



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Resolution

**File Number: R-2013-0188**

**Final Action:**

**Sponsor(s):** Safety & Development Committee

**SEP 03 2013**

Resolution approving the Project Area Boundaries and Redevelopment Plan for the 116th & Rogers Redevelopment Area, and declaring such area to be a blighted area in need of a redevelopment project

WHEREAS, for exercise of powers granted and the acquisition and disposition of real property in a project area pursuant to Sections 66.1333 of the Wisconsin Statutes, the Community Development Authority of the City of West Allis ("Authority") is required to designate the boundaries of such proposed project area and to submit such boundaries to the Common Council for approval and for a declaration that such area is a blighted area in need of a blight elimination, slum clearance and urban renewal project; and,

WHEREAS, the Authority has by CDA Resolution Nos. 1007 and 1008, adopted on August 13, 2013, designated boundaries (attached as Exhibit A) and approved a Redevelopment Plan (attached as Exhibit B) for the proposed 116th & Rogers Redevelopment Area and has requested that the Common Council adopt a resolution by a two-thirds (2/3) majority as required pursuant to Section 66.1333 of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis as follows:

1. The boundaries designated by the Authority for the proposed 116th & Rogers Redevelopment Plan, attached as Exhibit B, which area is shown and more precisely described in the Redevelopment Plan Boundary Exhibit A, attached hereto and by reference made a part hereof (the "Project Area"), be and hereby are, in all respects, approved; and,
2. That it be and is hereby determined and declared that the above-described Project Area which by reason of the presence of a substantial number of substandard, slum, deteriorated or deteriorating structures, faulty lot layouts in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, diversity of ownership, deterioration of site and other improvements, under utilization of lands, depressed property values, environmental pollution and other conditions substantially impairs and arrests the sound growth of the community, constitutes an economic and social liability, and is a menace to the public health, safety, morals and welfare in its present condition and use, is a blighted area within the meaning of Section 66.1333 of the Wisconsin Statutes in need of a blight elimination, slum clearance and urban renewal project; and,
3. The Authority directed staff to proceed with the preparation of a Redevelopment Plan for the

proposed Project Area including any and all studies and surveys necessary thereto. The Authority approved the Redevelopment Plan on August 13, 2013 and is submitting the Redevelopment Plan to the Common Council for approval as required by Section 66.1333(6)(b)2 of the Wisconsin Statutes; and,

4. That any new construction in the Project Area is prohibited except upon resolution of the Common Council as provided in Section 66.1333(6)(e) of the Wisconsin Statutes; provided that this prohibition shall not be construed to forbid ordinary repair and maintenance, or improvement necessary to continue occupancy under any regulatory order. Such prohibition shall extend for an initial period of six months from the date of enactment of this Resolution subject to successive renewals for like periods by further resolution of the Common Council; and,

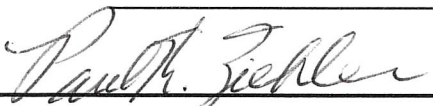
5. The Common Council hereby pledges its cooperation in the preparation of plans incidental to the aforesaid project and requests all City officials, departments, boards and commissions to cooperate with and assist, as may be appropriate, the Authority and its duly appointed staff, the Department of Development; and,


6. The City Clerk/Treasurer be and is hereby directed to transmit a certified copy of this resolution, together with a copy of the attached exhibit to the Authority, Director of Development, Director of Public Works/City Engineer, and the Director of Building Inspections and Neighborhood Services.

Attachment: Exhibit A (Project Area Boundaries)  
Exhibit B (Redevelopment Plan)

cc: Department of Development

DEV-R-724-9-3-13

ADOPTED SEP 03 2013  
  
\_\_\_\_\_  
Paul M. Ziehler, City Admin. Officer, Clerk/Treas.

APPROVED 9/5/13  
  
\_\_\_\_\_  
Dan Devine, Mayor

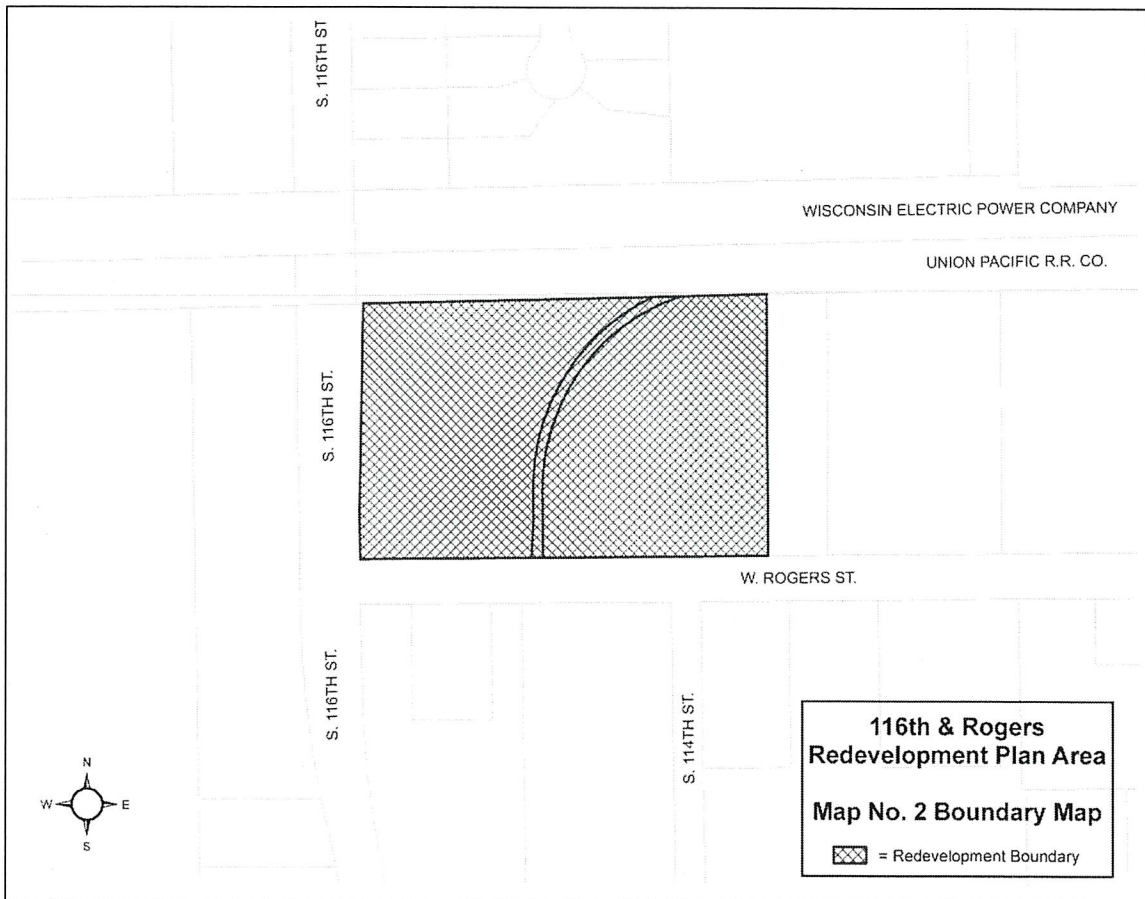
## **Exhibit A (Project Area Boundaries)**

## 116<sup>th</sup> & Rogers Redevelopment Area – Project Area Boundaries

### LEGAL DESCRIPTION:

Parcel of land located in the Southeast  $\frac{1}{4}$  of Section 6, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, more particularly described as follows:

Beginning at the Southeast corner of Lot A of the Certified Survey Map No. 943; thence Westerly, 816.95 feet along the North right-of-way line of West Rogers Street to the East right-of-way line of South 116<sup>th</sup> Street and Southwest corner of Lot 1 of the Certified Survey Map No. 749; thence Northwesterly, 507.23 feet, along said East right-of-way line, to the Northwest corner of said Lot 1 and South right-of-way line of Union Pacific railroad company; thence Easterly, 804.43 feet along said South line to the Northeast corner of said Lot A; thence Southerly, 519.10 feet to the Point of Beginning.



