

PLAN COMMISSION RESOLUTION

A RESOLUTION DESIGNATING THE PROPOSED BOUNDARIES AND APPROVING A PROJECT PLAN FOR TAX INCREMENTAL DISTRICT #11 CITY OF APPLETON, WISCONSIN

WHEREAS, Section 66.1105 of the Wisconsin Statutes (the Tax Increment Law) provides the authority and establishes procedures for creating tax incremental districts and approving the project plans; and

WHEREAS, the Plan Commission, after completing preliminary planning work, scheduled, gave public notice of, and on July 11, 2017 held a public hearing wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of a tax incremental district and the proposed boundaries thereof, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, prior to its publication, a copy of the notice of the public hearing was sent to the chief executive officers of Outagamie County and the Fox Valley Technical College District (the other entities having the power to levy taxes on property located within the proposed District) and the Board of Education of the Appleton Area School District (the school district which includes property located within the proposed district), in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, the Plan Commission, after due consideration following the said public hearing, determined the creation of a tax incremental district within the area described by the boundary description attached to this resolution as Exhibit A hereof will provide the City of Appleton with a viable method of financing the cost of needed public works and improvement projects within said area, thereby creating incentives and opportunities for appropriate private development, including new development and rehabilitation of existing development, which will contribute to the overall development of the City of Appleton; and

WHEREAS, it finds that not less than 50 percent by area of real property within such district is blighted within the meaning of Wisconsin Statute Section 66.1105 and 66.1333; and

WHEREAS, it finds the improvement of the area in Tax Incremental District #11 is likely to enhance significantly the value of substantially all the other real property in the district; and

WHEREAS, the City of Appleton Plan Commission has prepared a Project Plan for Tax Incremental District #11, attached as Exhibit B, which includes:

1. Intent and purpose of Tax Increment Financing District #11;
2. A statement of the kind, number, and location of all proposed public works and improvements projects within the district and the ½ mile buffer zone;
3. Qualification of the proposed TIF District based on City valuation;
4. A list of estimated project costs;
5. A statement on non-project costs;
6. An economic feasibility study;
7. A description of the methods of financing and the time when such costs or monetary obligations are to be incurred;

8. Proposed changes of zoning ordinances, master plan, map, building codes, maps, and City ordinances;
9. A statement indicating how the creation of the district promotes orderly development of the City;
10. Estimate of property to be devoted to retail use;
11. A statement of a proposed method for the relocation of any persons or businesses to be displaced;
12. A map showing the district boundaries and a map of the ½ mile buffer zone;
13. A map showing existing uses and conditions of real property in such district;
14. A map showing proposed improvements and public works projects by development areas;
15. A listing of the parcels and legal description of the district; and
16. An opinion of the City Attorney on the compliance of the project plan with Wisconsin Statutes, Section 66.1105(4); and

WHEREAS the project costs directly serve to eliminate blighted conditions in the area, consistent with the purpose for which the tax incremental district is created; and

WHEREAS the equalized value of taxable property in the district, plus the value increment of all other existing districts does not exceed 12% of the total value of equalized taxable property within the City; and

WHEREAS the percentage of territory within the Tax Incremental District #11 that is estimated will be devoted to retail business at the end of the maximum expenditure period is approximately 10%; and

WHEREAS the boundaries for Tax Incremental District #11 does not include any annexed territory not within the boundaries of the City of Appleton on January 1, 2004; and

WHEREAS less than 25% of the area of Tax Incremental District #11 has been vacant for a period of 7 years or more; and

WHEREAS the Project Plan is economically feasible and is in conformity with the City of Appleton Comprehensive Plan 2010-2030; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, before the Common Council may create any tax incremental district, the Plan Commission must designate the boundaries of such district and submit its recommendation concerning the creation of such district to the Common Council;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Appleton as follows:

1. That the Plan Commission hereby designates the boundaries specified in the boundary description attached to this resolution as Exhibit A hereof and entitled "Boundary Description of Tax Incremental District #11, City of Appleton", as the boundaries of said Tax Incremental District #11, and recommends that the said district be created by the Common Council of the City of Appleton within the area enclosed by the said boundaries.

2. That the Plan Commission hereby adopts such Project Plan for Tax Incremental District #11, attached to this Resolution as Exhibit B, and recommends to the Common Council the approval of such Project Plan as its creation promotes the orderly development of the City.
3. That the Plan Commission hereby recommends that the Common Council adopt the Resolution attached to this Resolution as Exhibit C hereof and entitled “A Resolution Creating, Describing, and Making Certain Findings and Approving a Project Plan for Tax Incremental District #11, City of Appleton, Wisconsin”, and thereby formally create the said district as of January 1, 2017 and approve its Project Plan in accordance with the provisions of the Tax Increment Law.

