



Dane County Regional Planning Commission

Room 523, City-County Building, Madison, Wisconsin 53709 Tel. 608/266-4137

August 20, 1984

Steve Skavronek
Water Quality Planning Section
Wis. Dept. of Natural Resources
Box 7921
Madison, Wisconsin 53701

Re: Urban Service Area Revision - Town of Burke

Dear Mr. Skavronek:

At the request of the Town of Burke, the Dane County Regional Planning Commission has approved an expansion of the Limited Service Area at the interchange of USH 51 and I90/94, adding lands in the W $\frac{1}{2}$ Sec. 9 and the E $\frac{1}{2}$ Sec. 8, T.8N., R.10E., as shown on the attached maps, to include areas of existing development. Deletion of 10 acres of wetland from the service area is also proposed.

I am enclosing a copy of staff analyses and background papers which should provide sufficient information for your review. We are requesting that the Department review and approve the proposed revision as a change to the Dane County Water Quality Plan.

As mentioned earlier, the revision proposes to delete 10 acres of wetland currently included in the service area. There are no floodplains, wetlands or other important environmental corridor resource features in the lands proposed to be added to the service area.

Please contact me if you have any questions or need additional information.

Sincerely,

William N. Lane

William N. Lane
Director of Environmental
Resources Planning

WNL:jes

Enclosure

cc: w/enclosure
Daniel Jones, Chairman, Town of Burke
Stephanie Jensen, County Board Supervisor
James Nemke, Chief Engineer and Director, MMSD
Ned Pierce, Strand Associates

RPC

Proposed Sewer Service Area Expansion
US 51 - I90/94 Interchange, Town of Burke

Prepared by DCRPC Staff

7/26/84

History and Background

In late 1974, the Dane County Regional Planning Commission was requested by MMSD to comment on the consistency of a proposed annexation to MMSD of lands at the interchange of US 51 and I90/94 with our adopted plans and policies, as required by ss. 66.22 and 66.26, Wis. Stats., which require consistency of MMSD plans and adopted RPC plans.

The proposal was initiated because of sewage disposal problems being experienced by existing major commercial establishments in the immediate interchange area. While adopted plans did not propose sewer service in this location, there was a desire to solve the sewerage problem. The annexation was approved, conditioned on limiting service to existing establishments with sewage disposal problems, and ensuring that sewer service be provided in a way which would not encourage additional development in the area. The attached letter dated December 20, 1974 to Eugene Gehl outlines the RPC concerns and conditions.

Requests to annex additional lands to MMSD in this area were made by various landowners in 1976, 1980 and 1981 (letters attached dated March 11, 1976, May 9, 1980 and March 27, 1981). The RPC responses, which were reviewed by the Commission, reiterated the original intent of the initial MMSD annexation, and indicated, in the 1980 and 1981 requests, that the issues could be further addressed in the Town planning process, then beginning.

In the process of reviewing the draft Town plan and working with the Town of Burke on the Town of Burke portion of the Dane County Farmland Preservation Plan, the RPC staff questioned whether there was any need or intent to revise the interchange sewer service area. No change was proposed by the Town, and the Town plan was adopted and approved with the original sewer service area.

In June, 1983, Town officials phoned the RPC staff to discuss the possibility of changes in the service area coupled with other actions involving downzoning other commercial property owned by the same landowner. The RPC staff agreed to explore with the Town officials a combination of approaches which would accommodate the Town's desire to include the southeast quadrant of the interchange in the service area, while retaining a reasonable basis for preventing unlimited or open ended sewer development extending south from the interchange area. Extensive undeveloped commercial zoning exists along US 51 and the extent to be served by sewer is a concern. Staff suggested that the Town stop by the office to clearly show what area was being proposed.

Proposed Sewer Service Area Expansion
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In December, 1983, Town officials came to the RPC office to discuss these issues, including the intent or desire to provide sewer service to the Acker/Hoepker Road area south of the interchange area some time in the future. In response, the RPC staff drafted a memo (attached) dated December 21, 1983, outlining a suggested course of action which could conceivably be acceptable to all parties and protect the various interests and concerns. The RPC staff met with Town officials and reviewed the contents of the memo with them. Although some concerns were raised, it was the understanding of the RPC staff that the Town was going to pursue the suggested actions listed under #7 in the memo, and that once this was accomplished, a letter would be submitted and the RPC staff would initiate actions to revise the service area.

