



Legislation Text

File #: 15542, **Version:** 1

Fiscal Note

See Economic Feasibility Section of the Project Plan.

Title

Approving and amending Project Plan and Boundary for the Tax Incremental District (TID) #39 (Stoughton Rd.).

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 amend a Tax Incremental Finance District and approve a Project Plan; and

WHEREAS the amendment to Tax Incremental Finance District #39 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 amendment of the District boundary and the Project Plan for Tax Incremental Finance District #39 was published in the Wisconsin State Journal on July 31 and August 7, 2009 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 amendment to Tax Incremental Finance District #39; and

WHEREAS the Plan Commission of the City of Madison held a public hearing on August 17, 2009, at which interested parties were afforded an opportunity to express their views on the proposed amendment to the Project Plan and boundary for Tax Incremental Finance District #39; and

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

1. No less than 50%, by area, of the real property within such Tax Incremental District is suitable for industrial development within the meaning of 66.1101(1), 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 such District.
3. The project costs as described in the amended Project Plan relate directly to promoting industrial development in the area consistent with the purpose for which the Tax Incremental District is amended.
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. Any real property within the District that is suitable for industrial sites and is zoned for industrial use shall remain zoned for industrial use for the life of the District.
6. Tax Incremental Finance District #39 (Stoughton Road) is hereby declared an industrial district.

WHEREAS the Common Council of the City of Madison has determined that an exception to City TIF Policy, Section 3 (3.2)(1) TIF Generators (a minimum of at least \$3 million of incremental value is required to create or amend a TID) is necessary and appropriate based upon the need to further improve infrastructure (Femrite Drive) and implement business attraction activities that were not anticipated in the previous TID #39 Project

Plan; and

WHEREAS the Common Council of the City of Madison has established that an extraterritorial expenditure as set forth in TIF Law ("Half Mile Rule") is necessary, appropriate and practicable in order to conform with the prohibition of wetlands also found in TIF Law, such wetlands intersecting Femrite Drive such that a portion of the Femrite Drive right of way may not be included in the TID #39 boundary; and

WHEREAS the Common Council of the City of Madison has determined that this District as amended meets all but one of the basic requirements of City TIF Policy for tax incremental district proposals adopted by the Common Council on April 17, 2001 and amended on March 31, 2009 (insofar as they are applicable to the creation of a district and a project plan), conforms to the Comprehensive Plan for the City of Madison and is consistent with the review criteria adopted at the same time, specifically, that the District supports economic development activities intended to stabilize and diversify the City's economic base, and;

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 suitable for industrial development within the meaning of 66.1101(1), 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 such District.
3. The project costs as described in the amended Project Plan relate directly to promoting industrial development in the area consistent with the purpose for which the Tax Incremental District is amended.
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. Any real property within the District that is suitable for industrial sites and is zoned for industrial use shall remain zoned for industrial use for the life of the District.
6. Tax Incremental Finance District #39 (Stoughton Road) is hereby declared an industrial district.

BE IT FURTHER RESOLVED that the Common Council of the City of Madison has determined that an exception to City TIF Policy, Section 3 (3.2)(1) TIF Generators (a minimum of at least \$3 million of incremental value is required to create or amend a TID) is necessary and appropriate based upon the need to further improve infrastructure (Femrite Drive) and implement business attraction activities that were not anticipated in the previous TID #39 Project Plan; and

BE IT FURTHER RESOLVED that the Common Council of the City of Madison has established that an extraterritorial expenditure as set forth in TIF Law ("Half Mile Rule") is necessary, appropriate and practicable in order to conform with the prohibition of wetlands also found in TIF Law, such wetlands intersecting Femrite Drive such that a portion of the Femrite Drive right of way may not be included in the TID #39 boundary; and

BE IT FURTHER RESOLVED that Tax Incremental Finance District #39 (Stoughton Rd), City of Madison, is hereby amended as of January 1, 2009, 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 amended Project Plan for Tax Incremental Finance District #39 (Stoughton Rd), City of Madison, is hereby adopted as the Project Plan for said District and such plan is feasible and in conformity with the Master Plan and the Economic Development 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 amended Project Plan.

