

**Planned Development District
Granting General Implementation Plan
Zoning for the Olive Tree Condos GIP in
Section 06, T6N, R9E, City of Fitchburg,
Dane County, Wisconsin**

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

Parcel No's: 225/0709-363-9330-3
225/0709-363-9400-8

Legal Description:

Parcel A:

A parcel of land lying in and being a part of the South $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 36, Township 7 North, Range 9 East, in the Town of Madison, Dane County, Wisconsin, and described more fully as follows: Beginning at a point (iron stake) which is 364 feet South of an iron stake (which is a point on the North line of the above mentioned South $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$, and 1382 feet West of the Northeast corner thereof); thence South 99 feet to an iron stake; thence West parallel to said North line 435.5 feet to an iron stake at public highway; thence North $14^{\circ}15'$ East along said public highway, 101.8 feet to an iron stake; thence East parallel to said North line 408.6 feet to the point of beginning.

Parcel B:

Part of the South $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 36, Township 7 North, Range 9 East, in the Town of Madison, Dane County, Wisconsin, and which is more fully described as follows: Beginning 1379.5 feet West of the Northeast corner of said South $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ (said point previously being described as West 1382.0 feet); thence South $1^{\circ}26'$ West, 652.0 feet to the South line of Section 36, said point being the Southeast corner of parcel described in Volume 509, on page 407 of Deeds, Dane County Registry; thence West along center line of a 50.0 foot road, 110.0 feet to the point of beginning of this description, said point also being the Southwest corner of parcel described in Volume 516, on page 38 of Deeds, Dane County Registry; thence continue West along said center line of 50.0 foot road, 377.0 feet more or less to intersect center line public highway; thence North $14^{\circ}15'$ East along center line said public highway, 197.7 feet; thence East parallel to the South line of Town Road, 325.5 feet

more or less to the Northwest corner of parcel described in Volume 516, on Page 38, of Deeds, Dane County Registry; thence Southerly along West line of above mentioned parcel, 164.0 feet to the North line of 50.0 foot road; thence continue Southerly on said West line, 25.0 feet to the center line of highway and the point of beginning; EXCEPTING THEREFROM those lands conveyed to the Town of Madison in Quit Claim Deed recorded in Volume 593 of Deeds, Page 254 as Document No. 851999

Mayor Arata-Fratta
Introduced by

Planning
Prepared by

Plan Commission
Referred to

February 18 & March 18, 2025
Date

ORDINANCE NO. 2025-O-05
ZONING ORDINANCE AMENDMENT
GRANTING GENERAL IMPLEMENTATION PLAN ZONING
FOR THE OLIVE TREE CONDOS GIP

WHEREAS, pursuant to Fitchburg Ordinance No. 87-0-06, Section 16, Zoning District Maps were adopted within the corporate limits of the City of Fitchburg until expressly altered by the City Council, and

WHEREAS, Ayesha Liaqat, Agent for Hoopoe Holdings LLC, has submitted an application (RZ-2583-25) to rezone property from R-L (Low Density Residential) to PDD-GIP (Planned Development District - General Implementation Plan) zoning to allow for a commercial development along McKee Road, more fully described in the legal description above, and

WHEREAS, the Plan Commission has reviewed, after public hearing of February 18, 2025, as well as reviewed again on March 18, 2025, the application in accord with ordinance standards and recommends approval of RZ-2583-25,

NOW THEREFORE the City Council of the City of Fitchburg, Dane County, Wisconsin does ordain as follows:

- (A) PDD-GIP zoning is hereby granted for the properties more fully described in the legal description above, in accord with submitted plans and information, which accompanied the rezoning application submitted on January 20, 2025, with revised materials submitted on February 7, 2025, and further revised on March 7, 2025. The documents referred to above are hereby made a part of this ordinance, and with the following additional requirements:
1. No other permit or approval is waived or deemed satisfied except for the approval provided herein.
 2. Standards of the PDD-GIP Ordinance are specified in greater detail in the Olive Tree Condos General Implementation Plan and shall include:
 - a. Total Units: 20 residential units
 - b. Permitted Uses: Attached condominium units
 - i. Accessory Occupancies: Generally consistent with accessory standards of Chapter 22, and to be finalized during SIP

- ii. No Conditional Uses
- c. Building Height: 28 feet maximum
- d. Maximum Impervious Surface Ratio: 55%
- e. Minimum Open Space: 45%
- f. Setbacks from property lines:
 - i. Rimrock Property Line: 10 feet
 - ii. Maloney Property Line: 10 feet
 - iii. Rear and side: 6 feet minimum
 - iv. Attached single-family buildings shall maintain a minimum of 10 feet of separation between buildings
- 3. Upon approval by Plan Commission and Council, the applicant shall provide the original signed and notarized PDD-GIP document to the city within 30 days of the date of Council adoption for recordation.
- 4. A Subdivision Improvement Agreement is required prior to signing the CSM. The CSM and Subdivision Improvement Agreement shall be recorded prior to any building permits.
- 5. Installation of public improvements need to substantially complete prior to the release of full building permits. See city ordinances, Sec. 24-14, for early start permit requirements.
- 6. The plans for this development shall be submitted to Dane County for review and comment. Dane County's requirements for the land division and the constructions plans shall be addressed.
- 7. Maloney will be reconstructed as an urban section. A waiver of assessment shall be executed for the street improvements prior to the city signing the CSM.
- 8. Water impact fees shall be paid for each lot at the time of building permit issuance.
- 9. The developer shall provide a designated US Post Office location for Centralized Mode of Delivery.
- 10. An Erosion Control & Stormwater Management permit is required.
- 11. A stormwater maintenance agreement (recorded with at the Dane County Register of Deeds) is required. Note that stormwater is discharged to the City of Madison storm infrastructure. Stormwater management plans shall be submitted to the City of Madison for review and approval.
- 12. Private street names shall be approved by the Zoning Administrator.
- 13. Signage shall conform to the requirements of the City's Chapter 26 sign ordinance.
- 14. Applicant's responsibility to satisfy all Public Works and Fire Department requirements.

(B) This ordinance shall take effect following its publication, the consent of the property owner, or the recording of a plat, whichever occurs last. However, in accord with section 22-596 of the zoning code, owners shall consent within 30 days of approval for the PDD-GIP zoning to be in effect.

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

The above and foregoing ordinance was duly adopted by the City Council of the City of Fitchburg, at a regular meeting held on the 8th of April, 2025.

Tracy Oldenburg, City Clerk

Approved: April 8, 2025

Julia Arata-Fratta, Mayor

Published: April 15, 2025

STATE OF WISCONSIN)ss.
COUNTY OF DANE

Personally came before me this ____ day of _____, 2025, the
above named Tracy Oldenburg, and Julia Arata-Fratta 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.

Notary Public, State of Wisconsin

Printed Name of Notary Public _____
My Commission Expires: _____

Consent of the Property Owner

Name: _____ Date: _____

Title _____

STATE OF WISCONSIN)ss.
COUNTY OF DANE

Personally came before me this ____ day of _____, 2025, the
above named _____ to me known to
be _____, of _____ and the person
who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

Printed Name of Notary Public _____
My Commission Expires: _____

Consent of Mortgage Holder:

_____ Date: _____
Mortgage Holder

STATE OF WISCONSIN)ss.
COUNTY OF DANE

Personally came before me this ____ day of _____, 2025, the above named
_____ to me known to be the _____
of _____ and the person who executed the foregoing instrument
and acknowledged the same.

Notary Public, State of Wisconsin

Printed Name of Notary Public _____
My Commission Expires: _____

Drafted By: City of Fitchburg