CITY OF WAUWATOSA
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COMMUNITY DEVELOPMENT COMMITTEE
Meeting – Tuesday, January 12, 2010
Committee Room #1

PRESENT: Alds. Birschel, Dennik, Hanson, Herzog, Meaux, McBride, Nikcevich,

ALSO PRESENT: A. Kesner, City Attorney; N. Welch, Community Devel. Dir.

Ald. Herzog as Chair called the meeting to order at 8:05 p.m.

Setting the public hearing date for Designation of Wauwatosa Avenue from approximately Warren Avenue to Watson Avenue as a local historic district

Ms. Welch commented that this item was on the agenda for setting the public hearing date. She added that Wauwatosa Avenue is an area of lovely, historic homes. This area was a Landmark District when the Landmark Commission was in existence, but this designation was dropped when the commission was disbanded. The proposal is to bring back the area's status as a local historic district. The majority of the residents are in support of this designation.

Moved by Ald. McBride, seconded by Ald. Nikcevich to recommend setting the public hearing date for February 2, 2010 – 8

Amendment to TIF District #3, State Street Corridor, to include properties at 1234 and 1245 N. 62nd Street and 6005 W. Martin Drive

Ms. Welch noted that this item requires a couple of different decisions. The first would be to include 1234 and 1245 N. 62nd Street; and 6005 W. Martin Drive in TIF District #3. These should have been included in the TIF, but were probably left out because it seemed that these particular properties were pretty stable and would be not be undergoing any changes in the future. The Reserve apartment complex was included in the TIF as well. She added that as of March 2010 TIF #3 will be 10 years old. After that no more properties can be added to it.

Ald. Herzog asked if there was TIF remediation for The Reserve. Ms. Welch responded that there was in the beginning.

Ald. Dennik reported that at the TIF Review Board meeting they outlined the next steps as obtaining committee approval, the going before the Common Council and then back to the TIF Review Board for final approval.

Ald. Herzog- asked about the "but for" test. Ms. Welch explained that in order for a property to participate in TIF funding they must pass a test which basically says that "but for" the funding available in the TIF a project could not go forward. She added that they have a finding from Quarles & Brady establishing the "but for" test for The Enclave project. Ald. Dennik agreed saying that if it wasn't for the TIF financing the apartment project would not move forward.

Ms. Welch reported that the Plan Commission recommend unanimously for this amendment and the funding for The Enclave. In response to a question about Quarles & Brady's representation, Ms. Welch noted that they were representing the city.

> Moved by Ald. McBride, seconded by Ald. Hanson to recommend approval of an amendment to TIF District #3, State Street Corridor, to include properties at 1234 and 1245 N. 62nd Street and 6005 W. Martin Drive contingent upon an amount not to exceed $1.5 million in funding to HSI Developers Inc. for The Enclave Project --

Ald. Stepaniak asked that the two items be voted on separately. Mr. Kesner advised that the TIF amendment relates to the boundaries and allows for the city to work on this project. Two weeks from now there will be a developer's agreement addressing the funding for The Enclave. Ald. Stepaniak thought it would be much cleaner to keep the two actions separate. Ald. McBride and Ald. Hanson as motion and second agreed to amend the motion.

> Moved by Ald. McBride, seconded by Ald. Hanson to recommend approval of an amendment to TIF District #3, State Street Corridor, to include properties at 1234 and 1245 N. 62nd Street and 6005 W. Martin Drive – 8
>
> Moved by Ald. McBride, seconded by Ald. Hanson to allow for the expenditure of up to 1.5 million in TIF #3 funding for infrastructure improvements for The Enclave apartment project – 8

Ald. Stepaniak asked what type of TIF this was. Ms. Welch explained that this TIF was adopted in 2000 so it is considered a traditional TIF. The structure of the payment would be a developer's TIF increment included in the developer's agreement and would go to pay off the developer's expenses.

Ald. Birschel noted that the Plan Commission put a lot of weight on the Quarles & Brady finding. It does not mean that the tax levy will change. Ms. Welch added that the TIF will legally be finished in 2030; however, they expect to be able to end it much earlier in 2017.

> Vote on the motion was Ayes: 8

The meeting adjourned at 8:21 p.m.

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin

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