

TAX INCREMENTAL DISTRICT #13

Marion Road/Pearl Avenue Redevelopment Project



PROJECT PLAN

CITY OF OSHKOSH

August 1998

TAX INCREMENTAL DISTRICT #13

PROJECT PLAN

CITY OF OSHKOSH

ADOPTED BY THE PLAN COMMISSION
August 18, 1998

ADOPTED BY THE COMMON COUNCIL

PREPARED BY:
DEPARTMENT OF COMMUNITY DEVELOPMENT
August 1998

TABLE OF CONTENTS

	PAGE
INTRODUCTION	1
PURPOSE	1
BOUNDARIES	2
NAME OF DISTRICT	3
CREATION DATE	3
PROPOSED IMPROVEMENTS & PROJECT COSTS	3
RELOCATION	4
MASTER PLAN, ZONING, & OTHER CODE CONSIDERATIONS	5
ECONOMIC FEASIBILITY	5
FINANCING	7
ORDERLY DEVELOPMENT	7
FINDINGS	7
TABLE 1 PROPOSED PROJECT COSTS & IMPROVEMENTS	4
TABLE 2 PROJECTED INCREMENT	6
ATTORNEY'S OPINION	8

	PAGE
APPENDIX A	
MAP 1 - TID #13 Boundaries & Blighted and Underutilized Property	9
MAP 2 - Project Area Improvements	10
MAP 3 - Existing Land Use	11
MAP 4- Proposed Land Use	12
MAP 5 - Existing Zoning	13
MAP 6 - Proposed Zoning	14
APPENDIX B - COMMON COUNCIL REPORT TO JOINT REVIEW BOARD	15
APPENDIX C - NOTICE OF PUBLIC HEARING BEFORE THE PLAN COMMISSION	16
APPENDIX D - PLAN COMMISSION MINUTES OF 8/18/98	17
APPENDIX E - RESOLUTION 98-01 APPROVED BY PLAN COMMISSION	21

**TAX INCREMENTAL DISTRICT #13
PROJECT PLAN
CITY OF OSHKOSH**

INTRODUCTION

Wisconsin's Tax Incremental Financing law provides a mechanism which enables cities and villages to rehabilitate blighted areas, improve business areas, and/or develop industrial sites. The intent is to defray the cost of public improvements in a Tax Incremental District (TID) by using tax revenues or increments generated from new development. Under Tax Incremental Financing, the tax increment generated from private investment in a TID is applied entirely to the retirement of debt incurred by the municipality in order to make the area attractive to investment or reinvestment. When the cost of public improvements have been recovered, the TID is dissolved and all taxing jurisdictions benefit on the same shared basis as before the creation of the TID.

The tax incremental financing law provides benefits to all taxing entities by promoting development of new taxable value which otherwise would not occur. It provides a tool to municipalities to make feasible the required levels of investment to meet identified needs and fill legitimate public purpose roles. The Law also recognizes that since municipalities do not share the investment risk with other tax entities, they are entitled within a prescribed period of time, to receive all new tax revenues of the TID as the source of paying off all public investment costs. All other taxing entities receive benefits in the future from the increased tax base generated as a result of the city's investment in the TID.

PURPOSE

The City of Oshkosh is proposing to create Tax Incremental District #13 to help finance property acquisition, public improvements, environmental remediation, and the elimination of blighting conditions and the better use of underutilized property so as to stimulate commercial and housing development in an area located within the Central City. The TID is located between the Central Business District (CBD) to the east/southeast and the University of Wisconsin-Oshkosh campus to the west/northwest. The TID is bordered on the west by Wisconsin Street, on the east by Jackson Street, on the north by Pearl Avenue, and on the south by Marion Road. The TID is composed of five tax parcels covering approximately 15.05 acres.

The City of Oshkosh Comprehensive Plan, adopted in August, 1993, identified the Central City as a special planning area to include redevelopment of sites that are underutilized, blighted and obsolete. Moreover, the plan identified the clearance and redevelopment of the Universal Foundry property as a high priority redevelopment project, and recommended that the area be developed for commercial and private student oriented multiple family development. A number of blighted, underutilized, and obsolete former manufacturing concerns exist in the TID.

The City is also considering the approval of the Phase One Marion Road/Pearl Avenue Redevelopment Area Plan which would allow the City to acquire and clear blighted and underutilized properties in the TID. These properties would then be sold and/or leased to a developer or developers who will undertake commercial development and the construction of multifamily housing in the project area. TID #13 will help finance the assembling of this land, the clearance of the land, environmental remediation, commercial development, and the construction of public improvements.

BOUNDARIES/PROPERTY IDENTIFICATION

A part of Western Addition Blocks C, E, F, G, L, M and N, Warren Road and vacated Warren Road, vacated Bell Place, Radford Place and vacated Radford Place, Dawes Street and vacated Dawes Street, and vacated Hancock Street, all in the First Ward, City of Oshkosh, Winnebago County, Wisconsin described as follows:

Commencing at a point on the southwesterly line of Pearl Avenue that is 5 feet northwesterly of the most northerly corner of Lot 7 in the Western Addition Block L as measured along the southwesterly line of Pearl Avenue; thence southeasterly along the southwesterly line and extended southwesterly line of Pearl Avenue to the most easterly corner of Lot 5 in the Western Addition Block G; thence southwesterly along the southeasterly line of said Lot 5 to the most southerly corner of said Lot 5; thence southeasterly along the southwesterly lines of Lots 6 through 15 and Lot 17 of the Western Addition Block G to a point 15 feet from the northwesterly line of Bell Place; thence southwesterly 105.68 feet along a line parallel and 15 feet northwesterly of the northwesterly line of vacated Bell Place to a point 14.35 feet from the northeasterly line of vacated Warren Road; thence southeasterly parallel to the northeasterly line of vacated Warren Road 45 feet to the centerline of vacated Bell Place; thence southwesterly along the centerline of vacated Bell Place 0.99 feet to a point on a line 14 feet northeasterly of the northeasterly line of Warren Road to the southeast; thence southeasterly along a line parallel and 14 feet northeasterly of the northeasterly line of vacated Warren Road to the west line of Jackson Street; thence south along the west line of Jackson Street 37.9 feet to the centerline of vacated Warren Road to the northwest; thence northwesterly along the centerline of vacated Warren Road to the extended northwesterly line of Lot 11 of the Western Addition Block F; thence southwesterly along the extended northwesterly line of said Lot 11, 24.98 feet to the former northerly right-of-way line of the Wisconsin Central Limited R.R.; thence westerly 704.56 feet along the arc of a curve concave to the left of radius 618.11 feet and whose chord bears S. 88°25'56.4" W., 667.03 feet and which is also the former northerly right-of-way line of the Wisconsin Central Limited R.R. to the southeasterly line of Dawes Street; thence southwesterly along the southeasterly line of Dawes Street to the northerly line of Marion Road; thence northwesterly to the northwest corner of Dawes Street and Marion Road; thence northwesterly along the northerly line of Marion Road to the easterly line of Wisconsin Street; thence northeasterly along the southeasterly line and extended southeasterly line of Wisconsin Street to the northeasterly line of Radford Place; thence southeasterly along the northeasterly line of Radford Place to the most southerly corner of Lot 20 of the Western Addition Block M; thence northeasterly 120 feet along the southeasterly lines of Lot 20 and 19 of the Western Addition Block M to the most easterly corner of said Lot 19; thence southeasterly 60 feet along the southwesterly line of Lot 3 of the Western Addition Block M to the most southerly corner of said Lot 3; thence northeasterly along the southeasterly line of said Lot 3 to the southwesterly line of Warren Road; thence northeasterly to a point on the northeasterly line of Warren Road being also the most southerly corner of Lot 1 of Certified Survey Map No. 1584 of Winnebago

County Records; thence N. 38°16'26" E. 120.31 feet along the easterly line of said Lot 1 of CSM 1584 to its northerly corner thereof; thence S. 51°33'59" E. 179.04 feet along the northerly line of Lots 18, 17, 16, and 15 of the Western Addition Block L; thence N. 38°50'26" E. 123.75 feet along a line 5 feet westerly of the easterly line of Lot 6 of said Block L to a point on the southwesterly line of Pearl Avenue also being the point of beginning.

Total area within the TID is estimated at 15.05 acres. The boundaries of TID #13, and real property determined to be blighted, underutilized, or in need of rehabilitation are identified in Map 1.

