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2023 Project Plan Amendment

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**TAX INCREMENTAL DISTRICT (TID) NO. 37
PROJECT PLAN**

UNION CORNERS

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City of Madison, Wisconsin
Department of Planning and Development
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TAX INCREMENTAL FINANCE DISTRICT NO. 37 (UNION CORNERS)

PROJECT PLAN

NOTE: The changes to the Project Plan from the First (2023) Amendment are highlighted in yellow.

INTENT AND PURPOSE

The City of Madison ("City") has established that the continued economic and physical revitalization of the East Washington Avenue / Winnebago Street Corridor is a priority. The City intends to eliminate current blighting conditions and encourage such revitalization in the East Washington Avenue / Winnebago Street area.

To that end, the City may utilize its various implementation tools, such as the City's Community Development Authority's (CDA) development revenue bonds, tax exempt rental housing bonds, tax incremental financing (TIF), rehabilitation loans and grants, and other State or federal tools that may be available. In particular, the City is proposing to create Tax Incremental District (TID) #37 – Union Corners ("District"), as shown in Exhibit A, for the purpose of stimulating the development of a highly intensive, transit-oriented center, providing related key infrastructure improvements and spurring the redevelopment of several blighted or underutilized sites.

PROPOSED CHANGES IN ORDINANCES, CODES OR PLANS

Code and Plan Changes

The project elements proposed in this Project Plan conform to the objectives and conceptual recommendations contained in The City of Madison Comprehensive Plan ("Comprehensive Plan"). No changes in the City Building Codes or other City Ordinances appear to be necessary to implement the Project Plan. However, zoning changes may be needed to accomplish the objectives of this Project Plan, as shown on Exhibit B.

The City of Madison Comprehensive Plan can be found at:

<https://www.cityofmadison.com/dpced/planning/comprehensive-plan/1607>

The City of Madison estimates that there is less than 35% of the territory in TID 37 that is devoted to retail business.

Consistency With TIF Policy

The Project Plan amendment is also consistent with City of Madison Tax Incremental Finance Objectives and Policies (the "TIF Policy") adopted by the City's Common Council on April 17, 2001 and amended on March 31, 2009 and on February 25, 2014. The Project Plan conforms to the following TIF Goals, as adopted by the Common Council on the February 25, 2014 TIF Goals, Objectives, and Process:

Section 1: TIF Goals

- A) Growing the property tax base
- B) Fostering the creation and retention of family supporting jobs
- C) Encouraging the adaptive re-use of obsolete or deteriorating property
- D) Encouraging urban in-fill projects that increase (or decrease where appropriate) density consistent with the City's Comprehensive Plan

- F) Creating a range of housing types and specifically encouraging the development of workforce and affordable housing, especially housing that is for those earning much less than the area median income
- G) Funding public improvements that enhance development potential, improve the City's infrastructure, enhance transportation options, and improve the quality and livability of neighborhoods.

Zoning

The proposed District is located within a mixed-use corridor that is generally zoned for a mix of residential, industrial and commercial uses. The existing zoning categories include C, C1, C2, C3, R3, R4, R5, M1, and PUDSIP PD, TE, TR-C4, TR-V1, CC-T, TSS, NMX, and CN as shown on Exhibit C.

PROPOSED PUBLIC WORKS IMPROVEMENTS

The following public improvements are anticipated:

Winnebago Street	\$2,540,000
East Washington Ave	\$1,351,000
Fifth Street	\$148,000
Fourth Street	\$128,000
Linden Court	\$49,000
Sutherland Court	\$7,000
Second Street	\$223,000
Atwood Avenue	\$638,000
Amoth Court	\$9,000
Russell Street	\$200,000
First Street	\$31,000
Eastwood Drive	\$214,000
East Main Street	\$674,000
Waubesa Street	\$215,000
Railroad Corridor	\$2,009,000
Williamson Street	\$109,000
Capitol City Bike Trail	\$484,000
St. Paul Avenue	\$108,000
Fair Oaks Avenue	\$212,000
Gateway Place	\$92,000
Dixon Street	\$77,000
Union Corners	\$1,804,000
Storm water treatment	\$160,000
Other Public Improvements	<u>\$1,299,000</u>
Total Public Improvements	\$12,781,000

Other public works improvements may include street reconstruction, storm sewer, water main, or sewer main reconstruction, streetscape improvements, or other public projects that eliminate blighting conditions in the District Amendment area.

Revitalization Activities

Payments may be made, at the discretion of the local legislative body, which are found to be necessary or convenient to the creation of tax incremental districts or the implementation of project plans as provided in 66.1105 (2)(f).

10% Affordable Housing Set-Aside Loans

City of Madison TIF Policy requires that where practicable, ten percent (10%) of the District's tax increments be set aside to assist affordable housing. For practical purposes, this is estimated as 10% of the net present value of tax increments anticipated over the remaining life of the District, assuming these funds are made available initially as general obligation borrowing. The TIF Project Plan is not a determinant of where, how or when such projects might be developed. The Project Plan estimates that the principal amount that may be borrowed by the City against estimated TIF revenues from the project area is \$20,867,000. Ten percent (10%) of that figure would represent a set-aside of \$2,086,000 that may be set-aside to assist affordable housing.

The estimated cost of this activity is **\$2,086,000.**

Economic Development Assistance

Where necessary or convenient to the creation of tax incremental districts or the implementation of project plans, TIF assistance in the form of loans may be provided to private development projects that demonstrate that "but for" such TIF assistance, the project would not occur.

Such TIF funds are to be used to reduce the cost of site acquisition or site improvements including the construction or razing of buildings, parking construction, site preparation, environmental remediation, landscaping and similar types of related activities.

The estimated cost of this activity is **\$5,000,000**

Organizational, Administrative and Professional Costs

This category of project costs includes estimates for administrative, professional, organizational and legal costs. Project costs may include salaries, including benefits, of employees engaged in the planning, engineering, implementing and administering activities in connection with the District, supplies and materials, contract and consultant services, and those costs of City departments such as the Comptroller's Office, City Attorney, City Engineer, Parks Division, Planning & Development and the Office of the Mayor.

The estimated cost of this activity is **\$500,000**

COMMUNITY DEVELOPMENT AUTHORITY REVITALIZATION ACTIVITIES

In addition to the traditional public improvements such as streets and utilities, the District includes a variety of other improvements aimed at improving the total area. In accordance with Section 66.1333 of the State Statutes (Redevelopment Law), the CDA may undertake a variety of revitalization activities, such as land acquisition and bond issuance, as the City's designated development agent within the District. However, the adoption of a TIF Project Plan and boundary for this District does not initiate the creation of a Redevelopment District or otherwise authorize or commit the CDA's use of its eminent domain or bonding powers.

In order to engage in these activities, the CDA must create a Redevelopment District plan and boundary including those properties within that would be assisted by the CDA, conduct a public hearing where persons having a property interest within the proposed Redevelopment District boundary may express their views, and adopt a resolution creating such plan and boundary. The following CDA activities are permitted under Redevelopment Law:

Land Acquisition

In order to construct the public improvements and for the revitalization and development of private property, the acquisition of property and relocation of occupants may be necessary in the District. The acquisitions could vary from rights-of-way and air space to entire parcels. Lands acquired by the CDA may be leased or sold at market rate or reduced costs to assist in creating financially feasible, eligible projects. Such acquisitions shall follow requirements set forth in Section 66.1333 (Redevelopment Law) and Chapter 32

(Eminent Domain Law) of the Wisconsin Statutes. At this time, it is uncertain if land will be acquired by the CDA for revitalization purposes.

Inclusion of a cost estimate with respect to land acquisition does not represent an estimated value or imply any plan or intent to acquire property. At such time when the City finds such action to be necessary and appropriate to stimulate redevelopment of the District, an accurate estimate of the actual acquisition cost, if any, may be made, funds budgeted and an authorizing resolution adopted by the Common Council to provide such funds to the CDA.

The estimated cost of this activity is **\$500,000**

Bond Issuance

The CDA may use its powers under Redevelopment Law to issue financing in the form of housing-revenue or lease-revenue bonds in order to facilitate development projects.

