



# FORMER HOME JUICE AREA REDEVELOPMENT PLAN



Prepared by:  
Department of Development  
City of West Allis  
[www.westalliswi.gov](http://www.westalliswi.gov)  
(414) 302-8460

April 19, 2011

## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
II.	PROJECT ACTIVITIES .....	8
III.	STATEMENT OF THE PROJECT AREA .....	10
IV.	DESCRIPTION OF PROJECT .....	10
	A. Plan Objectives	
	B. Redevelopment Actions	
	C. Acquisition	
	D. Disposition	
V.	LAND USE PLAN .....	13
	A. Land Use Zoning Provisions	
	B. Building Requirements	
	C. Duration of Land Use Plan	
	D. Applicability of Land Use Plan	
VI.	PROJECT PROPOSALS .....	15
	A. Developer's Obligations	
	B. Design Review	
	C. CDA's Obligations	
VII.	CONFORMANCE WITH STATE AND LOCAL REQUIREMENTS .....	17
	A. Conformance to the General Plan of the City	
	B. Relationship to Definite Local Objectives	
	C. Statement of Project Area	
	D. Map of Existing Uses	
	E. Land Use Plan of Proposed Uses	
	F. Standards of Population Density	
	G. Land Coverage and Building Intensity	
	H. Present and Potential Equalized Value for Property Tax Purposes	
	I. Statement of Proposed Changes in Zoning Ordinances or Maps and Building Codes and Ordinances	
	J. Statement of Required Site Improvements and Additional Public Utilities	
	K. Statement of a Feasible Method Proposed for Relocation	
VIII.	PROCEDURE FOR CHANGES IN THE APPROVED PLAN .....	19
IX.	LIST OF EXHIBITS AND MAPS .....	19

## I. INTRODUCTION

### ROLE OF REDEVELOPMENT PLAN:

The Community Development Authority of the City of West Allis (CDA) has directed the Department of Development staff to prepare a Redevelopment Plan, allowing the 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 rehabilitation or conservation in a project area, or any combination or part of the undertakings and activities. The CDA held a public hearing on

April 12, 2011, declaring the existence of substandard, deteriorated, slum and blighted areas and blighted properties, which are a matter of local concern.



### EXECUTIVE SUMMARY:

Four (4) properties, including three (3) former Kenosha Home Juice Sales Corp. properties and one (1) single-family residential property, all located within a commercial area along the west side of S. 113 St., south of W. Greenfield Ave., possess numerous conditions of slum and blight. All four (4) properties contain some type of environmental contamination, with Parcel I and Parcel IIA (see parcel chart below) (owned by Home Juice and a private individual) comprising of the highest level of contamination, right along their shared property line. One parcel clean-up cannot occur without clean-up of the other parcel—the remediation on both Parcel I and Parcel IIA needs to occur simultaneously, and remediation is required by the Wisconsin DNR.

While the owner of the three (3) former Home Juice parcels can afford to clean-up the contamination on his Parcel IIA, the individual that owns the residential property (Parcel I), cannot afford the clean-up expenses for his half of the contamination. This blighted commercial area is no longer feasible for future development until the whole extent of contamination is addressed and cleaned.



The City has offered to assist the property owners with the environmental remediation process in the form of state and/or federal grants. The grants would need to be applied for through a competitive process. However, the only way to qualify for the applicable grants, is if the applicant owns the project properties.

A private developer is interested in assembling the four (4) properties for a \$1.7 million commercial office development. However, due to the known contaminants, the clean-up

expenses, and potential drawn-out litigation, there is a strong chance the developer could find another location and walk away. The recognized and perceived environmental conditions of the site as well as the property's conditions restrict the interest and investment of private developers.

If the CDA were to take ownership of the properties and provide environmental indemnification to the new owner, the development could take place much quicker, as the contaminated land is located in the back of the property and construction could commence in the front during the clean-up process. However, if the CDA provides environmental indemnification, the CDA has to be sure that sufficient financial resources are available to provide the clean-up and fulfill the CDA's responsibility under the provided indemnification.

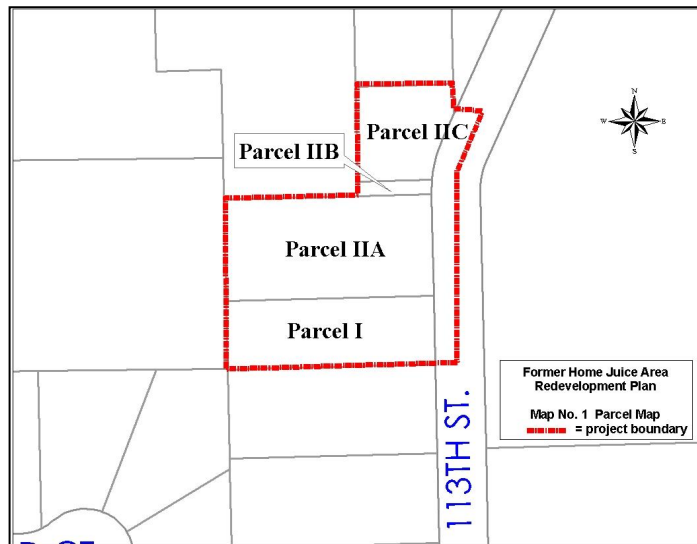
The CDA has conducted extensive environmental investigation using EPA funding, fully characterizing the extent of contamination between the Parcel I and Parcel IIA shared property line. Clean-up costs are estimated to be \$500,000. Kenosha Home Juice Sales Corp. has pledged the proceeds of a potential private land sale, approximately \$390,000, to pay for their half of the clean-up costs.