NAME OF THE DISTRICT

The name of the TID shall be City of Oshkosh Tax Incremental District #13 (TID #13) - Marion Road/Pearl Avenue Redevelopment Project.

CREATION DATE

The date of creation for the capture of all new taxable value created within TID #13 shall be January 1, 1998. The value established as of this date shall be used as the base in computing any increments that may accrue in the tax base for the District.

PROPOSED PROJECT COSTS AND IMPROVEMENTS

The total redevelopment project is estimated to cost \$2,315,000, including costs related to acquisition, demolition, remediation, rehabilitation and/or construction assistance, construction of public improvements, and related administrative costs. It is anticipated that all costs will be incurred within the TID with the exception of the easterly reconstruction of Warren Avenue starting at Wisconsin Street and a segment of Marion Road on the easterly boundary of the TID. It is also projected that the costs will be incurred over a period of five years, but they could be incurred over the seven year period allowed by statute. The detailed cost estimates and potential phasing of the project are presented in Table 1 on the next page. Map 2 illustrates the location of the activities and improvements proposed to be undertaken in TID #13.

All project expenditures must be made within seven years of the creation of the TID. The tax increments may be received until project costs are recovered but for no longer than sixteen years after the last expenditure is made. The maximum life of the TID is twenty-three years or sixteen years after the last expenditure. In the case of TID #13, all project expenditures must be made by January 1, 2005.

**Table # 1
Project Costs and Improvements**

Activity	Cost	Year
Acquisition of Universal Foundry Property	\$650,000	1998
Demolition Work: Universal Foundry	\$250,000	1999
Demolition Work: Radford Property	\$200,000	1999
Environmental Remediation/ Capping Measures	\$250,000	1999
Rehabilitation of Universal Foundry Storage Building or Construction Assistance Grant	\$200,000	1999-2000
Marion Road Realignment	\$240,000	1999-2000
Warren Road Reconstruction/Extension	\$240,000	1999-2000
Underground Utility Work	\$100,000	1999-2000
Decorative Street Lighting/Signage & Landscaping	\$50,000	2000-2001
Administrative Costs: Environmental Consulting Engineering Legal & Real Estate Services	\$135,000	1998-2001
Project Total	\$2,315,000	

RELOCATION

Where relocation of individuals or businesses operations would take place as a result of City of Oshkosh acquisition activities occurring within the TID, relocation will be carried out in accordance with applicable relocation requirements as set forth by the State of Wisconsin and Federal regulations, where applicable.

MASTER PLAN, ZONING, BUILDING AND OTHER CODE CONSIDERATIONS

The project elements proposed in the Project Plan conform to the objectives and conceptual recommendations contained in the City's Comprehensive Plan, as approved by the Plan Commission and City Council. Existing land uses in the TID are shown on Map 3, and proposed land uses are shown on Map 4. Zoning changes in terms of adding a planned development overlay and changing the current M-2 Central Industrial District classification to C-3PD Central Commercial Planned Overlay District. No changes in the Official Map, Building Codes, or other City Ordinances appear to be necessary to implement the Project Plan. The existing zoning of the TID is shown in Map 5, and the proposed zoning is illustrated in Map 6.

ECONOMIC FEASIBILITY

The determination of economic feasibility of this TID is based on the development of 120 multiple family units, and the rehabilitation of a 19,500 square foot storage building into a office/retail use within the next several years or the construction of new commercial space. The cost of public improvements and other project costs are projected to be \$2,315,000. Of this amount it is estimated that tax increments, see Table 2, at current bond rates will allow the City to finance about \$1,605,854 of the project costs. The remaining \$709,146 in costs will be funded through a possible combination of State and Federal Grants as well as increment allocations from other Tax Incremental Financing Districts.

The District is projected to have an equalized value of \$5,684,297 when costs are paid in full and the TID is terminated at the end of the 23 year period. It will generate \$2,541,580 in tax increments during the same period.

Based on planned expenditures and revenue levels, all costs of TID #13 will be paid off by the end of 2020, the 23th year, and at that time the TID will be dissolved.

Table # 2
Project Tax Increment
TID #13

Assumptions:

1. The 1998 ratio of .9718 and assessed value of residential units held constant, equalized value of \$33,333 per residential unit and equalized tax rate held constant.
2. 30 multiple family units completed in 1999.
3. 30 multiple family units completed in 2000.
4. Rehabilitation of the foundry storage facility to commercial/retail or new construction completed in 2000.
5. 30 multiple family units completed in 2001.
6. 30 multiple family units completed in 2002
7. 30 multiple family units completed in 2003

YEAR	TID INCREMENT CREATED	ACCUMULATED TID INCREMENT	TAX COLLECTION YEAR	EQUALIZED TAX RATE	INCREMENT AVAILABLE TAX YEAR
1998	\$0	\$0	1998	23.64	\$0
1999	\$0	\$0	1999	23.64	\$0
2000	\$1,568,224	\$1,568,224	2000	23.64	\$0
2001	\$1,029,018	\$2,597,242	2001	23.64	\$61,399
2002	\$1,029,018	\$3,626,261	2002	23.64	\$85,725
2003	\$1,029,018	\$4,655,279	2003	23.64	\$110,051
2004	\$1,029,018	\$5,684,297	2004	23.64	\$134,377
2005		\$5,684,297	2005	23.64	\$134,377
2006		\$5,684,297	2006	23.64	\$134,377
2007		\$5,684,297	2007	23.64	\$134,377
2008		\$5,684,297	2008	23.64	\$134,377
2009		\$5,684,297	2009	23.64	\$134,377
2010		\$5,684,297	2010	23.64	\$134,377
2011		\$5,684,297	2011	23.64	\$134,377
2012		\$5,684,297	2012	23.64	\$134,377
2013		\$5,684,297	2013	23.64	\$134,377
2014		\$5,684,297	2014	23.64	\$134,377
2015		\$5,684,297	2015	23.64	\$134,377
2016		\$5,684,297	2016	23.64	\$134,377
2017		\$5,684,297	2017	23.64	\$134,377
2018		\$5,684,297	2018	23.64	\$134,377
2019		\$5,684,297	2019	23.64	\$134,377
2020		\$5,684,297	2020	23.64	\$134,377
Total					\$2,541,580

FINANCING

Project costs will be financed through bonding, of which payment will be from funds generated by the new tax value created in the District.

ORDERLY DEVELOPMENT

Creation of the TID for the purpose of eliminating blight and blighting conditions as well as the reuse of underutilized property in the central city promotes orderly development by ensuring that land is developed to its highest and best use in a manner consistent with appropriate plans and codes, that adequate public facilities are available to support development, and that blighting influences on the TID are mitigated. Given the difficulties associated with development in central cities, were it not for the TIF financing mechanism, and support of the City of Oshkosh to undertake a redevelopment program in the Central City, such efforts to develop and rehabilitate this area might not occur.

FINDINGS

More than 50 percent of the real property within the TID is blighted within the meaning of Section 66.46(2)(a), Wis. Stats..

Not less than 50 percent of the structures within the TID are in need of rehabilitation within the meaning of Section 66.435(2m)(b), Wis. Stats..

The redevelopment of the area calling for the construction of new multiple family housing and commercial activity will have a significant positive impact on the value of substantially all real property in the District and is in keeping with the goals and objectives of the Comprehensive Plan.

The primary objective for creating TID #13 is to eliminate blight and blighting influences as well as the reuse of underutilized and deteriorating property thereby helping to promote multiple family and commercial/retail development in the central city area. The project costs identified are consistent with the purpose for which the tax increment district was created.

Based on January 1, 1998 equalized values, the base value of TID #13 is estimated at \$489,401. The equalized value of taxable property in TID #13 plus all existing districts does not exceed 7 percent of the total equalized value of taxable property within the City of Oshkosh. The January 1, 1998 equalized value increment of all existing TID's including the estimated value of proposed TID #13 is \$76,708,300 or 6 percent of the estimated \$2,044,982,800 total equalized value of the City at the time of TID #13's creation.

