

Fields, Debbie

From: Kyle Brasser <kbrasser@lincolnavecap.com>
Sent: Tuesday, July 11, 2023 6:18 PM
To: Stouder, Heather; Kapusta-Pofahl, Karen; Fields, Debbie
Subject: Fwd: Agenda Items 83 & 84 - Hartmeyer/Huxley Yards TIF Request
Attachments: image002.png; 2023_07_ Common Council_Presentation.pdf

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Heather et al -

Forwarding our presentation for this evening's council meeting to make sure you have it as well, as requested by the mayor.

Thanks!

Kyle

From: Kevin McDonell
Sent: Tuesday, July 11, 2023 5:57:36 PM
To: kkapusta-pofahl@cityofmadison.com
Cc: Kyle Brasser
Subject: Fwd: Agenda Items 83 & 84 - Hartmeyer/Huxley Yards TIF Request
Karen,

Attached is our presentation for tonight.

We will be in person tonight so please let us know if it doesn't come through.

Thanks!

Kevin

Begin forwarded message:

From: melissa@urbanassetsconsulting.com
Date: July 11, 2023 at 8:03:59 AM CDT
To: allalders@cityofmadison.com
Cc: "Satya Rhodes-Conway (Mayor@cityofmadison.com)" , "Matt Mikolajewski - Madison (mmikolajewski@cityofmadison.com)"
Subject: Agenda Items 83 & 84 - Hartmeyer/Huxley Yards TIF Request

[External Email]

Dear Members of the Common Council –

The last remaining approval for the very first project to be implemented under the Oscar Mayer Special Area Plan is before you tonight – approval of the TIF requests for the senior and family affordable housing on the former Hartmeyer property, now called Huxley Yards. Previously, the Council approved the pre-emptive rezoning and street mapping in June, 2022 and the land use and CSM in December, 2022/January, 2023.

The TIF requests fill a gap in the project financing, which is being funded using 4% tax credits. The TIF funding will allow the project to go forward to provide 553 units of much needed affordable housing for senior and family households. In addition to the affordable housing, the project will provide the necessary street infrastructure, as recommended in the OMSAP, to support the future redevelopment of Oscar Mayer into a new urban neighborhood. The Department of Parks will also take ownership of a much beloved Conservancy Area that will serve the growing neighborhood into the future.

A small group of neighbors, starting with the OSMAP planning process, has had concerns regarding site's environmental issues. These concerns have been addressed at each step in the process – approval of the OMSAP, approval of the rezoning and street mapping, approval of the land use and CSM, and now tonight. City engineering staff have provided the Council with their professional expertise and guidance on the environmental issues and remediation recommendations for this site, as they have for many similar sites throughout the city. The developer, Lincoln Avenue Capital, has followed DNR requirements and professional standards for the testing and remediation plans for the site. It is through the redevelopment of the property that the environmental issues will be addressed.

The attached presentation, which Kevin McDonnell and Kyle Brasser will review with you tonight, provides an overview of the process, project, environmental background, and plans for remediation. I urge you to support Economic Development staff's recommendation and approve the TIF requests.

Respectfully,

Melissa Huggins

Melissa Huggins, AICP

Principal

C: 608.345.0996

Huxley Yards – TIF Application



Project Background



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- Required for Affordable Housing Financial Feasibility
 - Without it, affordable development of this size cannot happen
- Census Tract 21 QCT expired 12/31/21
- WHEDA agreement to extend eligibility for LAC
 - ✓ 553 units affordable housing
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Preserved QCT will expire if project does not proceed