In June, 1984, Town officials met with RPC staff, reiterated the desire to expand the interchange service area to include the Acker/Hoepker Road area, and indicated that several of the conditions or actions in the December 21 memo were not feasible or were unacceptable to them. It was suggested they submit a written request for change to the RPC. The Town submitted a memo dated July 5, 1984 requesting discussion of the issue at the next RPC meeting. The Town discussed its position and general request at the RPC's July 12 meeting. It was requested that the Town submit a specific proposed change in writing for RPC consideration. The Town submitted a specific proposal dated July 18, 1984, which requested expansion of the service area to include the southeast quadrant of the interchange, and in addition, the area south of the interchange generally bounded by CTH CV, USH 51 and including the Acker Road area (memo and map attached).

- A. No change - retain the present urban service area in the interchange area (about 101 acres excluding street and highway R.O.W.).
- B. Change - add approximately 40 acres in the interchange area only.
- C. Change - add lands in the interchange area, add some land in the Acker Road area, remove some land.
- D. Change - add 130 acres contained in town request.

Proposed Land Use, Water Quality and Farmland Preservation Plan Amendment

Dane County Regional Planning Commission

8/3/84

Request

The Town of Burke has requested a revision to the town sewer service area at the intersection of U.S. Highway 51 and Interstate Highway 90-94.

Pertinent Factors

The town is requesting that about 143 acres be added to the existing 101-acre sewer service area. These acreages do not include the right of way areas of streets and roads. Of the 143 acres requested in the proposal, roughly 61 acres are vacant and the remaining 87 acres are developed in a mixture of uses, including residential, commercial and industrial. The predominate use is commercial. Currently, nearly 105 acres are zoned commercial and the remainder is zoned agriculture (not exclusive). It should be noted that extensive commercial zoning exists to the south for 1-1/4 miles on both sides of U.S. Highway 51 all the way to the airport property and Madison city limits.

A number of the soils, as shown on the Soil Survey of Dane County, have very severe limitations for the proper functioning of septic tank absorption fields due to the shallow depth to bedrock, particularly in the Acker Road area. In fact, there is a quarry on the southern end of the proposed addition.

The existing sewer service area contains about 101 acres of which approximately 58 acres are vacant. The remainder are nearly all commercially developed and served by public sanitary sewer. This is a large addition. If approved as requested, the sewer service area at this location would be about the same size as the developed area of the Village of Mazomanie.

Consistency With Adopted Plans and Policies

Creation of the original limited service area in the vicinity of I-90/94 and USH 51 Town of Burke was based on solving a sewage disposal problem associated with certain existing commercial uses in the interchange area. This purpose, and the desire to discourage additional development in the area were clearly stated in the RPC approval of the MMSD annexation in 1974.

Policies of the Dane County Land Use Plan encourage highway oriented commercial uses to locate at highway interchange areas.

Expansion of the limited service area would be most consistent with adopted policies if it were: (1) limited to the immediate interchange area; (2) limited generally to highway oriented commercial uses; and (3) if the provision of higher levels of other public services including water supply, police and fire protection were encouraged.

Consistency with adopted regional plans is a critical issue inasmuch as the Wisconsin State Statutes require such consistency with MMSD plans, including all annexations to the district. All changes to sewer service areas are also reviewed by the Wisconsin DNR for consistency with the adopted Water Quality Plan. Thus, approval of amendments to the service areas is required by the RPC, MMSD and DNR. In addition, for any amendment to a service area exceeding 5% or 60 acres, the DNR will require and prepare an environmental impact assessment.

Alternative Responses to the Town of Burke Request

The following alternatives to the Town of Burke request for expansion of the limited service area were prepared by the staff of the RPC in order to provide a range of responses for the Commission to consider. Maps of each alternative are attached.

Alternative I

This alternative would propose no change in the currently adopted limited sewer service area. It would be consistent with the town's adopted land use plan as well as with the originally stated purposes of creating the limited service area; i.e., limiting service to existing establishments with sewage disposal problems, and not encouraging new additional development.

The alternative does not address the problem of any septic tank failures that may occur due to the shallow depth to bedrock in the Acker Road area. Low intensity (not highway oriented) uses would be expected to continue to locate in the area.

Alternative II

This alternative would seek to provide for sewer service only at the interchange area. Basically, it would include those lands currently in the limited service area plus those areas intended to be served by public sewer at this time as stated in the town's request. In addition, the 9-acre parcel at the northwest corner of U.S. Highway 51 and CTH CV would be included as a logical addition in terms of providing public sewer service.

