

**Ordinance No. 2007-O-19  
Amending Planned Development District  
General Implementation Plan and  
Issuing Planned Development District  
Specific Implementation Plan for  
Office Building**

Return to: City Clerk  
5520 Lacy Road  
Fitchburg, WI 52711

Parcel No.: 06091610022

Legal Description: Lot 1 CSM 11658

Plan Commission  
Initiated By

Thomas D. Hovel  
Drafted By

8/21/2007  
Date

**ORDINANCE NO. 2007-O-19  
ZONING ORDINANCE AMENDMENT  
AMENDING GENERAL IMPLEMENTATION PLAN and ISSUING SPECIFIC  
IMPLEMENTATION PLAN FOR LOT 1 CSM 11658**

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 Technology Campus LLC has submitted an application (RZ-1678/79-07) to amend the Planned Development District General Implementation Plan (PDD-GIP) and to issue Planned Development District Specific Implementation Plan (PDD-SIP) for lot 1 CSM 11658 for an office building, and

WHEREAS, this proposal (RZ-1650-07) requests an office building of approximately 16,020 sq ft, and

WHEREAS, the Plan Commission considered the request to amend the PDD-GIP zoning and issue the SIP on 9/4/2007, has reviewed the application according to the standards outlined in the ordinance, and has determined that the request, in conjunction with the proposed conditions, meets said criteria, and the Plan Commission has recommended approval, with conditions.

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

**(A) PDD-GIP zoning**, originally approved by Ordinance 2002-O-26 is hereby amended in accord with the submitted plans dated 008/15/2007 and a letter of 08/06/2007 subject to the following conditions:

1. The building shall be placed in accord with the site plan, with a setback of 18'0" from Research Park Drive, approximately 25' from Sparkle Stone, approximately 88' from South Fish Hatchery Road.
2. The site shall provide for a parking ratio of 3.0 stalls per thousand square feet which is equal to 48.06 stalls, say 48 stalls. Applicant is allowed to land bank a maximum of 13 stalls of the total required 48 stalls; however, the City Zoning Administrator reserves the right to at any time request construction of the extra 13 stalls, so that the total minimum required stalls is provided.
4. Applicants shall provide for the City approval, and then execute and record, a storm water maintenance agreement for the infiltration basins and any private storm water facilities.

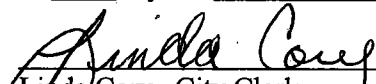
**(B) PDD-SIP zoning** is granted for lot 1 CSM 11658 for a general office building subject to:

1. No other permit or approval is waived or deemed satisfied except for the approvals herein conditionally granted.
2. If the roof top mechanical units are conspicuous to an adjoining or nearby property from their dwelling or building, and such conspicuous nature is agreed to by the City Zoning Administrator, then the owner of this building shall take measures, approved by the Plan Commission, to screen the roof top mechanical units.

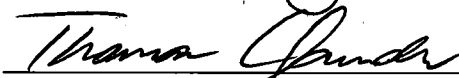
**(C)** This approval shall not take effect, in accord with section 22.92 of the zoning code, the owner shall consent within 30 days of the date of adoption for the PDD-GIP and PDD-SIP zoning to take effect.

**(D)** Applicant shall pay cost of publication to avoid a two Council meeting approval process.

The above and foregoing ordinance was duly adopted by the Common Council of the City of Fitchburg, at a regular meeting held on the 9<sup>th</sup> day of October, 2007.

  
Linda Cory, City Clerk

Approved: November 15, 07

  
Thomas Clauder, Mayor

STATE OF WISCONSIN)ss.

COUNTY OF DANE

Personally came before me this 15th day of November, 2007, the above named Linda Cory, 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.

Diane Mancusi  
Notary Public, State of Wisconsin

Printed Name of Notary Public Diane Mancusi  
My Commission Expires: 6/22/08



**Consent of the Property Owner**

Bob Hill Date: 11/19/07  
Home Casual Realty, LLC

Personally came before me this 19th day of November, 2007, the above named Peter D. Hill to me known to be Member + Controller, of Home Casual Realty, LLC and the person who executed the foregoing instrument and acknowledged the same.

Teresa Mueller  
Notary Public, State of Wisconsin

Printed Name of Notary Public Teresa Mueller  
My Commission Expires: is permanent

**Consent of Mortgage Holder:**

Stanley D. Koopman Sr. V.P.  
Evergreen State Bank Date: 11/16/07  
Mortgage Holder

Personally came before me this 16th day of November, 2007, the above named Stanley D. Koopmans to me known to be the Sr. Vice President of Evergreen State Bank and the person who executed the foregoing instrument and acknowledged the same.

Wendy Entwistle  
Notary Public, State of Wisconsin

Printed Name of Notary Public Wendy Entwistle  
My Commission Expires: 3/29/2009

# Capital Newspapers Proof of Publication Affidavit

Ad #: 1107508 Price: \$103.93 Ad ID: ORD 078-O-19

Retain this portion for your records.

Please do not remit payment until you receive your advertising invoice.

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FITCHBURG, CITY OF  
Linda CORY  
5520 LACY ROAD  
FITCHBURG, WI 53711

Plan Commission  
Initiated By  
Thomas D. Hovel  
Drafted By  
8/21/07  
Date

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/s/ Linda Cory, City Clerk  
/s/ Thomas Clauder, Mayor  
PUB. WSJ: November 29, 2007  
(#1107508) WMAXLP

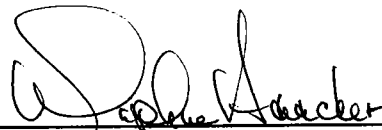
**Daphne Haacker**

being duly sworn, doth depose and say that he (she) is an authorized representative of Capital Newspapers, publishers of

**Wisconsin State Journal**

a newspaper, at Madison, the seat of government of said State, and that an advertisement of which the annexed is a true copy, taken from said paper, was published therein on November 29th, 2007

(Signed)

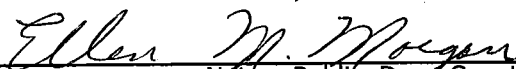


(Title)

Principal Clerk

Subscribed and sworn to before me on

November 29, 2007



Notary Public, Dane County, Wisconsin

My Commission expires May 24th, 2009

