

PREPARED FOR THE PLAN COMMISSION



Project Address: 4402 Brandt Road/ CTH AB
Application Type: Conditional Use
Legistar File ID # [80222](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: John Welch & Allison Rathsack, Dane County Dept. of Waste and Renewables; 1919 Alliant Energy Center Way: Madison.

Requested Action: Consideration of a conditional use in the Industrial-General (IG) District for a landfill to allow Dane County to construct a sanitary landfill at 4402 Brandt Road/ CTH AB.

Proposal Summary: Dane County is requesting conditional use approval for a sanitary landfill to occupy 200 acres of land located on the west side of Brandt Road just south of the newly construction of Millpond Road to CTH AB adjacent to US Highways 12 and 18. The new landfill, Dane County Sanitary Landfill No. 3, is expected to come online in time to replace Dane County Sanitary Landfill No. 2, also known as Rodefild Landfill, which is anticipated to reach capacity in approximately seven years. The Rodefild facility is located north of the subject site in the northwestern quadrant of US Highways 12 and 18 and CTH AB.

The letter of intent indicates that construction of landfill infrastructure is scheduled to commence in 2026 and continue through 2029, with elements of the facility scheduled to come online in mid-2026. Please refer to the schedule on page 15 of the letter of intent.

[Note: There are various references to a Sustainability Campus planned for Lot 1 of CSM 16345, which is not part of the request pending before the Plan Commission. Any approvals needed for Lot 1 will be granted separately. References to the Rodefild facility across US Highways 12 and 18 are also for informational purposes only.]

Applicable Regulations & Standards: Table 28-F1 in Section 28.082(1) of the Zoning Code identifies landfills as a conditional uses in IG (Industrial–General District) zoning. Section 28.183 provides the process and standards for the approval of conditional use permits.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a landfill at 4402 Brandt Road/ CTH AB subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: The subject site is approximately 200 acres of land located in the southwestern quadrant of Brandt Road/ CTH AB and US Highways 12 and 18; Alder District 16 (Currie); Madison Metropolitan School District.

Existing Conditions and Land Use: The eastern portions of Yahara Hills Golf Course, now zoned IG (Industrial–General District).

Surrounding Land Use and Zoning:

North: US Highways 12 and 18; Dane County Sanitary Landfill No. 2 (Rodefild Landfill), zoned PD; Valued Stay Madison Motel in the Town of Blooming Grove;

South: Single-family residence and agricultural land at Siggelkow Road, zoned A (Agricultural District); undeveloped City-owned land for future park use, zoned PR (Parks and Recreation District);

East: Brandt Road/CTH AB; single-family residences along Hope Hollow Trail and agricultural land in the Town of Cottage Grove; and

West: Ho-Chunk Gaming Madison, zoned PD; BP gas station, Reverend Jim’s Roadhouse, zoned CC (Commercial Center District); undeveloped City-owned land for future park use at Savannah Road, zoned PR; Capital City Harley-Davidson and Magnuson Grand Hotel in the Town of Blooming Grove; Interstate 39/90.

Adopted Land Use Plan: The [Yahara Hills Neighborhood Development Plan](#) was amended by Resolution 22-00361 (ID [70654](#)) to change the land use recommendations for the 231.8 acres to be conveyed to the County from Parks and Open Space to Industrial.

The 2018 [Comprehensive Plan](#) recommends Park and Open Space (P) for the entirety of Yahara Hills Golf Course. The pending amendments to the [Comprehensive Plan](#) change the recommendation for the eastern portion of Yahara Hills to Industrial (I) to reflect the neighborhood development plan amendment above. The amended plan notes that the proposed landfill area should be designed with adequate buffer and screening to ensure compatibility with adjacent land uses. A buffer area that is a minimum of 150 feet in width should be provided around all sides of the landfill. These buffer areas should include a minimum 10-foot tall berm, solid fencing maybe incorporated and landscaped with a variety of species of trees that include a minimum of 75 percent evergreen trees.

Zoning Summary: The following bulk requirements apply in the IG (Industrial–General) district:

Requirements	Required	Proposed
Lot Area (sq. ft.)	10,000 sq. ft.	200 acres
Lot Width	65’	Will exceed
Front Yard Setback	0’ or 5’	Adequate
Side Yard Setback	None if adjacent to property zoned IL or IG; 10’ if adjacent to property zoned anything other than IL or IG	Adequate
Rear Yard Setback	30’	Adequate
Maximum Lot Coverage	75%	Less than 75%
Maximum Building Height	None	To be determined
Outdoor processing, storage or loading	100’ from residential district	N/A
Number Parking Stalls	No minimum required	As per future phased development
Electric Vehicle Stalls	As per MGO 28.141(8)(e)	As per future phased development
Accessible Stalls	As per MGO 28.141(4)(e)	As per future phased development
Loading	As per MGO 28.141(13)	As per future phased development
Number Bike Parking Stalls	As per MGO 28.141(4) & 28.141(11)	As per future phased development

Other Critical Zoning Items	
Yes:	Floodplain, Wetlands, Utility Easements, Adjacent to Parkland
No:	Urban Design, Wellhead Protection, Landmarks, Waterfront Development, TOD Overlay
Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator	

Environmental Corridor Status: A pond and area of hydric soils located in the northeast corner of the existing Yahara Hills Golf Course property was incorporated into mapped environmental corridor as part of the addition of the future County property into the Central Urban Service Area in 2022.

