

Plan Commission
Initiated By

Planning Dept.
Drafted By

May 7, 1997
Date

ORDINANCE NO. 97-0-12
APPROVING A SPECIFIC IMPLEMENTATION PLAN REQUIREMENT FOR
PLANNED DEVELOPMENT DISTRICT ZONING FOR
HATCHERY HILL PLAT (Phase I)

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, David Schutz has submitted an application (RZ-0664-96) for Planned Development District zoning for property at the northwest corner of South Fish Hatchery Road and McKee Road, and for which a General Implementation Plan (GIP) was approved on September 10, 1996 by Ordinance 96-0-12, and

WHEREAS, an Agreement for Land Development for Hatchery Hill was conditionally approved by the City Council on February 25, 1997 by Resolution R-09-97, and

WHEREAS, on April 22, 1997, the City Council by Resolution R-62-97 conditionally approved the final plat of Hatchery Hill, and

WHEREAS, the Plan Commission has reviewed the application and determined that the request, in conjunction with the proposed conditions, warrants approval and has recommended approval with conditions of an SIP for Phase I, Hatchery Hill, all of Lots 3, 5, and 8 and part of Lot 15

NOW, THEREFORE the City Council of the City of Fitchburg, Dane County, Wisconsin, does ordain that the Specific Implementation Plan (SIP) for Lots 3, 5 & 8 and Part of Lot 15 Hatchery Hill Plat is approved subject to the following conditions:

1. No other permit or approval is waived or deemed satisfied except for the approval herein granted. Requirements of all existing agreements remain in effect, unless otherwise specifically altered by this ordinance.

2. Uses.

A. Permitted Uses - All uses permitted or conditional under General-Business zoning (B-G) as they exist as of this ordinance date or as amended, shall be considered as permitted uses in "J" buildings to be constructed on Lot 8. In addition, up to 5,000 sq. ft. of space in each "J" building (10,000 sq. ft. total) may be used as restaurant space.

B. Special Permit Uses - Unless specifically exempted above, any use denoted under B-G zoning as conditional shall receive a special permit from the Plan Commission to allow the use. Likewise, any use not identified as permitted or

conditional may be allowed by the Plan Commission provided, however, that such use is consistent with the general office and commercial nature of the "J" buildings.

C. Grocery Store - An approximate 57,000 sq. ft. grocery store, as depicted in the attached plan is permitted for Lot 5.

D. Multi-family Use - Multi-family use for condominiums is approved for Lot 15.

E. Lot 3 is for storm detention and landscaping only.

F. No outside storage shall be allowed for either the grocery store site or the "J" buildings site (Lots 5 & 8).

G. All buildings, parking, and landscaping shall be in substantial compliance with attached plans.

H. The "J" buildings are approved for 18 dwelling units on the second floor with 34 parking stalls in the parking level. (This modifies original GIP which required 36 stalls for 18 dwelling units.)

3. Signage.

A. All signs for individual businesses shall be on the building and to amount and size which is allowed under the city sign code, Chapter 24.

B. No freestanding signs shall be allowed except for those identified on the plans ---Sign A is located on curved pond wall; Sign B is located at Caddis Bend and Fish Hatchery Road, and Cahill Main and Fish Hatchery Road; Sign C is located at the three locations identified in the addendum dated May 5, 1997. Sizes shall be at or below sizes noted in plans.

4. Water main, hydrant and Fire Dept. connection locations shall be approved by the Fire Department and Fitchburg Utility District No. 1.

5. The approval of this SIP is based on: A. Specific Implementation Plan revised date of 4-18-97. B. SIP Addendum received 5-5-97. C. Staff comments of 4-25-97 and contained in 5-6-97 meeting's staff report. Such plans and documents are a part of this rezoning request. Full size copies of the plans are on file in the Planning and Zoning Department office.

6. Construction plans for public improvements and grading are subject to specific review by the City Engineer. No comments herein contained shall be construed as approval of such plans.

