

Receipt # 12.1921
Yvonia-A. 2/20/19



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: three (3)

4. No. Of Buildable Lots Proposed: three (3)

5. Zoning District: B-G General Business (Lot 2 of the CSM rezone to B-P Business Professional submitted concurrently)

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

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:  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: 2/19/19

Ordinance Section No. _____ Fee Paid: \$465.00

Permit Request No. CDPCA-2271-19

Receipt # 12.1921
Georgia A 2/20/19



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: three (3)

4. No. Of Buildable Lots Proposed: three (3)

5. Zoning District: B-G General Business (Lot 2 of the CSM rezone to B-P Business Professional submitted concurrently)

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

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:  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:** 2/19/19

Ordinance Section No. _____ **Fee Paid:** \$1,070.00

Permit Request No. CS-2272-19



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: three (3)

4. No. Of Buildable Lots Proposed: three (3)

5. Zoning District: B-G General Business (Lot 2 of the CSM rezone to B-P Business Professional submitted concurrently)

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

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: 

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:** _____

Ordinance Section No. _____ **Fee Paid:** _____

Permit Request No. _____

Revised Application
Received 3.11.19

ORCHARD POINTE
COMPREHENSIVE DEVELOPMENT PLAN
AMENDMENT 16
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

February 19th, 2019
Revised March 8th, 2019

TABLE OF CONTENTS

	Page
INTRODUCTION/BACKGROUND	1
SEQUENCE OF DEVELOPMENT APPROVALS	1-2
GENERAL DESCRIPTION AND LAND USE	2
ZONING	2
OPEN SPACE PRESERVATION	3
STORM WATER MANAGEMENT	3
TRAFFIC IMPACTS	3-A
ATTACHMENTS	
Existing Site Plan	4
Existing Site Plan – With Aerial	5
Proposed Concept – Site Plan	6
Charden Properties CSM	7-10
Orchard Pointe Map 1-Amendment 1 July 2006	11
City of Fitchburg Zoning Map	12
PERMIT APPLICATION ATTACHMENTS (Lot 2 of CSM)	
Conditional Use Permit Application (Includes Legal Description & Parking Evaluation Impact Study)	13-19
Rezoning Application	20-21

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 16th of the CDP and focuses only on Lot #1 of the Certified Survey Map No. 10317. 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 which will be split into three lots, with the proposed The Learning Experience daycare located on Lot 2, with Lot 3 is proposed to be 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 Point on Lot 8.
- **October 2009** – CDP Amendment #6 – Changes to the uses and development of Lots 3, 4, 6, and 8.
- **March 2001** – 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.

GENERAL DESCRIPTION and LAND USE

The current Lot 1 of CSM No. 10317 will be split into three proposed lots (Lot 1, 2, & 3) with the existing building and businesses remaining on the proposed Lot 1, the proposed daycare building located on the proposed Lot 2, and the proposed Lot 3 will remain undeveloped until sold. The proposed construction on Lot 2 consists of a 10,000-sf daycare facility “The Learning Experience” with a 5,000-sf fenced playground area and a 39-stall parking lot that will provide access to the daycare as well as adjacent lots via ingress/egress easements. The Learning experience will staff 23 teachers and staff and a maximum enrollment of 169 children with ages ranging from six weeks to six years old. The proposed daycare facility will require a change in zoning and a conditional use permit as outlined in the Zoning section of this Amendment.

ZONING

The current property zoning is B-G (General Business District), however; a rezoning application is being submitted in conjunction with this Amendment to rezone Lot 2 from the existing B-G to the B-P zoning (Professional Office District). A Conditional Use for the daycare in the B-P zoning district is being submitted concurrently for approval by the Fitchburg Planning and Architectural Review Committee. Lots 1 and 3 will remain B-G (General Business District) as currently zoned.

OPEN SPACE PRESERVATION - CDP PARAMETERS

Lot 1

LOT SIZE = 3.254 ACRES- 141,745 SQUARE FEET
EX BUILDING FOOTPRINT~ 31,120 SF
GREEN SPACE- PERVIOUS= 27.75%
PARKING= 116 CARS

Lot 2

LOT SIZE = 1.007 ACRES- 43,866 SQUARE FEET
BUILDING FOOTPRINT= 10,000 SF
OPEN SPACE OF PROPOSAL PLAN= 56% ··CDP MINIMUM REQUIRED = 25%
GREEN SPACE- PERVIOUS= 43.7%
PARKING= 39 CARS

Lot 3 (Vacant sale Lot)

LOT SIZE = 0.642 ACRES- 27,959 SQUARE FEET
BUILDING FOOTPRINT= 0 SF
GREEN SPACE- PERVIOUS= 100%
PARKING= 0 CARS

STORM WATER MANAGEMENT

Lot 1

The existing storm water management of Lot 1 will remain undisturbed as the current drainage will not be modified through the construction or design activities 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 storm water analysis of the site and project has been developed by Michael Caldwell P.E. with Caldwell Engineering, Ltd. to ensure the proposed development can meet City of Fitchburg and the CDP requirements for storm water management. In general, this will include a series of swales, bioswales and storm pipes to capture and conduct stormwater from Lots 2 and 3 to the inlet structure at the intersection of Nesbitt Road and Limestone Lane and then flow into the existing City stormwater system under Nesbitt Road to the regional stormwater pond.

Lot 3

The grading for the development of Lot 2 includes grading of approximately the Southeasterly 60 feet of Lot 3, including construction of the shared access driveway, a swale to gather and conduct stormwater from Lot 3 to an inlet that drains onto Lot 2, and slopes to blend with the existing ground on Lot 3. Upon development of Lot 3, appropriate stormwater management will be designed and constructed.