Said land contains 9.58 Acres, more or less.



## **Exhibit B (Redevelopment Plan)**

# 116th & Rogers Redevelopment Plan



Prepared by:  
Department of Development  
**City of West Allis**  
[www.westalliswi.gov](http://www.westalliswi.gov)

July 25, 2013

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I. Introduction

A. Role of the Redevelopment Plan

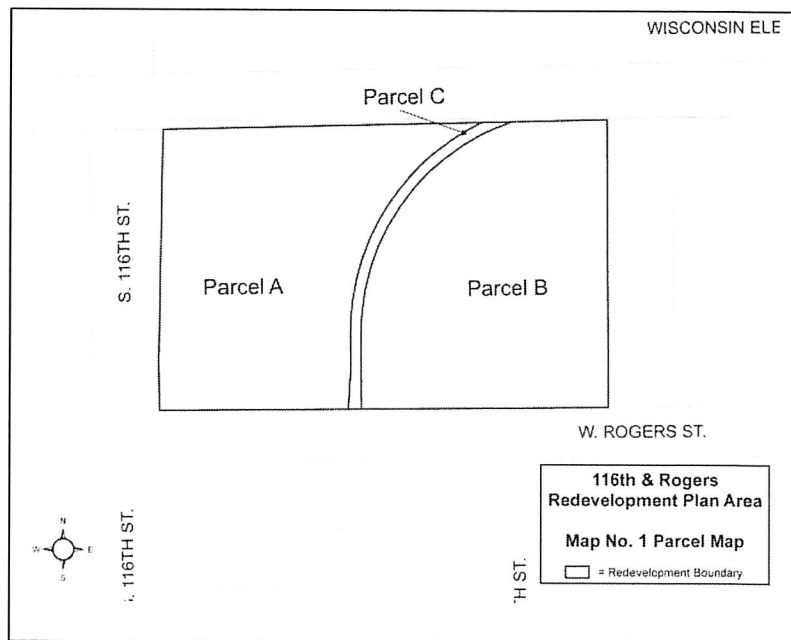
The Department of Development has prepared a Redevelopment Plan, allowing the Community Development Authority of West Allis (CDA) to prepare undertakings and activities in the Project Area for the elimination and for the prevention of the development or spread of slums and blight. Section 66.1333 of Wisconsin State Statutes states that the Redevelopment Plan may involve acquisition, clearance/demolition and redevelopment in a project area, or any combination or part of the undertakings and activities.

B. Executive Summary

The Redevelopment Area consists of three (3) properties on 9.585 acres of land located near the intersection of S. 116<sup>th</sup> St. and W. Rogers St. The area is occupied by two former trucking terminals, office buildings and a railroad spur that splits them. All three parcels possess numerous conditions of slum and blight, including some types of environmental contamination. The Area was formed into a Tax Incremental District (TID #10) in 2008 to help promote redevelopment.



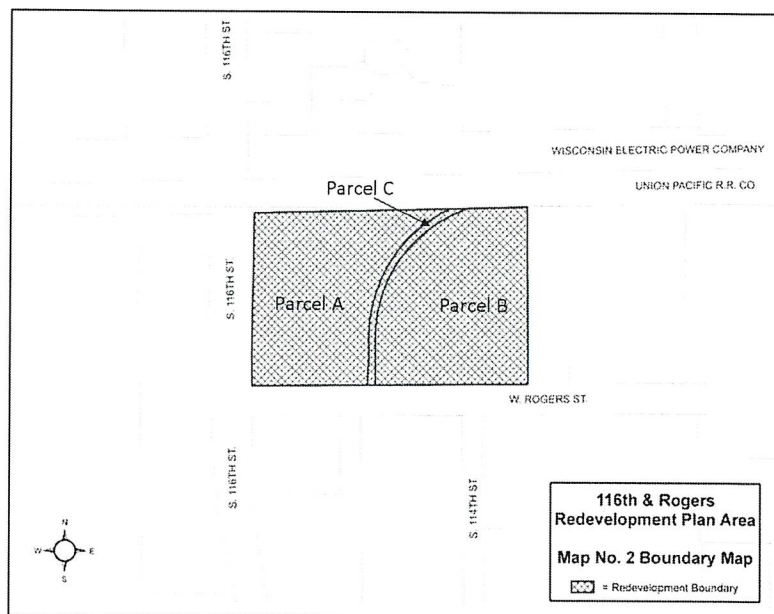
The Community Development Authority of the City of West Allis (CDA) presently owns the two former truck terminals (Parcels A and B as identified on **Map No. 1 – Parcel Map**). These properties were acquired by voluntary acquisition. As part of the initial preparation for redevelopment, the CDA has performed preliminary environmental investigations and marketed the area to prospective developers.





The expected redevelopment will improve the environmental and aesthetic quality of the site, and provide additional employment opportunities to the area. To this point, redevelopment has been hindered by the presence and condition of the blighted, underutilized, tax-delinquent rail road spur (Parcel C, referred to on **Map No. 2 – Boundary Map**) that splits the area.

This Redevelopment Plan has been drafted in order to deal with the blighted rail road spur and its associated easements, including the potential for acquisition. Acquisition of the spur will remove an additional obstacle to private investment and further promote redevelopment. The Redevelopment Plan boundary is shown on **Map No. 2 – Boundary Map**.



### C. Site History

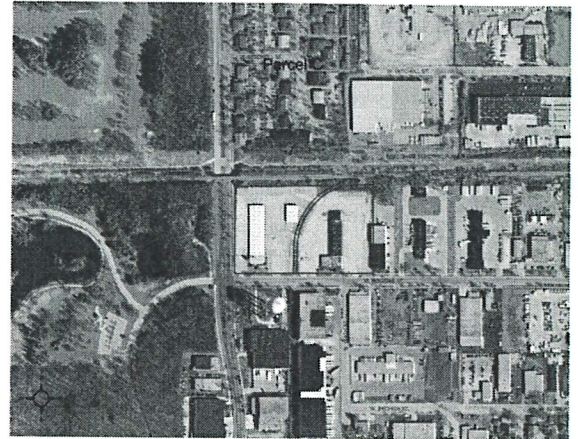
The 116<sup>th</sup> & Rogers Redevelopment Area consist of 9.585 acres of land that is split by a privately-owned railroad spur easement. The site was formerly occupied by a trucking terminal located at S. 116<sup>th</sup> St. and Rogers St.