The 10-acre wetland area adjacent to Daentl Road near the interchange of U.S. Highway 51 and Interstate 90-94 would be deleted. The wetland is currently within the Cherokee Marsh Long Range Plan as well as being zoned as a wetland by Dane County.

The land in the Acker Road area is not included in this alternative because the type of commercial development existing in the area is generally low intensity, not highway oriented, and does not require a high level of urban services.

Under both alternatives I and II existing uses would probably remain in the interchange area with future development probably being higher value intensive highway oriented.

This alternative would generally be consistent with adopted town and RPC policies.

Alternative III

This alternative would aim to direct new commercial development to the interchange area as well as attempt to solve some existing and potential septic tank problems in a developed area.

In addition to the lands added in alternative II, this alternative would add 58 acres in the Acker Road area, as shown on the map. Of this additional acreage, 48 acres are currently developed mostly for low intensity commercial uses.

Under this alternative, the land use impacts are likely to be that existing uses along Acker Road would gradually be replaced by new higher value, more intensive commercial development, after sanitary sewer and other public improvements are provided. The uses at the interchange area would continue to be higher intensity highway oriented uses.

Alternative IV

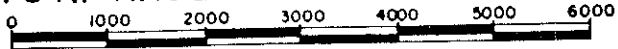
Basically this alternative would provide for additional commercial development at the interchange area, potentially solve the current or potential sewage disposal problems in the Acker Road area, remove a 10-acre wetland from the service area plus add a 25-acre potentially developable area south of CTH CV. The impacts of this alternative would be similar to alternative III.

This alternative includes all the lands requested by the town to be added to the limited service area -- an addition of 143 acres. This would result in a total service area of 244 acres.

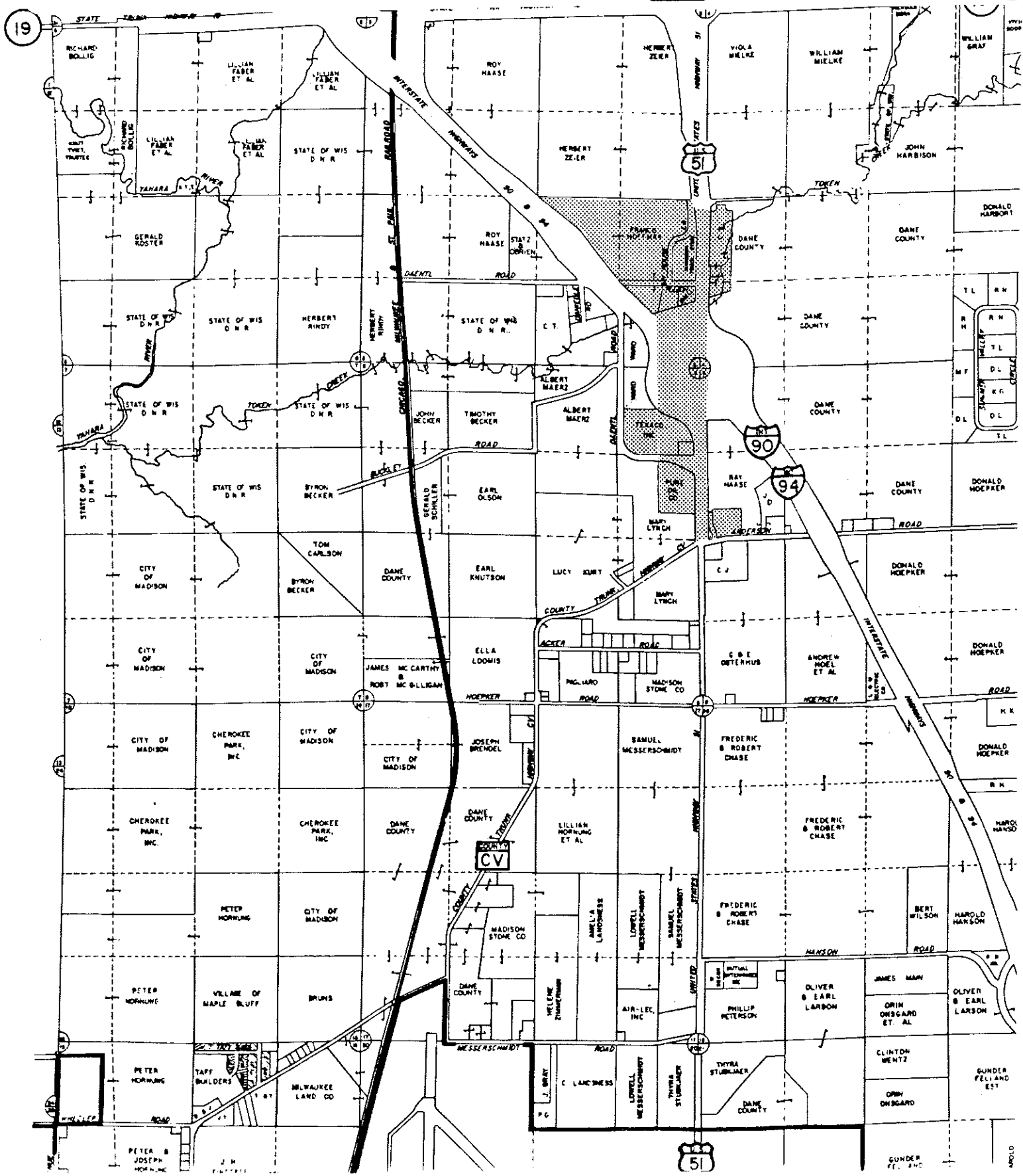
With public sewer service, the 25-acre parcel south of CTH CV could develop into more intensive uses, either commercial or residential.