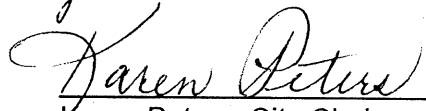
7. Applicant shall pay for cost of ordinance publication so as not to experience delay caused by two meeting process for long ordinances.

8. The location of signal communication and power equipment shall be reviewed by the Plan Commission during the architectural review for each building. The Plan Commission shall have review authority over the necessary screening for such equipment.

In accordance with Section 22.86 of the Zoning Ordinance, the owners of record of all included parcels shall indicate their consent, in writing, within 30 days of City Council action before the PDD-SIP zoning takes effect.

This ordinance shall take effect upon publication, or the required receipt of consent, whichever occurs last.

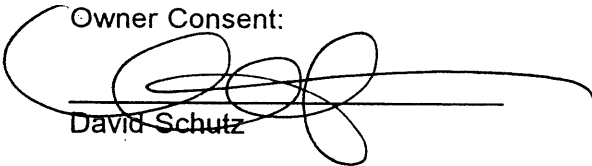
The above and foregoing ordinance was duly adopted by the Common Council of the City of Fitchburg at a regular meeting held on May 13, 1997.


Karen Peters, City Clerk *af*

Approved: 5/17/97


Douglas W. Morrissette, Mayor

Owner Consent:


David Schutz

Date: 5-16-97

Option Holder:

Not Applicable

Date: _____

Plan Commission
Initiated by

P. Delker
Drafted by

April 5, 2000
Date

ORDINANCE NO. 2000-0-16
APPROVING A SPECIFIC IMPLEMENTATION PLAN FOR PLANNED
DEVELOPMENT DISTRICT ZONING ON LOT 8, HATCHERY HILL

WHEREAS, pursuant to Fitchburg Ordinance 87-O-06, Section 9, Zoning District Maps were adopted within the corporate limits of the City of Fitchburg until expressly altered by the City Council, and

WHEREAS, a General Implementation Plan (GIP) for a Planned Development District (PDD) zoning was approved by Ordinance 96-O-12 for the Hatchery Hill Plat, and

WHEREAS, the Plan Commission has reviewed and recommended approval, with conditions, of a Specific Implementation Plan (SIP) submitted by D. Schutz for development of the "K" building on Lot 8, Hatchery Hill,

NOW, THEREFORE the Common Council of the City of Fitchburg does ordain that the Specific Implementation Plan for Lot 8, Hatchery Hill is approved with the following conditions:

1. No other permit or approval is waived or deemed satisfied except for the approval herein provided.
2. Applicant shall provide revised grading, utility and lighting plan to reflect actual situation and alterations to the "N" and "O" building sites. Staff approval of these plans is required.
3. Modifications to the site plan shall be made so as to allow sidewalk along proposed future "O" building and for proper drive entry. Staff approval of these modifications is required.
4. Signage shall be limited to on building signs only, and then in accord with the standards of the sign ordinance.


The approval of this SIP is based on submitted plans and reports received from the applicant, except as modified above, and such plans are part of this rezoning request. Full size copies of the plans are on file in the Planning and Zoning office.

In accordance with Section 22.86 of the Zoning Ordinance, the owners of record of all included parcels shall indicate their consent, in writing, within 30 days of City Council action before the PDD zoning takes effect.

This ordinance shall take effect following its publication, or the required receipt of owner's consent, whichever occurs last.

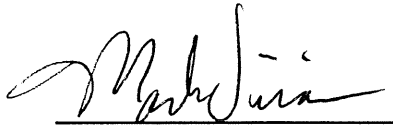
Ordinance No. 2000-0-16
Page 2 of 2

The above and foregoing ordinance was duly adopted by the Common Council of the City of Fitchburg at a regular meeting held on April 11, 2000.