The Redevelopment Plan encompasses three (3) properties within an industrial area: one (1) property to the west, located at 11528 W. Rogers St., owned by the CDA; one (1) parcel to the east, located at 11406 W. Rogers, owned by the CDA; and one (1) parcel, located at 114\*\* W. Rogers St, owned by D.H. Overmyer. The chart below indicates how parcels will be referenced in the rest of this document:

Parcel ID	Address	Parcel Number	Owner
Parcel A	11528 W. Rogers St.	481-9993-010	CDA
Parcel B	11406 W. Rogers St.	481-9993-013	CDA
Parcel C	114** W. Rogers St.	481-9993-012	D.H. Overmyer

**D. Location**

This project will be referred to as the 116<sup>th</sup> & Rogers Redevelopment Plan, the "Project". The Project Area is centrally located within the northeastern part of the City and bounded on the **west** by S. 116 St. and public park space; on the **north** by the Union Pacific Railroad and multi-family and light industrial properties; on the **south** by W. Rogers St. and light industrial properties; and on the **east** by light industrial properties. The total area of the District is approximately 9.585 acres.



**E. Blighting Influences**

There are three distinct causes of blight in the Project Area – 1) Presence of substandard environmental conditions on various properties; 2) Presence of a substantial number of deteriorated and deteriorating buildings and improvements; and, 3) property left with conditions of abandonment, disrepair, and economic obsolescence.

**1) Presence of substandard environmental conditions on various properties.**

The properties' expansion, redevelopment, or reuse is complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant.

*11528 W. Rogers (Parcel A):* The approximately 4.6 acre property was historically used as a truck terminal, since its development in 1969. Before the property was developed, it was used agriculturally. The site became vacant in 2008. The primary concern relating to the potential redevelopment of the site is based on the presence of a closed Leaking Underground Storage Tank (LUST) site in the east central area of the property. The LUST case was granted closure by the WDNR with petroleum-impacted soil remaining in place. The conditions of closure require a direct contact barrier (cap) over a portion of the affected area where soil impacts above the direct contact Residual Contaminant Levels (RCLs) are present within four feet of the ground surface. In addition, the volume of soil that may require disposal at a regulated facility, if excavated, is somewhat larger than the required cap area.

*11406 W. Rogers (Parcel B):* Prior to initial development, the subject property was agricultural land. The subject property was developed with the current freight-transfer and maintenance buildings in 1969 and was occupied by Yule Truck Lines, Inc (Yule). Yule conducted freight transfer operations at the subject property from the time of initial construction until



approximately 1971. Yellow Equipment and Terminals Inc. purchased the property in 1971 and conducted freight transfer operations at the subject property from 1971 until 2008. The subject property has been vacant since 2009. The site also has a closed Leaking Underground Storage Tank (LUST) case in the western portion of the property. This LUST case was also granted closure by the WDNR with petroleum-impacted soil remaining in place. In addition, foundry sand fill material and associated low-level soil and groundwater impacts were detected on the eastern portion of the property. WDNR has requested additional investigation to define the extent of the fill materials on the subject property. The investigation is planned to be conducted after demolition of site structures is complete.

**2) *Presence of substantial number of deteriorated and deteriorating buildings and improvements.***

The area can be characterized as an older, deteriorated commercial site consisting of abandoned and vacant truck terminals and office buildings. In addition, the rail road spur parcel is abandoned, paved over in places and exhibits a deteriorated condition. Based on the survey conducted by the Building Inspections and Neighborhood Services Department, all properties within the defined area of the Plan exhibit conditions of blight and meet the definition of "blighted area," as defined in Wisconsin State Statutes Section 66.1333(2m)(b).

*11528 W. Rogers (Parcel A):* The main building was specifically designed for operation as a truck terminal, with elevated loading docks, overhead doors, etc. Any other use would require significant renovation or demolition. Prior to renovation or demolition, asbestos abatement would be required. Regulated asbestos-containing materials were documented in the structure, including ceiling tile in the dispatch office, mud joint pipe fittings throughout the lower level of the building and window glazing in the office building and maintenance building. In addition, floor tile and mastic also contained asbestos, which may also require abatement, if the material becomes friable due to demolition or renovation. Other materials that are considered hazardous relative to future potential demolition or renovation are the fluorescent light fixtures and ballasts, and mercury-containing light fixtures.

*11406 W. Rogers (Parcel B):* This building was also specifically designed for operation as a truck terminal, with elevated loading docks, overhead doors, etc. Any other use would require significant renovation or demolition. In addition, this building has also experienced significant water damage, which has been identified by several potential purchasers as a deterrent for purchase. Mold has been observed throughout the lower level of the office building. The mold could be abated; however, site regrading and/or other preventative measures would also need to be conducted to eliminate future water problems. Prior to renovation or

demolition, asbestos abatement would be required. Regulated asbestos-containing materials were documented in the structure, including window caulk, brick/concrete patch, transite panels above the truck terminal bay doors, caulk on transite window blanks, roof patch material, floor tile mastic, first floor ceiling tile, original floor tile and mastic throughout the office building, mastic behind the wood paneling, fire door, vault door, toilet wax rings and electrical system components. Other materials that are considered hazardous relative to future potential demolition or renovation are the fluorescent light fixtures and ballasts, thermostats, exit signs, fire extinguishers, batteries, refrigerant, mercury-containing light fixtures and transformers, and/or capacitors in the radio tower cabinet.

*14\*\*\* Spur (Parcel C):* The rail road spur has been in existence since 1969 and is privately owned by D.H. Overmyer Co., Inc. The 0.2844 acre parcel is delinquent in property taxes for numerous years (2002, 2004-2012) and shows signs of distress from the lack of maintenance or use. Through the years, the use of the spur diminished. The spur was eventually paved over between the two parcels stated above (Parcels A and B), fenced off and concreted over on W. Rogers St. The parcel extends easements rights to certain properties generally located south of W. Rogers St. The parcel has limited economic use unless modernized for rail service or combined with abutting parcels for a larger scale development.

**CONCLUSION:** The preponderance of the properties by reason of environmental contamination, obsolescent land uses, deteriorated or unsafe conditions deem these properties to be blighted and impede the orderly redevelopment of the area. As noted in the **Appendix Map No. 3 Existing Property Conditions (Blighted Properties)**, all properties within the project area that have been identified as blighted, and exhibit one or more characteristics of blight as defined in s. 66.1333 of Wisconsin State Statutes.

The distressed state and disrepair of a majority of the land mass/number of properties in the area when combined with environmental cleanup liabilities and compounded with the other causes of blight in the Project area, substantially impairs and arrests the sound growth of the community. Furthermore, these factors constitute an economic and social liability and are a menace to the public health, safety, and welfare in its present condition and use. In recognition of all of the above, the area is therefore a blighted area within the meaning of s. 66.1333(6)(b)1 of Wisconsin State Statutes in need of blight elimination, slum clearance and an urban renewal project.

## II. Project Activities

### A. Description of Activities

The activities within the Redevelopment Area are designed to encourage redevelopment of the existing former trucking terminal and the abandoned railroad spur. The following activities are essential to removing the current barriers to private redevelopment.



