



## Legislation Text

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**File #:** 75795, **Version:** 1

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### **Fiscal Note**

The proposed resolution authorizes a Project Plan Amendment for Tax Incremental District (TID) #36 (Capitol Gateway). This amendment authorizes \$55.0M in project plan amendments including \$50M in donations to TIDs 42 (Wingra) and 51 (South Madison) over a five-year period, \$4.5M in support for the Public Market located in TID 36 (included in the 2023 adopted capital budget), and \$500K for additional administrative and professional costs. Under the revised project plan, the total TIF-supported costs are \$107.4M. No additional City appropriation is required with the adoption of this resolution.

### **Title**

Approving the Amendment to the Project Plan for Tax Incremental District (TID) #36 (Capitol Gateway), City of Madison.

### **Body**

WHEREAS Chapter 105 of the Laws of 1975 of the State of Wisconsin created the Tax Increment Law (the "TIF Law"), Section 66.1105, Wisconsin Statutes; and

WHEREAS TIF Law sets forth certain steps which must be followed to amend a Tax Incremental Project Plan; and

WHEREAS a Notice of Public Hearing by the Plan Commission to afford interested parties an opportunity to express their views on the amendment to the TID Project Plan for TID 36 was published in the Wisconsin State Journal on February 3, 2023 as required by TIF Law; and

WHEREAS prior to publication of the Notice of Public Hearing a copy of the Notice was sent by first-class mail to each of the chief executive officers or administrators of all local governmental entities having the power to levy taxes on property within the boundary of TID 36; and

WHEREAS the Plan Commission of the City of Madison held a public hearing on February 3, 2023, at which interested parties were afforded an opportunity to express their views on the proposed amendment to the Project Plan for TID 36; and

WHEREAS the Plan Commission has made the following findings as indicated in the attached report:

1. No less than 50%, by area, of the real property within the TID is blighted within the meaning of 66.1105 (2), Wisconsin Statutes.
2. The improvement of such area is likely to significantly enhance the value of a substantial portion of the other real property in the TID.

3. The aggregate value of equalized taxable property of the TID, plus all existing TIDs, does not exceed 12% of the total value of equalized taxable property within the City.

WHEREAS the Plan Commission has determined that the TID meets the basic requirements of City TIF Policy for tax incremental district proposals adopted by the Common Council on April 17, 2001, amended on March 31, 2009, and amended again on February 25, 2014 (insofar as they are applicable to the amendment of a project plan), conforms to the Comprehensive Plan for the City of Madison and is consistent with the review criteria adopted at the same time, specifically, that the TID supports economic development activities intended to stabilize and diversify the City's economic base.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Madison hereby confirms and adopts the above recitals and finds that:

1. No less than 50%, by area, of the real property within the amended TID boundary is blighted within the meaning of Section 66.1105(2), Wisconsin Statutes.
2. The improvement of such area is likely to significantly enhance the value of a substantial portion of the other real property in the TID.
3. The aggregate value of equalized taxable property of the TID, plus all existing TIDs, does not exceed 12% of the total value of equalized taxable property within the City.
4. The project costs relate directly to eliminating blight.
5. TID 36 (Capitol Gateway) is hereby declared a blighted area district.
6. The percentage of territory devoted to retail businesses within TID 36 (Capitol Gateway) is under thirty-five (35%) percent.
7. TID 36 (Capitol Gateway), the Donor TID, and TID 51 (South Madison) and TID 42 (Wingra), the Recipient TIDs, have the same overlying taxing jurisdictions.
8. TID 36 (Capitol Gateway) has sufficient revenue to pay for all current costs.
9. TID 36 (Capitol Gateway) has sufficient surplus tax increments to donate \$2,800,000 to TID 42 (Wingra) and \$47,200,000 to TID 51 (South Madison), the Recipient TIDs.
10. Both Recipient TIDs, TID 42 (Wingra) and TID 51 (South Madison) are blighted area TIDs as defined in State Statute 66.1105(6)(f)2.
11. The boundaries of TID 36 (Capitol Gateway) are not changing.

BE IT STILL FURTHER RESOLVED that the attached amended Project Plan and Boundary for TID 36 (Capitol Gateway), City of Madison, is hereby adopted as of January 1, 2023 as the Project Plan for said District and such plan is feasible and in conformity with the Comprehensive Plan for the City of Madison and will add to the sound growth of the City.