2023 Donation to TID 51

The City intends to donate additional excess TID 37 incremental revenue to TID 51. TID 51 is generally located south of Wingra Creek, along South Park Street, to the Beltline Highway, and east to John Nolen Drive. The City is continuing its standing commitment to investing in South Madison, following the dissolution of the Town of Madison on Oct 31, 2022. The donation of incremental revenues from TID 37 will be used to continue the City's investment in the South Madison area (see Exhibit G for more detail). The table below shows the timing and amount of the proposed donations from TID 37 to TID 51.

Donor District	2023	2024	2025	2026	2027	Total
TID 37	\$3,600,000	\$3,600,000	\$3,600,000	\$3,600,000	\$3,600,000	\$18,000,000
Recipient TID						
TID 51	\$3,600,000	\$3,600,000	\$3,600,000	\$3,600,000	\$3,600,000	\$18,000,000

DETAILED ESTIMATE OF TIMING AND PROJECT COSTS

The following are eligible project costs as provided for under 66.1105 (2)(f), Wisconsin Statutes and the timing in which certain project costs will be incurred. Certain project costs will be subject to the anticipated long-term development expectations as described elsewhere in this Plan. The actual TIF-eligible project costs may vary or may be adjusted or substituted for other TIF-eligible costs without a project plan amendment, so long as the total amount of TIF-eligible costs does not exceed the total TIF-eligible project costs adopted in the Project Plan.

<u>Public Improvements</u>	<u>TIF Cost</u>	<u>Assessable Cost</u>	<u>Total Cost</u>	<u>Year</u>
Winnebago St	\$2,540,000	\$0	\$2,540,000	2006-28
East Washington Ave	\$1,351,000	\$0	\$1,351,000	2006-28
Fifth St	\$148,000	\$0	\$148,000	2006-28
Fourth St	\$128,000	\$0	\$128,000	2006-28
Linden Ct	\$49,000	\$0	\$49,000	2006-28
Sutherland Court	\$7,000	\$0	\$7,000	2006-28
Second St	\$223,000	\$0	\$223,000	2006-28
Atwood Ave	\$638,000	\$0	\$638,000	2006-28
Amoth Ct	\$9,000	\$0	\$9,000	2006-28
Russell St	\$200,000	\$0	\$200,000	2006-28
First St	\$31,000	\$0	\$31,000	2006-28
Eastwood Dr	\$214,000	\$0	\$214,000	2006-28
East Main St	\$674,000	\$0	\$674,000	2006-28
Waubesa St	\$215,000	\$0	\$215,000	2006-28
Railroad Corridor	\$2,009,000	\$0	\$2,009,000	2006-28
Williamson St	\$109,000	\$0	\$109,000	2006-28
Capitol City Bike Trail	\$484,000	\$0	\$484,000	2006-28
St. Paul Ave	\$108,000	\$0	\$108,000	2006-28
Fair Oaks Ave	\$212,000	\$0	\$212,000	2006-28
Gateway Pl	\$92,000	\$0	\$92,000	2006-28
Dixon St	\$77,000	\$0	\$77,000	2006-28
Union Corners	\$1,804,000	\$0	\$1,804,000	2006-28
Storm water treatment	\$160,000	\$0	\$160,000	2006-28
Other public improvements	\$1,299,000	\$0	\$1,299,000	2006-28
Subtotal	\$12,781,000	\$0	\$12,781,000	2006-28

<u>Other Revitalization:</u>	<u>TIF Cost</u>	<u>Assessable Cost</u>	<u>Total Costs</u>	<u>Year</u>
Housing Development Assistance Loans	\$2,086,000	\$0	\$2,086,000	2006-28
CDA Land Acquisition	\$500,000	\$0	\$500,000	2006-28
Economic Development Assistance Loans	\$5,000,000	\$0	\$5,000,000	2006-28
Subtotal	\$7,586,000	\$0	\$7,586,000	2006-28

<u>Administrative Cost</u>	<u>TIF Cost</u>	<u>Assessable Cost</u>	<u>Total Costs</u>	<u>Year</u>
Admin. & Professional	\$500,000	\$0	\$500,000	2006-28
Subtotal All Categories	\$20,867,000	\$0	\$20,867,000	2006-28
Financing Costs	\$5,738,000	\$0	\$5,738,000	2006-28
TOTAL COST	\$26,605,000	\$0	\$26,605,000	2006-28

2023 Project Plan Amendment Costs				
Administrative Cost	TIF Cost	Assessable Cost	Total Costs	Year
Donation to TID 51	\$18,000,000	\$0	\$18,000,000	2023-28
Total New Project Costs (2023 Amendment)	\$18,000,000	\$0	\$18,000,000	2023-28
Total Original Project Plan Cost (less Financing Costs) ¹	\$20,867,000	\$0	\$20,867,000	2006-28
TOTAL COST	\$38,867,000	\$0	\$38,867,000	2006-28

SUMMARY OF TOTAL PROJECT COSTS AND ECONOMIC FEASIBILITY

Total Project Costs

Eligible project costs include the estimated costs of planning, engineering, construction or reconstruction of public works and improvements, financing costs and the cost of CDA revitalization activities. Non-eligible or assessable costs are expected to be paid from revenue sources other than tax increments.

The City of Madison's decision to authorize expenditures to pay for eligible TIF project costs will be contingent upon development actually occurring or committed to occur. Per TIF Law, the City shall make all expenditures within 22 years of the District's life. Therefore, all expenditures must be made before the anniversary of the District's creation date in 2028. The maximum life by which the District may collect tax increments to pay for project expenditures is 27 years or until **2033**. Since the vast majority of the project cost is financed with long-term debt, borrowing would be undertaken only when sufficient development actually occurs to support each borrowing segment and the expenditure of such funds.

Each individual cost element of the Project Plan will require subsequent approval by the Common Council and/or the CDA. The method of financing and the individual debt issues will also require Common Council approval. It is the City's intent to closely monitor all planned and actual development within the District. The actual City investment in the District may, therefore vary from the amounts shown in the Project Plan.

The total cost of public improvements including TIF and non-TIF expenditures is estimated at approximately \$12,781,000. Of this total, approximately **\$12,781,000 of eligible public improvement costs may be supported by TIF**. The total cost of housing development assistance loans, CDA land acquisition, economic development assistance loans and administrative costs is \$8,086,000. These costs cannot be assessed to property owners. **The total expenditures to be paid for by TIF funds, excluding financing costs, is estimated to be \$20,867,000.**

2023 Project Plan Amendment

The 2023 Project Plan Amendment proposes to donate \$18,000,000 of excess incremental revenue from TID 37 to TID 51. **This additional expenditure, plus the original authorized expenditures of \$20,867,000 to be paid for by TIF funds (excluding financing costs), will bring the total expenditures to be paid for by TIF funds to \$38,867,000.**

TIF Law requires that the City identify those costs that are either assessable to property owners who benefit by those improvements, or are funded through other fees or other funding sources. At this time, the City does not anticipate any of the project costs for this District to be assessable to property owners.

¹ The 2023 Project Plan Amendment does not include any additional financing costs. All proposed additional expenditures in the 2023 Project Plan Amendment are proposed to be funded through excess tax increments. This will eliminate the need for any additional borrowing, and any additional finance costs.

In the event that certain assessable project costs are hereafter identified within the expenditure period, the assessments will be determined in accordance with the City's Board of Public Works standard special assessment policies. The balance of the project costs will require financial support by incremental taxes from the District and other financing sources as demonstrated below:

TIF Costs	Special Assessments	Other Costs	Total Project Costs
\$20,867,000	\$0	\$0	\$20,867,000
2023 Project Plan Amendment			
\$38,867,000	\$0	\$0	\$38,867,000

Economic Feasibility

The District's economic feasibility is best demonstrated by its potential to generate TIF funds from economic growth to pay for eligible project costs. Although the District's economic growth is based upon unpredictable variables, the City may forecast anticipated growth, using conservative, observable appreciation and mill rates and anticipated near-term development projects or "**TIF generators**". Upon analysis of these and other factors, the City and other overlying tax jurisdictions (Dane County, Madison Metropolitan School District and Madison Area Technical College) agree to allocate their portion of the tax levy on new economic growth in the District over its 27-year life to pay for eligible project costs incurred in the District. These tax revenues or "**tax increments**" flow directly to the City until these costs are paid and the District is closed, and the value growth returned to overlying tax jurisdictions. The present value (i.e. their value in today's dollars) of the estimated tax increments indicates the amount of TIF funds that may be available in the near-term, which as stated earlier, demonstrates the District's economic feasibility.

