

**Planned Development District
Granting General Implementation Plan
Zoning for a Portion of Lot 2 CSM 8023 in
Section 08, T6N, R9E, City of Fitchburg,
Dane County, Wisconsin**

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

Parcel No's: 225/0609-083-9570-4

Legal Description:

PART OF LOT2 OF CERTIFIED SURVEY MAP NO. 8023 RECORDED IN VOLUME 42 OF CERTIFIED SURVEY MAPS OF DANE COUNTY ON PAGES 313-316 AS DOCUMENT NO. 2719369 (CSM 8023), LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 9 EAST, CITY OF FITCHBURG, DANE COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF AFORESAID LOT 2 OF CSM 8023; THENCE, ALONG THE WEST LINE OF SAID LOT 2, SOUTH 02 DEGREES 36 MINUTES 35 SECONDS EAST, 246.00 FEET, TO THE POINT OF BEGINNING; THENCE, SOUTH 78 DEGREES 55 MINUTES 38 SECONDS WEST, 230.93 FEET; THENCE, SOUTH 11 DEGREES 04 MINUTES 22 SECONDS WEST, 66.00 FEET; THENCE, SOUTH 78 DEGREES 55 MINUTES 26 SECONDS EAST, 259.50 FEET TO A POINT ON THE WESTERLY RIGHT- OF-WAY OF SOUTH SEMINOLE HIGHWAY; THENCE, ALONG SAID WESTERLY RIGHT-OF- WAY FOR THE NEXT SIX COURSES, SOUTH 11 DEGREES 04 MINUTES 34 SECONDS WEST, 396.46 FEET; THENCE, SOUTH 11 DEGREES 04 MINUTES 34 SECONDS WEST, 101.96 FEET; THENCE, NORTH 78 DEGREES 55 MINUTES 26 SECONDS WEST, 5.01 FEET; THENCE, SOUTH 13 DEGREES 44 MINUTES 29 SECONDS WEST 193.21 FEET; THENCE SOUTH 71 DEGREES 35 MINUTES 45 SECONDS WEST, 26.42 FEET; THENCE SOUTH 11 DEGREES 04 MINUTES 04 SECONDS WEST, 85.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF WAY OF LACY ROAD; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY FOR THE NEXT FOUR COURSES, SOUTH 61 DEGREES 25 MINUTES 02 SECONDS WEST, 44.78 FEET; THENCE, SOUTH 85 DEGREES 30 MINUTES 11 SECONDS WEST 49.09 FEET; THENCE, SOUTH 82 DEGREES 55 MINUTES 05 SECONDS WEST, 75.43 FEET; THENCE, SOUTH 80 DEGREES 47 MINUTES 29 SECONDS WEST, 74.21 FEET TO A POINT ON THE WESTERLY LINE OF AFORESAID LOT

2 OF CSM 8023; THENCE, ALONG SAID WESTERLY LINE, NORTH 02 DEGREES 36 MINUTES 24 SECONDS WEST, 974.05 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 320,456 SQ. FT. OR 7.36 ACRES Dane County Parent Parcel No: 255/0609-083-9570-4

Mayor Arata-Fratta
Introduced by

Planning
Prepared by

Plan Commission
Referred to

June 17, 2025
Date

ORDINANCE NO. 2025-O-13
ZONING ORDINANCE AMENDMENT
GRANTING GENERAL IMPLEMENTATION PLAN ZONING
FOR THE NEWCOMB SEMINOLE DEVELOPMENT (PORTION OF LOT 2 OF CSM 8023)

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, Lisa Krueger, Agent for Tim O'Brien, has submitted an application (RZ-2597-2 5) to rezone property from R-R (Rural Residential) to PDD-GIP (Planned Development District - General Implementation Plan) zoning to allow for a multi-family development at the corner of S. Seminole Highway and Lacy Road, more fully described in the legal description above, and

WHEREAS, the Plan Commission has reviewed, after public hearing of June 17, 2025, the application in accord with ordinance standards and recommends approval of RZ-2597-25,

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 May 20, 2025, with revised materials submitted on June 10, 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 Seminole Development PDD-General Implementation Plan and shall include:
 - a. Permitted Uses: Multi-family residential and related amenities of approximately 300 dwelling units with a maximum density of 45 units per acre.
 - b. No Conditional Uses
 - c. Building Height: Four stories or 50-feet whichever is less
 - d. Maximum Lot Coverage as defined in Sec. 22-651: 35%
 - e. Minimum Open Space: 35%

- f. Setbacks from property lines:
 - i. Side Minimum: 4-feet
 - ii. Front Minimum: 10-feet
 - iii. Rear Minimum: 20-feet
- 3. Signage shall conform to Chapter 26 sign ordinance or the Planned Development District-Specific Implementation Plan shall include a sign package.
- 4. A new application for Certified Survey Map is required.
- 5. The developer shall enter into a subdivision improvement agreement with the City.
- 6. Upon approval by Plan Commission and Council, the applicant shall provide the original signed and notarized PDD-SIP document to the city within 30 days of the date of Council adoption for recordation.
- 7. Applicants' responsibility to satisfy all Public Works and Fire Department comments from the Rezone Feedback Letter issued May 31, 2025.

(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 24th of June, 2025.

