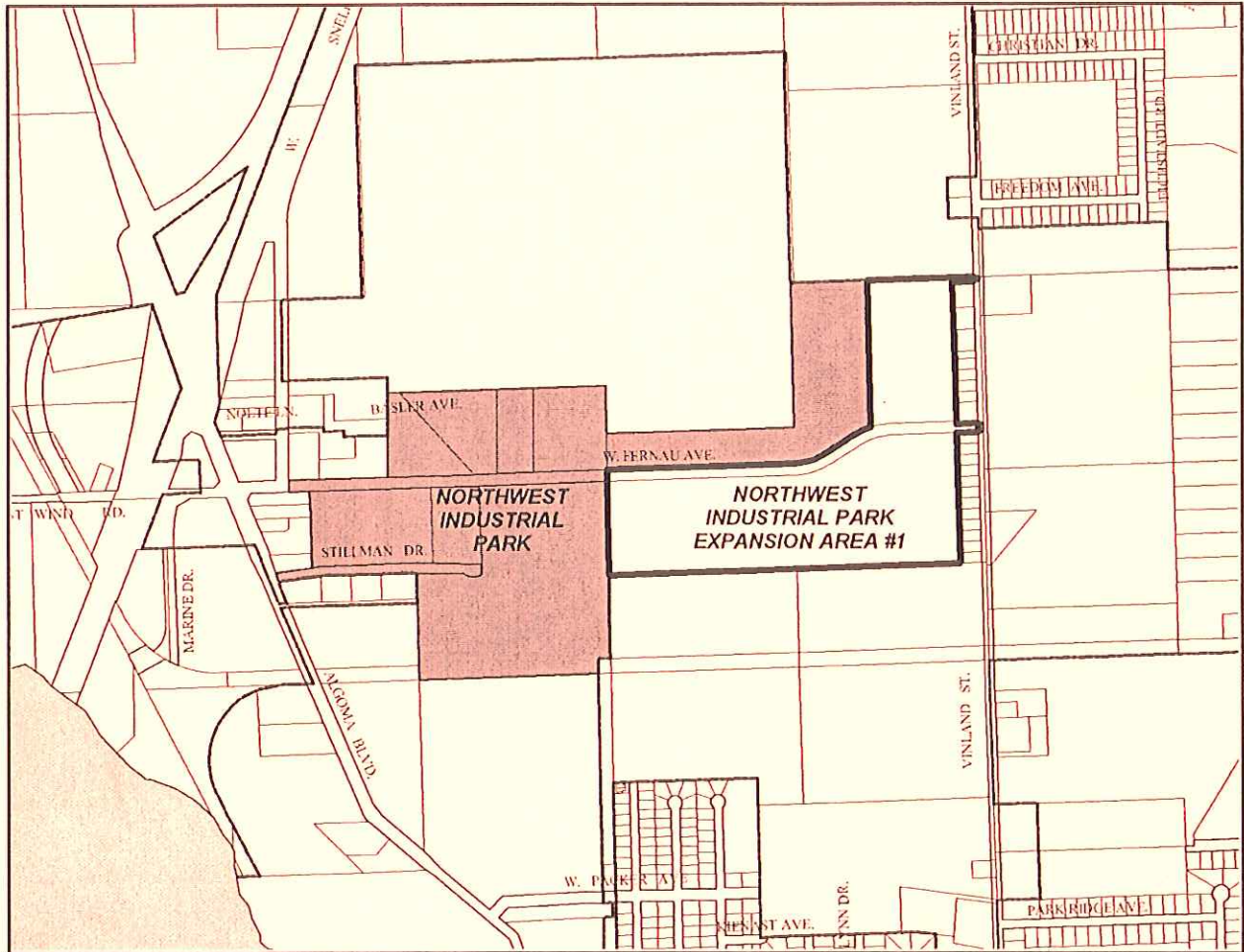


City of Oshkosh

TAX INCREMENT DISTRICT # 19

Northwest Industrial Park Expansion No. 1



Adopted by:

Plan Commission April 1, 2003

Common Council May 13, 2003

Joint Review Board May 27, 2003

Department of Community Development

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TAX INCREMENTAL DISTRICT #19

PROJECT PLAN

CITY OF OSHKOSH

ADOPTED BY THE PLAN COMMISSION
April 1, 2003

ADOPTED BY THE COMMON COUNCIL
May 13, 2003

ADOPTED BY THE JOINT REVIEW BOARD
May 27, 2003

PREPARED BY:
DEPARTMENT OF COMMUNITY DEVELOPMENT
March 2003

Plan Summary

City of Oshkosh Tax Increment District # 19 Project Plan

- District Name:** City of Oshkosh Tax Increment District # 19 Northwest Industrial Park Expansion No. 1
- Location:** Northwest side of Oshkosh, south of Snell Road, west of Vinland Street, north of the Chicago and Northwestern Railroad tracks, east of W. Fernau Avenue.
- Size:** Approximately 54 developable acres
- Purpose:** To facilitate the expansion and continued development of the Northwest Industrial Park and to promote private industrial development in the City. The City currently has approximately 50 acres left of developed industrial park land with another 148 acres being prepared for industrial park usage. Average annual industrial park land absorption is 36 acres.
- Proposed Costs:** Approximately \$3 million for costs related to infrastructure improvements including: sanitary sewer, water, streets and sidepaths, storm sewer and drainage. Costs also include financing and administrative/organizational costs.
- Project Financing:** \$1.8 million borrowing program, utilizing General Obligation notes. City may capitalize interest costs until such time as increment is generated.
- Projected Revenues:** The District is projected to create approximately \$10 million in new tax base at the end of its maximum life period (2003 – 2026). It will generate approximately \$4.2 million in tax increments during that same period.
- Economic Feasibility:** Based on planned expenditures and revenue levels, all costs of the TID will be paid off by the end of 2026, the 23rd year and the district will be dissolved. Beginning in 2027, all taxes generated as a result of development in the TID will be apportioned among and directly benefit all taxing entities.

Introduction

Wisconsin's Tax Incremental Financing law provides a mechanism that 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 designated Tax Incremental District (TID) by using tax revenues or increments generated from new development to pay for project improvements in the district.

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 improvements has been recovered and the debt service attributable to the district retired, the TID is dissolved and all taxing jurisdictions benefit on the same shared basis as before the creation of the TID. If the TID has been successful, each of the taxing jurisdictions should receive a much larger share of the property taxes from the new development that came about as a direct result of the creation of the TID.

Tax incremental financing laws provide benefits to all taxing entities, city, county, public schools, and technical college, by promoting development of new taxable value which otherwise would not occur. It provides a tool for municipalities to make reasonable levels of investment using local financing sources to meet identified local 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

A community's growth and long term well being depends on a strong business and industrial sector. Development that occurs within a municipal industrial park promotes tax base growth, job creation, and capital investment, the benefits of which are felt throughout the area served by all taxing entities. Successful industrial development also spurs additional business activity, residential development, and job creation and tax base growth elsewhere in the community. This is reflected in the fact that one new job created in the manufacturing sector will have a multiplier effect of creating jobs in other sectors of the local and state economies.

The City of Oshkosh is proposing to create Tax Incremental District #19 to help facilitate improvements in order to expand the Northwest Industrial Park and advance adopted City objectives of encouraging industrial growth and orderly land development. It is proposed to expand the existing park to the east and take in approximately 58 acres of land between the eastern terminus of improved Fernau Avenue and Vinland Street. This expansion will add approximately 54 acres of developable industrial land. This district is a succession to Tax Increment District #6.

The Northwest Industrial Park is the City's smallest industrial park with about 63 acres of land. The Northwest Industrial Park was first developed using TIF in 1988. The park currently contains 5 businesses and has a value of approximately \$6.5 million of which \$6.1 million is increment value. At this time there is no available uncommitted developable land left within the original industrial park area. The City owns the land to the immediate east of the existing park and creation of this TID will allow for expansion of services into that area and subsequently the availability of industrial park land in this developing area of the City.

