



Legislation Text

File #: 04215, **Version:** 1

Fiscal Note

This amendment to the TID #29 project plan updates the original plan to authorize all project costs which have already been incurred and to authorize additional future expenditures. The revised expenditure plan is based on the current projection of total TIF increment which may be generated during the remaining life of the district. See the Summary of Project Cost and Economic Feasibility Section of the Project Plan for a full description of estimated project expenditures, financing costs and expected future tax increment anticipated in this plan.

Title

Approving a Project Plan Amendment for Tax Incremental Finance (TIF) District #29 (Allied Drive) City of Madison. 10th 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 amend a Tax Incremental Finance District Project Plan; and

WHEREAS the City of Madison desires to make additional project expenditures; and

WHEREAS the amended Project Plan for Tax Incremental Finance District #29 does not modify the District boundaries; and

WHEREAS a Notice of Public Hearing by the Plan Commission to afford interested parties an opportunity to express their views on the amended Project Plan for Tax Incremental District #29 was published in the Capital Times on July 20, 2006 and July 28, 2006 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 Tax Incremental Finance District #29; and

WHEREAS the Plan Commission of the City of Madison held a public hearing on August 7, 2006 at which interested parties were afforded an opportunity to express their views on the proposed amended Project Plan for Tax Incremental District #29; 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 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 such District.
3. The project costs as described in the amended 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 was 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. Said District and such plan is feasible and in conformity with the Comprehensive Plan for the City of Madison and will add to the sound growth of the City.

6. Tax Increment District #29 (Allied Drive) is hereby declared a blighted district.

WHEREAS the Plan Commission has determined that this District and amended Project Plan meet 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 amendment of 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 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 such District.
3. The project costs as described in the Project Plan amendment 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. Said District and such plan is feasible and in conformity with the Comprehensive Plan for the City of Madison and will add to the sound growth of the City.
6. Tax Increment District #29 (Allied) is hereby declared a blighted district.

BE IT FURTHER RESOLVED that Project Plan for Tax Incremental Finance District #29 (Allied Drive), City of Madison, is hereby amended as of January 1, 2006, and that the boundaries for said District are as below-described and as described in the amended 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 #29, 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 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.

LEGAL DESCRIPTION - TID #29 (Allied)

A parcel of land located in the City of Madison, in portions of the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 5, Town 6 North, Range 9 East, and in portions of the Southwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of Section 32, Town 7 North, Range 9 East, Dane County Wisconsin, being more particularly described as follows:

Commencing at the northwest corner of Section 5, Town 6 North, Range 9 East, said point being on the Madison-Fitchburg corporate boundary line (Wisconsin Secretary of State's Office, Fitchburg filed 4/4/1988, Madison filed 12/22/1999); thence easterly 455 feet more or less along the north line of Section 5, also being the Madison-Fitchburg corporate boundary line, to Point of Beginning; thence southerly, 60 feet more or less along the said Madison-Fitchburg corporate boundary line to the southerly right of way line of Raymond Road; thence southerly, 237 feet more or less along the said Madison-Fitchburg corporate boundary line to the north line of CSM # 3987; thence southeasterly, 18 feet more or less along the said Madison-Fitchburg corporate boundary line also being the north line of CSM # 3987; thence southeasterly, 261 feet more or less along the said Madison-Fitchburg corporate boundary line also being the north line of CSM # 3987, to the northwesterly right of way line of U.S. Highway 18 & 151 also known as Verona Road; thence northeasterly, 250 feet more or less along the northwesterly right of way line of U.S. Highway 18 & 151 also known as

