



Legislation Text

File #: 161475, Version: 0

161475

ORIGINAL

77-1273-d, 77-1273-3h, 930950, 972008, 981197, 000299, 001259 and 010760

ALD. BAUMAN

Resolution approving an amendment, modification and termination of the Downtown Retail Center Redevelopment Plan, in the 4th Aldermanic District.

Adoption of this resolution by at least two-thirds vote of the Common Council will amend, modify and terminate the Redevelopment Plan for the Downtown Retail Center Redevelopment Project. Such approval is required for exercising the powers granted to the Redevelopment Authority under Wisconsin law for implementation of the amendment. This file has no fiscal impact.

Whereas, On May 22, 1978, the Common Council adopted File No. 77-1273-d, which approved the creation of a Redevelopment Plan for the Downtown Retail Center Redevelopment Project (the "Plan"); and

Whereas, The Plan was recorded on July 11, 1979, in the Office of the Register of Deeds (the "ROD") of Milwaukee County, Wisconsin, as Document No. 5327570 and was subsequently amended seven times as follows:

Amendment No. 1, File No. 77-1273-3h, recorded with the ROD on March 11, 1987 as Document No. 6030873; Amendment No. 2, File No. 930950, recorded with the ROD on December 17, 1993 as Document No. 6874161; Amendment No. 3, File No. 972008, recorded with the ROD on June 16, 1998 as Document No. 7549061; Amendment No. 4, File No. 981197, recorded with the ROD on February 22, 1999 as Document No. 7693105; Amendment No. 5, File No. 000299, recorded with the ROD on August 25, 2000 as Document No. 7953522; Amendment No. 6, File No. 001259, recorded with the ROD on February 16, 2001 as Document No. 8025598; Amendment No. 7, File No. 010760, recorded with the ROD on November 5, 2001 as Document No. 8162741; and

Whereas, By the Plan terms (original Plan, ROD Document No. 5327570, ROD Image Page 653), the Plan was to "be in full force and effect for a period of 25 years from the date of the original approval of the Redevelopment Plan and shall automatically extend for 5-year periods thereafter, unless changed by the Redevelopment Authority" (that 25-year period ended in 2003); and (ROD Image Page 664) the Plan "may be modified" in accordance with Wisconsin Statutes Section 66.1333; and

Whereas, The Redevelopment Authority of the City of Milwaukee ("RACM") held a public hearing, per Wisconsin Statutes Section 66.1333(11)(b), on February 16, 2017, prior to which all owners of property within the project area were notified of RACM's intent to modify the Plan; and, at that public hearing, owners and other interested parties were allowed to be heard recognizing that per Wisconsin Statutes Section 66.1333(11)(b), the public hearing was advisory to RACM; and

Whereas, At the February 16, 2017 RACM public hearing, RACM: (i) determined that modification of the Plan will not affect original objectives of the Plan and will not produce conditions leading to reoccurrence of blight within the project area because the purposes of the Plan have been achieved and the Plan is obsolete; (ii) determined that, subject to Common Council approval, the Plan should be modified and terminated per the proposed "Amendment, Modification and Termination of Redevelopment Plan" document that RACM approved, a copy of which is attached to this Common Council File; and (iii)

directed that the RACM resolution from that hearing and the RACM-approved amendment document be provided to the Common Council for consideration; and

Whereas, Per Wisconsin Statutes Section 66.1333(6)(d), the Common Council having considered RACM's resolution, also wishes to amend and modify the Plan; and per Wisconsin Statutes Section 66.1333(11)(b), the Common Council also wishes to do so in a manner that permits land uses in the project area other than those specified in the Plan; now, therefore, be it

Resolved, By a two-thirds vote of the Common Council of the City of Milwaukee, that the Plan is amended and modified to remove the provision on ROD Image Page 653 that the Plan shall automatically extend for successive 5-year periods and to reflect that the purposes of the Plan have been achieved and that land uses in the project area, other than those specified in the Plan, are to be allowed, subject to federal, state and local law, including governmental zoning and land use statutes, ordinances and regulations; and, be it

Further Resolved, That the Plan, due to the amendments and modifications, shall be terminated and of no further force or effect such that it is no longer an encumbrance against title regarding parcels in the project area and against which the Plan was recorded; and, be it

Further Resolved, That the officials of RACM are authorized to sign the proposed "Amendment, Modification and Termination of Redevelopment Plan," or one in substantial accordance therewith, and to record same in the ROD Office and to take such further action and to execute such further documents and instruments necessary to implement this Resolution.

DCD:Dan.Casanova:dac
02/07/17/A