



## CITY OF FITCHBURG

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Planning Department

5520 Lacy Road  
Fitchburg, WI 53711-5318

Phone: (608) 270-4256 ■ Fax: (608) 270-4275

[www.fitchburgwi.gov](http://www.fitchburgwi.gov)

### Nine Springs, Article 3 Amendment #12 – Conditions of Approval August 14, 2025

1. No other permit or approval is waived or deemed satisfied except for the approval herein provided.
2. City approval of this Article 3 Civic Spaces does not indicate approval of any lands as publicly dedicated. Acceptance of lands will be determined at final plat review by the Parks Commission and Council.
3. City approval of this Article 3 Off-Street Bike Paths does not indicate these paths will be accepted as public. Acceptance of lands will be determined at final plat review by the Parks Commission and Council.
4. In TOD, T5 requires 20-60% other-than-residential-uses retail ready. Because this Article 3 did not locate other-than-residential-uses/retail ready, staff will coordinate with land owners and developers adequate other-than-residential-uses as Article 5 applications are submitted.
5. Administrative Approval #17, widening ST-60-34 by 5-feet to allow a 10-foot multiuse path subject to Council approval of the proposed SmartCode amending ordinance.
6. Administrative Approval #18, replacing individual tree wells with a continuous planter subject to Council approval of the proposed SmartCode amending ordinance.
7. Per 3.9.1.e., staff will expect terminated vistas as Article 5 applications are brought forward because this was not considered as part of this Article 3.
8. Approval is based on Article 3 plan set dated July 3, 2025, with minor amendments received August 13, 2025, and with associated Administrative Approvals dated July 3, 2025.
9. Approval is for specific amendments represented in this Article 3 Plan. Prior approvals and conditions remain in effect for areas and items not modified by this amendment.



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

# SMARTCODE

## NEW COMMUNITY REGULATING PLAN APPLICATION (ARTICLE 3)

**1. Location of Property:**

**Street Address:** Central Park Place

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

**Parcel Numbers:** 060911187802, 060911180000, 060911197902, 060912291013, 060912286001, 060902498702, 060901392201

**2. Community Unit Type (mark all that apply):**  CLD or  TND or  TOD

**3. Applicant shall submit one or more maps, explanatory text and statistical information describing the following for each Community Unit in the Regulating Plan area:**

- 1. Transect zones & allocations
- 2. Density calculations (anticipated)
- 3. Civic zones
- 4. Thoroughfare network (include thoroughfare types and block sizes)
- 5. Special Districts, if any
- 6. Special Requirements, if any
- 7. All requests for Administrative Waivers, if any
- 8. All requests for Administrative Approvals, if any



**\*\*\* Also submit all mapping in either CADD or GIS files**

**4. Aerial photo of existing site**

**Current Owner(s) of Property:** No Oaks Ranch LLC

**Address:** PO BOX 888, LONGMONT CO 80502-0888 **Phone No.:** \_\_\_\_\_

**Contact Person:** MSA Attn: Brad Vowels-Katter **E-mail:** bvowels-katter@msa-ps.com

**Address:** 1702 Pankratz St, Madison, WI 53704 **Phone No.:** +1 (608) 579-9908

**Respectfully Submitted By:** \_\_\_\_\_ **Date:** 03.14.2025

Owner's or Authorized Agent's Signature

\*(If multiple owners, application shall include statement of consent by all property owners)

**PLEASE NOTE** – Applicants shall be responsible for legal or outside consultant costs incurred by the City. It is the responsibility of the owner/applicant to insure compliance with all local and state requirements.

\*Application shall be accompanied by one (1) PDF document of complete submittal, one (1) full-size set of plans, two (2) reduced sets of plans (11" x 17"), and the required CADD or GIS files for mapping.

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**FOR CITY USE ONLY**

**Date Received:** \_\_\_\_\_ **Permit Request No.:** \_\_\_\_\_

**Comments:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



July 03, 2025

Deanna Schmidt  
City of Fitchburg  
5520 Lacy Road  
Fitchburg, WI 53711

RE: Nine Springs Article 3 Amendment 12 Submittal

Dear Deanna,

Attached is Amendment #12 to the Regulating Plan for Nine Springs (Uptown) Neighborhood, specifically for lands owned by No Oaks Ranch, LLC (parcels #: 060911187802, 060911180000, 060912286001, 060911197902, 060912291013, and 060901392201), as well as parcels #060912285012 and #060901393312 owned by the adjacent landowner. This amendment is necessary to allow for efficient and functional development of lands owned by No Oaks Ranch, LLC, including providing storm water management for lands with the development.

Notable updates to the concept within the amendment area include:

- **Urbanized Areas:** The proposed Amendment 12 reduces the urbanized area by 3.6 acres compared to Amendment 10.
- **Storm Water and Civic Spaces:** The amendment area will include three infiltration and four detention basins to meet the City's storm water management requirements. To accommodate this change, civic space #6 and #8 in the current plan have been replaced by a conservancy. The revised block and road layout has also modified remaining civic spaces, providing an increase in total civic spaces by 2.2 acres in the amendment.
- **Revised layout for the northwest quadrant:** A revision is necessary in this area to resolve an already improved intersection along Clayton Road that does not match the existing regulating plan. While making this change, it was determined this area of the neighborhood could provide a finer grained residential section of varying lot sizes. Another change in this amendment removes the road connection through the existing drainageway. Instead, the design offers a visual connection and pedestrian connection between the two sides of the drainageway.
- **Thoroughfares:**
  - The updated concept provides an alteration of Street 60-foot right-of way in the northeast area of the TOD (between Blocks 54/55 and 52/53), using thoroughfare type ST-60-34.
    - The street will provide a unique design feature within the urban grid connecting the two civic spaces that exist at each terminus of this roadway. To provide a bicycle route between these two civic spaces, we are requesting approval to include shared bike facilities within the thoroughfare right-of-way.

