



Legislation Details (With Text)

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**File created:** 3/24/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

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**Effective date:**

**Title:** Substitute resolution approving Amendment No. 1 to the Project Plan for Tax Incremental District No. 70, 735 North Water Street, in the 4th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** TAX INCREMENTAL DISTRICTS, TAX INCREMENTAL FINANCING

**Attachments:** 1. Project Plan-Amendment No. 1 as of 5-17-10.pdf, 2. Project Plan-Amendment No. 1 as of 5-12-10, 3. Term Sheet as of 5-12-10.pdf, 4. Feasibility Study Update 3-11-10.pdf, 5. Letter from the Comptroller, 6. Fiscal Note, 7. Photos of Design Changes, 8. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/24/2010	0	COMMON COUNCIL	ASSIGNED TO		
4/19/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/12/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/18/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
5/18/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	4:0
5/25/2010	1	COMMON COUNCIL	ADOPTED	Pass	12:1
6/1/2010	1	MAYOR	SIGNED		

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Substitute 1  
060961  
THE CHAIR

Substitute resolution approving Amendment No. 1 to the Project Plan for Tax Incremental District No. 70, 735 North Water Street, in the 4th Aldermanic District. This substitute resolution fulfills the statutory requirements for amending the Project Plan for Tax Incremental District No. 70. The amendment to the Project Plan revises the scope of the private investment as it relates to the end use of the building located at 731 North Water Street. Given a change in the market, the originally proposed development of seven luxury condominium units has been modified to include the conversion of the building into a Gold's Gym and retail, office and "gray box" condominium space. In addition, the incremental revenue will be applied to the first payback of the City's \$1,554,000 contribution toward the Riverwalk rehabilitation, based on a 15-year amortization schedule. The grant to the balance of the project of \$1.5 million remains unchanged with funds being advanced by the developer and recovered from incremental revenue only after the City has received sufficient funds based on the above payback schedule. This resolution authorizes the Commissioner of the Department of City Development, other public officials and the Redevelopment Authority of the City of Milwaukee to take such actions as are necessary to accomplish the objectives of the amended Project Plan and authorizes the City Comptroller to create the necessary and

appropriate subaccounts for Plan implementation.

Whereas, The Common Council of the City of Milwaukee ("Common Council") adopted File No. 060961 on September 5, 2007, which approved a Project Plan ("Plan") and created Tax Incremental District No. 70, 735 North Water Street ("TID No. 70" or "District"); and

Whereas, Pursuant to Section 66.1105(4)(h)(1), Wisconsin Statutes, the Redevelopment Authority of the City of Milwaukee ("Authority") conducted a public hearing on Amendment No. 1 to the Project Plan for the District ("Amendment"), approved such Amendment by resolution and submitted such Amendment, a copy of which is attached to this Common Council File, to the Common Council for its approval; and

Whereas, Section 66.1105(4)(g) and (h)(1), Wisconsin Statutes, provides that an amendment to a Project Plan shall be approved by the Common Council with the adoption of a resolution, which contains findings that such amendment is feasible and in conformity with the Master Plan of the City of Milwaukee ("City"); now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that it finds and determines as follows:

1. As implementation of the Project Plan for the District has proceeded, it has become necessary to address new redevelopment opportunities.
2. The Amendment retains the existing expenditure period for the District.
3. Relative to the \$1.5 million development funded gap financing provided for in the Plan, a variance is authorized from the procedures of Common Council File No. 68-461-x, being the Guidelines for the Control of Capital Expenditures.
4. The Amendment updates File No. 060961 by directing the City Comptroller to establish the appropriate accounts within TID No. 70, Project Account No. 1910-TD07080000, to appropriate tax incremental collections equal to the City contributions to the developer, as provided in the Term Sheet for this District, in such amounts as set forth in the Plan as shall be necessary to implement the Plan.
5. Relative to the balance of funding provided for in the Plan for Riverwalk restoration and City administration, in an amount of \$1,673,992, the City Comptroller is directed to transfer the sum of \$1,673,992, plus \$167,400 in capitalized interest, from the Parent TID Account No. TD07080000, for the purpose of providing the necessary funding for this component of the Plan.
6. The Amendment revises the Economic Feasibility Study that is part of the Plan and makes related changes regarding project costs and financing; and, be it

Further Resolved, That Amendment No. 1 to the Project Plan for Tax Incremental District No. 70 is approved by the Common Council and that the Plan for said District, as amended, is feasible, in conformity with the Master Plan for the City and will promote the orderly development of the City; and, be it

Further Resolved, That:

1. The City Clerk is directed to notify the Wisconsin Department of Revenue, in such form as may be prescribed by said Department, of the approval of this Amendment pursuant to the provisions of Section 66.1105(5)(cm), Wisconsin Statutes.
2. The Commissioner of the Department of City Development, or his designee(s), is directed to act on behalf of the Common Council as coordinator of all TID-related activities, which, in his judgment, are necessary to carry out the Plan and intent of this resolution.
3. The Commissioners of the Department of City Development and Public Works and the City

Engineer are directed to take such actions as are necessary, including execution of contracts to finance, design, engineer and construct the proposed improvements in accordance with the objectives of the approved Plan.

4. The City Comptroller, in conjunction with the Commissioner of the Department of City Development, is directed to perform such acts and to create such subaccounts as are necessary to maintain the fiscal control required to carry out the Plan and the intent of this resolution.

5. The Authority and all other City officials, departments, boards, authorities and commissions are requested, authorized and directed to take all necessary actions and to provide all necessary assistance, as may be needed by the above-identified officials, to carry out the Plan and intent of this resolution.

6. The City Clerk is directed to transmit a certified copy of this resolution, along with a copy of the Amendment, to the Commissioner of Public Works, the Commissioner of the Department of City Development, the Assessment Commissioner and the City Engineer for administrative and/or informational purposes and to the Joint Review Board established by Common Council File No. 84-202, adopted June 12, 1984, for review in accordance with the procedures and criteria set forth in Section 66.1105(4m), Wisconsin Statutes.

DCD:AER:aer

05/17/10