TIF Generators

The City anticipates that the District's primary TIF generator will be the Union Corners Development located at the corner of Milwaukee Street, East Washington Avenue, and Winnebago Street. Union Corners will include approximately 450 apartments and condominium units, up to 110,000 square feet of retail and office space including a grocery. The entire development is estimated to have a final incremental value of \$100,600,000.

A secondary TIF generator will be the Kennedy Point condominium development located at the junction of First Street and Eastwood Drive. This development will consist of 42 condominium units. The entire development is estimated to have a final incremental value of \$11,000,000. Completion is scheduled for 2006.

2023 Project Plan Amendment Update:

At the end of 2022, TID 37 had generated approximately \$151 million of incremental value. This will generate \$3 million of incremental revenue in 2023. Based upon the 2021 audit of TID 37, there have been \$11.1 million of tax increments collected in TID 37 since its inception. These have been sufficient to recover all outstanding debts in TID 37.

Estimate of Tax Increments

The **base value** of the District, as of January 1, 2006 is \$33,129,800. The estimated **economic growth** over the life of the District, including generators and value appreciation until 2033, is estimated at \$234,941,000. The **value increment**, or the difference between economic growth and base value, is estimated at approximately \$201,811,000. The total of **tax increments** collected on the value increment until **2033** is estimated at approximately \$54,495,000.

The estimated amount of TIF funding, which is demonstrated as the present value of estimated tax increments levied over the life of this District is **\$20,867,000**.

2023 Project Plan Amendment Update:

As noted above, as of the end of 2021, TID 37 has collected \$11.1 million of tax increments since its inception. TID 37 is generating \$3.4 million of incremental revenue per year and has \$1.3 million of excess incremental revenue.

Forecasted Assessed Value Growth (2006-33)	\$234,941,000
Less: Estimated Base Value (2006)	\$33,129,800
Estimated Value Increment (2006-33)	\$201,811,000
Total Tax Increments Levied on Value Increment (2006-33)	\$54,495,000
Present Value of Tax Increment Revenues (TIF Available)	\$20,867,000

PROMOTION OF ORDERLY LAND DEVELOPMENT

The District Boundary is generally located along Winnebago Street, beginning at the Yahara River and moving north along Winnebago Street to First Street. The District boundary turns northwest at First Street to the intersection with East Main Street where the District boundary turns northeast. The District boundary then follows East Main Street to the northeast until it intersects with Winnebago Street and Fifth Street. The District boundary then turns northwest along Fifth Street until it intersects East Washington Avenue. The District Boundary turns northwest along Seventh Street, before turning northeast, mid-block, to intersect with North Street. The District Boundary crosses North Street to take in four parcels at the northwest portion of the intersection of Union Street and East Washington Avenue. The District boundary then crosses East Washington Avenue and turns south, taking in the parcels that front East Washington Avenue, while crossing Union Street and Milwaukee Street. The boundary continues south, while skirting parcels that front on Anzinger Court. The District Boundary then turns east along South Court. The District Boundary continues east while crossing Waubesa Street and St. Paul Avenue. When the District Boundary intersects Fair Oaks Avenue, it turns to the northeast and generally follows the curve of Starkweather Creek until it intersects with the railroad right of way and City of Madison bike trail. The District Boundary then follows this railroad right of way and bike trail to the northwest until it intersects with Marquette Street. The District Boundary then turns south to Atwood Avenue to encompass the existing Madison Kipp Corp. facility and its parking lot, before turning back to the north at Atwood Avenue. The District Boundary continues north until it intersects with the City of Madison bike trail and railroad right of way. The District Boundary follows this bike trail and railroad right of way to the west until it intersects Winnebago Street. The District Boundary then follows Winnebago Street to the southwest until it turns south to cross Atwood Avenue and intersect with Eastwood Drive. The District Boundary then turns southwest to follow Eastwood Drive until it intersects with Winnebago Street, the Yahara River, and the point of origin.

Survey of Conditions (Blight Study)

The City commissioned a Survey of Conditions ("Blight Study") for the district finding **82.2%** of the area to be in blighted condition. Copies of the Blight Study are on file with the Department of Planning and Development, which outline the effect of transition and decline. A map displaying the findings of the Blight Study is shown in Exhibit D.

Conformance to Plans

As stated earlier, a primary intent and purpose of the Project Plan and District is to revitalize and maintain the East Washington Avenue / Winnebago Street and Atwood Avenue area as a healthy, vibrant commercial district. This is consistent with goals set forth in the **Comprehensive Plan**, as summarized in the following:

- *"The City of Madison will be the predominant urban center in the south central region of Wisconsin, providing a livable, innovative, vibrant and economically flexible community in which:*

- a. *Businesses want to locate, start, innovate, grow, and prosper.*
- b. *Residents have a wide variety of choice in jobs, education and training, and opportunities to prosper.*
- c. *The natural and built environment is supported as an asset for future economic development.”*

The District is also supports the implementation of several other plans, including:

- *“East Washington Avenue – Old East Side Master Plan “ – August 2000*
- *“East Washington Avenue Gateway Revitalization Plan A Supplement to: The Old East Side Master Plan” – March 2003*
- *“Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan” – March 2000*
- *“Schenk-Atwood Neighborhood Business District Master Plan” – December 2000*

The Project Plan is also consistent with **TIF Policy**, conforming to the following TIF objectives:

- *“Support Neighborhood Revitalization”*
- *“Support Economic Development”*

EXPECTATIONS FOR DEVELOPMENT

Potential Areas of Development

Areas for potential commercial and residential development include planned construction of the Union Corners development at the intersection of Milwaukee Street, East Washington Avenue, and Winnebago Street. This will be a mix of approximately 450 apartment and condominium residential units and 110,000 SF of commercial and office space. A second area for development is the Kennedy Point Condominiums located at the intersection of First Street and Eastwood Drive. This development will consist of 42 condominiums. Existing land uses are shown on Exhibit E, while the proposed land uses described above are shown on Exhibit F.

The City also anticipates making improvements to East Washington Avenue in 2009, in conjunction with the State of Wisconsin Department of Transportation (WISDOT). These improvements will address access, safety, and infrastructure concerns, as well as rebuild one of the main arterials into the City of Madison.

Timeframe for Development

The Union Corners development is anticipated to be under construction in 2006 and is forecasted for completion and full assessment by January of 2011. Kennedy Point is scheduled for completion by the end of 2006. The implementation of TIF-funded improvements is anticipated to occur between 2006 and 2028.

METHODS FOR THE RELOCATION OF DISPLACED PERSONS

Where the relocation of individuals and business operations would take place as a result of the City of Madison's acquisition activities occurring within the District, relocation will be carried out in accordance with the relocation requirements set forth in Chapter 32 of the Wisconsin Statutes or the Federal Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970 (P.L. 91-646) as applicable.