The annual rate of absorption from the period between 1994-2002 of industrial land within the City has been approximately 36 acres per year. The City currently has four industrial parks containing about 1,100 acres. Of this 1,100 acres, there are approximately 50 acres of developed land remaining. The City will be expanding its Southwest Industrial Park within 2003-2004 and this will make available an additional 148 acres of developable land. Based on the current rate of absorption with available and developing parkland, the City could exhaust all industrial parkland within 7-8 years. This makes expansion of the park very important in terms of having enough developable sites in various areas of the City to continue economic growth within the community. Additionally, communities typically attempt to maintain an inventory of roughly twice the projected land demand in order to maintain a diversity of types of industrial sites and to account for uneven distribution of demand within the community.

Proposal

TIF will be used to pay for expansion of the park mainly through infrastructure improvements to make land within the park available for industrial development. Activities will include, but not be limited to, sewer and water construction, street construction, storm sewer construction, drainage and retention basin construction, site preparation, landscaping and path construction. The City may also implement other projects not specifically identified with the objective of creating a full service industrial park.

Industrial Development Program

The City of Oshkosh, working in a cooperative effort with Chamco, a non-profit industrial development corporation, is involved in a continuing industrial development program aimed at encouraging tax base growth, job creation, and capital investment in the community. Municipal industrial parks have been a major focus of this ongoing program, along with other efforts to improve the overall economic health of the community.

The City's industrial parks have provided a supply of industrial sites, within a managed, controlled business park environment. The use of TIF has enabled the City to meet a critical need for industrial land by providing the resources to develop industrial parks and

offer land for sale at a price that remains competitive in both the area and regional economics.

Boundaries/Legal Description

A part of the SW ¼ of Section 2, Township 18 North, Range 16 East, 12th Ward, City of Oshkosh, Winnebago County, Wisconsin described as follows:

Commencing at the SW corner of said Section 2; thence N. 00°32'34" E., 674.10 feet along the west line of the SW ¼ of said Section 2 to the southwest corner of Lot 1 of Certified Survey Map No. 3639 Winnebago County Records, also being the true point of beginning; thence continuing N. 00°32'34" E., 726.97 feet along the west line of the SW ¼ of said Section 2 to the north line of W. Fernau Avenue; thence N. 89°42'26" E., 1,286.10 feet along the north line of W. Fernau Avenue; thence continuing along the north line of W. Fernau Avenue 253.49 feet along the arc of a curve to the left of radius 460.00 feet whose cord bears N. 73°55'13" E., a distance of 250.30 feet; thence N. 58°08'00" E., 208.76 feet along the north line of W. Fernau Avenue; thence continuing along the north line of W. Fernau Avenue 138.47 feet along the arc of a curve to the right of radius 540.00 feet whose cord bears N. 65°28'47" E., a distance of 138.10 feet; thence N. 00°21'41" E. , 1,008.20 feet to the north line of the SW ¼ of said Section 2; thence N.89°40'03" E., 732.27 feet along the north line of said SW ¼ to the west line of Vinland Street; thence S. 00°04'57" E., 29.61 feet along the west line of Vinland Street to the northeast corner of Lot 1 of Block 1 of the Sawicki Subdivision; thence S. 89°35'03" W., 150.00 feet along the north line and extended north line of said Lot 1 to the east line of said Lot 1 of CSM No. 3639; thence S. 00°04'54" E., 975.00 feet along the east line of Lot 1 of said CSM No. 3639 to the north line of W. Fernau Avenue; thence N. 89°35'06" E., 150.00 feet to the west line of Vinland Street; thence S. 00°04'54" E., 60.00 feet along the extended west line of Vinland Street to the south line of W. Fernau Avenue; thence S. 89°35'06" W., 150.00 feet along the south line of W. Fernau Avenue; thence S. 00°04'54" E., 898.75 feet along the east line of Lot 1 of said CSM No. 3639 to the southeast corner of said Lot 1; thence S. 89°34'39" W., 2,427.89 feet along the south line of said Lot 1 to the true point of beginning.

Said parcel contains approximately 2,551,265.00 square feet or 58.57 acres. Boundaries of TID # 19, and real property determined to be suitable for industrial sites are identified on the Boundaries Map on page 13.

Name of District

The name of the TID shall be City of Oshkosh Tax Incremental District # 19 (TID # 19) – Northwest Industrial Park Expansion No. 1.

Creation Date

The date of creation for the capture of all new taxable value created within TID # 19 shall be January 1, 2003. The value established as of this date shall be used as the base in computing any increments that will accrue in the tax base for the district. The estimated base value of the district is \$10,500 which is estimated based on the current undeveloped and agricultural use of the land to be included in the TID.

Project Costs and Improvements

The cost of public improvements and other project costs including financing associated with implementing this Project Plan are estimated at approximately \$2.9 million. These costs are relative to providing infrastructure to and within the district. These costs will include sanitary sewer, water, streets, storm sewers and stormwater management, site preparation, landscaping, streetscaping and wayfinding, pedestrian trails, and administrative, engineering, and planning costs. The Proposed Improvements Map on page 14 provides a general overview and area of the improvements.

Table 1 shows estimates of capital improvement costs for the major project categories and estimates of timing of these costs. The cost estimates include 10% contingency and 25% for technical, administrative, and legal services involved in implementing the projects themselves. This could include technical drawings, inspections, contracts, etc. As the project costs included in the table are simply the City's best estimates at the time of the drafting of this plan, actual costs may be adjusted within the amounts shown without modification to the Project Plan itself.

Table 1

Detailed Cost Estimate and Timing of Project Costs		
Description	Gross Cost Estimate	Year
Sanitary Sewer	\$297,000	2003-2004
Water Main	\$67,500	2003-2004
Storm Sewer and Storm Water Management	\$175,500	2003-2004
Street and Pedestrian Path Construction	\$1,066,650	2004-2006
Land Acquisition	\$150,000	2004
Crush Recycled Concrete	\$54,000	2003
Organizational	\$165,000	2002-2009
Project Costs	\$1,975,650	
Financing Cost	\$953,822	
Total Project Costs Including Financing	\$2,929,472	2003-2026

It is estimated that approximately \$297,000 of project expenditures will be incurred outside of the district and generally involve costs of running sanitary sewer to the district from the east approximately 2,660 feet from Jackson Street. Other outside of district costs may include the construction of sidepaths to the district from approximately Algoma Boulevard. Additionally, the City may elect to construct a street within an 80 foot wide right-of-way where W. Fernau Avenue intersects with Vinland Road which may require acquisition of all or part of the property located at 3159 Vinland Road, which is located within the Town of Oshkosh.

Organizational costs include estimates for administrative, planning, professional organizational and legal costs. Components of these costs include, in general, cost of salaries and employee benefits for City employees engaged in the planning, engineering, implementing and administering activities in connection with the Tax Increment District, the cost of supplies and materials contract and outside consultant services, and those costs of City departments such as the City Attorney, Public Works, Finance, Community Development, Parks, and Transportation. It is anticipated that the positive tax increments remaining after annual debt service has been addressed will be used to repay the City for incurring these costs.

Capitalized interest costs involve borrowing funds to pay for debt service costs during construction and to cover the annual debt service until a sufficient level of tax increment is generated to cover annual debt service.

All project expenditures must be made within seven years of the creation date of the District. Tax increments may be received until project costs are recovered, but for no longer than sixteen years after the last expenditure is made. In the case of this District, all project costs must be made by the fall of 2010.

Method of Financing

The project costs, including financing, are the estimated amount of tax increment revenues to be requested under the provisions of Section 66.1105 Wisconsin Statutes. The method of financing project costs will be through the issuance of general obligation notes or any other method of financing approved by the Oshkosh Common Council. Total project expenditures will be recovered through tax increment.