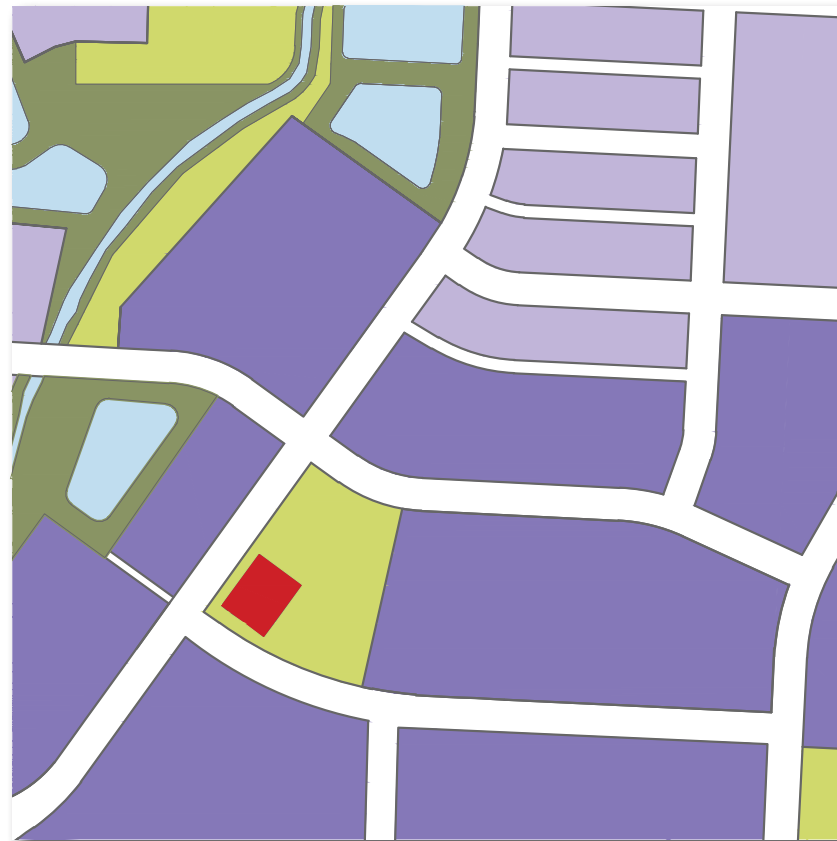
- This design strategy aligns with recommendation 3.7.1.d, prioritizing pedestrian comfort in more urban transects (T3 through T5).
- The concept additionally proposes two one-way thoroughfares within the T4 areas (adjacent to Blocks 53-54 and 55-56). The one-way streets are one block in length, with two-way streets on all adjacent blocks. The placement of the two-way streets was determined based on urban design best practices, identifying areas where two-way streets are unnecessary. Considering that residents will predominantly access their lots using the alleys, the one-way streets would be most frequently used by visitors. This strategy aims to reduce the roadway surface area, thereby lowering maintenance needs and allowing for greater development opportunities.
- **Impact on neighboring lots to the east (Parcels: #060912285012 and #060901393312):**  
The current regulating plan includes alleyways and a primary north-south road that crosses property ownership, creating odd transitions through platting and phased construction. The following changes are included in this Amendment 12:
  - Alleyways are contained within lots of single property ownership, revising the blocks abutting the different owners with front-loaded driveways. This change aims to facilitate better phasing and smoother development flexibility.
  - The north-south thoroughfare next to lots 37, 50, and 51 has been moved east, allowing for phased construction by property owners without hindering safe and connected roadways at each stage of development (with the unknown of the adjacent landowner's interest to development now or into the future).
  - In the northeast section of the project, lots 60 and 61 have been reconfigured to accommodate stormwater management in space C3 and to improve traffic flow.
  - Revised Blocks 37, 50, 58 and 61 to accommodate some of the changes described in this memo, including establishing a playground location not identified in previous amendments (near Block 58).
  - In total, the change to this neighboring property includes: 8.58 acres of T5 (reduction of 1.25 acres), 5.9 acres of T4 (increase by 0.11 acres), 4.17 acres of T3 (increase by 0.06 acres), 11.72 acres of civic space (increase by 3.9 acres) and 6.85 acres of right-of-way (reduction by 2.61 acres). Total decrease of urbanized area is 1.29 acres within these two parcels.

Newly requested administrative approvals and waivers to note:

- **Administrative Approval 12:** Conservancy is allowed in T1, T2, and T3 with a minimum required size of 8 acres. Civic Space #2 conserves woodlands and therefore needs to be a conservancy despite being 6 acres and in a T4 transect.
  - We are requesting administrative approval #12 to allow conservancy space #2 to be below 8 acres and in T4.
- **Administrative Approval 13:** Conservancy is allowed in T1, T2, and T3 with a minimum required size of 8 acres. Civic Space #4 conserves the existing wetland and trees and therefore needs to be a conservancy despite being 4.1 acres and in a T4 transect.



- We are requesting administrative approval #13 to allow conservancy space #4 to be below 8 acres and in T4.
- **Administrative Approval 14:** Conservancy is allowed in T1, T2, and T3 with a minimum required size of 8 acres. Civic Space #6 conserves the existing wetland and therefore needs to be a conservancy despite being 2.8 acres and in a T5 transect.
  - We are requesting administrative approval #14 to allow conservancy space #6 to be below 8 acres and in T5.
- **Administrative Approval 15:** Conservancy is allowed in T1, T2, and T3 with a minimum required size of 8 acres. Civic Space #8 is best used as a conservancy that connects to conservancy #2 despite being 1.7 acres and in a T5 transect.
  - We are requesting administrative approval #15 to allow conservancy space #8 to be below 8 acres and in T5.
- **Administrative Approval 16:** Conservancy is allowed in T1, T2, and T3 with a minimum required size of 8 acres. Civic Space #10 is best used as a despite being 1.4 acres and in a T4 transect.
  - We are requesting administrative approval #16 to allow conservancy space #10 to be below 8 acres and in T4.
- **Administrative Approval 17:** Currently ST-60-34 does not allow for multi-use path. Being a key connection between two open spaces, we request to widen ST-60-34 by 5' to allow a 10' multi-use path on one side.
  - We are requesting administrative approval #17 to widen ST-60-34 by 5' to allow a 10' multi-use path on one side.
- **Administrative Approval 18:** Currently ST-45-22 requires tree wells & grates which is not typically approved by Public Works in low-traffic areas. This street section is needed to maintain block depth.
  - We are requesting administrative approval #18 to allow continuous planter on ST-45-22 in residential areas.