The CDA has approved a Tax Increment Finance (TIF) District (TIF # 13 – Former Home Juice Area) in conjunction with this Redevelopment Plan, to help assist with environmental clean-up of the S. 113 St. blighted area. There would not be sufficient tax increment to clean-up Parcel I without grants. The CDA will seek state and federal assistance to affray the cost of clean-up. The TIF District is infeasible without grant funding for the project. The TIF District will not be executed and no TIF funds will be expended until sufficient grant funding has been secured.

**SITE HISTORY:**

The Redevelopment Plan encompasses four (4) properties within a commercial area: three (3) parcels to the north, owned and formerly operated by Kenosha Home Juice Sales Corp, located at 1445, 14\*\* and 1433 S. 113 St.; and one (1) single-family residential property to the south, located 1501 S. 113 St. The chart below indicates how all parcels will be referenced in the rest of this document:

<b>Address</b>	<b>Parcel Number</b>
Parcel I	1501 S. 113 St.
Parcel IIA	1445 S. 113 St.
Parcel IIB	14** S. 113 St.
Parcel IIC	1433 S. 113 St.

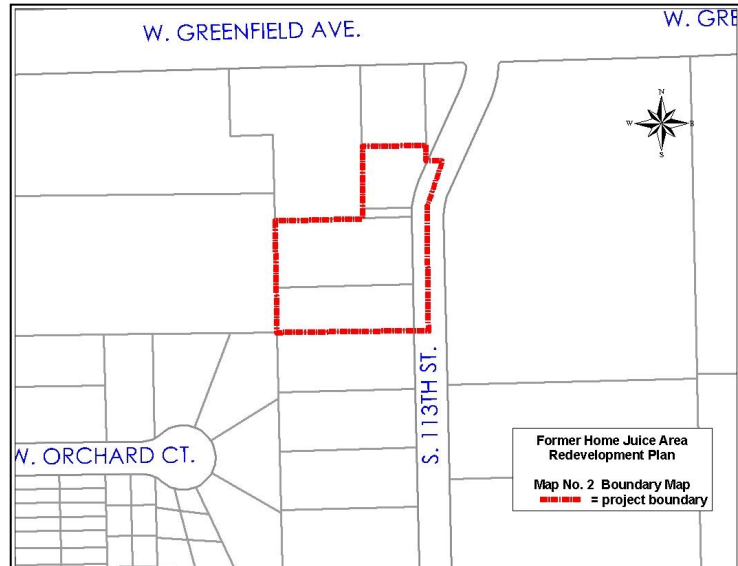


The Home Juice parcels (Parcels IIA, IIB and IIC) consist of, from south to north: (IIA) a 0.734-acre parcel located at 1445 S. 113 St., with a vacant 4,200 sq. ft. commercial/flex space building; (IIB) a 0.036-acre vacant parcel located at 14\*\* S. 113 St.; and, (IIC) a 0.291-acre parcel located at 1433 S. 113 St., with a vacant 1,140 sq. ft. vacant commercial/garage building.



The house on Parcel I, approximately 1,700 sq. ft. in area, was constructed in 1948. In 1980 it was purchased by Waracheck Construction and used as an office and contractor's yard. In 1993 the property was purchased by another party and used as offices for a decking business. In 1995 the property was purchased by Mr. Alan Peters who used the house as his primary residence, but used the yard as an exterior storage area that contained old cars, debris, junk, etc., all of which was not permitted on the property. Between 1995 and 2008, Mr. Peters received many citations from the City of West Allis for noncompliance of exterior storage.

On September 12, 2007, Parcel I was foreclosed upon by JP Morgan Chase Bank/GMAC. The bank allowed Mr. Peters to remain as a tenant until he left the state in 2009. JP Morgan Chase Bank/GMAC, on August 31, 2010, sold the property to an individual for residential use. The new owner has implied that the bank did not disclose contamination of the site. The new private owner cannot afford the required clean-up that comes with ownership of this residential parcel and approached with City with interest in selling the property for a larger redevelopment opportunity in conjunction with the Home Juice parcels.



The main building located on Parcel IIA was constructed in 1960 and the garage building located on Parcel IIC was constructed in 1955. Based on interviews and review of historical records, the Home Juice parcel was occupied by a juice distribution company from 1960 to 2006 and was undeveloped or used as an agricultural field prior to 1960. The garage parcel has been owned by Home Juice since 1984 and was occupied by an auto repair business in the early 1990s. The garage parcel was undeveloped or used as an agricultural field prior to 1955. It appears that at one time the garage parcel was included with the adjoining property to the north (11321 W. Greenfield Ave.). Historically, the center parcel has consisted of undeveloped land since as early as 1960 and was likely included as part of the Home Juice property.