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 1993 Comprehensive Plan, as approved by the Plan Commission and Common Council. The Park will be zoned M-3 General Industrial District. No changes to zoning, building or other codes are expected as a result of the creation of this TID. Existing and proposed zoning is shown on the map on page 15.

Economic Feasibility/Expectations for Development

The determination of economic feasibility for the District is based on utilizing the average of land purchased per year in City industrial parks, which over the past 8 eight years has been 36 acres per year. Additionally, in order to estimate a value on the land that will be developed in the expanded Northwest Industrial Park, the total equalized values of commercial and manufacturing properties were analyzed to develop an averaged developed value per acre for properties within the existing Northwest Industrial Park. The average per acre value of commercial and manufacturing classed properties within the Northwest Industrial Park is \$101,364. This value was then used to develop figures of anticipated future values within the TID.

The total estimated value of the anticipated development within the district when it is dissolved at the end of its allowed life is expected to be approximately \$10 million which will generate approximately \$250,000 in property taxes annually. The projected value of the tax increment over the life of the district is estimated at approximately \$4.3 million.

Each major category project component (i.e. storm sewer, sanitary, water, etc.) will necessitate approval by the Common Council through the annual Capital Improvement Program. The method of financing and the individual debt issues will also require Common Council approval. In order to pay for debt service during initial development of the industrial park before, sufficient increment has been generated, the City may capitalize interest costs during an initial 1-3 year period.

Promotion of Orderly Development

The proposed district will promote orderly development of the City by facilitating a type and scale of industrial development fully supportive of City planning objectives. The subject area has been designated in the City's Comprehensive Plan as being suitable for industrial development. Additionally, City objectives such as providing open space and pedestrian circulation opportunities will be implemented.

With a planned industrial district, the City and Chamco will be able to actively promote this area for business location. Private improvements will not be done in an unplanned fashion.

Proposed Uses

The proposed use of land within the district is for industrial sites and will remain zoned for manufacturing uses during the life of the district. The City's Comprehensive Plan has designated this area as suitable for industrial uses. The existing and proposed land uses are shown on the maps on pages 16 and 17. Zoning of the TID will be M-3 General Industrial District that allows a variety of industrial and commercial uses in the park.

Non-Project Costs

It is anticipated that there will be no non-project costs related to implementing this Project Plan.

Relocation

No displacement and resulting relocation of persons or businesses is needed or will be undertaken in this project unless additional right-of-way is needed. If relocation of individuals or businesses were required, it would be carried out in accordance with applicable relocation requirements set forth by the State of Wisconsin and/or federal regulations.

Findings and Report to the Joint Review Board

Since the entire area is identified as being suitable for industrial development and zoned for industrial uses, TID #19 is consistent with the statutory requirement that not less than 50% of the real property in the district is suitable and zoned for industrial sites.

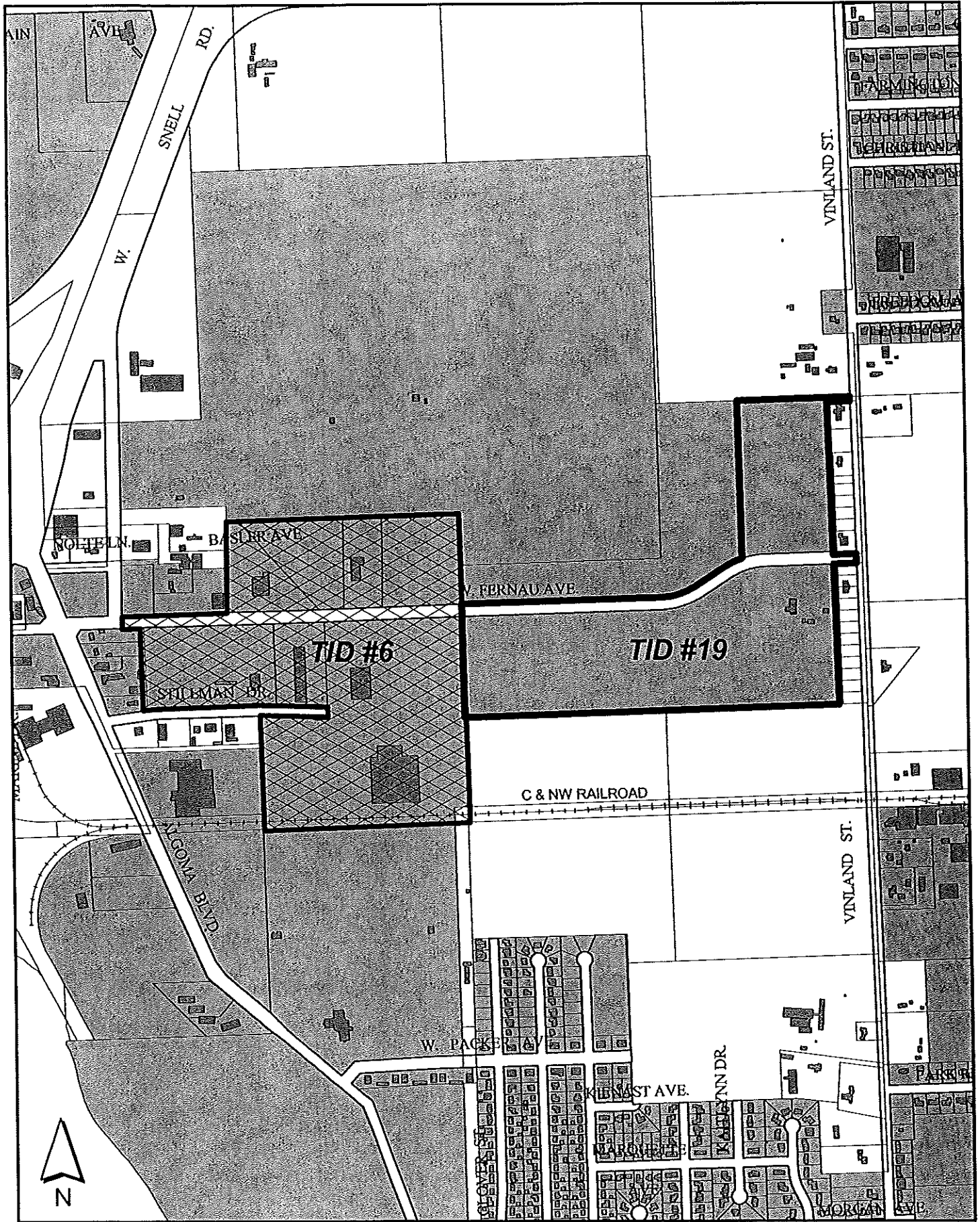
The primary objective for creating TID #19 is to provide the infrastructure and improvements necessary to provide a “full service” municipal industrial park. Implementation of the Project Plan for TID # 19 will enhance significantly the current value of the land in the District at the time of its creation. The owners of property within the district will benefit by the creation of an industrial park that will provide employment for residents of the community and region at large. Additionally, the lands within the park are municipally owned and therefore tax exempt and not generating property taxes. Transfer of these lands to private ownership will both generate property taxes that will be shared among the taxing entities when the TID is terminated as well as generate income and sales taxes for business locating within the district. The reason why property owners in the district should not fully pay improvement costs is primarily because the development of an industrial park benefits all other layers of government (County, Technical College, Schools) through significantly enhanced property values that those jurisdictions receive a share of but do not have the fiscal impact that is incurred by the City to provide services.

The base value of the district is estimated at approximately \$10,500 and is based on the current agricultural usage of the parcels. The district value is estimated to exceed \$10 million in its 23rd and final year of existence prior to being dissolved. It is estimated that the district will generate approximately \$4.2 million in tax increments over the life of the district. At the current proportion of the tax rate for 2003 and assuming that the development would have occurred without the creation of the TID, the overlying taxing jurisdictions would have received \$1.43 million for Area Schools (33.46%), \$1.49 million for the City (34.78%), \$988,000 for the County (23.03%), \$339,000 for the Technical College (7.90%) and \$35,000 for the State (.083%).

