

VILLAGE OF MARSHALL

ORDINANCE 2024-02

AN ORDINANCE APPROVING A REZONING AND PRELIMINARY PLAT FOR THE “MAUNESHA MYLES” RESIDENTIAL DEVELOPMENT ON LAND CURRENTLY ADDRESSED AT 510 WATERLOO ROAD (PARTS OF DANE COUNTY PARCEL #S 081211390011, 081211385011, 081211380011, 081211395011, AND 081210464001)

Rezoning and preliminary plat initiated by: Request of owner of affected property.

Purpose of rezoning and plat: The request would rezone the property from the A-G Urban Agriculture zoning district to a combination of the R-1L Single Family Large Lot, R-1S Single Family Small Lot, R-2 Two-Family Residential, R-M Multi-Family Residential, and P-R Park and Recreation zoning districts. The boundaries of the property to be rezoned and the proposed arrangement of such zoning districts are per a rezoning map attached hereto as Exhibit A. If approved, such rezoning would facilitate development of the Mauneshia Myles subdivision plat. In its preliminary plat form, attached hereto as Exhibit B, Mauneshia Myles is proposed to include 167 residential lots to be developed in phases, with all but 26 lots intended for single-family detached residences; a 26+ acre outlot proposed for public park, trail, stormwater management, and environmental corridor; another 73+ acre outlot proposed to be retained by the landowner and remain in open space; and a public street network. The subdivision plat approval process would occur in two stages—preliminary and final plat—with this Ordinance covering only the preliminary plat stage. Earlier on December 10, 2024, the Village Plan Commission conducted a public hearing and recommended Village Board approval of this requested rezoning and preliminary plat in the manner reflected by this Ordinance.

Section 1: The Village Board of the Village of Marshall, Dane County, Wisconsin (“Village Board”) finds that the rezoning described in Section 2 and Exhibit A and the preliminary plat described in Section 3 and Exhibit B will:

1. Be consistent with the Village of Marshall Comprehensive Plan.
2. Be provided with adequate public facilities and public services to meet the needs of the proposed subdivision.
3. Promote the general welfare and orderly development of the Village.

Section 2: The Village Board ordains that the Village’s Zoning Map, as authorized and described in Title 13, Chapter 1, Article C, Section 13-1-21(a) of the Municipal Code, shall be amended such that the zoning district designations of the property depicted in Exhibit A are hereby amended from the A-G Urban Agriculture zoning district to a combination of the R-1L Single Family Large Lot, R-1S Single Family Small Lot, R-2 Two-Family Residential, R-M Multi-Family Residential, and P-R Park and Recreation zoning districts, in the manner depicted in Exhibit A.

Section 3: The rezoning described in Section 2 shall be subject to the following conditions:

1. The rezoning in the manner indicated in Exhibit A shall take effect upon recording of a final plat that creates the associated lots and outlots.
2. The zoning district designations represented on Exhibit A shall be deemed adjusted to correspond with any minor lot line adjustments within the associated plat made between the time of approval of the rezoning and recording of the associated plat, such that each entire lot and outlot is contained within a single zoning district consistent with the rezoning application.
3. If the rezoning does not take effect within three years of the date of adoption of this Ordinance, the rezoning shall be null and void and the zoning of the property indicated in Exhibit A shall remain as designated prior to rezoning approval.

SECTION 4: The preliminary plat for Maunisha Myles, attached as Exhibit B, is hereby approved, subject to the following conditions:

1. Prior to or with submittal of the final plat, the applicant shall:
 - a. Make plat, engineering plan, and stormwater plan changes and enhancements and submit supplemental information per the December 4, 2024 letter of the consulting Village Engineer.
 - b. Submit revised private covenants for the plat, including provisions to address mature woodland/tree preservation around Lots 20-43 and impervious surface restrictions for lots that contain wetland setback areas.
 - c. Submit a more detailed tree survey for the woodland near the north end of the plat, and make plat and covenant adjustments intended to preserve mature trees of high value and general woodland cover as determined practical by Village Forester and following consultation with CARPC staff.
 - d. Include a street terrace tree planting plan.
 - e. Submit a planting plan including appropriate native vegetation within the farmed wetland centered roughly 500 feet east of the current eastern terminus of Sunnyview Lane (within Outlot 1).
 - f. Work to match grades and preserve high-quality trees along the boundary with Amerricka's Dream.
 - g. Provide for public pedestrian access between current Outlot 1 and some point on the Maunisha River.
 - h. Submit an archaeological survey to be performed by a qualified archaeologist and take necessary protection measures if artifacts are found.
 - i. Submit a revised development phasing plan including proposed construction access intended to minimize disruption to adjacent residential areas.
 - j. Work with the local snowmobile group, attempting to provide a reasonable long-term snowmobile route through the owner's parcels.
 - k. Determine logical location(s) for driveway access from Lot 1 to Waterloo Road, and indicate "no vehicular access" restriction where visibility would be insufficient in the determination of the Public Works Director.
 - l. Collaborate with the Village on the conveyance of Outlot 4 of Amerricka's Dream plat (i.e., sliver of Village-owned land adjacent to Phillips Drive).