A Phase I and limited Phase II environmental site assessment (ESA) were conducted on the three (3) Home Juice parcels in 2006. The ESA identified caution and the need for environmental remediation if future underground development were to take place in the area of a closed leaking underground storage tank (LUST). No tetrachloroethene (PCE) was found in 2006, and other contaminants were minor and below regulatory levels that they could be solved with a cap.

In 2008, AECOM, on behalf of the CDA, completed a Phase I ESA on the Home Juice parcels, and later in the year, AECOM was retained by Home Juice to conduct an updated Phase I ESA. AECOM conducted a Phase II ESA of the Home Juice Property in 2009, which was funded by a City of West Allis Environmental Protection Agency (EPA) grant, resulting from the presence of chlorinated solvents detected in groundwater monitoring wells installed as part of a LUST remediation system. The results of the Phase II indicated the presence of tetrachloroethene (PCE) in groundwater above regulatory standards along the south property line of Home Juice. The WDNR was first notified of a potential release on Parcel II when an off-site exemption request was submitted, March 13, 2009, on behalf of the adjacent property owner, Home Juice Sales Corporation. Contamination on Parcel I was later confirmed and the results were submitted to WDNR in a letter report dated November 17, 2009. A Site Investigation and Remedial Action Options Report, focused on the PCE impacts on both the subject property and the adjacent Home Juice property, was submitted to WDNR July 22, 2010. The PCE levels will require active remediation. The source of impacts was not confirmed but it is suspected that the dumping of contaminants took place near the property line between Parcels I and IIA. Environmental clean-

up of the newly found contaminant along the shared property line is estimated to be at least \$500,000.

The presence of contamination and the inevitability of environmental remediation on these subject properties greatly hinder the ability to redevelop these four (4) parcels. A developer would not purchase contaminated/blighted properties and spend his/her own resources to clean-up the sites for future development. The City of West Allis is seeking Wisconsin Department of Natural Resources and Wisconsin Department of Commerce grants for the environmental clean-up of the area. Some of the grants, if awarded, may require municipal ownership of one or more the properties. Acquisition of the properties within the Project is the City's option of last resort, however, it may be necessary in order to achieve environmental clean-up and development of the Project Area.

In response to the influence of environmental contamination, blight and vacancies, the City has prepared this neighborhood redevelopment plan in an effort to evaluate how deteriorating conditions can be arrested, and properties redeveloped. The Home Juice properties are on the market voluntarily and are being considered for acquisition for redevelopment by the City of West Allis. The owner of Parcel I has expressed interest in voluntarily selling his property to the City.

A new Tax Increment Finance (TIF) District is recommended to be formed to assist in the planned redevelopment of the properties into a possible commercial/office/retail use to commensurate with the needs and character of the current neighborhood.

LOCATION: This project will be referred to as the 113<sup>th</sup> & Greenfield Redevelopment Plan, the "Project". The Project area is centrally located within the northeastern part of the City and bounded on the **west** by residential and one commercial property; on the **north** by a commercial and vacant property; on the **south** by a commercial contractor property; and on the **east** by S. 113 St. and light industrial properties. The total area of the District is approximately 1.77 acres, which includes public roads.

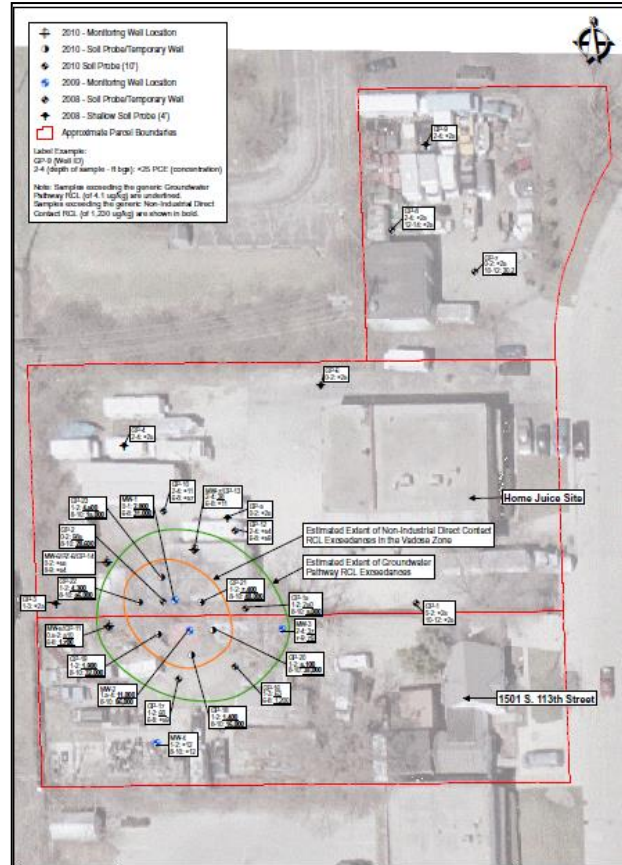
BLIGHTING INFLUENCES: There are two distinct major causes of blight in the project area. - 1) The primary cause is the presence of substandard environmental conditions on various properties; and (2) presence of a substantial number of deteriorated and deteriorating buildings.

*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.