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

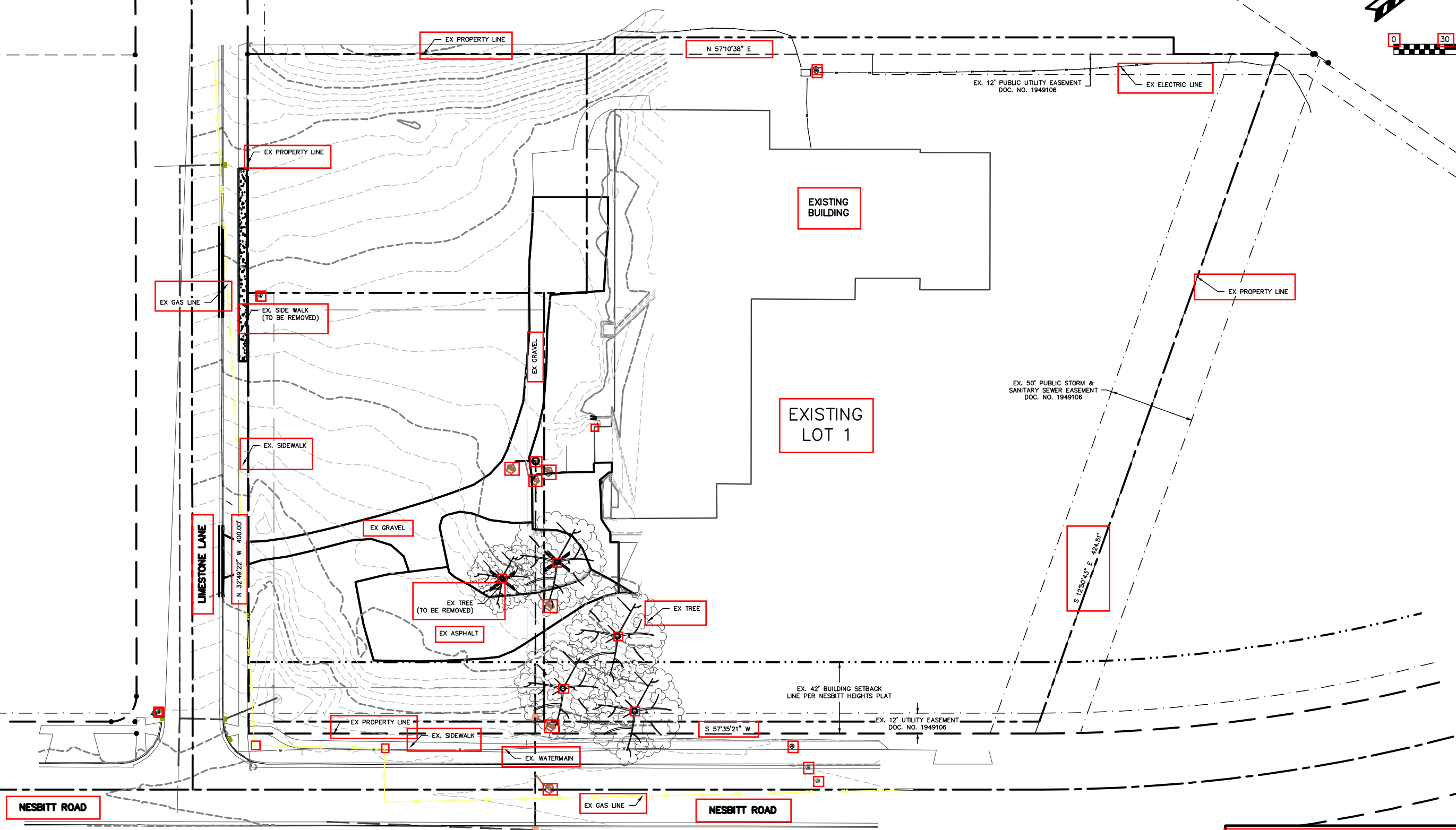
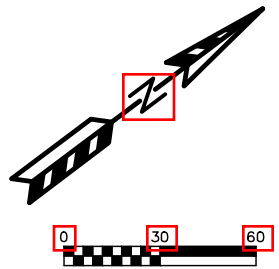
Lot 2 is planned to be developed as The Learning Experience daycare facility. A traffic analysis study for this use was done and is included in the Conditional Use Permit application, that is attached as Pages 18 and 19 of this document for details.

The original CDP, which identified this Parcel as No. 1100, noted “expanded commercial use” for this property and “is anticipated to develop at a scale and character similar to existing uses in the area” and therefor the additional development and subsesquent traffic generation was anticipated. The study for the daycare shows that the traffic impact is quite low and will be spread out over several hours. In additional, daycare customers are typically live in close proximity to the facility and are traveling the local streets anyway, which minimizes the traffic impact vs. a use that would draw in out-of-area customers.

In addition, on-going roadway construction in the area has expanded and improved roadway volume and intersection capacities and were based on present and future traffic analysis and design.

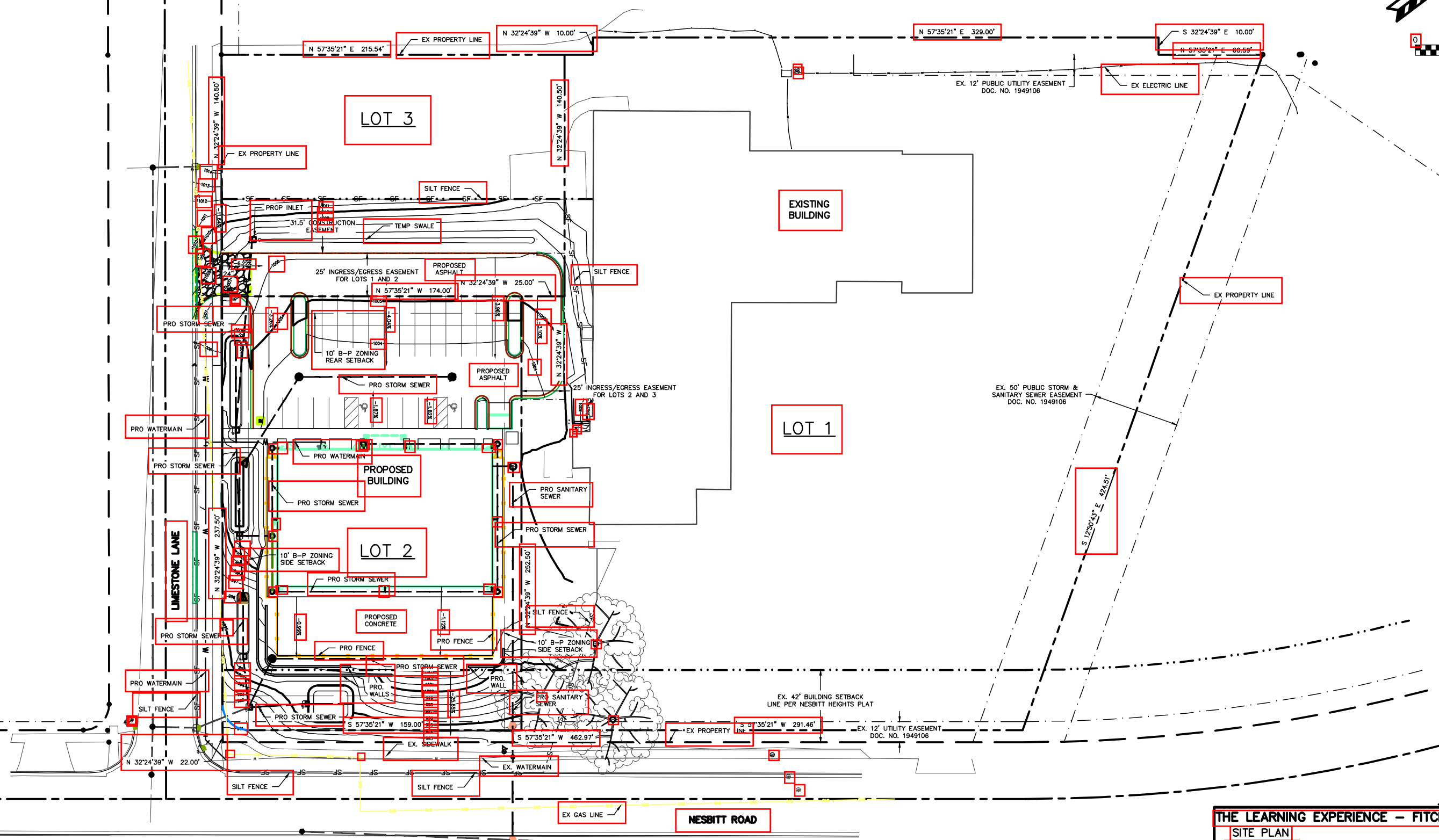
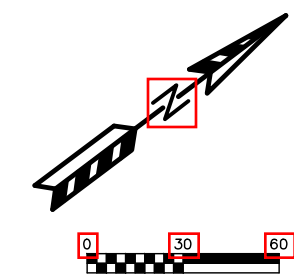
Lot 3

Lot 3 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 design constraints on this lot will not allow a very large building and development due to the elevation differential across the lot, the joint driveway on the lot being built as part of the proposed daycare facility, and small lot size. In addition, the City will have the future opportunity to review the traffic impacts for this lot once the proposed size and use is known.