CITY HALL
215 Church Avenue
P. O. Box 1130
Oshkosh, Wisconsin
54902-1130

City of Oshkosh



City Attorney
PH: (920) 236-5115
FAX: (920) 236-5090

August 13, 1998

Mr. Jackson R. Kinney
Director of Community Development
City Hall, Room 204
215 Church Avenue
PO Box 1130
Oshkosh WI 54902-1130

Dear Mr. Kinney:

I have reviewed the Project Plan for City of Oshkosh Tax Increment District #13 - Marion Road/Pearl Avenue Redevelopment, pursuant to Section 66.46(4)(f) of the Wisconsin Statutes. I find that the Plan includes a statement listing the kind, number, and location of the proposed public improvements. It also shows an economic feasibility study, a detailed list of estimated project costs, and a description of the method of financing all estimated project costs and the time when the costs are to be incurred. The Plan also has a map showing existing uses and conditions of the real property in the district and a map showing proposed improvements in the district and which also indicates the zoning of the District. The plan further shows how the district will promote the orderly development of the City.

Upon adoption by the Planning Commission of the Project Plan and their submission of the plan to the City Council, all requirements of Section 66.46(4)(f), Wis. Stats., shall be complete and it is, therefore, my opinion that the Project Plan attached hereto is complete and complies with Section 66.46(4)(f), Wis. Stats.