This alternative would clearly be the least consistent with current adopted RPC policies and previous statements. However, if the size of the service area could be reduced, the inconsistency could be ameliorated. For example, the 40 acres in the northern most triangle of the existing service area (Hoffman Distributing Company), zoned agriculture, could be deleted. This would be consistent with the town land use plan which indicates about 15 acres planned as long range agriculture and 25 acres for transitional agriculture.

T. 8 N. R. 10 E. DANE COUNTY, WIS.

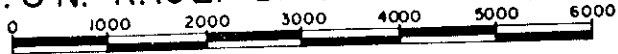


 Existing area
 Proposed addition

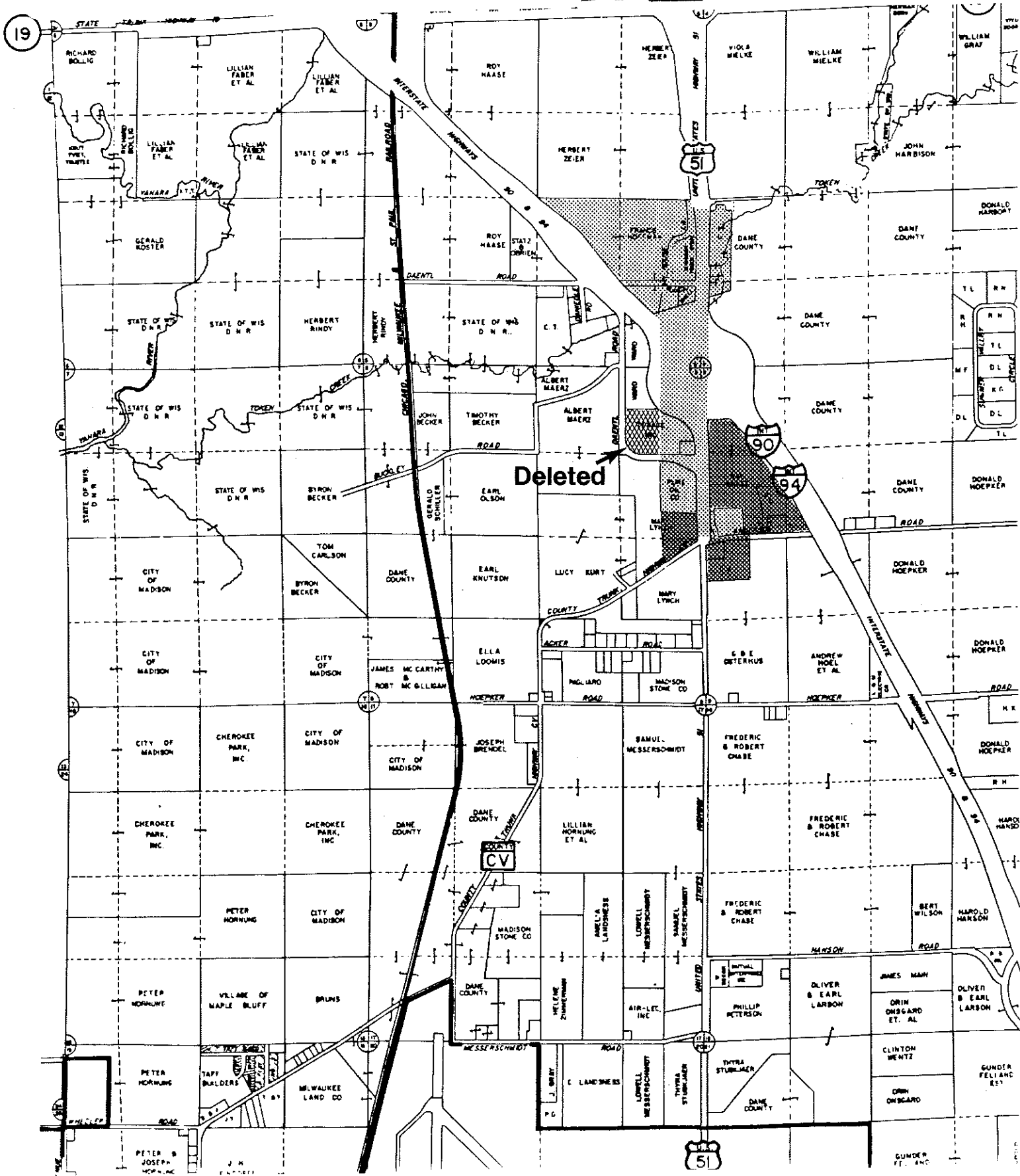


Town of Burke Sewer Service Area proposed Alternative 2

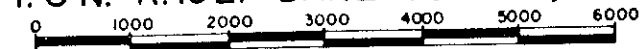
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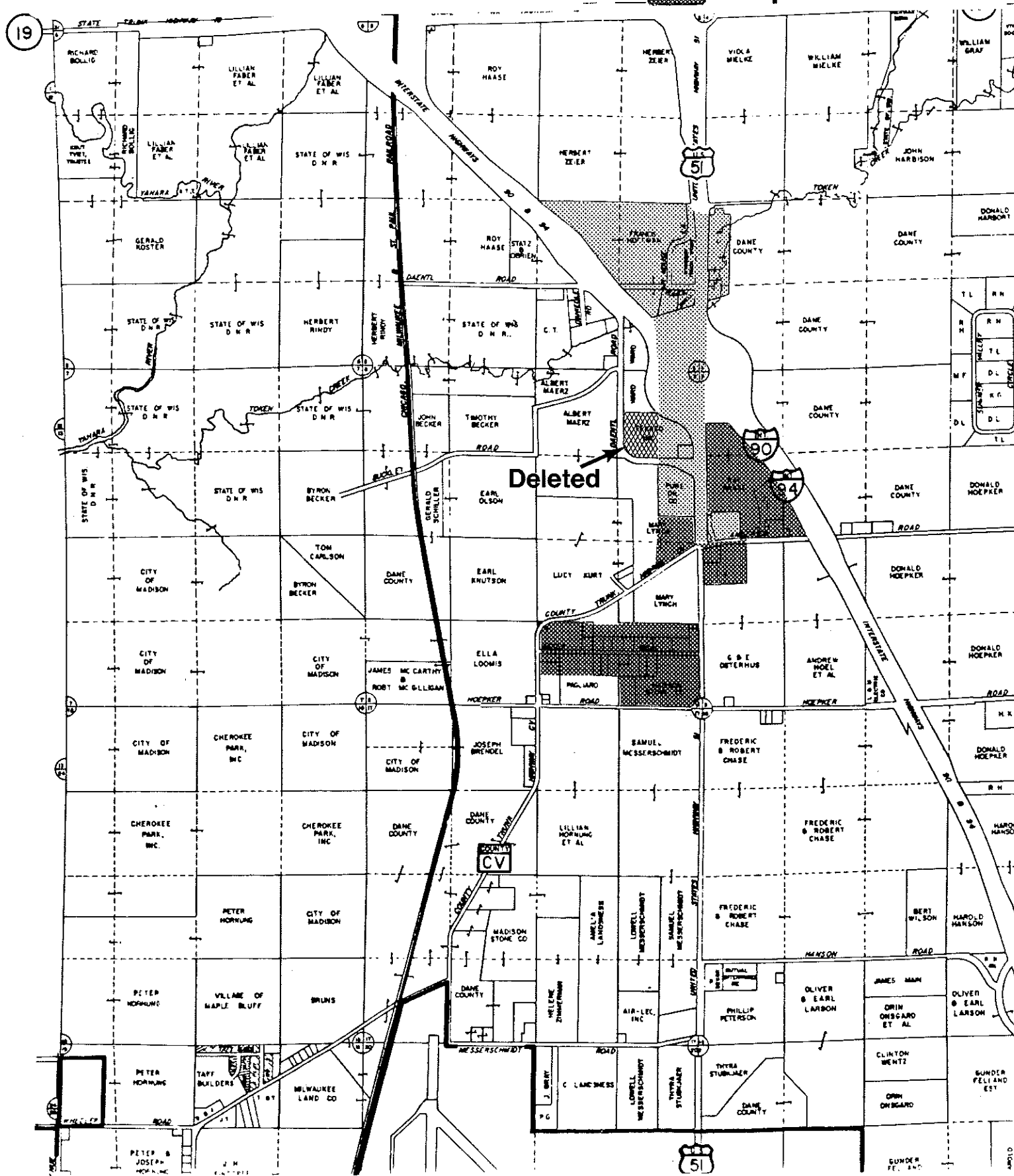
Existing area
Proposed addition