LEGAL DESCRIPTION – TID # 37 (UNION CORNERS)

A parcel of land located in the NW ¼ and the SW ¼ of the SE ¼, the NW ¼, NE ¼, SE ¼, and SW ¼ of the SW ¼, Section 5, and located in the SE ¼ and the SW ¼ of the NE ¼, and the NW ¼, the NE ¼, and the SW ¼ of the SE ¼, and the SE ¼ of the SW ¼, Section 6, and located in the NW ¼ of the NE ¼, and the NE ¼ of the NW ¼, Section 7, all in T7N, R10E of the Fourth Principal Meridian, City of Madison, Dane

County, Wisconsin, described as follows:

Beginning at the intersection of the Northwestern right of way of Winnebago Street and the Southwesterly right of way of South Fifth Street; thence along said southwesterly right of way, northwesterly to the intersection of said southwesterly right of way and the southeasterly right of way of East Washington Avenue; thence across said East Washington Avenue, northwesterly to the southerly corner of Lot 22 of Block 8, Washington Park² (said point also being on the northwesterly right of way of East Washington Avenue); thence along said northwesterly right of way, northeasterly to the intersection of said northwesterly right of way and the southwesterly right of way of North Seventh Street; thence along said southwesterly right of way, northwesterly to the northerly corner of Lot 12 of Block 1, Girstenbreis Plat³; thence across North Seventh Street, northeasterly to the westerly corner of Lot 5 of Block 2, Girstenbreis Plat; thence along the northwesterly line of said Lot 5, northeasterly to the northerly corner of said Lot 5; thence along the northeasterly line of said Lot 5, southeasterly to the southerly corner of Lot 10 of O'Neil Replat of Block 3 of Curtis Replat⁴; thence along the southeasterly line of said Lot 10, northeasterly to the easterly corner of said Lot 10 (said point also being on the westerly right of way of North Street); thence across said North Street, northerly to the southerly corner of Lot 6 of Block 4, Curtis Replat⁵; thence along the southeasterly line of said Lot 6, northeasterly to the easterly corner of said Lot 6, thence along the northeasterly line of said Lot 6, northwesterly to the northerly corner of said Lot 6 (said point also being on a southeasterly line of Lot 2 of Certified Survey Map No. 87256); thence along said southeasterly line, southwesterly to a southerly corner of said Lot 2; thence along a southwesterly line of said Lot 2, northwesterly to a northwesterly corner of said Lot 2; thence along the northwesterly line and the northerly line of said Lot 2, northeasterly and easterly to a northerly corner of said Lot 2 (said point also being the westerly corner of that parcel of land whose tax parcel number is 071006121174); thence along the northwesterly line of said parcel, and along the northwesterly line of that parcel of land whose tax parcel number is 071006121182, northeasterly to the southerly right of way of East Dayton Street; thence along said southerly right of way, easterly to the intersection of said southerly right of way and the northwesterly right of way of East Washington Avenue; thence along said northwesterly right of way, southwesterly to the easterly most corner of said Lot 2 of Certified Survey Map No. 8725; thence across East Washington Avenue, southeasterly to the northwesterly corner of that parcel of land whose tax parcel number is 071006129011; thence along the northerly line of said parcel, easterly to the northeasterly corner of said land; thence along the southeasterly line of said parcel, southwesterly to the interior corner of said parcel; thence along the northeasterly line of said parcel, and along the northeasterly line of that parcel of land whose tax parcel is 071006129029, southeasterly to the northerly right of way of Union Street; thence across said Union Street, southwesterly to the northwesterly corner of that parcel of land whose tax parcel number is 071006130133; thence along the westerly line of said parcel, southerly to a southwesterly corner of said parcel; thence along the southerly line of said parcel, easterly to the northwesterly corner of that parcel of land whose tax parcel number is 071006130183; thence along the westerly line of said parcel, southerly to the northerly right of way of Milwaukee Street; thence across said Milwaukee Street, southeasterly to the northwesterly corner of that parcel of land whose tax parcel number is 071006134151; thence along the westerly line of said parcel, southerly to the southwesterly corner of said parcel (said point also being on the northerly line of Lot 3 of Block 1, Anzinger's Replat⁷; thence along said northerly line of Lot 3 of Block 2, westerly to the northwesterly corner of said Lot 3; thence along said westerly line of Block 1 of Anzinger's Replat, southerly to the southwesterly corner of said Block 1; thence along the southerly line of said Block 1, and along the southerly right of way of Anzinger Court, easterly to the westerly line of Lot 7 of Block 1, Mrs. Alice M. Kingston's Subdivision⁸; thence along the westerly line of said Block 1 of Mrs. Alice M. Kingston's Subdivision, southerly to the southwesterly corner of that parcel of land whose tax parcel number is 071006134036; thence along the southerly line of said parcel, easterly to the westerly right of way of Farwell Street; thence across said Farwell Street, easterly to the intersection of the easterly right of way of said Farwell Street and the southerly right of way of South Court; thence along said southerly right of way,

² Washington Park, recorded in Volume 3 of Plats, on page 42, as Document No. 272704.

³ Girstenbreis Plat, recorded in Volume 4 of Plats, on page 23A, as Document No. 319239A.

⁴ O'Neil Replat of Block 3 of Curtis Replat, recorded in Volume 3 of Plats, on page 41A, as Document No. 391355

⁵ Curtis Replat, recorded in Volume 1 of Plats, on page 49, as Document No. 222989.

⁶ Certified Survey Map No. 8725, recorded in Volume 48 of Certified Surveys, on page 132, as Document No. 2898644.

⁷ Anzinger's Replat, recorded in Volume 6 of Plats, on page 43, as Document No. 493903.

⁸ Mrs. Alice M. Kingston's Subdivision, recorded in Volume 2 of Plats, on page 34, as Document No. 242115.

easterly to the intersection of said southerly right of way and the westerly right of way of Corry Street; thence across said Corry Street, southeasterly to the northwesterly corner of Lot 21 of Block 4, Power's Replat⁹; thence along the northerly line of said Lot 21, easterly to the northeasterly corner of said Lot 21; thence along the easterly line of said Lot 21, southerly to the northwesterly corner of Lot 20 of Block 4, Power's Replat; thence along the northerly line of said Lot 20, easterly to the westerly right of way of Waubesa Street; thence across said Waubesa Street, southeasterly to the intersection of the easterly right of way of said Waubesa Street and the northerly right of way of the City of Madison Isthmus Bike Path; thence along said northerly right of way, easterly to the westerly corner of that parcel of land whose tax parcel number is 071005223228; thence along the northerly line of said parcel of land, easterly to the westerly right of way of Marquette Street; thence across said Marquette Street, easterly to the southerly corner of Lot 205, Clyde A. Gallagher's Subdivision of Part of Outlots 106, 107, and 108, Farwell's Addition¹⁰, said point also being on the northwesterly line of that parcel of land whose tax parcel number is 07100530534; thence along said northwesterly line, northeasterly to the northerly corner of said parcel; thence along the easterly line of said parcel, southerly to the southeasterly right of way of the Wisconsin Central Limited Rail Road; thence along said southeasterly right of way, northeasterly to the westerly line of Lot 1, Certified Survey Map No. 1023811; thence along the southerly and the southwesterly lines of said Lot 1, easterly and southeasterly to the northwesterly right of way of Fair Oaks Avenue; thence along said northwesterly right of way, northeasterly to the intersection of said northwesterly right of way and the southerly right of way of Daley Drive; thence across Fair Oaks Avenue, southeasterly to the northwesterly corner of Lot 1, Certified Survey Map No. 203012; thence along the northerly, northeasterly, and easterly lines of said Lot 1, easterly, southeasterly, and southerly to the northeasterly right of way of the Union Pacific Rail Road; thence along said northeasterly right of way, southeasterly to the easterly corner of that parcel of land whose tax parcel number is 071005400941; thence along the southeasterly line of said parcel, and along the southeasterly line of that parcel of land whose tax parcel number is 071005400925, southwesterly to the southwesterly right of way of the City of Madison Isthmus Bike Path; thence along said southwesterly right of way, northwesterly to the easterly corner of Lot 28, Block 21, East Side Land Company Addition to Fair Oaks¹³; thence along the easterly line of said Lot 28, southerly to the northeasterly corner of Lot 27, said Block 21; thence along the northerly and northwesterly lines of said Lot 27, westerly and southwesterly to the westerly line of said Lot 27; thence along the westerly lines of Lots 4 through said Lot 27, said Block 21, southerly to the southwesterly corner of said Lot 4; thence along the southerly line of said Lot 4, easterly to the westerly right of way of Marquette Street; thence along said westerly right of way, southerly to the intersection of said westerly right of way and the northerly right of way of Atwood Avenue; thence along said northerly right of way, westerly to the intersection of said northerly right of way and the easterly right of way of Waubesa Street; thence along said easterly right of way, northerly to the southwesterly corner of Lot 18, Block 21, East Side Land Company Addition to Fair Oaks; thence along the southerly line of said Lot 18, easterly to the southeasterly corner of said Lot 18; thence along the easterly lines of Lots 9 through said Lot 18, said Block 21, northerly to the northeasterly corner of said Lot 9; thence along the northerly line of said Lot 9, westerly to the easterly right of way of Waubesa Street; thence along said easterly right of way, northerly to the easterly elongation of the southerly line of Lot 31, Block 22, East Side Land Company Addition to Fair Oaks; thence along said easterly elongation, and along the southerly lines of Lots 31 and 2, Block 22, East Side Land Company Addition to Fair Oaks, westerly to the easterly right of way of Corry Street; thence across said Corry Street, in a perpendicular direction to the westerly right of way of said Corry Street, westerly to said westerly right of way; thence along said westerly right of way, northerly to the intersection of said westerly right of way and the northwesterly right of way of St Paul Avenue; thence along said northwesterly right of way, northeasterly to the intersection of said northwesterly right of way and the westerly right of way of Waubesa Street; thence along said westerly right of way, northerly to the southeasterly corner of Lot 13 of Block 17, Fair Oaks¹⁴; thence along the southerly line of said Lot 13, westerly to the southwesterly corner of said Lot 13; thence along the westerly line of said Lot 13, and along the westerly lines of Lots 14, 15, 16, and 17 of said Block 17, northerly to an interior corner of that parcel of land whose tax parcel number is 071005302147; thence along a southerly line of said parcel, formerly

⁹ Power's Replat, recorded in Volume 4, on page 19A, as Document No. 321267A.

