



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

LAND DIVISION APPLICATION

The undersigned owner, or owner's authorized agent, of property herein described hereby submits ten (10) copies of the attached maps, one (1) copy no larger than 11" x 17", and one (1) pdf document of the complete submittal (planning@fitchburgwi.gov) for approval under the rules and requirements of the Fitchburg Land Division Ordinance.

- 1. Type of Action Requested:**
- Certified Survey Map Approval
 - Preliminary Plat Approval
 - Final Plat Approval
 - Replat
 - Comprehensive Development Plan Approval

- 2. Proposed Land Use** (Check all that Apply):
- Single Family Residential
 - Two-Family Residential
 - Multi-Family Residential
 - Commercial/Industrial

3. No. of Parcels Proposed: Unchanged

4. No. Of Buildable Lots Proposed: Unchanged

5. Zoning District: B-H (Highway Business)

6. Current Owner of Property: Tim Neitzel

Address: 5301 Voges Road, Madison, WI 53718 **Phone No:** (608) 257-2600

7. Contact Person: Tim Neitzel, MMI Inc.

Email: Jreff@airtemperature.com

Address: 5301 Voges Road, Madison, WI 53718 **Phone No:** (608) 257-2600

8. Submission of legal description in electronic format (MS Word or plain text) by email to: planning@fitchburgwi.gov

Pursuant to Section 24-2 (4) of the Fitchburg Land Division Ordinance, all Land Divisions shall be consistent with the currently adopted City of Fitchburg Comprehensive Plan.

Respectfully Submitted By: _____

Owner's or Authorized Agent's Signature Print Owner's or Authorized Agent's Name

PLEASE NOTE - Applicants shall be responsible for legal or outside consultant costs incurred by the City. Submissions shall be made at least four (4) weeks prior to desired plan commission meeting.

For City Use Only: **Date Received:** _____

Ordinance Section No. _____ **Fee Paid:** _____

Permit Request No. _____

Orchard Pointe
Comprehensive Development Plan
Amendment Thirteen

Prepared for:
Tim Neitzel

JSD Professional Services
161 Horizon Drive, Suite 101
Verona, WI

Project 17-7957

Submitted: 23 May 2017

INTRODUCTION AND CHRONOLOGY

The Orchard Pointe Comprehensive Development Plan (CDP) was adopted by the City of Fitchburg in April 2006 after extensive public review and discussion. The CDP established the framework for the commercial development of approximately 120 acres located in the southwest quadrant of the McKee Road x Verona Road intersection.

The Plan addressed various development issues and established parameters for land use, zoning, public improvement, architectural character, traffic circulation, stormwater management and open space preservation.

During the course of discussion on the CDP, the City and the property owners recognized that the scope of development in this area would need to be dynamic and responsive to market changes, consumer expectations and regulatory goals. To meet its intended purpose as the framework for managing the development within Orchard Pointe, it was generally accepted that reasonable amendments to the CDP would be necessary.

This proposal is the thirteenth amendment of the CDP and focusses on Lot 8 of the Orchard Point Plat (this is the development area surrounding Gold's Gym and is located just east of Hardrock Road.

Orchard Pointe Chronology

2002 through 2006	General Planning
April 2006	Orchard Pointe Comprehensive Development Plan approved.
July 2006	Rezoning of Orchard Pointe approved (Ord # 2006-O-17 and Ord # 2006-O-18)
September	Super Target Store site plan and land division approved
January 2007	CDP Amendment One – Relating to lands east of Fitchrona Road, the re-alignment of Hardrock Road (Orchard Point II Preliminary Plat), and the Rezoning of McKee Road frontage east from Fitchrona Road (Ord # 2007-O-05)
January 2008	CDP Amendment Two – Relating to uses and open space for Phase One of the Shoppes at Orchard Pointe
July 2008	CDP Amendment Three – Relating to uses and open space for Phase Two of the Shoppes at Orchard Pointe
September 2008	CDP Amendment Four – Relating to the gross floor area permitted on Lot 1 of CSM 11969 (UW Credit Union)
December 2008	CDP Amendment Five – Relating to the uses and development of The Shoppes at Orchard Pointe (Lot 3) and amendment of the land uses allowed on Lot 8