#### LEGAL DESCRIPTION

A parcel of land located in the Northwest Quarter (NW ¼) of Section Seven (7), and the Southwest Quarter (SW ¼) of Section Six (6), Township Seven North (T7N), Range Ten East (R10E) of the Fourth Principal Meridian (4PM), and in the Northeast Quarter (NE ¼), the Southeast Quarter (SE ¼), the Southwest Quarter (SW ¼), and the Northwest Quarter (NW ¼) of Section Thirteen (13), Township Seven North (T7N), Range Nine East (R9E) of the Fourth Principal Meridian (4PM), City of Madison, Dane County, Wisconsin, more particularly described as follows:

Beginning at the intersection of the northwesterly right of way of East Washington Avenue (A.K.A. State Trunk Highway 151) and the southwesterly right of way of North Blair Street; thence along said northwesterly right of way of East Washington Avenue, northeasterly to the intersection of said northwesterly right of way and the southwesterly right of way of North

Livingston Street; thence along said southwesterly right of way of North Livingston Street, northwesterly to the intersection of said southwesterly right of way and northwesterly right of way of East Dayton Street; thence along said northwesterly right of way, northeasterly to the intersection of said northwesterly right and the northeasterly right of way of North Paterson Street; thence along said northeasterly right of way, southeasterly to the intersection of said northeasterly right of way and the northwesterly right of way of East Mifflin Street; thence along said northwesterly right of way, northeasterly to the intersection of said northwesterly right of way and the northeasterly right of way of North Brearly Street; thence along said northeasterly right of way, southeasterly to the northwesterly right of way of East Washington Avenue; thence along said northwesterly right of way of East Washington Avenue, northeasterly to the intersection of said northwesterly right of way and the northeasterly margin of the Yahara River; thence along said northeasterly margin, northwesterly to the intersection of said northeasterly margin and the southeasterly right of way of Sherman Avenue; thence along said southeasterly right of way, northeasterly to the intersection of said southeasterly right of way and the northeasterly line of Tenney Park and Boat Storage; thence along said northeasterly line, southeasterly to the intersection of said northeasterly line and the southeasterly right of way of East Johnson Street; thence along said southeasterly right of way, northeasterly to the intersection of said southeasterly right of way and the northeasterly right of way of First Street; thence along said northeasterly right of way, southeasterly to the intersection of said northeasterly right of way and the southeasterly right of way of East Washington Avenue; thence along said southeasterly right of way, southwesterly to the intersection of said southeasterly right of way and the northeasterly line of Yahara Parkway; thence along said northeasterly line of Yahara Parkway, southeasterly to the intersection of said northeasterly line of Yahara Parkway and the northwesterly right of way of East Main Street; thence along said northwesterly right of way, southwesterly to the intersection of said northwesterly right of way and the northeasterly margin of the Yahara River; thence along said northeasterly margin, southeasterly to the southwesterly extension of the southeasterly line of Lot 2 of Monona Subdivision; thence across said Yahara River, southwesterly to the intersection of the southwesterly margin of said Yahara River and the southeasterly right of way of East Wilson Street; thence along said southeasterly right of way, southwesterly to the intersection of said southeasterly right of way and the southwesterly right of way of South Dickinson Street; thence along said southwesterly right of way of South Dickinson Street, northwesterly to the intersection of said southwesterly right of way and the southeasterly right of way of Railroad Street; thence along said southeasterly right of way of Railroad Street, southwesterly to the intersection of said southeasterly right of way and the northeasterly right of way of South Ingersoll Street; thence along said northeasterly right of way, southeasterly to the southerly corner of Lot 1 of Block 184 of Farwell's Replat of a Part of the Village of Madison (said point being on said northeasterly right of way of South Ingersoll Street); thence across said South Ingersoll Street, westerly to the easterly corner of the northwesterly 93 feet of Lot 9 of Block 174 of Farwell's Replat of a Part of the Village of Madison; thence along the southeasterly line of said northwesterly 93 feet of Lot 9 of Block 174, southwesterly to the southwesterly line of said Lot 9 of Block 174; thence along said southwesterly line, southeasterly to the southerly corner of said Lot 9 of Block 174; thence along the southeasterly lines of Lots 8, 7, 6, 5, 4, and 3 of said Block 174, southwesterly to the southerly corner of said Lot 3 of Block 174 (said point also being the westerly corner of Lot 16 of said Block 174); thence along the southwesterly line of said Lot 16 of Block 174, southeasterly to the northwesterly right of way of Williamson Street; thence along said northwesterly right of way, southwesterly to the intersection of said northwesterly right of way and the southwesterly right of way of South Brearly Street; thence along said southwesterly right of way, northwesterly to the easterly corner of Lot 9 of Block 155, City of Madison; thence along the southeasterly lines of Lot 9, 8, 7, 6, 5, 4, 3, 2, and 1 of said Block 155, southwesterly to the northeasterly right of way of South Paterson Street; thence across said Paterson Street, southwesterly to the easterly corner of Lot 9 of Block 147, City of Madison; thence along the southeasterly lines of Lots 9, 8, 7, 6, and 5 of said Block 147 to the northerly corner of Lot 15 of said Block 147; thence along the northeasterly line of said Lot 15, southeasterly to the northwesterly right of way of Williamson Street; thence along said northwesterly right of way, southwesterly to the intersection of said northwesterly right of way and the northeasterly right of way of South Livingston Street; thence along said northeasterly right of way, northwesterly to the southerly corner of Lot 1 of Block 147, City of Madison; thence across South Livingston Street, southwesterly to the easterly corner of Lot 9 of Block 129, City of Madison; thence along the southeasterly lines of Lot 9, 8, 7, and 6 of said Block 129, southwesterly to the northerly corner of Lot 14 of said Block 129; thence along the northeasterly line of said Lot 14, southeasterly to the northwesterly right of way of Williamson Street; thence along said northwesterly right of way, southwesterly to the southerly corner of Lot 16 of Block 129, City of Madison; thence along the southwesterly line of said Lot 16, northwesterly to the westerly corner of said Lot 16; thence along the southeasterly lines of Lot 2 and 1 of said Block 129, southwesterly to the easterly right of way of South Blount Street; thence across said South Blount Street, southwesterly to the easterly corner of Lot 9 of Block 125, City of Madison (said point also being on the southwesterly right of way of said South Blount 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 Wilson Street; thence along said southeasterly right of way, and along the easterly right of way of said East Wilson Street, southwesterly and southerly to the intersection of said easterly right of way of East Wilson

