

DANE COUNTY
REGISTER OF DEEDS

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**Zoning Ordinance Number 2005-O-20
Issuing Specific Implementation Plan (PDD-SIP)
for Part of Proposed Cinque Terre Plat**

000115

Legal Description: Lots 3, 4, 5, 6,7 and
Outlots 5, 6, 7 of the
Fitchburg Center North Plat

Return to:
Fitchburg City Clerk
5520 Lacy Road
Fitchburg, WI 53711

PIN: 060910260032
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060910301569
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Plan Commission
Initiated By

Thomas D. Hovel
Drafted By

May 27, 2005
Date

**ORDINANCE NO. 2005-O-20
ISSUING PLANNED DEVELOPMENT DISTRICT
SPECIFIC IMPLEMENTATION PLAN (PDD-SIP)
FOR PART OF FITCHBURG CENTER NORTH PLAT
SPECIFIC TO OUTLOTS 1 AND 2 AND PART OF LOT 4 PROPOSED
CINQUE TERRE PLAT**

WHEREAS, pursuant to Fitchburg Ordinance No. 87-0-06, Section 3, Zoning District
Maps were adopted within the corporate limits of the City of Fitchburg until expressly altered by
the City Council, and

WHEREAS, Fitchburg Research Park Associates received approval in May 13, 1995 for Planned Development District General Implementation Plan (PDD-GIP) zoning under file number RZ-0607-95 for what is now known as lots 3, 4, 5, 6, 7, and Outlots 5, 6, and 7 Fitchburg Center North Plat (Fitchburg Center North Plat recorded in Volume 57-081B, pages 318-322, as document number 2890423) by Ordinance Number 95-O-10, approved by the Common Council of the City of Fitchburg on May 9, 1995, and

WHEREAS, Fitchburg Research Park Associates L.P. received approval, Ordinance 2005-O-16 to amend the PDD-GIP in effect for lots 4, 5, 6, 7, and Outlots 5, 6, and 7 Fitchburg Center North Plat (file number RZ-0607-95ANP) in order to accomplish a replat of the above noted lots, and

WHEREAS, Fitchburg Research Park Associates has now filed a Planned Development District Specific Implementation Plan (PDD-SIP) request (RZ-0607-94SIP1) to allow the installation of the private street and storm water improvements to be located on the following portions of the proposed Cinque Terre Plat: Outlots 1 and 2, and the drainage easement contained within lot 4.

WHEREAS, the Plan Commission reviewed the application on June 7, 2005, according to the standards outlined in the ordinance, and has determined the requests, in conjunction with the proposed conditions, meets said criteria, and

WHEREAS, the Plan Commission has recommended approval, with conditions, amending the Planned Development District General Implementation Plan (PDD-GIP) for lots 4, 5, 6, 7, and Outlots 5, 6, and 7 Fitchburg Center North Plat, more specifically that part to be the following portions of the proposed Cinque Terre Plat: Outlots 1 and 2, and the drainage easement contained within lot 4.

NOW THEREFORE the City Council of the City of Fitchburg, Dane County, Wisconsin does ordain:

Section A: Planned Development District Specific Implementation Zoning for lots 4, 5, 6, 7, and Outlots 5, 6, and 7 Fitchburg Center North Plat, more specifically that part to be the following portions of the proposed Cinque Terre Plat: Outlots 1 and 2, and the drainage easement contained within lot 4.

1. The approval is based on the following information as submitted, except as such information may be amended by the conditions imposed herein:
 - A. Specific Implementation Plan Cinque Terre-Phase 1 dated May 10, 2005, and amendment memorandum of May 20, 2005, prepared by Jim Bricker of Mayo Corp.
 - B. Cinque Terre final plat, plot date of May 31, 2005 (file number FP-1425-05).