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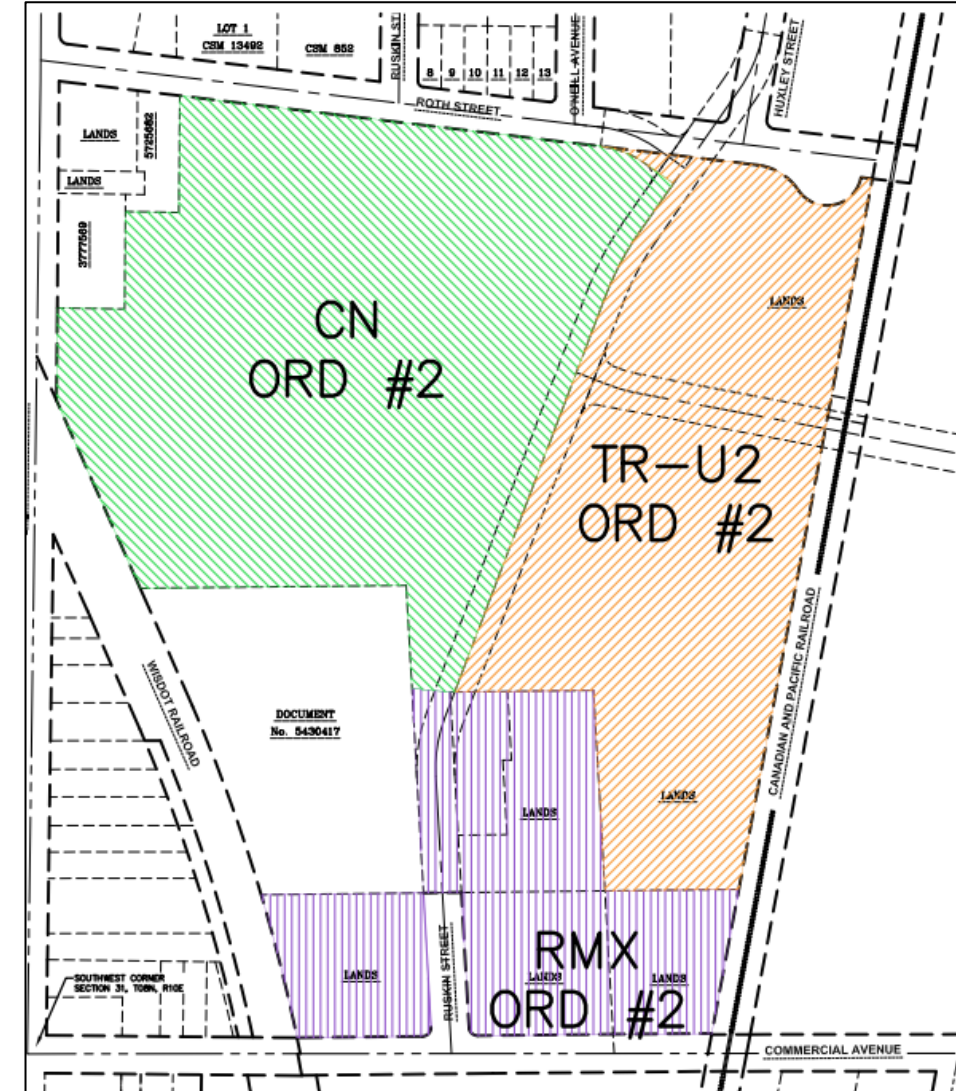
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- Collaborative mapping
 - Friends of Hartmeyer
 - Sherman Neighborhood Association
- Increase developable area to maximize affordable housing
- Increase conservation area to 15.03 acres

Preemptive Rezoning

- Recommended as part of OSMAP approval
- Traditional Residential Urban 2 (TR-U2)
- Regional Mixed Use (RMX)
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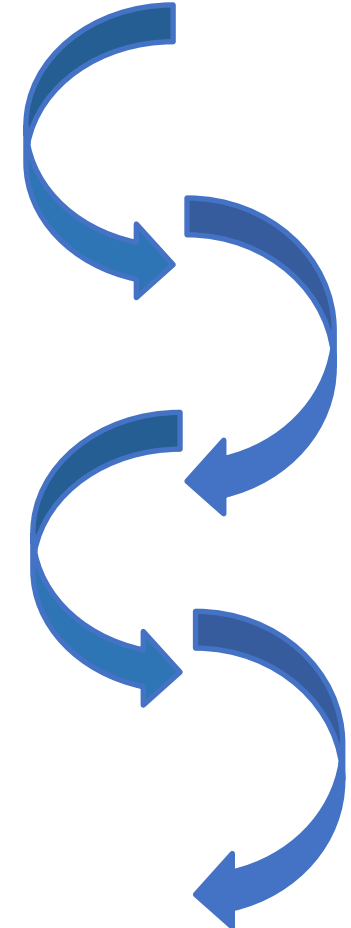


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2021



2025

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1954 to 2019

Remediation as result of Huxley Yards development and future city improvements to the Conservation Area

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 1. Disadvantaged Business Enterprise
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 8. Wisconsin Department of Administration
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Huxley Yards – TIF Application



Questions?