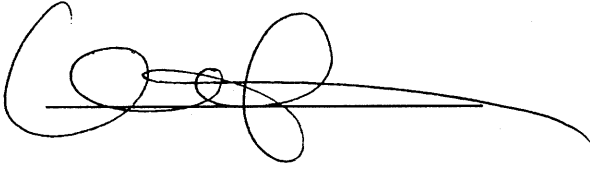
Karen Peters, City Clerk

Approved: 4-13-2000



Mark Vivian, Mayor

Owner Consent:



Date: 4/17/2000

Date: _____

PUB: 4-30-00

Plan Commission
Initiated By

Planning and Zoning
Drafted By

April 11, 2001
Date

ORDINANCE NO. 01-0-09
ZONING ORDINANCE AMENDMENT
ISSUING SPECIFIC IMPLEMENTATION PLAN FOR LOT 6 HATCHERY HILL

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, Schutz Design and Development has submitted an application (RZ-1063-01) to issue a Specific Implementation Plan (SIP) for lot 6 Hatchery Hill, which follows the granting of Planned Development District General Implementation Plan Zoning by Ordinance 96-O-12 (original request RZ-0664-96), and

WHEREAS, the Plan Commission considered the request to issue the SIP on April 17, 2001, and

WHEREAS, the Plan Commission has reviewed the application according to the standards outlined in the ordinance, and has determined the request, in conjunction with the proposed conditions, meets said criteria, and

WHEREAS, the Plan Commission has recommended approval, with conditions of issuing an SIP for lot 6 Hatchery Hill.

NOW THEREFORE the City Council of the City of Fitchburg, Dane County, Wisconsin does ordain that the PDD-SIP for lot 6 Hatchery Hill is hereby issued subject to the following conditions:

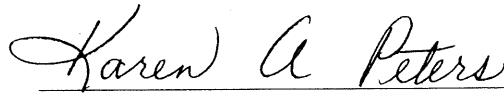
1. No other permit or approval is waived or deemed satisfied except for the approvals herein conditionally granted.
2. Approval is based on the submitted plans except as may be amended by the conditions that are placed by this action or under architectural and design review.
3. Appropriate screening for the utility boxes shall be approved by City Planning staff, and landscaping materials along the east and south sides of the building shall be approved by City staff.

4. Sixty parking stalls are hereby allowed for the proposed building, which is a modification (i.e. fewer stalls) to the 6.6 stalls per thousand square feet as required by the original GIP
5. External downspout locations to be noted on plan, and located in a manner that they are directed to a non-impervious area, where practicable.
6. Show the vision plane area of Cahill Main on the site plan.
7. Building size to no more than 12,450 square feet which is a modification to allow the building to be 450 sq ft larger than noted in GIP.
8. There may be "Hatchery Hill" identifier signage at or near the southeast corner of the building on the exposed building elevation.

In accord with section 22.93 SIP approval lapses if not put in place within one year of the date of the adoption noted below. In accordance with Section 22.86, the owners of record of all included parcels shall indicate their consent, in writing, within 30 days of City Council action, and before the PDD zoning takes effect.

This ordinance shall take effect following its publication..


The above and foregoing ordinance was duly adopted by the City Council of the City of Fitchburg, at a regular meeting held on the 24th day of April, 2001.



Karen A. Peters, City Clerk

Approved: 4-26-01

PUB 4-28-01



Mark Vivian, Mayor

Plan Commission
Initiated By

Planning and Zoning
Drafted By

July 16, 2002
Date

ORDINANCE NO. 2002-0-30
ZONING ORDINANCE AMENDMENT
AMENDING GENERAL IMPLEMENTATION PLAN AND ISSUING
SPECIFIC IMPLEMENTATION PLAN FOR LOT 7, and AMENDING SPECIFIC
IMPLEMENTATION PLAN FOR LOT 2 CSM 9918

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, Schutz Design and Development has submitted an application (RZ-1161-02) to amend the General Implementation Plan (GIP) (original request Ordinance 96-O-12 file # RZ-0664-96) and to issue a Specific Implementation Plan (SIP) for lot 7 and amend smpecific implementation plan for lot 2 CSM 9918 (RZ-0664-96 SIP 200, formerly part of lot 8 Hatchery Hill), and