The project costs identified in the Project Plan are all consistent with providing land for industrial development and providing the amenities necessary to market a competitive industrial park. A detailed list of project costs are shown in Table 1 of the Project Plan. Project costs to be paid for with tax increments are estimated at approximately \$2.9 million.

Based on the January 1, 2003 equalized value of taxable property within TID # 19 plus all existing districts does not exceed 7% of the City of Oshkosh’s total equalized value. The base value of TID #19 plus all other TIDs equals approximately \$186.5 million or 6.79% of the City’s total municipal equalized value of \$2.75 billion.

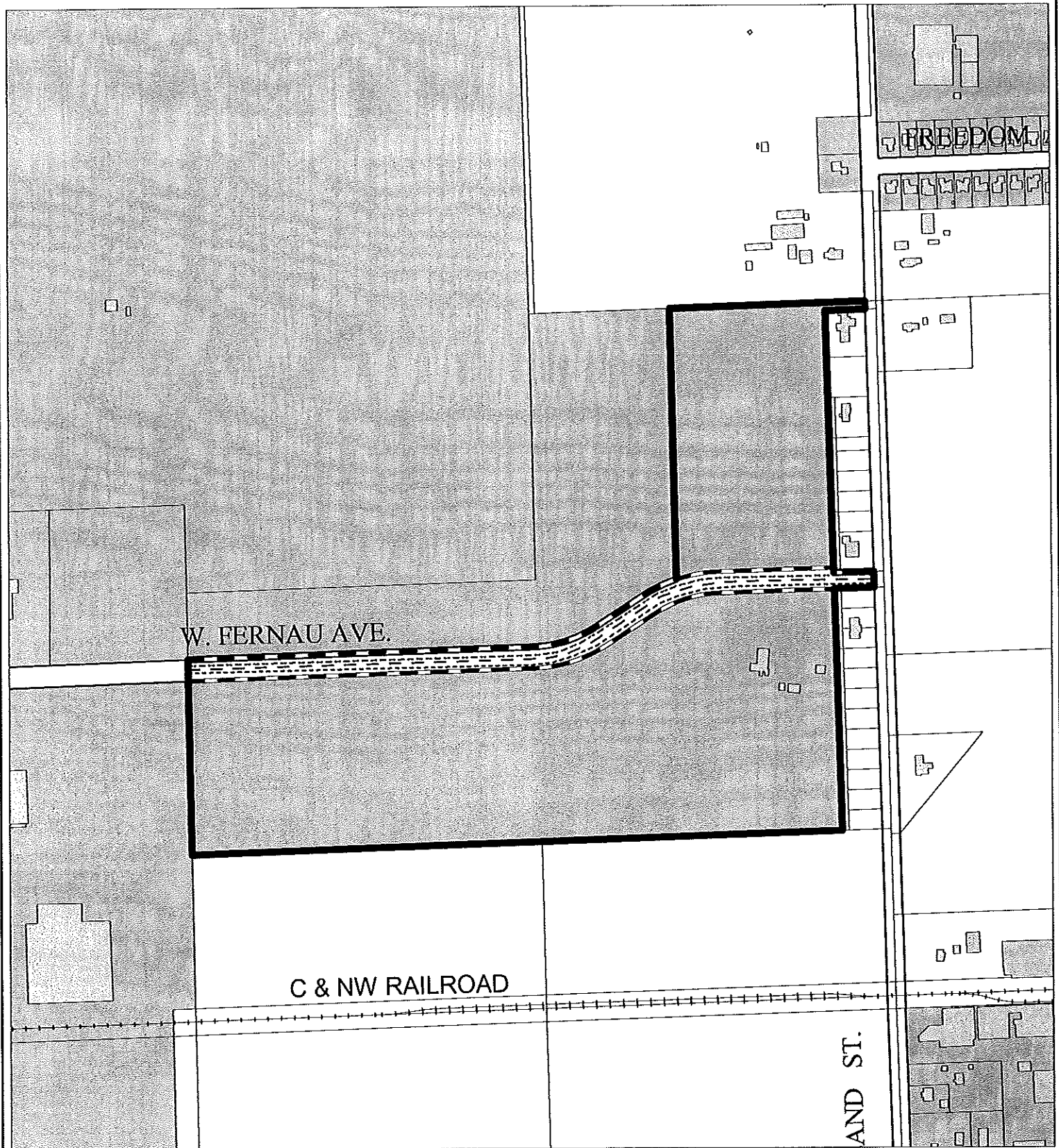
TID #19 Boundaries



(03/2003)

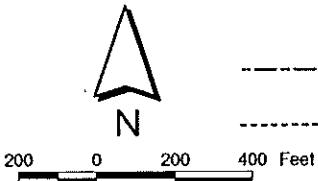
TID #19

Proposed Improvements

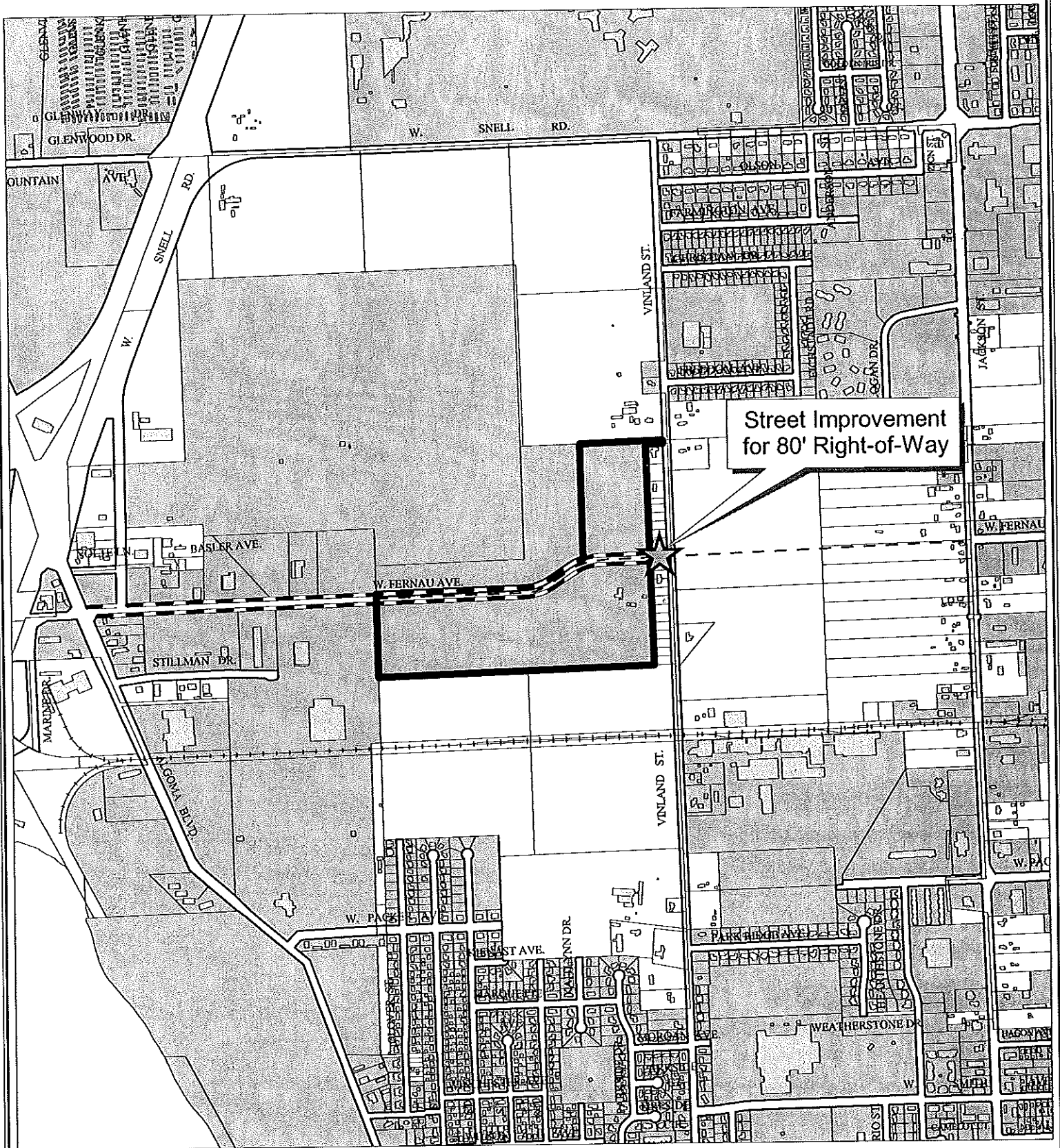


Legend - TID 19 Proposed Improvements

- | | | | |
|-------|-------------|-----------|------------------------------------|
| ----- | Storm Sewer | - - - - - | Sanitary Sewer |
| ----- | Water Main | ————— | Streets, Streetscaping & Sidewalks |