Sincerely,

CITY OF OSHKOSH

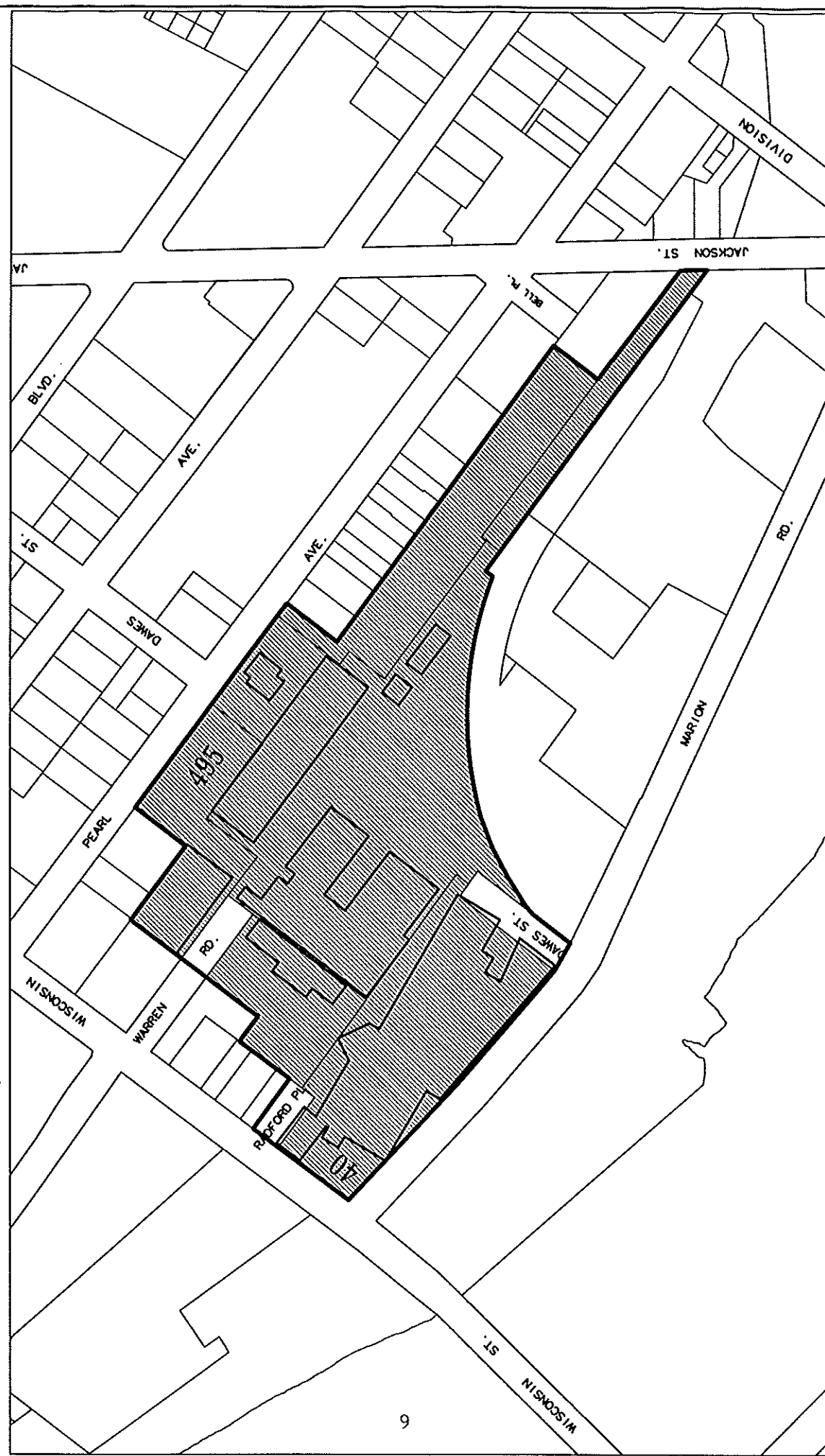
Warren P. Kraft
City Attorney

APPENDICES

APPENDIX A
PROJECT PLAN MAPS

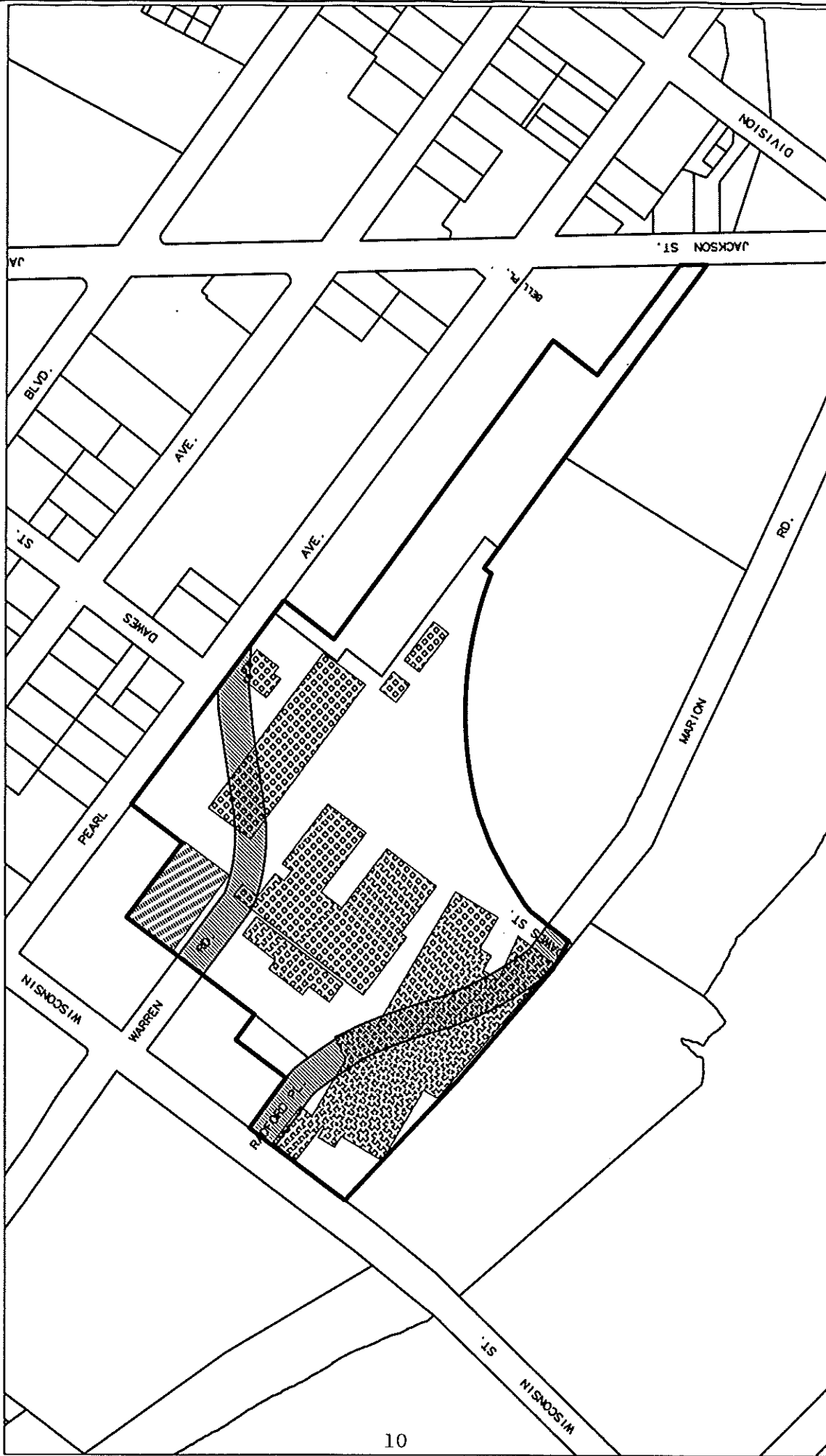
MAP I





BLIGHTED AND UNDERUTILIZED PROPERTIES



 Blighted / Underutilized Properties  Proposed TID #13 Boundary

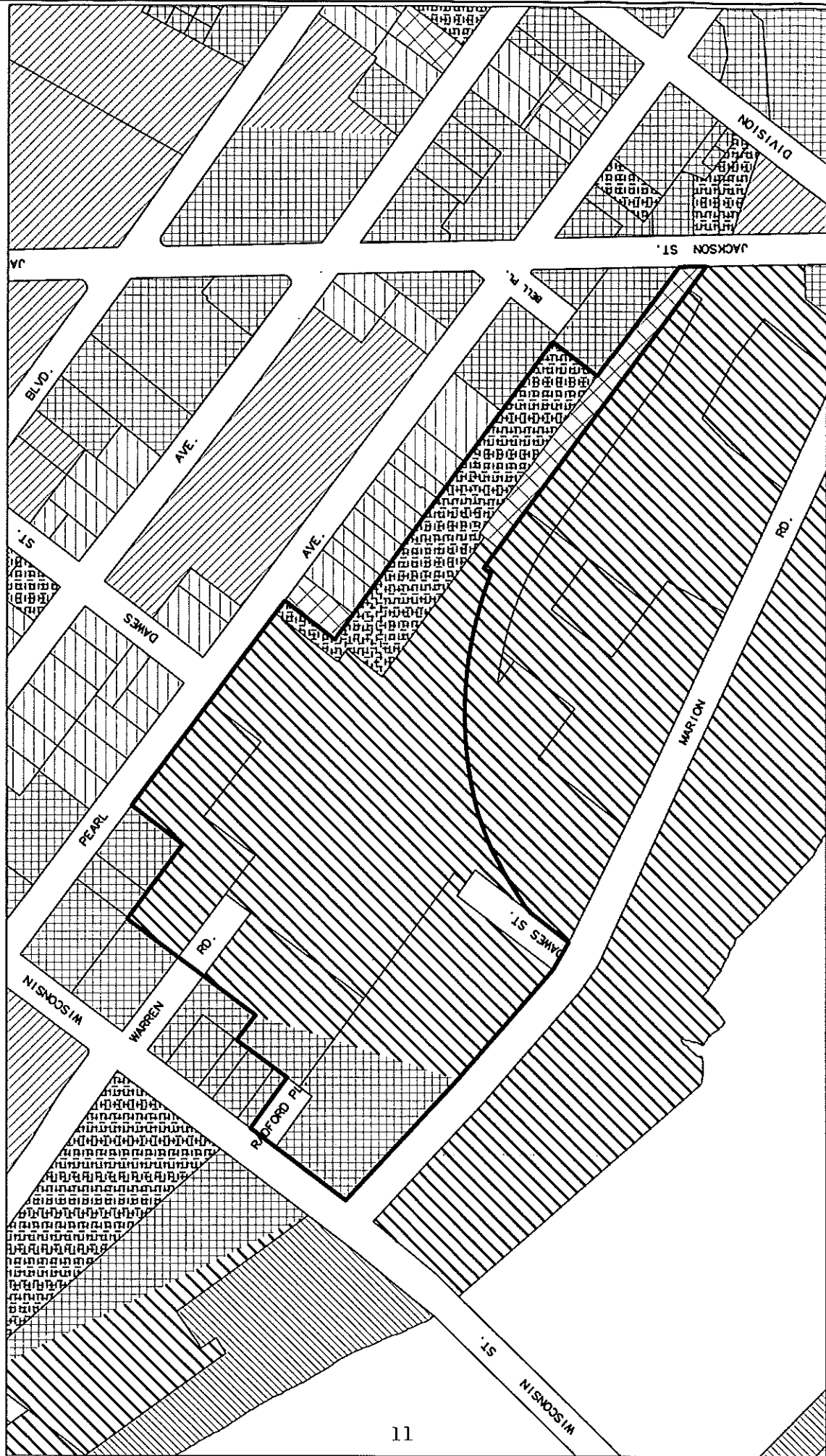
MAP 2 PROJECT AREA IMPROVEMENTS



-  Environmental Remediation / Capping Measures Area
-  Road Construction / Utility Installation / Streetscaping
-  Structures to be Razed
-  Structure to be Rehabilitated or Razed

MAP 3

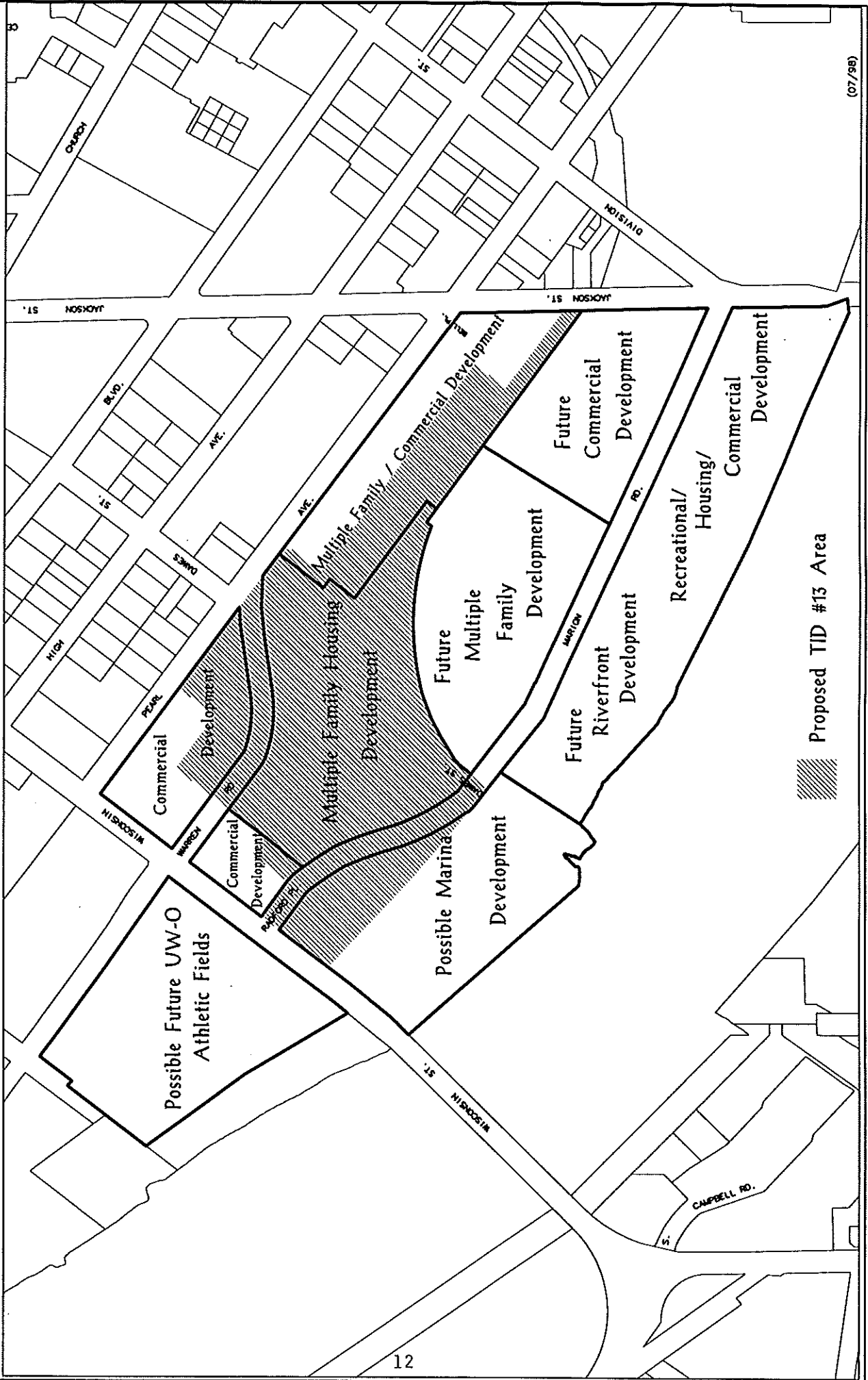
EXISTING LAND USE



-  Residential
-  Commercial
-  Institutional
-  Manufacturing
-  Vacant
-  Parking Lot
-  Parks / Recreation
-  Proposed TID #13 Boundary