Fields, Debbie

From: gordian@nym.hush.com
Sent: Monday, July 10, 2023 10:27 AM
To: All Alders
Subject: Oppose Agenda Item 83, Legistar record 78324

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Madison Common Council members,

Please oppose Agenda Item 83, Legistar record 78324.

TAX INCREMENTAL FINANCING DISTRICT #54 DOES NOT QUALIFY AS A BLIGHT TAX INCREMENTAL FINANCING DISTRICT

Misclassifying two large parcels in the area studied has mistakenly raised the fraction of Tax Incremental Financing District #54 classified as "blighted" above the 50% threshold required to create a blight Tax Incremental Financing District. The actual fraction of blighted land in Tax Incremental Financing District #54 is less than the 50% threshold required to create a blight Tax Incremental Financing District.

According to the "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin", "A blight TID requires that 50% [by area] of the real property within the district must be blighted. This area has exceeded that threshold." [1; p. 32] The exact figure given is 58.8%. [1; p.32]

The State's definition of blight is provided by the "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin":

"Statute 66.1105(2)(ae)1. defines a blighted area as such:

"Blighted area" means any of the following:

a. An area, including a slum area, in which the structures, buildings or improvements, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of these factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare." [1; p. 2]

Parcel 4 is Misclassified as Blighted

A serious mistake was made in calculating the area of Tax Incremental Financing District #54 that is blighted. A map on page 9 clearly shows all of parcel 4, the former Hartmeyer property, as blighted. The text beside the map states that the entire parcel is zoned IG [Industrial General]. [1; p. 9] The "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin" is dated January 23, 2023. That date is many months after the zoning was changed from IG. The City of Madison has approved measures to preserve land on this site as open space, which it is. As for the rest of the land, even a quick glance at the State Statute quoted above shows that woods and fields are not considered elements of blight; they are not "conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare." [1; p. 2]

Removing the 29 acres of the Hartmeyer site from the "blight" category in the report's totals means that the blighted area of Tax Incremental Financing District #54 is less than 50%. The study states, "Of the total area evaluated for blight (approximately 221.84 acres), 58.8% of this area (approximately 130.44 acres) has been determined by this study to be blighted." [1; p. 32]

130 Blighted acres
 - 29 Hartmeyer acres
 = 101 Blighted acres
 * 100 Calculate percentage
 / 222 Total acres
 = 45 Percent

After correcting for the error of including the Hartmeyer land in the "blighted" category, only 45%, by area, of Tax Incremental Financing District #54 is classed as blighted. Because less than 50% of Tax Incremental Financing District #54 is classified as blighted, it does not qualify as a blight Tax Incremental Financing District.

TWO OTHER MISCLASSIFIED PARCELS

Parcel 3, the Southern Wisconsin railroad yard, is another case of misclassification. It is characterized as "poor condition". This parcel is part of the Wisconsin Southern railroad switching yard, which handles many millions of dollars worth of goods. Many jobs depend, directly or indirectly, on this vital piece of infrastructure. In the blight study, Parcel 3 is labeled, "Lot underutilized". [1; p. 16] The railroad switching yard is zoned IL. [2] Someone is not living in the real world.

The study's authors complain about a "missing sidewalk" on parcel 3. [1; p. 16] The railroad company has refused to pay for a sidewalk on its land, and the City lacks the power to force the railroad company to put a sidewalk there. The "missing sidewalk" is a jurisdictional problem; it is not evidence of blight.

Other comments regarding parcel 3 would be legitimate when describing an untidy yard in a residential neighborhood, but they are inappropriate in evaluating a railroad operation in an industrial section of town. [1; p. 16]

The evidence in the report does not support rating parcel 3 as "poor condition". Removing the 37 acres of the railroad switching yard from the "blight" category in the report's totals means that the blighted area of Tax Incremental Financing District #54 is less than 50%.