NINE SPRINGS  
FITCHBURG, WISCONSIN

SMARTCODE - ARTICLE 3 APPLICATION  
MARCH 16, 2011

**AMENDMENT 12 - JUNE 30, 2025**

Original & revision  
prepared by:



Amendment 10 prepared by:

**vierbicher**  
planners | engineers | advisors



Amendment 12 prepared by:

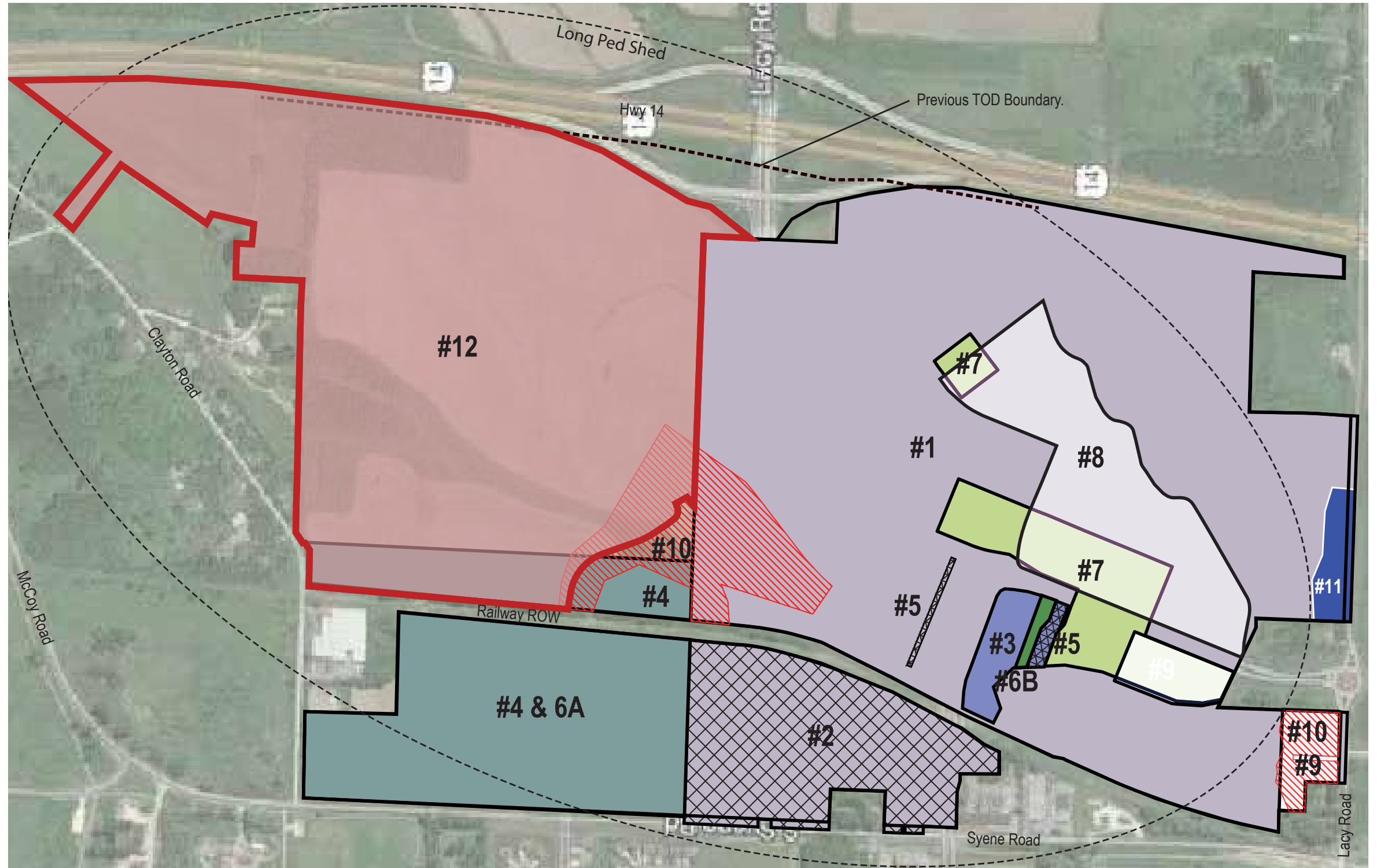


### 3.3.3 TRANSIT ORIENTED DEVELOPMENT (TOD)

- a. A Transit Oriented Development (TOD) shall be permitted within the G-3 Intended Growth Sector and the G-4 Infill Growth Sector.
- b. A TOD within the G-3 Intended Growth Sector shall be structured by one Long Pedestrian Shed or Linear Pedestrian Shed and shall consist of no fewer than 80 acres and no more than 640 acres.
- c. A TOD shall include Transect Zones as allocated on Table 2a and Table 3.
- d. For larger sites, a TOD may be adjoined without buffer by one or more TNDs, each subject to the individual Transect Zone requirements for TND as allocated on Table 2a and Table 3. The simultaneous planning of adjacent parcels is encouraged.
- e. Any TOD on an existing or projected Transit network is permitted the higher Density represented by the Effective Parking allowance in Section 5.9.2d.

Neighborhood Area = 376.0 acres

- #0 Amendment Number
- Current Amendment Area
- Amendment Area #1
- ▨ Amendment Area #2
- Amendment Area #3
- Amendment Area #4
- ▨ Amendment Area #5
- ▨ Amendment Area #6A
- Amendment Area #6B
- Amendment Area #7
- Amendment Area #8
- Amendment Area #9
- ▨ Amendment Area #10
- Amendment Area #11
- Amendment Area #12
- TOD Boundary



### 3.4 TRANSECT ZONES

3.4.1 Transect Zones shall be assigned and mapped on each New Community Regulating Plan according to the percentages allocated on Tables 2a and 3.

Tables 2 & 9 Requirements for TOD:

T-zone	T3	T4	T5	SD1	SD2	Total
Acres	4.2	41.7	97.4	40.7	10.4	194.5*
Required	20% max.	20-50%	40-60%	30% max.		
Provided	2.1%	21.5%	50.1%	26.3%	100%	

\* net site area

3.4.3 Transect zones shall, to the extent practical, be designed so that the same Transect zone designation is on opposite sides of a primary thoroughfare. Where this is not practicable, such arrangement shall be limited to no more than 15% of the respective Transect zone block perimeter, unless a greater level is allowed by Administrative Waiver.