The Project includes the acquisition of two, 4.6-acre parcels and potential acquisition of the .2844-acre railroad spur and associated easements. The redevelopment will include the demolition of the current trucking terminals and removal of the excessive asphalt that covers over 75 % of the site.

The concept for redevelopment is the conversion of the site into contemporary office and/or light industrial uses. Optimal redevelopment of the site would have two 70,000-80,000 sq. ft. offices or one 125,000-175,000 sq. ft. light industrial use.

Buildings would consist of quality building materials such as brick, precast stone and cast stone, common size brick, concrete masonry as a secondary material, ornamental metals as an accent material, stucco, and EIFS limited to less than 10%.

The new development will be selected on the incorporation of sustainable design on the environment and workers. Design refers largely to the physical layout of the facility itself. It includes both interior and exterior design elements that include energy efficiency and green technologies such as natural lighting, landscaping, stormwater retention, etc.

## **B. Proposed Improvements and Projects**

The following is a list of proposed improvements and other projects that the City expects to implement in the Tax Increment Financing District associated with the Redevelopment Area. Any costs necessary for the creation of the District or related to the proposed improvements are considered "project costs" and are eligible to be paid with tax increment revenues.

- Property Acquisition for Redevelopment. To foster and facilitate redevelopment within the District and to obtain environmental remediation/assessment grants, the CDA may acquire property within the District. Costs associated and related to the acquisition of real estate are eligible costs. Any revenue received by the CDA from the sale of property for redevelopment will be used to reduce the project costs for the District. If total Project Costs incurred by the CDA to acquire property and make it suitable for redevelopment exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered "real property assembly costs" as defined in Wis. Stats. Section 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Costs.
- Site Preparation. Environmental audits and remediation are necessary activities to prepare the site for redevelopment. Based on WDNR records, there are environmental concerns that require further testing and research. Any costs incurred by the CDA related to environmental audits, testing, and remediation are eligible Project Costs.
- Developer Incentives. The CDA will negotiate and execute developer agreements that provide for the optimal redevelopment. The Project may include the CDA entering into agreements with property owners, lessees, or developers of land located within the District for the purpose of attracting development and obtaining sufficient tax base to recover project costs.

- Demolition. In order to remove blight, provide greater site access and allow for optimal re-use of existing structures, demolition is proposed to take place within this District.
- Stormwater. All applicable stormwater requirements of local and overlying jurisdictions will be adhered to, which may require investments in stormwater infrastructure.
- Professional Service and Organizational Costs. The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include, but are not limited to: architectural; environmental; planning; engineering; legal, audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.
- Administrative Costs. The CDA may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees in connection with the implementation of the Plan.

### C. Development Options

There are multiple development options regarding the three parcels that include 1) development on all parcels with two separate buildings of approximately 70,000-80,000 sq. ft. each; and, 2) development over all three parcels with an industrial development of 125,000-175,000 sq. ft. The overall estimated development value would be \$10-\$13 million. The development options would include light industrial uses and flex space office/industrial uses. Complementing green space would be provided around the building and parking lot to enhance the development and neighborhood. Further, new stormwater controls would be installed to meet WIDNR and MMSD requirements. Acquisition of all parcels within the Project Area by the CDA may need to take place in order for future development to occur.

### III. Statement of Project Area

The Project Area is generally known as the 116<sup>th</sup> & Rogers Redevelopment Area. The legal description is provided in **Exhibit No. 1 - Legal Description** and the area is depicted on **Map No. 2 - Boundary Area**.

The boundaries are identical to the boundaries of Tax Increment Finance District No. 10. The goals and objectives set forth in the Redevelopment Plan are consistent with those of the Tax Increment Finance District.

### IV. Description of Project

**A. Project Objectives.** The objectives of the 116<sup>th</sup> & Rogers Redevelopment Plan are as follows:



1. Eliminate vacant, obsolescent, disinvested, and environmental deficiencies that detract from the functional unit, aesthetic appearance and economic welfare of the 116<sup>th</sup> and Rogers Redevelopment Area.
2. Prevent the recurrence of blight and blighting conditions.
3. Eliminate underutilized land and inconsistent land uses.
4. Support the adaptive reuse and rehabilitation of structures that are feasible for continued uses.
5. Assemble land into parcels functionally adaptable with respect to shape and size for disposition and redevelopment in accordance with development needs and standards.
6. Foster linkages through redevelopment to surrounding park, light industrial and residential uses.
7. Remove vacant, deteriorated, obsolescent, blighted and structurally substandard buildings for uses permitted in this Plan.
8. Provide for the orderly physical and economic growth of this portion of the City through planned and controlled redevelopment.
9. Create redevelopment activities included in this Project that are consistent with the uses permitted the Plan and consistent with the needs of the surrounding area and the community as a whole.
10. Work to develop a "unique" or "sense of place" to the district or redevelopment area through the incorporation of existing themes, architectural statements, or the addition of commercial or industrial uses.
11. Assure that redevelopment projects incorporate architectural design, site planning, landscaping, signage, lighting, public art and other amenities that are aesthetically pleasing and compatible with development in the area.
12. Assist in securing economic development loans and/or grants to qualified redevelopers consistent with the goals and objectives of this Plan.
13. Stimulate private redevelopment that will increase the tax base of the City of West Allis and stimulate business activity in the area.

**B. Redevelopment Actions.** The general redevelopment actions included in this Plan are those broadly described in S. 66.1333, Wis. Stats., and include, without limitation thereof, the following: acquisition by purchase, eminent domain or otherwise, of real property and associated easements in the Project Area; demolition, vacation of public right of ways, and removal of all buildings, structures and other improvements acquired by the CDA, which are not to be retained or rehabilitated on-site; installation, construction or reconstruction of site and Project Improvements including streets and utilities deemed necessary to support land uses in the area after redevelopment; imposition of land use restrictions and controls; and, disposition by sale, lease or dedication for public purposes of land or improved property acquired in the Project Area, in accordance with the provisions of this Plan.

This Plan is intended to eliminate blight in the Project Area and prevent the development or spread of blight, and to foster redevelopment that is consistent with the stated Plan objectives.

Required vacations of public right of way, replatting and rezoning shall be accomplished by separate actions in accordance with the procedures specified in applicable provisions of local ordinances and Wisconsin Law.

Specific actions deemed necessary to achieve the objectives of this Plan require a combination of public and private actions directed primarily at accomplishing the following:

1. Elimination of blighting influences;
2. Removal of incompatible uses, buildings and structures;
3. Acquisition of vacant buildings, underutilized land, other real property or associated easements tied to real property, which are deemed necessary for the assemblage or disposition of parcels of suitable size and shape for the uses permitted in the Plan;
4. Demolition of structurally substandard and obsolescent buildings;
5. Rehabilitation and adaptive reuse of properties that will contribute to the goals of this Plan;
6. Provision for public and private utilities and other public improvements needed to attract and support new uses in the area after redevelopment;
7. Renewal and modification, where and as necessary, of public infrastructure including the street and alley system and the traffic circulation patterns in and immediately adjoining the Project Area to reduce hazards, improve traffic circulation and other amenities (signage, lighting, public art) that are aesthetically pleasing and compatible with development in the area; and,
8. Eliminate and remediate environmental deficiencies that detract from the redevelopment value of the property.