THE LEARNING EXPERIENCE - FITCHBURG, WI
 EXISTING SITE PLAN
 SHEET: C-1
 DATED: FEBRUARY 18, 2019

QUAM ENGINEERING, LLC
 Residential and Commercial Site Design Consultants
 www.quamengineering.com
 4604 Sigelkow Road, Suite A - McFarland, Wisconsin 53558
 Phone (608) 838-7750, Fax (608) 838-7752



THE LEARNING EXPERIENCE - FITCHBURG, WI

SITE PLAN
 SHEET: C-3
 DATED: FEBRUARY 18, 2019

QUAM ENGINEERING, LLC
 Residential and Commercial Site Design Consultants
 www.quamengineering.com

4604 Sigelkow Road, Suite A - McFarland, Wisconsin 53558
 Phone (608) 838-7750, Fax (608) 838-7752

DRAFT

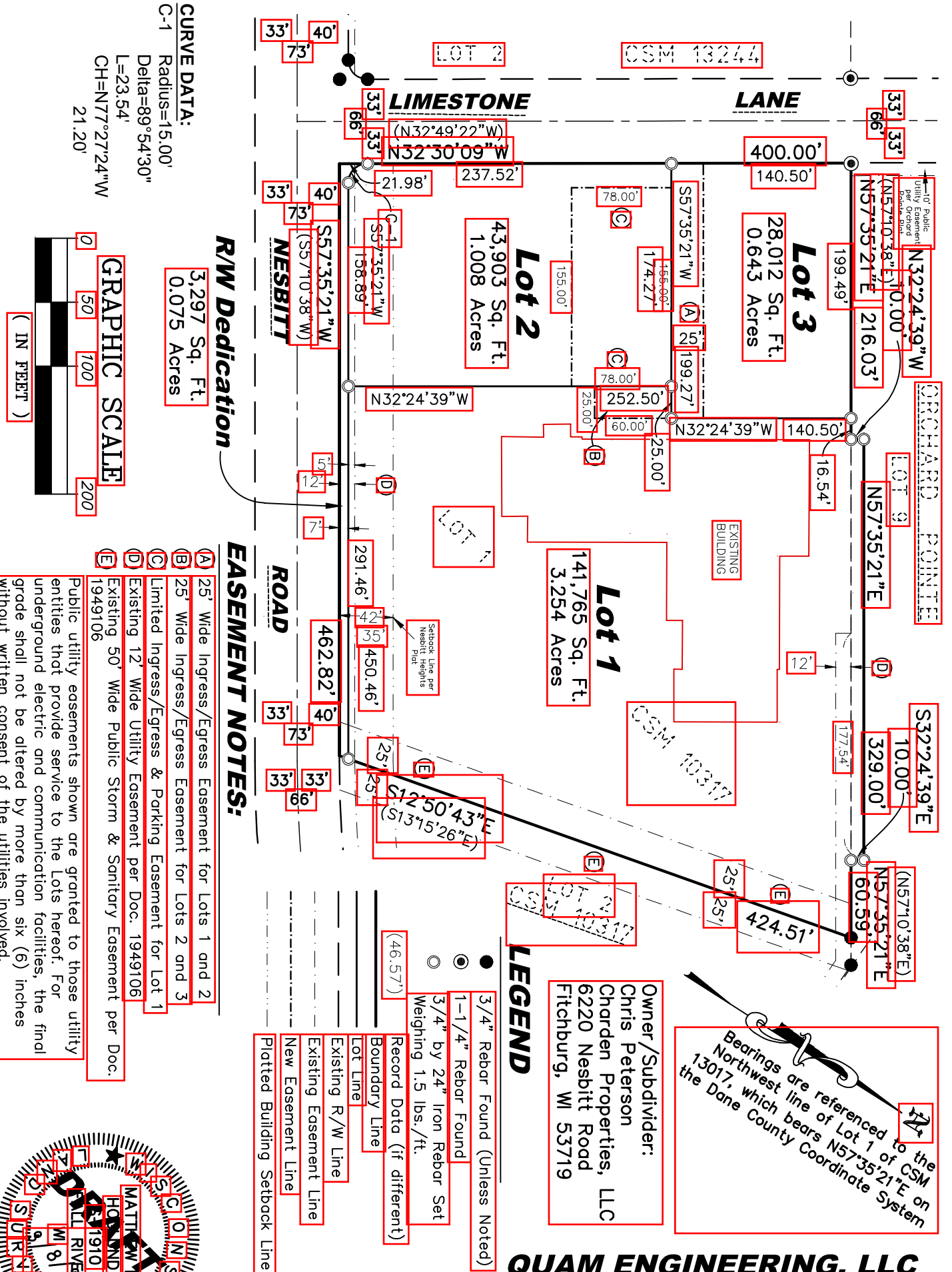
PRELIMINARY DANE COUNTY CERTIFIED SURVEY MAP

C.S.M. No. _____

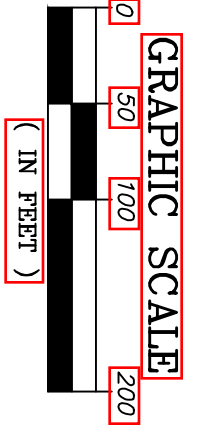
Part of Lot 1 of Certified Survey Map No. 10317 and a part of Lot 9 of Orchard Pointe, being located in the NE 1/4 of the NW 1/4 and the SE 1/4 of the NW 1/4 of Section 7, T.6N., R.9E., City of Fitchburg, Dane County, Wisconsin

Doc. No. _____

Vol. _____ Page _____



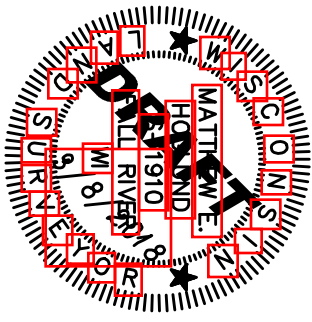
CURVE DATA:
C-1 Radius=15.00'
Delta=89°54'30"
L=23.54'
CH=N77°27'24"W
21.20'



EASEMENT NOTES:

(A) 25' Wide Ingress/Egress Easement for Lots 1 and 2
 (B) 25' Wide Ingress/Egress Easement for Lots 2 and 3
 (C) Limited Ingress/Egress & Parking Easement for Lot 1
 (D) Existing 12' Wide Utility Easement per Doc. 1949106
 (E) Existing 50' Wide Public Storm & Sanitary Easement per Doc. 1949106

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.



QUAM ENGINEERING, LLC
4604 SIGGLEKOW ROAD - SUITE A McFARLAND, WI 53558
(608) 838-7750 www.quamengineering.com
Project # CP-08-18 Date: 3/8/19

**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. Hogle, 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**.

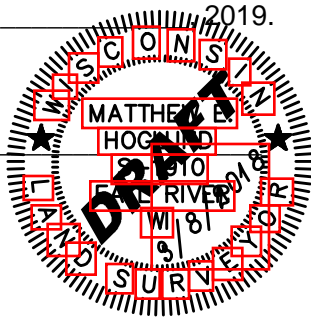
Said parcel contains 213,680 square feet or 4.905 acres, more or less.

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 _____ day of _____, 2019.

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



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 _____
Patti Anderson - City Clerk

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

SHEET 2 OF 4

QUAM ENGINEERING, LLC

4604 SIGGLEKOW ROAD – SUITE A McFARLAND, WI 53558

(608) 838-7750 www.quamengineering.com

Project # CP-08-18 Date: 3/8/19

**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**

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 TREASURER'S CERTIFICATE:

STATE OF WISCONSIN)
COUNTY DANE) SS

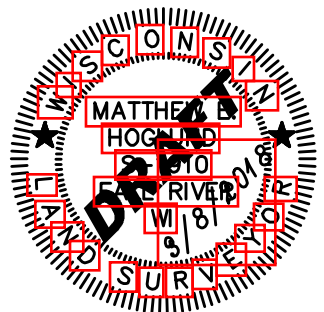
I, Misty Dodge, being the duly appointed, qualified and acting City Treasurer of the City of Fitchburg, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of _____ (date) on any of the land included in this Certified Survey Map.

