



Project Addresses: 7101 US Highways 12 & 18 and 4502 Brandt Road/CTH AB

Application Type: Zoning Map Amendment, Preliminary Plat and Certified Survey Map Referral

Legistar File ID # [73476](#) and [73194](#)

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Contact Person: John Welch & Allison Rath sack, Dane County Dept. of Waste and Renewables; 1919 Alliant Energy Center Way: Madison.

Property Owner: City of Madison Parks Division.

Surveyor: Chris Stolinas, Ayres Associates Inc.; 5230 East Terrace Drive, Suite 200; Madison.

Requested Actions: Approval of 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 approval 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.

Proposal Summary: Dane County is requesting approval of a request to rezone approximately 231.8 acres of land currently owned by the City of Madison and developed with the Yahara Hills Golf Course from PR to IG for the purposes of establishing a new sanitary landfill to serve the county. In addition to the zoning map amendment, the County is proposing the *Dane County Sustainability Campus* subdivision and two-lot CSM (in lieu of a final plat), which will create a 201.4-acre parcel for the future landfill, and a 30.4-acre lot that will be developed with a variety of industrial uses complementary to the future landfill. An overview of the uses envisioned for the business park is included in the letter of intent. Transfer of the 231.8 acres from the City to the County is expected to occur prior to the end of this year.

Permitting for the future landfill has commenced, with construction anticipated to start in 2025-2027. A detailed schedule for the permitting and construction of the landfill may be found in the letter of intent. Landfills are a conditional use in the proposed IG zoning district; Dane County is not requesting approval of the conditional use(s) needed for the landfill at this time, and will submit a separate request following approval and recording of the subdivision and as part of its State of Wisconsin permitting process. Future uses within the business park may also require conditional use approval by the Plan Commission prior to building or occupancy permits.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

Review Required By: Plan Commission and Common Council.

Review Schedule: The State’s subdivision statute, Wis. Stats. 236, requires that a preliminary plat and Certified Survey Map (CSM) be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat or CSM are deemed approved. The proposed preliminary plat and CSM requests were

submitted to the City for the August 8, 2022 application deadline. Therefore, the 90-day review period for this plat is scheduled to expire circa November 8, 2022.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00590, rezoning 7101 US Highways 12 & 18 and 4502 Brandt Road/CTH AB from Temp. A from PR to IG, the preliminary plat of the *Dane County Sustainability Campus* subdivision, and two-lot Certified Survey Map to the Common Council with recommendations of **approval** 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 City of Madison and Dane County have entered into an agreement for the City to sell the County the eastern 231.8 acres of the City's approximately 451-acre Yahara Hills Golf Course. The area to be conveyed is adjacent to CTH AB, which forms the eastern boundary of the City lands. The property is located in Alder District 16 (Currie) and the Madison Metropolitan School District.

Existing Conditions and Land Use: Yahara Hills Golf Course includes 36 holes, a clubhouse, and associated maintenance buildings located in the southwestern quadrant of US Highways 12 and 18 and CTH AB, all zoned PR (Parks and Recreation 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.

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 in the Central Urban Service Area earlier this year.

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 current serve this area of the City east of Interstate 39/90.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	10,000 sq. ft.	Both lots will exceed
Lot Width	65'	Both lots will exceed
Front Yard Setback	0' or 5'	To be determined
Side Yard Setback: Street side yard	0' or 5'	To be determined
Side Yard Setback	None if adjacent to property zoned IL or IG; 10' if adjacent to property zoned anything other than IL or IG	To be determined
Rear Yard Setback	30'	To be determined
Maximum Lot Coverage	75%	To be determined
Maximum Building Height	None	To be determined
Outdoor processing, storage or loading	100' from residential district boundary	To be determined
Other Critical Zoning Items		
Yes:	Wetlands, Utility Easements, Adjacent to Parkland	
No:	Urban Design, Floodplain, Wellhead Protection, Landmarks, Waterfront Development	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

Related Approval

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](#)).