\* Administrative Waiver #1 (prior approval) for SD1 across from T5 along Lacy Road. More of this area is now matching.

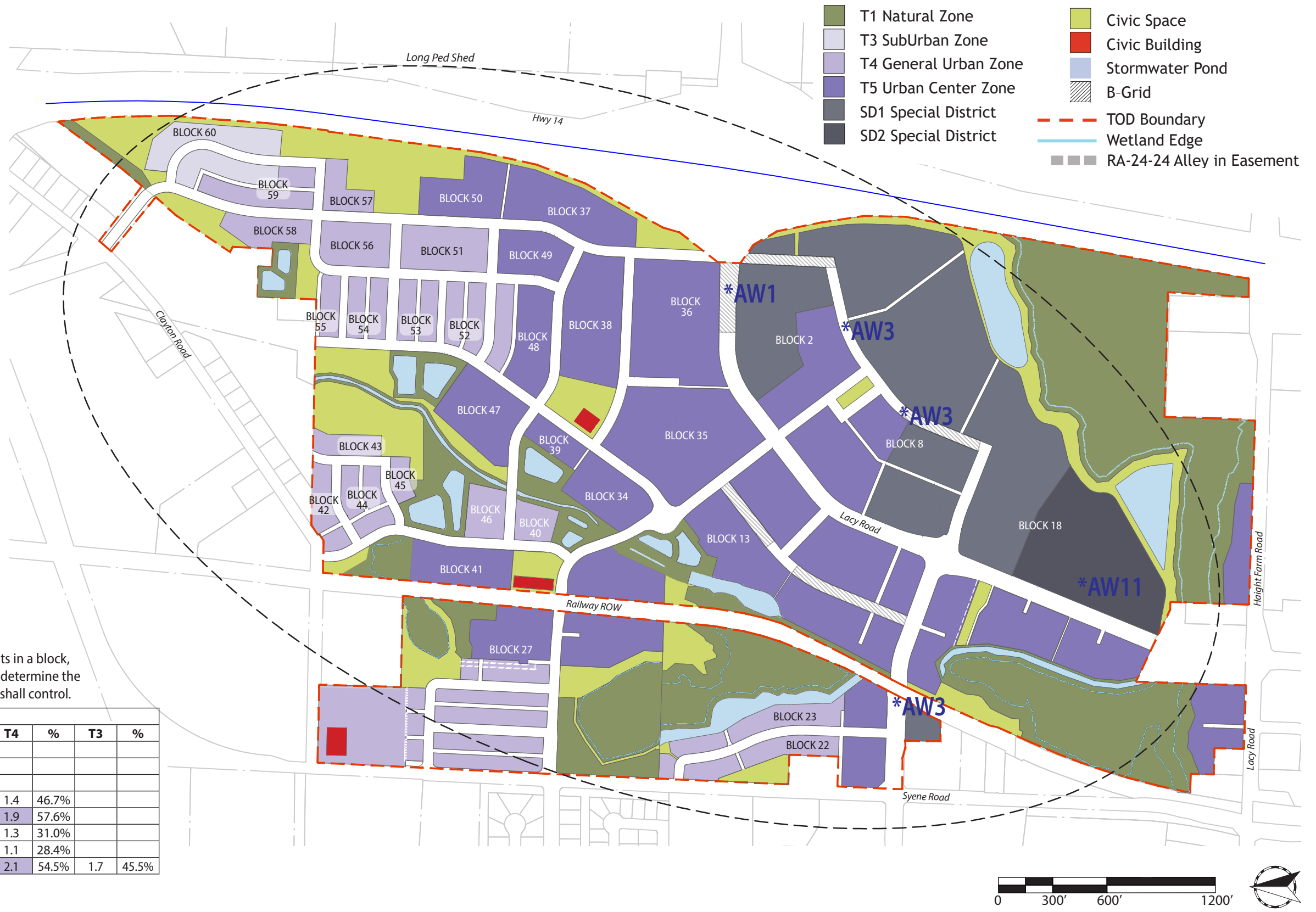
\* Administrative Waiver #3 (prior approval) for SD1 across from T5 along Greenmarket Place and Cheryl Parkway.

\* Administrative Waiver #11 (prior approval) for SD2 across from T5 along Lacy Road.

T-zone	Frontage	Unmatched	%
SD2	4,488	899	20.0%
SD1	12,858	1,533	11.9%
T5	43,278	4,194	9.7%
T4	29,059	1,096	3.8%
T3	1,985	-	0.0%

3.4.5 Where more than one type of Transect Zone of T3, T4, or T5 exists in a block, the Transect Zone with the greatest area in the block shall be used to determine the maximum block perimeter. If equal, the lower Transect Zone number shall control.

Block #	Total Area	SD2	%	SD	%	T5	%	T4	%	T3	%
2	10.7			6.5	60.7%	4.2	39.3%				
8	4.2			2.6	61.9%	1.6	38.1%				
18	20.2	10.4	51.5%	9.8	48.5%						
22	3					1.6	53.3%	1.4	46.7%		
23	3.3					1.4	42.4%	1.9	57.6%		
27	4.2					2.9	69.0%	1.3	31.0%		
48	3.9					2.8	71.6%	1.1	28.4%		
59	3.8							2.1	54.5%	1.7	45.5%



### 3.5 CIVIC ZONES

#### 3.5.1 General

**d.** A Civic Zone(s) shall not occupy more than 20% of a Pedestrian Shed, otherwise it is subject to the creation of a Special District. No single Civic Space exceeds 1.16% of the Pedestrian Shed.

**f.** All Civic Spaces to be dedicated to the City shall be acceptable to the City through recommendation from the Parks Commission and approved by the Common Council, through the land division process of Chapter 24.

#### 3.5.3 Civic Space (CS) Specific to T3-T5 Zones

**a.** Each Community Unit shall assign at least 5% of its Urbanized area to Civic Space.

see **3.5.3f** on page 5 for calculation.

**b.** Civic Spaces shall be designed as generally described in Table 8, approved by Administrative Approval, and distributed throughout Transect Zones as described in Table 2e.

See page 5 for details.

