

**Planned Development District Specific Implementation  
Plan for Lots 1 and 2 Cinque Terre**

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Legal Description: Lots 1 and 2 Cinque Terre

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

PIN

06091015001  
06091027502

Plan Commission  
Initiated by

Thomas D. Hovel  
Drafted by

September 5, 2006  
Date

**ORDINANCE NO. 2006-O-21  
ISSUING PLANNED DEVELOPMENT DISTRICT  
SPECIFIC IMPLEMENTATION PLAN (PDD-SIP)  
FOR LOTS 1 and 2 CINQUE TERRE**

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-1599-06) for

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single family home sites on lots 1 and 2 Cinque Terre to be accomplished as a condominium project each lot, and.

WHEREAS, the Plan Commission reviewed the application on September 5, 2006, 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 2 and 3 Cinque Terre.

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 1 and 2 Cinque Terre.**

1. The approval is based on the following information as submitted, except as such information may be amended by the conditions imposed herein:
  - A. Combined Report for Individual Specific Implementation Plans For lots 1 and 2 Cinque Terre dated August 21, 2006 and prepared by Mayo Corp.
  - B. Sheet LS1 corrected and dated 8/21/06.
  - C. Table 1 revised and last dated 8/29/2006.
2. No other permit or approval is waived or deemed satisfied except for the approvals herein conditionally granted.
3. The Specific Implementation Plan (SIP) zoning shall not take effect until the improvements for the Cinque Terre plat have been accepted by the City.
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. Original park dedication provided allowed 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-O0-09). This development proposes 10 dwelling units which lowers the remaining total to 256 dwelling units. 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 originally 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; this development proposes 10 dwelling units which reduces the available accounting against future units to 260.
7. Park Improvement fee for the project shall be for 10 single family dwelling units which would be \$4,500 in the 2006 fee. If the fee is not paid in 2006, then the fee shall be adjusted for the year in which it is paid based on the fee schedule in effect for that year. The fee shall be paid prior to the recording of this PDD-SIP document.
8. Required public improvements may be able to be installed under the current subdivision improvement agreement. The PDD-SIP agreement shall be signed and park fees paid prior to undertaking the required public improvements.
9. Unit 3 of lot 1 Cinque Terre shall not be constructed until a street connection from the east to outlot 1 Cinque Terre is completed to specifications as delineated by the Public Works Department.

**Section B: Administrative Measures.**

10. 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.
11. Applicant shall pay cost of publication to avoid a two council meeting approval process.
12. Applicant shall assure that the requirements of the supplied documents and any conditions imposed hereon are properly are carried through to the declarations or other restrictions and documents that are to be recorded regarding this property so as to provide proper notification to any potential buyers, builders, realtor, developers and the like.

The above and foregoing ordinance was duly adopted by the City Council of the City of Fitchburg, at a regular meeting held on the 12th day of September, 2006.

Ruth M Becker  
Ruth M. Becker, City Clerk

Approved: 09-14-06

Thomas Clauder  
Thomas Clauder, Mayor

STATE OF WISCONSIN)ss.  
COUNTY OF DANE

Personally came before me this 14th day of September, 2006, the above named Ruth M. 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

Tanya O'Malley  
Printed notary name

Notary Public, State of Wisconsin

My Commission Expires: March 28, 2010

**Consent of the Property Owner**

Alpha Carina  
Alpha Carina

Date: Sept 22, 2006

STATE OF WISCONSIN)ss.  
COUNTY OF DANE

Personally came before me this 22<sup>nd</sup> day of September, 2006, the above named William A Linton to me known to be the President of Alpha Carina and the person who executed the foregoing instrument and acknowledged the same.

Diana B Frank  
Notary Public, State of Wisconsin

Diana B Frank  
Printed notary name

My Commission Expires: 4/15/07

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**Mortgage Holder**

*Kirt C. Soukup*  
Kirt C. Soukup, Vice President

Date: October 9, 2006

STATE OF WISCONSIN)ss.  
COUNTY OF DANE

Personally came before me this 9 day of October, 2006, the  
above named Kirt C. Soukup to me known to be the Vice-President and  
the person who executed the foregoing instrument and acknowledged the same.

*Jennifer Krumwiede*  
Notary Public, State of Wisconsin

Jennifer Krumwiede  
Printed notary name

My Commission Expires: May 24, 2009