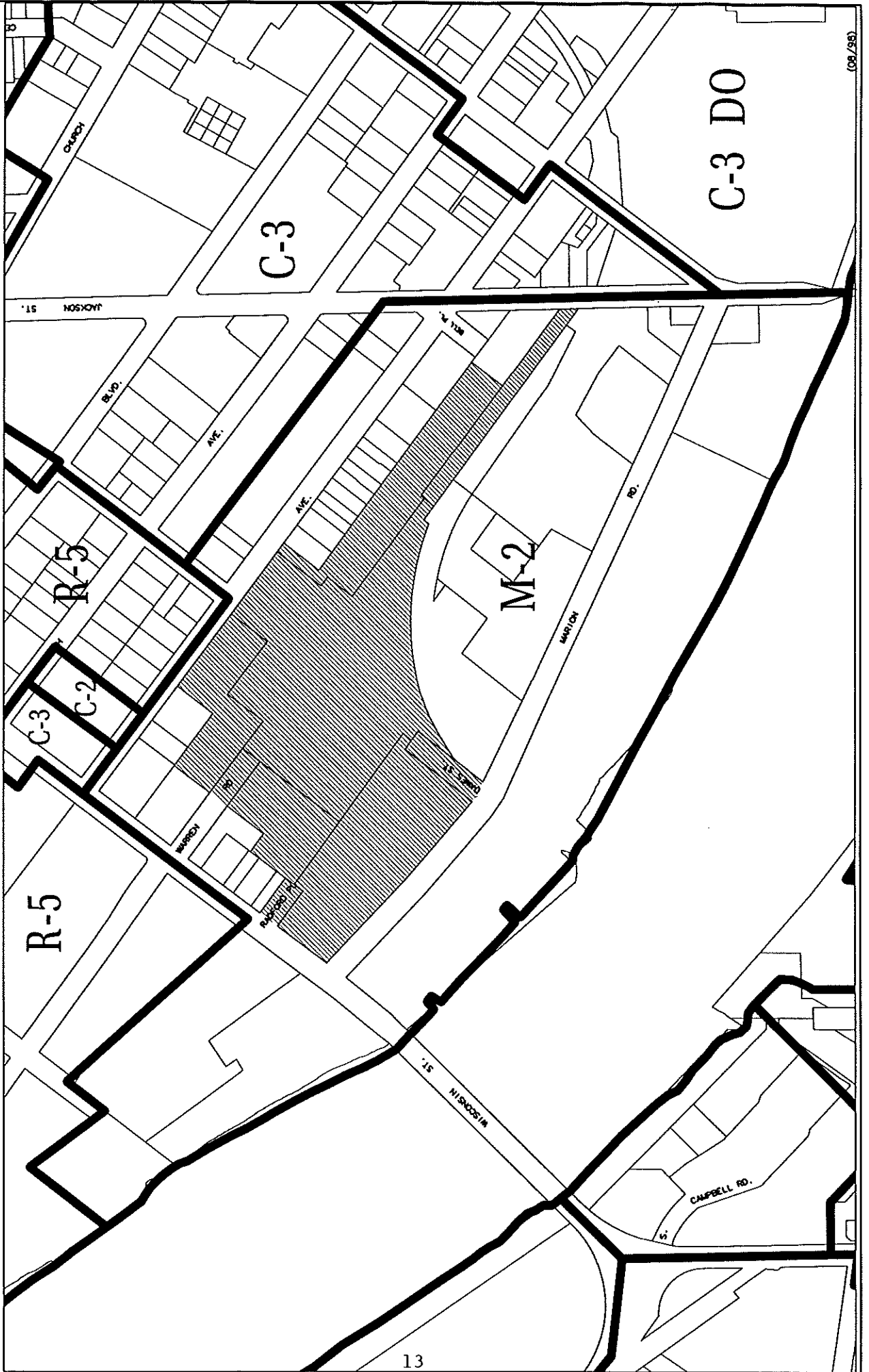
MAP 4

PROPOSED LAND USE



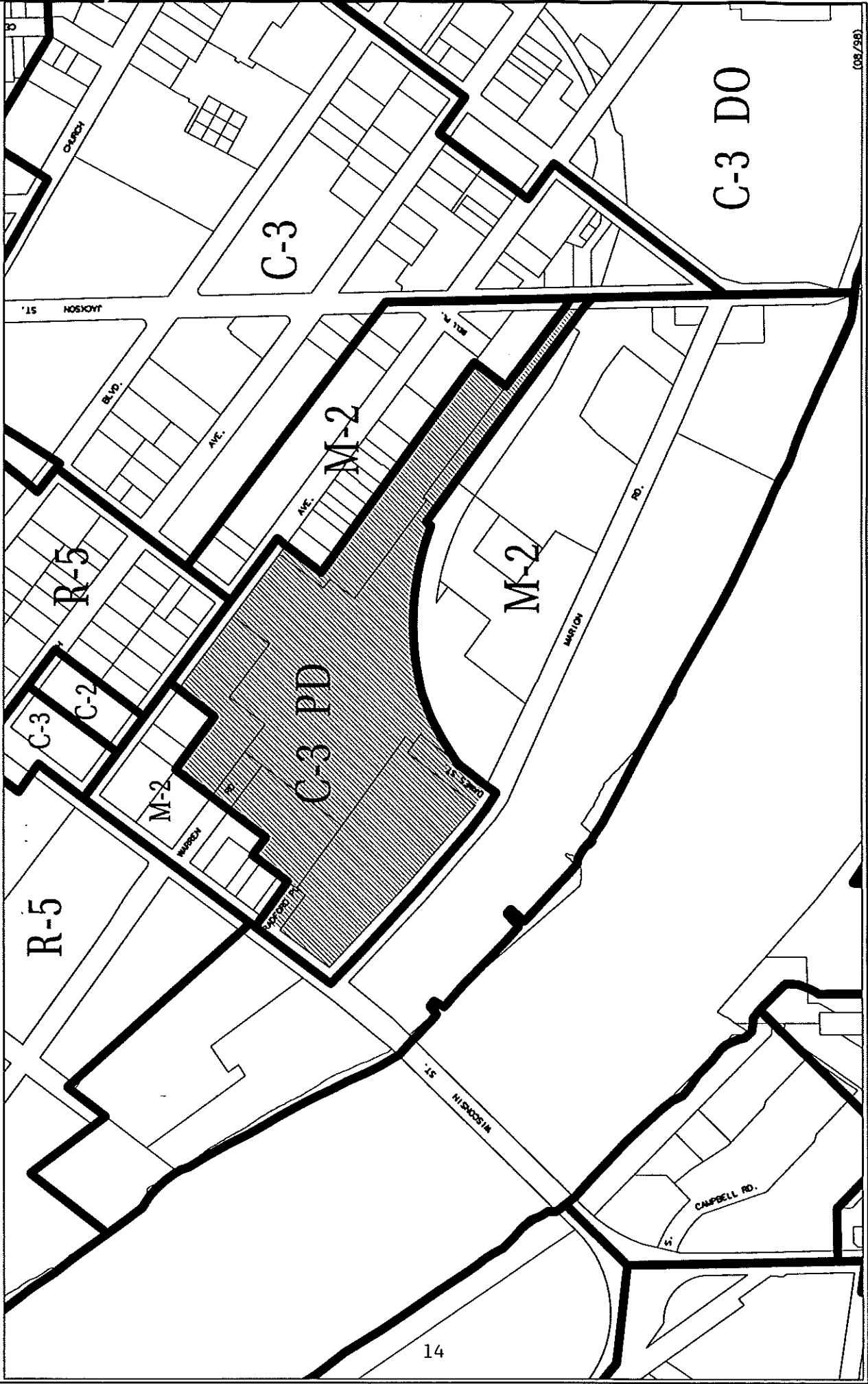
MAP 5

EXISTING ZONING



MAP 6

PROPOSED ZONING



APPENDIX B

COMMON COUNCIL REPORT TO THE JOINT REVIEW BOARD

Section 66.46(4)(i), Wisconsin Statutes, requires the Common Council provide the Joint Review Board with certain information and projections. This Appendix will provide the required information either by reference to its location in the Project Plan, or by separate narrative. All projections and information presented in this report assume TID #13 will be in existence for the twenty-three years allowed by Statutes.