Verona Road, also being the said Madison-Fitchburg corporate boundary line; thence southerly across the 260 foot right of way of U.S. Highway 18 & 151 also known as Verona Road, along the said Madison-Fitchburg corporate boundary line to the point of intersection of the westerly right of way line of Carling Drive extended with the southeasterly, right of way line of U.S. Highway 18 & 151 also known as Verona Road; thence southerly along the west right of way line of Carling Drive, also being the said Madison-Fitchburg corporate boundary line, 1200 feet more or less to the point of intersection of said right of way line with the southerly right of way line of Lovell Lane; thence southerly along the west boundary of CSM # 4091, also being the said Madison-Fitchburg corporate boundary line, 1063 feet more or less to the northerly right of way line of the Union Pacific Railroad; thence southerly, across the 100 foot Union Pacific Railroad right of way, along the said Madison-Fitchburg corporate boundary line, to the southerly right of way line of the Union Pacific Railroad; thence southerly along the said Madison-Fitchburg corporate boundary line 380 feet more or less; thence easterly along the said Madison-Fitchburg corporate boundary line, 866 feet more or less; thence northerly along the said Madison-Fitchburg corporate boundary line, 525 feet more or less to the southerly right of way line of the Union Pacific Railroad; thence northerly across the 100 foot right of way of the Union Pacific Railroad, along the said Madison-Fitchburg corporate boundary line to the southeasterly corner of Lot #88, First Addition to Allied Terrace, on the northerly right of way line of the Union Pacific Railroad; thence northerly along Lot #88, First Addition to Allied Terrace, also being the said Madison-Fitchburg corporate boundary line, 170 feet more or less to the northeasterly corner of Lot #88, First Addition to Allied Terrace, on the southerly right of way line of Crescent Road; thence northerly across the 60 foot right of way of Crescent Road, along the said Madison-Fitchburg corporate boundary line, to the southwesterly corner of Lot #13, Belmar Plat, on the northerly right of way line of Crescent Road; thence northerly along the westerly line of Lot #13, Belmar Plat, also being the said Madison-Fitchburg corporate boundary line, 610 feet more or less to the westerly corner between Lot #12 and Lot #13, Belmar Plat; thence northerly along the westerly line of Lot #12 Belmar Plat, also being the said Madison-Fitchburg corporate boundary line, 782 feet more or less to the northwesterly corner of Lot #12, Belmar Plat, on the southerly right of way line of Jenewein Road; thence northerly along the centerline of Rosenberry Road, also being the said Madison-Fitchburg corporate boundary line, 926 feet more or less to the southeasterly corner of Lot #4, Allied Terrace being on the northerly right of way line of Thurston Lane; thence northerly along the easterly boundary line of Lot #4, Allied Terrace, also being the said Madison-Fitchburg corporate boundary line, 164 feet more or less to the northeasterly corner of Lot #4, Allied Terrace, also being on the southerly line of, CSM # 2994; thence easterly along the southerly boundary line of CSM #2994, also being the said Madison-Fitchburg corporate boundary line and the north line of said Section 5, 200 feet more or less to the easterly corner of CSM #2994, on the southwesterly right of way line of Red Arrow Trail; thence easterly across the 66 foot right of way of Red Arrow Trail, along the said Madison-Fitchburg corporate boundary line and the north line of said Section 5, to the southerly corner of CSM #925 that falls on the northeasterly right of way line of Red Arrow Trail; thence easterly along the northerly line of North Hill Addition, also being the said Madison-Fitchburg corporate boundary line and the north line of Section 5, 873 feet more or less, to the southwesterly corner of 2nd Addition to Crawford Heights; thence northerly along the westerly line of the 2nd Addition to Crawford Heights, 1170 feet more or less to the northeasterly corner of CSM #7363, that falls on the southerly right of way line of Britta Parkway; thence westerly along the southerly right of way line of Britta Parkway, 53 feet more or less to a point of curvature on the said right of way line; thence westerly on a curve to the right, 124 feet more or less to a point of reverse curvature being the northerly corner of CSM #208; thence southerly on the right of way line of Britta Parkway on a curve to the left, 19 feet more or less to a point of tangency of the curve that is the intersection point of the said right of way line and the southeasterly right of way line of U.S. Highway 18 & 151, also known as Verona Road, being the northwesterly corner of CSM #208; thence northwesterly across the 320 foot right of way of U.S. Highway 18 & 151, also known as Verona Road to a point on the northwesterly right of way line of U.S. Highway 18 & 151, also known as Verona Road, being the northeasterly corner of CSM #3065; thence northeasterly along the northwesterly right of way line of U.S. Highway 18 & 151, also known as Verona Road, 286 feet more or less to an angle point on said right of way line; thence northeasterly along the northwesterly right of way line of U.S. Highway 18 & 151, also known as Verona Road, 102 feet more or less to the southerly most corner of Lot #1, CSM #219; thence northeasterly along the northwesterly right of way line of U.S. Highway 18 & 151, also known as Verona Road, 166 feet more or less to an angle point on the said right of way line being 16 feet more or less northeasterly of the easterly corner separating Lot #1 and Lot #2, CSM #209; thence northerly along the northwesterly right of way line of U.S. Highway 18 & 151, also known as Verona Road, 94 feet more or less to the northeasterly corner of Lot #2, CSM 219; thence northerly along the northwesterly right of way line of U.S. Highway 18 & 151, also known as Verona Road, 128 feet more or less to the intersection of said right of way line with the southwesterly right of way line of U.S. Highway 12 & 14 also known as the West Beltline Highway; thence northwesterly along the southwesterly right of way line of U.S. Highway 12 & 14 also known as the West Beltline Highway, 573 feet more or less to an angle point on said right of way line; thence northwesterly along the southwesterly right of way line of U.S. Highway 12 & 14 also known as the West Beltline Highway, 682 feet more or less to an angle point on said right of way line; thence southerly along the southwesterly right of ay line of U.S. Highway 12 & 14 also known as the West Beltline Highway, 11 feet more or less to the northeasterly corner of Lot #1, CSM #3926; thence northwesterly along the