Date: _____
Misty Dodge - Treasurer

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____



QUAM ENGINEERING, LLC

4604 SIGGLEKOW ROAD – SUITE A McFARLAND, WI 53558

(608) 838-7750 www.quamengineering.com

Project # CP-08-18 Date: 3/8/19

**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**

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.

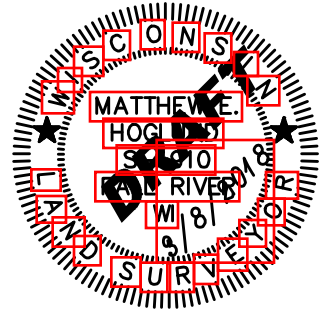
IN WITNESS WHEREOF, the said _____ has caused these
presents to be signed by _____, its President, and countersigned by
_____, its Secretary (cashier), at _____, Wisconsin, and its
corporate seal to be hereunto affixed on this _____, day of _____, 20__.

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 _____.

COUNTY TREASURER'S CERTIFICATE:

STATE OF WISCONSIN)
COUNTY DANE) SS

I, Adam Gallagher, being the duly elected, qualified and acting treasurer of the County of Dane, do
hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or
unpaid special assessments as of _____(date) affecting the lands included in this
Certified Survey Map.

Date: _____
Adam Gallagher - Treasurer

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 _____

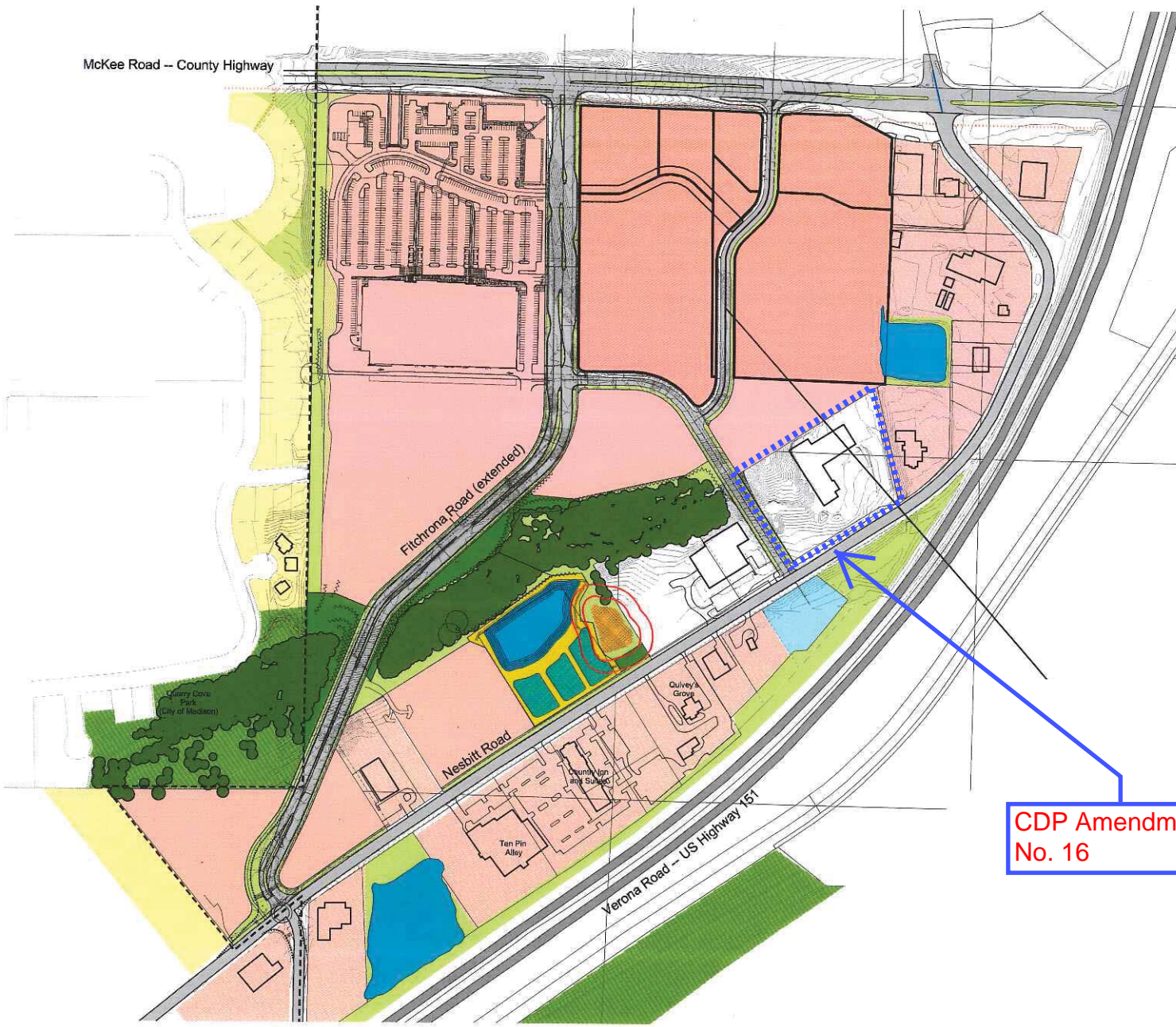
as Document No. _____.