¹⁰ Clyde A. Gallagher's Subdivision of Part of Outlots 106, 107, and 108, Farwell's Addition, recorded in Volume 2 of plats on page 12A.

¹¹ CSM No. 10238, recorded in Volume 60 of Certified Survey Maps, on page 79.

¹² CSM No. 2030, recorded in Volume 8 of Certified Survey Maps, on page 197.

¹³ East Side Land Company Addition to Fair Oaks, recorded in Volume 3 of Plats on page 1.

¹⁴ Fair Oaks, recorded in Volume 2 of Plats, on page 37, as Document No. 243077.

the southerly right of way of the Union Pacific Rail Road, westerly to the intersection of the westerly right of way of Corey Street and the southerly right of way of the Union Pacific Rail Road; thence along said southerly right of way, and along the southeasterly right of way of said Union Pacific Rail Road right of way, along the arc of a curve to the left, westerly and southwesterly, to the intersection of said southeasterly right of way and the westerly right of way of Division Street; thence along said westerly right of way, southerly to the northeasterly corner of that parcel of land whose tax parcel number is 0710-06420188; thence along the northerly line of said parcel, westerly to the northwesterly corner of said parcel; thence along the westerly line of said parcel, southerly to the southwesterly corner of said parcel; thence along the easterly line of that parcel of land whose tax parcel number is 071006420047, southerly to the southeasterly corner of last said parcel; thence along the southwesterly line of said parcel, northwesterly to the intersection of the southeasterly right of way of La Follette Avenue and the southeasterly right of way of Winnebago Street; thence along said southeasterly right of way of Winnebago Street, southwesterly to the northerly corner of Lot 2 of Block 14, Ellsworth Subdivision 15; thence along the northeasterly line of said Lot 2, southeasterly to the easterly corner of said Lot 2; thence along the southeasterly line of said Lot 2, southwesterly to the southerly corner of said Lot 2; thence along the westerly line of that parcel of land whose tax parcel number is 071006414181; southerly to the northwesterly right of way of Atwood Avenue; thence across said Atwood Avenue, southwesterly to the intersection of the southeasterly right of way of said Atwood Avenue and the northeasterly right of way of Amoth Court; thence along said northeasterly right of way, southeasterly to the intersection of said northeasterly right of way and the northwesterly right of way of Eastwood Drive; thence across said Eastwood Drive in a perpendicular direction to the southeasterly right of way of said Eastwood Drive, southeasterly, to said southeasterly right of way; thence along said southeasterly right of way, southwesterly to southwesterly to the intersection of said southeasterly right of way and the southwesterly right of way of Russell Street; thence along said southwesterly right of way, southeasterly to the intersection of said southwesterly right of way and the southeasterly right of way of the City of Madison Isthmus Bike Path; thence along said southeasterly right of way, southwesterly to the intersection of said southeasterly right of way and the southeasterly right of way of Winnebago Street; thence along said southeasterly right of way of Winnebago Street, and along the southeasterly right of way of Williamson Street, southwesterly to the northerly corner of Lot 16, Cantwell's Replat 16; thence across Williamson Street, northwesterly to the easterly corner of Lot 13, Block 227, City of Madison; thence along the northeasterly line of said Lot 13, northwesterly to the southeasterly right of way of the City of Madison Isthmus Bike Path; thence along said southeasterly right of way, northeasterly to the intersection of said southeasterly right of way and the southwesterly right of way of South Thornton Avenue; thence across said South Thornton Avenue, northerly to the intersection of the northerly right of way of said South Thornton Avenue and the southeasterly right of way of East Wilson Street; thence along said southeasterly right of way, northeasterly to the intersection of said southeasterly right of way and the southwesterly margin of the Yahara River; thence across said Yahara River, northeasterly to the intersection of the northeasterly margin of said Yahara River and the northwesterly right of way of the City of Madison Isthmus Bike Path; thence along said northwesterly right of way, northeasterly to the intersection of said northwesterly right of way and the northwesterly right of way of Winnebago Street; thence along said northwesterly right of way of Winnebago Street, northeasterly to the intersection of said northwesterly right of way and the southwesterly right of way of South First Street; thence along said southwesterly right of way, northwesterly to the intersection of said southwesterly right of way and the northwesterly right of way of East Main Street; thence across South First Street, northeasterly to the intersection of the northeasterly right of way of South First Street and the southeasterly right of way of East Main Street; thence along said southeasterly right of way, northeasterly to the intersection of said southeasterly right of way and the northwesterly right of way of the Union Pacific Rail Road; thence along said northwesterly right of way, northeasterly to the intersection of said northwesterly right of way and the southwesterly right of way of South Second Street; thence along said southwesterly right of way, northwesterly to intersection of said southwesterly right of way and the southeasterly right of way of East Main Street; thence across said South Second Street and across said East Main Street, northerly to the intersection of the northeasterly right of way of said South Second Street and the northwesterly right of way of said East Main Street; thence along said northwesterly right of way, northeasterly to the intersection of said northwesterly right of way and the southwesterly right of way of South Fourth Street; thence across said South Fourth Street, easterly to the intersection the northeasterly right of way of said South Fourth Street and the northwesterly right of way of the Union Pacific Rail Road; thence along said northwesterly right of way, northeasterly to the intersection of said northwesterly right of