October 2009	CDP Amendment Six – Relating to the uses and development of Lots 3, 4, 6, and 8
March 2011	CDP Amendment Seven – Relating to zoning and conditional uses on Lot 6 and revising the site plan pertaining to Lots 3, 4, and 6
July 2011-March 2012	CDP Amendment Eight – Relating to changing the land use on Lot 1 from restaurant to a bank with drive-thru lanes and specialty retail center uses. This proposed amendment was denied by the City Plan Commission in order to maintain the opportunity for a restaurant use to be developed.
Fall 2011	CDP Amendment Nine – Relating to developing the Hy-Vee Grocery Store on Lot 5
Fall 2012-April 2013	CDP Amendment Ten – Relating to revising the permitted use on Lot 1 to allow Specialty Retail Center in place of the single restaurant use restriction.
July 2013	CDP Amendment Eleven. Relating to increasing permitted residential densities to enable the development of an apartment complex on Lot 14
January 2016	CDP Amendment Twelve – Relating to revising the uses permitted on Lot 9 to allow the development of the Staybridge Suites Hotel

DESCRIPTION

The development on Lot 8 is structured as a commercial condominium. Amendment Thirteen proposes to expand the type and size of the permitted uses on Lot 8 to include:

- A Fast Food Restaurant with a Drive-thru lane. This is proposed to be a 1,500 square foot Freshii Restaurant on a 15,500 square foot “outlot” located north of the Pet Supplies store site. The development will include 23 parking stalls, bike racks, an outdoor patio, and a drive-thru pickup lane, and
- An Increase in the gross floor area for Medium Format Retail space to an aggregate total of 33,750 Square Feet. This will allow for the future buildout of the vacant area between the Gold’s Gym building and the Pet Supplies building with up to 25,000 square feet of retail space.

Zoning

The Restaurant and Drive-thru use will require approval of a Conditional Use Permit under the current B-H Highway Business zoning district.

Stormwater Management.

No additional stormwater management facilities are required since this site is already impervious area that has been accounted for in the design and function of the existing stormwater basin located east of Lot 8.

Traffic Impact

The projected trip generation for the existing and proposed land uses within boundary of the subarea of Orchard Pointe that was analyzed by Strand Associates in 2006 have been updated using the ITE Trip Generation Manual, 9th Edition. This area includes Orchard Pointe Lots 6, 7, and 8. The independent variables for calculating trip generation was the approved/proposed gross floor area of each use category. Based on the analysis methodology applied for the traffic analysis in CDP Amendment 9 and previous studies, a 5% reduction in the projected total and projected PM Peak Trips was applied to reflect use of alternate travel modes (bicycling, mass transit, ride-share) and linked trips (to multiple destinations within the sub-area – going to Gold’s Gym and to the Freshii Restaurant in the same “trip” from home or work).

This trip generation analysis indicates that the addition of the fast-food restaurant and the potential future addition of 25,000 SF of retail space are projected to generate that is less than the “Cap” of 742 PM Peak Trips established for this sub area of the Orchard Pointe development. The projected traffic is not expected to produce any noticeable impact to traffic operations on the adjoining street network.

Parking

There are 404 existing parking stalls on Lot 8. Of these, 79 stalls are allocated to support the high-turn restaurant use (Buffalo Wild Wings) on the adjoining Lot 7. The proposed restaurant location will eliminate 38 stalls. The remaining 287 stalls are more than sufficient to minimum parking demand for existing and projected future retail uses on the lot as well as the health club (total of 78,750 square feet at 3.3 stalls per 1000 square feet, plus 9 stalls for the restaurant use, yields a minimum parking requirement of 269 stalls.