#13: Conservancy – 1.33 acres – Table 8 specifies that Conservancy should be a minimum of 8 acres.

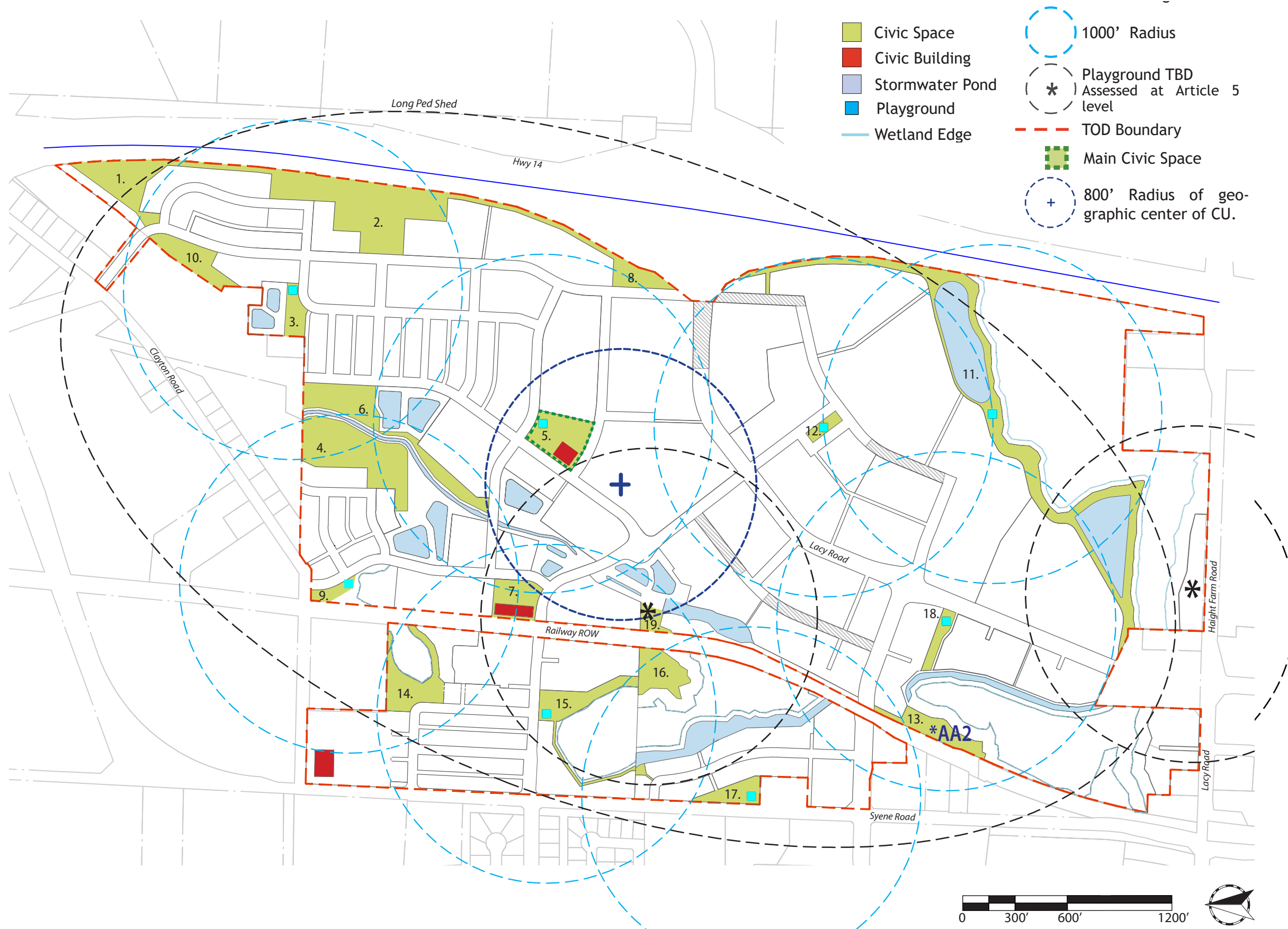
*\* Admin Approval #2 (prior approval) as per 3.5.3.b.*

**d.** Each Community Unit shall contain at least one Main Civic Space located within 800 feet of the geographic center of each Community Unit, unless a greater distance is approved by Administrative Waiver. A Main Civic Space shall conform to one of the types specified in Table 8d – 8f.

#5 meets the requirement for the Main Civic Space for the Community Unit.

**e.** Within 1,000 feet of every Lot in Residential use, a Civic Space designed and equipped as a playground shall be provided. A playground shall conform to Table 8g.

**Playground Locations shall be more closely assessed at the Article 5 level.**



3.5.3 f. Each Civic Space shall provide frontage of its perimeter on a thoroughfare in accord with the following:

i. Types 8c – 8f used to meet the minimum 5% required Civic Space under 3.5.3(a) shall provide a minimum of 50%;

TABLE 5-A PRIMARY CIVIC SPACE PERIMETER			
CS	Area (acres)	Permitted Area (Acres)	Thoroughfare Perimeter %
2. Conservancy *AA12	6.0	8min.	57%
5. Square + Playground	2.0	.25 - 2	72%
7. Plaza*	1.4	.5 - 5	51%
*Space #7 is designated for interim use as a community garden.			
9. Playground	0.4	n/a	50%
12. Plaza	0.4	.25 - 2	100%
Total	10.1		
Urbanized Area	194.5		
Civic Area	5.2%		

ii. Types 8c – 8f shall provide a minimum of 20% when in addition to the minimum Civic Space;

TABLE 5-B SECONDARY CIVIC SPACE PERIMETER			
CS	Acres	Permitted Area	Thoroughfare Perimeter %
1. Green	2.7	.5-8	44%
3. Playground	0.7	n/a	21%
4. Conservancy *AA13	4.1	8 min.	3%
6. Conservancy *AA14	2.8	8 min.	17%
8. Conservancy *AA15	1.7	8min.	60%
10. Conservancy *AA16	1.4	8min.	31%
11. Green *AW4	7.4	.5-8	17%
13. Conservancy *AA2	1.3	8 min.	2%
14. Green	1.9	.5-8	10%
15. Neighborhood Park *AA8	1.7	4-5	6%
16. Conservancy *AA5	1.4	8 min.	0%
17. Playground	0.9	n/a	35%
18. Playground	0.6	n/a	9%
19. Conservancy	0.6	8 min.	2%

NOTE 1: Hwy. 14 is counted as a Thoroughfare perimeter for Civic Space 1, 2, and 11. The rationale is the visibility of the space is greatly enhanced by the frontage, and thus increases the use by the entire community. This was previously approved in the March 16 application.

g. Neighborhood Parks, as identified in Tables 8b & 8c, may be permitted in Transect Zone T5 by Administrative Approval.