1. Specific projects that may be undertaken in TID #13, and their estimated costs are listed in Table 1 of the Project Plan.
2. The estimated amount of tax increments to be created over the life of TID #13 are shown on Table 2 of the Project Plan. The value increment (equalized value of all taxable property minus the tax incremental base) when project costs are paid in full is an estimated \$5,684,297.
3. Project costs in 1 above are associated with property acquisition, demolition, public improvements, environmental remediation and associated costs, and structural rehabilitation and/or construction assistance grant(s). The project costs incurred by the TID are necessary for the redevelopment of the area. If the property owner had to pay for acquisition, demolition, environmental remediation, structural rehabilitation it is unlikely the project would proceed. The general public will also benefit from the project by the elimination of blight and blighting influences in the Central City as well as an increase in the tax base.
4. The share of projected tax increments to be paid by the overlying taxing jurisdiction for 1998 is estimated to be as follows: School District 39.7%, City 32.4%, County 19.9%, FVTC 7.1%, State .9%.
5. Property owners paying a part of the projected tax increment will accrue benefits in four ways. First, property that is blighted and a blighting influence in the Central City will be removed and the property improved. Second, without the TID, the redevelopment of the area to the extent outlined in the project plan would not occur. Third, the redevelopment should facilitate investment in retail and commercial businesses in the area. Fourth, without the TID, environmental remediation of an environmentally sensitive area would probably not take place.

APPENDIX C

NOTICE OF PUBLIC HEARING BEFORE THE CITY OF OSHKOSH PLAN COMMISSION TUESDAY, AUGUST 18, 1998 4:00 PM, Room 404 City Hall, Oshkosh, WI

The Plan Commission will hear public comments on Proposed Amendment No. 2 to the Project Plan of City of Oshkosh Tax Incremental Financing District (TID) #7 - Southwest Industrial Park. The purpose of the amendment is to include in the project costs of TID #7 the allocation of positive tax increments to City of Oshkosh TID #13.

The Plan Commission will hear public comments on the designation of a Tax Incremental Financing District. The boundaries to be established will be discussed at this scheduled meeting. The project plan for the proposed district will also be considered. Interested persons are encouraged to attend.

Copies of the project plan are available upon request. For information call the Planning Services Division, City of Oshkosh, 236-5055 between 8 AM - 4:30 PM, Monday thru Friday.

The district shall be referred to as follows: Tax Increment District No. 13 - Marion Road/Pearl Avenue Redevelopment Project.

Location: The City is proposing to implement Tax Increment District No. 13 in an area located east of Wisconsin Street, south of Pearl Avenue, north of Marion Road, and west of Jackson Street.

Commencing at a point on the southwesterly line of Pearl Avenue that is 5 feet northwesterly of the most northerly corner of Lot 7 in the Western Addition Block L as measured along the southwesterly line of Pearl Avenue; thence southeasterly along the southwesterly line and extended southwesterly line of Pearl Avenue to the most easterly corner of Lot 5 in the Western Addition Block G; thence southwesterly along the southeasterly line of said Lot 5 to the most southerly corner of said Lot 5; thence southeasterly along the southwesterly lines of Lots 6 through 15 and Lot 17 of the Western Addition Block G to a point 15 feet from the northwesterly line of Bell Place; thence southwesterly 105.68 feet along a line parallel and 15 feet northwesterly of the northwesterly line of vacated Bell Place to a point 14.35 feet from the northeasterly line of vacated Warren Road; thence southeasterly parallel to the northeasterly line of vacated Warren Road 45 feet to the centerline of vacated Bell Place; thence southwesterly along the centerline of vacated Bell Place 0.99 feet to a point on a line 14 feet northeasterly of the northeasterly line of Warren Road to the southeast; thence southeasterly along a line parallel and 14 feet northeasterly of the northeasterly line of vacated Warren Road to the west line of Jackson Street; thence south along the west line of Jackson Street 37.9 feet to the centerline of vacated Warren Road to the northwest; thence northwesterly along the centerline of vacated Warren Road to the extended northwesterly line of Lot 11 of the Western Addition Block F; thence southwesterly along the extended northwesterly line of said Lot 11, 24.98 feet to the former northerly right-of-way line of the Wisconsin Central Limited R.R.; thence westerly 704.56 feet along the arc of a curve concave to the left of radius 618.11 feet and whose chord bears S. 88°25'56.4" W., 667.03 feet and which is also the former northerly right-of-way line of the Wisconsin Central Limited R.R. to the southeasterly line of Dawes Street; thence southwesterly along the southeasterly line of Dawes Street to the northerly line of Marion Road; thence northwesterly to the northwest corner of Dawes Street and Marion Road; thence northwesterly along the northerly line of Marion Road to the easterly line of Wisconsin Street; thence northeasterly along the southeasterly line and extended southeasterly line of Wisconsin Street to the northeasterly line of Radford Place; thence southeasterly along the northeasterly line of Radford Place to the most southerly corner of Lot 20 of the Western Addition Block M; thence northeasterly 120 feet along the southeasterly lines of Lot 20 and 19 of the Western Addition Block M to the most easterly corner of said Lot 19; thence southeasterly 60 feet along the southwesterly line of Lot 3 of the Western Addition Block M to the most southerly corner of said Lot 3; thence northeasterly along the southeasterly line of said Lot 3 to the southwesterly line of Warren Road; thence northeasterly to a point on the northeasterly line of Warren Road being also the most southerly corner of Lot 1 of Certified Survey Map No. 1584 of Winnebago County Records; thence N. 38°16'26" E. 120.31 feet along the easterly line of said Lot 1 of CSM 1584 to its northerly corner thereof; thence S. 51°33'59" E. 179.04 feet along the northerly line of Lots 18, 17, 16, and 15 of the Western Addition Block L; thence N. 38°50'26" E. 123.75 feet along a line 5 feet westerly of the easterly line of Lot 6 of said Block L to a point on the southwesterly line of Pearl Avenue also being the point of beginning.

PUBLISHED: August 4 & 11, 1998

APPENDIX D

EXCERPT FROM AUGUST 18, 1998 PLAN COMMISSION MINUTES

APPROVAL OF " PHASE ONE MARION ROAD/PEARL AVENUE REDEVELOPMENT PLAN" AND DESIGNATION OF REDEVELOPMENT PROJECT AREA BOUNDARIES

The Comprehensive Plan targeted the Marion Road/Pearl Avenue area for redevelopment. The requested action would put a framework in place for the City to begin implementation activities.

The Phase One Redevelopment Project Area includes the following four properties: the old Radford plant site at 40 Wisconsin Street, which property the City acquired in 1991; the vacant Universal Foundry site at 495 Pearl Avenue currently owned by Firststar Bank; a parcel owned and utilized for parking by the University of Wisconsin-Oshkosh; and a small parcel now owned by the City that was part of the old Wisconsin Central Railroad Corridor.

PUBLIC HEARING ON PROPOSED CREATION OF TAX INCREMENTAL DISTRICT #13 MARION ROAD/PEARL AVENUE REDEVELOPMENT PROJECT; DESIGNATION OF BOUNDARIES AND APPROVAL OF PROJECT PLAN

Prior to taking action on the Redevelopment Plan and Tax Incremental District #13, the Plan Commission open's a Public Hearing to take comments concerning the proposed creation of the Redevelopment Plan and TID.

PUBLIC HEARING ON PROPOSED AMENDMENT NO. TO TID #7 SOUTHWEST INDUSTRIAL PARK; APPROVAL OF AMENDMENT NO. 2 CITY OF OSHKOSH TID #7 - SOUTHWEST INDUSTRIAL PARK- Department of Community Development

The Department of Community Development requests the Plan Commission review and approve an amendment to the Project Plan of City of Oshkosh Tax Incremental District (TID) #7 - Southwest Industrial Park. The amendment would allow the City to allocate positive tax increments from TID #7 to TID #13 where project activities are not able to proceed due to environmental problems in TID #13.