**C. Acquisition.** All real property and associated easements to be acquired are necessary or incidental to the implementation of this Project, as identified on **Map No. 4 - Proposed Property Acquisitions**. The **Schedule of Land to be Acquired** is also provided as **Exhibit 3**. Two (2) of the properties within the Redevelopment Plan, 11406 and 11528 W. Rogers St., are already owned by the Community Development Authority of the City of West Allis.

**D. Disposition.** The general location and extent of land needed for Project Improvements, public right of ways, easements, and conveyance for redevelopment in accordance with the uses, requirements and controls set forth in Section V and in other applicable sections of this Plan, are shown on **Map No. 5 - Existing & Proposed Land Use**.

Parcels acquired for development may be marketed via a "Request for Proposals" or other means, as appropriate. The properties will be sold for private development for use(s) in accordance with this Plan or approved modifications, and which reflect the lands for disposition under the provisions of Section IV (B) above.

To foster and facilitate redevelopment within the District, the Plan outlines the acquisition of property within the District. Costs associated and related to the acquisition of real estate and associated easements are eligible costs under tax increment financing. Any revenue received by the City from the sale of property



for redevelopment will be used to reduce the project costs for the District. If total Project Costs incurred by the City to acquire property and make it suitable for redevelopment exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered "real property assembly costs" as defined in Wis. Stats. Section 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Costs.

All land and improved property will be sold by warranty deed in accordance with the provisions set forth in Wis. Stats. Section 66.1333(9), and with the disposition policy established by the CDA for achieving the development objectives stated in this Plan.

## V. Land Use Plan

In order to achieve the objectives of this Plan, all development proposals for land within the Project Area will be subject to the regulations specified in this Plan and applicable State and City codes and ordinances. In those instances where the provisions and regulations set forth in this Plan are more restrictive than those prescribed in applicable State and local codes and ordinances, as may be amended from time to time, the more restrictive regulations imposing a higher standard shall govern, unless otherwise specifically waived by the Common Council.

- A. Land Use Zoning Provisions.** Existing land uses within the project area can be categorized as industrial. There are currently no tenants in any of the buildings within the Plan Area. All buildings are currently vacant. The Comprehensive Land Use Plan for the City identifies this area as a location desirable for industrial and commercial development. The Project Area is currently comprised of one (1) zoning district: M-1 Manufacturing District. Please refer to **Map No. 5 – Existing & Proposed Land Use** and **Map No. 6 - Existing & Proposed Zoning**.

The appropriateness and compatibility of proposed uses will be determined by the CDA prior to land disposition or the execution of any instruments involving rehabilitation and/or construction loans. For purposes of redevelopment, the zoning of the Project Area will continue to be M-1 Manufacturing District, and the use restrictions for the property shall be in accordance with the M-1 Manufacturing District, as found in sec. 12.45 of the Revised Municipal Code.

- B. Building Requirements.** Building requirements and other development controls for permitted uses in the Project Area shall be specified as a condition of the CDA's acceptance of any offer to purchase land acquired for disposition or for the granting of any rehabilitation or construction loan. In order to provide for the best utilization of the project site with relation to topography, open space and recreation areas, structure location and design flexibility will be allowed in the establishment of population density, setback and side yard restrictions, maximum lot coverage and floor area ratio. Generally, land coverage, building density, orientation, height, design, and setbacks shall be appropriate for the location, type, and character of the development and use contemplated. Minimum requirements are as follows:

- 1. Setback requirements.** All setbacks shall be in accordance with the M-1 Manufacturing District.

2. **Off-Street Parking.** In accordance with Section 12.19 RMC, off-street parking and loading facilities for commercial uses shall be located underneath or in the rear of the building, unless there is no feasible alternative.
3. **Off-Street Loading Spaces.** Off-street loading spaces shall be provided as required by the West Allis Zoning Ordinance and shall be located either wholly within the building or, if located outside the building, shall be located in the rear of the building, unless there is no feasible alternative.
4. **Other Development Controls.** (Subject to Plan Commission review)
  - a. **Open Storage.** Open outdoor storage of materials shall be appropriately screened and approved by Plan Commission. All trash containers, including dumpsters, must be fully (four-sided) enclosed by a solid wall or fence, with a personnel door, that matches the building facade and provides a suitable visual screen. Such wall shall be of sufficient height to cover the material stored and shall be maintained so as to present a good appearance at all times. The Plan Commission shall approve the location and type of screening material and may also recommend covering the enclosure area with a roof or canopy structure to limit lines of sight from adjacent uses.
  - b. **Landscaping.** Landscaping is a required improvement and an integral part of any development. Site perimeters, all required setback areas, parking lot landscape islands and building foundations shall be landscaped with appropriately spaced trees and shrubs and with grass and/or other suitable ground cover material. Landscaped material shall be suitable to climate, soil conditions and the intended use and shall be sufficient size and density to create an "immediate environment." Minimum tree caliper size shall be 2.5 inches.
  - c. **Exterior Design.** Building design, scale, construction materials and color finish shall be compatible with, and complementary to, those of major existing buildings in the surrounding area. Four-sided architecture is required. The predominant material shall be masonry and include brick, stone or a decorative masonry block. The use of EIFS and similar products is permitted, but only on the upper portions of a building, and in limited quantities (not to exceed 10% of exterior building surface). Such applications shall feature a unique application technique to create an articulation of surfaces. Shadow lines, scored surfaces, checkered/contrasting patterns are some examples to promote visual design interest. The use of high-quality, durable materials is encouraged. Window openings are required on all four building elevations. Accent or amenity lighting of exterior facades should be considered to create a desirable nighttime effect. No lighting is permitted to shine onto adjacent properties or street right of ways.



- d. **Energy Efficiency.** The new development is encouraged to incorporate sustainable design on the environment and workers. Design refers largely to the physical layout of the facility itself. It includes both interior and exterior design elements that exemplify energy efficiency and green technologies, such as natural lighting, a green roof to absorb and clean water, landscaping, stormwater retention, etc. The City will encourage the developer to utilize "green building" principles.
  - e. **Signs.** The type, size and location of all proposed signage shall be approved to promote the environmental aesthetics of specific premises and the image of the Redevelopment Project as a whole. Buildings intended primarily for rental should be designed with a sign frieze to assure uniformity and continuity of style. Signage shall be in accordance with sec. 13.21 of the Revised Municipal Code.
  - f. **Accessory Structures.** The location, size and design compatibility of all permitted accessory buildings and structures, such as garages, maintenance buildings, etc., shall be approved prior to construction. The term "accessory structure" also refers to ground-mounted telephone and electrical transformers, gas meters, ground-mounted air conditioners, exhaust ducts, etc. Such buildings and structures are not to be located within the required setbacks.
  - g. **Stormwater Management.** The buildings shall be adequately serviced by storm water gutters and downspouts and are subject to approval by the Director of the Building Inspections and Neighborhood Services Department. Stormwater quality, detention and/or retention regulations, as established by the WDNR, MMSD or other governing entities, shall be incorporated as necessary.
  - h. **Roof Tops and Equipment Screening.** Sustainable architecture/green techniques shall be given consideration as part of each project proposal. All roof-mounted equipment shall be appropriately screened, preferably by a parapet wall. Consideration of alternate equipment screening materials will be given if compatible with the architecture of the main building and approved by the Plan Commission.
- C. **Duration of Land Use Plan.** The land use provisions, building requirements and other development controls enumerated herein shall be in full force and effect from the date the Redevelopment Plan is certified to the Common Council of the City of West Allis by the CDA provided in s. 66.1333, Wis. Stats. They will continue to be in force and in effect until modified by the Common Council, upon recommendation by the CDA.
- D. **Applicability of Land Use Plan.** After approval and certification of the 116<sup>th</sup> and Rogers Redevelopment Plan, no new construction shall be authorized by any agencies, boards or commissions of the City, in such area, unless authorized by

the CDA, including remodeling or conversion or rebuilding, enlargement or extension of major structural improvements on existing buildings, but not including ordinary maintenance or remodeling or changes necessary to continue occupancy.

