

PREPARED FOR THE PLAN COMMISSION

Project Address: 3103-3111 Luds Lane and 3562 CTH AB
Application Type: Direct Annexation from Town of Cottage Grove
Legistar File ID # [74681](#)
Prepared By: Timothy M. Parks, Planning Division

Summary

Requested Action: Approval of Ordinance ID 74681, annexing 33.74 acres of land primarily located at 3103-3111 Luds Lane and 3562 CTH AB from the Town of Cottage Grove to the City of Madison and assigning Temporary A (Agricultural District) zoning.

Petitioners: Dane County; Allison Rath sack, representative.

Status of Petitioners: Property owner. According to the petition, there are no electors on the property.

Applicable Regulations & Standards: Section 66.0217 of Wisconsin Statutes outlines the process for annexation of land to municipalities in the State of Wisconsin. The subject petition is for direct annexation by unanimous approval of the property owner(s) pursuant to Wis. Stats. Section 66.0217(2).

Review Required By: Plan Commission and Common Council.

Development Schedule: The three parcels comprising this annexation are already principally developed with the Dane County Medical Examiner's Office and Dane County Public Works, Highway and Transportation Department East District Campus highway maintenance facility. No additional development of those parcels is proposed at this time.

Parcel Location: The 33.74 acres to be annexed are located in the northeastern quadrant of the intersection of CTH AB and US Highways 12 and 18, with Luds Lane forming the northern boundary of the annexation. The land is adjacent and will be annexed to Alder District 16 (Currie). The lands are located partially in the Monona Grove Area School District, except for a small portion of the property that is located in the McFarland Area School District.

Adopted Land Use Plan: The [Yahara Hills Neighborhood Development Plan](#), as adopted in 2017 and amended in 2022, recommend the Dane County lands for civic and institutional uses.

Public Utilities and Services: The subject site is located in the Central Urban Service Area. The purpose of this annexation is to allow the existing County-owned facilities to connect to the City water and sanitary sewer services currently being extended east in the US Highways 12 and 18 right of way, which will also serve the future landfill being planned for most of the 231.8 acres of Yahara Hills Golf Course that Dane County will be acquiring from the City of Madison in the southwestern quadrant of CTH AB and US Highways 12 and 18. The water and sewer extensions will also serve the sustainable business park that the County intends to develop on 30.4 acres of the land it is acquiring.

Project Description, Analysis and Conclusion

Dane County is requesting direct annexation of three parcels of land totaling 20.08 acres to the City of Madison from the Town of Cottage Grove. The property to be annexed is developed with the Dane County Department of Public Works, Highway and Transportation's East District Campus on a 15.47-acre parcel addressed as 3103 Luds Lane, and the Dane County Medical Examiner's Office, which is primarily located on a 3.93-acre parcel located at the southeastern corner of CTH AB and Luds Lane and addressed as 3111 Luds Lane. The third parcel, a 0.68-acre parcel addressed as 3562 CTH AB and adjacent to the US Highway 12 and 18 right of way, is currently undeveloped. In addition to the three parcels, the annexation will bring approximately 13.66 acres of highway right of way into the City, including 33 feet of right of way to the centerlines of CTH AB and Luds Lane (north of the parcels), approximately 75 feet of right of way to a new centerline for Luds Lane east of the 3103 Luds parcel, and right of way of varying width for US Highways 12 and 18.

Wis. Stats. Section 66.0217(8) requires that the Plan Commission make a recommendation on the temporary zoning of the annexed parcels. The three parcels will be zoned Temporary A–Agricultural District with the annexation. Following the annexation, Planning staff will work with Dane County to determine an appropriate City of Madison zoning district(s) to permanently assign the parcels, which will be presented to the Plan Commission consistent with the process and standards in Section 28.182 of the Zoning Code.

Additional development of the three parcels is not anticipated at this time. Rather, the purpose of this annexation is to allow the County-owned facilities to connect to the City water and sanitary sewer services currently being extended east in the US Highways 12 and 18 right of way as part of the conversion of the CTH AB-US Highways 12 and 18 intersection into a grade-separated interchange. The extension of water and sewer to this site, as well as to the future Dane County landfill and sustainable business park to the southwest, are part of the Yahara Area Intergovernmental Agreement executed earlier this year between Dane County and the City of Madison. That agreement and others were authorized by Resolution 22-00319 (ID [70597](#)); the Yahara agreement calls for the subject parcels to be annexed to the City as a condition of providing urban services to them. Additional County-owned land to the northeast of the subject parcels will be annexed to the City separately according to terms in the Yahara agreement, with the second annexation scheduled to occur by April 1, 2023.

Finally, State law requires that the State's Department of Administration Office of Municipal Boundary Review (MBR) make a recommendation that an annexation is in the public interest. "Public interest" is defined in Section 66.0217(6)(c) as consideration of "[w]hether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town or by some other village or city whose boundaries are contiguous to the territory proposed for annexation which files with the circuit court a certified copy of a resolution adopted by a two-thirds vote of the elected members of the governing body indicating a willingness to annex the territory upon receiving an otherwise valid petition for the annexation of the territory" and "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city and any other contiguous village or city." The MBR determined in a letter to the City and Town of Cottage Grove dated October 24, 2022 that the proposed annexation was in the public interest (see attached letter).

Recommendation

The Planning Division recommends that the Plan Commission forward annexation ordinance ID 74681 to the Common Council with a favorable recommendation.

A two-thirds favorable vote of the Common Council is required to approve the annexation.