2. Prior to the installation of utilities or issuance of any building permit, the applicant shall record a final plat, verify CARPC staff and Village approval of stormwater and utility plans as required, and enter into an infrastructure development agreement with the Village.

This ordinance was duly considered and adopted by the Village Board of the Village of Marshall on this 10th day of December 2024.



John Schuepbach, Village President



Michael Wetzel, Village Clerk



EXHIBIT A: REZONING MAP

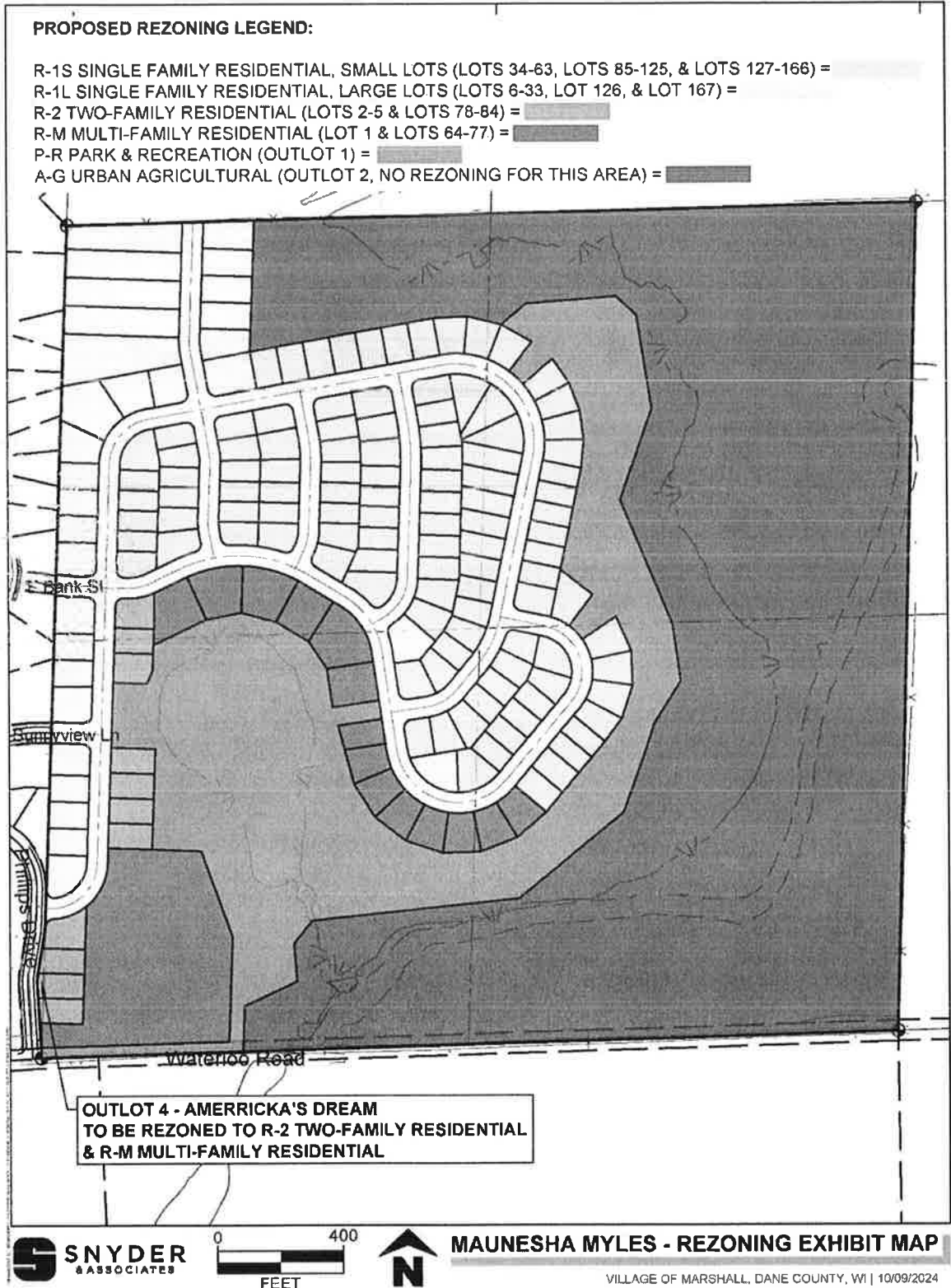


EXHIBIT B: PRELIMINARY PLAT