*1501 S. 113 St. (Parcel I)*

This property is an isolated residential property with a 1,700 sq. ft. house in an area of the City that is zoned commercial. Based on historical aerial photographs of the subject property, it appears that it has been used as a salvage yard/vehicle storage business from approximately 1985 through 2009. The known environmental concerns for the residential property include: 1) high concentrations of tetrachloroethene (PCE) in the soil and groundwater; 2) concentrations of metals, such as mercury, arsenic, lead, selenium and/or cadmium in the soil and groundwater at concentrations slightly above regulatory standards; and, 3) polycyclic aromatic hydrocarbons (PAHs) in the near surface soil. Active remedial action to address the PCE affected soil and groundwater will be required by the WDNR. Additional groundwater monitoring is recommended to evaluate the potential for natural attenuation of the metals impacts. Residual soil and groundwater contamination left on site after the active remediation is complete may need to be addressed relative to any new proposed redevelopment (likely to involve installation of a barrier, such as pavement).



*Kenosha Home Juice Sales Corp. (Parcels IIA, IIB and IIC)*

Parcel IIA, a 0.734-acre lot, contains a vacant 4,200 sq. ft. commercial/flex space building. The site has been vacated since 2006. Based on the most recent Environmental Site Assessments (ESAs) in 2008 and 2009, the known environmental concerns for the commercial property include: 1) tetrachloroethene (PCE) in the soil and groundwater near the southern property line; 2) low levels of PAHs in the near surface soils at three soil probe locations above non-industrial direct contact standards; and, 3) residual petroleum impacts from a closed leaking underground storage tank (LUST) case on the southern parcel. Active remediation to address the PCE affected soil and groundwater will be required by the WDNR. Residual soil contamination left on site after the active remediation is complete may need to be addressed relative to any new proposed redevelopment. A remedial action plan to address the shallow PAH impacts, involving placement of a direct contact barrier, has been approved by the WDNR.

Parcel IIB, a 0.036-acre lot, is a vacant parcel with no building. Based on the most recent Environmental Site Assessments (ESAs) in 2008 and 2009, the known environmental concerns for the commercial property include: 1) low level PAHs in near surface soils.

Parcel IIC, a 0.291-acre lot, contains a 1,140 sq. ft. garage/former auto repair building. Based on the most recent Environmental Site Assessments (ESAs) in 2008 and 2009, the known



environmental concerns for the commercial property include: 1) low level PAHs in near surface soils; and, 2) asbestos containing materials within the existing building materials.

*2. Presence of a substantial number of deteriorated and deteriorating buildings.*

The area can be characterized as an older deteriorated commercial site with a mix of warehouse/storage and residential uses, located between improved and redeveloped light industrial properties to the east and commercial to the north, residential properties to the west, and deteriorated outdoor storage and commercial properties to the south. The site includes a residential use that is shadowed by the surrounding commercial node. Based on a survey conducted by the Building Inspections and Neighborhood Services Department, all properties within the boundaries of the Plan, exhibit one or more characteristics of blight, as defined by Wisconsin State Statutes.



Parcel I, the residential property, was illegally used as an outdoor storage/junk yard facility for nearly 25 years. Since foreclosure of the property in 2007 and the former property owner leaving the residence in 2009, the site has been vacant. The bank that foreclosed on the property, JP Morgan Chase Bank/GMAC, allowed the City's environmental consultant access to conduct environmental assessments of the site.

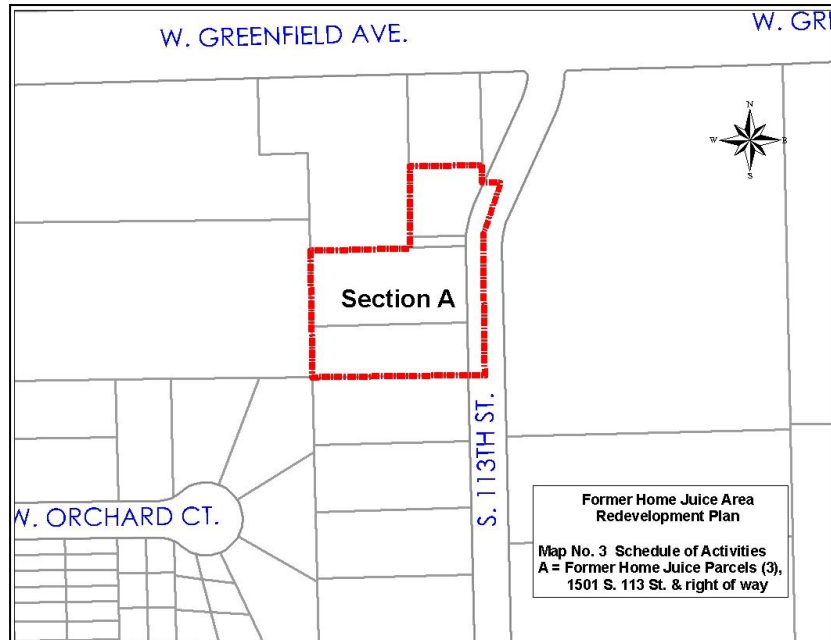
The former Home Juice buildings located on Parcels IIA and IIC, have been vacant and underutilized since the closing of the facility in 2006. The condition of the building and improvements are negatively impacting viable development and sale of the land to a private developer. Further, based on historical uses of the property, the site had underground storage tanks and was formerly an automobile service facility. The recognized and perceived environmental conditions of all former Home Juice property conditions restrict the interest and investment of private developers.