TABLE 1 Reformatted

Orchard Pointe Development Parameters

Comparison of Approved Comprehensive Development Plan and Proposed Amendment THIRTEEN

Current Approved CDP (including Amendments 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12)

Original CDP Reference	Final Plat Lot	Amendment History (Initial CDP unless noted)	Building Site	Area (acres)	Zoning	ITE Code (Note 1)	Approved and Built Approved Site Plan Subject to CUP &/or Site Plan Approval	FAR Range	Req'd Open-space on-site	Projected Gross Floor Area (GFA)	Rate/1000 GFA	Parking Spaces	Projected Traffic (1)					Stand Projection (Note 2)	Net Difference versus Stand Projection
													Projection Unit	Avg Daily Traffic Rate (per 1000 GFA, Lanes or Units)	Average Weekday Traffic (ADT)	PM Peak Rate/1000 GFA, Lanes or Units	PM Peak Trips (Raw Trips)		
Development Area																			
20.32 Commercial 0.25 - 0.28 20% 211,340 951 11,621 965 1042 (77)																			
CSM 11969-1	Amend 5	1.50 B-G	912 Bank w/ 4 drive-thru lanes	5,500	4	4.5	25 Lanes	411.17	1,645	51.08	204								
OP-1	Amend 10	1.51 B-G	814 Specialty Retail	13,290	4	4.5	60 1000 GFA	44.32	589	2.71	36								
OP-2		2.11 B-G/CUP	814 Specialty Retail Center (small shops & restaurant uses)	18,000	4	4.5	81 1000 GFA	44.32	798	2.71	49								
CSM 11969-3		15.20 B-H/CUP	813 Large Scale Discount Store w/ Grocery	174,550	4	4.5	786 1000 GFA	49.21	8,590	3.87	676								
200																			
10.53 Commercial 0.15 - 0.25 35% 117,925 544 10,976 1,047 594 463																			
Neitzel		1.66 B-G	914 Specialty Retail Center (small shops)	17,000	1	3.3	56 1000 GFA	44.32	753	2.71	46								
OP-3	Amend 4.6	710	Second Floor Office (future) (see note 4)	12,500	1	3.3	41 1000 GFA												
OP-4	Amend 4.6	0.75 B-G	914 Fast Food with Drive-thru	3,000	1	15.0	45 1000 GFA	496.12	1,488	34.64	104								
Peterson		8.12 B-H	Supermarket	85,425	1	4.7	401 1000 GFA	102.24	8,734	10.50	897								
300																			
11.95 Commercial 0.25 - 0.28 20% 88,000 386 2,739 218 228 (10)																			
Wingra		862	Home Improvement Store	80,000	4	4.5	360 1000 GFA	29.80	2,384	2.45	196								
OP-12		814	Specialty Retail Center (small shops)	8,000	3	3.3	26 1000 GFA	44.32	355	2.71	22								
400																			
3.78 Mixed Use Commercial-Office-Residential 0.25 - 0.30 20% 27,400 151 1,093 96 227 (131)																			
Wingra		3.78 B-G	814 Specialty Retail Center (small shops)	6,200	3	3.3	20 1000 GFA	44.32	275	2.71	17								
OP-10		710	General Office	16,000	3	3.3	53 1000 GFA	11.01	176	1.49	24								
		831	Quality Restaurant	5,200	15.0	78	1000 GFA	89.95	468	7.49	38								
		B-G	220 26 Upper Story Dwelling Units	26	=		Units	6.72	175	0.82	16								
600																			
2.13 Commercial 0.05 - 0.06 20% 3,800 13 2,804 199 385 (186)																			