Project Description

Dane County is requesting approval of a request to rezone two parcels totaling 231.8 acres of land located in the southwestern quadrant of US Highways 12 and 18 and Brandt Road/CTH AB from PR to IG consistent with various agreements entered into by the County and City of Madison earlier this year to establish a sanitary landfill and sustainable business park on the property. The County is also requesting approval of the preliminary plat of *Dane County Sustainability Campus* and a Certified Survey Map (CSM) to create one lot each for the future landfill and business park. The proposed two-lot CSM is in lieu of a final plat, as allowed by statutes.

The land to be rezoned, divided, and conveyed to Dane County is currently the eastern half of the City's Yahara Hills Golf Course, a 36-hole public course that occupies approximately 451 acres not inclusive of City-owned lands for future park use located south of the golf course at Siggelkow Road and west of the course adjacent to Savannah Road. In addition to the 36 holes, the golf course includes a clubhouse and surface parking lot located along the northern edge of the course, which is accessed from Millpond Road and the US Highways 12 and 18 expressway, and a series of maintenance buildings located along the eastern edge of the course adjacent to Brandt Road/CTH AB. Roughly half of the 36 holes and maintenance buildings are located on the 231.8 acres of land that will be purchased by Dane County later this year.

The preliminary plat and CSM propose two lots. Lot 1 of the proposed subdivision will be a 30.4-acre parcel located along the northern edge of the subject site that the letter of intent indicates will be developed in the future with a "sustainable business park" that will house a variety of industrial uses intended to complement the future landfill. Uses envisioned for the future business park development of Lot 1 may include the collection, storage, and transfer of materials diverted from the landfill; renewable energy generation; waste sorting, processing or recycling activities; and waste sorting, processing or recycling activities. An overview of the uses envisioned for the business park is included in the letter of intent. The future landfill will comprise Lot 2 of the subdivision, which will include the remaining 201.4 acres extending along the west side of Brandt Road/ CTH AB. For a period of time following approval and recording of the CSM, a portion of the existing golf course will remain on Lot 2 as stipulated in the lease approved as part of the various agreements authorized by Resolution 22-00319 earlier this year. The maintenance buildings on Lot 2 will remain into 2028.

Access to the business park on Lot 1 and future landfill on Lot 2 will be provided from a new frontage road currently being constructed by the Wisconsin Department of Transportation along the south side of US Highways 12 and 18 between Millpond Road and CTH AB. The frontage road extension is being implemented as part of the conversion of the expressway to a limited access freeway between Interstate 39/90 and CTH N in the Town of Cottage Grove, which includes the conversion of the current intersection at CTH AB into a grade-separate interchange. With the exception of an eastbound off-ramp that will be constructed to provide more direct access to the Ho-Chunk Nation's casino and holdings, Yahara Hills Golf Course, and other commercial properties west of the golf course, access to the properties south of US Highways 12 and 18 will be provided by the frontage road extension, which will intersect Brandt Road/CTH AB at a roundabout. A similar frontage road extension (Long Drive) is also being constructed as part of the State project along the north side of the future freeway to provide access to Dane County's Rodefild Landfill and a motel. Completion of the US Highways 12 and 18/CTH AB interchange project is expected in October 2023.

As part of the CSM to divide the 231.8 acres, the County will dedicate additional right of way for Brandt Road/CTH AB to provide 40 feet from centerline. The CSM also shows a 66-foot wide reservation for future right of way for a "southern access road" along the southern edge of Lot 2. The future southern access road is identified in the 2017 [Yahara Hills Neighborhood Development Plan](#) and 2022 amendment as a future southern street connection to provide a secondary access from CTH AB into the area in the western part of the neighborhood developed or planned for various commercial and mixed-use uses. Dedication and construction of the southern access road is not proposed at this time, and language included in the amended neighborhood development plan acknowledges that the "loop road" is "conceptual and will require in-depth planning to determine project cost/feasibility [and] the impact on the environmental features in the area." Instead, a note will be placed on the preliminary plat and CSM that the 66-foot wide reservation for a future public street shall be dedicated to the City for public street purposes at no cost to the City of Madison upon action by the Common Council requesting the dedication of the public street purposes. No buildings or above ground structures shall be permitted within the reservation area.