130 Blighted acres
 - 37 acres in railroad switching yard [2]
 = 93 Blighted acres
 * 100 Calculate percentage
 / 222 Total acres
 = 42 Percent

After correcting for the error of including the railroad switching yard's land in the "blighted" category, only 42%, by area, of Tax Incremental Financing District #54 is classed as blighted. Because less than 50% of Tax Incremental Financing District #54 is classified as blighted, it does not qualify as a blight Tax Incremental Financing District.

Properly classifying both the former Hartmeyer property and the railroad switching yard reduces the total percentage of blighted area to 29%.

130 Blighted acres
 - 29 Hartmeyer acres
 - 37 Acres in railroad switching yard [2]
 = 64 Blighted acres
 * 100 Calculate percentage
 / 222 Total acres
 = 29 Percent

Parcel 28 on p. 12 is also misclassified. [1; p. 12] The building on the property looks as it does because it is being remodeled and expanded. A building permit placard is plainly visible in the accompanying picture. A temporary poor appearance caused by making building improvements is not evidence of blight. Investment in building improvements is the opposite of blight. The area of parcel 28 should also be subtracted from the fraction of Tax Incremental Financing District #54 that is classified as blighted. Doing so would further reduce the fraction of blighted areas to less than 50%.

An examination of just three properties in "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin" finds three serious flaws. The authors

- 1) Do not know the land use classification of the former Hartmeyer property,
- 2) Labeled the railroad switching yard, which is infrastructure vital to the Madison area economy, "Lot underutilized". The railroad switching yard is zoned IL. [2], and
- 3) Said that a building being remodeled and expanded is evidence of blight.

Such serious and obvious errors in fact and judgement call into question the authors' classifications of all parcels inspected in "2022 Pennsylvania Avenue (TID 53) Blight Study, City of Madison, Wisconsin".

Citations and Calculations

[1] 2022 Pennsylvania Avenue (TID 53)
Blight Study
Madison, WI
Prepared by MSA Professional Services, Inc.
January 23, 2023

<https://madison.legistar.com/View.ashx?M=F&ID=12083748&GUID=487D8B88-3769-43BD-80E0-65C41091E7EB>

Accessed 20230622

[2] Area of railroad switching yard

<https://www.cityofmadison.com/assessor/property/propertydata.cfm?ParcelN=071006203021>

Accessed 20230625

1,615,054 square feet in railroad switching yard [2]
/ 43,560 square feet per acre
= 37 acres in railroad switching yard

For square feet per acre, see

<https://www.unitconverters.net/area/acres-to-square-feet.htm>

Accessed 20230625

Fields, Debbie

From: URBAN ASSETS LLC
Sent: Tuesday, July 11, 2023 8:02 AM
To: All Alders
Cc: Mayor; Mikolajewski, Matthew
Subject: Agenda Items 83 & 84 - Hartmeyer/Huxley Yards TIF Request
Attachments: 2023_07_ Common Council_Presentation.pdf