Wingra		2.13 B-H	851 Convenience Market (No Fuel)	3,800	3	3.3	13 1000 GFA	737.99	2,804	62.41	199								
OP-13																			
700																			
3.74 Mixed Use Commercial-Warehousing 0.25 - 0.45 20% 30,000 60 445 38 75 (37)																			
Wingra		3.74 B-H	814 Specialty Retail Center (small shops)	6,000	3	3.3	20 1000 GFA	44.32	266	2.71	16								
OP-11		710	General Office	10,000	3	3.3	33 1000 GFA	11.01	110	1.49	15								
		B-H	150 Warehousing	14,000	0.5	7	1000 GFA	4.96	89	0.47	7								
800,000																			
13.52 Commercial 0.25 - 0.28 35% 131,275 664 7,911 718 742 (24)																			
Neitzel		2.80 B-G	934 Coffee Shop w/ drive-thru	1,750	10.0	18	1000 GFA	496.12	868	34.64	61								
OP-7		B-G	932 High-Turn Restaurant	6,500	15.0	98	1000 GFA	127.15	626	10.92	71								
		B-G	814 Specialty Retail Center (small shops)	7,425	3.3	25	1000 GFA	44.32	329	2.71	20								
		B-G	932 High-Turn Restaurant/Specialty Retail	4,500	15.0	68	1000 GFA	127.15	572	10.92	49								
		B-G	814 Specialty Retail Center (small shops)	7,290	3.3	24	1000 GFA	44.32	319	2.71	20								
OP-8 (Comm. Condo)	Amend 3, 4, 6	8.32 B-H/CUP	854 Med Format Retail Store	22,250	4	4.0	89 1000 GFA	45.04	1,126	3.83	85								
	Amend 3	B-H	854 Med Format Retail Store	8,750	4.0	35	1000 GFA	45.04	394	3.83	34								
		B-H	492 Health/Fitness Club - 2 story	45,000	4.0	180	1000 GFA	32.93	1,482	4.06	161								
OP-6	Amend 6	2.40 B-H/CUP	854 Discount Grocery	17,000	5.5	94	1000 GFA	96.82	1,646	8.90	151								
	Amend 7	B-H/CUP	814 Tire Store with 19 service bays	10,900	10	3.3	36 1000 GFA	24.87	348	4.15	45								
1000																			
5.20 Mixed Use Commercial-Warehousing 0.25 - 0.28 35% 51,000 84 431 53 46 8																			
Sara Investment		5.20 B-H	814 Specialty Retail Center (small shops)	6,000	3	3.3	20 1000 GFA	44.32	266	2.71	16								
Nesbitt Hts 8.9		B-H	710 General Office	15,000	3	3.3	50 1000 GFA	11.01	165	1.49	22								
		B-H	150 Warehousing	30,000	0.5	15	1000 GFA	4.96	89	0.47	14								
1100																			
5.30 Commercial 0.20 - 0.25 35% 40,000 191 2,020 143 41 102																			
Wingra		5.30 B-H	814 Specialty Retail Center (small shops)	30,000	3	3.3	99 1000 GFA	44.32	1,330	2.71	81								
OP 10317-1		B-H	710 General Office	15,000	3	3.3	17 1000 GFA	11.01	55	1.49	7								
		B-H	932 High-Turn Restaurant Expansion Area	5,000	15.0	75	1000 GFA	127.15	636	10.92	55								
1200																			
4.11 Apartments 0.40 - 0.50 35% 82 158 551 51 N1 51																			
Peterson		4.11 B-G	220 Apartments	82	=	158	Units	6.72	551	0.62	51								
OP-14	Amend 11																		
2003																			
2.59 Lodging 0.50 - 1.00 20% 100 100 466 38 N1 38																			
Wingra		2.59 B-G	311 Lodging	100	1	100	rooms	4.90	466	0.40	38								
OP-9	Amend 12																		