Analysis and Conclusion

The Planning Division believes that proposed zoning map amendment, preliminary plat of *Dane County Sustainability Campus*, and two-lot CSM is consistent with the land uses recommended in the recently amended Yahara Hills Neighborhood Development Plan, which calls for the lands closest to Brandt Road/CTH AB to be developed with industrial uses. The proposed reservation for future street purposes along the southern edge of Lot 2 is also consistent with the recommended street pattern in the neighborhood development plan, which calls for the future creation of a secondary street access from CTH AB to serve existing or planned uses in the western portion of the planning area.

The future use of proposed Lot 2 for a new sanitary landfill will require approval by the Plan Commission of a conditional use in the IG zoning district. Planning staff anticipates that the application for the landfill conditional use will include detailed plans for the physical improvements for the landfill, including access, perimeter screening and landscaping, and any buildings that will serve the facility, as well as information on the operational aspects of the landfill, including hours of operation and phasing.

The perimeter of the future landfill will be required to include a buffer consistent with recommendations in the amended Yahara Hills Neighborhood Development, which call for an “adequate” buffer and screening to be installed around all sides of the landfill to ensure compatibility with adjacent land uses. The future buffer should be a minimum of 150 feet in width/depth and include a minimum of a 10-foot tall berm as well as a combination of solid fencing and landscaping, which should include a minimum of 75 percent evergreen trees to provide year-round screening. Review and implementation of the buffer and screening plans for the landfill will occur as part of the subsequent conditional use request.

In addition to the conditional use(s) required for the landfill on Lot 2, it is possible that additional conditional use approvals may be needed for other aspects of the sustainability campus once additional information on the future uses and buildings is known. Additionally, buildings constructed on Lot 2 (and on Lot 1, if developed by Dane County) will require approval by the Urban Design Commission as public buildings pursuant to MGO Section 33.24(4)(d) of the Urban Design Commission ordinance.

Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00590, rezoning 7101 US Highways 12 & 18 and 4502 Brandt Road/CTH AB from Temp. A from PR to IG, the preliminary plat of the *Dane County Sustainability Campus* subdivision, and two-lot Certified Survey Map to the Common Council with recommendations of **approval**, subject to input at the public hearing and the conditions from reviewing agencies beginning that follow.

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

Planning Division

1. The applicant shall submit restrictive covenants for approval that establishes the purpose of the development; a design review board and design review process; allowable uses; and standards for development of the sustainable business park. The restrictive covenants shall be approved by the Director of the Department of

Planning and Community and Economic Development or his/her designee in consultation with the City Attorney's Office prior to final approval and recording of the Certified Survey Map (CSM).

2. The 66-foot wide reservation for a future public street shall be added to the Official Map upon recording of the CSM. The 66-foot reservation shall be dedicated to the public for public street purposes at no cost to the City of Madison upon action by the Common Council requesting dedication of the lands for public street purposes. No buildings or above ground structures shall be permitted within the reservation area.

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

3. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat.
4. 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.
5. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at (608) 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at (608) 261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolescence of the existing parcel).
6. Submit proposed lot corner grades with the stormwater management plan, as these two items shall be reviewed together to properly determine stormwater overflow conditions. Prior to the issuance of building permits, submit a master stormwater drainage plan with final as-built lot corner grades. These grades may be modified from the originally proposed grades provided they continue to meet design tolerances. No building permits shall be issued prior to City Engineering's final approval of this plan.