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

Kristi Chlebowski, Dane County Register of Deeds



Comprehensive
Development Plan

Orchard Pointe

CDP Amendment 16

Map 1

Legend

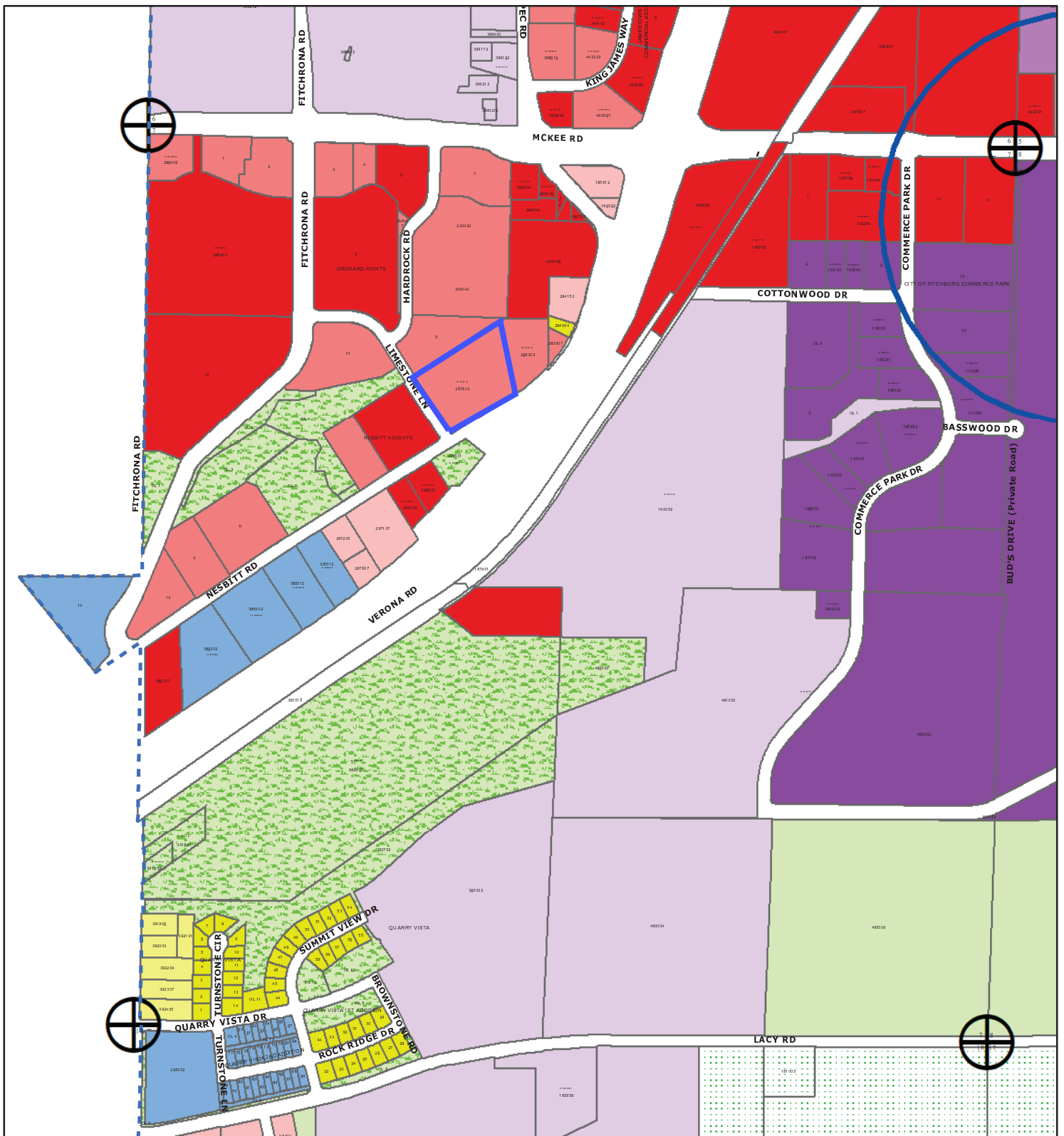
Planned Land Use

- Commercial
- Parks & Open Space
- Storm Water Management

CDP Amendment
No. 16



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

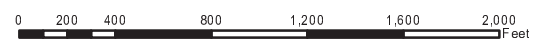


City Limits

Wellhead Protection Area



Section Corner





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

CONDITIONAL USE PERMIT APPLICATION

The undersigned owner, or owner's authorized agent, of property herein described hereby applies for a conditional use permit for the following described property:

1. Location of Prop

Street Address SW vacant 1.01 AC portion of 6220 Nesbitt Road Fitchburg, WI 53719

Legal Description - (Metes & Bounds, or Lot No. And Plat): see attachment 1

***Also submit in electronic format (MS WORD or plain text) by email to: PLANNING@FITCHBURGWI.GOV

2. Current Use of Property: Vacant

3. Proposed Use of Property: Daycare – The Learning Experience

4. Proposed Development Schedule: TBD

5. Zoning District: B-G: General Business

6. Future Land Use Plan Classification: B-P: Conditional Use #7 “educational services, with activities outside building” with parking standard allowance per Parking Evaluation Impact Statement by KLOA, Inc. (see attachment 2)

***Pursuant to Section 22-3(b) of the Fitchburg Zoning Ordinance, all Conditional Use Permits shall be consistent with the currently adopted City of Fitchburg Comprehensive Plan.

***Attach three (3) copies of a site plan which shows any proposed land divisions, plus vehicular access points and the location and size of all existing and proposed structures and parking areas. Two (2) of the three (3) copies shall be no larger than 11" x 17". Submit one (1) pdf document of the entire submittal to planning@fitchburgwi.gov.

Additional information may be requested.

Type of Residential Development (If Applicable): _____

No. of Dwelling Units by Bedroom: 1 BR 2 BR 3 BR 4 or More

No. of Parking Stalls: _____

Type of Non-residential Development (If Applicable): Daycare

Proposed Hours of Operation: 6:30am to 6:30pm **No. Of Employees:** 23

Floor Area: 10,000 SF Building **No. Of Parking Stalls:** 39

Sewer: Municipal Private **Water:** Municipal Private

Current Owner of Property: Charden Properties LLC – Chris Peterson, Owner

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

Contact Person: Gary Wendt

Email: wendt@bradfordchicago.com

Address: 200 S Wacker Dr, Ste 726 Chicago, IL 60606 **Phone No:** (312)755-8017

Respectfully Submitted By: *[Signature]*, SVP for Bradford Real Estate Companies

Owner's or Authorized Agent's Signature

**** It is highly recommended that an applicant hold at least one neighborhood meeting prior to submitting an CUP application to identify any concerns or issues of surrounding residents.**

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:** _____ **Publish:** _____

Ordinance Section No. _____ **Fee Paid:** _____

Permit Request No. _____

ATTACHMENTS

Legal Description	1
Parking Evaluation Impact Statement	2

LEGAL DESCRIPTION

LEGAL DESCRIPTION
for
Lot 2 of a Proposed Certified Survey Map

A part of Lot 1 of Certified Survey Map No. 10317, recorded as Document No. 3443224 of Dane County Records, being located in 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:

COMMENCING 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, 21.98 feet to the **POINT OF BEGINNING**;

thence, continuing along said Northeasterly right-of-way line, North 32°30'09" West, 237.52 feet;

thence North 57°35'21" East, 174.27 feet;

thence South 32°24'39" East, 252.50 feet to the Northwesterly line of a proposed right-of-way dedication to widen Nesbitt Road;

thence, along last said Northwesterly line, South 57°35'21" West, 158.89 feet to the beginning of a tangent curve, being concave Northerly, having a radius of 15.00 feet and a chord which bears North 77°27'24" West, 21.20 feet;

thence Southwesterly, Westerly and Northwesterly, 23.54 feet along the arc of said curve through a central angle of 89°54'30" to the Point of Tangency thereof and the **POINT OF BEGINNING**, containing 43,903 square feet or 1.008 acres, more or less.

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

***NOTE:** This preliminary legal description is to provide a location of the proposed Lot 2 for zoning submittal and permitting purposes only and is not to be used for conveyance of the property. Lot 2 will legally become a separate property only upon approval of the Certified Survey Map by the City of Fitchburg and recordation at the Dane County Register of Deeds.*

Project No. CP-08-18_BRAD
Date: January 15, 2019

PARKING EVALUATION IMPACT STATEMENT

MEMORANDUM TO: Gary Wendt
Bradford Real Estate Companies

FROM: Luay R. Aboona, PE, PTOE
Principal

DATE: January 16, 2019

SUBJECT: Parking Evaluation Impact Statement

This memorandum summarizes the results and findings of a parking evaluation conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for The Learning Experience proposed to be located on a number of sites in Wisconsin. The Learning Experience is a daycare facility with a maximum occupancy of 169 students and 23 teachers and staff at any given time. The school will be open Monday through Friday from 6:30 A.M. to 6:30 P.M.

The purpose of this evaluation is as follows:

- To evaluate the trip generation characteristics of the proposed daycare
- To evaluate the drop-off and pick-up operations
- To evaluate the parking needs of the proposed daycare

Traffic Characteristics of the Proposed Facility

As indicated earlier, the daycare will be open Monday through Friday between 6:30 A.M. and 6:30 P.M. The daycare will have 23 teachers and staff and a maximum enrollment of 169 children ranging in age from six weeks to six years old. Given their young age, all children will be escorted in and out of the facility.

Facility Traffic Generation

The volume of traffic that will be generated by the proposed facility was estimated using trip data published in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 10th Edition. **Table 1** tabulates the vehicle trips anticipated for this development for the weekday morning and weekday evening peak hours, as well as the daily (two-way) traffic volumes.

