



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

## CONDITIONAL USE PERMIT APPLICATION

The undersigned owner, or owner's authorized agent, of property herein described hereby applies for a conditional use permit for the following described property:

**1. Location of Property:**

**Street Address:** Hard Rock Road

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

Lot 8 Orchard Pointe

\*\*\*Also submit in electronic format (MS WORD or plain text) by email to: **PLANNING@FITCHBURGWI.GOV**

**2. Current Use of Property:** Parking Lot

**3. Proposed Use of Property:** Freshii Restaurant

**4. Proposed Development Schedule:** Construction start summer 2017

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

**6. Future Land Use Plan Classification:** \_\_\_\_\_

\*\*\*Pursuant to Section 22-3(b) of the Fitchburg Zoning Ordinance, all Conditional Use Permits shall be consistent with the currently adopted City of Fitchburg Comprehensive Plan.

\*\*\*Attach three (3) copies of a site plan which shows any proposed land divisions, plus vehicular access points and the location and size of all existing and proposed structures and parking areas. Two (2) of the three (3) copies shall be no larger than 11" x 17". Submit one (1) pdf document of the entire submittal to [planning@fitchburgwi.gov](mailto:planning@fitchburgwi.gov).

Additional information may be requested.

**Type of Residential Development (If Applicable):** \_\_\_\_\_

**No. of Dwelling Units by Bedroom:** 1 BR  2 BR  3 BR  4 or More

**No. Of Parking Stalls:** \_\_\_\_\_

**Type of Non-residential Development (If Applicable):** Freshii Restaurant

**Proposed Hours of Operation:** 7am-8pm Mon-Fri; 8am-8pm Sat **No. Of Employees:** 8 Shift, 15 Total

**Floor Area:** 1500 GSF **No. Of Parking Stalls:** 366 Vehicle Parking, 8 Bicycle

**Sewer:** Municipal  Private  **Water:** Municipal  Private

**Current Owner of Property:** MMI Inc.

**Address:** 5301 Voges Road

**Phone No:** (608) 257-2600

**Contact Person:** Tim Neitzel

**Email:** Jreff@airtemperature.com

**Address:** 5301 Voges Road

**Phone No:** (608) 257-2600

**Respectfully Submitted By:** \_\_\_\_\_

Owner's or Authorized Agent's Signature

**\*\* It is highly recommended that an applicant hold at least one neighborhood meeting prior to submitting an CUP application to identify any concerns or issues of surrounding residents.**

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:** \_\_\_\_\_ **Publish:** \_\_\_\_\_

**Ordinance Section No.** \_\_\_\_\_ **Fee Paid:** \_\_\_\_\_

**Permit Request No.** \_\_\_\_\_

**Conditional Use Permit**  
**Restaurant with Drive-thru**  
**Lot 8**  
**Orchard Pointe**

Prepared for:  
Tim Neitzel

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

Project 17-7957  
Submitted: 23 May 2017

## **OVERVIEW**

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 mixed use commercial development of approximately 120 acres located in the southwest quadrant of the McKee Road x Verona Road intersection.

Created by the platting of Orchard Pointe, Lot 8 is a fully improved lot located east of Hardrock Road and zoned B-H Highway Business. Development on Lot 8 is organized as a commercial condominium and there are currently two businesses in operation – Gold’s Gym and Pet Supplies.

## **DESCRIPTION**

This proposed Conditional Use Permit is to allow the development of a restaurant with a drive-thru on approximately 15,500 square feet located in the parking lot north of the Pet Supplies building site. The restaurant site will be improved with a 1,500 square foot building with indoor seating, outdoor patio area, bike racks, a drive-thru lane with queuing for 7 vehicles, a loading space for delivery, parking for 23 vehicles, enclosed trash dumpster area and site landscaping.

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

**Traffic and Pedestrian Circulation.** The site is conveniently accessible for vehicular travel from Hardrock Road by either of the two private drives entering the Shoppes at Orchard Pointe development area. The proposed site also does not disrupt the existing sidewalk network linkages between Gold’s Gym, Buffalo Wild Wings, and Hardrock Road.