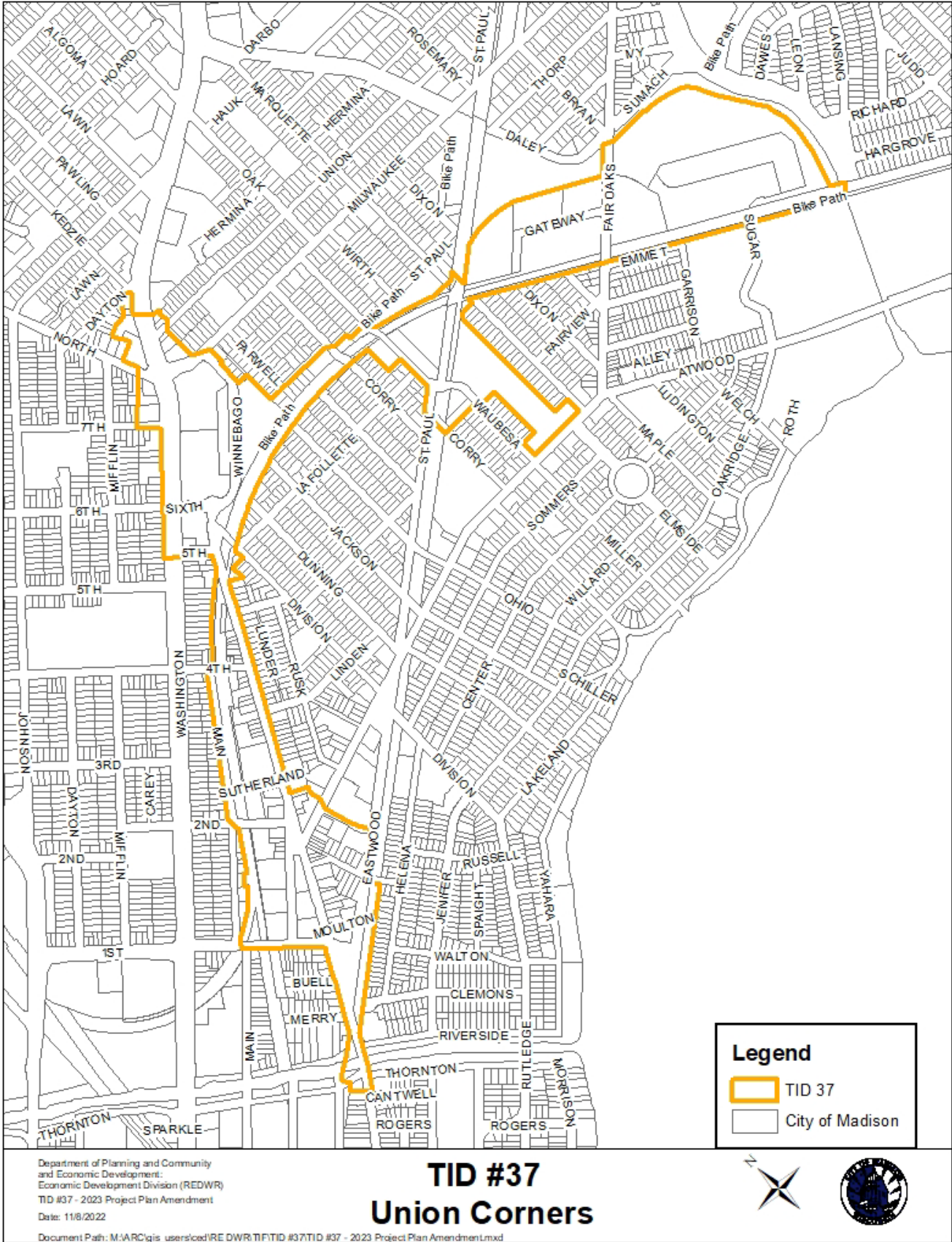
15 Ellsworth Subdivision, recorded in Volume 1 of Plats, on page 44, 222493.

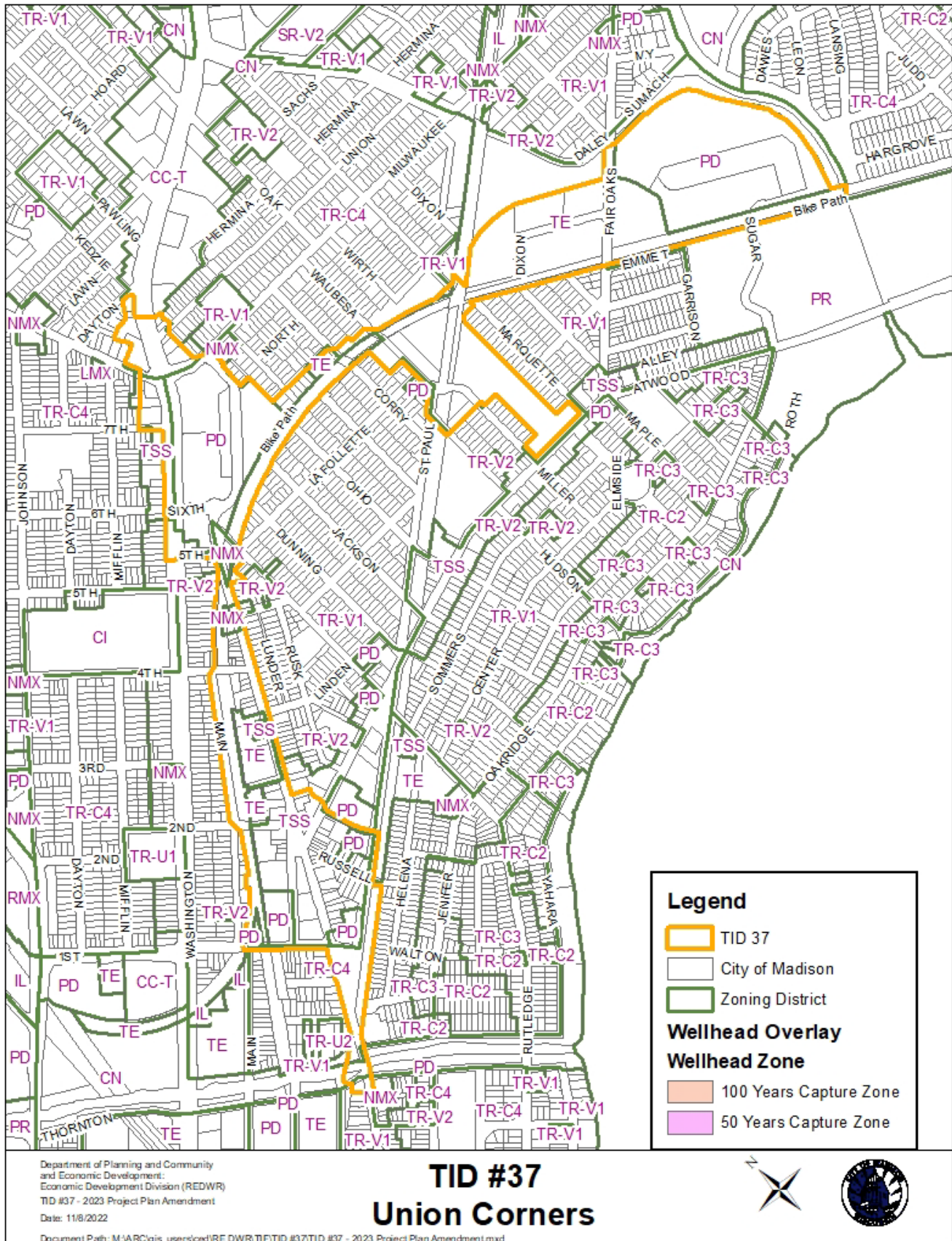
16 Cantwell Replat, recorded in Volume 4 of Plats on page 6.

way and the northwesterly right of way of Winnebago Street; thence along said northwesterly right of way of Winnebago Street, northeasterly to the **point of beginning**.

Said Parcel of land includes those lands in Dane County that have the following tax parcel numbers:

071005224177	071006134234	071006416129	071006434197
071005224185	071006134250	071006416137	071006434211
071005302147	071006134268	071006416145	071006434220
071005302155	071006134276	071006416153	071006434238
071005302163	071006135034	071006416161	071006434246
071005305034	071006135050	071006416179	071006434254
071005305042	071006135068	071006416187	071006434262
071005305042	071006313086	071006416195	071006434270
071005305050	071006313143	071006420013	071006434288
071005307014	071006313151	071006420021	071006434296
071005307353	071006313200	071006420047	071006434303
071005307361	071006313218	071006420196	071006434329
071005308012	071006313226	071006421277	071006434337
071005343018	071006313234	071006421286	071006434353
071005344024	071006313242	071006421293	071006434361
071005344032	071006313284	071006421300	071006434379
071005344040	071006313309	071006421318	071007204250
071005400925	071006313317	071006421326	071007205034
071005400941	071006313325	071006421334	071007205042
071005400967	071006313333	071006421342	071007205050
071005400975	071006314018	071006421350	071007205068
071005400983	071006314026	071006421376	071007205076
071006120118	071006314042	071006421384	071007205092
071006120126	071006414149	071006421392	071007205109
071006120142	071006414157	071006421409	071007205117
071006120150	071006414165	071006422019	071007205125
071006120176	071006414173	071006422027	071007205133
071006121132	071006415014	071006422035	071007205141
071006121140	071006415022	071006422043	071007205159
071006121174	071006415030	071006422051	071007205167
071006121182	071006415048	071006422069	071007205175
071006129011	071006415056	071006422077	071007205183
071006129029	071006415064	071006422093	071007205191
071006130141	071006415072	071006422100	071007205208
071006130167	071006416012	071006422118	071007205216
071006130175	071006416038	071006422126	071007205224
071006133012	071006416054	071006422134	071007205274
071006133020	071006416062	071006422150	071007205282
071006133038	071006416070	071006422168	071007205414