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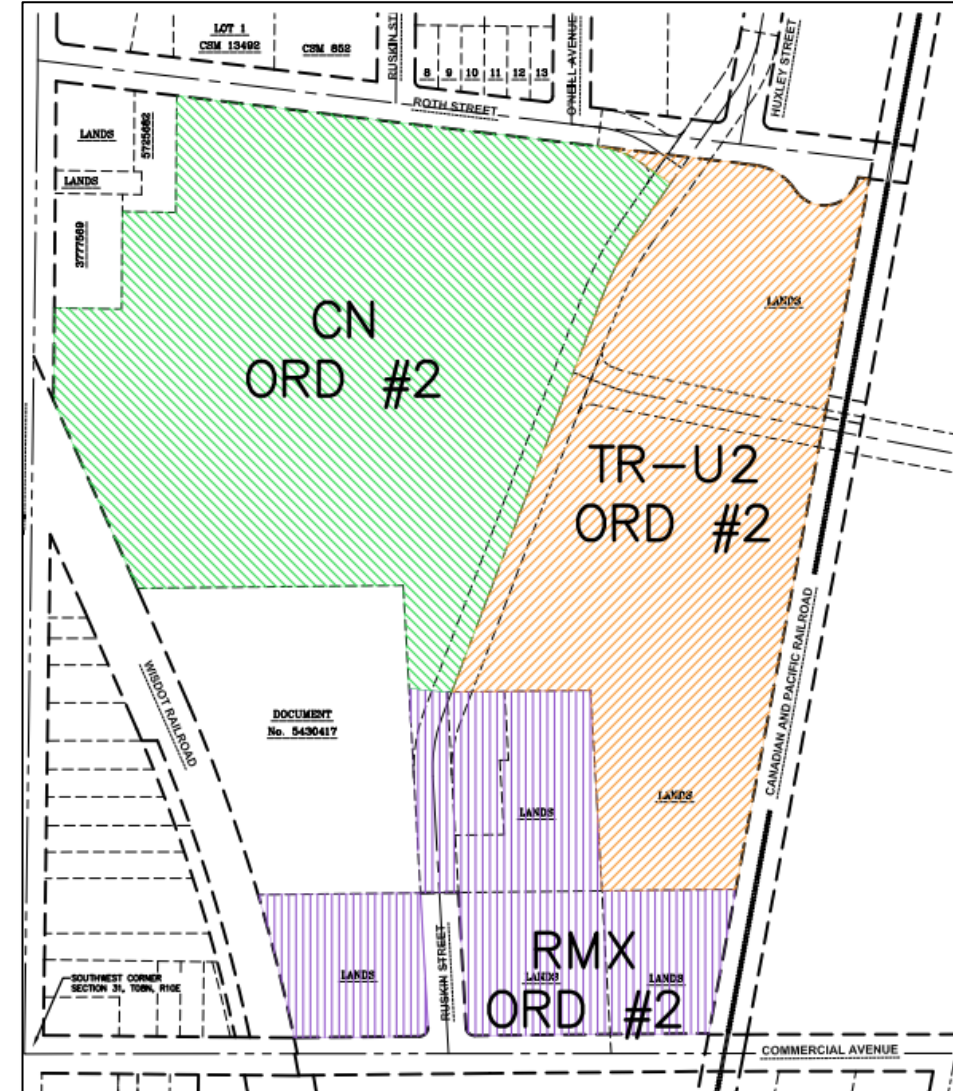
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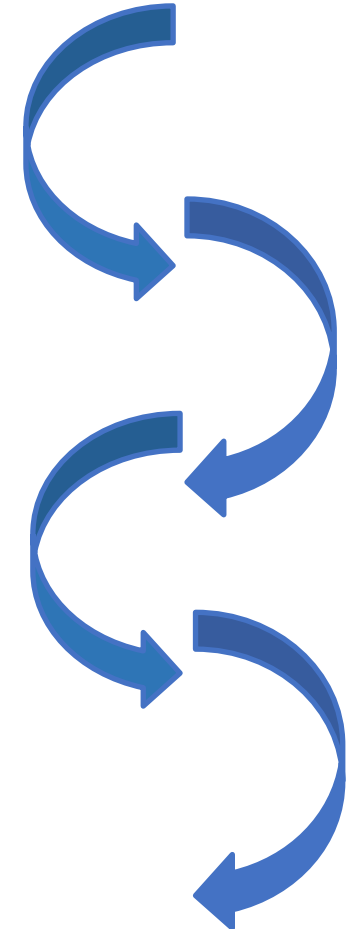


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Huxley Yards – TIF Application



Questions?

Fields, Debbie

From: Steve Verburg <stverburg@gmail.com>
Sent: Tuesday, July 11, 2023 3:24 PM
To: All Alders
Subject: Hartmeyer -- please vote no on racial disparities

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Members of the Madison Common Council,

How is it that Madison's racial disparities haven't been remedied despite twenty years of promises? How is it that they've actually gotten worse?

We're watching it in real time at this moment, as the rationalizations are stacked one upon another for housing disadvantaged people on poisoned land.

Brynn Bemis -- the city employee whose job it is to persuade you that toxic sludge isn't that bad for you -- wants to reassure us that the poorly investigated pollution plumes under the Oscar Mayer property will be pulled down into our drinking water and, thus, won't migrate next door near the surface where they would sicken the unfortunate people forced to move into this housing. In fact, poisoned groundwater can still move laterally even if it is being drawn downward by Madison's deep municipal wells. The fact is the plumes' migration hasn't been adequately investigated.