**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. 4 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

This Plan provides for one (1) redevelopment section (labeled as A), of which includes specific project activities. Section A is composed of one project activity which will involve returning the parcels, currently owned by Kenosha Home Juice Sales Corp. and a private individual, to an economically productive and aesthetically appealing commercial development that will help to bring new value towards revitalizing the 113th & Greenfield Neighborhood. This Redevelopment Plan and the proposed Tax Incremental Finance District No. 13 have been prepared in a manner so that various components and activities may be implemented as a whole or selectively (as options) to accomplish the redevelopment objective.



This *project activity* principally includes the redevelopment of the former Home Juice parcels and a deteriorated and contaminated residential property. Given the environmental contamination of these properties and the lack of ability to privately redevelop them, the City has prepared this Redevelopment Plan in preparation of acquisition of the four (4) parcels within the Project Area. They include:

### **Kenosha Home Juice Sales Corp. (For Sale 1.06-acre site area)**

- Northern Home Juice parcel 1433 S. 113 St. (0.291 acres)
- Vacant middle Home Juice parcel 14\*\* S. 113 St. (0.036 acres)
- Southern Home Juice parcel 1445 S. 113 St. (0.734 acres)
- Total of three (3) parcels (**1.06 acres**)

### **Residential Property (0.491-acre site area)**

- Residential property 1501 S. 113 St. (**0.491 acres**)

### **Right of Way (0.219-acre site area)**

- Right of way on S. 113 St. (**0.219 acres**)
- No project costs to be expended in the right of way

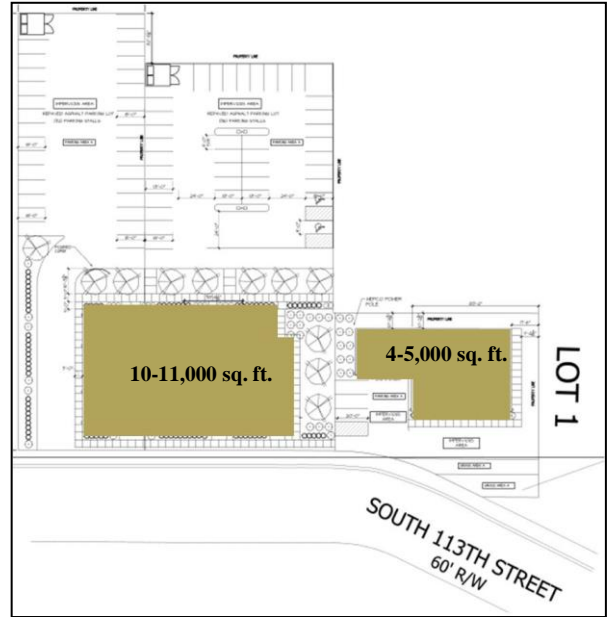
The following is a list of proposed improvements and other projects that the City expects to implement in the District. Any costs necessary for the creation of the District or related to the proposed improvements are considered “project costs” and are eligible to be paid with tax increment revenues.

- 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.

In 2010, the value of properties within the project boundaries had a Fair Market Value as determined by the City Assessor of \$565,669. The Redevelopment Plan properties paid \$14,378 in property taxes. One development scenario was explored in determining the site’s redevelopment potential as developers have expressed interest in an office development. Table 1 indicates the amount of taxable value that could be developed and the amount of (incremental) property tax relief that could be captured by redevelopment.

### **Development Options**

A development option could occupy all four (4) parcels with two (2) office developments, for a combined estimated total value of \$1.5 million. The most northern office building would be approximately 4-5,000 sq. ft. in area and the most southern office building would be approximately 10-11,000 sq. ft. in area. Parking requirements of approximately 50-70 spaces would be provided with the office development and complimenting greenspace would be provided around the building and parking lot to enhance the development and neighborhood. 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 THE PROJECT AREA**

The Project Area is generally known as the 113<sup>th</sup> & Greenfield 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 proposed boundary of Tax Increment Finance District No. 13. 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. Plan Objectives.** The objectives of the "113<sup>th</sup> & Greenfield Redevelopment Plan" are as follows:

1. Eliminate vacant, obsolescent, disinvested, and deteriorating buildings, lighting influences and environmental deficiencies that detract from the functional unit, aesthetic appearance and economic welfare of the 113<sup>th</sup> & Greenfield 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 commercial, 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 in 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 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, land or improved property acquired in the Project area uses 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 or other real property deemed necessary for the assemblage of disposition 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 necessary or incidental to the implementation of this Project is identified on **Map No. 5 - Proposed Property Acquisitions**. The **Schedule of Lands and Interest Required** is also provided as **Exhibit 3**. All four (4) properties are available for sale.

**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 IV and in other applicable sections of this Plan, are shown on **Map No. 7 - 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 various properties within the District. Costs associated and related to the acquisition of real estate 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 in 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 commercial, mixed-uses, multi-family, and two- and single-family residences. 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 commercial development along the west side of S. 113 St. The project area is currently comprised of one (1) zoning district: C-3 Community Commercial District. Please refer to **Map No. 6 - Existing Land Use**, and **Map No. 8 - Existing 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 underlying zoning of the Project Area will continue to be C-3 Community Commercial District. In addition to the zoning change, a Planned Development District (PDD) overlay is anticipated as part of the Statement of Proposed Changes in Zoning of the properties. 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. The use restrictions for the property shall be in accordance with the proposed underlying C-3 Community Commercial Zoning District (sec. 12.42 RMC).