**City of Madison
Union Corners**

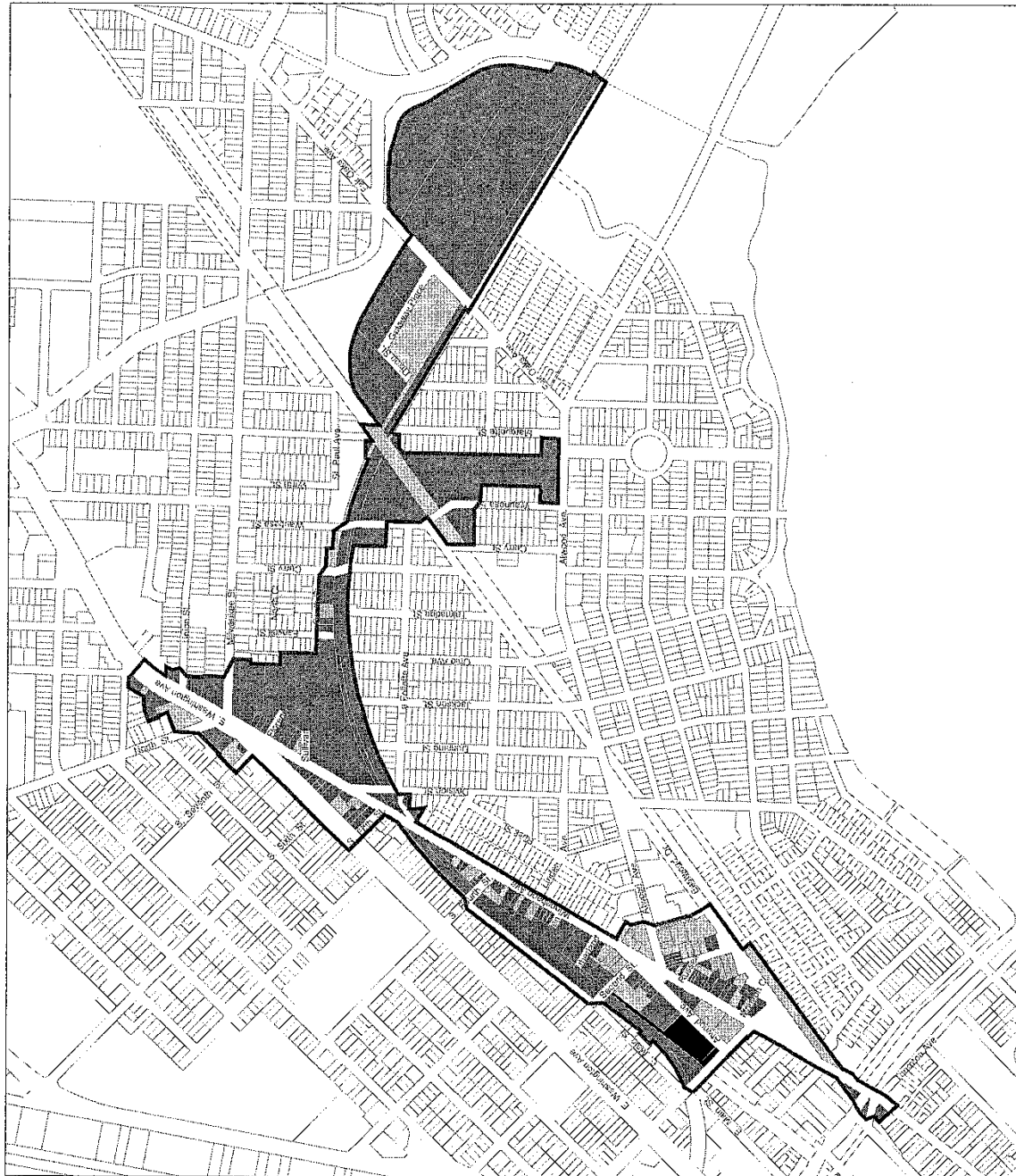
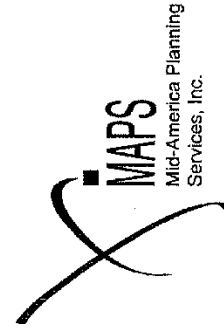
TID #37