Street, as it now exists, and the northwesterly right of way of Williamson Street (said point also being the southwesterly most corner of a parcel of land owned by the City of Madison, and whose tax parcel number is 0709-134-1906-0); thence northwesterly to the intersection of the northwesterly right of way of East Wilson Street and the southwesterly right of way of South Blair 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 point of beginning.

**Amended Territory Legal Description (2012 Amendment)**

All of Blocks 133 and 134 and part of Block 121, Original Plat of Madison, being located in the Northeast and Northwest Quarters of the Southwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 13, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Beginning at the east corner of Block 117, said Original Plat of Madison, also being the southwesterly right-of-way line of N. Blair Street and the northwesterly right-of-way line of E. Washington Avenue;

thence northwesterly along the northeasterly line of said Block 117 and its northwesterly extension, also being said southwesterly right-of-way line, 397 feet, more or less, to the northwesterly right-of-way line of E. Mifflin Street, also being the east corner of Block 118, said Original Plat of Madison;

thence northeasterly along said northwesterly right-of-way line, 194.7 feet, more or less, to the northwesterly extension of the most westerly southwest line of Lot 1, Certified Survey Map Number 11919;

thence southeasterly along said northwesterly extension and the southwesterly line of said Lot 1, 176.7 feet, more or less, to the most westerly south corner of said Lot 1;

thence northeasterly 23.18 feet to the most northerly southwest corner of said Lot 1;

thence southeasterly along a southwest line of said Lot 1, 54.67 feet, more or less, to the southern most corner of said Lot 1, also being the northwest line of Lot 16, said Block 121;

thence northeasterly along the southeast line of said Lot 1, also along the northwest line of Lots 16, 15 and 14, said Block 121, 175.5 feet, more or less, to the eastern most corner of said Lot 1, also being the northern most corner of said Lot 14, and the south corner of Lot 6, said Block 121;

thence northwesterly along the northeast line of said Lot 1, also being the southwest line of said Lot 6, 165 feet, more or less, to the northern most corner of said Lot 1, the west corner of said Lot 6, and the southeasterly right-of-way line of E. Mifflin Street;