TID #19 Proposed Improvements Outside District



Street Improvement for 80' Right-of-Way

Legend - TID 19 Proposed Improvements

- Sanitary Sewer
- Sidepaths
- ★ Street Improvement for 80' Right-of-Way

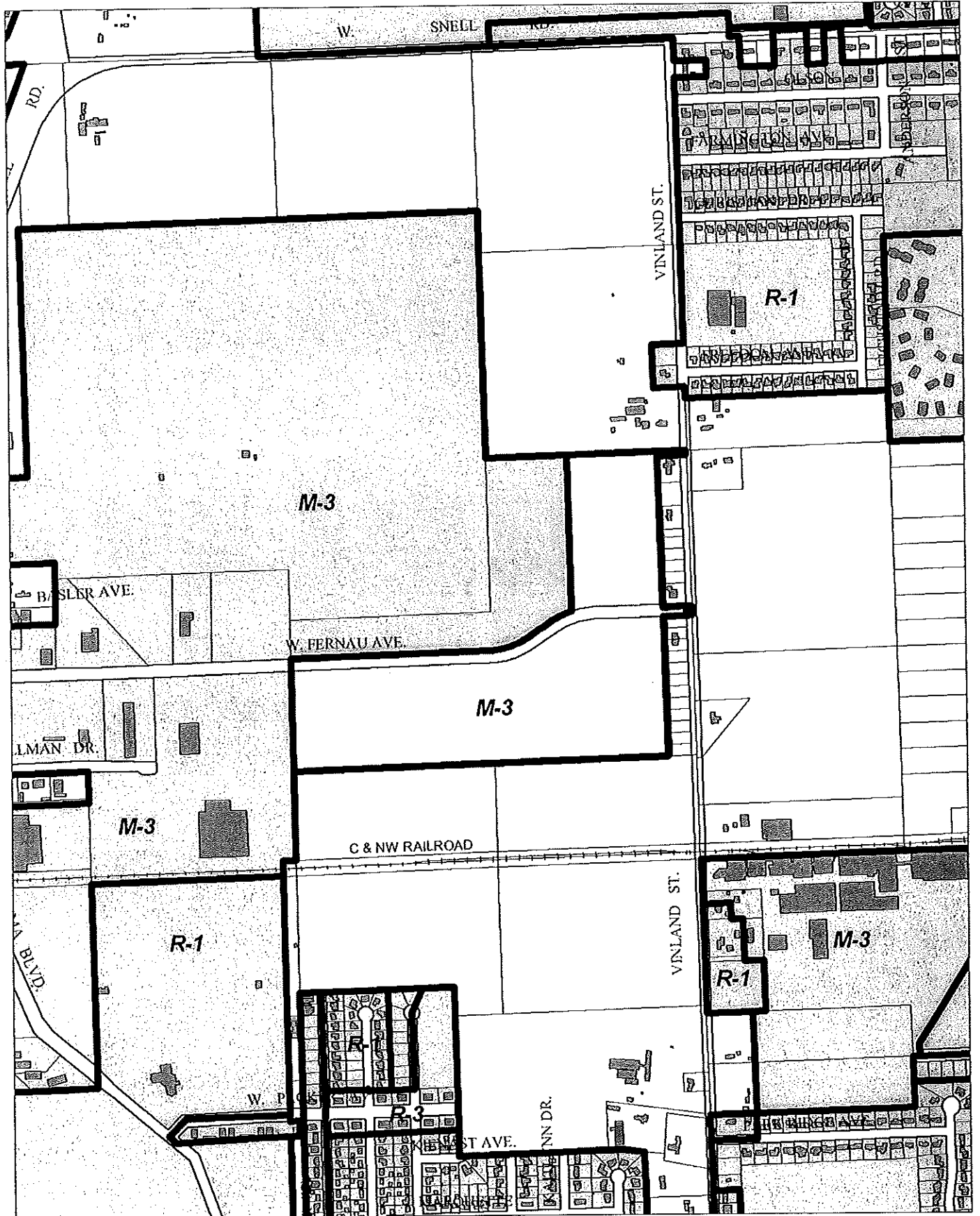


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(03/2003)

TID #19

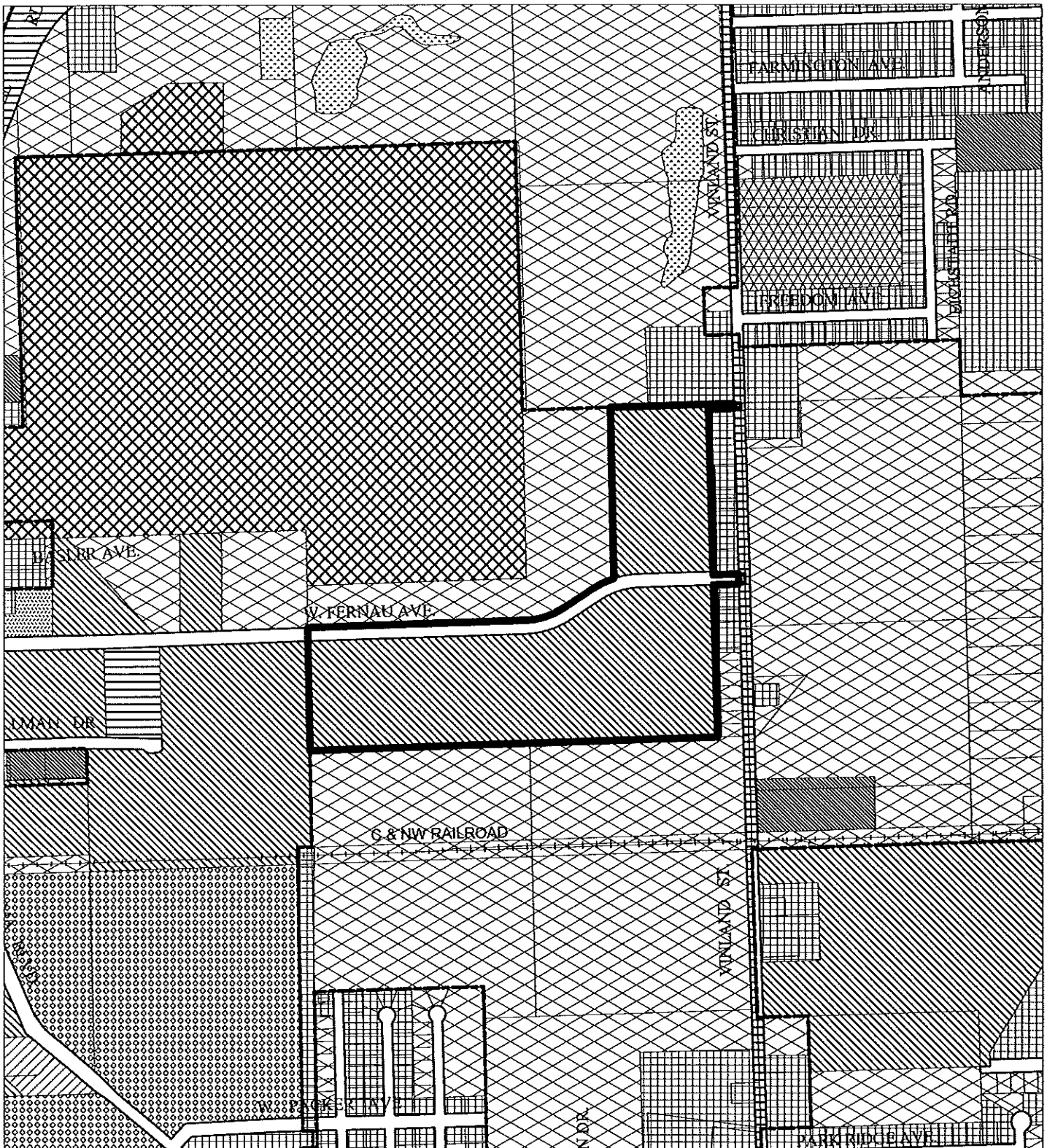
Existing & Proposed Zoning















(03/2003)