2. No other permit or approval is waived or deemed satisfied except for the approvals herein conditionally granted. The dedicated park land is zoned P-R and is only included to indicate the grading required for that parcel as part of the overall the GIP and this SIP approval.
3. The Specific Implementation Plan (SIP) zoning shall not take effect until the Cinque Terre final plat has been recorded at the Dane County Register of Deeds. The SIP zoning is specifically for Outlots 1 and 2, and the drainage easement contained within lot 4, all of Cinque Terre plat; the purpose is to allow storm water improvements and private road way improvements.
4. Map 1 of the Comprehensive Development Plan 2005 Update dated April 12, 2005 does not provide for a through private street. The Plan Commission and Common Council expect the cul-de-sacs shown to be connected for through traffic. However, the measure and method of connection will be determined at the point in time of submittal by the applicant of a detailed Comprehensive Development Plan for what is termed the east meadow area (the residential area east of this replat and Promega, but west of the drainage corridor south to East Cheryl Parkway) is provided to the City for approval. The connection is expected due to the need for alternate transportation routes to persons living in the proposed residential clusters. The original General Development Plan (April 1995) also discussed a private collector street organizing the residential clusters, and connection would fulfill that need.
5. Park dedication was provided in the original plat. Park dedication provided accounts for a total of 296 dwelling units. 30 units in the Forest Glen project, lot 2 CSM 9025, counts to this dedication leaving 266 dwelling units able to be counted by development in the Fitchburg Center clusters (subject to RZ-0607-95, Ordinance # 95-O-10), and the Town Center (RZ-0606-95, Ordinance # 95-O-09). If there is unused parkland developed in this area, it shall not be counted toward any land not subject to RZ-0607-95 or RZ-0606-95). This is consistent with ordinance 95-O-09 which limited park land credits to the Town center or "dwelling units constructed on FRPA lands identified in the Land Use Map of the General Development Plan as residential cluster site."
6. Park street frontage provided allows for 300 dwelling units. The Forest Glen project utilized 30 dwelling units, leaving 270 more units to be accounted for land to be developed as described in point 5, above.
7. Park Improvement fees for the overall project will be determined at the time SIP's are submitted for the build able lots noted in the PDD-GIP.
8. A long term replacement, repair and maintenance agreement for the private street shall be recorded at the register of deeds.

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9. A development agreement with the City shall be required for the public improvements required by the development. The developer agreement shall be required prior to signing of a final plat.

10. The applicant shall provide a list of criteria upon which decisions of landscaping of the private road will be made for City review and approval. The criteria shall be submitted and approved prior to commencement of grading for the private road.

Section B: Administrative Measures.

11. Lot 3, which is dedicated park land, shall be graded based on plans subject to approval by the Parks Director and City Engineer. Lot 3 is noted with this approval not for specific zoning purposes, but do to the easements being requested over the park land for storm water management purposes, its being included as part of the proposed Cinque Terre replat, and its inclusion in the planning documents submitted and referred to in section A1 of this document.

12. This ordinance shall take effect following the recording of the Cinque Terre final plat (file number FP-1425-05), publication, or the consent of the property owner, whichever occurs last. However, in accord with section 22.92 of the zoning code, owners shall consent within 30 days of approval for this PDD-SIP amendment to take effect.

13. Applicant shall pay cost of publication to avoid a two council meeting approval process.

14. Related to this request is planning department file number FP-1425-05 Cinque Terre final plat.

The above and foregoing ordinance was duly adopted by the City Council of the City of Fitchburg, at a regular meeting held on the 14 day of June, 2005.

Ruth M Becker

Ruth Becker, City Clerk

Approved: 6/15/2005

Thomas Clauder

Thomas Clauder, Mayor

STATE OF WISCONSIN)ss.
COUNTY OF DANE

Personally came before me this 15 day of June, 2005, the
above named Ruth Becker, and Thomas Clauder to me known to be the City Clerk and Mayor
(respectively) of the City of Fitchburg, and the persons who executed the foregoing instrument and
acknowledged the same.

Tanya O'Malley
Notary Public, State of Wisconsin
My Commission Expires: May 2, 2006

Consent of the Property Owner

William Linton
William Linton, General Partner
Fitchburg Research Park Associates, L.P.

Date: Jun 24, 2005

STATE OF WISCONSIN)ss.
COUNTY OF DANE

Personally came before me this 24th day of June, 2005, the
above named William Linton to me known to be the General Manager of Fitchburg Research Park
Associates, LP. and the person who executed the foregoing instrument and acknowledged the same.

Diana B. Freund
Notary Public, State of Wisconsin
My Commission Expires: 4/15/07

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Consent of Mortgage Holder

N/A

Date: _____

STATE OF WISCONSIN)ss.
COUNTY OF DANE

Personally came before me this ____ day of _____, 2005, the
above named _____ to me known to be the _____ and the person
who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My Commission Expires: _____