Public Utilities and Services: The site will be served by a full range of urban services, with the exception of Metro Transit service, which does not serve the area of the City east of Interstate 39/90.

Previous Approvals

On May 10, 2022, the Common Council adopted Resolution 22-00319 (ID [70597](#)) to approve a land sale and agreements with Dane County to sell and develop portions of the Yahara Hills Golf Course as a future landfill, compost site and sustainable business park, and entering into a new solid waste agreement. The resolution authorized:

- a purchase and sales agreement with Dane County ([link](#));
- a development agreement between the City and County ([link](#));
- an intergovernmental agreement between the City and County to govern the various sales, leases and operations ([link](#));
- leases for the City to continue using part of the future landfill property for golf purposes through 2042 ([link](#)) and for the City to maintain existing golf course-related equipment buildings on the landfill site through 2028 ([link](#));
- a right of first refusal on 80 acres of additional land that could be added in the future to the future landfill ([link](#)); and
- a solid waste agreement between the City and County through 2032 ([link](#)).

On October 11, 2022, the Common Council approved a request to rezone land generally addressed as 7101 US Highways 12 & 18 and 4502 Brandt Road/CTH AB from PR (Parks and Recreation District) to IG (Industrial-General District) and approved the preliminary plat of the *Dane County Sustainability Campus* subdivision and a Certified Survey Map (CSM) to create one lot for a future sanitary landfill and one lot to be developed with a business park. The CSM was recorded on September 20, 2023.

Project Description

Dane County is requesting approval of a conditional use from the Plan Commission to allow construction of a sanitary landfill on approximately 200 acres of land located on the west side of Brandt Road/ CTH AB south of Millpond Road and US Highways 12 and 18. The site is currently part of the City's Yahara Hills Golf Course, which will remain in sections under a lease-back from Dane County as the proposed landfill is implemented in phases.

Plans for the landfill call for a pyramidal hill that will eventually rise between 200 and 230 feet in height depending on where on the perimeter of the site and surrounding roadways the hill is viewed from. The landfill will be implemented in phases ranging in approximate size from 10 to 16 acres, and from northeast to southeast (Phases

1-3), and then northwest to southwest (4-6). Pursuant to one of the agreements between the City and County, golf operations on the landfill land will wind down in phases as implementation of the landfill ramps up. Primary access to the landfill will be provided from a driveway on Brandt Road, with additional access to be provided from the north and Millpond Road through the County sustainability campus business park planned for the adjacent parcel on land also acquired from the City. The landfill will be encircled by a private ring road for landfill operations, which will be located inside a 25-foot tall litter screen. A six-foot tall perimeter screening and security fence will be installed at specific locations on the property line of the facility.

A series of future buildings are planned for the north side of the landfill site, with potential overlap of some of those facilities with buildings on the adjacent sustainability campus. Those facilities include a waste and recycling processing facility, drive-thru waste drop-off facility, scale house, and maintenance building, which the plans indicate will not be constructed until 2028. All of those buildings will be located outside the perimeter fence along the access road that will extend between the Brandt Road driveway and access point planned on the adjacent sustainability campus. Details of the future buildings have not been submitted with this conditional use request and will instead be approved subsequently as alterations to the conditional use; those buildings will also require approval by the Urban Design Commission as public buildings, as required by MGO Section 33.24.

In addition to the litter screen and fencing, the perimeter of the landfill will feature a substantial landscaped buffer that will incorporate a combination of coniferous and deciduous trees planted in layers along a berm to be located between the internal ring road and landfill boundaries. The letter of intent and landscaping plan indicate that the trees to be planted will be 75% coniferous to provide the landfill with year-round screening. The purpose of the screening fence, berming, and trees on the perimeter is to limit the views of the landfill hill from the perimeter of the site. However, as the full height of the landfill is realized, the hill will be visible from Brandt Road, US Highways 12 and 18, and surrounding properties similar to how the existing landfill to the north is visible.

There are various references in the application materials to the sustainability campus planned for Lot 1 of CSM 16345, which is not part of the request pending before the Plan Commission. Any approvals needed for Lot 1 will be granted separately. References to the Rodefild facility across US Highways 12 and 18 are also for informational purposes only.

Analysis and Conclusion

Approval of the conditional use represents the culmination of a series of land use approvals granted by the City over the last two years to establish a new County sanitary landfill on the eastern portion of Yahara Hills Golf Course. The conditional use request is preceded by the approval of various agreements between the City of Madison and Dane County related to the land sale, golf operations, and handling of solid waste; an amendment to the Yahara Hills Neighborhood Development Plan to allow for industrial uses on the former parkland; and by the zoning and land division needed to create the County-owned parcels.