Table 1
ESTIMATED FACILITY-GENERATED TRAFFIC VOLUMES

Land Use	Weekday Morning Peak Hour			Weekday Evening Peak Hour			Weekday Total
	In	Out	Total	In	Out	Total	
Daycare – 169 Students (Land-Use Code 565)	70	65	135	65	70	135	700

Drop-Off/Pick-Up Operations

Given their young age, parents will be required to park their vehicles and escort their children in and out of the daycare. Typically, up to 12 parking spaces fronting the building will be reserved for drop-off and pick-up activities to provide safe passage. Based on KLOA, Inc. observations of other daycare centers, the drop-off process takes about two to three minutes on average while the pick-up process takes about five to six minutes. Given that the school allows for children to be dropped off and picked up at any time with no specific start or dismissal time, it is anticipated that the drop-off and pick-up operations will work efficiently with no significant traffic issues and that designating the 12 parking spaces fronting the building for drop-off/pick-up will be sufficient.

Parking Evaluation

KLOA, Inc. reviewed the *ITE Parking Generation Manual*, 4th Edition to calculate the peak parking demand for the proposed land use, which indicates a parking demand ratio of 0.24 spaces per student. When applied to the maximum occupancy of 169 students, the calculated demand will be 41 spaces. It should be noted that the maximum occupancy will not be typically achieved immediately and that the daycare typically experiences an absentee rate of approximately eight to 12 percent, which will reduce the calculated parking demand to 36 to 38 spaces.

Conclusion

Based on the proposed facility plan and the preceding evaluation, the following conclusions and recommendations are made:

- The traffic that will be generated by the proposed The Learning Experience will be low and spread out over several hours.
- Parents will be required to park their vehicles and escort their children in and out of the daycare.
- The Learning Experience will typically require a maximum of 41 parking spaces that could be reduced to between 36 and 38 spaces to account for absentees.
- Approximately 12 parking spaces fronting the building should be designated for drop-off/pick-up activities.



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

REZONING APPLICATION

The undersigned owner, or owner's authorized agent, of property herein described hereby petitions to amend the zoning district map of the Fitchburg zoning ordinance by reclassifying from the B-G district to the B-P district the following described property:

1. **Location of Property/Street Address:** SW vacant 1.01 AC portion of 6220 Nesbitt Road Fitchburg, WI 53719

Legal Description - (Metes & Bounds, or Lot No. And Plat):

attached

***Also submit in electronic format (MS WORD or plain text) by email to: planning@fitchburgwi.gov

2. **Proposed Use of Property - Explanation of Request:**

The construction and operation of a franchise commercial daycare facility for approximately 169 children and 23 employees with an outdoor play area. B-P Professional zoning is requested for the conditional use #7 of "educational services, with activities outside building".

3. **Proposed Development Schedule:** TBD

***Pursuant to Section 22-3(b) of the Fitchburg Zoning Ordinance, all Rezoning shall be consistent with the currently adopted City of Fitchburg Comprehensive Plan.

***Attach three (3) copies of a site plan which shows any proposed land divisions, plus vehicular access points and the location and size of all existing and proposed structures and parking areas. Two (2) of the three (3) copies shall be no larger than 11" x 17". Submit one (1) electronic pdf document of the entire submittal to planning@fitchburgwi.gov. Additional information may be requested.

Type of Residential Development (If Applicable): _____

Total Dwelling Units Proposed: _____ **No. Of Parking Stalls:** _____

Type of Non-residential Development (If Applicable): Daycare

Proposed Hours of Operation: 6:30am to 6:30pm **No. Of Employees:** 23

Floor Area: 10,000 S.F. **No. Of Parking Stalls:** 39

Sewer: Municipal Private **Water:** Municipal Private

Current Owner of Property: Charden Properties LLC - Chris Peterson, Owner

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

Contact Person: Gary Wendt

Email: wendt@bradfordchicago.com

Address: 200 S Wacker Dr, STE 726 Chicago, IL 60606 **Phone No:** (312)755-8017

Respectfully Submitted By:  
 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:** _____ **Publish:** _____ and _____

Ordinance Section No. _____ **Fee Paid:** _____

Permit Request No. _____

LEGAL DESCRIPTION
for
Lot 2 of a Proposed Certified Survey Map

A part of Lot 1 of Certified Survey Map No. 10317, recorded as Document No. 3443224 of Dane County Records, being located in 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:

COMMENCING 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, 21.98 feet to the **POINT OF BEGINNING**;

thence, continuing along said Northeasterly right-of-way line, North 32°30'09" West, 237.52 feet;

thence North 57°35'21" East, 174.27 feet;

thence South 32°24'39" East, 252.50 feet to the Northwesterly line of a proposed right-of-way dedication to widen Nesbitt Road;

thence, along last said Northwesterly line, South 57°35'21" West, 158.89 feet to the beginning of a tangent curve, being concave Northerly, having a radius of 15.00 feet and a chord which bears North 77°27'24" West, 21.20 feet;

thence Southwesterly, Westerly and Northwesterly, 23.54 feet along the arc of said curve through a central angle of 89°54'30" to the Point of Tangency thereof and the **POINT OF BEGINNING**, containing 43,903 square feet or 1.008 acres, more or less.

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

***NOTE:** This preliminary legal description is to provide a location of the proposed Lot 2 for zoning submittal and permitting purposes only and is not to be used for conveyance of the property. Lot 2 will legally become a separate property only upon approval of the Certified Survey Map by the City of Fitchburg and recordation at the Dane County Register of Deeds.*

Project No. CP-08-18_BRAD
Date: January 15, 2019



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: three (3)

4. No. Of Buildable Lots Proposed: three (3)

5. Zoning District: B-G General Business (Lot 2 of the CSM rezone to B-P Business Professional submitted concurrently)

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

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:  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:** _____