These are some of the same arguments the city and the state used to postpone remediation at Madison-Kipp for years until lawsuits filed by expert lawyers forced action.

The Oscar Mayer groundwater is so badly polluted that the company many years ago stopped drawing it from its own wells, which made it easier for the plumes to rise upward and laterally since then. Shallow groundwater (and the contaminants it carries) also moves laterally along buried sewer, electrical and other utility lines. But the city has declined to assess this aside from very limited testing on Oscar Mayer land a few years ago. They didn't even test offsite!

Lincoln conducted a Phase 1 ESA of lots one and two but hasn't shared the results publicly. They should make them public before the council takes any further action. The council and the public should also see the results of additional testing that will need to be done within six months of purchase.

Amid decades of being defunded, the Wisconsin Department of Natural Resources allows polluters to police themselves and accepts building over highly polluted groundwater and soil as a solution to pollution even though this leaves the contaminants there for future generations to deal with.

The relevant state statute (NR 700 series) is a quasi-privatized set of "laws" with countless loopholes and exemptions.

Don't go along with this.

If the only way Madison will house low-income people and vulnerable elderly is by housing them on highly polluted land, we should just admit we aren't willing to make room for low-income people and vulnerable elderly.

Don't buy the DNR line that it's OK to blithely leave poisons in groundwater for future generations to deal with -- and for our neighbors to live atop.

Thank you for considering my concerns.

Steve Verburg
Wendy Lane
Madison, Wisconsin
608-212-9726

Fields, Debbie

From: Conor Villarreal <cdvillarreal@wisc.edu>
Sent: Tuesday, July 11, 2023 2:44 PM
To: All Alders
Subject: 7/11/23 Common Council: Yes to Agenda Items 78324, 78325, and 77208

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Hello Common Council members,

I am writing to express my strong support for agenda items 78324, 78325, and 77208, which pertain to the development of multiple housing units in our city. The current housing situation in Madison has reached a critical juncture, with vacancy rates plummeting to a mere 3% and median rent soaring by 30%, as highlighted by the Apartment List Study. Furthermore, the City of Madison Housing Snapshot Report for 2022 reveals that nearly 50% of our residents are burdened by housing costs. These statistics underscore the urgent need for increased housing options in our community.

To merely keep up with the rising demand, it is essential that we build over 10,000 units within the next five years. This figure is not an exaggeration, but a reflection of the pressing reality facing our city. The scarcity of housing has not only led to skyrocketing rents but has also created an unsustainable cycle where incoming residents further deplete our already limited housing stock. As a result, our neighbors are being displaced, and housing costs continue to surge. The 2022 report also highlights the concerning trend of negative growth in households making less than \$25,000 (-7.7%) and those earning between \$25,000 and \$50,000 (-4%). Furthermore, it reveals a higher rate of change in higher-income households that also compete for housing, with a growth of 6.4% for households making \$75,000 to \$100,000 and 13.9% for those earning over \$100,000. It is imperative that we take decisive action to address this growing crisis.

Supporting these proposed developments is not only crucial, but it is also a responsibility we owe to every citizen in our community. By expanding our housing options, we can alleviate the burden on existing residents and create opportunities for those seeking affordable and accessible homes. Additionally, these developments will bring about significant economic benefits and contribute to the growth of our local economy.

The planned housing developments will add over 750 units in close proximity to key destinations such as grocery stores, job centers, and retail establishments. This strategic placement will foster a sustainable urban fabric, enabling residents to have easy access to essential services and employment opportunities. By providing housing options near these important destinations, we can reduce commuting distances, alleviate traffic congestion, and promote a more environmentally friendly lifestyle.

Moreover, these new housing units will attract businesses and stimulate economic growth in the surrounding areas. As more people move into the neighborhood, local businesses will experience increased foot traffic and customer demand. This will, in turn, create new job opportunities and support the expansion of our local workforce. By fostering a vibrant and interconnected community, we can enhance the overall vitality and economic resilience of our city.