## VI. Project Proposals

**A. Developer's Obligations.** Each developer will be required to abide by the covenants, restrictions, and provisions set forth in the agreement for land disposition and conveyance executed pursuant thereto including, but not limited to, the following:

1. Developers shall submit all Project redevelopment proposals for review and may be selected via a "Request for Proposal" or another process. Proposals will be illustrated and shall consist of architectural, site development and landscape plans, signage, and other appropriate supporting narrative or data to establish general conformity with the provisions and criteria set forth in Section V of this Plan.
2. The developer and any successor in interest shall devote the land only to the uses specified and approved in this Plan. The developer shall also carry out, or cause to be carried out, the approved Project Plan and modifications or amendments thereof, including any additional standards or regulations or urban design designated for the proposed use.
3. Within a reasonable period of time, as determined and approved by the CDA, the developer shall begin and complete the redevelopment of the land, as described within an approved Purchase and Sale Agreement and Development Agreement.
4. The developer shall not sell, lease, or otherwise transfer such land at any time, prior to completion of the development thereof.
5. The developer shall be required to comply with all applicable local and State codes, ordinances, regulations and statutes.
6. A developer shall submit information evidencing that they have made appropriate arrangements for financing the construction of the Redevelopment Project, submit a brief outline of the project costs for completing improvements, and a designation of the sources of financing and/or equity contributions that will be used by the developer to fund such cost.

**B. Design Review.** Redevelopment proposals shall be submitted to the CDA and referred to the Plan Commission of the City of West Allis for architectural design and site review. Proposals shall be sufficiently complete in form and content to permit meaningful evaluation. Approval of any proposal by the Plan Commission shall be subject to final determination by the CDA that such proposal conforms with the Redevelopment Plan.

The objectives and criteria to be used by the CDA in determining the acceptability of any project proposal include, but are not limited to, the following:



1. Quality and kind of construction materials, architectural and landscape design proposed for both new construction and rehabilitation;
2. Compatibility of internal vehicular and pedestrian circulation systems with adjoining areas;
3. Size, shape and orientation of proposed buildings and structures in relationship to the nature and scope of the development contemplated;
4. Orientation of proposed buildings and structures and relationship to street frontages, to each other and to surrounding existing buildings and structures; and,
5. Extent to which the uses and development (including signage) meets or exceeds the Redevelopment Plan objectives and requirements.

**C. CDA's Obligations.** The CDA will assist coordination with the Department of Building Inspection and Neighborhood Services to furnish the developer with an appropriate certificate, upon the satisfactory completion of all building construction and other related improvements specified in the final construction plans approved for development. Until the CDA so approves or certifies, the developer shall have no power to convey the real property, or any part thereof, as provided by Wisconsin Law and the agreements executed pursuant hereto.

## VII. Conformance with State and Local Requirements

- A. Conformance to the General Plan of the City.** This Plan was duly considered and determined to be in general conformity, in principal, with the City's Comprehensive Land Use Plan by the City's Plan Commission.
- B. Relationship to Definite Local Objectives.** This Plan has been carefully established to generally conform to the following objectives:
1. **Appropriate Land Use.** The proposed land uses will generally conform, in principal, to those permitted by City zoning ordinances and the "West Allis Comprehensive Plan 2030" dated February 18, 2011.
  2. **Improved Traffic.** No public right of way improvements to S. 116 St. or W. Rogers St. are proposed as part of this plan.
  3. **Public Transportation.** No changes in Milwaukee County's public transportation system are proposed or necessitated by this Plan.
  4. **Public Utilities.** No major improvements and/or modifications in the storm sewer, sanitary sewer or water are proposed by this Plan. However, since the site is 75% asphalt, the redevelopment will need to meet current MMSD and WDNR storm water retention and clarification requirements.
  5. **Recreational and Community Facilities.** No recreational and/or community facilities are proposed to be constructed or expanded by this Plan; however connections to the West Allis Cross Town Connector Bicycle and Pedestrian Path are encouraged.
  6. **Other Public Improvements.** The repaving and general improvement of streets, sidewalks and curbs, etc. will be undertaken on an "as needed" basis, as authorized by the City of West Allis.
- C. Statement of Project Area.** The boundaries of the Project Area are legally described in Exhibit No. 1 Legal Description hereof and depicted on **Map No. 2 – Boundary Map.**

- D. **Map of Existing Uses.** The existing property conditions are shown on **Map No. 3 – Existing Property Conditions.**
- E. **Land Use Plan of Proposed Uses.** Proposed property acquisition is shown on **Map No. 4 – Proposed Property Acquisition**, existing and proposed land uses are shown on **Map No. 5 – Existing & Proposed Land Use**, and existing and proposed zoning is shown on **Map No. 6 – Existing & Proposed Zoning.**
- F. **Standards of Population Density.** No residential uses are proposed with this Redevelopment Plan.
- G. **Land Coverage and Building Intensity** shall not exceed conditions set forth in Section V of this document.
- H. **Present and Potential Equalized Value for Property Tax Purposes.**

Present (2012)					
Parcel	Land	Improvements	Total	Equalized Value	Taxes (26.0111)
A (11528 W. Rogers St.)	\$ -	\$ -	\$ -	\$ -	\$ -
B (11406 W. Rogers St.)	\$ -	\$ -	\$ -	\$ -	\$ -
C (114** W. Rogers St.)	\$ 6,200	\$ -	\$ 6,200	\$ 5,677	\$ 161
<b>Total</b>	<b>\$ 6,200</b>	<b>\$ -</b>	<b>\$ 6,200</b>	<b>\$ 5,677</b>	<b>\$ 161</b>

Projected					
Parcel	Land	Improvements	Total	Equalized Value	Taxes (26.0111)
A (11528 W. Rogers St.)	\$ 600,000	\$ 3,600,000	\$ 4,200,000	\$ 4,200,000	\$ 109,247
B (11406 W. Rogers St.)	\$ 600,000	\$ 3,600,000	\$ 4,200,000	\$ 4,200,000	\$ 109,247
C (114** W. Rogers St.)	\$ 9,000	\$ -	\$ 9,000	\$ 9,000	\$ 234
<b>Total</b>	<b>\$ 1,209,000</b>	<b>\$ 7,200,000</b>	<b>\$ 8,409,000</b>	<b>\$ 8,409,000</b>	<b>\$ 218,727</b>

