design standards. In addition, the Nesbitt-Limestone Pond was not designed to treat new development within this area. Therefore, new development within this area will need to meet new development standards.

Given this history, the following stormwater standards apply to the Proposed Lot 1 and Proposed Lot 2.

Proposed Lot 1 – As discussed above, the Original Lot 1 needed to have an ISR less than 65% in order to be considered "treated" at the regional basin. Therefore, the Proposed Lot 2 provided de facto treatment for the Proposed Lot 1 because it lowered the overall impervious ratio. The Proposed Lot 1 is above the 65% ISR and will need to be retrofitted to provide on-site rate and TSS control for the difference between 65% ISR and the new ISR for that lot. **(The lot lines/lot areas have been adjusted so that Lot 1 meets the 65% ISR requirement)**

Proposed Lot 2 – Development on Lot 2 will need to meet the City's current stormwater ordinance standards. It will be considered a mix of new development and redevelopment. Please see the Redevelopment Guidance Document, available at the link below, for more details. **(As stated previously, Lot 2 is not being developed at this time. When Lot 2 is developed in the future, it will meet the City's current stormwater ordinance standards.)**

<http://www.fitchburgwi.gov/DocumentCenter/View/20839/City-of-Fitchburg-Redevelopment-Guidance>

## 6220 Nesbitt CDP(A) & CSM

After review, the Fire Department has the following comments for the proposed project and building(s):

1. Will lots #1 and #2 have shared access to the rear? At present, we have access to the back of the building. The gravel lot that provides that access will be in Lot #2 if the property division is approved. Will we still be able to access Lot #1 from ~~Hardrock~~ (typo) Limestone (as we can presently)?

Taking away access makes it more difficult to navigate parking lots with larger equipment. Further, if access to Lot 2 (from Lot 1) is taken away and traffic cannot exit on ~~Hardrock~~ (typo) Limestone, we would only have only one access point to the Lot #1 parking lot. Any incident blocking that single exit point could potentially block up to 100 cars from leaving the parking lot.

The same thing would apply to Lot #2 (How many access points will they have to their lot?).

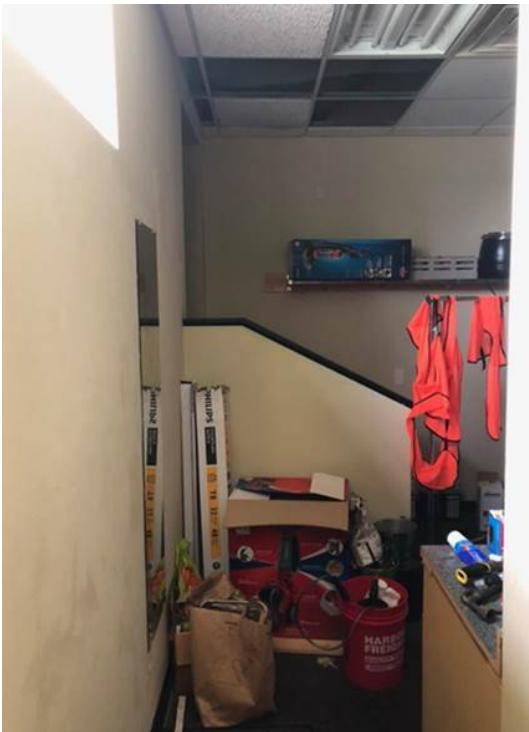
If access from lot-to-lot is allowed, it provides better access for larger emergency vehicles- and multiple points of egress for other vehicles using the lot. **(An emergency cross-access easement encumbering and benefitting both Lots 1 and 2 connecting the existing driveway access to both Nesbitt Road and Limestone Lane has been added to the Certified Survey Map. The rights and conditions for this easement will be granted by separate instrument that Charden Properties, LLC attorney will prepare and submit to the City of Fitchburg for review and approval. This easement is also shown on the Proposed Site Plan as part of the CDP Amendment)**

2. Another thing that has always puzzled me about the Pancake Café property is the back exit. It is marked as an emergency exit on the inside. However, if anyone ever needed to use that exit, they would not be able to go very far. Those that are less-than-nimble would not be able to get out of the “well” constructed around the door. Inside, the situation isn’t much better – emergency egress is not ADA compliant. Is there a way to address the grade so that this “emergency exit” can actually be used as an exit? I have provided pictures (below): **(We reviewed the “well” and propose that a 5-foot wide opening be sawcut opposite the door opening and a slope meeting ADA standards be grading to daylight existing ground toward Limestone Lane.**

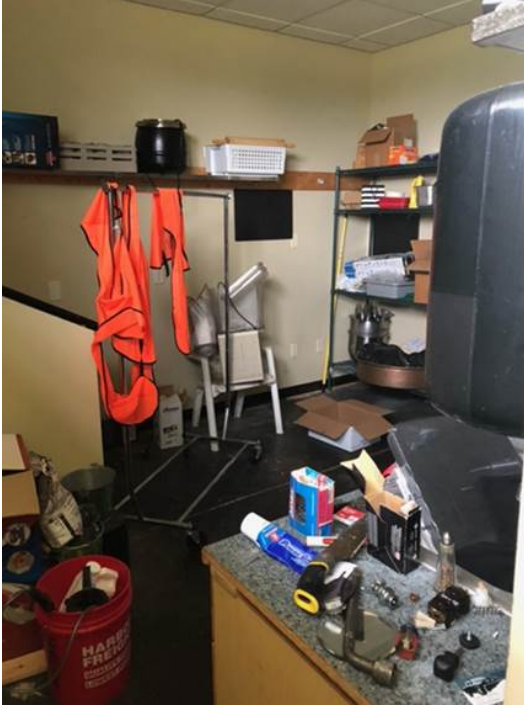
**Inside the building, Charden Properties, LLC will work with the Fire Dept. to build a ramp or other acceptable ADA compliant solution to existing to the exterior door opening.)**



6220 Nesbitt  
CDP(A) & CSM



**6220 Nesbitt  
CDP(A) & CSM**



Thank you,

**JOE PULVERMACHER, EFO, CFO**  
Fire Chief/Emergency Management Director

**FITCHBURG FIRE DEPARTMENT**  
5791 Lacy Road  
Fitchburg, Wisconsin 53711

W: (608) 270-7043

C: (608) 327-9449

[Joe.Pulvermacher@fitchburgwi.gov](mailto:Joe.Pulvermacher@fitchburgwi.gov)



*To Serve, To Learn, To Respect, To Lead*