Ordinance Section No. _____ **Fee Paid:** _____

Permit Request No. _____

Revised Application
 Received 3.11.19

DRAFT

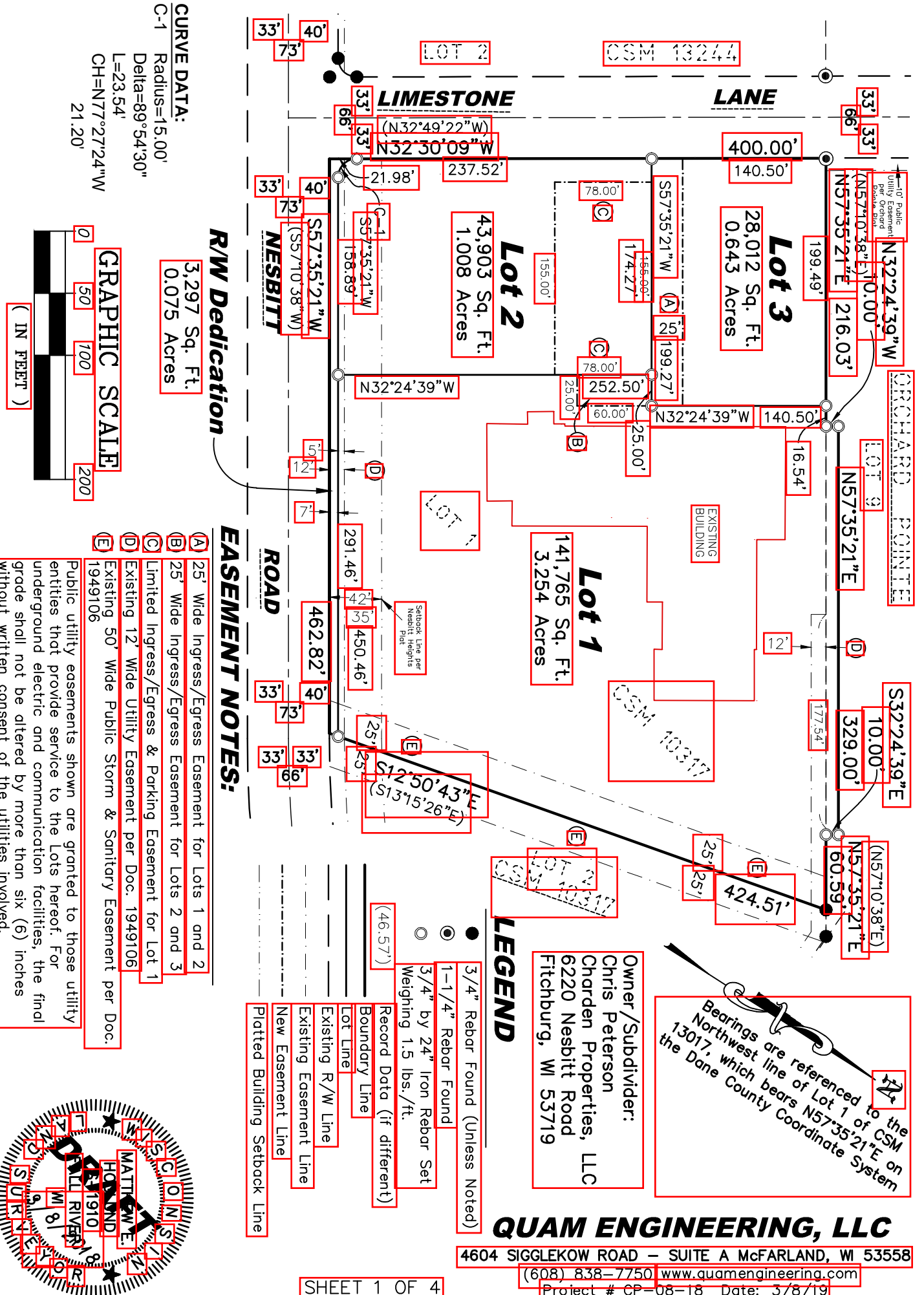
PRELIMINARY DANE COUNTY CERTIFIED SURVEY MAP

C.S.M. No. _____

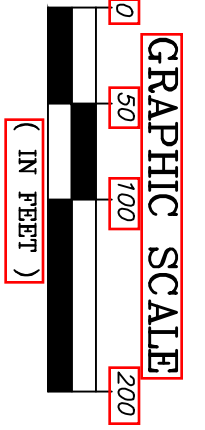
Part of Lot 1 of Certified Survey Map No. 10317 and a part of Lot 9 of Orchard Pointe, being located in the NE 1/4 of the NW 1/4 and the SE 1/4 of the NW 1/4 of Section 7, T.6N., R.9E., City of Fitchburg, Dane County, Wisconsin

Doc. No. _____

Vol. _____ Page _____



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



R/W Dedication

EASEMENT NOTES:

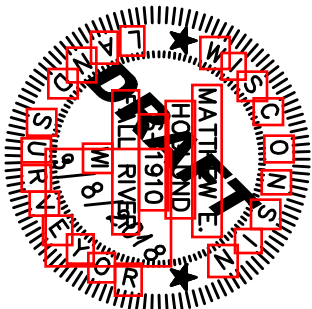
- (A) 25' Wide Ingress/Egress Easement for Lots 1 and 2
 - (B) 25' Wide Ingress/Egress Easement for Lots 2 and 3
 - (C) Limited Ingress/Egress & Parking Easement for Lot 1
 - (D) Existing 12' Wide Utility Easement per Doc. 1949106
 - (E) Existing 50' Wide Public Storm & Sanitary Easement per Doc. 1949106
- 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.

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
- New Easement Line
- Platted Building Setback Line

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: 3/8/19

**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. Hogle, 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**.

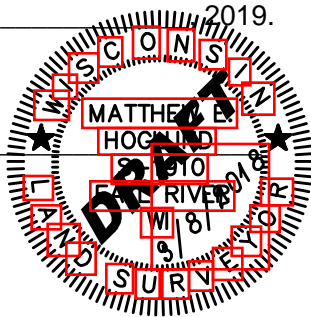
Said parcel contains 213,680 square feet or 4.905 acres, more or less.

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 _____ day of _____, 2019.

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



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 _____
Patti Anderson - City Clerk

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

QUAM ENGINEERING, LLC

4604 SIGGLEKOW ROAD – SUITE A McFARLAND, WI 53558

(608) 838-7750 www.quamengineering.com

Project # CP-08-18 Date: 3/8/19

**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**

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 TREASURER'S CERTIFICATE:

STATE OF WISCONSIN)
COUNTY DANE) SS

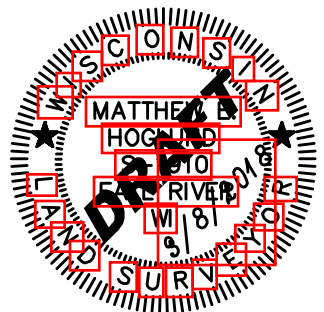
I, Misty Dodge, being the duly appointed, qualified and acting City Treasurer of the City of Fitchburg, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of _____ (date) on any of the land included in this Certified Survey Map.

Date: _____
Misty Dodge - Treasurer

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____



QUAM ENGINEERING, LLC

4604 SIGGLEKOW ROAD - SUITE A McFARLAND, WI 53558

(608) 838-7750 www.quamengineering.com

Project # CP-08-18 Date: 3/8/19

**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**

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.

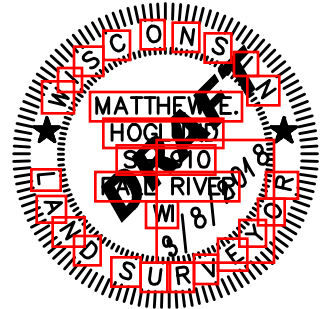
IN WITNESS WHEREOF, the said _____ has caused these presents to be signed by _____, its President, and countersigned by _____, its Secretary (cashier), at _____, Wisconsin, and its corporate seal to be hereunto affixed on this _____, day of _____, 20__.

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 _____.

COUNTY TREASURER'S CERTIFICATE:

STATE OF WISCONSIN)
COUNTY DANE) SS

I, Adam Gallagher, being the duly elected, qualified and acting treasurer of the County of Dane, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or unpaid special assessments as of _____(date) affecting the lands included in this Certified Survey Map.

Date: _____
Adam Gallagher - Treasurer

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. _____.

C.S.M. No. _____

Doc. No. _____

Vol. _____ Page _____

Kristi Chlebowski, Dane County Register of Deeds



City of Fitchburg
Planning Department
5520 Lacy Road
Fitchburg, WI 53711

Re: Project: Orchard Pointe – Lot 1 CSM 10317
Location: 6220 Nesbitt Rd., Fitchburg, WI
Application: CDP(A)-2271-19 & CS-2272-19 (CDP-Amendment and CSM)

Dear Ms. Lisa McNabola:

We are in receipt of your March 1st, 2019 review letters in regard to the Comprehensive Development Plan Amendment and Certified Survey Map located at 6220 Nesbitt Rd. in Fitchburg, Wisconsin. We have listed our responses after your comments as noted below:

Planning Staff Review #1 Comments:

- Comment 1: The Orchard Pointe CDP was most recently amended by approval of the Common Council on February 26, 2019. This recent amendment was No. 15. As such, please updated your materials to reflect that this is amendment No. 16.
- Response 1: The CDP(A) has been revised to Amendment #16.
- Comment 2: The rezoning application submitted concurrent with the request (see sheet C3 of the rezone application) shows a bio-filtration basin across the width of the southern boundary of Lot 3. This would prevent construction of an access into Lot 3 from Lot 2. Please clarify.
- Response 2: (Per RZ-2276-19 & CU-2274-19) A temporary drainage swale (vs. a bio-filtration basin) is proposed across the width of the southern boundary of Lot 3 to prevent excessive runoff over the access drive and parking area. When Lot 3 is developed, the swale will be removed and the parking lot drainage will be directed to storm sewer structures.
- Comment 3: Page 18-19 of the CDP document discuss estimated traffic generation. How does this compare to what was anticipated in the original CDP? Please describe your reasoning as to how this is consistent with the original CDP or does not create traffic problems.
- Response 3: Comments were added relative to anticipated traffic impacts on Page 3-A of the Comprehensive Development Plan Amendment.