The Tax Incremental Financing Law Section 66.46 of the Wisconsin Statutes, provides a mechanism which enables cities and villages to rehabilitate blighted areas, address environmental concerns, improve business areas, and/or develop industrial sites. The intent of the law is to defray public improvement costs in a TID by using incremental tax revenues generated by new development. Since the law was enacted the City of Oshkosh has created 12 TID's, 3 of which have already been dissolved.

In 1998, Section 66.46 WI Stats., was amended to allow the City of Oshkosh to allocate positive tax increments from one TID to another TID created by the City in which soil affected by environmental pollution exists to the extent that development is not able to proceed according to the project plan because of environmental pollution.

Chairman Ruppenthal called the Public Hearing portion of the meeting to order at this time for Items VI, VII, and VIII, as it referred to Tax Incremental Financing Districts.

Mr. Kinney pointed out the redevelopment area on the map as posted and explained the financing opportunities to support the redevelopment. He continued with a slide show of the areas encompassing the redevelopment and how it related to the 1993 Comprehensive Plan. Mr. Kinney also presented pictures in his slide show of how other cities have made improvements along their waterways, and talked about the possibilities for the redevelopment of the Fox River Corridor.

Mr. Borsuk questioned why three tavern's on Wisconsin Street, who have changed ownership in recent years, weren't included in the Redevelopment Plan. Mr. Kinney stated Marion Road was Phase One and that Wisconsin Street would most likely be included in Phase Two. Mrs. Bloechl asked if the City had plans to acquire those properties if they became available again. Mr. Kinney stated they had no plans of acquiring those properties as this time, and pointed out they have changed hands several times in the past couple years.

Mr. Borsuk asked Mr. Kinney to elaborate on what the pollution exemption would allow the City to do. Mr. Kinney stated a budget bill has been passed where city owned property designated for redevelopment could gain a pollution exemption, which meant if an area was found contaminated the City wouldn't be liable for the clean up, the State would do the clean up. Mr. Kinney stated the City has asked the Department of Natural Resources for additional assurances regarding their findings in this area.

Mr. Borsuk asked about the difference between the Market Value and the Accessed Value of the Universal Foundry and questioned why anyone would pay more than 100% of the accessed value. Mr. Kinney stated the accessed value was in place as a basis for a sales agreement and a re-evaluation of the accessed value would probably be called for if one transpired. Mr. Kinney stated the redevelopment area would be made up of landscaping, parking lots, and housing, and until an engineer were called in to review the area the exact costs wouldn't be known.

Ted Urban, President of Oshkosh Wood Products on Marion Road, stated he understood the redevelopment area to be made up of the Universal Foundry, the Radford Building, and the abandoned Rail Road Corridor. He stated he purchased the Rail Road Corridor from the City a year ago. Mr. Kinney stated the City had retained a piece of the Rail Road Corridor. Mr. Urban stated that he believed contamination from the Universal Foundry Site was running off into the river through his private property. He stated he would like to be assured that he would not be liable for clean up of his property when and if it was required. He asked why the City would want to buy contaminated land, and wondered if a lawsuit against First Star Bank to take care of the clean up was feasible. Mr. Kinney stated the DNR thought the environmental concerns on the site could be mitigated with capping measures and suggested he and Mr. Urban set up an appointment to discuss cross easements in regards to ground water. Next, Mr. Urban stated the City should look at the entire area between Pearl Street and the Fox River for redevelopment. Mr. Urban also talked about the condition of Marion Road and the difficulty in attracting business to the area. He discussed expansion of his own business and was concerned about the drainage. Mr. Kinney stated appropriate drainage plans will be submitted and he will have a chance to review it as proposals come forward.

Mike Mokler, owner of rental property in the area, stated he felt student housing would not be feasible in the area as there is a surplus near campus now, making the market very competitive. He stated landlords weren't able to offer amenities such as new housing developments may and stated the distance the housing would be from campus also may not make it feasible. Mr. Mokler stated moving student housing into a new area could create blight in another area. He urged the Plan Commission to have flexibility in their plans for redevelopment.

Wayne Jorgenson, 469 Pearl Avenue, also stated he was concerned about the quality level of the area by proposing student housing along the Fox River Corridor.

Mrs. Bloechl stated they were not looking for only student housing in that area. Mr. Kinney stated Madison has been very successful in new housing developments near their campus, and he envisioned housing for students as well as senior citizens and stated the market will dictate the type of housing built in the area.

Joel Edson, Executive Director of Administrative Services at the University of Wisconsin Oshkosh, stated he supported the redevelopment project. He stated the proposal works well with the University's long-range master plan as it relates to their transportation program and recreational needs. He favored relocation of industrial and manufacturing uses to a more appropriate area to preserve and enhance the beauty of the campus and Fox River Corridor. Mr. Edson stated by converting to other forms of development in this area they could see the possibility of removing urban blight and the ability to assist the City in promoting responsible development. Mr. Edson stated he is looking forward to a strong and perceptive enough relationship with the City of Oshkosh to see the tremendous value associated with continuing the pattern of a cooperative and combined approach to areas of shared interest.

Mike Dempsey, 2900 Fond du Lac Rd., Chairman for the Riverfront Development Committee, stated they are in support of the plan as it offers a significant opportunity to advance what's outlined in the City's Comprehensive Plan. He stated this proposal indicates the City is serious in its redevelopment efforts. He also stated the acquisition price at this time makes it the best time to develop the area.

Robert Kujawa, 504 W. Nevada Avenue, stated he is the owner of a retail business located at 547 High Avenue in the Universal Plaza, immediately north of the redevelopment site. He offered his support of the redevelopment plan as it would raise the standards in the area for business owners. He stated this area has significant historic value and he would like to see the appearance of the area updated to offer a comfortable atmosphere for customers. He explained this is a high traffic area for College business, so by providing a vibrant, high quality area there would most likely be less vacancies than at the present time. He stated he was in favor of using TIF Districts to support this redevelopment plan and encouraged the Plan Commission to approve the plan as well.

Michelle Litjens, 119 Scott Avenue, stated she and her husband own rental property in the area and are in support of the redevelopment, although she doesn't see it as an area for student housing. She suggested they consider senior housing, special housing needs, or perhaps leasing the land to Greek organizations to build on. She also supported the commercial uses designated for the area, and the re-routing of High and Algoma Avenues.

Mr. Kinney stated the re-routing of High and Algoma Avenues were not in this proposal but may be seen in a long-term plan. Mr. Bettes stated it was part of UW-Oshkosh's long range plan. Mr. Kinney stated this plan does provide an opportunity for Warren Road to open up and improve circulation.

Chairman Ruppenthal closed the public hearing portion of the meeting at this time.

Mr. Smith stated Page 17 in the Phase One Marion Road/Pearl Avenue Redevelopment Plan shows property northwest and northeast of the redevelopment area to still have the M-2 zoning. Mr. Kinney stated statute requirements required the identification for zoning in the redevelopment area only. He explained as additional phases are developed rezoning would be recommended.

Discussion followed regarding financing the redevelopment project through the creation of TIF District #13 and using revenue from TIF District #7.

Mr. Borsuk asked if environmental testing had been done at the Radford site, and if Phase Two would include a study of the environment at the Universal Foundry site. Mr. Kinney stated testing had been done at the Radford site and closure was being done by the DNR stating no other contaminants existed at that site. Mr. Kinney also stated Phase Two would include a study of the environment at the Universal Foundry site.

Mr. Borsuk asked if the proposal made to First Star for the Foundry Site was no longer active. Mr. Kinney stated as of July 28th, a 90 day moratorium was placed on the property to allow for the redevelopment plan to be reviewed.

Discussion followed on the uses for the redevelopment area in terms of where families would find schooling for their children should multiple family or traditional family housing develop, or the possibility of hotels, and small commercial specialty shops be targeted to compliment the hotel and convention business. The economic environment providing an excellent opportunity for growth at this time was also discussed.