T. 8 N. R. 10 E. DANE COUNTY, WIS.



Proposed addition



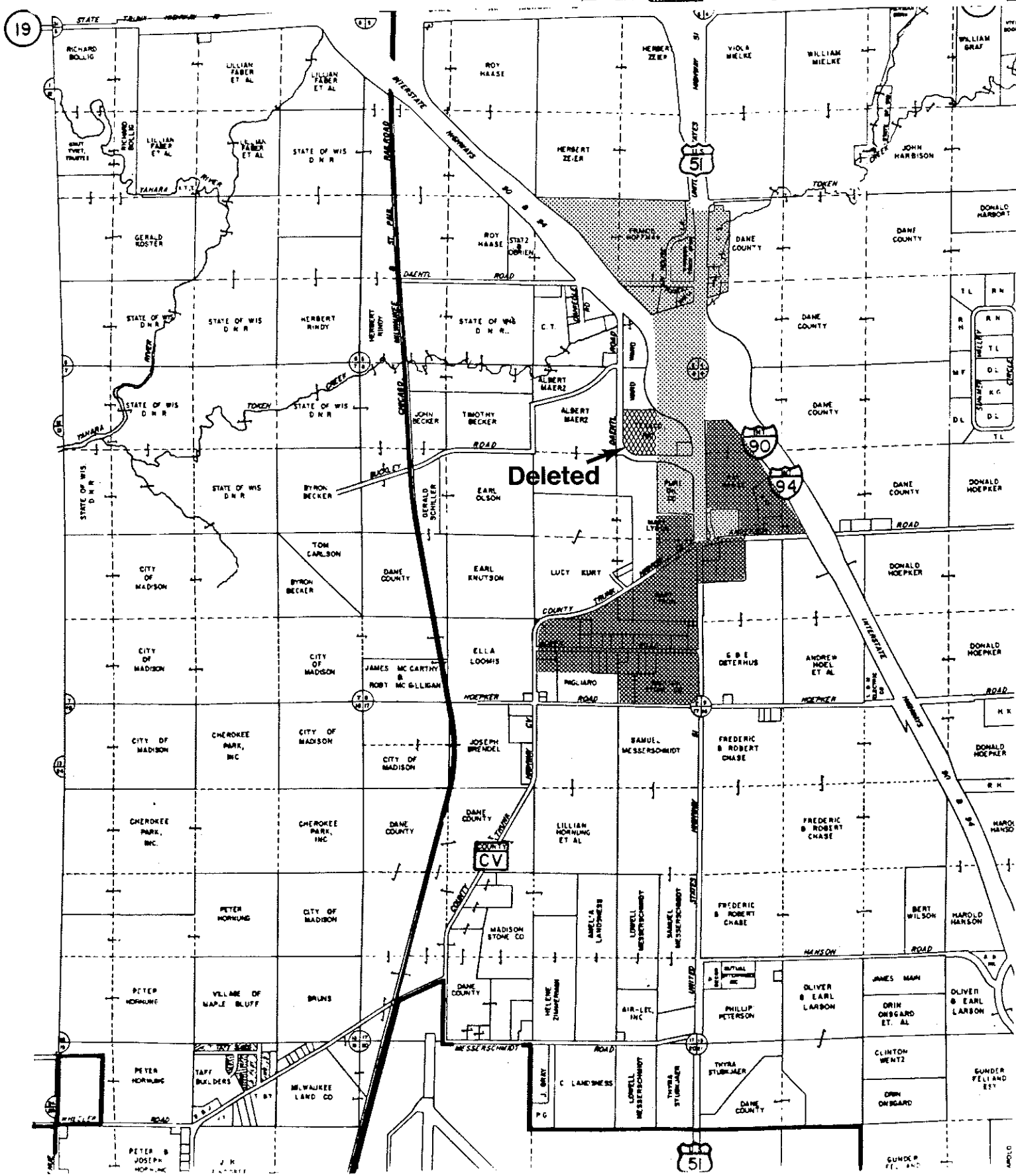
Town C. Burke Sewer Service Area proposed Alternative 4

