

LAND USE



Husch Blackwell's Land Use law team steers clients through the maze of restrictions that govern the use of private property. Our Land Use law team, one of the most experienced in the central corridor of the country, includes attorneys with broad experience in local government, civic affairs, and business. Our law firm draws on these multiple perspectives and relationships in crafting strategic solutions that advance our clients' projects.

We act as negotiator, representing clients before city councils, zoning boards of adjustment, planning commissions, local governing bodies, and state and local agencies. Common matters include zoning, special use, code compliance, sale and lease of municipal lands, and creative development projects involving public-private cooperation.

Case Study

Microsoft Corporation

In November 2017, the state of Wisconsin approved an agreement with Taiwan-based manufacturer Foxconn to build a large plant in Racine County; however, after many revisions and setbacks, the original project never materialized, and ultimately, by 2021, Foxconn and local governments sought to sell a substantial portion of the site. At that time, Microsoft was assessing dozens of properties across the U.S. for the location of a new center and determined that a portion of the Foxconn Racine County site would be an excellent choice. Microsoft's global director of community research and engagement called it "kind of a

Husch Blackwell provides tailored legal solutions that align with the specific needs of businesses in the industry.

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perfect parcel of land.”

Representative Experience

Represented Lendlease after their request to build a wireless tower was denied by the Village of Cary, Illinois, alleging that it would impede development in the area, there was no gap in wireless coverage, and there were feasible alternative sites within the area. We demonstrated that the Village’s reasons for denial were based on conjecture and that the Village Code did not require Lendlease to prove a gap in coverage or the absence of a feasible alternative site within the area. The favorable settlement paves the way for the construction of the first privately-permitted wireless tower in the Village.

Represented REIT in redevelopment of a large retail space in a Wisconsin mall. Redevelopment required a major alteration to the mall’s existing conditional use approval, and our team coordinated the land use approval process with the city. The project was unanimously approved by the city’s Urban Design Commission and Plan Commission.

Aided client Milhaus in securing approval from the Planned Industrial Expansion Authority of Kansas City for a mixed-use development project. We then secured both a real property tax abatement and a sales tax exemption on construction materials for a \$73.8 million project consisting of five buildings on 4.3 acres, the largest redevelopment plan in the East Crossroads area of Kansas City.

Represented a family trust seeking to rezone a significant

portion of a 170-acre agricultural site located at a key intersection in a growing community from large lot residential zoning to commercial zoning with a Planned Unit Development Overlay and Area Plan. Achieved unanimous approval from the municipality's Board of Aldermen.

Structured, managed and closed \$15.7 million deal to transform 51 undeveloped acres in Middleton, Wisconsin into a market-rate residential living complex. Work included securing project approvals, structuring the project as a commercial condominium, resolving title issues, and assisting with multiple rounds of financing, including construction and tax increment financing (TIF).

Represented Raven Development in the redevelopment of Northwest Plaza Shopping Center in Missouri, at one time the largest mall in the country. Negotiated the acquisition of the vacant mall, as well as leasing and sale transactions, and assisted our client in arranging financing for the \$106 million, multiphase project and in securing significant federal, state, and local incentives.

Represented Harsco Corp., a multinational corporation with operations in mining, manufacturing, and transportation, in sale of industrial property. Sale was complicated by the fact that transaction required approval and clearance from Wisconsin Department of Natural Resources for voluntary clean-up of the contaminated site. We represented Harsco in its negotiations with the buyer, city, and state and were able to address the needs of all concerned parties.

Assisted a national used car company concerned that a new

highway ramping plan would greatly impair customer access to their new facility. As a result partly of our efforts to promote alternative scenarios with municipal, county, and state highway officials, the proposed highway plan was abandoned.

Represented the Nelson Gallery Foundation, one of largest art museums in the U.S., with its long-term “master plan” for the city’s museum district. This included the disposition of property and the development of other tracts, along with land use, redevelopment of historical properties, zoning, and construction issues.

Represented client in the development of an \$8.2 billion multifacility data center and technology campus. Handled land use and public approvals as well as negotiated incentives package.

Served as land development counsel and local real estate and financing counsel for real estate investment firm as it acquired three hotels and resorts in Texas (worth \$93 million), each of which were active resorts situated in areas of the state with unique and complicated water, wastewater, and environmental issues.