City Engineering Division – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

7. The applicant shall grant a Public Storm Water Management Easement Area that matches the TLE area per Parcel 2 of Transportation Project Plat No: 3080-01-26-4.04, Document No. 5758478. Contact Jeff Quamme for the required easement language. Also, provide a drainage easement for the proposed overflow that drains westerly out of the proposed detention ponds in the northeast corner of the CSM.
8. The applicant shall grant a 10-foot wide Permanent Limited Easement for grading and sloping adjacent to the new right of way of CTH AB (Brandt Road) Contact Jeff Quamme of Engineering-Mapping Section (jrquamme@cityofmadison.com, (608) 266- 4097) for easement language.
9. The applicant shall dedicate seven (7) feet of additional public right of way for CTH AB (Brandt Road) on the CSM. Also, show the proposed dedication on the preliminary plat.
10. Revise the label for the 66-foot perimeter road on the preliminary plat and CSM to read: "66-foot wide reservation for a future public street. No buildings or above ground structures shall be permitted within the

reservation area. The 66-foot wide reservation area shall be dedicated to the public for public street purposes at no cost to the City of Madison upon action by the City of Madison Common Council requesting the dedication of the lands for public street purposes.”

11. Provide dimensioning for the 40-foot wide private drive access permitted to US Highways 12&18 near the northwesterly corner of this CSM and preliminary plat. (per Project F04-2(31)).
12. Correct the detail page number to Page 6 for the label of the Overhead Electric Easement per Document No. 5843076.
13. Label the portion of the right of way along the east side of this CSM that is being dedicated as Brandt Road (County Trunk Hwy AB).
14. Label the right of way of Brandt Road within this CSM as “Dedicated to the Public for public street right of way purposes.”
15. Modify the note for Access Control along Brandt Road as follows: “Access Control R/W Project #3080-00-21 and Document No. 2870419.” Also, provide a dimension to the south end of the access control to fix the location of the end of the restriction within this CSM (also show on the preliminary plat).
16. Note on the map the location of the easement for erecting and maintaining poles along the east side of this CSM in the NE-SE and the SE-SE and the south line of the SE-SE, all in Section 25 (refer to Note 7 on sheet 4).
17. Note on the map the location of the Easement for erecting and maintaining poles along the north line of the NW- SE of Section 25 within this CSM per Document No. 460798 (refer to Note 6 on sheet 8).
18. The surveyor shall check Document No. 926342. It appears as this may not encumber this CSM, as Korfmacher-owned lands in the NE 1/4 of Section 25 and the east side of those lands where the easement resides is north of this CSM.
19. Note and show the existing easement 34 feet off the centerline of Brandt Road along the east side of this CSM per Document No. 926343.
20. Show and label the Underground Electric Easement per Document No. 2349411 within the northwesterly portion of the CSM and preliminary plat. The exhibit for the easement is provided with the correction affidavit recorded as Document No. 5014336.
21. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com).
22. Prior to Engineering final sign-off by main office for final plats, the plat shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

- 23. Provide recorded as information of CSM 6623 along the south side of this CSM.
- 24. Provide a monument at the bend in the right of way between L30 and L31.
- 25. Lot areas shall not contain any lands dedicated as public right of way.
- 26. The preliminary plat shall show the proposed lots and all other items shown, noted, or to be granted by the Certified Survey Map. The preliminary plat shall remove the City of Madison certificates, Owner's Certificate and the Treasurers Certificate, as they are not necessary on a preliminary plat.
- 27. The lands are currently owned by the City of Madison. Provide updated title reports once the lands have been conveyed to Dane County.
- 28. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

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

- 29. The applicant shall dedicate seven (7) feet of right of way along their frontage of CTH AB for a total of 40 feet from the centerline.

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

This agency has reviewed the request and recommended no conditions of approval.

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

This agency has reviewed the request and recommended no conditions of approval.

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

This agency did not submit a response for this request.

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

This agency has reviewed the request and recommended no conditions of approval.

Parks Division (Contact Kathleen Kane (608) 261-9671)

This agency has reviewed the request and recommended no conditions of approval.

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

This agency has reviewed the request and recommended no conditions of approval.

Office of Real Estate Services (Contact Jenny Frese, (608) 267-8719)

This agency has reviewed the request and recommended no conditions of approval. The form of the final CSM shall be approved by the Office of Real Estate Services prior to final sign-off and recording.