- B. Building Requirements.** Building requirements and other development controls for permitted uses in the Project Area shall be as specified for such uses 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.** In accordance with the underlying C-3 Neighborhood Commercial 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, except trash enclosure areas, shall be prohibited. 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 acceptably 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. 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 and window openings are encouraged. 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 example energy efficiency and green technologies, such as 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 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 effect until modified by the Common Council upon recommendation by the CDA.

**D. Applicability of Land Use Plan.** After approval and certification of the Former Home Juice Area 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.

All permit applications for new construction within the Project area, including substantial remodeling or conversion or rebuilding, enlargement, or extension of major structural improvements on existing buildings, shall be referred to and reviewed by the CDA to determine conformance with this Plan.

## **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 will be selected via a "Request for Proposal" or other process. Proposals may 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 IV 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 and shall 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. The developer shall begin and complete the redevelopment of the land for the uses permitted in the Plan and the related improvements agreed upon in the disposition instrument as described in the approved final construction Plans within a reasonable period of time as determined by the CDA.
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 in effect.
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 cost 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 Redevelopment Plan objectives and requirements.

- C. CDA's Obligations.** The CDA will 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 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

The following statements, maps, and information presented here are given to establish compliance with statutory 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.
- B. Relationship to Definite Local Objectives.** This Plan has been carefully established to generally conform with 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. 113 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;
  5. **Recreational and Community Facilities.** No recreational and/or community facilities are proposed to be constructed or expanded by this Plan; and,
  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 4**, proposed property acquisitions are shown on **Map 5**, existing land uses are shown on **Map 6**, existing zoning is shown on **Map 8**.
- E. Land Use Plan of Proposed Uses.** Proposed land uses are shown on **Map No. 7** and proposed zoning is shown on **Map 9**.
- F. Land Coverage and Building Intensity** shall not exceed conditions set forth in Section V of this document.
- G. Present and Potential Equalized Value for Property Tax Purposes.**

**TABLE 1  
PRESENT AND POTENTIAL EQUALIZED VALUE**

Parcel	Assessed Value			Equalized Value	Taxes
	Land	Improvements	Total		
I	\$18,900	\$122,600	\$141,500	\$142,627	\$3,695
IIA	\$127,900	\$160,500	\$288,400	\$290,697	\$7,531
IIB	\$6,300	\$2,000	\$8,300	\$8,366	\$217
IIC	\$50,700	\$72,300	\$123,000	\$123,797	\$3,212
<b>Current</b>	\$203,800	\$357,400	\$561,200	\$565,669	\$14,655
<b>Projected</b>	\$203,800	\$1,500,000	\$1,703,800	\$1,717,367	\$44,486
<b>Projected Increment</b>	<b>\$0</b>	<b>\$1,142,600</b>	<b>\$1,014,700</b>	<b>\$1,022,780</b>	<b>\$29,831</b>

\* Mill Rate utilized is \$26.11 per \$1,000 of assessed value

**I. Statement of Proposed Changes in Zoning Ordinances or Maps and Building Codes and Ordinances.**

The Project Area as shown on **Map 8 - Existing Zoning**, is C-3 Community Commercial District.

1. No changes are planned for the City Building Codes. The City of West Allis Official Zoning Boundary Map is proposed to be amended as noted in **Map 9 – Proposed Zoning**.
2. A Planned Development District (PDD) overlay is anticipated to be adopted within the area. 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 through the use of a PDD.

**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 relocation is expected as part of the Project as all buildings within the Plan are currently vacant.

## **VIII. PROCEDURE FOR CHANGES IN THE APPROVED PLAN**

At any time after the Project Area Plan has been approved by both the Community Development 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.

## **XI. LIST OF EXHIBITS AND MAPS**

The Exhibits and Maps are incorporated into the Redevelopment Plan and 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 Required