The Planning Division believes that the Plan Commission may find the standards for conditional use approval met for the proposed landfill. Staff from a number of City agencies have worked over the last two years to ensure that the new landfill will be a net benefit for the City, and reasonable efforts have been and will continue to be made by Dane County to limit the impacts on the new landfill on surrounding properties located in the Town of Cottage Grove and Village of McFarland as well as the City, although some visual and olfactory impacts from the facility are inevitable once landfilling activities begin in earnest in subsequent years. The perimeter landscaping, berming,

and screening plan is well designed overall, and staff feels that it reflects the recommendations in the amended Yahara Hills Neighborhood Development Plan intended to integrate the new landfill with its surroundings.

Planning staff has received no conditions of approval from reviewing agencies that would suggest that the conditional use standards cannot be met. Staff feels that Dane County has been a conscientious operator of the nearby Rodefild Landfill and that the operational standard at that facility can be reasonably be expected to continue with the new landfill. However, as with any conditional use, the Plan Commission retains continuing jurisdiction in the event that complaints are received, which could result in more restrictive conditions being applied if deemed necessary by the Commission. Additionally, the landfill will be subject to a variety of existing and future operating agreements between the City, County, Town of Cottage Grove, and Village of McFarland, which will govern the landfill as allowed by Wisconsin Statutes.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a landfill at 4402 Brandt Road/ CTH AB subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

1. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.).
2. Provide proof of septic system abandonment from Public Health–Madison and Dane County as a condition of plan approval.
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
4. Revise the site plans to show the location, depth, type, and size of existing and proposed private utilities (gas, electric, phone, steam, chilled water, etc.) in the project area or the adjacent right of way.
5. An Erosion Control Permit is required for this project.
6. A Storm Water Management Report and Storm Water Management Permit is required for this project.
7. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved

agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.

8. Include calculations in the stormwater management report that show how a 500-year storm event, as identified in MGO Chapter 37, would be handled by the proposed site design. These calculations are required to show that the proposed building does not flood during this design storm event using the site grades proposed.
9. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11- x 17-inch copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
10. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
11. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
12. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website. The Storm Water Management Plan & Report shall include compliance with the following:
 - Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
 - Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))
 - Detain the 2-, 5-, 10-, 100-, and 200-year storm events, matching post-development rates to pre-development rates and using the design storms identified in MGO Chapter 37.
 - Provide infiltration of 90% of the pre-development infiltration volume.
 - Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
 - The applicant shall demonstrate that water can leave the site and reach the public right of way without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.
13. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. E-mail PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or tstroester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Julius Smith, (608) 264-9276)

14. The plan proposes to modify the storm water management facilities in the northeasterly corner of the site. The existing easement and modifications to the development agreement shall be completed prior to construction.
15. The proposed landfill improvements and sedimentation basin extend into the 18-hole lease area. The lease shall be revised / amended as necessary prior to construction.
16. There are parking Lot improvements proposed that are within the right of way of US Highways 12 and 18 near the central access proposed. A lease or disposal of lands from the Wisconsin Department of Transportation (WisDOT) or other appropriate agreement shall be provided prior to construction of that parking area.
17. The plan shall show the limits of the Access Control R/W project #3080-00-21 and Doc No 2870419 along Brandt Road to assure the proposed access does not cross the restricted area.
18. The resident drop off building crosses an underlying platted lot line. A land division will be required to dissolve underlying lot lines and create the new parcels proposed to comply with fire codes, City Ordinances and City Policies. The required land division shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building permit.
19. The proposed buildings will require an address. Submit a site plan and a complete building floorplan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) **prior** to the verification submittal stage of this conditional use with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall be provided for additional review and approval by Engineering.

Per MGO Section 34.505, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.

For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or re-approved.

Traffic Engineering Division (Contact Sean Malloy (608) 266-5987)

20. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
21. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement

marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

22. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.

23. All parking facility design shall conform to the standards in MGO Section 10.08(6).

24. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all Class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

25. The proposed future Clean Sweep Facility and the Drive-Through Resident waste drop-off buildings are shown crossing property lines which will be difficult to construct in compliance with the IBC. Fire walls with no opens would be required along the length of the property line. Verify other building/property line set backs at the Education and Admin Center.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

26. Zoning staff anticipates future requests for Conditional Use approval, including for a waste transfer station and hazardous waste collection, storage or transfer, as plans for future phased uses and buildings are further developed.

27. Additional reviews following the procedure for alteration of the Conditional Use Section 28.183(8) will be required prior to future phased construction of accessory landfill infrastructure and buildings and site improvements associated with accessory or permitted uses.

28. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

This agency did not submit comments for this request.

Forestry Section (Contact Jeffrey Heinecke, (608) 266-4890)

This agency did not submit comments for this request.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

This agency has reviewed this request and recommended no conditions or approval.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

This agency has reviewed this request and recommended no conditions or approval.

Parking Division (Contact Trent Schultz, (608) 246-5806)

29. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required.