



Legislation Text

File #: 01262, **Version:** 1

Fiscal Note

See Economic Feasibility Section of the Project Plan

Title

Creating Tax Incremental Finance (TIF) District #35 (Todd Drive) City of Madison and approving a Project Plan and Boundary for said TIF District. 14th Ald. Dist.

Body

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

WHEREAS said Law sets forth certain steps which must be followed to create a Tax Incremental Finance District and approve a Project Plan; and

WHEREAS Tax Incremental Finance District #35 is described below; and

WHEREAS a Notice of Public Hearing by the Plan Commission to afford interested parties an opportunity to express their views on the creation of the District and the Project Plan for Tax Incremental District #35 was published in the Capital Times on May 20, 2005 and May 27, 2005 as required by said 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 proposed Tax Incremental Finance District #35; and

WHEREAS the Plan Commission of the City of Madison held a public hearing on June 6, 2005 at which interested parties were afforded an opportunity to express their views on the proposed Project Plan for Tax Incremental District #35; and

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

1. No less than 50%, by area, of the real property within said Tax Incremental Finance District is a blighted area within the meaning of 66.1105(2)(a), 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 said District.
3. The project costs as described in the Project Plan relate directly to eliminating blight and directly serve to rehabilitate and conserve the area consistent with the purpose for which the Tax Incremental Finance District is created.
4. The aggregate value of equalized taxable property of the District, plus all existing districts, does not exceed 12% of the total value of equalized taxable property within the City; and
5. Tax Incremental Finance District #35 (Todd Drive) is hereby declared a blighted area district.

WHEREAS the Plan Commission has determined that this District meets the basic requirements of City TIF Policy for tax incremental district proposals adopted by the Common Council on April 17, 2001 (insofar as they are applicable to the creation of a district and a project plan), conforms to the Master Plan and the Economic Development Plan for the City of Madison and is consistent with the review criteria adopted at the same time, specifically, that the district supports the continued revitalization of area neighborhoods.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Madison finds that:

1. No less than 50%, by area, of the real property within such Tax Incremental District is a blighted area within the meaning of Section 66.1105(2)(a), 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 said District.
3. The project costs as described in the Project Plan relate directly to eliminating blight and directly serve to rehabilitate and conserve the area consistent with the purpose for which the Tax Incremental District is created.
4. The aggregate value of equalized taxable property of the District, plus all existing districts, does not exceed 12% of the total value of equalized taxable property within the City.
5. Tax Incremental Finance District #35 (Todd Drive) is hereby declared a blighted area District.

BE IT FURTHER RESOLVED that Tax Incremental Finance District #35, City of Madison, is hereby created as of January 1, 2005, and that the boundaries for said District are as below-described and as described in the Project Plan and that the boundaries of said District include only whole units of property assessed for general property tax purposes.

BE IT STILL FURTHER RESOLVED that the attached Project Plan for Tax Incremental Finance District #35, City of Madison, is hereby adopted as the Project Plan for said District and said plan is feasible and in conformity with the Master Plan for the City of Madison and will add to the sound growth of the City.

BE IT STILL FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to execute any and all documents as approved by the City Attorney to further the objectives of the approved Project Plan.

LEGAL DESCRIPTION - TID #35 (Todd Drive)

A parcel of land located in the Southwest Quarter of Section Thirty-four (34), and the Southeast Quarter of Section Thirty-three (33), Township Seven North (T7N), Range Nine East (R9E) of the Fourth Principal Meridian (4PM), located in the City of Madison Dane County, Wisconsin, more fully described to wit:

Commencing at the Northeast corner of Section Four (4), Township Six North (T6N), Range Nine East (R9E) of the Fourth Principal Meridian (4PM) (said corner being on the South line of the Southeast Quarter (SE ¼) of said Section Thirty-three (33); thence along said South line, westerly to the southwesterly corner of Lot Forty-seven (47) of First Addition to Arbor Heights (said point also being the **Point of Beginning**); thence continuing along said South line, westerly to a southeasterly corner of Lot Seven (7) of Arbdale Professional Center; thence along the easterly line of said Lot Seven (7), northerly to an interior corner of said Lot Seven (7); thence along a southerly line of said Lot Seven (7), easterly to a southeasterly corner of said Lot Seven (7) (said point also being on the westerly right of way of Landmark Place); thence across said Landmark Place, easterly to a southwesterly corner of Lot Two (2) of Certified Survey Map No. 4653; thence along a southerly line of said Lot Two (2), easterly to an interior corner of said Lot Two (2); thence along a westerly line of said Lot Two (2), southerly to a southwesterly corner of said Lot Two (2); thence along a southerly line of said Lot Two (2), easterly to the southeasterly corner of said Lot Two (2); thence along the easterly line of said Lot Two (2), and along the easterly line of Lot One (1) of said Certified Survey Map No. 4653, northerly to the northeasterly corner of said Lot One (1) (said point also being on the southerly right of way of South Frontage Road of United States Highway 12, 14, 18, and 151 (A.K.A. West Beltline Highway)); thence across said South Frontage Road and across part of said West Beltline Highway, in a perpendicular direction to the northerly right of way of said West Beltline Highway, northerly to the municipal boundary common to the City of Madison and the Town of Madison; thence along said municipal boundary, easterly to a southeasterly corner of said municipal boundary; thence along said municipal boundary, northerly to a northwesterly corner of said municipal boundary; thence along said municipal boundary, easterly to a southeasterly corner of said municipal boundary; thence along said municipal boundary, northerly to the southerly line of Lot One (1) of Certified Survey Map No. 1918; thence along said southerly line of Lot One (1), westerly to the southwesterly corner of said Lot One (1) (said point also being on the West line of the Southwest Quarter (SW ¼) of said Section Thirty-four (34)); thence along the westerly line of said Lot One (1) (being coterminous with said West line), northerly to the northwesterly corner of said Lot One (1); thence along the northerly line of said Lot One (1), along the northerly line of Lot One (1) of Certified Survey Map No. 608, and along the northerly line of said Lot One (1) of Certified Survey Map No. 608, extended to the centerline of Todd Drive; thence along said centerline, northerly to the

westerly elongation of the northerly line of Lot Two (2) of Certified Survey Map No. 1553; thence along said westerly elongation, and along said northerly line of Lot Two (2), easterly to the northeasterly corner of said Lot Two (2); thence along the easterly line of said Lot Two (2), along the easterly line of Lot Three (3) of said Certified Survey Map No. 1553, and along the southerly prolongation of said easterly line of Lot Three (3), southerly to a southeasterly corner of the municipal boundary common to the City of Madison and the Town of Madison; thence along said municipal boundary, westerly to a northwesterly corner of said municipal boundary; thence along said municipal boundary, southerly to a southwesterly corner of said municipal boundary; thence along said municipal boundary, easterly to the northerly elongation of the easterly line of Lot Three (3) of Certified Survey Map No. 6018; thence along said northerly elongation, and along said easterly line, southerly to the southeasterly corner of said Lot Three (3); thence along the southerly line of said Lot Three (3), and along the southerly line of Lot Two (2) of said Certified Survey Map No. 6018, westerly to the southwesterly corner of said Lot Two (2) (said point also being on the easterly line of said Lot One (1) of Certified Survey Map No. 6018); thence along said easterly line of said Lot One (1), and along the easterly line of Lot Five (5) of Arbor Heights Commercial Plat, southerly to the southeasterly corner of said Lot Five (5) (said point also being on the northerly right of way of McDivitt Road); thence across said McDivitt Road, southerly in a perpendicular direction to the southerly right of way of said McDivitt Road to said southerly right of way; thence along said southerly right of way, and across part of Ashford Lane, westerly to the centerline of said Ashford Lane; thence along said centerline, northerly to the easterly elongation of the northerly line of the southerly 14.00 feet of Lot Forty (40) of First Addition to Arbor Heights; thence along said easterly elongation, and along said northerly line, westerly to the northwesterly corner of said southerly 14.00 feet of Lot Forty (40); thence along the westerly line of said Lot Forty-one (41), and along the westerly lines of Lots Forty-two (42) through Forty-seven (47), inclusive, southerly to the **Point of Beginning**.