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

### **Maps**

Map No. 1 – Parcel Map

Map No. 2 – Boundary Map

Map No. 3 – Schedule of Activities

Map No. 4 – Existing Property Conditions

Map No. 5 – Proposed Property Acquisitions

Map No. 6 – Existing Land Use

Map No. 7 – Proposed Land Use

Map No. 8 – Existing Zoning

Map No. 9 – Proposed Zoning

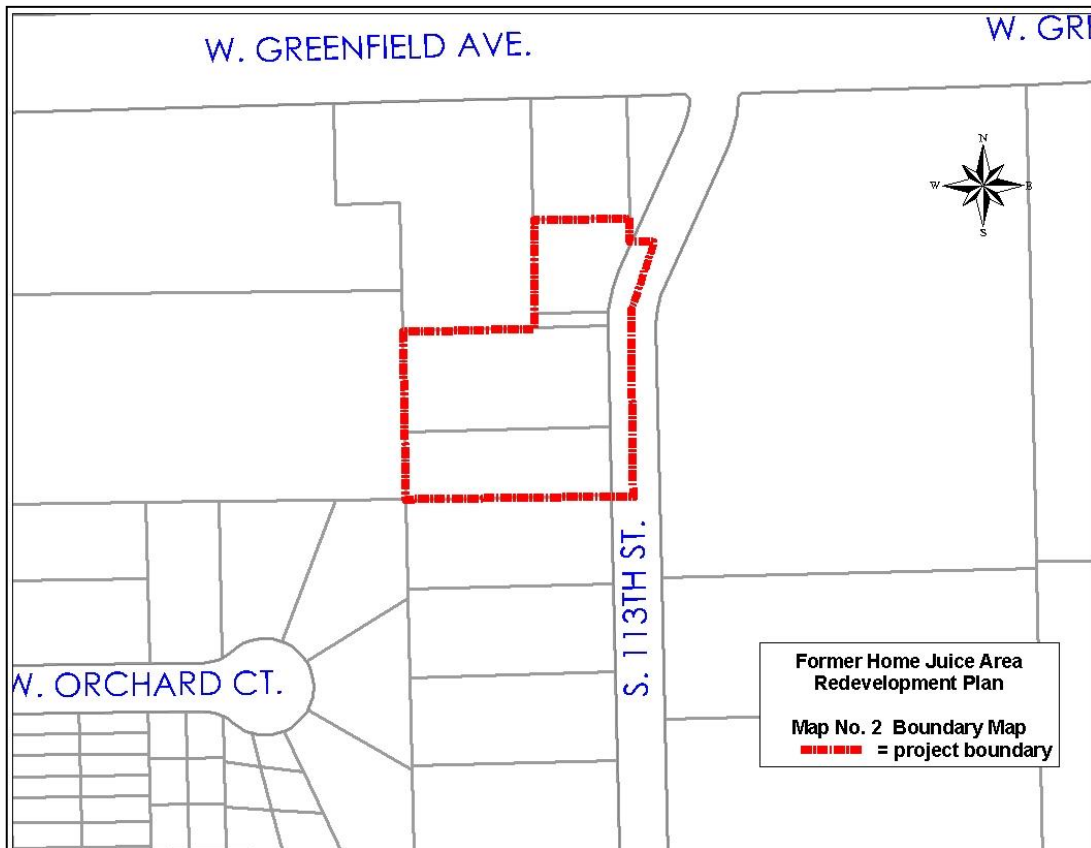
**EXHIBIT NO. 1**

**FORMER HOME JUICE REDEVELOPEMENT AREA**

**LEGAL DESCRIPTION:**

A tract of land located in the Northeast ¼ of Section 6, Township 6 North, Range 21 East, more particularly described as follows:

Beginning at the Southeast corner of the Parcel 3, Certified Survey Map No. 3902; thence Northerly, 209.50 feet; thence Easterly, 164.50 feet; thence Northerly, 134.50 feet; thence Easterly, 120.00 feet; thence Southerly, 36.13 feet, to the Westerly right-of-way line of South 113<sup>th</sup> Street; thence Easterly, 33.34 feet, to the centerline of the South 113<sup>th</sup> Street; thence Southwesterly, 48.53 feet, along said centerline to the point of curvature; thence continue Southwesterly, 56.20 feet, along the arc of the curve with radius of 125.68 feet and chord length of 55.73 feet; thence Southerly, 209.89 feet, along the centerline of South 113<sup>th</sup> Street; thence Westerly, 314.86 feet, to the Point of Beginning.



Said land contains 1.77 Acres, more or less.

**EXHIBIT NO. 2**  
**DETERMINATION OF BLIGHT (page 1)**



**DEPARTMENT OF BUILDING INSPECTIONS &  
NEIGHBORHOOD SERVICES**

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

City Hall  
7525 West Greenfield Avenue  
West Allis, Wisconsin 53214

[www.ci.west-allis.wi.us](http://www.ci.west-allis.wi.us)

March 21, 2011

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

RE: 113<sup>th</sup> Street south of Greenfield Avenue 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 4 land parcels with varying uses as follows:

- 1 single family residential use
- 2 commercial uses
- 1 vacant 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

Building Age

There are a total of (3) main buildings on the (4) parcels. The buildings were constructed between 1948-1960, which puts them all 50-60 years old. The residential property is the oldest, being built in 1948. The commercial properties were built in 1955 and 1960.

The age review determines that the area has a predominance of aging structures that require continual problematic maintenance problems. 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. residential abutting heavy commercial use).

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.

**EXHIBIT NO. 2**  
**DETERMINATION OF BLIGHT (page 2)**

The residential property has deteriorated roof materials, peeling paint, missing fascia and soffits, missing gutters and downspouts, plywood being used as an exterior finish material, exposed materials that are not rated for exterior use, missing concrete or paving, drainage issues that will lead to foundation deterioration, mold, evidence of major foundation settling and damage, and broken or boarded over doors and windows.

One of the commercial properties has major structural damage to a column and base that is supporting the roof. There are piles of rubble and debris in the rear yard. The other commercial property has an abandoned trailer and snow plow on the property.

Provisions for Open Space and Lot Layout

The residential property does not meet current zoning regulations. It is located within the south side property line setback. It also currently has (2) driveways leading to (2) attached garages, which is against current zoning regulations. Current zoning regulations would also prohibit a single residential use surrounded by heavy commercial use, as was done here. The size of the lot (84' x 224.8') is more than 5 times larger than the typical 30' x 120' lot found for single family homes in West Allis, which leads to an abundance of unused and undevelopable open space.

