



City of West Allis

Legislation Text

File #: R-2008-0091, **Version:** 1

A Resolution Approving a Project Plan Amendment for Tax Increment District Number One of the City of West Allis, Wisconsin and Making Certain Findings with Respect Thereto

WHEREAS, Tax Increment District No. 1 (the "District") of the City of West Allis, Wisconsin (the "City") was created by the City pursuant to a project plan dated February 26, 1992, revised September 1, 1992 and amended July 12, 1996 (the "Project Plan"), as a "blight district" based on a finding that not less than 50% by area of the real property in the District is determined to be blighted and is suitable for industrial sites within the meaning of Section 66.1101 of the Wisconsin Statutes and has been zoned for industrial use;

WHEREAS, under the provisions of Sections 66.1105(6)(f), 66.1105(4)(h) and 66.1335(1) of the Wisconsin Statutes, a community development authority of a city may, by resolution, adopt an amendment to a project plan, subject to the approval of the local legislative body and the joint review board, to allocate positive tax increments generated by a tax incremental district to another tax incremental district;

WHEREAS, pursuant to Section 66.1105(4)(h)1. and 66.1335(1) of the Wisconsin Statutes, the Community Development Authority of the City (the "Authority") prepared Project Plan Amendment No. 2 (the "Project Plan Amendment"), to allocate positive tax increments generated by the District to Tax Incremental District No. 2 ("TID No. 2") and Tax Incremental District No. 6 ("TID No. 6") of the City;

WHEREAS, the Common Council hereby finds that the City meets the conditions for such an allocation amendment; as follows:

- a. The District, TID No. 2 and TID No. 6 have the same overlying taxing jurisdictions;
- b. TID No. 2 and TID No. 6 were created upon a finding that not less than 50 percent, by area, of the real property within TID No. 2 and TID No. 6 is blighted; and
- c. The District will have excess positive tax increments after satisfaction of all its current year debt service and project cost obligations;

WHEREAS, the Project Plan, as amended by the Project Plan Amendment, includes (a) a statement listing the kind, number and location of all proposed public works or improvements within the District, as amended; (b) an economic feasibility study; (c) a detailed list of estimated project costs; (d) a description of the methods of

financing all estimated project costs and the time when the costs or monetary obligations related thereto are to be incurred; (e) a map showing existing boundaries, uses and conditions of real property in the District; (f) a map showing proposed boundaries, improvements and uses in the District; (g) proposed changes in zoning ordinances, the City's master plan, map, building codes or ordinances; (h) a list of estimated non-project costs; (i) a statement of the proposed method for the relocation of any persons being displaced; (j) a statement indicating how amendment of the District promotes orderly development of the City and (k) a legal opinion advising that the Project Plan Amendment is complete and complies with Section 66.1105 of the Wisconsin Statutes;

WHEREAS, on April 8, 2008, the Authority held a public hearing at which all interested parties were afforded a reasonable opportunity to express their views on the District and the proposed Project Plan Amendment;

WHEREAS, on April 8, 2008, the Authority duly adopted a resolution (the "Adopting Resolution") which adopted the Project Plan Amendment and recommended and submitted it to this Common Council for approval; and

WHEREAS, the Project Plan Amendment, the Project Plan, as amended, and certified copies of the Adopting Resolution have been presented to this Common Council and reviewed by City staff and counsel to the City.

NOW, THEREFORE, be it resolved by the Common Council of the City of West Allis, Wisconsin, that:

Section 1. Approval of Project Plan Amendment. The Project Plan is hereby amended pursuant to and as set forth in Project Plan Amendment No. 2 for the District attached as Appendix A hereto and incorporated herein by reference (the "Project Plan Amendment"). The Project Plan Amendment is hereby approved pursuant to Sections 66.1105(6)(f) and 66.1105(1)(h)1. of the Wisconsin Statutes.

Section 2. Feasibility of Project Plan. Based on the information set forth in the Project Plan Amendment, including the economic feasibility report, which is a part of such Project Plan Amendment, this Common Council finds and determines that the Project Plan Amendment is feasible.

Section 3. Conformity with Master Plan. Based on the information set forth in the Project Plan Amendment, this Common Council hereby finds and determines that the Project Plan Amendment is in conformity with the master plan of the City.

Cc: Development

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