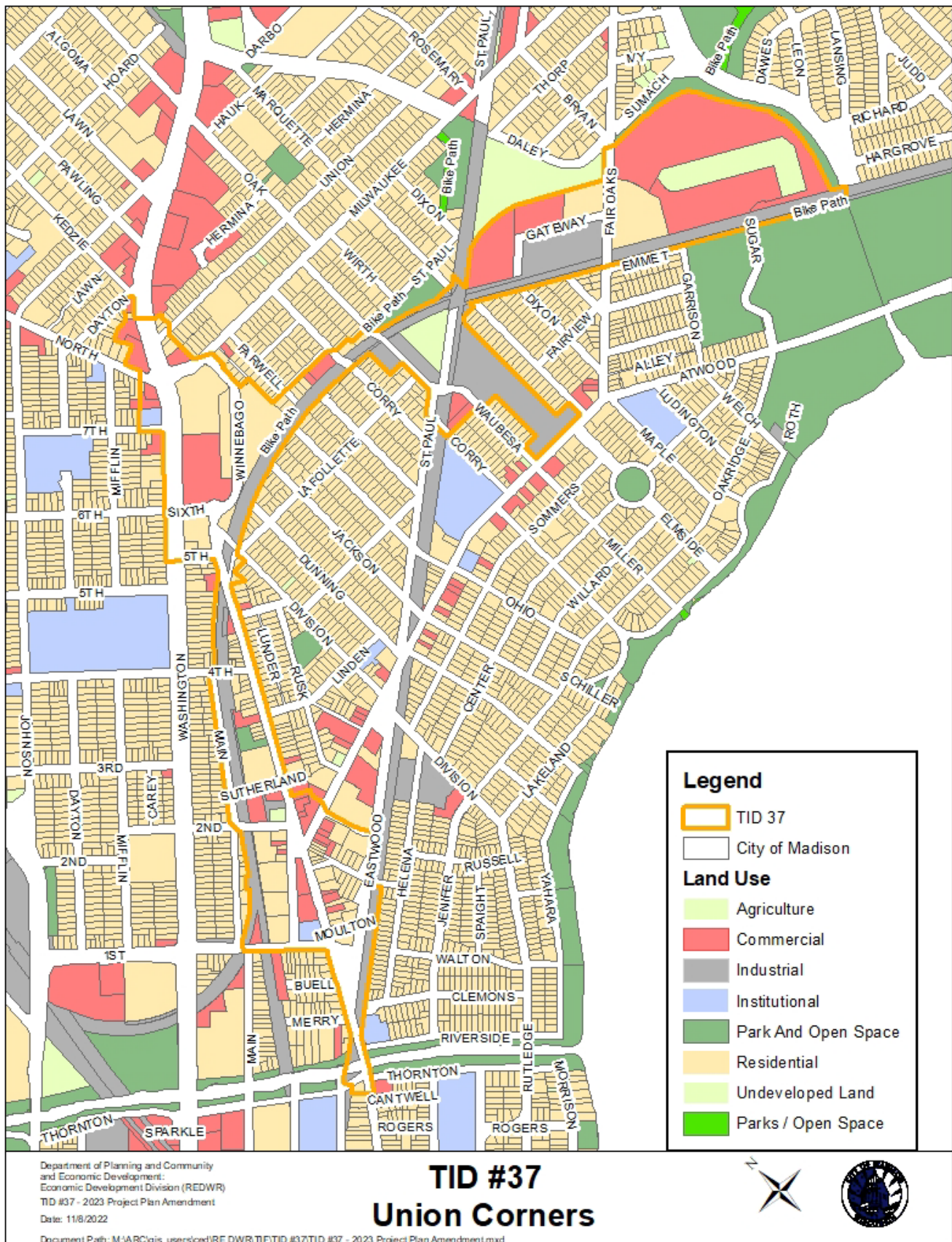
June 23, 2005
May 5, 2008

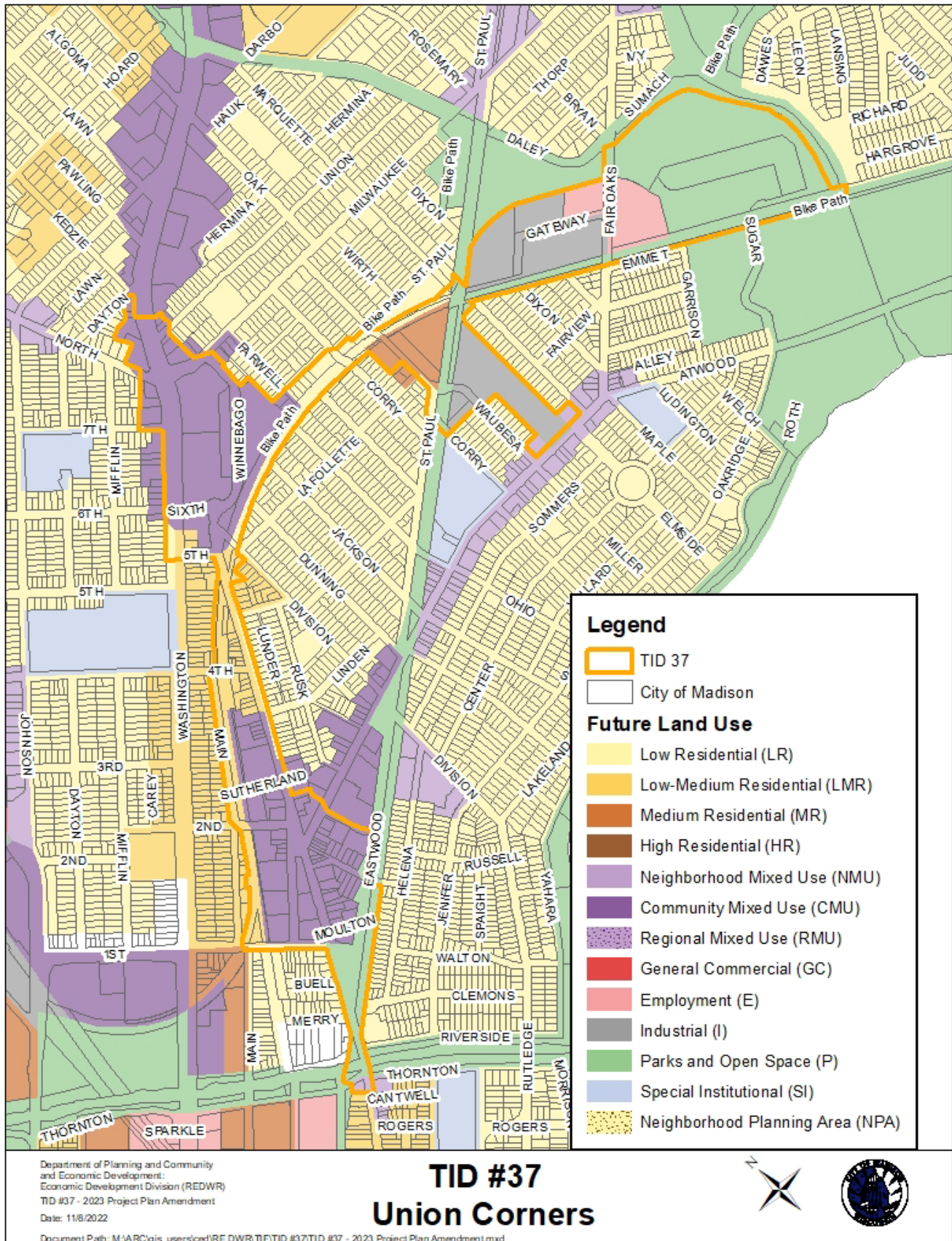
**Blighted Parcels
Appendix B**

Property Conditions
 Standard
 Blighted
 No decision - either
 being constructed or
 rehabilitated

*No parcels were found in the
 "Blighted and substandard to a
 degree requiring clearance"
 property conditions category.









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Patricia A. Lauten, Deputy City Attorney

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attorney@cityofmadison.com

PARALEGAL
Ryan M. Riley

January 12, 2023

TO: Joseph E. Gromacki, TIF Coordinator
FROM: Matthew Robles, Assistant City Attorney
SUBJECT: Project Plan Amendment for TIF District No. 37 - City of Madison (Union Corners)

Dear Mr. Gromacki:

In my capacity as Assistant City Attorney for the City of Madison, Wisconsin, I have examined the Amendment to the Project Plan for Tax Incremental Finance District No. 37, City of Madison, Wisconsin, dated July 18, 2006 and proposed for amendment in 2023. Based on this examination, I am of the opinion that the amended Project Plan is complete and complies with the provisions of Secs. 66.1105(4)(f) and (h), Wis. Stats.

I render no opinion with respect to the accuracy or validity of any statement and/or finding contained in the Project Plan, but direct City officials to review the reports of City staff as regards to the Plan.

Sincerely,

Matthew D. Robles
Assistant City Attorney

Background

TIF Law allows excess tax increment funds to be transferred between certain TIF districts if the TIF Joint Review Board approves such allocations and if the TIDs have the same overlying taxing jurisdictions. TIF Law refers to this relationship as “donor-recipient.” According to TIF Law, positive increments may be transferred from a “donor” TID to a recipient district as part of a “donor-recipient plan.”

TIF Law requires that the project plans be amended for donor TIF districts and recipient districts in the event that new project expenditures are incurred that were not outlined in the original project plan.

The Common Council is considering adoption of a resolution approving an amendment to the Project Plan for TID 37 (Union Corners). The resolution would establish TID 37 as a donor TID. The resolution and five-year donor-recipient allocation plan anticipate a transfer of positive increments to TID 51 (South Madison). Assuming this project plan amendment is completed for TID 37, and the project plan and boundary are approved for the creation of TID 51, it would establish a donor / recipient relationship between these two TIDs. TID 37 would be established as a donor TID, and TID 51 would be established as a recipient TID.

Current Status:

TID 37 (Union Corners)

TID 37 was created on July 18, 2006. To date, the City has provided funding for the acquisition of the former Union Corners property, assistance in its redevelopment and funding to the Fair Oaks affordable housing project. Through the end of 2021, the City had authorized approximately \$8.9 million of expenditures in TID 37. Total capital costs identified in the project plan, exclusive of financing costs, were \$20,867,000. The City estimates that TID 37 has an incremental value of \$151 million in 2022. The City estimates that TID 37 will receive approximately \$3.5 million of incremental revenue in 2023. As of the end 2021, TID 37 has \$1.3 million in excess incremental revenues, after recovering all of its outstanding debts.

Given the amount of outstanding debt in TID 37, the level of incremental revenue that TID 37 is generating, the planned costs in TID 51, and the City's desire to invest in South Madison, TID 37 is a potential donor to TID 51.

TID 51 (South Madison)

TID 51 will be created in 2023. It is the City's intent to invest significant funds into the areas that were formerly the Town of Madison. The Town of Madison dissolved on Oct 31, 2022. The City of Madison is faced with major infrastructure challenges due to decades of neglect, a struggling small business landscape, rapidly increasing displacement due to gentrification, and the implementation of the recommendations of the newly adopted South Madison Plan.

Given that the Town of Madison has dissolved, the City proposes to invest in TID 51 and the surrounding area to:

- Make infrastructure investments, including street, stormwater, and park improvements;
- Provide assistance to small businesses;
- Continue land-banking activities;
- Provide assistance to first-time home buyers;
- Provide increased opportunities for affordable owner occupied housing;
- Assist with the development of additional affordable rental housing units;
- Other actions that will directly address the challenges facing the residents of South Madison.

TID 51 is a newly created TID, and therefore does not have any incremental value, and thus no incremental revenue. Additionally, the estimated economic growth and associated incremental revenue generation within TID 51 will be insufficient to recover all of the proposed costs within TID 51.

Because TID 37 is forecasted to generate excess tax increment in 2023 and beyond, the City is proposing to donate excess incremental revenues from successful TIDs, such as TID 37, into TID 51. The total amount of donated incremental revenue from TID 37 to TID 51 in the five year donor plan outlined below is \$18,000,000. The donor plan outlined below does NOT include any additional donations to TID 51 from other TIDs.

Donation Schedule

Donor District	2023	2024	2025	2026	2027	Total
TID 37	\$3,600,000	\$3,600,000	\$3,600,000	\$3,600,000	\$3,600,000	\$18,000,000
Recipient TID						
TID 51	\$3,600,000	\$3,600,000	\$3,600,000	\$3,600,000	\$3,600,000	\$18,000,000