TABLE 5-C NEIGHBORHOOD PARK			
CS	Acres	Permitted Area	Thoroughfare Perimeter %
15. Neighborhood Park	1.7	4-5	6%

TABLE 5-D ALL CIVIC SPACES				
Number	Type	T-zone	Table 8 T-zones	Area (acres)
1	Green	T4	T3, T4, SD	2.7
2*	Conservancy	T5	T1, T2, T3	6.0

\*Administrative Approval #12 (requesting), for conservancy in T4, and area below 8 acres.

3	Playground	T5	all	0.7
4*	Conservancy	T4	T1, T2, T3	4.1

\*Administrative Approval #13 (requesting), for conservancy in T4, and area below 8 acres.

5	Square + Playground	T5	T5	2.0
6*	Conservancy	T5	T1, T2, T3	2.8

\*Administrative Approval #14 (requesting), for conservancy in T5, and area below 8 acres.

7	Plaza	T5	T5, SD1	1.4
8*	Conservancy	T5	T1, T2, T3	1.7

\*Administrative Approval #15 (requesting), for conservancy in T5, and area below 8 acres.

9	Playground	T1	all	0.4
10*	Conservancy	T4	T1, T2, T3	1.4

\*Administrative Approval #16 (requesting), for conservancy in T4, and area below 8 acres.

11*	Green	SD	T3, T4	7.4
* Administrative Waiver #4 (prior approval), thoroughfare perimeter.				

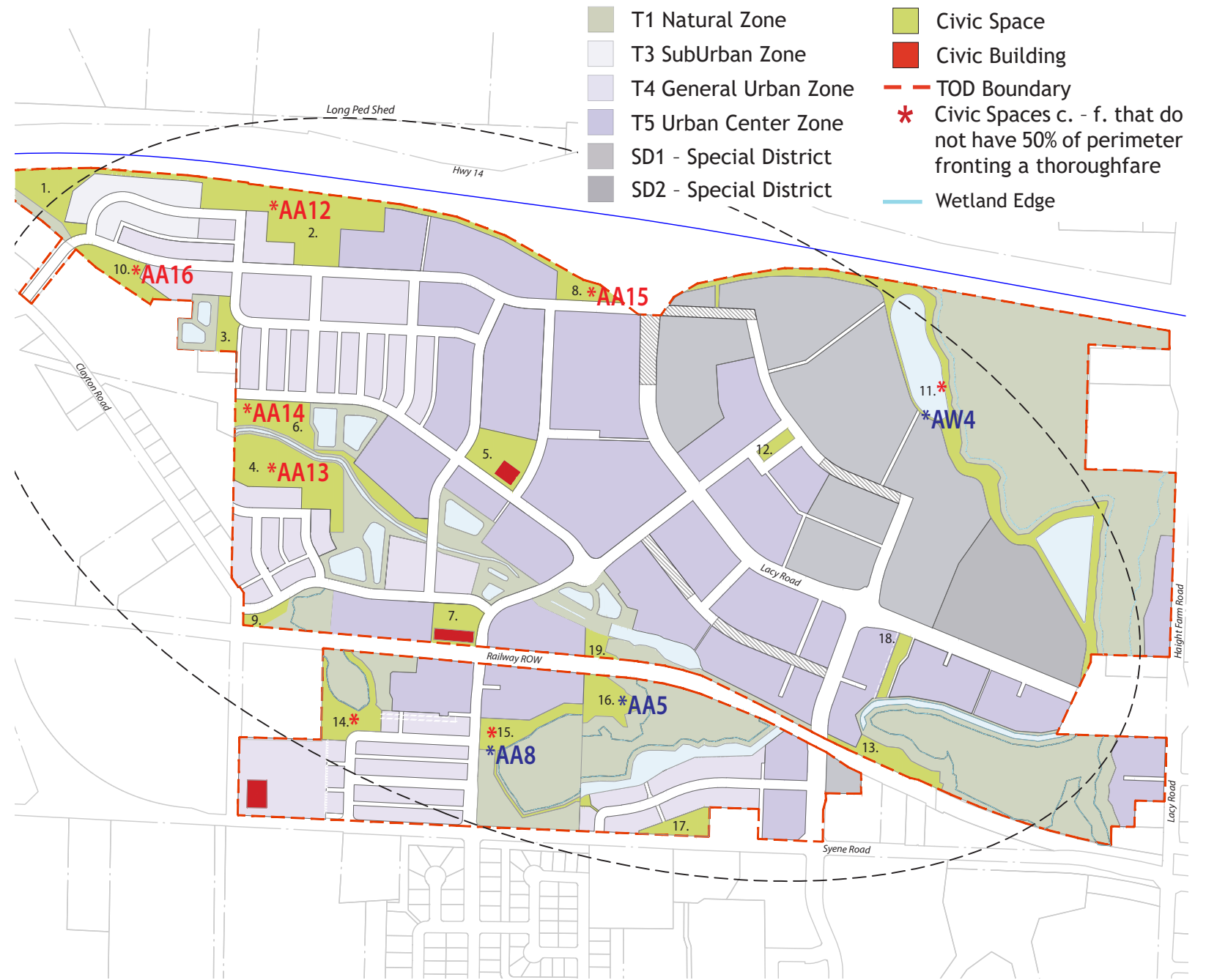
12	Plaza	SD	T5, SD1	0.4
13*	Conservancy	T1	T1, T2, T3	1.3

* Administrative Approval #2 (prior approval)				
14	Green	T4	T3, T4, SD	1.9
15*	Neighborhood Park	T5	T1, T2, T3, T4	1.7

* Administrative Approval #8 (prior approval) for Neighborhood Park in T5				
16*	Conservancy	T1	T1, T2, T3	1.4

* Administrative Approval #5 (prior approval) per 3.5.3.b.				
17	Playground	T4	all	0.9
18	Playground	T5	all	0.6

perimeter is 1,375 ft.. – 61% of which is T1				
19	Conservancy	T1	T1, T2, T3	0.6



**Total Civic / Park Space** 39.3 acres  
**Urbanized acres** 194.5  
**Urbanized area % Civic/Park** 20.2%  
**Urbanized area % Civic** 5.2%



**3.5.4 Civic Buildings (CB) Specific to T3-T5 Zones**

**a.** The applicant shall covenant to construct a Meeting Hall or a Third Place within one block of the Main Civic Space of each Community Unit. Its corresponding Public Frontage should be equipped with a shelter and bench for a transit stop.