thence northwesterly, 66 feet, more or less, to the northwesterly right-of-way line of said E. Mifflin Street, also being the southern most corner of Lot 13, Block 135, said Original Plat of Madison;

thence northeasterly along said northwesterly right-of-way line, 266.0 feet, more or less, to the east corner of said Block 135, also being the southwesterly right-of-way line of N. Blount Street;

thence northwesterly along said southwesterly right-of-way, also being the northeasterly line of said Block 135, 328.5 feet, more or less, to the east corner of Block 120, said Original Plat of Madison, also being the northwesterly right-of-way line of E. Dayton Street;

thence northeasterly along said northwesterly right-of-way line, 661.4 feet, more or less, to the southwesterly right-of-way line of N. Livingston Street, also being the east corner of Block 136, said Original Plat of Madison;

thence southeasterly along the southwesterly right-of-way line of N. Livingston Street, 726.2 feet, more or less, to the northwesterly right-of-way of aforementioned E. Washington Avenue and the east corner of aforementioned Block 133;

thence southwesterly along said northwesterly right-of-way line, 1321.8 feet, more or less, to the point of beginning.

**Amended Territory Legal Description (2016 Amendment)**

A parcel of land located in part of the SW ¼ of the SW ¼ and part of SE ¼ of the SW ¼ of Section 6, & part of the NW ¼ of the NW ¼ and part of the NE ¼ of the NW ¼ of Section 7, all in T7N, R10E of the Fourth Principal Meridian, City of Madison, Dane County, described as follows:

**Beginning** at the Easterly corner of Block 275, Farwell's Replat and Addition, recorded in Volume A of Plats, Page 6, as Doc. No. 105, also being the intersection of the southwesterly right-of-way of South First Street and the northwesterly right-of-way of East Main Street; thence southeasterly, across East Main Street, 66 feet, to the northerly corner of Block 274, said Farwell's Replat and Addition, also being the intersection of the southwesterly right-of-way of South First Street and the southeasterly right-of-way of East Main Street; thence southwesterly, along the said southeasterly right-of-way of East Main Street, 866 feet, more or less, to the easterly extension of the northeasterly line of the Yahara River Parkway, as defined by the Madison Park & Pleasure Drive Association deed as Document No. 252684; thence northwesterly, along the said northeasterly line of the Yahara River Parkway, 397 feet, more or less, to the southeasterly right-of-way of East Washington Avenue; thence northeasterly, along the said southeasterly right-of-way, 572 feet, more or less, to the northerly right-of-way of the former Union Pacific RR, now owned by the WDOT; thence easterly, along a curve of said northerly right-of-way, 404 feet, more or less, to the southwesterly right-of-way of South First Street; thence southeasterly, along said southwesterly right-of-way, 76 feet, more or less, to the **point of beginning**.

Contains the following tax parcels:

0710-072-0911-9
0710-072-0912-7
0710-072-0913-5
0710-072-0915-1

Also,

A parcel of land located in part of the SE ¼ of the SE ¼ of Section 12, T7N, R9E and in part of NW 1/4, NE 1/4, SW 1/4 and SE 1/4 of the NE ¼ of Section 13, T7N, R9E & in part of the SW ¼ of the SW ¼ of Section 6, T7N, R10E, and in part of the NW ¼ of the NW ¼ of Section 7, T7N, R10E, all of the Fourth Principal Meridian, City of Madison, Dane County, described as follows:

**Beginning** at the intersection of the northwesterly right-of-way of East Washington Avenue (A.K.A. State Trunk Highway 151) and the northeasterly right-of-way of North Brearly Street; thence northwesterly, along the said northeasterly right-of-way, 396 feet, more or less, to the intersection of said northeasterly right-of-way with the northwesterly right-of-way of East Mifflin Street; thence northeasterly, along the said northwesterly right-of-way, 660 feet, more or less, to the intersection of said northwesterly right-of-way with the northeasterly right-of-way of North Ingersoll Street; thence southeasterly, along the said northeasterly right-of-way, 216 feet, more or less, to the intersection of said northeasterly right-of-way with the northwesterly right-of-way of Curtis Court; thence northeasterly, along said northwesterly right-of-way, 594 feet, more or less, to the intersection of said northwesterly right-of-way with the southwesterly right-of-way of North Few Street; thence northwesterly, along said southwesterly right-of-way, 42 feet, more or less, to the southwesterly extension of the northwesterly line of Certified Survey Map No. 14025; thence northeasterly, along said southwesterly extension and northwesterly line, 238 feet, more or less, to a corner in said northwesterly line; thence southeasterly, along said northwesterly line, 59.19 feet, to a corner

