

PLAN COMMISSION RESOLUTION

A RESOLUTION DESIGNATING THE PROPOSED BOUNDARIES AND APPROVING A PROJECT PLAN FOR TAX INCREMENTAL DISTRICT #12 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 in need of rehabilitation or conservation work within the meaning of Wisconsin Statute Section 66.1337(2m)(a); and

WHEREAS, it finds the improvement of the area in Tax Incremental District #12 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 #12, attached as Exhibit B, which includes:

1. Intent and purpose of Tax Increment Financing District #12;
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 rehabilitate and conserve the properties as well as 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 #12 that is estimated will be devoted to retail business at the end of the maximum expenditure period is approximately 44%; and

WHEREAS the boundaries for Tax Incremental District #12 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 #12 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 #12, City of Appleton", as the boundaries of said Tax Incremental District #12, 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 #12, 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 #12, 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 #12

DESCRIPTION: A TRACT OF LAND BEING PART OF THE SW ¼ OF SECTION 26 AND A PART OF THE SE ¼ OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE OF FRANKLIN STREET AND THE WEST LINE OF RICHMOND STREET AND BEING THE POINT OF BEGINNING;

THENCE SOUTH ALONG THE WEST LINE OF RICHMOND STREET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 5425;

THENCE EASTERLY ALONG SAID EXTENSION AND THEN THE SOUTH LINE OF SAID LOT 1 AND THEN THE EASTERLY EXTENSION OF SOUTH LINE OF SAID LOT 1 TO THE SOUTHEASTERLY LINE OF THE WISCONSIN CENTRAL RAILROAD RIGHT OF WAY;

THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID WISCONSIN CENTRAL RAILROAD RIGHT OF WAY TO THE WEST LINE OF STATE STREET;

THENCE SOUTH ALONG THE WEST LINE OF STATE STREET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF JOHNSTON STREET;

THENCE EAST ALONG SAID WESTERLY EXTENSION OF JOHNSTON STREET AND THEN THE SOUTH LINE OF JOHNSTON STREET TO THE CENTERLINE OF WALNUT STREET;

THENCE SOUTH ALONG THE CENTERLINE OF WALNUT STREET TO THE NORTH LINE OF COLLEGE AVENUE;

THENCE SOUTHWESTERLY TO THE SOUTHWEST CORNER OF WALNUT STREET AND COLLEGE AVENUE;

THENCE SOUTH ALONG THE WEST LINE OF WALNUT STREET TO THE NORTH LINE OF LAWRENCE STREET;

THENCE WEST ALONG THE NORTH LINE OF LAWRENCE STREET TO THE WEST LINE OF STATE STREET;

THENCE SOUTH ALONG THE WEST LINE OF STATE STREET TO THE CENTERLINE OF LAWRENCE STREET;

THENCE WEST ALONG THE CENTERLINE OF LAWRENCE STREET TO THE CENTERLINE OF STORY STREET;

THENCE NORTH ALONG THE CENTERLINE OF STORY STREET TO THE CENTERLINE OF WASHINGTON STREET;

THENCE EAST ALONG THE CENTERLINE OF WASHINGTON STREET, LYING BETWEEN BLOCK 34 AND BLOCK 35 OF THE **FIFTH WARD PLAT**, TO THE CENTERLINE OF BENNETT STREET;

THENCE NORTH ALONG THE CENTERLINE OF BENNETT STREET TO A POINT 30 FEET NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF WASHINGTON STREET AND SAID SOUTH LINE BEING CONTIGUOUS WITH THE NORTH LINE OF LOTS 4, 5, 15, 14 AND 13 OF BLOCK 32 OF THE **FIFTH WARD PLAT**;

THENCE EAST AND PARALLEL TO THE SOUTH LINE OF SAID WASHINGTON STREET TO THE CENTERLINE OF LOCUST STREET;

THENCE NORTH ALONG THE CENTERLINE OF LOCUST STREET TO THE CENTERLINE OF FRANKLIN STREET;

THENCE EAST ALONG THE CENTERLINE OF FRANKLIN STREET TO THE POINT OF BEGINNING.