The (2) commercial properties and the vacant parcel share a common driveway, which requires access easements for each of these properties. That makes lot access hard to achieve. The vacant parcel is completely cut off from street access by fences on the other parcels.

The properties were laid out using outdated planning principals allowing for conflict between use (residence abutting manufacturing/heavy commercial) and other issues regarding building set backs, and parcel access for established uses.

Summary Declaration of Blighted Area

I have surveyed the 113<sup>th</sup> St./Greenfield Ave. 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. In conclusion, in my opinion, the subject redevelopment area is a "blighted area" as defined in Wisconsin State Statutes Section 66.1333(2m)(b).

Sincerely,



Ted Atkinson, Director  
Building Inspection and Neighborhood Services

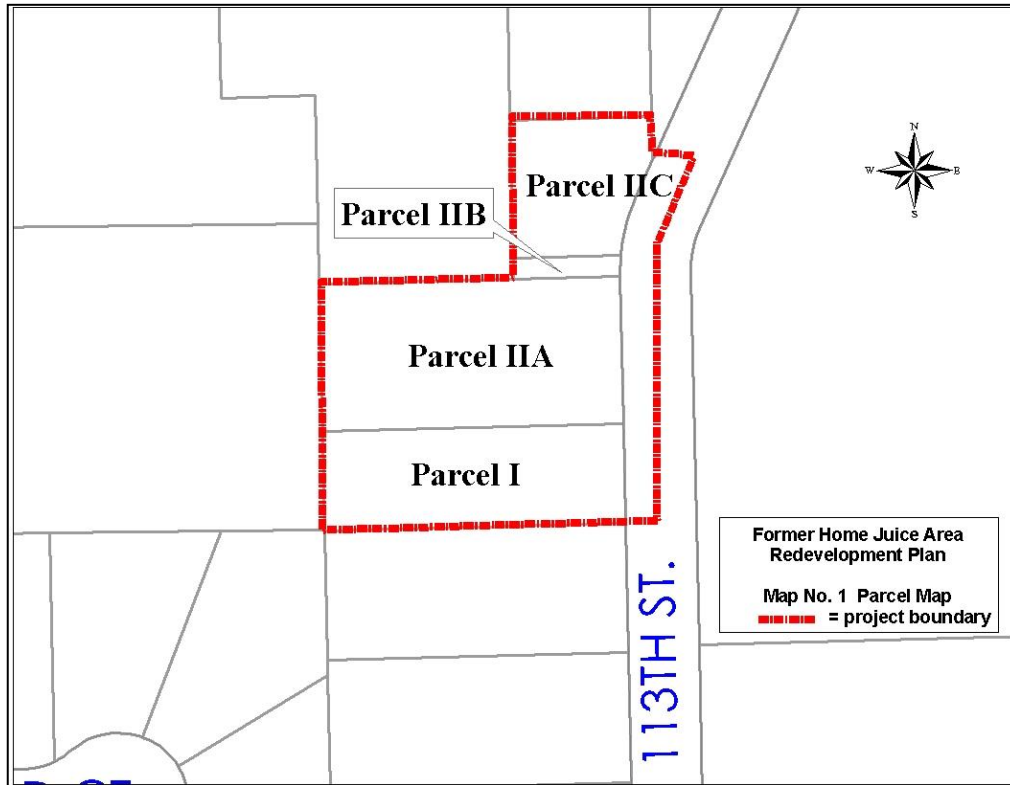
Cc: John Stibal, Director of Development  
Scott Post, City Attorney



**EXHIBIT NO. 3**

**SCHEDULE OF LANDS TO BE ACQUIRED**

<b>Project ID #</b>	<b>Tax Key #</b>	<b>Property Address</b>	<b>Owner's Name</b>	<b>Tenant/Use</b>	<b>Acreage</b>
I	448-9990-000	1501 S. 113 St.	Juan M. Macias	Single-family Residential - Vacant	0.4914
IIA	448-9989-005	1445 S. 113 St.	Kenosha Home Juice Sales Corp.	Former Home Juice warehouse/office – Vacant	0.7340
IIB	448-9989-007	14** S. 113 St.	Kenosha Home Juice Sales Corp.	Vacant parcel	0.0364
IIC	448-9989-009	1433 S. 113 St.	Kenosha Home Juice Sales Corp.	Former auto repair – Vacant	0.2907



**EXHIBIT NO. 4 ESTIMATED REDEVELOPMENT COSTS & NET**

<b>Project Activity</b>	<b>TIF Plan Budget</b>
1. Acquisition	\$398,000
2. Relocation	\$0
3. Environmental Clean-Up	\$510,000
4. Demolition	\$30,000
5. Public Infrastructure	\$40,000
6. Administration	\$62,000
7. Interest Expense	\$0
8. Contingency	\$104,000
<b>TOTAL</b>	<b>\$1,144,000</b>

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

<b>Projected Revenue Sources</b>	<b>Budget</b>
1. Land Sales	\$370,001
2. Grants (Brownfield, SAG, Ready-for-Reuse)	\$329,900
3. TIF	\$444,099
<b>TOTAL</b>	<b>\$1,144,000</b>

# APPENDIX MAPS