in said northwesterly line; thence northeasterly, along said northwesterly line and the northwesterly lines of Lots 6 through 12, Schulkamp's Subdivision, 290 feet, more or less, to the north corner of said Lot 6; thence southeasterly, along the northeasterly line of said Lot 6, also being the southwesterly lines of Lots 1 & 2, CSM 5705, 99 feet, more or less, to the south corner of said Lot 1; thence northeasterly, along the southeasterly line of said Lot 1 and its northeasterly extension, 286 feet, more or less, to the southwest line of the northeast 11 feet of the southwest 1/2 of Lot 17, Block 217, Farwell's Replat; thence northwesterly, along said southwest line, 44 feet, more or less, to the northwest line of the southeast 110 feet of said Lot 17; thence northeasterly, along said northwest line, 11 feet, more or less, to the southwest line of the northeast 1/2 of said Lot 17; thence northwesterly, along said southwest line, 10 feet, more or less, to the northwest line of the southeast 120 feet of said Lot 17; thence northeasterly, along said northwest line, 33 feet, more or less, to the northeast line of said Lot 17, also being the southwest line of Lot 16, Block 217, Farwell's Replat; thence northwesterly, along said southwest line and the southwest line of Lot 3, Block 217, Farwell's Replat, 100 feet, more or less, to the northwest line of the southeast 55 feet of said Lot 3; thence northeasterly, along said northwest line, 66 feet, more or less, to the northeast line of of said Lot 3, also being the southwest line of Lot 4, Block 217, Farwell's Replat; thence northwesterly, along said southwest line and its northwesterly extension, 176 feet, more or less, to the northwesterly right-of-way of East Mifflin Street; thence northeasterly, along said northwesterly right-of-way, 242 feet, more or less, to the southwest line of the northeast 22 feet of Lot 12, Block 219, Farwell's Replat; thence northwesterly, along said southwest line, 132 feet, more or less, to the northwest line of said Lot 12; thence northeasterly, along said northwest line and northwest line of Lot 11, Block 219, Farwell's Replat, 88 feet, more or less, to the south corner of Lot 9, Block 219, Farwell's Replat; thence northwesterly, along the southwest line of said Lot 9 and its northwesterly extension, 198 feet, more or less, to the northwesterly right-of-way of East Dayton Street; thence northeasterly, along said northwesterly right-of-way, 720 feet, more or less, to the southwesterly right-of-way of North Thornton Avenue; thence northwesterly, along said southwesterly right-of-way and its northwesterly extension, 345 feet, more or less, to the northwesterly right-of-way of East Johnson Street; thence northeasterly, along said northwesterly right-of-way, 210 feet, more or less, to the intersection with the northeasterly margin of the Yahara River; thence southeasterly, along said northeasterly margin, 1085 feet, more or less, to the intersection with the northwesterly right-of-way of East Washington Avenue; thence southwesterly, along said northwesterly right-of-way, 3536 feet, more or less, to the **point of beginning**.

Contains the following tax parcels:

0709-124-0101-8	0710-072-1001-7	0709-131-0709-5
0709-124-0102-6	0710-072-1002-5	0709-131-0710-2
0709-131-0206-1	0710-072-1003-3	0709-131-0712-8
0709-131-0207-9	0710-072-1005-9	0709-131-0729-3
0709-131-0208-7	0710-072-1006-7	0709-131-0731-8
0709-131-0209-5	0710-072-1007-5	0709-131-0832-4
0709-131-0210-2	0710-072-1008-3	0709-131-0833-2
0709-131-0211-0	0710-072-1009-1	0709-131-0834-0
0709-131-0212-8	0710-063-1801-0	0709-131-0839-0
0709-131-0213-6	0709-131-0849-9	0709-131-0842-3
0709-131-0214-4	0709-131-1610-3	0709-131-0843-1
0709-131-0215-2	0709-131-1615-3	0709-131-0844-9
0709-131-0314-2	0709-131-1616-1	0709-131-0845-7
0709-131-0707-9	0709-131-1617-9	0709-131-0846-5
0709-131-0708-7	0709-131-0848-1	0709-131-0847-3

