



Madison Parks Division

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October 6, 2022

To: Board of Park Commissioners

From: Eric Knepp, Parks Superintendent 

Re: Potential Land Exchange Impacting Cherokee Conservation Park – North Unit

Background

Madison Parks has worked for decades to protect and conserve Cherokee Marsh. This has included significant land acquisitions of the marsh itself as well as surround buffering uplands and meadows. In April, 2018, the City was able to acquire a 30.6 acre parcel from Cherokee Park Development located at 2004 Wheeler Road. The cost of this acquisition was \$2,432,100. This acquisition was authorized by the Common Council and the Board of Park Commissioners via resolution (RES-18-00089, Legistar #49975).

Since acquisition, the Parks Division has continued to maintain the area with primarily an agricultural land use. The crops are planted, tended, and harvested by a local farmer under an annual lease agreement, whereby they pay the City a set fee per acre. Given the sizable bank of land already in the Conservation designation of the parks system and the significant additional acquisitions over the past decade, this property has not risen to a level of priority to create a detailed long-term land management plan and correspondingly to budget for the work to restore a natural habitat on this land. There is a small wooded area on the northwest portion of the property that has not been managed or maintained in a significant manner by Parks to date.

Since earlier in 2022, staff from the Parks Division and Planning Division have been in discussion with Northshore Rentals regarding their interest in developing multi-family housing on a 4.8-acre parcel addressed as 2103 Larry Lane with frontage on the north sides of Wheeler Road and CTH CV on the eastern edge of the Cherokee neighborhood. In our early discussions, concerns were raised by Planning about inconsistency between the proposed development and the Cherokee Special Area Plan (2007), and about potential isolation of the Northshore development from the rest of the Cherokee neighborhood to the west.

The Northshore parcel is adjacent to a 30.6-acre City-owned parcel addressed as 2004 Wheeler Road, which was acquired by the Parks Division in 2018 as upland for the adjacent Cherokee Marsh open space. In subsequent discussions with Northshore, the idea of a land swap between them and the City was broached whereby approximately 4.66 acres of land at the southeastern corner of the Parks parcel would be exchanged with Northshore, who would acquire and deed to the City an approximately 6.0-acre parcel owned by Mansion Realty located directly north of 2103 Larry Lane. The Mansion Realty parcel is currently located in the Town of Burke. With the added land, Northshore would develop their multi-family project along an extension of Larry Lane to Wheeler Road.

As shown on the attached concept, Northshore would develop roughly 250 units in 5-6 buildings on 7.7 net acres. The remaining approximately 26 acres of upland and the 6.0-acre Mansion Realty parcel would result in a roughly 32-acre contiguous open space on the northwest side of Larry Lane. Planning staff believes that the Larry Lane extension would be continued south of Wheeler through the 33.3-acre property owned by Cherokee Park, Inc. as an extension of Hollow Ridge Trail in the Whitetail Ridge neighborhood, which could provide a connection to Whitetail Ridge Park.

Parks staff has walked the perimeter of the Mansion Realty parcel and found that it contains what appears to be a moderate-quality woodland that would be a useful addition to the City's Cherokee Marsh holdings as a buffer for the marsh. Under the swap concept, the City would likely need to participate in the construction of the Larry Lane extension adjacent to its property. Dedication and construction of platted but unbuilt Estuary Lane may also be required to connect existing Dennis Drive to Larry Lane consistent with the connectivity planned for this area in the Cherokee Special Area Plan. However, a multipurpose path may be pursued to achieve that connectivity in lieu of a street connection.

Analysis

The Madison Parks Division takes seriously its role as stewards of the public park system. The above details represent an ongoing conversation with the development team and City Planning to evaluate the potential of a land swap. Madison Parks has evaluated a number of items in reviewing this concept. Key factors that have been considered include:

1. Impact of losing the 4.5 acres to development.
 - a. Loss of potential area along Wheeler Road to restore to a native landscape. Note, this area is all currently under a farm lease and has not had restoration done on it.
 - b. The land traded away is important in protection of the Marsh, but it is the further from it than the woods and is at a higher elevation.
 - c. Potential to have privately funded stormwater management constructed that would reduce the impact of surface water to the Marsh.
 - d. Potential for additional housing units to address housing needs in the community, with the potential of additional impact fee generation to support the park system.
 - e. Potential to better connect residents north of Wheeler to the neighborhood south of Wheeler (including the park amenities at Whitetail Ridge).
 - f. The additional new neighbors would offer a potential volunteer and park user base that would enhance the mission of connecting urban dwellers to nature.
 - g. Modest loss in annual rental income.
2. Impact of gaining the 6 acres of woodland buffer.
 - a. Adding an additional woodlot to the holdings within Cherokee would be a nice addition.
 - b. The proximity of the woodlot to the Marsh arguably makes preserving it from future development more impactful than the land being traded.
 - c. There are reasons this woodlot if acquired could be restored to be a quality wooded area. There is potential for nature trails within this area.
 - d. Restoration of the woodlot would not be an immediate high priority for the Parks Division and there would need to be consideration given to the availability of resources to maintain and restore this area.

3. Impact on the long-term plan and vision for Cherokee Marsh
 - a. The swap would provide an improved multi-modal access point to the land we own currently and would acquire. The potential for a path on the eastern edge of the property could promote additional use and enjoyment of these critically important uplands.
 - b. This would include a total of about 12 acres of woodlot buffering the golf range to the west and the homes to the east. This would be balanced with approximately 20 acres of open space that would likely be managed towards prairie in the future as resources become available. The details of the land management would be finalized by staff through an amendment to the Land Management Plan for the area that would be reviewed by the Habitat Stewardship subcommittee.
 - c. Having additional land extending northeast of the current land holding provides some potential for further expansion in the direction based on future goals and objectives.
 - d. The swap would mean the long-term likelihood of having both properties would be reduced.
 - e. There would need to be additional consideration on the plans for restoration in the area remaining directly west of the 4.5 acres being swapped. Parks has had some conversations with Cherokee Park Inc regarding their golf course development project and the long-term interests we have in the area currently used as a range. Cherokee Park has been open to conversations to find a path forward that would allow their recreational offering to be successful and recognize this long-term interest.

Conclusion

The informational item before the Board of Park Commissioners on October 12, 2022 is intended to provide the above background and analysis to the Board and solicit Commissioners feedback on the concept laid out. Though the conversations have extended over a somewhat extended timeframe, neither the City nor developer have expended large amounts of resources on this concept to date. There are many additional steps to complete and consider prior to having an actionable plan for full review and consideration. It is important to note here that this memo and its analysis is not meant to convey a strong recommendation to the Board. The Parks team very much understands the sensitivity of contemplating swapping any land currently in the parks system.

Both Parks and Planning agree that prior to commencing any further work on this concept, it is important to hear from the Board of Park Commissioners. It is our hope that the informational presentation and corresponding discussion will provide sufficient feedback to know whether or not additional work and consideration of this matter is warranted. And, if so, what parameters or additional considerations are priorities to the Board of Park Commissioners for staff to consider. The team looks forward to the conversation and consultation with the Board on this matter.