In light of these circumstances, I implore the Common Council to prioritize and endorse the aforementioned agenda items. By doing so, we can collectively work towards a more equitable, sustainable, and economically thriving future for all residents of Madison.

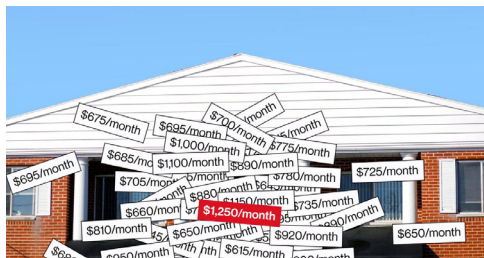
Thank you for your time and consideration.

Sincerely,
Conor

Sources:

[https://www.cityofmadison.com/dpced/community-development/documents/2022%20Housing%20Snapshot%20Report%20-%208 4 22.pdf](https://www.cityofmadison.com/dpced/community-development/documents/2022%20Housing%20Snapshot%20Report%20-%208%204%2022.pdf)

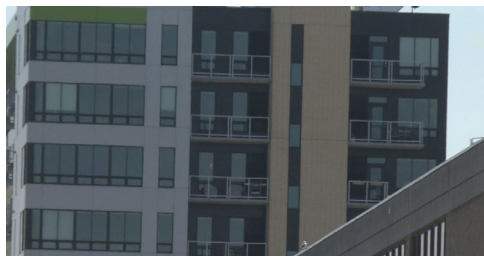
https://captimes.com/news/government/why-madison-rents-are-rising-so-fast-and-won-t-slow-down/article_f9ecedc6-2e86-5fd1-8533-8cd6d1e2d3c8.html



[Why Madison rents are rising so fast and won't slow down](https://captimes.com/news/government/why-madison-rents-are-rising-so-fast-and-won-t-slow-down/article_f9ecedc6-2e86-5fd1-8533-8cd6d1e2d3c8.html)

Sky-high demand and slow growth for housing means high rents, experts say. One study says rents are rising faster in Madison than anywhere else in the U.S.
captimes.com

https://www.channel3000.com/news/madison-year-over-year-rent-increases-are-the-highest-in-the-country-study-finds/article_3738cd24-cdaa-11ed-90d3-1b74c861ac3c.html



[Madison year-over-year rent increases are the highest in the country, study finds](https://www.channel3000.com/news/madison-year-over-year-rent-increases-are-the-highest-in-the-country-study-finds/article_3738cd24-cdaa-11ed-90d3-1b74c861ac3c.html)

MADISON, Wis. -- A new report from Apartment List found rent in Madison is rising faster than in any of the nation's 100 largest cities.
www.channel3000.com

Fields, Debbie

From: Mike Z <mjzenz@gmail.com>
Sent: Monday, July 10, 2023 9:42 AM
To: All Alders
Subject: Please Support Items 83 & 84, July 11 Common Council

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Alders,

I'm dismayed by recent attempts to stop (or at least slow down) more than 500 affordable housing units in district 12 that were already approved by a unanimous Plan Commissions and Common Council six months ago. The two buildings have been in the works for three years and were supported by Alder Abbas after he spent years making them better for residents and the community. These are not controversial buildings; they have widespread support in our district and across the city, because they represent badly needed affordable housing and preserve wetlands. The fact that they rely upon TIF loans should come as no surprise to anyone who has followed the project.

The people speaking out against it now have been against it from the very start, and have given evolving reasons for their objections as the project has moved forward. Notice that all of those who had constructive concerns about the project (such as the Friends of the Hartmeyer) no longer object to it, and in fact came out in support of it at the December 12th Plan Commission at which it was approved. Why are a handful of people still objecting to it? It certainly has nothing to do with TIF loans. They just don't want a building built there. Perhaps they just want to keep the green space, but I suspect some of them are motivated by something that one member of the public expressed at the Finance Committee meeting on June 26th:

"The building of 553 units of high density low income housing will only cause the very blight conditions we hope to avoid."

Alder Evers called this comment "distasteful." He's right. It is your job to listen to your constituents, but please don't do their bidding when this is what motivates them.

Sincerely,
Michael Zenz
2609 Dahle St.
District 12