Adopted this 11th day of July, 2017

Timothy M. Hanna, Mayor

Attest:

Kami L. Lynch, City Clerk

EXHIBIT A
BOUNDARY DESCRIPTION OF TAX INCREMENTAL DISTRICT #11

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW ¼ OF SECTION 26, PART OF THE SE ¼ OF SECTION 26 AND PART OF THE NW ¼ OF SECTION 35, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT THE CENTERLINE OF WASHINGTON STREET AND THE CENTERLINE OF DREW STREET AND BEING THE POINT OF BEGINNING;
THENCE SOUTH AND THEN SOUTHWESTERLY ALONG THE CENTERLINE OF SAID DREW STREET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF AN ALLEY IN BLOCK 2 OF THE **APPLETON PLAT**;
THENCE WEST ALONG THE SOUTH LINE OF SAID EXTENSION AND THEN THE SOUTH LINE OF SAID ALLEY AND ALSO BEING CONTIGUOUS WITH THE NORTH OF LOT 1 OF CERTIFIED SURVEY MAP NO.6362 TO THE EAST LINE OF DURKEE STREET;
THENCE SOUTH ALONG THE EAST LINE OF SAID DURKEE STREET TO THE CENTERLINE OF WATER STREET;
THENCE SOUTHWESTERLY ALONG THE CENTERLINE OF SAID WATER STREET TO A POINT 50 FEET WEST OF THE EAST LINE ONEIDA STREET AND BEING COINCIDENT WITH A REFERENCE LINE FOR SAID ONEIDA STREET PER WDOT RIGHT OF WAY PLAT NO.4657-2-21;
THENCE NORTHWESTERLY 252.91 FEET ALONG SAID REFERENCE LINE FOR ONEIDA STREET TO A REFERENCE LINE FOR PROSPECT AVENUE PER SAID WDOT RIGHT OF WAY PLAT NO.4657-2-21;
THENCE SOUTHWESTERLY 399.57 FEET M/L ALONG SAID REFERENCE LINE FOR PROSPECT AVENUE TO THE SOUTHEASTERLY EXTENSION OF A WESTERLY LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO.6714;
THENCE NORTHWESTERLY 140.05 FEET M/L ALONG SAID EXTENSION AND THEN THE WESTERLY LINE OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO AN ANGLE POINT IN LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714;
THENCE ALONG THE SUBSEQUENT 8 COURSES OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO.6714 TO THE SOUTH LINE OF LAWRENCE STREET;
THENCE WEST 222 FEET M/L ALONG THE SOUTH LINE OF LAWRENCE STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF A 20 FOOT WIDE ALLEY LOCATED IN BLOCK 7 OF THE APPLETON PLAT;
THENCE NORTH 389.44 FEET M/L ALONG SAID EXTENSION AND THEN THE WEST LINE OF SAID ALLEY AND THEN THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID ALLEY TO THE SOUTH LINE OF COLLEGE AVENUE;
THENCE EAST 419.93 FEET M/L ALONG THE SOUTH LINE OF COLLEGE AVENUE TO THE EAST LINE OF SUPERIOR STREET;
THENCE NORTH ALONG THE EAST LINE OF SUPERIOR STREET TO A POINT 166.17 FEET SOUTH OF THE SOUTH LINE OF WASHINGTON STREET;
THENCE EAST AND PARALLEL TO THE SOUTH LINE OF WASHINGTON STREET 380.2 FEET M/L TO THE EAST LINE OF APPLETON STREET;
THENCE NORTH 166.17 FEET ALONG THE EAST LINE OF APPLETON STREET TO THE SOUTH LINE OF WASHINGTON STREET;
THENCE EAST 770.57 FEET M/L ALONG THE SOUTH LINE OF WASHINGTON STREET TO THE EAST LINE OF MORRISON STREET;
THENCE SOUTH ALONG THE EAST LINE OF MORRISON STREET TO A POINT 180 FEET NORTH OF THE SOUTH LINE OF JOHNSTON STREET;
THENCE EAST 63.24 FEET;
THENCE SOUTH 180 FEET TO THE SOUTH LINE OF JOHNSTON STREET;
THENCE EAST ALONG THE SOUTH LINE OF JOHNSTON STREET AND THEN THE EASTERLY EXTENSION OF

SAID JOHNSTON STREET TO THE EAST LINE OF DURKEE STREET;
THENCE NORTH 242.34 FEET M/L ALONG THE EAST LINE OF DURKEE STREET TO THE CENTERLINE OF WASHINGTON STREET;
THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET TO THE POINT OF BEGINNING.