<b>Projected Increment</b>	<b>\$ 1,202,800</b>	<b>\$ 7,200,000</b>	<b>\$ 8,402,800</b>	<b>\$ 8,403,323</b>	<b>\$ 218,566</b>
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- I. **Statement of Proposed Changes in Zoning Ordinances or Maps and Building Codes and Ordinances.** The Project Area as shown on **Map 6 - Existing & Proposed Zoning**, is M-1 Manufacturing District. The City of West Allis Official Zoning Boundary Map is proposed to be maintained as noted in **Map 6 – Existing & Proposed Zoning**. No changes are planned for the City Building Codes.
- J. **Statement of Required Site Improvements and Additional Public Utilities.** Site improvements and additional public utilities required to support new land uses in the area after development will be provided by the Developer as needs and conditions dictate. Please refer to **Exhibit 4 - Estimated Redevelopment Costs** for cost estimates of environmental remediation and site improvements to be undertaken by the City.
- K. **Statement of a Feasible Method Proposed for Relocation.** No parties are displaced by the Plan; however, parties with easement rights will be notified of relocation rights per Wisconsin State Law.

**VIII. Procedure for changes in the approved plan**

At any time after the Project Area Plan has been approved by both the Community Development Authority (CDA) and the Common Council of the City of West Allis, it may be modified in accordance with the provisions and procedures set forth in applicable subsections of s. 66.1333, Wis. Stats., as may be amended from time to time.

**IX. List of Exhibits and Maps**

The Exhibits and Maps incorporated into the Redevelopment Plan are by this reference made a part thereof as follows:

**Exhibits**

Exhibit No. 1 – Legal Description

Exhibit No. 2 – Determination of Blight

Exhibit No. 3 – Schedule of Lands to be Acquired

Exhibit No. 4 – Estimated Redevelopment Costs and Net Public Costs

**Maps**

Map No. 1 – Parcel Map

Map No. 2 – Boundary Map

Map No. 3 – Existing Property Conditions

Map No. 4 – Proposed Property Acquisition

Map No. 5 – Existing & Proposed Land Use

Map No. 6 – Existing & Proposed Zoning



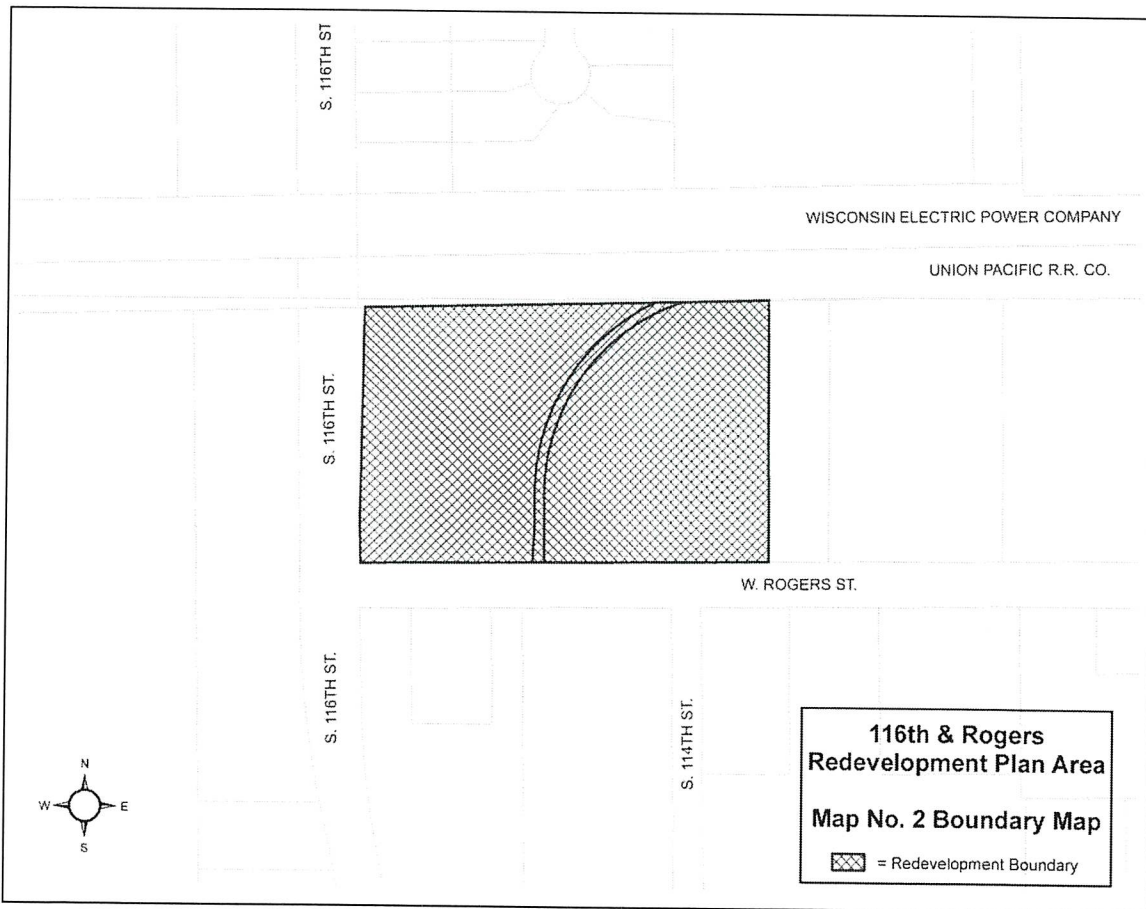
Exhibit No. 1

**116<sup>th</sup> & Rogers Redevelopment Area**

**LEGAL DESCRIPTION:**

Parcel of land located in the Southeast ¼ of Section 6, Township 6 North, Range 21 East, City of West Allis, Milwaukee County, more particularly described as follows:

Beginning at the Southeast corner of Lot A of the Certified Survey Map No. 943; thence Westerly, 816.95 feet along the North right-of-way line of West Rogers Street to the East right-of-way line of South 116<sup>th</sup> Street and Southwest corner of Lot 1 of the Certified Survey Map No. 749; thence Northwesterly, 507.23 feet, along said East right-of-way line, to the Northwest corner of said Lot 1 and South right-of-way line of Union Pacific railroad company; thence Easterly, 804.43 feet along said South line to the Northeast corner of said Lot A; thence Southerly, 519.10 feet to the Point of Beginning.



Said land contains 9.58 Acres, more or less.

## Exhibit No. 2

### DETERMINATION OF BLIGHT



DEPARTMENT OF BUILDING INSPECTIONS &  
NEIGHBORHOOD SERVICES

414/302-8400  
414/302-8402 (Fax)

City Hall  
7525 West Greenfield Avenue  
West Allis, Wisconsin 53214

[www.westalliswi.gov](http://www.westalliswi.gov)

July 24, 2013

City of West Allis  
Department of Development  
7525 W. Greenfield Ave.  
West Allis, WI 53214

RE: Rogers Street, east of 116<sup>th</sup> Street Redevelopment Area Blight Determination

Mr. Schloss:

I have reviewed the above-referenced redevelopment area to determine if the defined area is a blighted area in accordance with the definition in Wisconsin State Statutes Section 66.1333(2m)(b).

