



Madison Parks Division

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**MADISON
PARKS**

FROM: Eric Knepp, Parks Superintendent
TO: Plan Commission
DATE: June 4, 2024
SUBJECT: Starkweather Preliminary Plat

On the Preliminary Plat of Starkweather Plat (3420 Milwaukee Street) stamped 5/13/2024 the developer proposes to dedicate parkland to the City. The proposed dedication for parkland is identified as Outlot 7 (+/- 21.9803 acres) and a portion of Outlot 8.

As stated in MGO 16.23(8)(f), Public Sites and Open Spaces:

“The following provisions are established to preserve and provide properly located public sites and open spaces as the community develops, and to insure that such public sites and open spaces are provided and developed to serve the need for parks generated by the additional person brought into the areas by such development, in accordance with standards adopted in Madison’s Parks and Open Space Plan.”

As further stated in MGO 16.23(8)(f)(5):

“The Plan Commission, after recommendation of the Park Commission shall determine that any land to be dedicated as a requirement of this section shall be reasonably adaptable to meet desirable on-site facilities as outlined in Madison’s Parks and Open Space Plan, and shall so recommend to the Common Council. Factors used in evaluating the adequacy of proposed park and recreation areas shall include size and shape, topography, geology, tree and other plant cover, access, and location.”

Parks staff has met with the developer on numerous occasions beginning in late 2022 and continuing in 2023 prior to the submittal of this Preliminary Plat. At several of the meetings additional city agency staff were present to express their comments and concerns to the developer directly. The comments and concerns contained below are consistent with those comments previously provided to the developer at these meetings.

The Milwaukee Street Special Area Plan (MASP) (December 2018) notes, *“New park and open spaces are intended to continue the large green corridor which extends northward from Lake Monona. On the Voit property, the concepts identify a new active park space north of Chicago Avenue as well as a parkway along Starkweather Creek, similar to the Yahara Parkway between East Washington and Williamson Street.”* This Preliminary Plat is generally aligned with the recommendations of the MSASP.

As the duly authorized representative of the Park Commission on these matters, my comments are as follows:

1. Outlot 7 - This Outlot is acceptable to Parks if the specific conditions regarding the grading and site preparation are met.
2. Outlot 8 - The developer will need to graphically depict the land division within the Outlot between Parks, Stormwater Management and the Bike/Ped Path as separate Outlots and include areas of each as square foot (SF) and/or acre measurements

3. Existing Restricted Use Parkland: No final approval will be issued until issues regarding current parkland subject to DNR Stewardship Grant Agreement, is resolved in a manner that is in compliance with Chapter NR 51, Wisconsin Administrative Code. NOTE: This requirement was satisfied as of May 21, 2024 see legislative file 83182 and resolution RES-42-00325
4. The Gravel Pit Pond: Not currently clearly delineated within the proposed Plat. Parks will accept the pond as dedication; however, no acreage credit will be recognized for the body of water.
5. Amount of acres owed based on the unit count: the application letter regarding the proposed development describes the intent to provide up to 1,100 multi-family (MF) units; a portion of which may include income restriction(s) that could qualify those units through the Community Development Division (CDD) as Low Income Certified. The parkland dedication requirement for a single-family/duplex lot is 1100 square feet (SF); for a standard multi-family unit the parkland dedication requirement is 700 SF and for a large (4+ BR) multi-family unit the land dedication requirement is 1,424 SF. All of the residential units introduced with this development are required to dedicate land and/or pay the Park Land Fee In-Lieu, including those certified as Low Income through CDD. A total of 807,400 SF or 18.53 +/- acres of parkland dedication is required for this plat if 1,100 standard MF units are introduced. The parkland dedication requirements for this plat are being met as follows: Outlot 7 (shown as totaling 957,461 SF or 21.9803 acres including the open body of water comprising the gravel pit pond, which cannot be included in the land dedication) and if the requirements of MGO 16.23(8)(f)(8) as stated above are complied with, the portion of Outlot 8 dedicated to the public as parkland if updated (platted separately from the stormwater detention ponds) will also be credited. Note: size of each Outlot 7 and Out 8 is currently To Be Determined based on the necessary separation of uses in these Outlots for Park, gravel pit pond, Stormwater Management and Bike/Ped Path.
6. Prior to sign off on the final plat the applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the park impact fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.
7. No farming or use of lands to be dedicated to the public for Park purposes shall be allowed unless specifically approved by the Parks Superintendent and permitted under a farm lease administered through the City of Madison Office of Real Estate Services.
8. The applicant shall prominently stake all boundaries and property irons for lands to be dedicated for park purposes.
9. The Developer shall provide soil borings within any lands to be dedicated as parkland.
10. The parkland dedication should meet the following guidelines for park development:
 - a. Areas within a park to be used for open space for active and passive recreation shall be graded at 1-2% for the area of field proposed.
 - b. No side slopes within the park dedication area shall exceed 4:1.
 - c. The applicant shall provide proposed grading plans prior to approval of the area for dedicated public park lands.
 - d. No propose utilities will be allowed on public park land without prior approval by the Parks Superintendent or his designee.
 - e. **Areas that are wetlands shall not be dedicated as public parkland.**

11. The Applicant shall complete a tree inventory and health assessment for the trees located on the proposed public park and any in close proximity to the park. The Applicant shall include all existing trees, which are not all currently shown on the preliminary plat. The tree inventory and health assessment should be completed by an arborist and provided to the Parks Division with the Final Plat application.
12. Park Impact Fees: Park Development Impact Fees per MGO Sec. 20.08(2) will be required for all new residential development. This development is within the East Park impact fee district. Please reference ID# 23026 when contacting Parks about this project.
13. The following note should be included on the subdivision: “LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.
14. Pursuant to the authority established under Wis. Stat. § 66.0617(7), and in the interests of promoting the development of low-cost housing in the City, low-cost housing is exempt from the park impact fees beginning January 1, 2017. This exemption only applies to those dwelling units or bedrooms within a development that are determined to be low-cost housing. This exemption does not extend to the land dedication requirements set forth under Sec. 16.23(8)(f), MGO, nor any other impact fees that may apply to a development.
15. The park impact fee will be exempt for developments that meet the “low-cost housing” requirements, as defined as rental or owner-occupied housing units that are affordable, as that term is defined in Sec. 4.22(2), MGO, and which meet the deed restriction requirements of Sec. 4.22(7). The determination whether a proposed development will create low-cost housing, and how much low-cost housing it will create, shall be made by the Community Development Division.
16. Parks Division will be required to sign off on this subdivision.