#1. Meeting Hall or Third Place

**b.** One Civic Building Lot shall be reserved for an elementary school. It shall be reserved up to five (5) years after the date of Common Council acceptance of public improvements for the phase in which it is located for the construction of a neighborhood school. After this period of time the developer, if unused may sell it. The school site may be within any Transect Zone except T1.

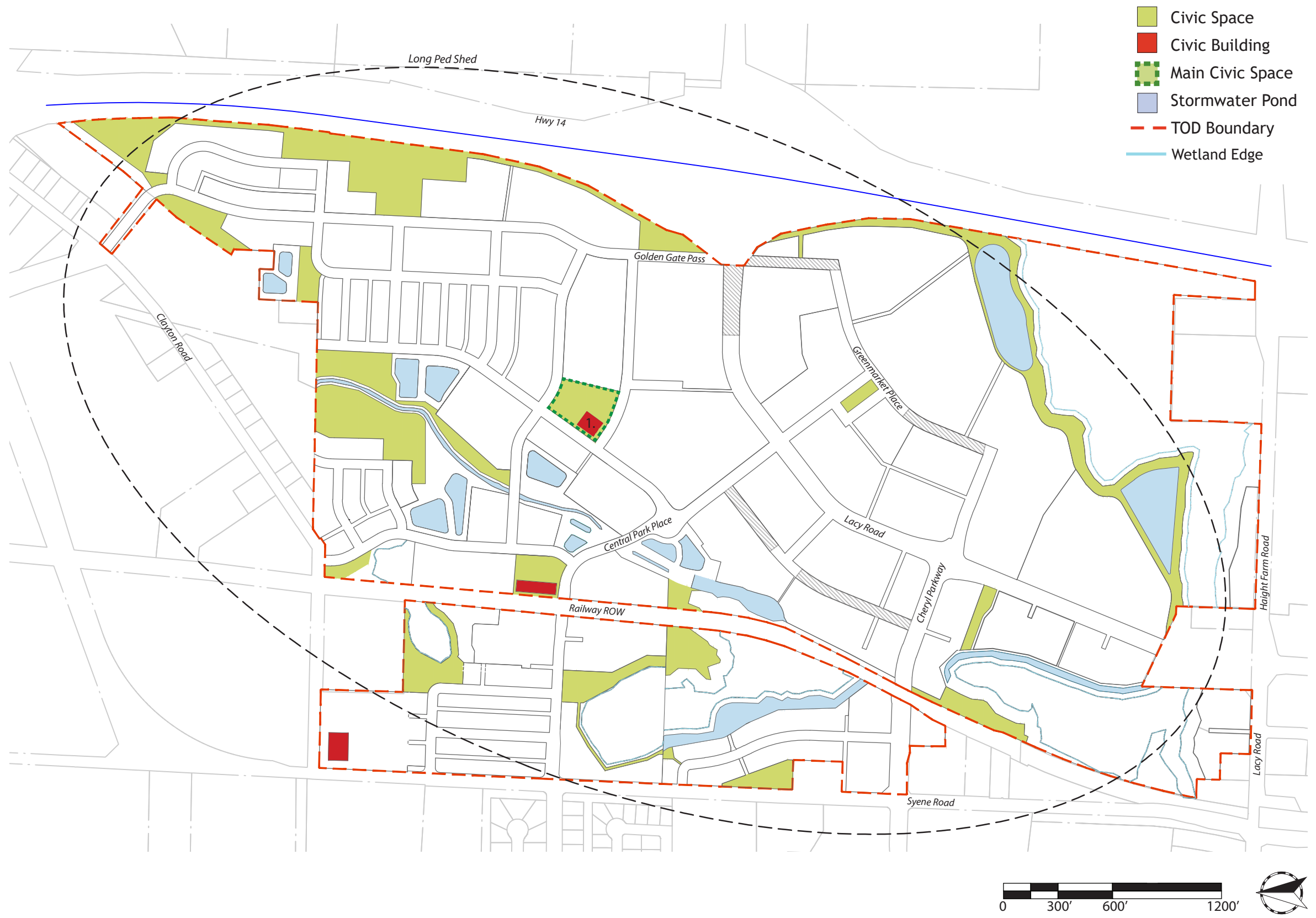
*\*Administrative Waiver (rezoning) for 3.5.4.b. (prior approval)*

**c.** Civic Building sites should not occupy more than 20% of the area of each Pedestrian Shed.

Civic Building sites total 8.1 acres or 4.1% of the Net Site Area.

**d.** Civic Building sites should be located within or adjacent to a Civic Space, or at the axial termination of a significant Thoroughfare.

All Civic Building sites are located within or adjacent to a Civic Space. The future train station is a deflected vista from westbound Ninebark.





### 3.4 TRANSECT ZONES

3.4.5 Where more than one type of Transect Zone of T3, T4, or T5 exists in a block, the Transect Zone with the greatest area in the block shall be used to determine the maximum block perimeter. If equal, the lower Transect Zone number shall control.

### 3.7 THOROUGHFARE STANDARDS

#### 3.7.1 General

e. The Thoroughfare network shall be designed to define Blocks not exceeding the size prescribed in Table 2c. ...Block perimeter at the edge of the development parcel shall be subject to approval by Administrative Approval. Block perimeters may be reduced by Passages not more than 20% of each Transect Zone.