southwesterly right of way line of U.S. Highway 12 & 14 also known as the West Beltline Highway, also being the northerly line of Lot #1, CSM #3926, 13 feet more or less to a point of curvature on the said right of way line; thence northwesterly, on a curve to the left, along the southwesterly right of way line of U.S. Highway 12 & 14 also known as the West Beltline Highway, also being the northerly line of Lot #1, CSM #3926, 47 feet more or less to a point of tangency on the southwesterly right of way line of U.S. Highway 12 & 14 also known as the West Beltline Highway; thence westerly along the southwesterly right of way line of U.S. Highway 12 & 14 also known as the West Beltline Highway, 67 feet more or less to the northwesterly corner of Lot #1, CSM #3926, on the easterly right of way line of the State of Wisconsin Department of Transportation (WisDOT) railroad right of way (formerly the Illinois Central Railroad); thence westerly across the 40 foot right of way of the said WisDOT railroad right of way along the southwesterly right of way line of U.S. Highway 12 & 14 also known as the West Beltline Highway to the westerly right of way line of the said WisDOT railroad right of way; thence southerly along the westerly right of way line of the said WisDOT railroad right of way, 572 feet more or less to an angle point on said right of way line; thence westerly along the westerly right of way line of the said WisDOT railroad right of way, 35 feet more or less to an angle point on said right of way line; thence southerly along the westerly right of way line of the said WisDOT railroad right of way, 617 feet more or less to an angle point on said right of way line; thence southerly along the westerly right of way line of the said WisDOT railroad right of way, 116 feet more or less to the northeasterly corner of Lot #24, Block #1, Summit Ridge Plat; thence westerly along the northerly line of Summit Ridge Plat, 301 feet more or less to the northeasterly corner of Lot #28, Block #3, Summit Ridge Plat; thence southerly 739 feet more or less to an angle point in the Summit Ridge Plat at the northeasterly corner of Lot #13, Block #3, Summit Ridge Plat; thence southerly 539 feet more or less to the north right of way line of Raymond Road's intersection with the easterly line of Lot #3, Block #3, Summit Ridge Plat; thence westerly along the north right of way line of Raymond Road, 100 feet more or less to a point of curvature at said right of way line's intersection with the easterly right of way line of Reetz Road; thence westerly along the north right of way line of Raymond Road, 90 feet more or less to a point of tangency at said right of way line's intersection with the westerly right of way line of Reetz Road; thence westerly along the north right of way line of Raymond Road, 201 feet more or less, to the line bounding the easterly most parcel, three existing parcels, and the remainder parcel being part of Lots #1,2 & 3, Block #2 Summit Ridge Plat; thence southwesterly across the north half of the 120 foot right of way of Raymond Road to the Point of Beginning.

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

TID #29 Project Plan Amendment 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 62% 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 \$1,687,000 of public infrastructure 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 \$800,000 of the improvements may be paid with TIF. The balance of funds may originate from other federal and local sources. See pages 2-5 of the amended Project Plan.

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

Deterioration of public infrastructure qualifies as blight. All TIF expenditures in this amended Project Plan relate directly to infrastructure improvements.

*** Equalized value limit.**

TIF Law requires that the equalized value of the District plus all existing districts shall not exceed 12%. This

amended Project Plan does not add any additional parcels to TID 29. As such, the equalized value limits have not changed and do not apply.

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 generators would have a combined incremental value of \$18,115,000.

*** 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.**

The amended Project Plan for TID 29 will upgrade deteriorating infrastructure and amenities that compliment and improve the exterior appearance of existing commercial uses within the district.

*** The amended Project Plan for TID 29 is consistent with adopted City plans.**

All purposes and objectives are consistent with adopted City plans. See page 1 and pages 7-8 of the Project Plan.