



# CITY OF APPLETON

## MEMORANDUM

**Date:** April 29, 2026  
**To:** Community Development Committee  
**From:** Stephanie Lynaugh, Economic Development Specialist  
**Subject:** Request for Approval of the Amendment to Development Agreement  
Between the City of Appleton and Oshkosh Investment, LLC within TID #11

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## GENERAL INFORMATION

**Applicant:** David Baehr

**Owner:** Lofgren Properties 6, LLC and Oshkosh Investment LLC (Developer)

**Address/Parcel Number:** 200 W. College Avenue (Parcel Id #31-2-0263-00)

**Request:** Amend the Development Agreement to extend minimum assessed value date from January 1, 2026, to January 1, 2027, and update language regarding payment process.

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## PROJECT DETAILS

**Project Summary:** The City entered into a development agreement with the applicant on January 18, 2023. The project entails creation of one floor lower-level entertainment area, one floor of commercial/retail space, and two floors consisting of approximately twenty-four (24) market rate living units. The development agreement called for completion of the project by December 31, 2024, and a minimum assessed value of \$6,000,000 on January 1, 2025.

In February 2025, the minimum assessed value date and completion date was extended to January 1, 2026. The project did not meet the minimum assessed value by the 2026 deadline per the City Assessor's Office due to a high vacancy rate and two incomplete units; however, the majority of the project is substantially complete with the remainder of the units receiving occupancy. The Assessors estimate that the minimum assessed value should reach \$6,000,000 by the next review on January 1, 2027.

Staff also propose amending the payment process language in the development agreement to allow partial payment a year earlier based on the assessed value of 2026. Due to the level of completeness of the building with only two units awaiting occupancy, staff believe that this amendment is fair and will match the payment language that the City has utilized in more recent Development Agreements. The proposed language changes are shown in red under sections 3.01 and 3.03 of the Development Agreement.

When the development was amended previously, a condition was added that an alley right-of-way dedication quit claim deed be recorded prior to city signatures on the amendment. The quit claim

documents are with the developer and are awaiting signatures before being recorded. It is recommended that a condition is added to reiterate that previous stipulation be added to this amendment.

### **RECOMMENDATION**

An extension of the completion date and minimum assessed value date to January 1, 2027, and update payment process language under the Development Agreement between the City of Appleton and Oshkosh Investment, LLC for Tax ID #31-2-0263-00 with the added condition to record alley right-of-way dedication quit claim deed prior to City signature on amendment documents.