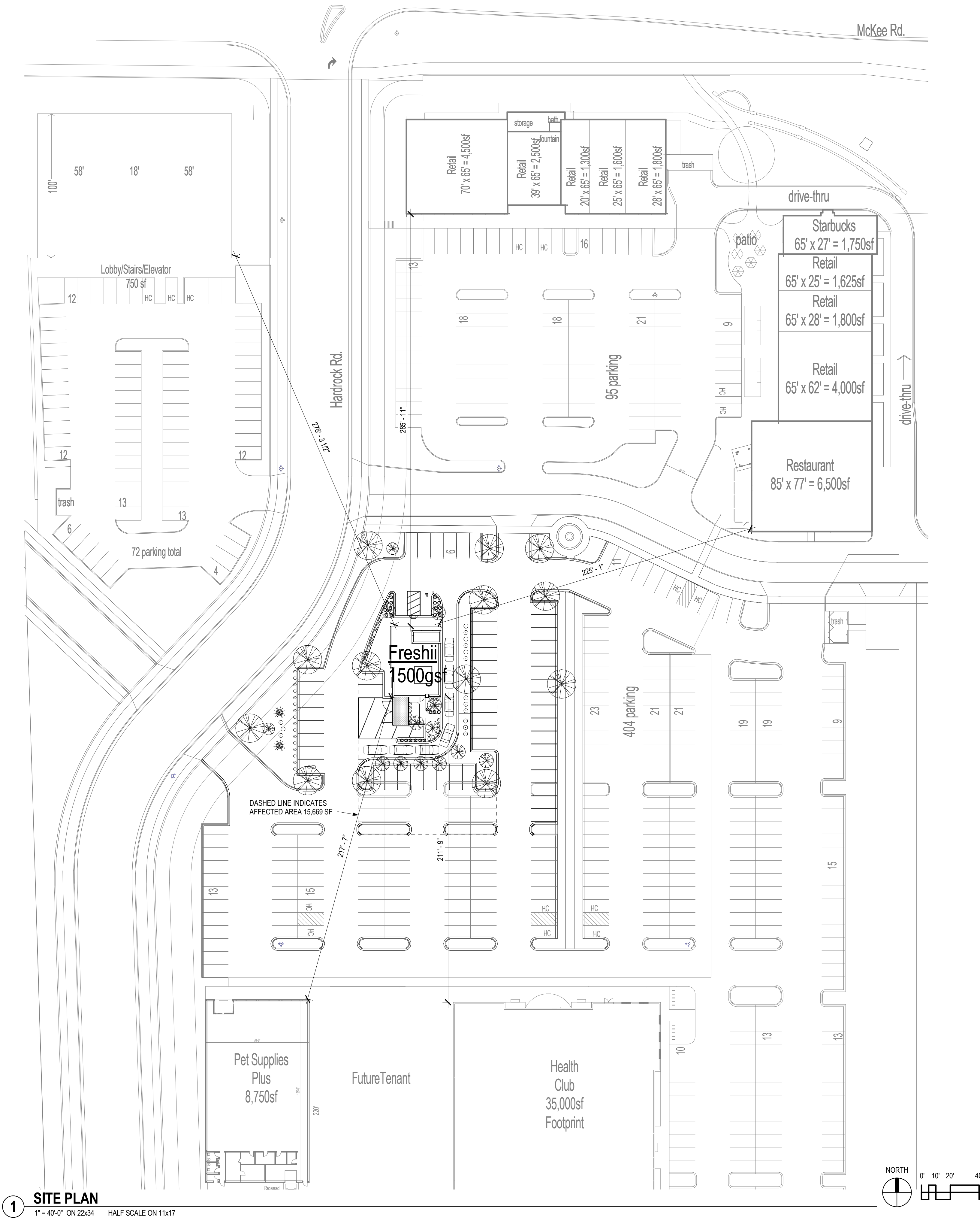
**Parking.** There are 404 existing parking stalls on Lot 8. Of these, 79 stalls are allocated to support the high-turn restaurant use (Buffalo Wild Wings) on the adjoining Lot 7. The proposed restaurant location will eliminate 38 stalls. The remaining 287 stalls are more than sufficient to minimum parking demand for existing and projected future retail uses on the lot as well as the health club (total of 73,750 square feet at 3.3 stalls per 1000 square feet, plus 9 stalls for the restaurant use, yields a minimum parking requirement of 252 stalls.

**Operating Hours.** The proposed Freshii Restaurant will operate 7AM to 8PM Monday through Friday and 8AM to 8PM on Saturday.

**Signage.** All signage will be located on the building – no free standing or monument signs.

**FRESHII AT  
ORCHARD POINTE**

HARD ROCK ROAD  
FITCHBURG, WI



**1 SITE PLAN**  
1" = 40'-0" ON 22x34 HALF SCALE ON 11x17

DATE OF ISSUE: 5/23/17

REVISIONS:


PROJECT # 16164

**SITE PLAN**

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