Open Space Parcels	
OP OL 3	2.20 P-R Private Open Space
OP OL 4	4.28 P-R Private Open Space
OP OL 7	0.25 Private Open Space
Environmental Corridor	
OP OL 1	1.52 P-R Public Parkland
OP OL 2	1.17 P-R Public Parkland
OP OL 6	0.13 P-R Public Parkland
Environmental Corridor	
OP OL 5	3.82 P-R Stormwater Management
Public Street Rights of Way	
	Total
	0.28 McKee Road
	8.64 Fichrona Road
	0.48 Nesbitt Road
	1.13 Limestone Lane
	1.66 Hardrock Road

Summary CDP	Acres	Total Projected Gross Floor Area	Total Projected Average Daily Traffic (Raw Trips)	Total Projected PM Peak Trips (Raw Trips) Projection	2006 Stand Projection	Net Difference
Commercial Area	97.54	700,922 SF	41,058	3,565	3,379	186
Street Rights of Way	12.19					
Total	109.73					

Notes:

- Trip Generation 7th Edition, Institute of Traffic Engineers
- From Stand Associates TIA and March 6, 2006 correspondence
Projected trips from the former parcel 500 were added to parcel 300
- In Amendment One, "Apartment Store" classification has been used to project traffic for Medium Format Retail Store when use is unknown.
- Resolution R-34-07 Specified 7,000 SF of Second Floor Office Space
- Unless specific tenants are known, the parking ratio for Specialty Retail calculated at 4.5/1000 GFA to account for restaurant uses.
- Site Plan approval added additional spaces for anticipated restaurant uses in C.D.P. Retail Center Buildings
- Sub area 800 and 900 updated with ITE 9th Edition info

Developed/Planned Use Mix		
Large Format Retail	1	174,550 #REF!
Med. Format Retail	3	113,150 #REF!
Specialty Retail & Small Restaurant	16	#REF! #REF!
Stand-alone Restaurant	3	23,490 #REF!
Discount Super Market	2	102,425 #REF!
Health Club	1	45,000 #REF!
General Office	8	58,500 #REF!
Banks/Credit Union	1	5,500 #REF!
Warehousing	1	44,000 #REF!
Dwelling Units	40	#REF!
Gross Floor Area		

Orchard Pointe Development Parameters

Proposed Amendment THIRTEEN (traffic cap per approved amendment 9)

The proposed amendments are highlighted

Prelim Plat Lot	Building Site	Area (acres)	Zoning	ITE Code (Note 1)	Use	FAR Range	Req'd Open-space On-site	Projected Gross Floor Area (GFA)	Rate/1000 GFA	Projected Parking Spaces	Projected Traffic (1) (G)					Cap Peak Trip Projection (Note 2)	Net Difference versus Cap
											Projection Unit	Avg Daily Traffic Rate (per 1000 GFA, Lanes or Units)	Average Weekday Traffic (ADT)	PM Peak Rate/1000 GFA, Lanes or Units	PM Peak Trips (Raw Trips)		
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Calculated FAR based on site plans 0.24																	
CSM 11969-1	UWCU	1.50 B-G	912 Credit Union w/ 4 drive-thru lanes	5,500	4	4.5	25 Lanes	411.17	1,645	51.08	204						
OP-1	Retail Center	1.51 B-G	814 Specialty Retail	13,290	4	4.5	60 1000 GFA	44.32	589	2.71	36						
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CSM 11969-3	Target Store	15.20 B-H/CUP	813 Large Scale Discount Store w/ Grocery	174,550	4	4.5	786 1000 GFA	49.21	8,590	3.87	676						
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10.53 Commercial 0.15 - 0.25 35% 117,925 544 10,976 1,047 594 463																	
Calculated FAR based on site plans 0.26																	
Neitzel		1.66 B-G	814 Specialty Retail Center (small shops)	17,000	1	3.3	56 1000 GFA	44.32	753	2.71	46						
OP-3		710	Second Floor Office (future)	12,500	1	3.3	41 1000 GFA										
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OP-10		710	General Office	16,000	3	3.3	53 1000 GFA	11.01	176	1.49	24						
		B-G	931 Quality Restaurant	5,200	15.0	78	1000 GFA	89.95	468	7.49	38						
		B-G	220 26 Upper Story Dwelling Units	26	=		Units	6.72	175	0.82	16						
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Wingra		2.13 B-H	851 Convenience Market (No Fuel)	3,800	3	3.3	13 1000 GFA	737.99	2,804	62.41	199						
OP-13																	
700																	
3.74 Mixed Use Commercial-Warehousing 0.25 - 0.45 20% 30,000 60 445 38 75 (37)																	
Wingra		3.74 B-H	814 Specialty Retail Center (small shops)	6,000	3												