My review found the area to have numerous blighting conditions as defined in State Statutes, that when combined, finds the subject area to be a blighted area.

Surveyed properties in the development area included a total of 3 land parcels with uses as follows:

- 2 commercial uses
- 1 vacant abandoned parcel between the commercial uses

Several key factors were considered in my evaluation of the development area, as follows:

- Age of buildings
- State of deterioration and property maintenance
- Provisions for open space and lot layout
- Obsolete platting

#### Building Age

There are a total of (2) main buildings and (1) accessory building on the (2) commercial parcels. The three buildings were all constructed in 1969, which makes them 44 years old.

The age review determines that the area has a predominance of aging structures which would have continual problematic maintenance issues. Also, age is an indication of when the current development occurred. This development area has its beginnings in the mid 1900's and lacks the benefit of new planning principles (i.e. land use – industrial/trucking use adjacent to park land, landscaping and screening, etc.)

#### State of Deterioration and Property Maintenance

All of the properties are vacant and have been abandoned. They all have deferred maintenance to the structures and to the land itself. All of the properties have weeds, asphalt that is cracked and deteriorated, dead landscaping, and fences in disrepair.

The vacant property between the two commercial buildings has abandoned railroad tracks that are overgrown with weeds and trees. Most of the train rails have been removed for (2) driveways and fences that cross the property.

Both of the commercial properties have extensive damage to the facade. There are broken doors and windows on all sides of all three buildings. There are damaged metal panels on the exterior of the walls which prevents the buildings from being weatherproof or rodent-proof. There are piles of rubble and debris around the perimeter of the properties.

#### Provisions for Open Space and Lot Layout

The properties were laid out using outdated planning principals allowing for conflict between use (park land abutting manufacturing/heavy commercial) and other issues regarding landscape buffers at the perimeter of the properties, and landscaping islands within a property. Approximately 90% of the commercial properties have impervious surfaces with no means for storm water management. This puts a tremendous strain on the storm sewer systems.

#### Obsolete Platting

The vacant parcel between the two commercial properties is not a developable parcel. The parcel is an abandoned railroad spur which is no longer in use. The parcel is only approximately 20' wide by 600' long on a curve. In a manufacturing zoned district, there are no uses that would fit on that parcel on its own. There is no driveway access to the lot from the street.

#### Summary Declaration of Blighted Area

I have surveyed the 116<sup>th</sup> St./Rogers Street Redevelopment Area and have determined the defined area to be a blighted area when considering the numerous allowed factors under the definition of "blighted area" in the State Statutes. Therefore, in my opinion, the subject redevelopment area is a "blighted area" as defined in Wisconsin State Statutes Section 66.1333(2m)(b).

Sincerely,



Ed Lisinski, Assistant Director  
Building Inspection and Neighborhood Services

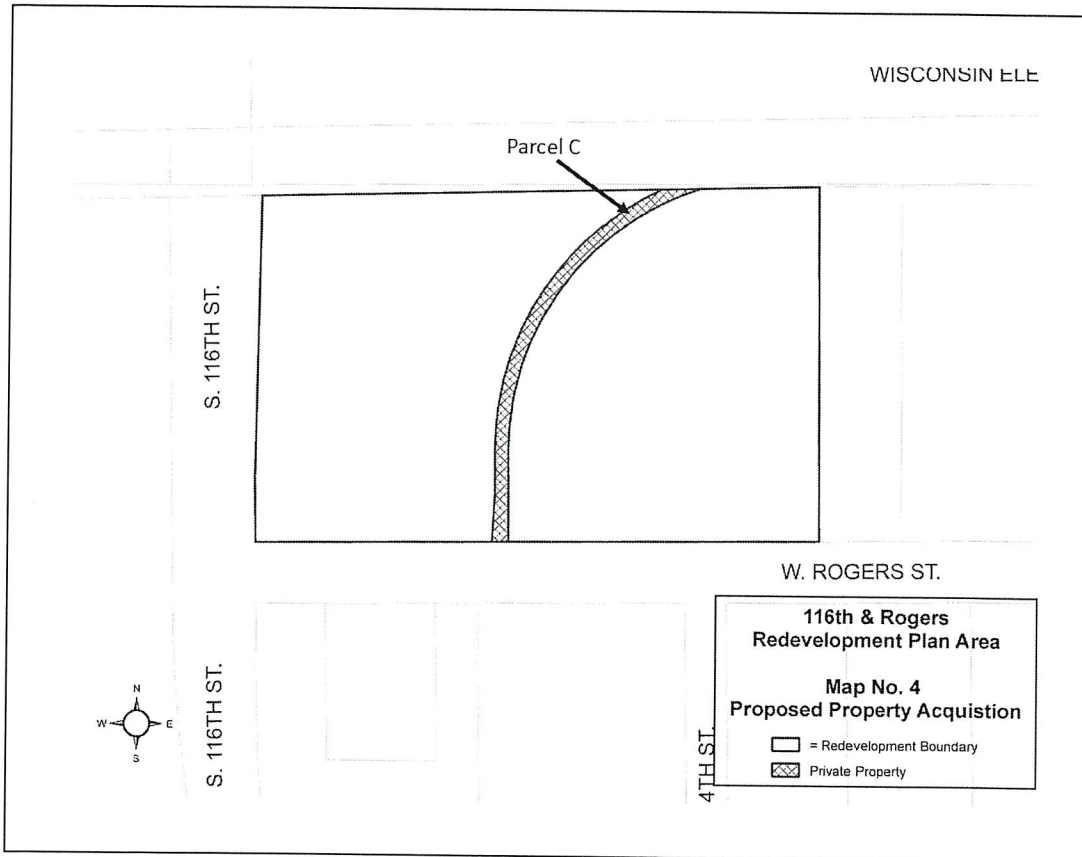
Cc: John Stibal, Director of Development  
Scott Post, City Attorney



Exhibit No. 3

**SCHEDULE OF LAND TO BE ACQUIRED**

Project ID	Tax Key No.	Property Address	Owner's Name	Tenant/Use	Acreage
Parcel C*	481-9993-012	114** W. Rogers	DH Overmeyer	Abandoned Rail Spur	.284



\* As well as any associated easements

Exhibit No. 4

**ESTIMATED REDEVELOPMENT COSTS & NET PUBLIC COSTS**

<b>Project Activity</b>	<b>TIF Plan Budget</b>
1. Acquisition	\$2,700,000
2. Relocation	\$0
3. Environmental Clean-Up	\$157,000
4. Demolition	\$315,000
5. Public Infrastructure	\$0
6. Administration	\$255,000
7. Interest Expense	\$0
8. Contingency	\$135,000
<b>TOTAL</b>	<b>\$3,562,000</b>

**Net Public Costs: \$444,099 – Amount borrowed to complete redevelopment efforts**

<b>Projected Revenue Sources</b>	<b>Budget</b>
1. Land Sales	\$500,000
2. Grants (Brownfield, SAG, Ready-for-Reuse)	\$127,000
3. New Market Tax Credit Funds	\$345,000
4. TIF	\$2,590,000
<b>TOTAL</b>	<b>\$3,562,000</b>

# Maps