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0 1000 2000 3000 4000 5000 6000



 Existing area
 Proposed addition





Dane County Regional Planning Commission

Room 523, City-County Building, Madison, Wisconsin 53709 Tel. 608/266-4137



August 9, 1984

To: Dane County Agriculture, Environment,
and Land Records Committee

The Dane County Regional Planning Commission has worked with the Town of Burke in revising the limited sewer service area at the I-90/94 and U.S. Highway 51 interchange. The commission has adopted amendments to the County Land Use, Water Quality and Farmland Preservation Plans reflecting the revisions. The commission recommends that Dane County amend the Farmland Preservation Plan to include these changes. A map of the changes is attached.

Please contact the RPC offices for additional information.

Sincerely,

Bette Salmon, Chairperson
Dane County Regional Planning Comm.

BS:js

Enclosure

cc: Daniel K. Jones, Chairman, Town of Burke

RPC

RESOLUTION RPC NO. 372

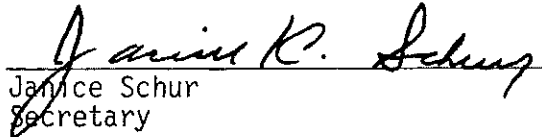
Amending the Dane County
Farmland Preservation Plan
in the Town of Burke

WHEREAS, the Dane County Regional Planning Commission has adopted, amended and reaffirmed the Farmland Preservation Plan for Dane County; and

WHEREAS, the Dane County Regional Planning Commission has previously worked with the Town of Burke to refine the Limited Service Area in the vicinity of Interstate I-90/94 and USH 51, the Windsor Urban Service Area, and the land uses within the service areas in the Town of Burke, as shown on the attached map.

NOW THEREFORE BE IT RESOLVED, that in accordance with Section 66.945(9) of the Wisconsin Statutes, the Dane County Regional Planning Commission amends the Dane County Farmland Preservation Plan by adopting the amendments to the Town of Burke Land Use Plan as shown on the attached map.

June 13, 1985
Date Adopted


Janice Schur
Secretary

Attachment

Farmland Preservation Plan Amendment Request - TOWN OF BURKE

Dane County Regional Planning Commission

6/3/85

Request

Revision of the County Farmland Preservation Plan to reflect amendments adopted by the Town of Burke, which designate all lands within the recently approved limited service area as commercial. They also request that all land at Highway 19 and I-90 within the Windsor Urban Service Area be designated as commercial.

Request by:

Town of Burke.

Pertinent Factors

1. The Town of Burke Land Use Plan, which is part of the County Farmland Preservation Plan delineates specific land uses such as commercial and residential. The specific changes would be from Agricultural/Transitional (which is meant to remain in agriculture until needed for development) to a commercial designation, in which their plan's commercial policies would apply.
2. Most of the area in question is already zoned commercial. This change would make rezoning the balance of the land commercial, consistent with plan policies and contiguous development; and it would discourage speculative zoning.
3. The change to the town sewer service area boundaries is a matter of revising the Town Land Use Plan and the County Farmland Preservation Plan maps to be consistent with the recently approved amendment to the limited urban service area.

Recommendation

It is recommended that the Regional Planning Commission amend the Farmland Preservation Plan by changing the Agriculture/Transition areas to Commercial on the plan as requested. Further, the recently approved limited urban service area amendment should be shown on the Town Land Use Plan and the Dane County Farmland Preservation Plan.

BT:mm1

Attachment

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LIMITED SEWER SERVICE AREA

PROPOSED TO BE COMMERCIAL