TID #19

Proposed Land Use



	Vacant/Undeveloped		Manufacturing		Commercial		Landfill
	Residential		Warehousing		Wetlands		Institutional
	Proposed TID #19		Transportation		Service		Schools



Appendix B

NOTICE OF PUBLIC HEARING BEFORE THE CITY OF OSHKOSH PLAN COMMISSION

TUESDAY, APRIL 1, 2003
4:00 PM, Room 404
City Hall, Oshkosh, WI

The Plan Commission will hear public comments on the creation of a Tax Increment District. The Project Plan and boundaries for the proposed district will be considered at the public hearing. Interested persons are encouraged to attend. The draft Project Plan will be available for review on or about March 26, 2003. For information, call the City of Oshkosh Planning Services Division at 920-236-5055 between 8 am – 4:30 pm, Monday thru Friday.

The district shall be named: Tax Increment District #19 Northwest Industrial Park Expansion No. 1.

The general location of the proposed TID is: West of Vinland Street, east of W. Fernau Avenue, south of Snell Road, and north of the Chicago & Northwestern Railroad tracks.

A part of the SW $\frac{1}{4}$ of Section 2, Township 18 North, Range 16 East, 12th Ward, City of Oshkosh, Winnebago County, Wisconsin described as follows:

Commencing at the SW corner of said Section 2; thence N. 00°32'34" E., 674.10 feet along the west line of the SW $\frac{1}{4}$ of said Section 2 to the southwest corner of Lot 1 of Certified Survey Map No. 3639 Winnebago County Records, also being the true point of beginning; thence continuing N. 00°32'34" E., 726.97 feet along the west line of the SW $\frac{1}{4}$ of said Section 2 to the north line of W. Fernau Avenue; thence N. 89°42'26" E., 1,286.10 feet along the north line of W. Fernau Avenue; thence continuing along the north line of W. Fernau Avenue 253.49 feet along the arc of a curve to the left of radius 460.00 feet whose cord bears N. 73°55'13" E., a distance of 250.30 feet; thence N. 58°08'00" E., 208.76 feet along the north line of W. Fernau Avenue; thence continuing along the north line of W. Fernau Avenue 138.47 feet along the arc of a curve to the right of radius 540.00 feet whose cord bears N. 65°28'47" E., a distance of 138.10 feet; thence N. 00°21'41" E., 1,008.20 feet to the north line of the SW $\frac{1}{4}$ of said Section 2; thence N. 89°40'03" E., 732.27 feet along the north line of said SW $\frac{1}{4}$ to the west line of Vinland Street; thence S. 00°04'57" E., 29.61 feet along the west line of Vinland Street to the northeast corner of Lot 1 of Block 1 of the Sawicki Subdivision; thence S. 89°35'03" W., 150.00 feet along the north line and extended north line of said Lot 1 to the east line of said Lot 1 of CSM No. 3639; thence S. 00°04'54" E., 975.00 feet along the east line of Lot 1 of said CSM No. 3639 to the north line of W. Fernau Avenue; thence N. 89°35'06" E., 150.00 feet to the west line of Vinland Street; thence S. 00°04'54" E., 60.00 feet along the extended west line of Vinland Street to the south line of W. Fernau Avenue; thence S. 89°35'06" W., 150.00 feet along the south line of W. Fernau Avenue; thence S. 00°04'54" E., 898.75 feet along the east line of Lot 1 of said CSM No. 3639 to the southeast corner of said Lot 1; thence S. 89°34'39" W., 2,427.89 feet along the south line of said Lot 1 to the true point of beginning.

Said parcel contains approximately 2,551,265.00 square feet or 58.57 acres.

PUBLISHED: March 21 & 25, 2003

Appendix C



City of Oshkosh
City Attorney's Office
215 Church Ave., PO Box 1130
Oshkosh, WI 54903-1130
(920) 236-5115

March 24, 2003

Mr. Jackson R. Kinney
Director of Community Development
City of Oshkosh
215 Church Avenue
Oshkosh, WI 54903-1130

Dear Mr. Kinney

I have reviewed the project plan for City of Oshkosh Tax Increment District # 19 – Northwest Industrial Park Expansion No. 1, pursuant to Section 66.1105(4)(f) of Wisconsin Statutes. I find that the plan includes a statement listing the kind, number and location of 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 of existing uses of the real property in the district and 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 Plan Commission of the project plan and their submission to the City Council, all requirements of Section 66.1105(4)(f), Wisconsin Statutes, shall be complete and it is, therefore, my opinion that the project plan attached hereto is complete and complies with Sec. 66.1105, Wis. Stats.

Sincerely,
CITY OF OSHKOSH

Warren P. Kraft
City Attorney

Appendix D

SECTION 30-30 M-3 GENERAL INDUSTRIAL DISTRICT

(A) Permitted Uses

- (1) Uses permitted in the M-1 Light Industrial District, unless otherwise provided in this Chapter.
- (2) The open storage of any materials, other than those associated with auto wrecking, junk yards, and similar storage of salvage operations.
- (3) Structures or land may be used for any purpose, except the following:
 - (a) Residential, educational, or institutional uses.
 - (b) Uses in conflict with any laws of the State of Wisconsin or any Ordinances of the City governing nuisances.

(4) Conditional Uses:

- Acid manufacture
- Asphalt/concrete batch plant
- Automobile service facility
- Cement, lime, gypsum, or plaster of paris manufacture
- Day care center
- Explosive manufacture or storage
- Extraction of sand, gravel, and other raw materials
- Fat rendering
- Fertilizer manufacture
- Garbage, rubbish, offal or dead animal reduction or dumping
- Glue manufacture
- Hotel/motel directional signs
- Junk yard
- Land-based, outdoor motor vehicle racing or test tracks. Motor vehicle as defined in Section 340.01(35), Wis. Stats., including snowmobiles.
- Oil drilling, development, and refining operations
- Petroleum refining
- Public utility structure
- Railroad yard
- Restaurant with drive-up or drive-thru
- Slaughterhouse
- Smelting of tin, copper, zinc, or iron ores
- Stockyard
- Tannery
- Vocational school

Appendix D

An application for a conditional use permit shall not be approved unless it complies with the conditions and standards set forth in Section 30-11 Conditional Use Permits.

(B) Standards - All Structures

The following standards shall apply to development undertaken in this district, unless modified by the application of provisions in Section 30-33 Planned Development Districts, or unless more restrictive standards apply per Section 30-35 Additional Standards and Exceptions.