- (1)First Addition to Arbor Heights, recorded in Volume 37 of Plats on Page 32 as Document No. 1296113.
- (2)Arbordale Professional Center, recorded in Volume 37 of Plats on Page 5 as Document No. 1296113.
- (3)Certified Survey Map No. 4653, recorded in Volume 20 of Certified Survey Maps on Pages 227-230 as Document No. 1879864.
- (4)Certified Survey Map No. 1918, recorded in Volume 8 of Certified Survey Maps on Pages 33-34 as Document No. 1457139.
- (5)Certified Survey Map No. 608, recorded in Volume 3 of Certified Survey Maps on Page 120 as Document No. 1299381.
- (6)Certified Survey Map No. 1553, recorded in Volume 6 of Certified Survey Maps on Pages 283-284 as Document No. 1413218.
- (7)Certified Survey Map No. 6018, recorded in Volume 28 of Certified Survey Maps on Pages 315-317 as Document No. 2181675.
- (8)Arbor Heights Commercial Park, recorded in Volume 21 of Plats, on Page 11, as Document No. 954703.

The attached project plan is on file in the City Clerks Office.

TID #35 Staff Report to the Common Council

Required Findings (Wis. Stats. 66.1105 (4)(gm) 4)

*** At least 50% of the area must be blighted.**

The area was found to be 76.0 % blighted and qualifies as a blighted area per TIF Law.

*** Improvement of the area is likely to enhance other property in the district.**

A total of \$8,992,000 of public improvements is estimated for the district. Such improvements would enhance the quality of life in the neighborhood and encourage further enhancement of property in the district. Approximately **\$1,604,000 of these public improvements may be paid with TIF**. The balance of funds may originate from other federal and local sources. **In total, TIF may support \$7,403,000 of project costs**, including the above-mentioned public improvements and land acquisition, loans to private development, loans for affordable housing and other eligible costs. See pages 2-6 of the project plan.

*** Project costs relate directly to eliminate blight.**

Deterioration of public infrastructure qualifies as blight. All TIF expenditures in this Project Plan relate directly to infrastructure improvements, elimination of blight or economic development, including business attraction and retention within the District.

*** Equalized value limit.**

Based upon the most current 2004 equalized value data, the value of the new district plus the equalized value of all existing districts is \$1,162,254,400, which comprises 6.54% of the \$17,764,099,400 equalized value of the City. TIF Law requires that this figure shall not exceed 12%.

TIF Policy #8: Guidelines for Creating TIF Districts

*** Adopt a creation resolution in conformance with 66.1105 4(gm)4.**

The creation resolution is in conformance with this paragraph of the TIF Law, as demonstrated above.

*** Economic generator(s) with a completion value of at least \$3 million.**

Staff estimates that the initial generator would have an incremental value of \$30,000,000.

*** May create for sole purpose of funding improvements.**

*** Assists in-fill, adaptive re-use or revitalization of older commercial corridors or underutilized or blighted parcels of land in older neighborhoods.**

TID 35 will upgrade deteriorating infrastructure and amenities that compliment and improve the exterior appearance of existing commercial uses within the district. Financial assistance loans to private development may be provided to facilitate projects that eliminate blight or meet other economic development objectives, including business attraction and retention within the District.

*** The proposed TID is consistent with adopted City plans.**

All purposes and objectives are consistent with adopted City plans. See page 6-7 of the Project Plan.