Public Works Review #1 - General Comments:

- Comment 1: A developer agreement will be needed for the public improvements.

- Response 1: The Bradford Real Estate Companies will enter into a developer agreement with the City for the driveway connection, sidewalks and utility connections required within the public right-of-ways of Limestone Lane and Nesbitt Road.
- Comment 2: Concurrence from utilities (gas, electric, cable, phone) needs to be provided with regards to the utility easement locations shown on the plat. A letter from the utilities would be sufficient.
- Response 2: In development of the final engineering plans for The Learning Experience daycare, utilities will be coordinated with to determine the mutually acceptable location of utilities serving the lots and easements will be provided at that time.
- Comment 3: Given underground installation for electric and communications, a restriction shall be recorded with the Final Plat stating that the final grade shall not be altered by more than six (6) inches without written consent of the utilities involved.
- Response 3: The CSM has been revised to note this restriction.
- Comment 4: Provide gas/electric/telephone/cable preliminary plans for review of utility easements.
- Response 4: In development of the final engineering plans for The Learning Experience daycare, utilities will be coordinated with to determine the mutually acceptable location of utilities serving the lots and plans will be provided at that time.
- Comment 5: Should easement “B” extend all the way to Nesbitt?
- Response 5: No. The driveway ends with no through traffic through Lot 1. The easement is provided for the “U” drive traffic flow from the joint ingress/egress drive to Limestone Lane and the parking lot on Lot 2.
- Comment 6: We assume the intent is that visitors to the business to the east could use the parking lot at the day care on weekends – but it is not clear how pedestrians would travel between the two properties? Is the intention that they would walk all the way around along the public sidewalk along Limestone and Nesbitt? Or will there be a pedestrian connection between the properties?
- Response 6: The Learning Experience parking lot and Pancake Café parking lot will not be connected at this time. There has been discussion with the Pancake Café regarding shared overflow parking agreements. At this time, it has been agreed that The Learning Experience parking lot can be used by Pancake Café employees on the weekends. These employees will enter the Pancake Café building through the back door.

Comment 7: What is the additional 7' strip along Nesbitt intended for? Not labeled.

Response 7: The 7' strip is additional R/W dedication for Nesbitt Road and is clearly labeled on the CSM. The additional R/W is required by the City Plan as this is identified as a "Collector" street. A similar dedication was required on CSM No. 13244 immediately across Limestone Lane.

Public Works Review #1 - Transportation Comments:

Comment 1: A driveway permit will be required, use Fitchburg standard detail for commercial driveways.

Response 1: (Per RZ-2276-19 & CU-2274-19) It is understood a driveway permit will need to be submitted for construction. The City of Fitchburg Detail for Commercial Driveway openings has been used and included in the site plans. The apron is concrete.

Comment 2: Work in public right of way is required to meet City of Fitchburg specifications.

Response 2: (Per RZ-2276-19 & CU-2274-19) This has been understood and it will be part of the final Engineering Plans.

Comment 3: The dumpsters from Lot 1 are located in the proposed access easement for Lot 2 and 3.

Response 3: (Per RZ-2276-19 & CU-2274-19) The proposed easement and drive as shown in the site plans and CSM ends before the adjacent Pancake Café dumpster.

Comment 4: Connect sidewalk on site in parking area to public sidewalk on Limestone.

Response 4: (Per RZ-2276-19 & CU-2274-19) The internal sidewalk system has been connected to the Limestone Lane sidewalk for street parking/drop-off access.

Comment 5: Where do the teachers park? They do not seem to have been counted in the parking analysis provided. 12 drop off spot sounds like too little for 169 students, most of whom will probably get dropped off at similar times before and after normal business hours for working parents.

Response 5: (Per RZ-2276-19 & CU-2274-19) At most 23 employees will be on staff at one time. The proposed center parking, 26 spaces, will fully accommodate this full capacity staffing.

Public Works Review #1 – Water Main and Sanitary Sewer Comments:

Comments & Responses per RZ 2276-19 and CS 2274-19:

Comment 1: Any outstanding MMSD fees will need to be paid prior to the City executing the proposed CSM.

Response 1: It is understood. Charden Properties, LLC will take responsibility for these fees.

- Comment 2: Water impact fees shall be paid prior to the release of a building permit. Please provide the number of employee hours per week for this site.
- Response 2: It is understood that all water impact fees will be paid before the release of a building permit. The number of employees per hour per week for this site will be included in the permit submittal.
- Comment 3: Per the City's records there are no water and sewer laterals extended to these lots. In addition, there is no public water and sanitary sewer along Limestone. The designer will need to coordinate the location and installation requirements of proposed laterals with Public Works. Private and public easements will be required on proposed Lot 1 to service proposed Lot 2. Please contact Tracy Foss (270-4272) to review requirements. Utilities as drafted will not meet requirements and need to be modified. All work within the right-of-way will need to be completed per the latest edition of the City's Standard specifications for Public Works Construction. A street opening permit is required for this work.
- Response 3: This has been understood and it will be part of the final Engineering Plans.

Public Works Review #1 – Erosion Control and Stormwater Management Comments:

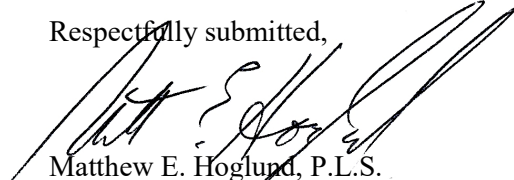
- Comment 1: A new Erosion Control & Storm Water Management permit application will need to be submitted to the Fitchburg Public Works Department for review and approval if land disturbance will exceed 4,000 s.f. The ECSWM application and information on requirements can be found at:
<http://www.fitchburgwi.gov/231/ECSWM-Requirements>.
- Response 1: (Per RZ-2276-19 & CU-2274-19) This has been understood and will be submitted with the final Engineering Plans.
- Comment 2: A stormwater maintenance agreement (recorded at the Dane County Register of Deeds office) will be required for the necessary private stormwater management practices approved by the City (e.g. private storm sewer, rain gardens, etc.). The owner(s) would be eligible for up to a 50% reduction in stormwater utility rates for the proposed stormwater practices. The following link:
<http://www.fitchburgwi.gov/230/Credit-Opportunities> provides the application form and details on this program.
- Response 2: (Per RZ-2276-19 & CU-2274-19) This has been understood and will be arranged upon submittal of final Engineering Plans.
- Comment 3: If infiltration is required to meet the ECSWM requirements, follow the DNR's *Site Evaluation for Stormwater Infiltration (1002)* guidelines to determine the infiltration rate used for modeling prior to submitting the Stormwater Report.
- Response 3: (Per RZ-2276-19 & CU-2274-19) This has been understood and will be determined prior to submittal of the building permit.

Comment 4: Please note that the regional basin (WisDOT Pond A) was sized to treat existing conditions as of 2015, plus Verona Road. New impervious areas must be treated on site and cannot rely on the regional basin for treatment.

Response 4: (Per RZ-2276-19 & CU-2274-19) This has been understood and stormwater treatment has been provided with Bio-Filtration basins throughout the site.

A revised Comprehensive Development Plan Amendment and Certified Survey Map are enclosed. Should you have any questions or comments with regard to this matter, please contact me.

Respectfully submitted,



Matthew E. Hoglund, P.L.S.
Survey Manager

cc: Chris Peterson, Michael Caldwell, Michael Banks

Project No.: CP-08-18