- (1) Front Yard Setback: Thirty (30) feet minimum.
- (2) Side Yard Setback: Twenty (20) feet minimum, except when adjacent to a residential district/use, the minimum setback is fifty (50) feet.
- (3) Rear Yard Setback: Twenty-five (25) feet minimum, except when adjacent to a residential district/use, the minimum setback is fifty (50) feet.
- (4) Lot Width: One hundred fifty (150) feet minimum.
- (5) Lot Size: One (1) acre minimum.
- (6) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.
- (7) The open storage of any materials, other than those associated with auto wrecking, junk yards, and similar storage of salvage operations, are allowed in areas surrounded, at minimum, by a solid fence not less than six (6) feet in height.
- (8) Existing Uses and Structures: Uses and structures in this District that were conforming prior to the effective date of this Ordinance will remain conforming upon adoption of this Ordinance. New standards effective upon adoption of this Ordinance shall be applied to building additions/expansions and new development under building permits issued after the effective date of this Ordinance.

Appendix E

Plan Commission Minutes

April 1, 2003

V: **PUBLIC HEARING ON PROPOSED CREATION OF TAX INCREMENT DISTRICT # 19 NORTHWEST INDUSTRIAL PARK EXPANSION NO. 1: DESIGNATION OF BOUNDARIES AND APPROVAL OF PROJECT PLAN**

It is proposed to create TID #19 in order to facilitate expansion of the Northwest Industrial Park that has no uncommitted developable land left for industrial development. The proposed Project Plan includes a statement listing the kind, number, and location of proposed improvements. It shows an economic feasibility study, a list of estimated project costs and a timing of those costs as well as a method of financing those costs. The Project Plan, which is approximately \$3 million, includes projects for construction of streets and sidepaths, sanitary sewer, water utilities, storm sewer and storm water management and organizational and administrative type costs. The plan also identifies out of district costs such as extension of sewer lines to the district from the Jackson Street area and possible acquisition of land in order to expand the Fernau Avenue right-of-way to 80 feet in width where it intersects with Vinland Street. The project costs will be financed through sales of general obligation notes and repaid through the property tax increment generated on the new development in the TID.

Chairman Krueger opened the Public Hearing portion of the meeting for the creation of Tax Increment District #19 Northwest Industrial Park Expansion No. 1.

Adam Borys, 3159 Vinland Road, questioned if he would lose land, as it states in the Staff Report that possible acquisition of land may be necessary in order to expand the Fernau Avenue right-of-way to 80 feet in width where it intersects with Vinland Street. Mr. Burich explained that under State law the City has the authority to condemn property for right-of-way purposes, however, there are no plans to do that at this time. Mr. Borys stated he had just purchased the property and there was no mention of any development in the area.

Sharon Krause, 3295 Vinland Road, stated she was looking into buying the 30'- 40' strip of land next to her property from the City. She stated it is next to her garage and didn't see how it would be of use to the City. Mr. Burich stated he has talked with Ms. Krause and the City will first need to determine if it will need the property before considering a possible disposition.

Donna Koelbl, 3121 Vinland Road, questioned if the property would be industrial or parkland. Mr. Burich explained that the subject site is zoned industrial and there would need to be green space allowed on each site. He stated that if a site is adjacent to a residential use, there would need to be a transitional yard landscaping buffer.

Mrs. Koelbl asked why the City didn't take all the property along Vinland Street instead of leaving a row of residential property adjacent to an industrial park. Mr. Kinney stated the City can't force property owners to sell land to the City for industrial purposes. He stated the City had negotiated with the Sawickis to purchase their land.

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Mrs. Koelbl stated when they bought their property they were told the adjacent property would be residential. Mr. Kinney stated that may have been the township's plan, however, the City didn't have any plans to develop the land for a residential use near a landfill.

Mrs. Koelbl questioned why they were notified for this meeting. Mr. Kinney indicated that the City is proposing to create a new Tax Incremental District in the area, and the City as a matter of policy notifies adjacent property owners when an action is proposed to be taken on a given property. He explained how a Tax Increment District is a financing tool which uses the tax revenues or increments generated from new development to pay for project improvements in the district.

Mrs. Koelbl also noted how Vinland Road is in such bad repair and questioned if the City would be improving the road. Mr. Burich stated that the Vinland right-of-way was not in the City.

Douglas Dutscheck, 3281 Vinland Road, stated he was pleased with the buffer zone, however, he questioned if there was any regulations regarding the noise level. Mr. Burich explained the City has a noise ordinance that industry must comply with in addition to the transitional setback/landscaping requirements to protect residential uses in the area.

Sharon Krause, 3295 Vinland Road, questioned if they will be notified of any development that may occur. Mr. Kinney stated they would not be notified for a permitted use because the area is already zoned for industrial use. Mr. Burich stated the more noxious uses would need review as they would only be allowed by being granted a Conditional Use Permit, and in that case, they would be notified.

Sharon Krause stated she has 5 children and questioned if there would be a barrier installed on the industrial property. Mr. Burich stated there was a minimum rear yard and side yard setback of 50 feet when adjacent to a residential district. Mr. Kinney stated that neither buildings or parking would be allowed within a 50 foot area, however, green space and landscaping would be required.

Doug Dutscheck questioned if there was any proposal for power lines. Mr. Burich stated he didn't have information for any development at this time.

Laura Dutscheck, 3281 Vinland Road, noted the mature trees in the area. Mr. Burich stated the trees would probably remain, however, the developer is allowed to build according to code requirements.

Sharon Krause stated there are trees on City property that need to be maintained. Mr. Burich instructed her to call the City Parks Department.

Adam Borys asked if a TIF District could be further explained. Mr. Kinney then explained how a TIF District works.

Mr. Bory questioned if his taxes would be raised as a result of the TIF District. Mr. Kinney stated taxes are based on uses and the land use mix in the area.

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Mr. Dutscheck questioned the time frame for the extension of Fernau Avenue. Mr. Burich stated the road would be graded and graveled this year and paved in 2004.

Donna Koelbl questioned if there was a time table for the extension of Fernau Avenue to Jackson Street. Mr. Burich stated there is no time table for that extension.

Donna Koelbl also questioned the impact of traffic on the area. Mr. Burich explained Fernau Avenue would be a major arterial, resulting in heavy traffic.

Mr. Bory questioned if this would become a reality. Mr. Burich stated this request needs Plan Commission and Common Council approval. He stated the area is already zoned for industrial use and explained approving a Tax Incremental Financing District for the area is the request at this time.

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

Mr. Gehling questioned if the buildings on the property would be razed. Mr. Burich replied the existing buildings on the property would be razed.

Mr. Blassingame stated that it didn't appear that any City residents are opposing this request, and he does understand the concerns of the residents on the north east side, however, he will support this TIF District expansion as it will generate 4.2 million in tax increments during its life.

Mrs. Propp made reference to Appendix D which lists the minimum setbacks for locating an industrial use adjacent to a residential use.

Discussion followed regarding the landfill, located north of the TIF District, being county owned and unbuildable property.

Mr. Dell'Antonia stated Ms. Krause should possibly be able to work out an agreement to purchase the 30' – 40' piece of land adjacent to her property.

Motion by Ruppenthal to approve the boundaries of TID #19 and TID #19 Project Plan and recommend approval of the TID boundaries and Project Plan to the Common Council. Seconded by Gehling. Motion carried 9-0.

Chairman Krueger stated the item would be forwarded to the Common Council for approval. Mr. Burich informed the audience they could call the Department of Community Development for the date it would be on the Council Agenda, and stated they would not receive a meeting notice to that effect.