Tracy Oldenburg, City Clerk

Approved: June 24, 2025

Julia Arata-Fratta, Mayor

Published: _____, 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:

Mortgage Holder

Date: _____

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

The files for Council – Ordinance 2025-O-13

Can be accessed at this link:

[PCApproved RZ-2597-25 Newcomb Seminole Development PDD-GIP.pdf](#)



MEMORANDUM

CITY OF FITCHBURG
PLANNING DEPARTMENT
5520 LACY ROAD
FITCHBURG, WI 53711
(608) 270-4200
FAX: (608) 270-4275
EMAIL: planning@fitchburgwi.gov

TO: Mayor Arata-Fratta and Council
FROM: Deanna Schmidt, City Planner/Zoning Administrator
DATE: June 18, 2025
SUBJECT: June 24, 2025, Plan Commission Agenda Items

Public Hearing and Consideration of Rezone RZ-2597-25 Request by Lisa Krueger, Agent for Tim O'Brien, to Rezone Properties from R-R (Rural Residential) to PDD-GIP (Planned Development District - General Implementation Plan) to Allow for a Proposed Multifamily Residential Development on Property Associated with 2747 S. Seminole Highway

Site Details:

Acres: ~7 acres
Existing Use: Single-family home
Current Zoning: R-R (Rural Residential)

Consistency with the Comprehensive Plan: HDR (High Density Residential) Staff has identified no conflicts with the Comprehensive Plan

Background & Application Description:

The property is described as Lot 2 of CSM 8023. The northern portion of Lot 2 is Business General and the southern portion is currently zoned Rural Residential. In 2024, Plan Commission and Council approved a minor comprehensive plan amendment to change a portion of Lot 2 from Business to BUS (Business) to HDR (High Density Residential).



The northern portion of the property remains undeveloped. Plan Commission previously approved a pickleball facility on the northwest parcel. This approval included a certified survey map of three parcels and rezone to Business General. The pickleball development is not proceeding. The applicants intend to market this parcel for commercial development. The second parcel to the northeast is expected to be developed as mixed-use with apartments over first floor commercial. This proposed development is not included in the rezone request.

The applicant is seeking Planned Development District-General Implementation Plan (PDD-GIP) for the southern portion of the property. The PDD-GIP would allow the development of approximately 300 multi-family units and related amenities. The proposal includes five residential buildings with approximately 3% of the total units as 3-bedroom, 26% as 2-bedroom and the remainder as 1-bedroom and studio. Parking is provided underground and surface. The proposal provides approximately one underground parking space per unit. The property is accessible through two driveways on S. Seminole Highway. To engage with the public frontage on S. Seminole, the plans include walkways from the individual first floor units. The site plan provides two community spaces: the central pool area and Building A's patio and fire pit. Building A also has an observation deck over the bioretention basin at the southern-most part of the site.

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A new Certified Survey Map is proposed and included in your packet for reference. The applicant plans to submit a new application for Certified Survey Map to create the four lots noted in the proposed Certified Survey Map.

Staff Evaluation:

The proposal is consistent with the pre-application reviewed by Plan Commission in April 2025. At that time, the applicants noted that they held a neighborhood meeting on September 30, 2024, in conjunction with the application for the minor comprehensive plan amendment. No additional neighborhood meetings have been held. The applicants indicated in the response to feedback that they would be happy to update the neighborhood.

Staff suggested incorporating the existing barn materials to highlight the property's heritage. The applicants noted that they would be open considering this possibility. The applicants also noted the Prairie Style architecture proposed for the development that emphasizes natural materials, natural forms, and clean lines echoing Wisconsin's landscapes.

The application materials include a more readable landscape plan and revisions to the lighting plan in response to staff comments. All light fixtures are fully shielded. Staff notes that Wis. Admin. Code requires a minimum of 3 footcandles at the pool water surface. This exceeds the allowable outdoor lighting levels of 1.5 footcandles for general parking and pedestrian areas in Fitchburg's Dark Sky Ordinance. Staff also notes that the parking lot is just 2-feet from the western property line. This is a very limited space to accommodate construction and maintenance.

For Plan Commission's reference, the applicants included the traffic analysis dated September 13, 2024. Upon full buildout of the mixed-use development with the 400 multi-family units and retail, the additional traffic generated is not expected to cause significant delays or queues. The intersections are expected to operate at a level of service of C or better, which is acceptable to the City's Transportation Engineer.

The applicants anticipate that the multi-family development will proceed in two phases. Phase 1 includes Building A (the southern-most building). It is anticipated that the developer would start construction in 2026 Quarter 1 with completion in the spring of 2027. Phase 2 includes one or all of Buildings B, C, and D. The timing of phase 2 will be determined by demand, construction costs, and interest rates.

Staff Recommendation:

Approval of Rezone RZ-2597-25 with the following conditions:

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 Seminole Development PDD-General Implementation Plan and shall include:*
 - a. Permitted Uses: Multi-family residential and related amenities of approximately 300 dwelling units with a maximum density of 45 units per acre.
 - b. No Conditional Uses
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3. *Signage shall conform to Chapter 26 sign ordinance or the Planned Development District-Specific Implementation Plan shall include a sign package.*
4. *A new application for Certified Survey Map is required.*
5. *The developer shall enter into a subdivision improvement agreement with the City.*
6. *Upon approval by Plan Commission and Council, the applicant shall provide the original signed and notarized PDD-SIP document to the city within 30 days of the date of Council adoption for recordation.*

7. *Applicants' responsibility to satisfy all Public Works and Fire Department comments from the Rezone Feedback Letter issued May 31, 2025.*