Mr. Reschenberg stated the first stage was to move the current industry out of the area, and discussion followed regarding the Radford Building occupants. It was agreed to be cautious with the waterfront development as it could be very sought after and with the right type of development it could become a high quality area. Mr. Bettes stated he supported the redevelopment, however, he felt the package was put together too fast and he cautioned the Commission to be flexible and not to move too hastily when proposals are submitted, as the City needs to show revenue earned from the land use when using TIF Districts. Chairman Ruppenthal stated both the Plan Commission and City Council will have a chance to review each proposal. Mr. Kinney stated as private development moves in a concept will unfold and they will be able to seek the type of development that will compliment the area.

Discussion continued on the cost listed to acquire the Universal Foundry site and the assessed value. Mr. Kinney stated an appraisal will verify the property's worth. The liability First Star had regarding contamination was also discussed. Mr. Kinney stated that First Star was an innocent purchaser and any liability would revert back to the previous owner.

Motion by Pressley to approve the Phase One Marion Road/Pearl Avenue Redevelopment Plan and designate the project area boundaries as those reflected in the Plan document dated August, 1998. Seconded by Gehling. Motion carried 9-0.

Motion by Pressley to approve the boundaries of TID #13 and the TID #13 Project Plan and recommend approval of the TID boundaries and Project Plan by the Common Council. Seconded by Bloechl. Motion carried 9-0.

Motion by Pressley to approve Amendment No. 2 to the TID #7 - Southwest Industrial Park and recommend approval of same by Council. Seconded by Gehling. Motion carried 9-0.

**CITY OF OSHKOSH PLAN COMMISSION
RESOLUTION 98-01**

**APPROVE TAX INCREMENTAL FINANCING DISTRICT #13-
MARION ROAD/PEARL AVENUE
REDEVELOPMENT PROJECT**

August 18, 1998

WHEREAS, on August 18, 1998, the City of Oshkosh Plan Commission held a public hearing on the proposed creation of City of Tax Increment District #13 - Marion Road/Pearl Avenue Redevelopment Project and the proposed boundaries thereof; and

WHEREAS, such public hearing was properly noticed in the City's official newspaper, and a copy of such notification was properly transmitted to all entities having the power to levy taxes on property in the District; and

WHEREAS, such public hearing afforded all interested parties an opportunity to express their opinions on proposed Tax Increment District #13; and

WHEREAS, the Plan Commission finds the creation of TID #13 is consistent with the City of Oshkosh Comprehensive Plan; and

WHEREAS, the Plan Commission has caused the preparation of a project plan for Tax Increment District #13 that is in compliance with §66.46(4)(f) of the Wisconsin Statutes; and

WHEREAS, the Plan Commission affirms the following findings of Tax Increment District #13:

- 1) More than 50 percent of the real property within the TID is blighted within the meaning of Section 66.46(2)(a), Wis. Stats..
- 2) Not less than 50 percent of the structures within the TID are in need of rehabilitation within the meaning of Section 66.435(2m)(b), Wis. Stats..
- 3) The redevelopment of the area calling for the construction of new multiple family housing and commercial activity will have a significant positive impact on the value of substantially all real property in the District and is keeping with the goals and objectives of the Comprehensive Plan.
- 4) The primary objective for creating TID #13 is to eliminate blight and blighting influences as well as the reuse of underutilized and deteriorating property thereby helping to promote multiple family and commercial/retail development in the central city area. The project costs identified are

consistent with the purpose for which the tax increment district was created.

- 5) The equalized value of taxable property in TID #13 plus all existing Districts does not exceed 7% of the total equalized value of taxable property within the City, or the equalized value of taxable property of the district plus the value increment of all existing districts within the City does not exceed 5% of the total equalized value of taxable property in the City.

NOW THEREFORE BE IT RESOLVED that the Plan Commission of the City of Oshkosh hereby approves the creation of Tax Increment District #13 - Marion Road/Pearl Avenue Redevelopment Project, as described in "Exhibit A".

BE IT FURTHER RESOLVED that the Plan Commission of the City of Oshkosh hereby approves the project plan for Tax Increment District #13 - Marion Road/Pearl Avenue Redevelopment Project,

BE IT FINALLY RESOLVED, that proposed Tax Increment District #13 - Marion Road/Pearl Avenue Redevelopment Project, and this recommendation by the City of Oshkosh Plan Commission be submitted for consideration by the City of Oshkosh Common Council.

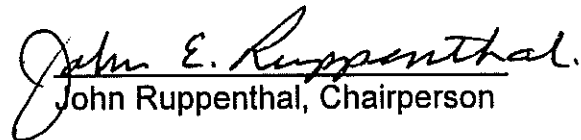

John Ruppenthal, Chairperson

EXHIBIT A

The proposed boundaries of Tax Increment District No. 13 are described as follows: A part of Western Addition Blocks C, E, F, G, L, M and N, Warren Road and vacated Warren Road, vacated Bell Place, Radford Place and vacated Radford Place, Dawes Street and vacated Dawes Street, and vacated Hancock Street, all in the First Ward, City of Oshkosh, Winnebago County, Wisconsin described as follows:

Commencing at a point on the southwesterly line of Pearl Avenue that is 5 feet northwesterly of the most northerly corner of Lot 7 in the Western Addition Block L as measured along the southwesterly line of Pearl Avenue; thence southeasterly along the southwesterly line and extended southwesterly line of Pearl Avenue to the most easterly corner of Lot 5 in the Western Addition Block G; thence southwesterly along the southeasterly line of said Lot 5 to the most southerly corner of said Lot 5; thence southeasterly along the southwesterly lines of Lots 6 through 15 and Lot 17 of the Western Addition Block G to a point 15 feet from the northwesterly line of Bell Place; thence southwesterly 105.68 feet along a line parallel and 15 feet northwesterly of the northwesterly line of vacated Bell Place to a point 14.35 feet from the northeasterly line of vacated Warren Road; thence southeasterly parallel to the northeasterly line of vacated Warren Road 45 feet to the centerline of vacated Bell Place; thence southwesterly along the centerline of vacated Bell Place 0.99 feet to a point on a line 14 feet northeasterly of the northeasterly line of Warren Road to the southeast; thence southeasterly along a line parallel and 14 feet northeasterly of the northeasterly line of vacated Warren Road to the west line of Jackson Street; thence south along the west line of Jackson Street 37.9 feet to the centerline of vacated Warren Road to the northwest; thence northwesterly along the centerline of vacated Warren Road to the extended northwesterly line of Lot 11 of the Western Addition Block F; thence southwesterly along the extended northwesterly line of said Lot 11, 24.98 feet to the former northerly right-of-way line of the Wisconsin Central Limited R.R.; thence westerly 704.56 feet along the arc of a curve concave to the left of radius 618.11 feet and whose chord bears S. 88°25'56.4" W., 667.03 feet and which is also the former northerly right-of-way line of the Wisconsin Central Limited R.R. to the southeasterly line of Dawes Street; thence southwesterly along the southeasterly line of Dawes Street to the northerly line of Marion Road; thence northwesterly to the northwest corner of Dawes Street and Marion Road; thence northwesterly along the northerly line of Marion Road to the easterly line of Wisconsin Street; thence northeasterly along the southeasterly line and extended southeasterly line of Wisconsin Street to the northeasterly line of Radford Place; thence southeasterly along the northeasterly line of Radford Place to the most southerly corner of Lot 20 of the Western Addition Block M; thence northeasterly 120 feet along the southeasterly lines of Lot 20 and 19 of the Western Addition Block M to the most easterly corner of said Lot 19; thence southeasterly 60 feet along the southwesterly line of Lot 3 of the Western Addition Block M to the most southerly corner of said Lot 3; thence northeasterly along the southeasterly line of said Lot 3 to the southwesterly line of Warren Road; thence northeasterly to a point on the northeasterly line of Warren Road being also the most southerly corner of Lot 1 of Certified Survey Map No. 1584 of Winnebago County Records; thence N. 38°16'26" E. 120.31 feet along the easterly line of said Lot 1 of CSM 1584 to its northerly corner thereof; thence S. 51°33'59" E. 179.04 feet along the northerly line of Lots 18, 17, 16, and 15 of the Western Addition Block L; thence N. 38°50'26" E. 123.75 feet along a line 5 feet westerly of the easterly line of Lot 6 of said Block L to a point on the southwesterly line of Pearl Avenue also being the point of beginning.

Said parcel contains approximately 15.05 acres.