Appendix F

Common Council Creation Resolution

MAY 13, 2003

03-135

RESOLUTION

(CARRIED LOST LAID OVER WITHDRAWN)

PURPOSE: APPROVE TAX INCREMENT DISTRICT NO. 19 PROJECT PLAN; DESIGNATE TAX INCREMENT DISTRICT NO. 19 BOUNDARIES; CREATE TAX INCREMENT DISTRICT NO. 19

INITIATED BY: CITY ADMINISTRATION

PLAN COMMISSION RECOMMENDATION: Approved

WHEREAS, pursuant to Section 66.1105, Wis. Stats., the City of Oshkosh proposes to create Tax Increment District No. 19 – Northwest Industrial Park Expansion No. 1; and

WHEREAS, the City of Oshkosh Plan Commission has prepared and adopted a project plan for Tax Increment District No. 19 – Northwest Industrial Park Expansion No. 1 which:

- 1) Includes a statement listing the kind, number and location of all proposed public works or improvements within such District.
- 2) Contains an economic feasibility study.
- 3) Contains a detailed list of estimated project costs.
- 4) Contains a description of the methods of financing all estimated project costs and the time when such costs or monetary obligations related thereto are to be incurred.
- 5) Includes a map showing existing uses and conditions of real property in such District.
- 6) Includes a map showing proposed improvements and uses therein.
- 7) Contains a list of estimated non-project costs.
- 8) Contains a statement of a proposed method for the relocation of any person to be displaced.
- 9) Indicates how the creation of TID No. 19 promotes the orderly development of the City.
- 10) Contains an opinion of the City Attorney that the Plan complies with Section 66.1105(4)(f), Wis. Stats.

and

WHEREAS, the Plan Commission has held a public hearing on the creation of TID No. 19 and the proposed boundaries thereof and has notified the Chief Executive Officers of all local government entities having the power to levy taxes on property within the District, including the School Board of any school district which includes property within the District pursuant to Section 66.1105, Wis. Stats.; and

Appendix F
Common Council Creation Resolution
03-135

MAY 13, 2003

RESOLUTION
CONT'D

WHEREAS, the City of Oshkosh Plan Commission affirms the following per the TID No. 19 Project Plan:

- 1) The improvements contemplated in TID No. 19, City of Oshkosh, are likely to significantly enhance the value of substantially all real property in TID No. 19.
- 2) Not less than 50% of the real property within TID No. 19 is suitable for industrial development and zoned for industrial uses.
- 3) Implementation of this Project Plan is consistent with the City's 1993 Comprehensive Plan and its associated amendments and additions.
- 4) Project costs associated with implementing this project plan are consistent with the purpose for which the District was created.
- 5) The equalized value of taxable property of the district plus all existing districts does not exceed 7% of the total equalized value of taxable property within the city.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Oshkosh approves said Project Plan for Tax Increment District No. 19 – Northwest Industrial Park Expansion No. 1, pursuant to the provisions of Section 66.1105, Wis. Stats.

BE IT FURTHER RESOLVED that the Common Council of the City of Oshkosh hereby designates the boundaries of TID No. 19 as described in "Exhibit A".

BE IT FURTHER RESOLVED that the Common Council of the City of Oshkosh hereby approves creation of Tax Increment District No. 19 – Northwest Industrial Park Expansion No. 1.

BE IT FURTHER RESOLVED that the improvements contemplated in TID No. 19 – Northwest Industrial Park Expansion No. 1, are likely to significantly enhance the value of all real property in TID No. 19.

BE IT FURTHER RESOLVED that the value of equalized, taxable property in TID No. 19, together with all other established Tax Increment Districts, does not exceed 7% of the total equalized value of taxable property within the City of Oshkosh.

BE IT FURTHER RESOLVED that not less than 50% of the real property within TID No. 19 is suitable for industrial uses within the meaning of 66.0415, Wis. Stats., and has been zoned for industrial uses.

BE IT FURTHER RESOLVED that all property within TID No. 19 is zoned for industrial use and will remain zoned for industrial uses for the life of TID No. 19.

BE IT FURTHER RESOLVED that the project costs are consistent with the purposes for which the Tax Increment District is created with the primary objective being to provide the improvements necessary to facilitate expansion the Northwest Industrial Park and industrial development within TID No. 19.

Appendix F
Common Council Creation Resolution
"EXHIBIT A"

PROPOSED TAX INCREMENT DISTRICT NO. 19
Northwest Industrial Park Expansion No. 1

Legal Description

A part of the SW ¼ of Section 2, Township 18 North, Range 16 East, 12th Ward, City of Oshkosh, Winnebago County, Wisconsin described as follows:

Commencing at the SW corner of said Section 2; thence N. 00°32'34" E., 674.10 feet along the west line of the SW ¼ of said Section 2 to the southwest corner of Lot 1 of Certified Survey Map No. 3639 Winnebago County Records, also being the true point of beginning; thence continuing N. 00°32'34" E., 726.97 feet along the west line of the SW ¼ of said Section 2 to the north line of W. Fernau Avenue; thence N. 89°42'26" E., 1,286.10 feet along the north line of W. Fernau Avenue; thence continuing along the north line of W. Fernau Avenue 253.49 feet along the arc of a curve to the left of radius 460.00 feet whose cord bears N. 73°55'13" E., a distance of 250.30 feet; thence N. 58°08'00" E., 208.76 feet along the north line of W. Fernau Avenue; thence continuing along the north line of W. Fernau Avenue 138.47 feet along the arc of a curve to the right of radius 540.00 feet whose cord bears N. 65°28'47" E., a distance of 138.10 feet; thence N. 00°21'41" E. , 1,008.20 feet to the north line of the SW ¼ of said Section 2; thence N.89°40'03" E., 732.27 feet along the north line of said SW ¼ to the west line of Vinland Street; thence S. 00°04'57" E., 29.61 feet along the west line of Vinland Street to the northeast corner of Lot 1 of Block 1 of the Sawicki Subdivision; thence S. 89°35'03" W., 150.00 feet along the north line and extended north line of said Lot 1 to the east line of said Lot 1 of CSM No. 3639; thence S. 00°04'54" E., 975.00 feet along the east line of Lot 1 of said CSM No. 3639 to the north line of W. Fernau Avenue; thence N. 89°35'06" E., 150.00 feet to the west line of Vinland Street; thence S. 00°04'54" E., 60.00 feet along the extended west line of Vinland Street to the south line of W. Fernau Avenue; thence S. 89°35'06" W., 150.00 feet along the south line of W. Fernau Avenue; thence S. 00°04'54" E., 898.75 feet along the east line of Lot 1 of said CSM No. 3639 to the southeast corner of said Lot 1; thence S. 89°34'39" W., 2,427.89 feet along the south line of said Lot 1 to the true point of beginning.

Said parcel contains approximately 2,551,265.00 square feet or 58.57 acres.

Appendix F
JOINT REVIEW BOARD
Amendment No. 2 TID # 13 Marion Road/Pearl Avenue Redevelopment
TID # 19 Northwest Industrial Park Expansion
MEETING MINUTES
May 27, 2003
8:00 AM, Department of Community Development Conference Room

Present: Teresa Thiel, Board of Education; Lori Becker, Fox Valley Technical College; Steve Hintz, Mayor, City of Oshkosh; Mike Hert, Winnebago County.

Staff: Jackson Kinney, Director of Community Development, Darryn Burich, Principal Planner.

The meeting was called to order at 8:00 am.

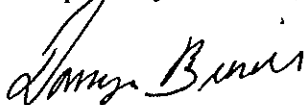
Mr. Burich and Mr. Kinney provided a brief overview of the proposed amendment No. 2 to TID # 13. Mr. Kinney explained the purpose of the amendment was to amend the project plan to allow for a project expenditure to occur that was not originally identified. Motion by Mike Hert and second by Lori Becker to approve Amendment No. 2 to TID # 13. Motion carried unanimously.

Mr. Burich and Mr. Kinney provided a brief overview of proposed TID # 19, the Northwest Industrial Park Expansion No. 1. Mr. Burich explained that the City was beginning to exhaust its supply of industrial sites and the TID would help to add developable sites. Mr. Kinney discussed a consultant's report regarding the potential for additional industrial development opportunities in the area.

Motion by Mike Hert and second by Lori Becker to approve the boundaries and Project Plan for TID # 19. Motion carried unanimously.

Motion by Steve Hintz and second by Teresa Thiel to adjourn the meeting. Motion carried.

Respectfully Submitted,



Darryn Burich
Principal Planner
Recording Secretary