WHEREAS, the proposal for lot 7 involves a two level retail building with the upper floor to be a parking garage for 42 stalls, and the amendment to lot 2 CSM 9918 involves alterations to allior patio and and related improvements to allow a Great Dane Brew Pub operation per plans dated "Revised July 10, 2002" and prepared by Sieger Architects with one set entitled "Hatchery Hill the Great Dane Restaurant" (part of the K building) and the other "Hatchery Hill Retail Blockbuster Building Shell" (N building), and

WHEREAS, the Plan Commission considered the request to amend the GIP and issue a SIP on July 2, 2002 and July 16, 2002, and

WHEREAS, the Plan Commission has reviewed the application according to the standards outlined in the ordinance, and has determined the request, in conjunction with the proposed conditions, meets said criteria, and

WHEREAS, the Plan Commission has recommended approval, with conditions, to amend the GIP and issue a SIP for lot 7 Hatchery Hill, and to amend the SIP for lot 2 CSM 9918.

NOW THEREFORE the City Council of the City of Fitchburg, Dane County, Wisconsin does ordain that the the PDD-GIP zoning as identified by Ordinance 96-O-12 be and is hereby amended, and the PDD-SIP zoning is approved to allow for a retail building as identified in the July 10, 2002 plans for the Blockbuster building shell, and it hereby approves amending PDD-SIP issued in 2000 for the K building on lot 2 CSM 9918 (formerly part of lot 8 Hatchery Hill) subject to the following conditions:

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

2. Approval is based on the submitted plans except as may be amended by the conditions that are placed by this action or under architectural and design review.
3. The Block buster building shell (lot 7 Hatchery Hill) lower level shall not contain more than 1,000 sq ft of restaurant or food service space, otherwise all uses shall be for office and general retail. The second level shall contain at least 42 parking stalls in a garage as shown on the submitted plans.
4. Appropriate screening for the utility boxes shall be approved by City Planning staff. Utility boxes shall be located behind the street facades of the building, or the screen walls.
5. Prior to receipt of any building permit, permit to start construction or land disturbing permit the following shall be addressed: (a) correct inconsistencies in the plans between what design detail indicates for wall for patio coverage, and elevation; (b) correct inconsistencies in the plans between the design detail and the elevation for the trash enclosure; (c) provide detail planter plan as referenced on sheet C1.3 of Blockbuster plans but is not present; (d) address all public work comments of 6-17-02 and 7-5-02; (e) the wall detail to enclose the outdoor seating area for the brew pub may be subject to further discussions and presented back to the Plan Commission if altered from current plans; (f) lower level of N (Blockbuster) building shall be provided with fully enclosed trash area, which may be storage area as shown on sheet C1.3 and elevation shall be amended to include storage area door; (g) show correct screen wall for K out door patio area on sheet A4.1 of Blockbuster plans—make consistent with Great Dane plans.
6. It is recognized by that the stalls for the first level parking for the Blockbuster building has stalls that are not as deep as normally required (1' less in depth for each side) and the applicant and designer shall bear design responsibility for such stalls design.
7. Landscape plan shall be amended to include canopy shade trees in the courtyard area.
8. The approved outdoor seating area for the K building is subject to further review and discussion by the Plan Commission and/or the Public Safety and Human Services Committee if noise, debris or other problems arise due to this outdoor use. Screen wall construction, regulation of outdoor amplification devices, seating capacity, or other regulations may be required if problems consistently arise. Such regulations can be implemented after review and consideration by the Plan Commission, or by Public Safety if it is alcohol related.
9. Signage shall be in accord with sign code. No freestanding signs are allowed. Signage on the grain bin is allowed as long as the grain bin is used for grain storage and dispensing. If so used, and it is connected to the building, it shall be considered as part of the structure.

Zoning Ordinance No. 2002-0-30
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This ordinance shall take effect following its publication..

The above and foregoing ordinance was duly adopted by the City Council of the City of Fitchburg, at a regular meeting held on the 23rd day of July, 2002.

Karen A. Peters
Karen A. Peters, City Clerk

Approved: 7/24/02

Mark Vivian
Mark Vivian, Mayor

Consent of the Owner:

Mortgage Holder:

David Schutz

N/A

Pub 7/27/02