

**AN ORDINANCE REZONING 85 ACRES OF LAND BETWEEN  
GRABER POND AND THE PHEASANT BRANCH CONSERVANCY,  
INCLUDING 4819 HIGH ROAD, IN THE CITY OF MIDDLETON**

The Common Council of the City of Middleton, Wisconsin, do ordain as follows:

- (1) The Official Zoning Map adopted on February 20, 2024, as subsequently amended from time to time, is hereby amended so that the following described real estate is hereby rezoned from either Agriculture or Single Family Residential – Low Density (SR-L) to the Single Family Residential-Medium Density (SR-M), Single Family Residential-High Density (SR-H), Parks and Recreation (PR), and Conservancy (CON) zoning classifications as indicated on the map below, pursuant to Sections 10.10.30 of the Middleton General Ordinances. The purpose of the proposed rezoning is to allow for a mix of single-family residential, park, and conservancy land uses on approximately 85.32 acres of land that was formerly used for farming. The proposed development consists of approximately 166 single-family dwelling units.

Legal description of property to be rezoned:

UNPLATTED LANDS, BEING PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, AND PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1 TOWNSHIP 7 NORTH, RANGE 8 EAST, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2 TOWNSHIP 7 NORTH, RANGE 8 EAST, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36 TOWNSHIP 8 NORTH, RANGE 8 EAST, PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36 TOWN 08 NORTH, RANGE 08 EAST, LOCATED IN THE TOWN OF MIDDLETON & THE TOWN OF SPRINGFIELD, DANE COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF AFORESAID SECTION 36, THENCE, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, SOUTH 00 DEGREES 34 MINUTES 03 SECONDS EAST, 1495.76 FEET TO A POINT ON THE WESTERLY EXTENSION OF A SOUTH LINE OF REDTAIL RIDGE, RECORDED IN VOLUME 61-096B OF PLATS ON PAGES 571-575, AS DOCUMENT NO. 5928058, ALSO BEING THE POINT OF BEGINNING; THENCE, ALONG SAID EXTENSION AND THEN SAID SOUTH LINE, NORTH 89 DEGREES 03 MINUTES 24 SECONDS EAST, 1333.96 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 36, AND A CORNER OF OUTLOT 7, SAID REDTAIL RIDGE; THENCE, ALONG SAID WEST LINE AND A WEST LINE OF SAID OUTLOT 7, SOUTH 00 DEGREES 39 MINUTES 42 SECOND EAST, 780.45 FEET TO A SOUTHWEST CORNER OF SAID OUTLOT 7; THENCE, ALONG A SOUTH LINE OF SAID OUTLOT 7, NORTH 88 DEGREES 53 MINUTES 40 SECOND EAST, 1335.27 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 36; THENCE, ALONG SAID EAST LINE, SOUTH 00 DEGREES, 45 MINUTES, 22 SECONDS EAST, 371.51 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 36; THENCE, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF AFORESAID SECTION 1, SOUTH 00 DEGREES 05 MINUTES 01 SECONDS WEST, 165.02 FEET, TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF PHEASANT BRANCH RIDGE, RECORDED IN VOLUME 57-088B OF PLATS ON PAGES 341-343 AS DOCUMENT NO. 2920713; THENCE, ALONG SAID EXTENSION AND THEN SAID NORTH LINE, SOUTH 88 DEGREES 53 MINUTES 28 SECONDS WEST, 2671.17 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF AFORESAID SECTION 2; THENCE, ALONG SAID EAST LINE, SOUTH 00 DEGREES 07 MINUTES 20 SECONDS EAST, 164.71 FEET TO A POINT ON THE EASTERLY EXTENSION OF SPRING HILL ESTATES, RECORDED IN VOLUME 56-14B ON PAGES 36-37, AS DOCUMENT NO. 1981249; THENCE, ALONG SAID EXTENSION AND THEN SAID NORTH LINE, SOUTH 88 DEGREES 58 MINUTES 14 SECONDS WEST, 1325.12 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 2 AND THE NORTHWEST CORNER OF SAID SPRING HILL ESTATES; THENCE, ALONG SAID WEST LINE, NORTH 00 DEGREES 05 MINUTES 22 SECONDS WEST, 330.13 FEET TO THE SOUTHWEST CORNER OF TH SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 35; THENCE, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, NORTH 00 DEGREES 33 MINUTES 27 SECONDS WEST, 99.00 FEET; THENCE, NORTH 34 DEGREES 40 MINUTES 17 SECONDS EAST, 568.23 FEET; THENCE, NORTH 00 DEGREES 53 MINUTES 26 SECONDS

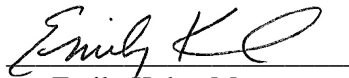
EAST, 135.67 FEET TO A POINT ON THE SOUTH LINE OF MISTY VALLEY, RECORDED IN VOLUME 59-040B OF PLATS ON PAGES 198-201 AS DOCUMENT NO. 4360973; THENCE, ALONG THE SOUTH LINE OF SAID MISTY VALLEY, NORTH 88 DEGREES 58 MINUTES 57 SECONDS EAST, 993.59 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF AFORESAID SECTION 35; THENCE, ALONG SAID EAST LINE, NORTH 00 DEGREES 34 MINUTES 03 SECONDS WEST 459.65 FEET, BACK TO THE POINT OF BEGINNING.

This property contains 3,716,520 square feet or 85.32 acres, including the right-of-way. Excluding the right-of-way, the property consists of 3,621,389 square feet or 83.14 acres.

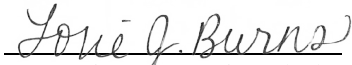
- (2) The Zoning Administrator is hereby directed to label these changes on the Official Zoning Map upon the effective date of this Ordinance.
- (3) This Ordinance does not constitute approval of any building construction within the property. Building shall not be permitted until approve of the Site Plan for the property and issuance of valid building permits.
- (4) This Ordinance shall take effect the later of: 1) publication; or 2) the date that the zoning administrator certifies fulfillment by the petitioner of all of the following conditions specified for the rezoning of the property as approved by the Plan Commission on November 26, 2024.
  - (a) Common Council adoption of a revised official map narrowing the greenway west of High Road to the alignment as indicated in the preliminary plat, and expanding the greenway east of High Road to reflect the recently-completed wetland delineation.
  - (b) Plan Commission approval of a preliminary plat for the entire property.
  - (c) All lots shall comply with SR-M or SR-H dimensional standards.
  - (d) All outlots, including those encompassing shared use paths, shall be zoned CON (Conservancy), with PR zoning reserved for any area dedicated as active parkland.
  - (e) Plan Commission granting a Conditional Use Permit to enable the placement of privately-owned and maintained stormwater detention or conveyance systems on Conservancy-zoned lots or outlots.
  - (f) Capital Area Regional Planning Commission and Department of Natural Resources approval of the Urban Service Area Amendment and satisfaction of any conditions of approval.

The above and foregoing ordinance is duly adopted by the Middleton Common Council at a regular meeting held on December 17, 2024.

**APPROVED:**

By:   
Emily Kuhn, Mayor

ATTEST:

By:   
Lorie Burns, City Clerk

VOTE:

First Reading: 12/3/24

Second Reading: 12/17/24

Ayes: 8                      Noes: 0

Adopted: 12/17/2024

Published: 12/26/2024