Transect Zone	Maximum Perimeter
T3	2400 feet max
T4	2300 feet max
T5	2050 feet max*
SD1	3000 feet max
SD2	4600 feet max

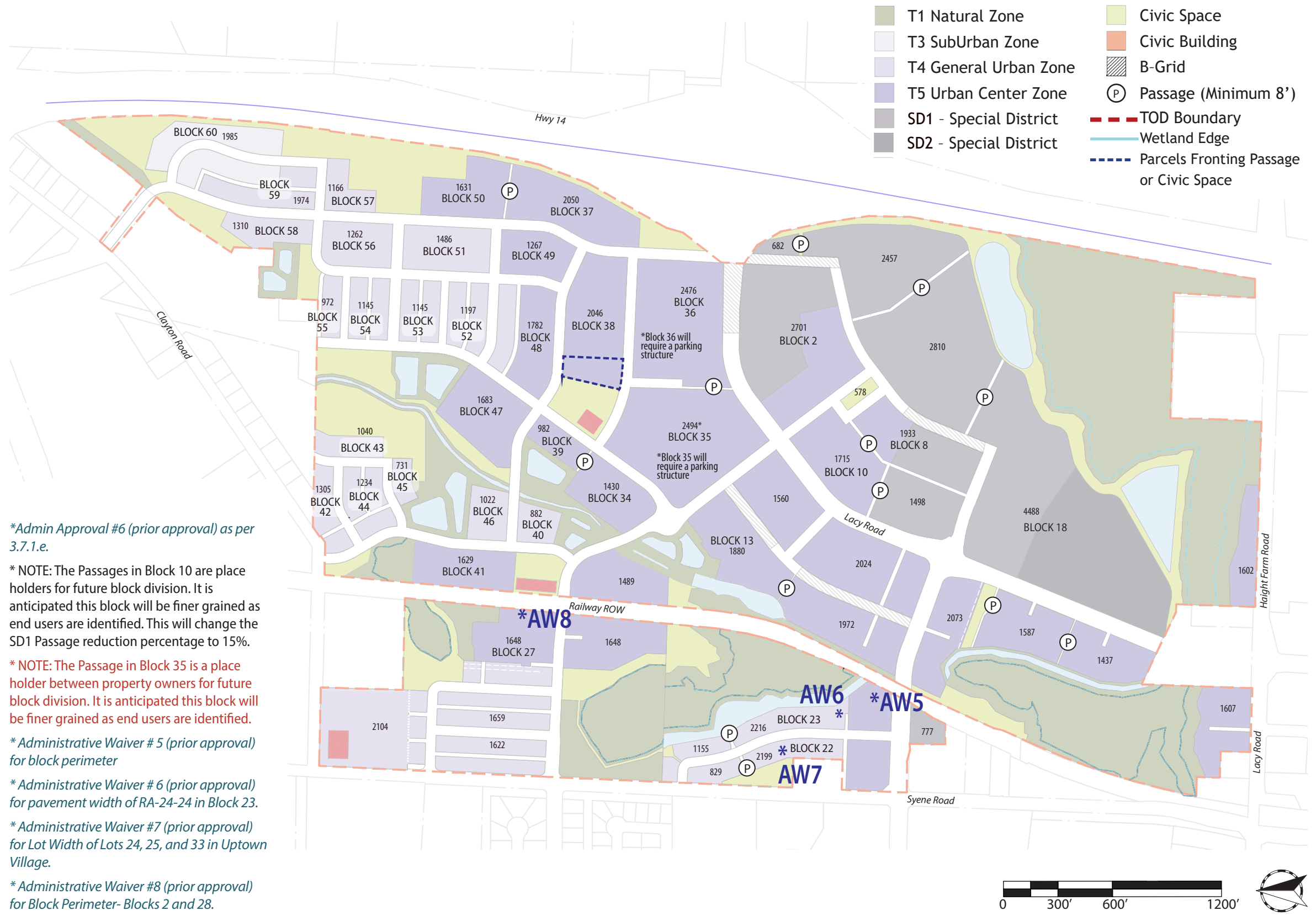
\*2500 feet max with parking structures

Block #	T3	T4	T5	SD1	SD2	Perimeter Max.
2			4.2	6.5		3000
8			1.6	2.6		3000
18				9.8	10.4	4600
22		1.4	1.6			2050
23		1.9	1.4			2300
27		1.3	2.9			2050
48		1.1	2.8			2050
59	1.7	2.1				2300

g. Each Lot shall Enfront a vehicular Thoroughfare, except that 20% of the Lots within each Transect Zone may Enfront a Passage or a Civic Space.

T-Zone	Area	Area of Lots not facing Thoroughfare	Percentage
T5	97.4	1.2	1.2%

T-Zone	Block Perimeter	Perimeter Reduced by Passage	Percentage
T4	29,059	384	1.3%
T5	43,278	4,082	9.4%
SD1	12,858	3,980	31.0%



\*Admin Approval #6 (prior approval) as per 3.7.1.e.

\* NOTE: The Passages in Block 10 are place holders for future block division. It is anticipated this block will be finer grained as end users are identified. This will change the SD1 Passage reduction percentage to 15%.

\* NOTE: The Passage in Block 35 is a place holder between property owners for future block division. It is anticipated this block will be finer grained as end users are identified.

\* Administrative Waiver # 5 (prior approval) for block perimeter

\* Administrative Waiver # 6 (prior approval) for pavement width of RA-24-24 in Block 23.

\* Administrative Waiver #7 (prior approval) for Lot Width of Lots 24, 25, and 33 in Uptown Village.

\* Administrative Waiver #8 (prior approval) for Block Perimeter- Blocks 2 and 28.

### 3.8 DENSITY CALCULATIONS

3.8.1 The Net Site Area shall be allocated to the various Transect Zones according to the parameters specified in Table 2a.

See page 3.

3.8.2 Base Residential Density shall be expressed in terms of housing units per acre as specified for the area of each Transect Zone by Table 2-B.

	Area	DUA net Table 2b		Dwelling Units	
		ac.	min	max	min
T3	4.2	3	8	13	33
T4	41.7	6	14.4	250	601
T5	97.4	12	n/a	1169	n/a
SD1	40.7	n/a	12	n/a	488
SD2	10.4	0	0	0	0
<b>Total</b>				<b>1432</b>	<b>1965+</b>

3.8.3 The housing and other Uses for each Transect Zone shall be subject to further adjustment at the building scale as limited by Table 19, Table 20 and Section 5.9.

